North Dakota Legislative Council

Prepared for the Government Finance Committee
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STATE AGENCY FEES REPORT

OVERVIEW

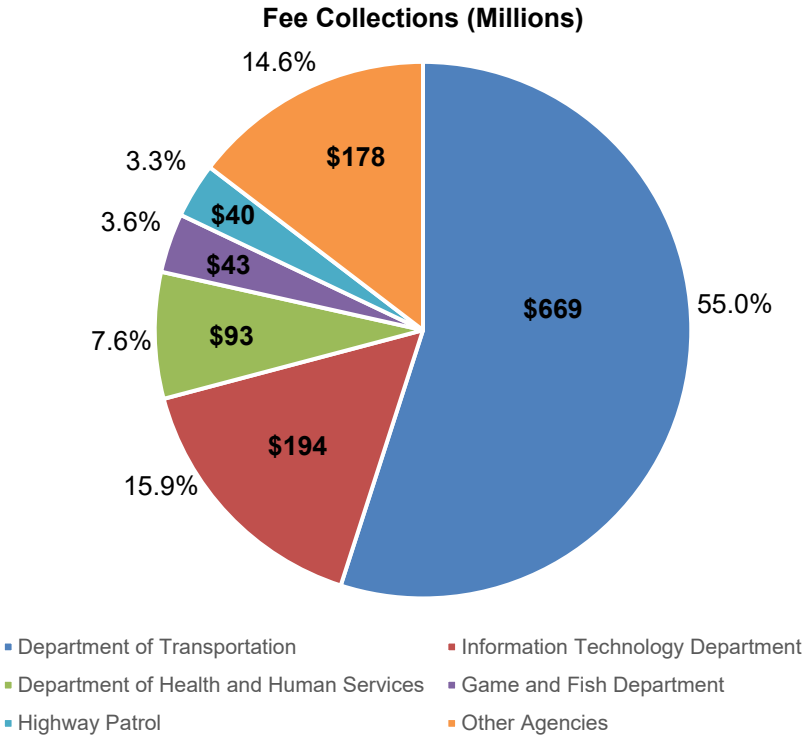
North Dakota Century Code Section 54-35-27 provides for a study of state agency fees, which was assigned to the Government Finance Committee for the 2025-26 interim. As a part of the study, each state agency must provide an analysis of each fee, including a comparison of the revenue generated by the fee, costs associated with the fee, and the appropriateness of the fee. All state agencies are required to submit information by July of every even-numbered year regarding any new fees, changes to existing fees, or the removal of any fees. The schedule below provides a summary of the information reported by state agencies that collected fees in the 2023-25 biennium, and the agency responses are attached as appendices.

No.	Agency	Current Fees		Updates Since Initial Report			Appendix
		Count	Collections	Added	Removed	Changed	
108	Secretary of State	456	$18,440,984	0	2	0	A
110	Office of Management and Budget	1	$6,375	0	0	0	B
112	Information Technology Department	106	$193,736,245	13	7	0	C
117	State Auditor	6	$4,616,898	0	1	0	D
120	State Treasurer	11	$35,003,719	0	0	2	E
125	Attorney General	42	$6,187,708	0	0	1	F
127	Tax Commissioner	20	$838,156	0	0	0	G
140	Office of Administrative Hearings	3	$1,757,302	0	0	0	H
160	Legislative Council	2	$29,560	0	0	0	I
180	Judicial branch	15	$23,630,362	1	2	6	J
201	Department of Public Instruction	1	$4,482	0	0	1	K
204	Center for Distance Education	6	$7,614,279	4	1	0	L
226	Department of Trust Lands	14	$148,830	0	7	3	M
250	State Library	2	$2,541	0	0	0	N
252	School for the Deaf	1	$155,790	0	0	0	O
253	North Dakota Vision Services - School for the Blind	2	$10,140	0	0	0	P
270	Department of Career and Technical Education	2	$10,000	0	3	0	Q
303	Department of Environmental Quality	12	$13,318,141	0	0	3	R
313	Veterans' Home	4	$17,199,007	3	0	0	S
325	Department of Health and Human Services	53	$92,705,491	1	0	0	T
380	Job Service North Dakota	1	$48,131	0	0	0	U
401	Insurance Commissioner	80	$4,889,169	2	0	11	V
405	Industrial Commission	4	$2,900	1	0	0	W
406	Department of Labor and Human Rights	1	$350	1	0	0	X
408	Public Service Commission	5	$1,149,314	0	2	1	Y
412	Aeronautics Commission	5	$427,029	0	0	0	Z
413	Department of Financial Institutions	72	$9,765,258	0	0	0	AA
473	Housing Finance Agency	28	$2,946,046	7	6	1	BB
474	Department of Mineral Resources	17	$513,163	0	0	0	CC
485	Workforce Safety and Insurance	3	$38,231	0	0	0	DD
504	Highway Patrol	32	$40,318,847	0	0	0	EE

No.	Agency	Current Fees		Updates Since Initial Report			Appendix
		Count	Collections	Added	Removed	Changed	
530	Department of Corrections and Rehabilitation	12	$2,525,060	0	0	0	FF
540	Adjutant General	3	$5,653,259	0	0	3	GG
601	Department of Commerce	12	$285,405	0	0	1	HH
602	Agriculture Commissioner	23	$10,985,989	1	0	0	II
670	Racing Commission	3	$148,300	0	0	1	JJ
701	State Historical Society	1	$44,750	0	0	0	KK
720	Game and Fish Department	170	$43,479,388	0	0	0	LL
750	Parks and Recreation Department	10	$9,229,454	0	0	0	MM
770	Department of Water Resources	4	$324,525	0	0	0	NN
801	Department of Transportation	124	$668,958,225	9	0	0	OO
Total		**1,369**	**$1,217,148,803**	**43**	**31**	**34**	

HIGHLIGHTS FROM REPORTED AGENCY FEES

During the 2023-25 biennium, 41 state agencies reported total fee collections of $1.2 billion from 1,371 fees. Since their initial reports, agencies report adding 43 fees, removing 31 fees, and making other changes to 34 fees.



Selected Agencies with Major Fee Collections

Agency	Collections	Number of Fees	Percent of Total Collections
Department of Transportation	$668,958,225	124	55.0%
Information Technology Department	$193,736,245	106	15.9%
Department of Health and Human Services	$92,705,491	53	7.6%
Game and Fish Department	$43,479,388	170	3.6%
Highway Patrol	$40,318,847	32	3.3%
Other	$177,950,607	884	14.6%

Selected Fees with Major Collections

Fee	Agency	Year Last Changed	2023-25 Collections
Excise tax on purchase price of motor vehicle	Department of Transportation	1987	$365,970,256
Motor vehicle registration fee	Department of Transportation	2009	$172,602,139
State fleet rates	Department of Transportation	2023	$79,067,191
Application support	Information Technology Department	1999	$49,980,193
Life Skills and Transition Center fees for service	Department of Health and Human Services	2026	$38,887,566

OBSERVATIONS FROM REPORTED FEES

Selected Agencies with Major Fee Collections

The schedule below provides information on highlights from five selected agencies with major fee collections, including the Department of Transportation, Information Technology Department, Department of Health and Human Services, Game and Fish Department, and Highway Patrol.

Department of Transportation	The motor vehicle excise tax accounts for $366 million, or approximately 55 percent of the Department of Transportation's total collections. Together, the motor vehicle excise tax, motor vehicle registration fees, and state fleet rates account for approximately 92 percent of total collections. Several title and registration fees have not changed since the 1980s, although most generate relatively small collections.
Information Technology Department	Collections primarily consist of charges to state agencies for technology-related services. Fees for application support, contract programming, desktop support service, dedicated intel virtual server hosting, and the technology fee together account for approximately 53 percent of the department's total collections. Since the initial report, the Information Technology Department added 13 fees and removed 7 fees.
Department of Health and Human Services	Collections are concentrated in three categories related to fees for services: the Life Skills and Transition Center, regional human service centers, and State Hospital. Together, these account for approximately $84.1 million, or 91 percent of Department of Health and Human Services collections. The department did not report any costs to administer the fees.
Game and Fish Department	The Game and Fish Department reported 170 fees, with collections spread across hunting, fishing, habitat, and other licenses. The five largest fees account for 39 percent of its $43.5 million in collections. Several fees have reportedly remained unchanged since 1963, including resident and nonresident general game fees, which generated approximately $1.2 million combined.
Highway Patrol	The ton-mile fee accounts for $22.9 million, or approximately 57 percent of Highway Patrol's $40.3 million in collections. The ton-mile fee, oversize permit, interstate permit annual, single trip, and electronic permit transaction fee together account for approximately 88 percent of collections. The ton-mile fee was last changed in 1988, and Highway Patrol reported no fees added, deleted, or changed since the initial report.

Considerations

Based on the information reported by state agencies, future interim committees studying state agency fees may consider the following:

- Changing the format of information reported by state agencies to improve consistency and clarity and to enhance the usefulness for legislators and the public.
- Developing a schedule to review fees that have not been changed for a significant time or requiring agencies to identify when the fee was last reviewed.
- Evaluating the cost to administer the fee to consider the appropriateness of the fee amount for fees with costs that differ significantly from the revenue collected.
- Gathering information from state agencies regarding the types of payors to differentiate between fees paid by individuals, businesses, and other entities.