



NORTH DAKOTA
PUBLIC EMPLOYEES
RETIREMENT SYSTEM

Board Meeting Agenda

Location: WSI Board Room, 1600 East Century Avenue, Bismarck ND
By phone: 701.328.0950 Conference ID: 687 423 883#
Date: Tuesday, October 13, 2026
Time: 8:30 A.M. [Join the meeting now](#)

I. MINUTES

- A. September 29, 2026

II. CONFLICT OF INTEREST DISCLOSURE CONSIDERATION

III. GROUP INSURANCE / FLEXCOMP

- A. Health Insurance Plan Request for Proposal (RFP)– Deloitte & Katheryne
*EXECUTIVE SESSION (Board Action)

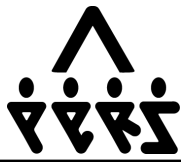
IV. LEGISLATION / ADMINISTRATIVE RULES

- A. Legislation – Rebecca (Board Action)

V. OPERATIONS / ADMINISTRATIVE

- A. Board Meetings During Legislative Session – Rebecca (Board Action)
- B. Contracts Under \$15,000 – Rebecca (Information)
- C. Next Meeting Date: Tuesday, October 27, 2026

*Executive session pursuant to N.D.C.C. §§ 44-04-19.2 & 44-04-18.4(6)(b) to discuss closed proposals received in response to the NDPERS Request for Proposal Group Medical and Prescription Drug Coverage.



North Dakota
Public Employees Retirement System
1600 East Century Avenue, Suite 2 • PO Box 1657
Bismarck, North Dakota 58502-1657

Rebecca Fricke
Executive Director
(701) 328-3900
(800) 803-7377

Fax: (701) 328-3920

Email: ndpers-info@nd.gov

Website: www.ndpers.nd.gov

Health Insurance Plan Request for Proposal (RFP)

TO: NDPRS Board

FROM: Katheryne Korom, Rebecca Fricke and Deloitte Consulting

DATE: October 13, 2026

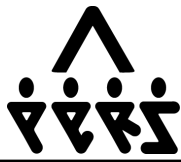
Following are the key dates in the proposal process:

Activity	Description	Tentative Timing
August Board Meeting	Board Meeting – Present Preliminary Results, Update Board on Revised Timeline	August 18, 2026
Release Rx File Addendum	Provide updated Rx File to any vendors who requested password for original Rx Data	August 19, 2026
New Vendor Confirmation Date	Vendors who initially did not bid have to confirm if they intend to bid based on the amended Rx data.	August 26, 2026
Updated Results Due	Updated vendor proposals based on the new Rx data are due	September 9, 2026
September Board Meeting	Board Meeting – Present Pre-BAFO results	September 29, 2026
1st October Board Meeting	Board Meeting	October 13, 2026
Vendor Interviews	Finalist interviews, if necessary	Mid-October, 2026
2nd October Board Meeting	Board Meeting – Present Final Results/Possible Vendor Selection	October 27, 2026
Begin Implementation	Vendor Implementation Commences	December 2026
Effective Date	New Biennium Commences	July 1, 2027

Representatives from Deloitte Consulting will present an update in Executive Session on the Health Insurance RFP and will be available to address questions. Information for the Executive Summary will be shared with the Board under separate cover and prior to the Board meeting.

Board Action Requested

Provide Deloitte and staff with direction on next steps.



Fax: (701) 328-3920

Email: ndpers-info@nd.gov

Website: www.ndpers.nd.gov

Legislation

TO: NDPER Board

FROM: Rebecca Fricke

DATE: October 13, 2026

At the March Board meeting, the Board approved 5 bill drafts for submission and consideration by the Employee Benefits Programs Committee during the interim. The following and attached are the submitted bill drafts, along with the Committee's recommendation. Note, the Committee did not take jurisdiction of Bill Draft 108.

Bill Drafts

Bill Draft #	Attachment #	Subject	Description	Recommendation
106	1	Highway Patrol Cash Infusion	Provides a cash infusion for the Highway Patrol Retirement Plan	Favorable
107	2	Final Average Salary Calculation	Revises the Final Average Salary calculation for the Highway Patrol and Defined Benefit Plan to remove the higher of component within the calculation	No Decision (below)
108	3	457 Plan – restrict new enrollees to specific provider	Allows the Board to restrict participation by new enrollees into a specific provider(s)	Did not take jurisdiction (no fiscal impact)
109	4	Elected County Official Participation	Codifies changes necessary due to conflict between federal and state law related to elected county official participation in retirement plans	Favorable

110	5	Technical Corrections	Updates various section of NDPERS plan code to provide clarification due to existing procedures or modification to correct erroneous citation or language	Favorable
-----	---	-----------------------	---	-----------

Regarding bill draft 107, staff continue to analyze the number of new retirees that retire under the old final average salary calculation or the new final average salary calculation. In 2025 and thus far in 2026, the percentage continued to be near 6%. Based upon guidance from legal counsel, including Ice Miller, it was recommended that submitting this bill for consideration in the 2027 session was premature and that NDPERS should only submit the bill when it is confident that the removal of the old calculation would not result in a benefit reduction for members when they retire. Therefore, the Committee did not make a recommendation on this bill.

Another area we need direction from the Board is to verify the Board's intent for the amount to be updated in bill draft 106. Specifically, intent to reflect the amount of cash infusion necessary as of the July 1, 2026 valuation to have the Highway Patrol Retirement System at 100% funding on a twenty-year amortization period. Upon receiving this information from GRS as part of their valuation presentations at the next meeting, staff will update accordingly.

Pre-filing of Bills

The deadline for executive branch agencies to pre-file bills is November 25, 2026. Therefore, staff need approval from the Board regarding which bills to pre-file.

In addition, if any legislators on the Board are interested in co-sponsoring a bill, this would be the time for this to be indicated so that the pre-filing form can properly reflect this.

Board Action Requested:

- 1) Provide intent regarding cash infusion amount to indicate in bill draft 106 based upon July 1, 2026 valuation results.
- 2) Approve the pre-filing of bill drafts 106, 108, 109 and 110 to Legislative Council as legislation for the upcoming 69th Legislative Assembly.

27.0106.01000

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(North Dakota Public Employees Retirement System)

1 A BILL for an Act to provide for a transfer to the highway patrol troopers' retirement fund.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO**
4 **HIGHWAY PATROL TROOPERS' RETIREMENT FUND.** The office of management and budget
5 shall transfer the sum of \$_____ from the strategic investment and improvements fund to the
6 highway patrol troopers' retirement fund, for the purpose of increasing the funded liability of the
7 highway patrol troopers' retirement plan to a level sufficient to be one hundred percent funded
8 based on a twenty-year amortization period during the biennium beginning July 1, 2027, and
9 ending June 30, 2029.

NOTE: This bill draft contains blanks that must be filled in before introduction.

27.0107.01000

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(North Dakota Public Employees Retirement System)

1 A BILL for an Act to amend and reenact subsection 2 of section 39-03.1-11 and subsection 2 of
2 section 54-52-17 of the North Dakota Century Code, relating to the computation of final average
3 salary.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 39-03.1-11 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 2. Retirement benefits are based on the contributor's final average salary. Final average
8 salary is the average of the highest salary received by the contributor for any thirty-six
9 months employed during the last one hundred twenty months of employment. For
10 contributors who terminate employment on or after August 1, 2010, final average
11 salary is the average of the highest salary received by the contributor for any thirty-six
12 months employed during the last one hundred eighty months of employment. For
13 contributors who terminate employment between July 31, 2005, and August 1, 2010,
14 final average salary is the average of the highest salary received by the member for
15 any thirty-six months employed during the period for which the board has appropriate
16 and accurate salary records on its electronic database, but that period may not be
17 more than the last one hundred eighty months of employment. For members who
18 terminate employment after December 31, 2019, final average salary is the higher of
19 the final average salary calculated on December 31, 2019, or the average salary
20 earned in the three highest periods of twelve consecutive months employed during the
21 last one hundred eighty months of employment. Months without earnings are excluded
22 for the purpose of computing an average. If the contributor has worked for less than
23 thirty-six months at the postponed retirement date, the final average salary is the
24 average salary for all months of employment.

1 **SECTION 2. AMENDMENT.** Subsection 2 of section 54-52-17 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 2. Retirement benefits are calculated from the participating member's final average
4 salary, which is the average of the highest salary received by the member for any
5 thirty-six months employed during the last one hundred twenty months of employment.
6 For members who terminate employment on or after August 1, 2010, final average
7 salary is the average of the highest salary received by the member for any thirty-six
8 months employed during the last one hundred eighty months of employment. For
9 members who terminate employment between July 31, 2005, and August 1, 2010, final
10 average salary is the average of the highest salary received by the member for any
11 thirty-six months employed during the period for which the board has appropriate and
12 accurate salary records on the board's electronic database, but that period may not be
13 more than the last one hundred eighty months of employment. For members who
14 terminate employment after December 31, 2019, final average salary is the higher of
15 ~~the final average salary calculated on December 31, 2019, or~~ the average salary
16 earned in the three highest periods of twelve consecutive months employed during the
17 last one hundred eighty months of employment. Months without earnings are excluded
18 for the purpose of computing an average. If the participating member has worked for
19 less than thirty-six months at the normal retirement date, the final average salary is the
20 average salary for the total months of employment.

27.0108.01000

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(North Dakota Public Employees Retirement System)

1 A BILL for an Act to create and enact a new subsection to section 54-52.2-03.2 of the North
2 Dakota Century Code, relating to the public employees retirement system board's authority to
3 administer the deferred compensation program.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new subsection to section 54-52.2-03.2 of the North Dakota Century Code is
6 created and enacted as follows:

7 The board may limit new enrollees to one or more providers as designated by the
8 board for purposes of enrollment and certain administrative duties of the deferred
9 compensation plan.

27.0109.01000

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(North Dakota Public Employees Retirement System)

1 A BILL for an Act to create and enact a new section to chapter 54-52 and a new section to
2 chapter 54-52.6 of the North Dakota Century Code, relating to inservice benefit distributions to
3 county elected officials; to amend and reenact sections 54-52-02.11 and 54-52.6-02.1 of the
4 North Dakota Century Code, relating to county elected officials' participation in retirement plans
5 administered by the public employees retirement system; and to provide for retroactive
6 application.

7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

8 **SECTION 1. AMENDMENT.** Section 54-52-02.11 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **54-52-02.11. Participation requirements for nonstate elected officials.**

- 11 1. ~~Before January 1, 2025, eligible elected officials of participating counties, at their~~
12 ~~individual option, may enroll in the defined benefit plan within the first six months of~~
13 ~~their term.~~
- 14 2. ~~After December 31, 2024, eligible~~Eligible elected officials of participating counties, at
15 ~~their individual option~~from and after the date of first taking office, may enrollshall
16 participate in the defined contribution retirement plan under chapter 54-52.6 ~~within the~~
17 ~~first six months of their term.~~unless at the time of taking office the eligible elected
18 official is:
- 19 a. Eligible to participate in the public safety retirement plan created by this chapter,
20 in which case the eligible elected official shall participate in the public safety
21 retirement plan; or
- 22 b. A participating or deferred member under this chapter, in which case the eligible
23 elected official shall participate in the defined benefit plan.

2. Elected officials of participating counties who are not eligible employees have the same participation options as temporary employees.

SECTION 2. A new section to chapter 54-52 of the North Dakota Century Code is created and enacted as follows:

Nonstate elected officials - Inservice benefit distributions.

The board shall approve a request to receive inservice benefit distributions while serving as an elected official of the county of prior employment, submitted before August 1, 2027, by a participating member who has reached the member's normal retirement date, returned to service or continued employment as an elected official of the same participating county with which the member was employed at the time the member retired, and is not contributing to the public safety retirement plan, the defined benefit retirement plan, or the defined contribution retirement plan.

SECTION 3. AMENDMENT. Section 54-52.6-02.1 of the North Dakota Century Code is amended and reenacted as follows:

54-52.6-02.1. Participation in defined contribution retirement plan.

1. Except as otherwise provided under section 54-52-02.5 or 54-52-02.15 or this chapter, effective January 1, 2025, an eligible employee who is first enrolled shall participate in the defined contribution retirement plan under this chapter.
2. A temporary employee may elect to participate in the defined contribution retirement plan as provided under section 54-52.6-09.6.
3. A county elected official ~~may elect to~~ shall participate in the defined contribution retirement plan as provided under section 54-52-02.11.
4. A nonstate appointed official shall participate in the defined contribution retirement plan as provided under section 54-52-02.12.

SECTION 4. A new section to chapter 54-52.6 of the North Dakota Century Code is created and enacted as follows:

Nonstate elected officials - Inservice benefit distributions.

The board shall approve a request to receive inservice benefit distributions while serving as an elected official of the county of prior employment, submitted before August 1, 2027, by a participating member who has reached the member's normal retirement date, returned to service or continued employment as an elected official of the same participating county with

1 which the member was employed at the time the member retired, and is not contributing to the
2 public safety retirement plan, the defined benefit retirement plan, or the defined contribution
3 retirement plan.

4 **SECTION 5. RETROACTIVE APPLICATION.** Sections 2 and 4 of this Act apply
5 retroactively to July 1, 2007.

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

(North Dakota Public Employees Retirement System)

1 A BILL for an Act to amend and reenact subsections 5 and 7 of section 28-22-03.1, section
2 28-22-19, subsection 2 of section 39-03.1-11.2, subsection 15 of section 54-52-01,
3 subsections 7 and 11 of section 54-52-04, subsection 3 of section 54-52-05, subsection 1 of
4 section 54-52.1-03.2, subsection 3 of section 54-52.1-03.3, sections 54-52.2-04, 54-52.2-09,
5 and 54-52.6-01, subsection 3 of section 54-52.6-09, section 54-52.6-14, and subsection 2 of
6 section 54-52.6-21 of the North Dakota Century Code, relating to the exemption of retirement
7 benefits from legal process and administering the public employees retirement system.

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 **SECTION 1. AMENDMENT.** Subsection 5 of section 28-22-03.1 of the North Dakota
10 Century Code is amended and reenacted as follows:

11 5. The debtor's aggregate interest, not to exceed in value one hundred thousand dollars
12 less any amount of property transferred in the manner specified in 11 U.S.C. 542(d), in
13 any accrued dividend or interest under, or loan value of, any unmaturred life insurance
14 contract owned by the debtor under which the insured is the debtor or an individual of
15 whom the debtor is a dependent. Any cash deposit not previously scheduled to be
16 made into a life insurance policy or nonqualified annuity over the previous twelve
17 months is not exempt. Benefits are not exempt from enforcement of any order to pay
18 spousal support, child support, or a qualified domestic order under sections
19 15-39.1-12.2, ~~39-03-14.2~~ 39-03.1-14.2, and 54-52-17.6, 54-52.2-03.3, and 54-52.6-12.

20 **SECTION 2. AMENDMENT.** Subsection 7 of section 28-22-03.1 of the North Dakota
21 Century Code is amended and reenacted as follows:

22 7. Retirement funds that have been in effect for at least one year, to the extent those
23 funds are in a fund or account that is exempt from taxation under section 401, 403,
24 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986. The value of

those assets exempted may not exceed two hundred thousand dollars for any one account or four hundred thousand dollars in aggregate for all accounts. The dollar limit does not apply to the extent this property is reasonably necessary for the support of the resident and that resident's dependents. Retirement funds are not exempt from enforcement of any order to pay spousal support or child support, or a qualified domestic relations order under sections 15-39.1-12.2, 39-03.1-14.2, and 54-52-17.6, 54-52.2-03.3, and 54-52.6-12. As used in this subsection, "reasonably necessary for the support" means required to meet present and future needs, as determined by the court after consideration of the resident's responsibilities and all the present and anticipated property and income of the resident, including that which is exempt.

SECTION 3. AMENDMENT. Section 28-22-19 of the North Dakota Century Code is amended and reenacted as follows:

28-22-19. Exemptions from legal process - Public pensions, assistance, and awards.

The following amounts are exempt from liability for debts of the person to or on account of whom the amounts are paid, and are not subject to seizure upon execution or other process:

1. All pensions or annuities or retirement, disability, death, or other benefits paid or payable by, or amounts received as a return of contributions and interest from, a retirement system established pursuant to state law by the state except as provided by sections 15-39.1-12.2, 39-03.1-14.2, 54-52-17.6, and 54-52.2-03.3, and 54-52.6-12, a state agency, a political subdivision of the state, or a firefighters relief association for retirement, annuity, pension, disability benefit, or death benefit purposes. The exemption in this subsection does not apply to the collection of child support unless federal law requires an exemption or if complying with an execution or other process would require an actuarial analysis to determine the current value of the amounts that are payable to the debtor.
2. All awards made pursuant to chapter 54-23.4 as compensation for victims of crimes.
3. All payments of assistance as aid to dependent children pursuant to chapter 50-09.

SECTION 4. AMENDMENT. Subsection 2 of section 39-03.1-11.2 of the North Dakota Century Code is amended and reenacted as follows:

2. The minimum distribution rules under section 401(a)(9) of the Internal Revenue Code, including the incidental death benefit requirements under section 401(a)(9)(G), and the

regulations issued under that provision to the extent applicable to governmental plans,
as amended. Accordingly, benefits must be distributed or begin to be distributed no
later than a member's required beginning date, and the required minimum distribution
rules override any inconsistent provision of this chapter. ~~For a member who attains
age seventy and one-half before January 1, 2020, the member's required beginning
date is April first of the calendar year following the later of the calendar year in which
the member attains age seventy and one-half or terminates employment. For a
member who attains age seventy and one-half after December 31, 2019, the
member's required beginning date is April first of the calendar year following the later
of the calendar year in which the member attains age seventy-two or terminates
employment.~~

SECTION 5. AMENDMENT. Subsection 15 of section 54-52-01 of the North Dakota
Century Code is amended and reenacted as follows:

15. "Peace officer" means a participating member who is a peace officer as defined in
section 12-63-01 and is employed as a peace officer by the state, except by the
highway patrol for members of the retirement plan created under chapter 39-03.1, or is
employed by a political subdivision and, notwithstanding subsection ~~44~~16, for persons
employed after August 1, 2005, is employed thirty-two hours or more per week and at
least twenty weeks each year of employment. A peace officer who is a participating
member of the public safety retirement plan created by this chapter who begins
employment after August 1, 2005, is ineligible to participate concurrently in any other
retirement plan administered by the public employees retirement system.

SECTION 6. AMENDMENT. Subsection 7 of section 54-52-04 of the North Dakota Century
Code is amended and reenacted as follows:

7. The board shall administer chapters 39-03.1, 54-52.1, ~~and 54-52.2, and 54-52.6~~, and
may administer other optional employee benefit programs, including a flexible benefits
plan, an optional employee short-term disability plan, a long-term care plan, or other
optional employee benefit programs as the board deems appropriate. The board shall
also administer the retirement plan established in 1961 and frozen to new entrants in
1980 for employees of job service North Dakota under chapter 52-11.

1 **SECTION 7. AMENDMENT.** Subsection 11 of section 54-52-04 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 11. The board shall fund the administrative expenses of chapter 54-52.2 from funds
4 collected under chapters 54-52, 54-52.1, and 54-52.3, or any combination thereof, and
5 from fines and fees collected from deferred compensation services providers,
6 including any fees paid for by participant funds, subject to appropriation by the
7 legislative assembly.

8 **SECTION 8. AMENDMENT.** Subsection 3 of section 54-52-05 of the North Dakota Century
9 Code is amended and reenacted as follows:

10 3. Each employer, at its option, may pay all or a portion of the employee contributions
11 required by subsection 2 and sections 54-52-06.1, 54-52-06.2, 54-52-06.3, and
12 54-52-06.4 or the employee contributions required to purchase service credit on a
13 pretax basis pursuant to subsection 5 of section 54-52-17.4. Employees may not
14 receive the contributed amounts directly once the employer has elected to pay the
15 employee contributions. The amount paid must be paid by the employer in lieu of
16 contributions by the employee. If the ~~state~~employer determines not to pay the
17 contributions, the amount that would have been paid must continue to be deducted
18 from the employee's compensation. If contributions are paid by the employer, they
19 must be treated as employer contributions in determining tax treatment under this
20 code and the federal Internal Revenue Code. If contributions are paid by the employer,
21 they may not be included as gross income of the employee in determining tax
22 treatment under this code and the Internal Revenue Code until they are distributed or
23 made available. The employer shall pay these employee contributions from the same
24 source of funds used in paying compensation to the employee. The employer shall
25 pay these contributions by effecting an equal cash reduction in the gross salary of the
26 employee or by an offset against future salary increases or by a
27 ~~contribution~~combination of a reduction in gross salary and offset against future salary
28 increases. If employee contributions are paid by the employer, they must be treated for
29 the purposes of this chapter in the same manner and to the same extent as employee
30 contributions made prior to the date on which employee contributions were assumed

by the employer. An employer exercising its option under this subsection shall report its choice to the board in writing.

SECTION 9. AMENDMENT. Subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:

1. a. The board shall establish a retiree health benefits fund account with the Bank of North Dakota for the purpose of prefunding and providing hospital benefits coverage, medical benefits coverage, and prescription drug coverage under any health insurance program and dental, vision, and long-term care benefits coverage under ~~the uniform group insurance program for retired eligible employees or surviving spouses of retired eligible employees and their dependents as provided in this chapter~~any insurance program.
- b. The state shall contribute monthly to the retiree health benefits fund an amount equal to one and fourteen hundredths percent of the monthly salaries and wages of all participating members of the highway patrol troopers' retirement system under chapter 39-03.1, and one and fourteen hundredths percent of the monthly salaries of all supreme or district court judges who are participating members of the public employees retirement system under chapter 54-52.
- c. Each governmental unit that contributes to the public employees retirement system fund under section 54-52-06 or the retirement plan under chapter 54-52.6 shall contribute monthly to the retiree health benefits fund an amount equal to one and fourteen-hundredths percent of the monthly salaries or wages of all participating members of the public employees retirement system under chapter 54-52 or chapter 54-52.6, except for:
 - (1) Members first enrolled after December 31, 2019, for which a governmental unit contributes to the public employees retirement system fund under section 54-52-06 or the retirement plan under chapter 54-52.6; and
 - (2) Nonteaching employees of the superintendent of public instruction who elect to participate in the public employees retirement system pursuant to section 54-52-02.13 and employees of the state board for career and technical education who elect to participate in the public employees retirement system pursuant to section 54-52-02.14.

- 1 d. For nonteaching employees of the superintendent of public instruction who elect
2 to participate in the public employees retirement system pursuant to section
3 54-52-02.13, the superintendent of public instruction shall contribute monthly to
4 the retiree health benefits fund an amount equal to three and twenty-four
5 hundredths percent of the monthly salaries or wages of those nonteaching
6 employee members, beginning on the first of the month following the transfer
7 under section 54-52-02.13 and continuing thereafter for a period of eight years,
8 after which time the superintendent of public instruction shall contribute one and
9 fourteen-hundredths percent of the monthly salary or wages of those nonteaching
10 employee members.
- 11 e. For employees of the state board for career and technical education who elect to
12 participate in the public employees retirement system pursuant to section
13 54-52-02.14, the state board for career and technical education shall contribute
14 monthly to the retiree health benefits fund an amount equal to two and
15 ninety-nine hundredths percent of the monthly salary or wages of those
16 employee members, beginning on the first of the month following the transfer
17 under section 54-52-02.14 and continuing thereafter for a period of eight years,
18 after which time the state board for career and technical education shall
19 contribute one and fourteen-hundredths percent of the monthly salary or wages
20 of those employee members.
- 21 f. The employer of a national guard security officer or firefighter shall contribute
22 monthly to the retiree health benefits fund an amount equal to one and fourteen-
23 hundredths percent of the monthly salaries or wages of all national guard security
24 officers or firefighters participating in the public employees retirement system
25 under chapter 54-52.
- 26 g. Job service North Dakota shall reimburse monthly the retiree health benefits fund
27 for credit received under section 54-52.1-03.3 by members of the retirement
28 program established by job service North Dakota under section 52-11-01.
- 29 h. The board, as trustee of the fund and in exclusive control of its administration,
30 shall:

(1) Provide for the investment and disbursement of moneys of the retiree health benefits fund and administrative expenditures in the same manner as moneys of the public employees retirement system are invested, disbursed, or expended.

(2) Adopt rules necessary for the proper administration of the retiree health benefits fund, including enrollment procedures.

SECTION 10. AMENDMENT. Subsection 3 of section 54-52.1-03.3 of the North Dakota Century Code is amended and reenacted as follows:

3. The board shall apply the credit allowable under subsection 2 as elected by the eligible participant to the payment of monthly premiums required of each individual eligible under subsection 1 for hospital benefits coverage, medical benefits coverage, and prescription drug coverage under any health insurance program and for dental, vision, and long-term care benefits coverage under any insurance program. The self one spouse takes a family health plan under the uniform group health insurance program, the board shall allow spouses who each have credit under subsection 2 to combine the spouses' credits and ~~shall apply the combined credit to the required for~~ reimbursement of the family health plan monthly premiums as elected pursuant to this subsection. However, if the allowable credit under any circumstance exceeds the monthly premium in effect for selected coverage, that amount of the credit which exceeds the premium is forfeited and may not be used for any other purpose.

SECTION 11. AMENDMENT. Section 54-52.2-04 of the North Dakota Century Code is amended and reenacted as follows:

54-52.2-04. Definition - Employee.

For the purpose of this chapter, "employee" means any person, whether appointed, elected, or under contract, employed by the state or a political subdivision, who is at least eighteen years of age and employed in an approved and regularly funded position of unlimited duration for twenty hours or more per week and at least ~~five months~~ twenty weeks each year. For purposes of this chapter, "employee" also means a member of the legislative assembly.

SECTION 12. AMENDMENT. Section 54-52.2-09 of the North Dakota Century Code is amended and reenacted as follows:

1 **54-52.2-09. Employer match for members of defined contribution retirement plan.**

2 An employee who first participated in the defined contribution retirement plan under chapter
3 54-52.6 after December 31, 2024, who elects to contribute less than the optional three percent
4 of wages or salary under subdivision b of subsection 1 of section 54-52.6-09, who participates
5 in the deferred compensation program under this chapter, qualifies for employer matching of
6 contributions made under this section, subject to federal contribution limitations. The employee
7 may elect to contribute an amount of wages or salary which does not exceed any remaining
8 balance of the optional three percent contribution and the employer shall match this
9 contribution, subject to federal contribution limitations. This section does not limit the ability of
10 an employee to contribute unmatched wages or salary under this chapter, subject to federal
11 contribution limitations.

12 **SECTION 13. AMENDMENT.** Section 54-52.6-01 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **54-52.6-01. Definition of terms.**

15 As used in this chapter, unless the context otherwise requires:

- 16 1. "Board" means the public employees retirement system board.
- 17 2. "Deferred member" means an individual who elected to receive deferred vested
18 retirement benefits under chapter 54-52.
- 19 3. "Eligible employee", for employees who become participating members after
20 December 31, 2024, has the same meaning as provided under section 54-52-02.15.
21 For employees who elected to join the defined contribution retirement plan under this
22 chapter before January 1, 2025, the term includes a permanent state employee,
23 except an employee of the judicial branch or an employee of the board of higher
24 education and state institutions under the jurisdiction of the board of higher education,
25 who is at least eighteen years of age and who is in a position not classified by the
26 North Dakota human resource management services.
- 27 4. "Employee" means an individual employed by ~~the state~~ a governmental unit, whose
28 compensation is paid out of ~~state~~ the governmental unit's funds, or funds controlled or
29 administered by ~~the state~~ a governmental unit or paid by the federal government
30 through any of its executive or administrative officials.

1 5. "Employer" means ~~the state of North Dakota, except the highway patrol for members-~~
2 of the retirement plan created under chapter 39-03.1, or a participating political
3 subdivision of the state a governmental unit.

4 6. "Governmental unit" means the state of North Dakota, except the highway patrol for
5 members of the retirement plan created under chapter 39-03.1, or a participating
6 political subdivision of the state.

7 7. "Participating member" means an eligible employee who ~~elects to-~~
8 participate participates in the defined contribution retirement plan established under
9 this chapter.

10 ~~7.8.~~ "Permanent employee" means ~~a statean~~ employee whose services are not limited in
11 duration and who is filling an approved and regularly funded position in an eligible
12 governmental unit, and is employed twenty hours or more per week and at least five-
13 ~~months each year~~ twenty weeks each year of employment.

14 9. "Temporary employee" means an employee who is not eligible to participate as a
15 permanent employee, who is at least eighteen years old and not actively contributing
16 to another employer-sponsored retirement fund, and, if employed by a school district,
17 occupies a noncertified teacher's position.

18 ~~8.10.~~ "Wages" and "salaries" means earnings in eligible employment under this chapter
19 reported as salary on a federal income tax withholding statement plus any salary
20 reduction or salary deferral amounts under 26 U.S.C. 125, 401(k), 403(b), 414(h), or
21 457. "Salary" does not include fringe benefits such as payments for unused sick leave,
22 personal leave, vacation leave paid in a lump sum, overtime, housing allowances,
23 transportation expenses, early retirement, incentive pay, severance pay, medical
24 insurance, workforce safety and insurance benefits, disability insurance premiums or
25 benefits, or salary received by a member in lieu of previously employer-provided fringe
26 benefits under an agreement between an employee and a participating employer.
27 Bonuses may be considered as salary under this section if reported pursuant to rules
28 adopted by the board.

29 **SECTION 14. AMENDMENT.** Subsection 3 of section 54-52.6-09 of the North Dakota
30 Century Code is amended and reenacted as follows:

1 3. Each employer, at its option, may pay all or a portion of the employee contributions
2 required by this section for all compensation earned after December 31, 1999. The
3 amount paid must be paid by the employer in lieu of contributions by the employee. If
4 the employer decides not to pay the contributions, the amount that would have been
5 paid will continue to be deducted from the employee's compensation. If contributions
6 are paid by the employer, they must be treated as employer contributions in
7 determining tax treatment under this code and the federal Internal Revenue Code.
8 Contributions paid by the employer may not be included as gross income of the
9 employee in determining tax treatment under this code and the federal Internal
10 Revenue Code until they are distributed or made available. The employer shall pay
11 these employee contributions from the same source of funds used in paying
12 compensation to the employee. The employer shall pay these contributions by
13 effecting an equal cash reduction in the gross salary of the employee or by an offset
14 against future salary increases or by a combination of a reduction in gross salary and
15 offset against future salary increases. Employee contributions paid by the employer
16 must be treated for the purposes of this chapter in the same manner and to the same
17 extent as employee contributions made before the date on which employee
18 contributions were assumed by the employer. An employer shall exercise its option
19 under this subsection by reporting its choice to the board in writing.

20 **SECTION 15. AMENDMENT.** Section 54-52.6-14 of the North Dakota Century Code is
21 amended and reenacted as follows:

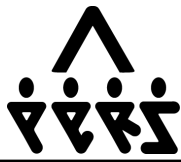
22 **54-52.6-14. Disability benefits.**

23 The board shall allow distribution of the participating member's vested account balance if
24 the board determines that the participating member has become totally and permanently
25 disabled. If approved, the disabled member has the same distribution options as provided in
26 ~~subdivisions a and e~~ paragraphs 1 and 3 of subdivision a of subsection 3 of section 54-52.6-13.
27 However, if the member chooses the periodic distribution option, the member may only receive
28 distributions for as long as the disability continues and the member submits the necessary
29 documentation and undergoes medical testing required by the board, or for as long as the
30 member participates in a rehabilitation program required by the board, or both. If the board

determines that a member no longer meets the eligibility definition, the board shall discontinue the disability retirement benefit.

SECTION 16. AMENDMENT. Subsection 2 of section 54-52.6-21 of the North Dakota Century Code is amended and reenacted as follows:

2. The minimum distribution rules under section 401(a)(9) of the Internal Revenue Code and the regulations issued under that provision to the extent applicable to governmental plans, as amended. Accordingly, benefits must be distributed or begin to be distributed no later than a member's required beginning date, and the required minimum distribution rules override any inconsistent provision of this chapter. ~~For a member who attains age seventy and one-half before January 1, 2020, the member's required beginning date is April first of the calendar year following the later of the calendar year in which the member attains age seventy and one-half or terminates employment. For a member who attains age seventy and one-half after December 31, 2019, the member's required beginning date is April first of the calendar year following the later of the calendar year in which the member attains age seventy-two or terminates employment.~~



North Dakota
Public Employees Retirement System
1600 East Century Avenue, Suite 2 • PO Box 1657
Bismarck, North Dakota 58502-1657

Rebecca Fricke
Executive Director
(701) 328-3900
(800) 803-7377

Fax: (701) 328-3920

Email: ndpers-info@nd.gov

Website: www.ndpers.nd.gov

Board Meetings During Legislative Session

TO: NDPERS Board

FROM: Rebecca Fricke

DATE: October 13, 2026

Staff would like to begin discussions with the Board regarding how to handle monthly Board meetings during the upcoming 2027 Legislative Session given the quorum requirement. As a reminder, NDCC 54-52-03(6) requires that eight of the eleven members constitute a quorum. Six votes are necessary for resolution or action by the Board at any meeting.

Meeting Options

Given there are four legislators on the Board who will have responsibilities during session, the Board may wish to consider whether staff should look for opportunities for the Board to schedule around the Legislative Assembly's schedule. This was done for meetings during the 2025 Session to ensure we had a quorum.

The meetings in 2025 were as follows:

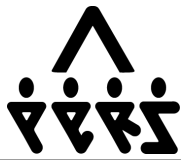
January 6th – 1st Monday at 8:30 a.m. (prior to start of Session)
February 7th – 1st Friday at 2:00 p.m. (after floor session ended)
March 4th – 1st Tuesday at 8:30 a.m. (during crossover)
April 4th – 1st Friday at 2:00 p.m. (after floor session ended)

Additional information that may be helpful in discussion related to the 2027 Session include:

- Session tentatively scheduled to begin January 5th (Tuesday)
- Crossover tentatively scheduled for March 1st and 2nd (Monday and Tuesday)
- Session tentatively meets 80 legislative days on April 30, but likely to change

Direction Requested

Staff would like direction from the Board regarding dates and times for the January through April regular Board meetings in 2027. Staff will then determine options and bring this topic for final discussion and approval by the Board at a future meeting.



North Dakota
Public Employees Retirement System
1600 East Century Avenue, Suite 2 • PO Box 1657
Bismarck, North Dakota 58502-1657

Rebecca Fricke
Executive Director
(701) 328-3900
(800) 803-7377

Fax: (701) 328-3920

Email: ndpers-info@nd.gov

Website: www.ndpers.nd.gov

Contracts Under \$15,000

TO: NDPERS Board

FROM: Rebecca Fricke

DATE: October 13, 2026

Attached is a document that shows the contracts under \$15,000 that have been signed since the last update. Please let me know if you have any questions on any of these contracts.

This item is informational only and does not require any action of the Board.

All Contracts Signed During 2026:

Vendor	Amount	Notes
UHY LLP	\$ -	GASB Management Representation Letters
Traill County	\$ -	Expanded Public Safety Plan effective 3/1/2026
United Printing	\$ 689.15	Member Brochures
		ADA Compliance Remediation Work Order Not to Exceed
NDIT	\$ -	\$20,000
OMB Surplus Property	\$ -	Surplus Property Designations
Interoffice	\$ 70.00	Adjustments to work areas
Docu-Shred	\$ 9.00/pickup	State contract switched from Recordkeepers
Empower	\$ -	Letter of direction for JP Morgan fund change
Empower	\$ -	Letter of direction for Power of Attorneys

Contracts Signed Since Last Reported:

Vendor	Amount	Notes
City of Grand Forks	\$ -	Joined NGF Health Insurance Plan effective 1/1/2027
	\$ -	