

March 25, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2022

Page 1, line 2, after the third semicolon insert "to amend and reenact sections 15-39.1-08, 21-10-01, and 54-52-03 of the North Dakota Century Code, relating to the per day compensation rates for the board of trustees of the teachers' fund for retirement, state investment board, and retirement board;"

Page 2, after line 23, insert:

**"SECTION 4. AMENDMENT.** Section 15-39.1-08 of the North Dakota Century Code is amended and reenacted as follows:

**15-39.1-08. Compensation of members.**

Members of the board, excluding ex officio members, are entitled to receive ~~sixty-two one hundred forty-eight~~ dollars and fifty cents as compensation per day and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09 for attending meetings of the board. No member of the board may lose regular salary, vacation pay, vacation or any personal leave, or be denied right of attendance by the state or political subdivision thereof while serving on official business of the fund.

**SECTION 5. AMENDMENT.** Section 21-10-01 of the North Dakota Century Code is amended and reenacted as follows:

**21-10-01. State investment board - Membership - Term - Compensation - Advisory council.**

1. The North Dakota state investment board consists of the governor, the state treasurer, the commissioner of university and school lands, the director of workforce safety and insurance, the insurance commissioner, three members of the teachers' fund for retirement board or the board's designees who need not be members of the fund as selected by that board, two of the elected members of the public employees retirement system board as selected by that board, and one member of the public employees retirement system board as selected by that board. The director of workforce safety and insurance may appoint a designee, subject to approval by the workforce safety and insurance board of directors, to attend the meetings, participate, and vote when the director is unable to attend. The teachers' fund for retirement board may appoint an alternate designee with full voting privileges to attend meetings of the state investment board when a selected member is unable to attend. The public employees retirement system board may appoint an alternate designee with full voting privileges from the public employees retirement system board to attend meetings of the state investment board when a selected member is unable to attend. The members of the state investment board, except elected and appointed officials and the director of workforce safety and insurance or the director's designee, are entitled to receive as compensation ~~sixty-two one hundred forty-eight~~ dollars and fifty cents per day and necessary mileage and travel expenses as provided in sections

44-08-04 and 54-06-09 for attending meetings of the state investment board.

2. The state investment board may establish an advisory council composed of individuals who are experienced and knowledgeable in the field of investments. The state investment board shall determine the responsibilities of the advisory council. Members of the advisory council are entitled to receive the same compensation as provided the members of the advisory board of the Bank of North Dakota and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09.

**SECTION 6. AMENDMENT.** Section 54-52-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-52-03. Governing authority.**

A state agency is hereby created to constitute the governing authority of the system to consist of a board of seven persons known as the retirement board. No more than one elected member of the board may be in the employ of a single department, institution, or agency of the state or in the employ of a political subdivision. No employee of the public employees retirement system or the state retirement and investment office may serve on the board.

1. One member of the board must be appointed by the governor to serve a term of five years. The appointee must be a North Dakota citizen who is not a state or political subdivision employee and who by experience is familiar with money management. The citizen member is chairman of the board.
2. One member of the board must be appointed by the attorney general from the attorney general's legal staff and shall serve a term of five years.
3. The state health officer appointed under section 23-01-05 is a member of the board.
4. Three board members must be elected by and from among the active participating members, members of the retirement plan established under chapter 54-52.6, members of the retirement plan established under chapter 39-03.1, and members of the job service North Dakota retirement plan. Employees who have terminated their employment for whatever reason are not eligible to serve as elected members of the board under this subsection. Board members must be elected to a five-year term pursuant to an election called by the board. Notice of board elections must be given to all active participating members. The time spent in performing duties as a board member may not be charged against any employee's accumulated annual or any other type of leave.
5. One board member must be elected by and from among those persons who are receiving retirement benefits or who are eligible to receive deferred vested retirement benefits under this chapter. The board shall call the election and must give prior notice of the election to the persons eligible to participate in the election pursuant to this subsection. The board member shall serve a term of five years.

6. The members of the board are entitled to receive ~~sixty-two one hundred forty-eight dollars and fifty cents~~ per day compensation and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09. This is in addition to any other pay or allowance due the chairman or a member, plus an allowance for expenses they may incur through service on the board.
7. A board member shall serve a five-year term and until the board member's successor qualifies. Each board member is entitled to one vote, and four of the seven board members constitute a quorum. Four votes are necessary for resolution or action by the board at any meeting."

Page 2, line 27, replace "4" with "7"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2022 - Summary of House Action**

	Executive Budget	Senate Version	House Changes	House Version
<b>Retirement and Investment Office</b>				
Total all funds	\$4,232,954	\$4,232,954	\$0	\$4,232,954
Less estimated income	4,232,954	4,232,954	0	4,232,954
General fund	\$0	\$0	\$0	\$0
<b>Public Employees Retirement System</b>				
Total all funds	\$6,776,890	\$6,776,890	\$0	\$6,776,890
Less estimated income	6,776,890	6,776,890	0	6,776,890
General fund	\$0	\$0	\$0	\$0
<b>Bill total</b>				
Total all funds	\$11,009,844	\$11,009,844	\$0	\$11,009,844
Less estimated income	11,009,844	11,009,844	0	11,009,844
General fund	\$0	\$0	\$0	\$0

**Senate Bill No. 2022 - Retirement and Investment Office - House Action**

Section 15-39.1-08 relating to the per day compensation rate of the Teachers' Fund for Retirement Board of Trustees is amended to increase the rate from \$62.50 per day to \$148 per day.

Section 21-10-01 relating to the per day compensation rate of State Investment Board members is amended to increase the rate from \$62.50 per day to \$148 per day.

**Senate Bill No. 2022 - Public Employees Retirement System - House Action**

Section 54-52-03 relating to the per day compensation rate of retirement board members is amended to increase the rate from \$62.50 per day to \$148 per day.