

PROPOSED AMENDMENTS TO SENATE BILL NO. 2013

Page 1, line 5, after the semicolon insert "to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to participation by nonteaching employees of the superintendent of public instruction in the public employees retirement system;"; after "reenact" insert "subdivision b of subsection 11 of section 15-39.1-04, and after "15.1-02-02" insert "subsection 3 of section 54-52-01"

Page 1, line 6, after "to" insert "participation by nonteaching employees of the superintendent of public instruction in the public employees retirement system and"

Page 7, after line 3, insert:

"SECTION 13. AMENDMENT. Subdivision b of subsection 11 of section 15-39.1-04 of the North Dakota Century Code is amended and reenacted as follows:

- b. The Except for nonteaching employees of the superintendent of public instruction who elect to participate in the public employees retirement system under section 16 of this Act, the superintendent of public instruction, assistant superintendents of public instruction, county superintendents, assistant superintendents, supervisors of instruction, the professional staff of the state board for vocational and technical education, the professional staff of the division of independent study, the executive director and professional staff of the North Dakota education association who are members of the fund on July 1, 1995, the professional staff of an interim school district, and the professional staff of the North Dakota high school activities association who are members of the fund on July 1, 1995. As used in this subdivision the term "nonteaching employee" means an employee not licensed to teach by the education standards and practices board and not approved to teach by the education standards and practices board.

Page 7, after line 10, insert:

"SECTION 15. AMENDMENT. Subsection 3 of section 54-52-01 of the North Dakota Century Code is amended and reenacted as follows:

3. "Eligible employee" means all permanent employees who meet all of the eligibility requirements set by this chapter and who are eighteen years or more of age, and includes appointive and elective officials who elect to remain members of the retirement system; provided, that judges of the supreme and district courts eligible under section 54-52-02.3 and, appointed officials who elect to participate under section 54-52-02.5, and nonteaching employees of the superintendent of public instruction who elect to transfer from the teachers' fund for retirement to the public employees retirement system under section 16 of this Act are eligible employees and shall participate in the public employees retirement system. Eligible employee does not include nonclassified state employees who elect to become members of the retirement plan established under chapter 54-52.6 but does include employees of the judicial branch and employees of the board of higher education and state institutions under the jurisdiction of the board.

SECTION 16. A new section to chapter 54-52 of the North Dakota Century Code is created and enacted as follows:

Participation by nonteaching employees of the superintendent of public instruction. Notwithstanding any other provision of law, between the effective date of this Act and December 31, 2003, a nonteaching employee of the superintendent of public instruction may elect to transfer from the teachers' fund for retirement to the public employees retirement system. For an individual who elects to terminate membership under this section in the teachers' fund for retirement under chapter 15-39.1, the teachers' fund for retirement board shall transfer the actuarial present value of the individual's accumulated benefit obligation under the teachers' fund for retirement based on the assumption that the individual will retire under the earliest applicable normal retirement age, plus interest from the effective date of this Act to the date of transfer, at the rate of one-half of one percent less than the actuarial interest assumption at the time of the election from the teachers' fund for retirement fund to the public employees retirement fund."

Renumber accordingly