



# NDACo BUDGET MEMO

## For CY2025 Budgets

To help counties in their budgeting efforts, we at NDACo have compiled county-specific analyses of projected State Aid, State Highway Funding, and a variety of other revenues along with some anticipated expenditures. We have sent this one-page, county-specific analysis to each county; however, it is most effective if it is used in conjunction with the narrative below.

This Budget Memo includes brief notes about the assumptions and qualifications of various budget items. We have also identified other budget issues that we think may warrant consideration.

**As always, please remember that these are estimates and relative changes in valuation, taxable sales, population, staffing levels, gas prices, motor vehicles, etc., may affect some of the actual revenues and costs in the next year. While we use the latest and best data available, everything must be tempered with your own judgement.**

NDACo has provided this service since 1991. We hope you find it useful. As always, we welcome your input if we can make this annual communication more useful.

## REVENUES

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### STATE AID DISTRIBUTION FUND

Recognizing rapidly changing populations in some jurisdictions, the state has required the use of official Census Bureau estimates for State Aid Distributions since July 2015. This means each August during that period, the Treasurer's Office "rolls in" the previous year's census estimates, effectively resulting in annual incremental adjustments among counties and cities rather than a larger one at the end of the decade. 43.5% of a penny of state sales tax has been dedicated to this fund since 2013.

This year, we are using the Legislative Forecast and actual year-to-date collections as the foundation for this projection. The Tax Department generates these in conformance with the assumptions used by OMB and the state's economic advisor. The results, therefore, are only as accurate as those assumptions used by OMB and the state's economic advisor. (Note that State Aid funds are distributed monthly.) In the 2023-2025 Executive Budget Summary, OMB anticipates an increase over the entire biennium in sales and use tax collections, reflecting the impact of inflationary pressures and the potential for economic slowdown at some point during the biennium. **Please note that sales tax collections are currently running 14% higher and motor vehicle excise taxes 5% higher for the biennium than the legislative forecast, so these numbers**

**are likely conservative.**

Our 2024 estimates and 2025 projections provide very little change between the two years using the State Tax Department’s estimates. Your county’s estimated funding for all CY2024 and our projection for CY2025 do take the census adjustments into account and are included in the county-specific memo.

As several counties have seen townships become unorganized since 1997, we have left the “net of township share” figure out of these estimates; therefore, the figures reflect the total “rural share.” The language below explains how the townships’ “percentage share” is to be determined. While the Legislature has taken a (mostly) “hands-off” approach to this fund since 1997, any dramatic change in consumer spending will affect this fund as it affects the state’s budget.

As noted in the past, only counties and cities receive direct allocations from this program - NDCC 57-39.2-26.1 states:

“A county shall deposit all revenues received under this subsection in the county general fund. Each county shall reserve a portion of its allocation under this subsection for further distribution to, or expenditure on behalf of, townships, rural fire protection districts, rural ambulance districts, soil conservation districts, county recreation service districts, county hospital districts, the Garrison Diversion Conservancy District, the southwest water authority, and other taxing districts within the county, excluding school districts, cities, and taxing districts within cities. The share of the county allocation under this subsection to be distributed to a township must be equal to the percentage of the county share of state aid distribution fund allocations that townships received during calendar year 1996. The governing boards of the county and township may agree to a different distribution.”

The common interpretation of this language is that the individual amounts that counties “pass-through” to the other jurisdictions and to special funds within the county are totally in county commission control, except for organized townships. Townships must receive their proportionate share unless they agree with the county to a “different distribution.”

Our understanding of the purpose of this “different distribution” language is to allow the possibility for creatively assisting townships; for example, “writing down” the cost of township road maintenance was suggested in one of the committee hearings as a possible way of dedicating the township portion. When a township becomes unorganized, their proportional State Aid amount should remain in the county general fund. The amounts on the county-specific schedule indicate the “total county amount” that we project will be allocated to each county including the township share. Questions on our projections can be directed to Linda Svihovec.

**STATE HIGHWAY TAX DISTRIBUTION FUND**

The Highway Tax Distribution Fund is a statutory fund established by NDCC Section 54-27-19. The fund receives money from motor vehicle registrations and fees, fuels taxes, special fuels taxes, use taxes, and special fuels excise taxes. The first \$5.5 million deposited in the fund is transferred to the highway fund to provide administrative assistance to transferees. Appropriations for the Highway Patrol, ethanol production incentives, motorboat safety, and state snowmobile fund are deducted before remaining moneys are allocated pursuant to the following formula:

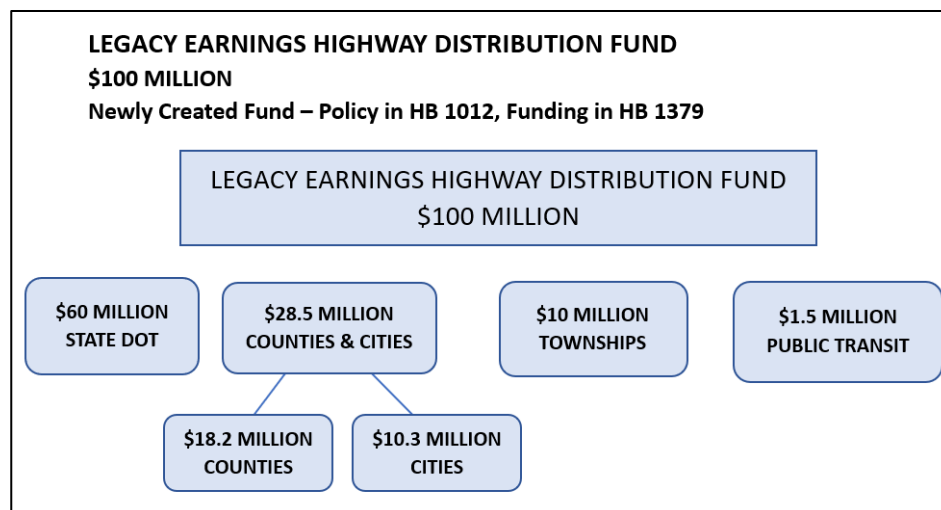
- 61.3 percent to the highway fund for use by the state DOT.
- 2.7 percent to township highway fund for allocation to townships pursuant to Section 54-27-19.1.
- 1.5 percent to the public transportation fund to be allocated pursuant to Section 39-04.2-04.
- 34.5 percent to cities and counties, allocated pursuant to the distribution formula provided in Section 54-27-19.

Fuel tax collections have remained fairly even over the last couple of years; and using NDDOT’s fund estimates for the biennium, our projections on the individual county-specific data sheets reflect a **1.5% decrease in Highway Tax Distribution revenue from 2024 to 2025**. This is very much an estimate, so please use your own best judgment as well. Questions on these projections can also be directed to Linda Svihovec.

### LEGACY EARNINGS HIGHWAY DISTRIBUTION FUND

The 2023 Legislature provided a new road and bridge funding distribution mechanism for cities and counties through the passage of HB1379. A new fund was established known as the Legacy Earnings Highway Distribution Fund (LEHDF) with its name referencing the source for the revenue. HB1379 provided \$100M in Legacy Fund earnings for state and local highways and transportation across the state. Breakdown of the distribution of the \$100M is as follows: NDDOT - \$60M; Townships - \$10M; Public Transportation \$1.5m; Counties \$18.2m; Cities \$10.3M. Monies received by counties and cities must be used for roadway purposes in accordance with Section 11 of Article X of the Constitution of North Dakota as follows: “for construction, reconstruction, repair and maintenance of public highways, and the payment of obligations incurred in the construction, reconstruction, repair and maintenance of public highways”.

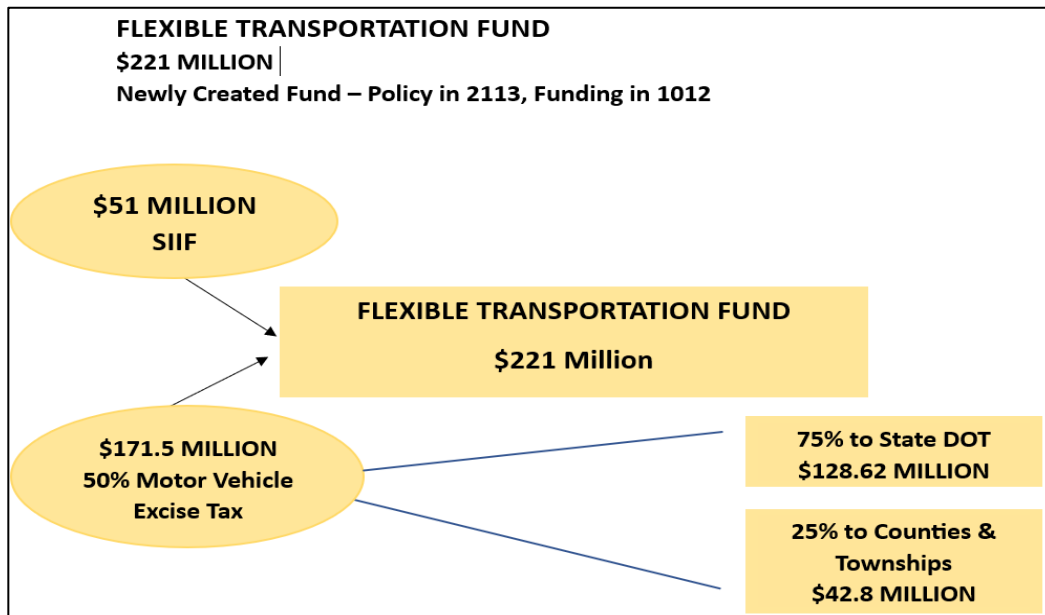
The first distributions of the city, county and township allocations went out in December 2023 for use in your 2024 budgets. Those amounts are not included in the county-specific data emails because they were received in 2023. This is a once per biennium distribution in the odd year of the biennium. **The 2025 distributions are scheduled to go out in August 2025**. The county-specific data sheet shows the 2025 estimated allocation which can be used in planning your 2025 construction season budget.



## FLEXIBLE TRANSPORTATION FUND

The Flexible Transportation Fund was created by the 2023 Legislature in NDDOT's budget bill HB1012. A total of \$42.8M in funding is available for non-oil counties (less than \$5M in oil taxes) and townships with the NDDOT establishing criteria to distribute funds. Organized townships must maintain roadways and levy at least 18 mills to be eligible to receive funding through this grant program. The funds must be used for maintenance and improvement of county and township paved and unpaved roads and bridges. Priority will be given to projects that match federal funds and improve roadways that serve as local corridors.

The first round of grants was awarded Spring 2024. This grant funding will be awarded every other year upon authorization from the Legislature and approval of criteria set by NDDOT.



## PERMANENT INFRASTRUCTURE FUNDING (PRAIRIE DOG)

HB1066 (Operation Prairie Dog) was passed in 2019 to provide a funding formula for non-oil counties, cities, and townships by creating new oil and gas tax distribution buckets for infrastructure. Counties and cities received their first distribution of Prairie Dog funds in January 2023. The 2023 Legislature made a couple of adjustments to the oil tax buckets in SB2367 including inflation increases to state buckets totaling \$110M and added a new \$65M Public Employee Retirement Fund bucket ahead of the municipal/county and township buckets. With those changes and since the funding formula to fill the buckets resets at the beginning of each biennium, counties **did not receive a distribution of Prairie Dog funds in 2024**. However, the Prairie Dog buckets are anticipated to fill completely by the end of 2024 or early 2025. Therefore, you can **plan for a distribution in early 2025**. Distribution estimates for each county are included in the county-specific email. It is important to note that **for a county to remain eligible, they need to file the required report for funds received during the 2021-2023 biennium with the Office of State Treasurer by November 30, 2024.**

You can follow the progress of the buckets filling on the North Dakota Treasurer's website at <https://www.treasurer.nd.gov/operation-prairie-doghouse-bill-1066>.

## GROSS PRODUCTION TAX

In the May 2024 Director's Cut report (based on March 2024 production), the Department of Mineral Resources (DMR) reported an all-time high production for the month at 3.39 million MCF/day. Oil prices have stayed strong and largely above \$70 projections ranging from \$69.39 in February to \$75.49 as of the date of the most recent report. There were 79 wells permitted in April, up from 63 in February. A NEW all-time high number of wells producing was reported for March at 18,854 with 88% of those producing wells coming from the unconventional Bakken/Three Forks play. Drilling activity is expected to increase slightly, and operators continue to maintain a permit inventory of approximately 12 months.

We encourage you to refer to Western Dakota Energy Association's website for guidance and updated forecasts: <https://www.ndenergy.org> and to the Department of Mineral Resources website for the monthly Directors Cut reports found here: <https://www.dmr.nd.gov/dmr/oilgas/directorscut>.

**The 2023 Session passed SB2162 which removes the requirement for oil and gas counties to levy 10 mills to receive oil and gas production tax distributions.**

## TOWNSHIP ROAD FUNDING

Two new funds were created by the 2023 Legislature to assist townships with road funding.

**Legacy Earnings Township Highway Aid Fund:** \$10M was distributed through non-oil counties (less than \$5M of oil tax revenue) to organized and unorganized townships and was allocated on a prorated basis using road miles. Organized townships are to deposit the funds in the township road and bridge fund and be used for road and bridge purposes. Unorganized township allocations are to be deposited in the county road and bridge fund.

**Flexible Transportation Fund:** Townships are eligible for discretionary grant funding through the Flexible Transportation Fund established by the 2023 Legislature. A total of \$42.8M in funding is available for non-oil counties (less than \$5M in oil taxes) and townships with the NDDOT establishing criteria to distribute funds. Organized townships must maintain roadways and levy at least 18 mills to be eligible to receive funding through this grant program. The funds must be used for maintenance and improvement of county and township paved and unpaved roads and bridges. Priority is given to projects that match federal funds and improve roadways that serve as local corridors.

## SENIOR MILL LEVY MATCH

The 2015 Legislature readjusted the formula for this program, increasing the amount of state funding distributed from 85% of a mill to 87.5%. They also amended the language of this statute, providing a match equal to the amount appropriated by the county for this purpose, up to the value of one mill. Therefore, a county is no longer required to levy the mill if they have other revenues available to demonstrate the match. This may make projections a bit more difficult

going forward but certainly adds flexibility to the county budgeting process. For each county-specific data sheet, we have included the CY2024 actual distribution, contrasted with our calculation of the **maximum CY2025 distribution**. This calculation is based on 87.5% of your Tax Year 2023 mill value and the assumption that each county budgets sufficient funds to trigger the maximum match - obviously some counties may budget less.

## CLERK OF COURT FUNDING

For those counties that contract with the Supreme Court to provide clerk of court services, the new contract amounts take effect July 1, 2025, for the 2025-2027 biennium. Therefore, the monthly reimbursements for 2025 are calculated using the old contract amounts for the first six months of 2025 and the new contract amounts for the last six months of 2025. The amounts are based on the updated time-study and salary information finalized and reported to the clerks.

## INDIRECT COST PLANS (REIMBURSEMENTS & FEES)

Pursuant to Social Services redesign, all direct costs for social services will be funded by the state, while indirect costs will remain the responsibility of the counties. Each Zone Human Service Plan governs how that reimbursement is shared among counties in the Zone.

The 68th Legislature passed HB1046, clarifying the definition of “Direct costs” to include those approved by the department and “Indirect costs” to include remodeling, construction, and improvement costs. The bill further clarifies that Indirect costs may not include non-space and non-facility expenses that are exclusively attributable to the human service zone.

**The bill also requires counties to provide the requested cost allocation plan information by September 15 each year. If counties fail to provide the information by the September 15 deadline, counties will be responsible for 100% of all indirect costs for that year and will not receive their indirect cost allocation.**

## COURT FACILITIES GRANTS

State law governing court fees and costs associated with criminal convictions includes a provision dedicating a significant share of those revenues to the county grant program for court facilities improvement and maintenance. Grant applications will be due no later than December 31, 2024, with awards in January or February 2025. The rules adopted for this grant program require that the funds be for an *“improvement or maintenance project that is a necessary improvement to court facilities or essential to remodel or maintain existing court facilities.”* The grant program requires a 25% local match and must be used for a future project.

## 9-1-1 FEE REVENUE & EXPENDITURES

The Next Generation 9-1-1 network transition is being implemented as planned, and the NG9-1-1 Joint Powers Agreement costs will remain at 10% of the first \$1 of the fee through 2024.

NDACo continues to work through an NG9-1-1 project that eliminates 9-1-1 circuit fees as a county expense. The costs for these circuits are transitioning to an expenditure paid for through the NG9-1-1 program and there is a net cost savings because of this shift. The project is

approximately 50% complete. Bills will continue to be eliminated throughout 2024 as the project continues.

On January 1st of 2024 NDACo also began the Collection and Remittance of 9-1-1 Fee program to improve efficiencies in administration of the 9-1-1 fee. This program is not expected to have a net impact on revenues to the counties.

### **Accounting Recommendation**

There has been some discussion amongst the auditors and treasurers on the topic of holding two separate accounts for wireless vs wireline accounts. The most likely reason we have found as to why they are split for some counties is because the Wireless 9-1-1 Program that existed at NDACo, prior to the NG9-1-1 Program, required each county to know how much wireless revenue they were receiving in order to properly calculate their remittances to NDACo.

Since 2012, when the NG9-1-1 Program started, the fees to support that program have been based on all phone types so the split really hasn't been necessary since about that time. Some counties appear to have updated their multiple accounts to a single account, and some have not. So, while the separation may be needed in the short term to get through an existing budget cycle, future budgeting and account management should be updated so that you can save time from tracking them separately.

**We are suggesting counties simply have a "911 Account" and receive their revenues directly into that single account.** Each county gets the wireless, wireline and VoIP counts in its reports, but we have not found a current reason, other than "that's how we've done it historically" for them to be managed any differently.

### **SIRN**

The 2019 Legislature authorized funding the Statewide Interoperable Radio Network (SIRN). Most of the state dollars authorized are directed to pay state costs associated with the buildout of the infrastructure necessary including towers, the core network and a \$1500 reimbursement for mobile and portable radios. Substantial progress has been made and 2025 will be the last major build season, but there may be some delayed towers that go into 2026.

The greatest item to bring to your attention on this topic is that the Statewide Interoperable Executive Committee set a deadline for ordering radios. **In order to be eligible for the \$1500 SIRN radio reimbursement, all radios need to be ordered by March 31, 2025.**

With the reimbursement deadline approaching, counties are encouraged to reach out to their radio vendors to discuss planned purchases. As of June 1, 2024, 9110 radios have been reimbursed. There are 15 county Sheriff's Offices that have not requested reimbursement. Agencies and dispatch centers in Williams, Ward, Burleigh, Grand Forks, and Dickinson are utilizing SIRN. The 2024 construction goal is to build out the tower network to approximately 107 of the 140 planned towers, transition more PSAPs and agencies to SIRN, and complete mobile radio coverage buildout across the state. Expanding encryption to all law enforcement users,

testing 800MHz pagers, and implementing Over-the-Air Programming, Over-the-Air Rekeying, and Radio Management services are also being completed in 2024.

More information can be found at: [sirn-radio-reimbursement-instructions-4-26-23.pdf](#) (nd.gov) or by contacting Eric Pederson at North Dakota Information Technology.

Avg. Cost of a “Law Enforcement Radio”	\$4,583.58
Avg. Cost of the other Tier 1 radios (corrections, fire, emergency medical services, ambulance services, hospital or trauma centers, air medical, emergency operations centers, and emergency managers)	\$3,214.02

## JUVENILE JUSTICE FUNDING

- Attendant Care Reimbursement: Federal funds will continue to be allocated for the statewide Attendant Care Program, which provides short-term supervision to delinquent youth in lieu of a detention placement. Reimbursement is provided for the direct costs of operation (wages, meals). In some jurisdictions, funding for attendant care is part of a larger contract budget that also includes shelter services for ungovernable or runaway youth. It is anticipated that there will be an increase in that budget and notifications will be sent in the next several weeks to the individual counties that are part of those contracts. Lisa Jahner is the contact for additional information.
- Juvenile Transportation: County sheriff’s departments are able to apply for reimbursement of costs related to the transport of juveniles in state custody (NDCC 27-20.2-19(2)). This funding can be applied for through the ND Dept. of Corrections and Rehabilitation. The current reimbursement is 29 cents per mile for staff time plus the state mileage rate. The state mileage rate is equal to the mileage rate established by the U.S. General Services Administration (i.e. Federal GSA rates) so it can vary throughout the year. OMB posts the mileage rate on their website as it changes, and NDACo will continue to coordinate a notice to all counties when changes are made. Call Lisa Jahner with any questions.

## STATE PROGRAM COSTS

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### SPECIAL OPERATIONS FUND

This optional “insurance” fund was created in the Attorney General’s Office by the Legislature to address the growing cost of deploying the Special Operations (SWAT) units maintained by several of the larger law enforcement agencies in the state. The Fund has been annually funded with a federal grant, and counties have been asked to contribute the necessary matching dollars. A population-based formula was created to generate the match.

Counties wishing to participate and therefore avoid being charged for the direct costs of special operations services (if needed) must contribute as indicated in the county-specific data sheet for 2025 - the same amount as last year. As in the past, NDACo will collect the funds on behalf of the Attorney General, so we will send an invoice shortly after the first of the year.



## PROBATIONER RECOVERY FUND

This statutory, state-maintained fund was created (NDCC 12-65-08) to reduce and normalize county costs of recovering probationers from out-of-state locations. When this fund was created, the “county of jurisdiction” and the offender each paid \$150 into the Fund for each out-of-state placement. The 2007 Legislature approved language in the Dept. of Corrections Budget Bill permitting the agency to stop billing counties when the special fund reaches a level of \$75,000 at the end of a state fiscal year. The fund reached that level in 2006 and county billing stopped in June 2007 until 2020. DOCR notified counties in a May 2022 letter that they will again be billing counties beginning July 1, 2022. The Fund has continued to be below the \$75,000 threshold and therefore will continue for a minimum of one year and will be re-evaluated prior to June 30, 2025. As the number of state probationers originally convicted in each county and the number of those permitted to relocate out-of-state is so varied, it is very difficult to estimate this cost.

## PUBLIC ADMINISTRATOR/GUARDIANSHIP FUNDING

In 2013 the Legislature took a large step towards eliminating the ambiguous responsibility of counties for funding public administrators/guardians for indigent persons. Public Guardianship funding was again increased by the Legislature in the 2023 session. NDACo will NOT be requesting county contributions for this program in CY2024. Since this program is underfunded, changes may be necessary for 2025.

## STATE RADIO 9-1-1 DISPATCH/TELETYPE FEES

For Teletype access and for counties that contract with State Radio for 9-1-1 dispatch, the agency analyzes their actual costs and addresses rates as part of their biennial budget-setting process in the Legislature.

911 Dispatch Service Rate:

Effective July 1, 2023 – June 30, 2025:           \$1.39/line/month (McKenzie stays with State Radio)

NDCC 37-17.3-08 establishes a cost sharing fee for the ND teletype system (LETS) on a per terminal basis based on county population as follows:

- Less than 5,000           \$40/month
- 5,000 – 9,999           \$80/month
- 10,000 – 14,999       \$120/month
- 15,000 – 24,999       \$160/month
- Over 25,000           \$200/month

## PERSONNEL COST ISSUES

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### DRUG & ALCOHOL TESTING

For counties participating as part of the NDACo “testing pool” for the random drug and alcohol testing - required of Commercial Driver’s License (CDL) holders employed in “safety sensitive” at approximately 10%. Adjustments may be made if the county has changes in staffing levels. The “no show” fee, initiated for situations where the sampler is not informed ahead of time that an

individual selected for a random drug or alcohol test will be absent or otherwise unavailable for testing, is still in effect.

Contract testers can no longer draw an "alternate name" for an individual who is unavailable to test. The individual must be tested when they return to work; they may be tested by the contractor or the county's local clinic. Also, it is very important for counties that have a "no-show" to document why the situation occurred (i.e. vacation, illness, work location, etc.).

Otherwise, it may become an exception if the federal DOT should audit your testing program. In addition to "no-show" fees, if the collector has a wait time (for shy bladder), or a county requests to be tested outside regular business hours (contractor travels before 8:00am - after 5:00pm), additional fees may apply. Drive time and mileage costs charged by the collectors will be a direct pass-through expense to the counties, which is the same billing format as this year.

Remember, if new full-time, part-time, or temporary employees that meet the testing requirement are added to the county payroll, a "pre-employment" drug test is required by federal regulation. Our testing contractor will complete pre-employment testing, as well as post-accident and reasonable suspicion/cause at the same per-test rate; however, that is in addition to the annual fee for the random testing. The budget estimates on the county-specific data sheet are based on the number of employees in your 2024 local pool and do not consider any anticipated staffing level changes.

If any counties with CDL holders are not currently involved in a random testing program, we strongly encourage participation. An employer found to be out of compliance could face stiff fines and penalties. Contact Genny Dienstmann with questions.

## WORKER'S COMPENSATION (CEG) PREMIUM ESTIMATES

NDACo's County Employer Group (CEG) continues to work to provide efficient risk and claims management services that have maintained the group's excellent loss history and relatively low premiums. To assist with the budgeting process, WSI and NDACo have accelerated their calculation of the 2025 estimated premium to provide each county with its 2025 estimated premium early. **The calculated 2025 estimated premiums should be available and emailed in early August.** Your county-specific data sheet, at this time, includes the CY2024 estimated premiums so that you can begin the process. You should consider budgeting an increase due to an increase in WSI's payroll cap each year and potential changes to your experience rate until you receive your actual 2025 estimated premium calculation. Although we have always indicated that CEG dividend credits should not be used for budgeting, we wanted to make sure that you were also aware that depending upon incurred claim costs, we are never certain if CEG dividend credits will be provided each year.

## *NDPERS HEALTH INSURANCE PREMIUMS*

For the counties that purchase employee health insurance through the ND Public Employees Retirement System (NDPERS), the premiums for the first six months of 2025 are the same as 2024 and listed in the chart below. **NDPERS was not able to provide an estimate of July – December 2025 premiums in time for this budget memo** as they are currently negotiating that contract.

We will provide an update as soon as that information becomes available. *Please note that employers who participate in the Wellness Program will be assessed the “A” Rate and those who do not participate in the Wellness Program will be assessed the “B” Rate. The below monthly health insurance rates in effect through 6/30/25 are as follows:*

**NOTE that the premiums below are effective beginning July 1, 2023 – June 30, 2025**

**Grandfathered Plan 7/1/2023-6/30/2025**

Pro/Basic Option			COBRA Pro Basic		
	"A" Rate	"B" Rate		"A" Rate	"B" Rate
Single	\$ 844.94	\$ 853.38	Single	\$ 861.62	\$ 861.82
Family	\$ 2,042.52	\$ 2,062.94	Family	\$ 2,083.36	\$ 2,083.36

**Non-Grandfathered Plan 7/1/2023-6/30/2025**

Pro/Basic Option			COBRA Pro Basic		
	"A" Rate	"B" Rate		"A" Rate	"B" Rate
Single	\$ 857.76	\$ 866.34	Single	\$ 874.92	\$ 874.92
Family	\$ 2,073.60	\$ 2,094.32	Family	\$ 2,115.06	\$ 2,115.06

For more information on these rates, refer to the NDPERS website here: [Memorandum](#)

**NDPHIT EMPLOYEE HEALTH INSURANCE OPTION**

The North Dakota Insurance Reserve Fund, in partnership with the Southeast Education Cooperative (SEEC), began offering an employee health insurance option to ND political subdivisions in 2021 – the North Dakota Public Health Insurance Trust (NDPHIT). NDPHIT includes over 92 schools and non-school North Dakota local governments, including 14 counties, provides the opportunity to join together to create group health insurance and employee benefit program administrative cost stability and efficiency while also providing local governments with more control over their health insurance and other employee benefit programs. A number of counties have chosen to participate in the NDPHIT insurance program, and it is available to any county if they find it advantageous. NDPHIT is currently working with actuaries to determine rates for 2025 so **estimates for next year’s premiums are not available at the time of this memo.**

**NDPERS RETIREMENT**

The 68<sup>th</sup> Legislature passed HB1040 and as a result beginning January 1, 2025, counties will have two PERS retirement plans to administer for employees: 1) Defined Benefit Plan (DB) for existing employees and 2) New Defined Contribution Plan (DC) for all new hires beginning 1/1/2025.

Reference: [NDPERS presentation on HB1040 Implementation](#). **Rates for both plans can be found on Page 14.**

## Differences in Types of Plans - NDPERS

### 1) Defined Benefit (DB) Plan:

- Provides a guaranteed lifetime income for vested members upon retirement in the form of monthly payments
- Monthly benefit payment calculated based upon formula in NDCC 54-52
- Final Average Salary x Benefit Multiplier x Years of Service
- State pools the investment risk for all members, therefore members are not responsible for selecting investments
- NDPERS offers PEP with the 457 plan to vest in additional employer contributions

### 2) Defined Contribution (DC) Plan:

- Member has access to plan account balance upon termination/retirement
- Member selects investment options
- Account balance subject to gains and losses
- Terminated members have more flexibility in withdrawing account, changing benefit payment amounts and frequency
- Funds are managed by a Trust Company, retained by NDPERS
- No PEP is necessary as the employee gets the full employer contribution (subject to vesting)

**Defined Benefit Plan (DB):** The Legislative Assembly and the governor are committed to protecting the existing responsibility to Main Plan members. HB1040 injected \$200 million into the fund and **increased the employer contribution rate by one percent effective January 1, 2024. Members currently enrolled in the Main Plan will remain in the Defined Benefit Plan.**

Employees eligible to participate in other retirement plans administered by NDPERS, such as the Public Safety Plan, Judges Plan, Highway Patrol Plan, Job Service Plan, Teachers' Fund for Retirement, and TIAA Plan for university system employees, are excluded from HB1040 and will not be impacted.

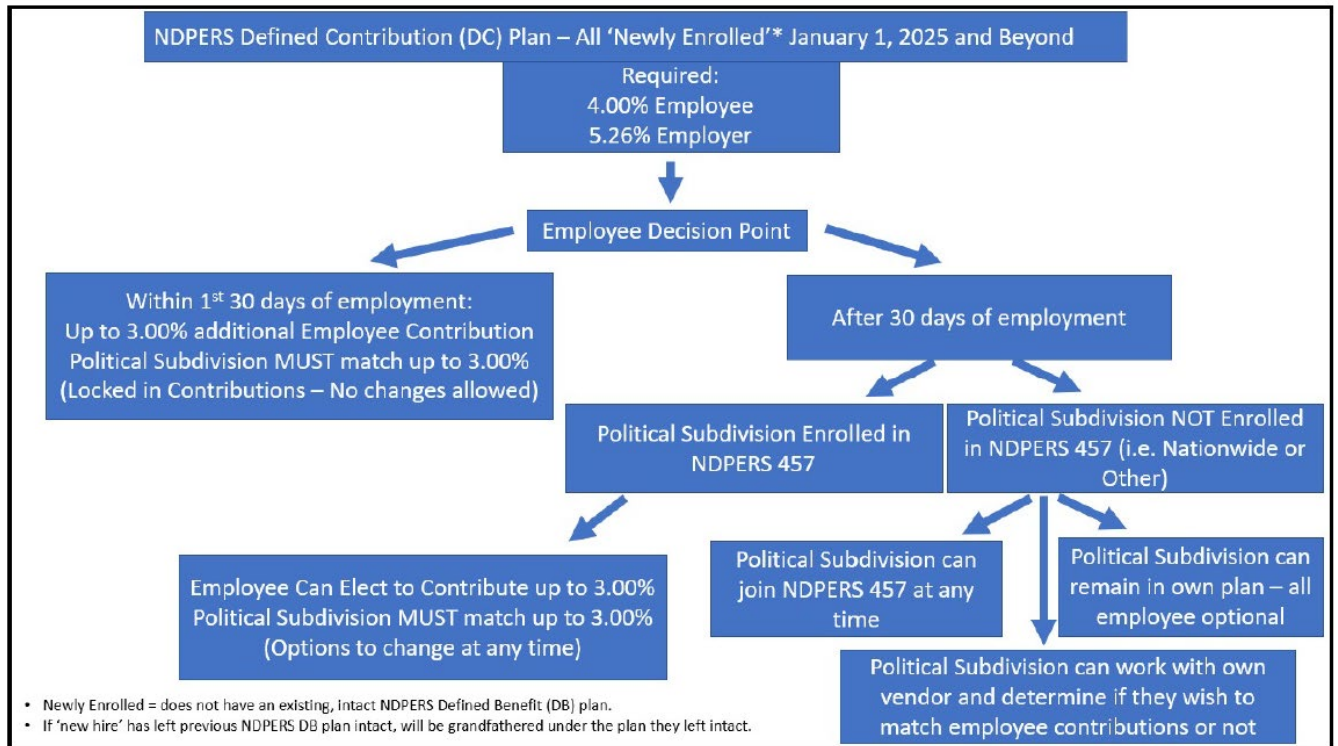
Counties that have not already done so may wish to evaluate whether shifting their public safety employees that are currently in the PERS main Defined Benefit Plan would be better served moving into the Public Safety Plan. Those plans, however, come with an increased contribution rate. **(See DB Plan contribution rates on Page 14)**

### **Defined Contribution Plan**

The **New** Defined Contribution plan has a **mandatory 4% employee/5.26% employer** contribution. Employees can **elect up to an additional 3%** contribution with a corresponding employer increase.

- Initial opportunity to designate additional contribution into the Defined Contribution plan

- Due to IRS regulations, employees **will only have 30 days from the date of hire** to make election under this plan.
- After an initial 30-day election, additional contribution goes into the NDPERS 457 Deferred Compensation plan if elected by employee.
- Only applies if a political subdivision participates in NDPERS 457 Deferred Compensation plan.
- Political subdivisions not offering the NDPERS 457 Deferred Compensation plan can contact NDPERS if they are interested in joining and offering the plan to their employees. **(See DC Plan contribution rate options on Page 14)**



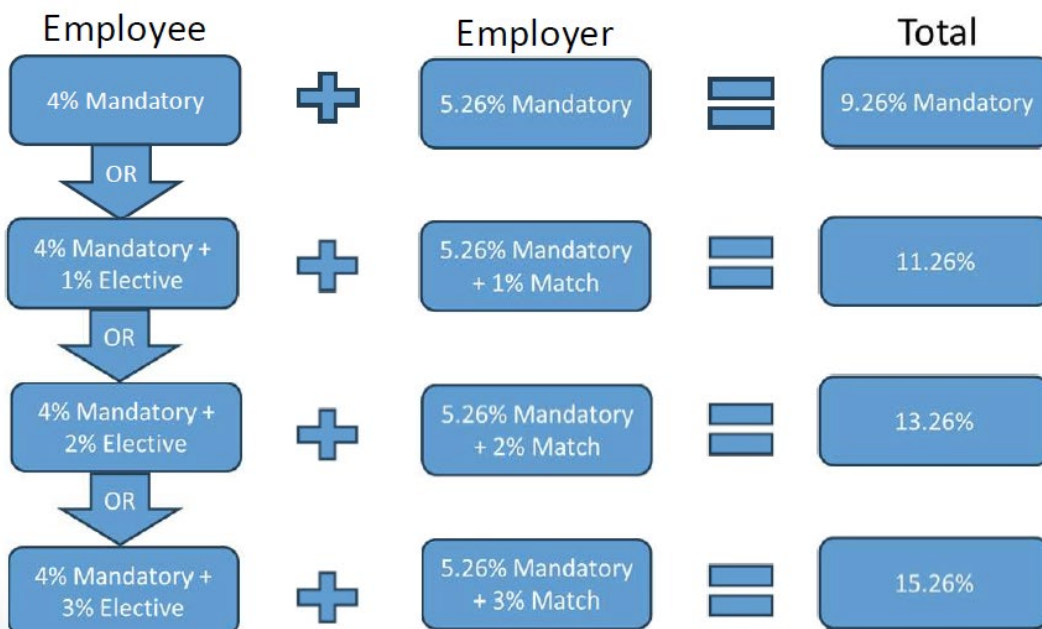
**DEFINED BENEFIT PLAN RATES - Effective 1/1/2024**

<b>NDPERS Retirement Contribution Levels (Percentage of Employee Salary)</b>		<b>Effective 1/1/2024</b>
Employer Share (Employer MUST Pay)		8.12%
Employee Share (Employer MAY Pay)		7.00%
Post Retirement Health-Employee (Employer MUST Pay)		1.14%
<b>TOTAL</b>		<b>16.26%</b>

<b>NDPERS Public Safety Plan (with prior service): (Percentage of Employee Salary)</b>		<b>Effective 1/1/2024</b>
Employer Share (Employer MUST Pay)		11.40%
Employee Share (Employer MAY Pay)		5.50%
Post Retirement Health-Employee (Employer MUST Pay)		1.14%
<b>TOTAL</b>		<b>18.04%</b>

<b>NDPERS Public Safety Plan (without prior service): (Percentage of Employee Salary)</b>		<b>Effective 1/1/2024</b>
Employer Share (Employer MUST Pay)		9.16%
Employee Share (Employer MAY Pay)		5.50%
Post Retirement Health-Employee (Employer MUST Pay)		1.14%
<b>TOTAL</b>		<b>15.80%</b>

**DEFINED CONTRIBUTION PLAN ELECTION OPTIONS - effective 1/1/2025**



## CHANGES FOR EXEMPT EMPLOYEE OVERTIME ELIGIBILITY

The Fair Labor Standards Act (FLSA) has updated the final rule on exemption for most employee classifications. Effective July 1, 2024, the Fair Labor Standards Act (FLSA) salary threshold for salaried workers who are exempt from overtime pay will increase to \$43,888 per year, or \$844 per week. This is an increase from the previous threshold of \$35,568 per year, or \$684 per week. The threshold will increase again to \$58,656 per year, or \$1,128 per week, on January 1, 2025.

The new rule applies to employees who are exempt from minimum wage and overtime pay under the FLSA's "white-collar" or "executive, administrative, or professional" (EAP) exemption, or the "highly compensated employee" (HCE) exemption. Employees who don't meet the salary threshold will be eligible for overtime pay for hours worked over 40 per week.

Special Note: Elected officials continue to be exempt from the Fair Labor Standards Act under **29 USC § 203(e)(2)(C)(ii)(I) & 29 C.F.R. § 553.11** and therefore are not subjected to this rule change. Please consult your local legal counsel for further information. [Use this link](#) for more information regarding earning thresholds for exemption from overtime protections under the FLSA.

## NDIRF INSURANCE & LIABILITY

NDIRF continues to actively manage risk and has been very successful in keeping insurance rates in **check and is not anticipating any general rate increases for 2025. Individual county rates, however, are ultimately dependent upon your loss history, so that is key to the future.**

A gradual increase in the "tort caps" or liability limits for all of government was enacted in 2021. This is expected to increase premiums overall by 5% for renewals over a five-year period.

Year	Per Person	Per Occurrence
1977	\$250,000	\$500,000
2015	\$250,000	\$1,000,000
2022	\$375,000	\$1,000,000
2023	\$406,050	\$1,625,000
2024	\$437,500	\$1,750,000
2025	\$467,050	\$1,875,000
2026	\$500,000	\$2,000,000

## STATE FIRE & TORNADO INSURANCE

As you know, the Insurance Commissioner has transitioned the management of the F&T Fund for public property insurance to NDIRF. Due to the North Dakota State Fire and Tornado Fund's (NDFT) increased loss activity, inflation, and rising reinsurance costs, **NDFT coverage rates will increase by 28% on average as of the July 1, 2024** renewal. The decision to increase NDFT coverage rates was made after closely monitoring the fund's activity and working diligently with industry experts to determine the best course of action to ensure the fund's health and viability in the future. The 2025 rates will not be determined until the end of Q1 2025.

## STATE/COUNTY SALARIES

Effective July 1, 2023, state agencies were authorized to grant employees up to 6% salary increase and another 4.0% increase on July 1, 2024; however, they also authorized \$30 million in



“equity pay” which will effectively increase salaries (particularly in those hard-to-fill areas) by a greater percentage. Please remember that legislative action on state employee salaries generally causes an adjustment in the upper and lower ends of each payroll “bracket” within the state merit system. Although not a county funding impact, these bracket adjustments will affect zone human service employees in the “host counties” and, therefore, increase the state human service funding amounts allocated. Zone employees will receive increases on the same timeline as state employees, July 1 of each year.

## STATE TRAVEL REIMBURSEMENT RATES

**Mileage:** NDCC 54-06-09 regarding use of an employee’s vehicle states: *“The director of the Office of Management and Budget shall adopt rules...to set reimbursement at the same rate as established by the United States general services administration for privately owned vehicles.”*

While a county board can establish a higher mileage reimbursement rate (pursuant to 11-10-15), the state rate is the minimum that counties may reimburse. The OMB personnel reimbursement website can be found here: [In-State Travel Reimbursement Rates](#) and can be monitored for this “state rate;” however, NDACo will also work with OMB to track any changes and will continue to inform counties of changes as they occur. **The current federal GSA rate (effective January 1, 2024 is \$.67 per mile;** however, changes have been implemented each January 1<sup>st</sup> for the last several years. Because this rate is driven largely by the price of gasoline, it would not be surprising if the rate changed in 2025.

**Lodging:** NDCC 44-08-04 states that the director of the state Office of Management and Budget *“establish a policy to set the lodging reimbursement amount equal to ninety percent of the rate established by the United States general services administration reimbursement in this state.”* While a county board [pursuant to 44-08-04(2)(d)] can establish a higher lodging reimbursement rate (not to exceed actual costs), the state rate is the minimum that counties may reimburse for official government travel and meals. Therefore, the OMB website, <https://www.cte.nd.gov/state-travel-reimbursement-rates>, will need to be monitored; however, NDACo will continue to work with OMB to inform counties as changes are made.

The current GSA rate of \$107 results in a **state rate of \$96.30/night**. (There is no longer an exception rate for oil cities and counties.) These rates are subject to periodic change due to GSA regional cost studies - the last several years, the changes have become effective in October - so it is likely these rates may change before you are into your next budget.

**Meals:** The 68<sup>th</sup> Legislature amended NDCC 44-08-04 which governs meal reimbursement rates as follows effective August 1, 2023:

<u>Meal Allowance</u>	<u>Effective 8/1/2023</u>	<u>Out of State</u>
1. First quarter, 6 a.m. to 12 noon	\$ 9.00	20% of GSA M&IE rate
2. Second quarter, 12 noon to 6 p.m.	\$14.00	30% of GSA M&IE rate
3. Third quarter, 6 p.m. to 12 midnight	\$22.00	50% of GSA M&IE rate
4. Fourth quarter, 12 midnight to 6 a.m.		



## APPOINTED BOARD COMPENSATION

In 2013, the Legislature amended 15 sections of law to make the compensation for members of virtually all appointed boards the same (with the exception of water boards). The statutes addressing compensation of the boards listed below now all state the following: *“The appointing authority shall establish the rate of compensation for the board members and actual expenses incurred by the members may be reimbursed at the official reimbursement rates of the appointing authority.”*

Airport Authority	Housing Authority
County Weed Board	County Vector Control Board
County Home Rule Charter Commission	Boards of Health
County Jobs Development Authority	Special Assessment Commission
County Park Board	Library Board
County Planning Commission	Multicounty Social Service Board
County Port Authority	County Social Service Board
County Commerce Authority	County Weather Modification Board

Water boards, by statute, establish their own compensation between \$75 and the current rate set for a member of the legislative assembly under NDCC 54-03-20, which is \$186.00 per day.

## TECHNOLOGY COSTS

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### STAGEnet WIDE AREA NETWORK ACCESS COSTS

Endpoint network rates for fiber and non-fiber locations will increase 15% for the 2025-27 biennium. Base connectivity for state agencies with non-fiber endpoints on STAGEnet will be 250 Mbps. There are additional bandwidth options available for additional cost. Agencies that have any broadband connectivity (DSL, cable, wireless, satellite, cellular) are reminded that all connectivity should be purchased through NDIT and there is an associated broadband add-on charge in addition to vendor cost of the broadband connection. The add-on rates will increase to \$210 per circuit for the 2025-2027 biennium.

### ND.GOV EMAIL

All non-State users (users with nd.gov email addresses) are required to purchase the Office 365 Basic package, at a minimum, for **continued access to email services at \$26.65 per month. This is an increase of \$10.45 per user, per month.**

### SYSTEM SECURITY

Cortex XDR - NDIT will continue to provide Cortex XDR, antivirus, at no cost to counties. Counties who are not using Cortex XDR for antivirus should contact their IT provider or NDIT. We have noticed a significant decrease in Malware and virus activity since implementation.

Security Awareness Training is available through NDIT utilizing the KnowBe4 product. This is a free service providing end users with security awareness training in the hopes to reduce the human

component affecting security breaches. Counties who are not using KnowBe4 for security awareness training should contact their IT provider or NDIT.

**Tenable’s Cyber Exposure Management through NDIT is also provided to counties at no cost.**

This platform gives you all the insight, research, and data you need to uncover weaknesses across your entire attack surface, including in the cloud and “on-prem.” Contact your IT provider or NDIT for more information.

### VIRTUAL PRIVATE NETWORK (Global Protect)

VPN is required to create that secure link to the State network from remote locations, this cost may be retired. For law enforcement using Netmotion/Global Protect, **the price will increase from \$10.15 to \$10.65.**

### ADOBE ACROBAT PRO

NDIT offers government agencies access to their Adobe Acrobat Pro subscription service. **The price will increase from \$6.25 to \$6.60 in the new biennium.**

### TECHNOLOGY PLANNING & SUPPORT

While not a fixed cost for counties, we continue to encourage each county to carefully consider their technology planning and support needs for the coming year. NDIT, with some assistance from NDACo Resources Group (NRG), will continue to manage the network to the “courthouse door.” Technology within the courthouse will continue to be a local responsibility. NRG encourages each county to budget funds necessary to ensure adequate technical support, whether it’s through various offerings from NRG Technology Services, another vendor, a staff person, or a combination of these. Hardware may include wireless access equipment, hard-wired networking equipment, and printers or copiers. Software may include DocuPro, Tyler Technologies and other third-party vendors. Please include support agreements for software and hardware. The technology industry is moving to subscription-based usage. NRG recommends replacing desktops on a five-year or less rotation. Most counties replace their machines every three to five years, with an **average cost (labor, hardware, perpetual software) estimated between \$2,300 per PC and \$2,700 per machine.** NRG recommends that laptops be replaced every three to four years. Effective July 1st, 2025, NDIT will be extending the replacement cycle to 48 months for laptops and 60 months for desktops, and monitors as failures occur. This change will allow the rate increase to remain below 15% for the standard desktop and laptop offering for the 2025-2027 biennium.

### AS400

NDIT will partner with the remaining two agencies with applications running on the AS400 platform in an effort to help guide the journey towards the platform’s retirement. This effort is now aligning to the change in chargeback from individual CPU usage to a flat fee for the two remaining agencies. This fee will be split evenly between the two remaining agencies. NDIT will work with each agency to align chargeback with necessary programs or funding sources within the paying agency. If

new hardware is needed before the retirement of this platform, current estimates are about \$200,000.

## HUMAN SERVICE ZONES & COUNTY COURTHOUSES

Something several entities with multiple county offices are considering is an IP phone system to communicate among offices more easily. With an IP phone system, counties can easily transfer calls from one county to another just like they are all in the same building. Many counties have chosen to upgrade their systems not only for the human service zone office but the rest of their county as well. NRG has partnered with BEK who has a proven quality system that works well in the counties. NRG uses their phones in our office and could not be happier. BEK can provide this anywhere in the state. If you would like pricing, contact NRG at (701) 250-9400 and they will schedule a walkthrough for your county to get a price quote together for budgeting.

## ASSOCIATION SUPPORT/ILG TRAINING FEES

### NDCCA DUES (County Commissioner)

The County Commissioners Association Board of Directors operates on a two-year budget cycle - recognizing the budget fluctuations that occur due to legislative sessions. As a result, the Board addresses their dues before even-numbered years. The NDCCA Board of Directors determined a \$15 increase per commissioner in annual dues for 2024/2025, therefore will be the same in 2025 as 2024. The amounts are included in the county-specific data sheet. The total includes the county's dues to the Western Interstate Region (WIR) of the National Association of Counties.

### NDACo COUNTY DUES/CORE SERVICE SUPPORT

As detailed in previous years, the Association-support formula is based 50% on valuation and 50% on average county revenues. (Both use a 10-year running average with the highest and lowest years thrown out.) To provide greater equity among the various county sizes, a minimum of one-third of the average paid by all the counties and a maximum of five times the average were established. As each county's relative valuation and budget change over time, a county's relative dues share changes slightly each year. The NDACo Board of Directors **approved a maximum 3% increase for 2025** to the extent needed to balance the 2025 budget.

### NACo (National Association) MEMBERSHIP

The NACo membership dues will be increasing by 4% in 2025. The NACo Board of Directors approved the framework of the 2020 census population adjustment at the WIR conference last year to be implemented in 2025. As you may know, North Dakota counties have maintained 100% NACo membership for several years - giving our counties two seats on the NACo Board of Directors, which helps keep them aware of our state's needs. North Dakota also has several county members serving on national committees making an impact on national policy.

## PEACE OFFICERS STANDARDS & TRAINING (POST) BOARD FEES

POST Board fees (mandatory for licensed law enforcement officers) are set by administrative rule (109-02-02-11) at **\$45 per officer for a three-year licensing period**. The POST Board has a staggered renewal process so generally the fee must be paid for only one-third of your officers each year. The **POST Board exam fee is \$25**.

## OTHER COUNTY ASSOCIATION DUES

The following are the other County Official Associations that have members in the NDACo governance structure and their CY2025 annual dues amounts.

ND County Recorders Association.....	\$200/Member
ND Clerk of Courts Association .....	\$100/Member
Sheriffs & Deputies Association .....	Tiered by Population
>50,000 .....	\$950
15,000-50,000.....	\$650
7,500-15,000.....	\$500
<7,500 .....	\$400
ND County Auditors Association .....	Tiered by Population
>50,000 .....	\$750
15,000-50,000.....	\$500
7,500-15,000.....	\$250
<7,500 .....	\$200
ND County Treasurers Association.....	Tiered by Population
>50,000 .....	\$750
15,000-50,000.....	\$500
7,500-15,000.....	\$250
<7,500 .....	\$200
ND Association of Tax Equalization Directors .....	\$50/Member
North Dakota County Engineers Association State Dues .....	\$50/Member
National Engineers Association Dues (by County) .....	Tiered by Population
<50,000 .....	\$275
50,000-150,000.....	\$550
150,000-250,000.....	\$825
250,001-500,000.....	\$1,000
More than 500,00.....	\$1,375
North Dakota State's Attorneys Association Dues .....	State's Attorney/Assistant
1. State's Attorney .....	\$400
2. Assistant State's Attorney (each).....	\$200

## PROFESSIONAL DEVELOPMENT FEES

In your budgeting efforts, we urge you to consider the benefits of continuing professional development for all county officials and employees, especially newly elected or appointed officials. Currently, ILG offers a variety of training webinars that provide all participants with valuable educational experience. These professional development sessions are tailored specifically for local government at a reasonable price. Members enjoy the high-quality, interactive webinars that allow them to conveniently participate from the privacy of their office, in addition to saving travel time and cost. ILG offers training webinars throughout the year, as well as on-site training at various member conventions, the NDACo Annual Conference and by county request. In addition, ILG records

the webinars, which are available upon request. Members are recognized at the NDACo Annual Conference with awards once they achieve various ILG training hour levels (Hour Levels: 30 hours, 100 hours, 150 hours, 200 hours, 300 hours and 400 hours).

We encourage each county to set aside funds in its budget to allow county personnel to take part in ILG professional development. By doing so, constituents will benefit from the training their county officials receive. Fortunately, due to our successful partnerships, most trainings are free of charge. In the occasion there is a charge, ILG training will remain \$30 per hour in 2025.

## NDACo EVENT REGISTRATIONS

The 2025 Annual Conference is tentatively set for October 19-21.

There are increases built into our long-term contract with the Event Center, and as you know, inflation on food and labor have been in the news lately. Therefore, we are proposing a moderate increase of \$15 over the 2024 rates.

### 2025 Conference Rates

- Early Bird Full Registration \$270
- Full Price Registration \$290
- Early Bird One Day Registration (Monday or Tuesday) \$195
- Full Price One Day Registration (Monday or Tuesday) \$215
- Early Bird First Time Attendee \$165
- Full Price First Time Attendee \$185

### **Other major professional development opportunities to plan for in your 2024 budget:**

- NACo Conferences (Legislative, WIR or Annual): \$600 + travel and lodging
- The County Commissioners Association will provide a reimbursement of 50% of the travel costs (up to \$1500) for each region to send one commissioner representative to attend one of the NACo Annual Conferences. More information can be found at [www.ndcca.org/board/matching](http://www.ndcca.org/board/matching)
- The NACo High Performance Leadership Academy is an innovative, completely online 12-week program created to equip frontline county government professionals with practical leadership skills to deliver results for counties and communities. As an incentive for paying their dues, each county will get one \$500 discount from the regular fee of \$1,995. An additional discount applies for any county that has not yet enrolled anyone in the academy. Contact NACo for more details: <https://www.naco.org/topics/leadership>

\*\*Please budget according to the number that will be attending.

## OTHER ISSUES

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### AMBULANCE/EMS LEVY

In 2013, the Legislature amended NDCC 23-27-04.7 (below) to “clarify” what they had intended with a 2009 statutory change. After the 2002 mandate that the nearest (quickest) ambulance be dispatched to an emergency, the taxing district boundaries became (in many cases) significantly different from the service district boundaries. This prompted the Legislature to require counties to distribute ambulance/EMS levy dollars in a manner that didn’t follow the taxing district boundary. Several attempts have now yielded the following language:

**23-27-04.7. County reporting - Use of property tax levies.** The board of county commissioners of every county in this state shall conduct an annual review of the emergency medical services coverage within that county and shall submit an annual report to the state health officer in a format approved by the state department of health. A taxing district that levies a special emergency medical services or ambulance service levy shall allocate all of the special tax levy revenue collected in a particular township to the ambulance service that serves the largest area within that township.

The 2023 Legislature passed HB1365 which requires the formation of rural ambulance districts and amended NDCC 11-28.3-09 to add language that rural area service districts within the ambulance district that do not receive emergency medical services from the district, are exempt from that levy. Counties levying the county emergency levy under NDCC 57-15-50 will continue to distribute the money as described in 23-27-04.7.

### ROAD & BRIDGE CONSTRUCTION – BID REQUIREMENTS

**Effective August 1, 2023:** Road construction projects in excess of \$200,000 and Bridge projects in excess of \$200,000 must be formally bid and advertised once per week for two consecutive weeks at least 15 days before the bid opening.

**County Bid Requirement Quick Reference:** [Click Here](#)

### ROAD EQUIPMENT PURCHASES - STATE BID/AUCTION/STATE SURPLUS

Counties are required to formally bid (published in the official newspaper for two consecutive weeks) all new road machinery purchases over \$100,000. Road equipment between \$50,000 and \$100,000 can be informally bid on by seeking quotes from at least two contractors.

Counties are allowed to forgo the formal bidding process if they purchase off the State Fleet Services Division bids. Contact OMB for further information: <https://www.omb.nd.gov/doing-business-state/procurement/bidding-opportunities>.

Counties may also purchase used road machinery at public auction without concern for following a bidding process. New this year based on 2023 legislation is that counties are specifically authorized to purchase off a purchasing agreement with any political subdivision or State pursuant to a joint powers agreement.

**ROAD MACHINERY LEASE-PURCHASE**

There have been no changes to the restrictions on counties with respect to the lease-purchase of road machinery. There is still no dollar limit to the annual payments allowed; however, counties remain restricted to lease-purchase terms of a maximum of seven years.

**LEASE-PURCHASE LIMITATIONS ON COUNTY BUILDINGS**

The 2021 Legislature amended state law to limit the use of lease-purchase agreements for county buildings. The Legislature required that a county seek voter approval if they wish to obligate the taxpayers in this type of financing arrangement if the total construction cost exceeds \$4 million. This is consistent with a similar limitation previously enacted for school boards. If a county is contemplating the use of such financing in the future, we urge the county’s state’s attorney to review NDCC 11-11-19.1.

**PUBLICATION COSTS**

Each biennium OMB must review and adjust legal notice rates to reflect changes in economic conditions within the newspaper industry and the general economy pursuant to North Dakota Century Code Chapter 46-05 “Newspapers.”

The Office of Management and Budget (OMB) and North Dakota Newspaper Association (NDNA) have agreed to hold legal notice rates unchanged for the 2023-2025 biennium. However, **NDNA will be seeking a raise in public notice rates for the next biennium** to combat a 50% increase in postal rates over the last three years. Counties will receive notice of any rate increase approved by the Legislature.

Current rates are as follows:

	<b>2021-2023 RATES (4%)</b>	<b>2023-2025 RATES (HOLD EVEN)</b>
Type	July 1, 2021 – June 30, 2023	July 1, 2023 – June 30, 2025
Base Line Rate	.83 x 1.0400 = .86 (Current rate x % increase above)	.86
Column Inch – Daily	13.69 x 1.040 = 14.24	14.24
Column Inch – Small Daily	9.30 x 1.040 = 9.67	9.67
Column Inch – Weekly	6.71 x 1.040 = 6.98	6.98

During the recent legislative session, HB1197 was enacted to amend state laws related to legal notices related to “E-editions” of newspapers. The bill added a new definition:

“Publish” means the dissemination in the print edition of a qualified newspaper or in the newspaper’s e-edition if it has one, or in both.

## COOPERATIVE PURCHASING

During the 68th Legislative Session, SB2370 passed and provides additional authority for counties to participate in cooperative purchasing agreements pursuant to a joint-powers agreement. SB2370 amends NDCC 11-11-14 related to counties to add the following:

“With the approval of the board of county commissioners, a county may participate in cooperative purchasing agreements with the state, or another political subdivision of this state or any other state, by executing a joint-powers agreement under chapter 54-40.3.

### Cooperative Purchasing with State – OMB

NDCC Section 54-44.4-13 gives OMB authority to “participate in, sponsor, or administer” cooperative purchasing agreements that are made available to government entities, public transportation providers, tribal agencies, and nonprofits established on behalf of public entities. OMB creates state contracts and joins eligible cooperative purchasing contracts, and these state contracts are made available to state and local government. Visit the OMB website: <https://www.omb.nd.gov>.