

July 23, 2025

Mike Seminary  
Chairman  
Retirement Board  
North Dakota Public Employees Retirement System  
1600 E. Century Ave., Suite 2  
P.O. Box 1657  
Bismarck, ND 58502-1657

Dear Chairman Seminary,

On July 22, 2025, my office received your request on behalf of the North Dakota Public Employees Retirement System (NDPERS) Retirement Board ("Board") for approval of emergency rulemaking to amend N.D. Admin. Code. chapters 71-02-02, 71-02-07, 71-08-02, 71-08-09, and 71-08-1 regarding county elected officials' participation in NDPERS retirement plans. These amendments are necessary to address a conflict between federal law and North Dakota state law.

My administration has reviewed the request pursuant to North Dakota Century Code § 28-32-03, received and reviewed information from the NDPERS Board, and agrees that emergency effectiveness is necessary to meet a mandate of federal law. Therefore, your request is granted.

Sincerely,

  
Kelly Armstrong  
Governor