

SUMMARY - AMENDMENTS TO HOUSE BILL NO. 1023

This document summarizes the amendments to House Bill No. 1023 proposed by the Government Operations subcommittee of the House Appropriations Committee (17.0508.01006), as those amendments relate to the administration of the Public Employees Retirement System (PERS). The following table summarizes the changes in administration of the PERS from its current structure to the structure under the proposed amendments:

North Dakota Century Code Section	Current Structure	Proposed Structure
21-10-01	Three members of the Retirement Board--two elected members and one additional member--serve on the North Dakota State Investment Board.	Two elected members of the Retirement System Advisory Board and the PERS Office Executive Director serve on the North Dakota State Investment Board.
54-35-02.3		Three elected members of the Retirement System Advisory Board serve as nonvoting members of the Employee Benefits Programs Committee.
54-52-03	Retirement Board is created to be the state agency charged with administering PERS.	PERS Office is created to be the state agency charged with administering PERS.
54-52-03	Retirement Board membership: <ul style="list-style-type: none"> • Two members of the Legislative Assembly; • Citizen member appointed by Governor; • Attorney General appointment; • State Health Officer; • Three active members elected by members; and • Retiree member elected by retired members. 	Retirement System Advisory Board is charged with advising the PERS Office Executive Director, Governor, and the Legislative Management. Retirement System Advisory Board membership: <ul style="list-style-type: none"> • Two members of the Legislative Assembly; • Citizen member appointed by Governor; • Three active members elected by members; and • Retiree member elected by retired members.
54-52-04	Retirement Board shall adopt rules as necessary to manage PERS.	PERS Office shall adopt rules as necessary to manage PERS.
54-52-04	Retirement Board has powers and privileges of a corporation, including the right to sue and be sued.	
54-52-04	Retirement Board shall appoint an Executive Director to serve at the board's discretion and perform duties as assigned by the board.	Governor shall appoint an Executive Director to serve at the Governor's discretion.
54-52-04	Retirement Board authorizes and Executive Director hires PERS staff.	PERS Office shall employ staff.
54-52-04	Retirement Board shall retain an actuary on a consulting basis.	PERS Office shall retain an actuary on a consulting basis.
54-52-04	Retirement Board shall administer the Highway Patrolmen's Retirement System, Uniform Group Insurance Program, and the Deferred Compensation Plan for Public Employees and other optional employee benefit programs.	PERS Office shall administer the Highway Patrolmen's Retirement System, Uniform Group Insurance Program, and the Deferred Compensation Plan for Public Employees and other optional employee benefit programs.
54-52-04	Retirement Board may use money in the uniform group insurance program fund to reduce the amount of premium amounts paid and to reduce any increase in premium.	Subject to appropriation, the PERS Office may use money in the uniform group insurance program fund to reduce the amount of premium amounts paid and to reduce any increase in premium. Statutory references to the Retirement Board are replaced with references to the PERS Office.