



**North Dakota  
Public Employees Retirement System**

400 E. Broadway, Suite 505 • PO Box 1657  
Bismarck, North Dakota 58502 - 1657

**Scott A Miller  
Executive Director**  
(701) 328-3900  
1-800-803-7377

---

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • WEB: [ndpers.nd.gov](http://ndpers.nd.gov)

November 16, 2018

Ms. Vonette Richter  
Assistant Code Revisor  
Legislative Council  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Adopt and Amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

Jan Lund  
Administrative Services Division  
ND Public Employees Retirement System

Enclosures

NOTICE OF INTENT TO ADOPT AND AMEND ADMINISTRATIVE RULES

Take notice that the North Dakota Public Employees Retirement System will hold a public hearing to address proposed new rules and amendments to Title 71 of the North Dakota Administrative Code. The hearing will be held at 11:00 a.m. on Monday, December 17, 2018, in the NDPERS Conference Room at 400 East Broadway, Suite 505, Bismarck, North Dakota. The hearing will continue until 12:00 p.m. or until no further testimony is offered, whichever occurs last. The proposed rules may be viewed online at <https://ndpers.nd.gov/about/notice-of-hearing>

or at the NDPERS office at the following location:

North Dakota Public Employees Retirement System  
400 E Broadway, Suite 505  
PO Box 1657  
Bismarck, ND 58502

Written or oral comments on the proposed rules submitted to the above address or below referenced telephone number and received by December 27, 2018 will be fully considered. The proposed rule changes are not expected to have an impact on the regulated community in excess of \$50,000. A copy of the proposed rules and/or regulatory analysis may also be obtained by accessing them on the PERS website at <https://ndpers.nd.gov/about/notice-of-hearing> or by writing to the above address, or by calling the North Dakota Public Employees Retirement System at 701-328-3900.

If you plan to attend the public hearing and will need special accommodations or assistance relating to a disability, please contact the Public Employees Retirement System at the above address or telephone number at least three business days prior to the public hearing. Specific sections affected and explanations for proposed revisions are summarized below.

<b>Section</b>	<b>Description</b>	<b>Reason</b>
<b>71-02-08-02, Withdrawal</b>	Add wording to clarify the withdrawal liability calculation for an employer who is discontinuing participation.	Administrative clarification
<b>71-06-01-10, Withdrawal</b>	Adding a new subsection to clarify that withdrawal under this chapter is governed pursuant to section 71-02-08-02.	Administrative clarification

Dated this 16<sup>th</sup> day of November, 2018.

Scott A. Miller, NDPERS Executive Director