

Sixtieth
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Krebsbach

A BILL for an Act to amend and reenact subsection 8 of section 54-52-01, subsection 3 of section 54-52.1-01, and sections 54-52.1-03.1 and 54-52.2-01 of the North Dakota Century Code, relating to participation by an association of counties in the public employees retirement system, uniform group insurance program, and the deferred compensation program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 8 of section 54-52-01 of the North Dakota Century Code is amended and reenacted as follows:

8. "Governmental unit" means the state of North Dakota, except the highway patrol for members of the retirement plan created under chapter 39-03.1, or a participating political subdivision thereof. For purposes of this chapter, an association of counties organized pursuant to section 11-10-24 is deemed to be a political subdivision.

SECTION 2. AMENDMENT. Subsection 3 of section 54-52.1-01 of the North Dakota Century Code is amended and reenacted as follows:

3. "Department, board, or agency" means the departments, boards, agencies, or associations of this state, and includes the state's charitable, penal, and higher educational institutions; the Bank of North Dakota; the state mill and elevator association; and counties, cities, district health units, ~~and~~ school districts, and an association of counties organized pursuant to section 11-10-24.

SECTION 3. AMENDMENT. Section 54-52.1-03.1 of the North Dakota Century Code is amended and reenacted as follows:

54-52.1-03.1. Certain political subdivisions authorized to join uniform group insurance program - Employer contribution. A political subdivision and an association of counties organized pursuant to section 11-10-24 may extend the benefits of the uniform group

1 insurance program under this chapter to its permanent employees, subject to minimum
2 requirements established by the board and a minimum period of participation of sixty months. If
3 the political subdivision withdraws from participation in the uniform group insurance program,
4 before completing sixty months of participation, the political subdivision shall make payment to
5 the board in an amount equal to any expenses incurred in the uniform group insurance program
6 that exceed income received on behalf of the political subdivision's employees as determined
7 under rules adopted by the board. A retiree who has accepted a retirement allowance from a
8 participating political subdivision's retirement plan may elect to participate in the uniform group
9 under this chapter without meeting minimum requirements at age sixty-five, when the
10 employee's spouse reaches age sixty-five, upon the receipt of a benefit, when the political
11 subdivision joins the uniform group insurance plan if the retiree was a member of the former
12 plan, or when the spouse terminates employment. If a retiree or surviving spouse does not
13 elect to participate at the times specified in this section, the retiree or surviving spouse must
14 meet the minimum requirements established by the board. Each retiree or surviving spouse
15 shall pay directly to the board the premiums in effect for the coverage then being provided. The
16 board may require documentation that the retiree has accepted a retirement allowance from an
17 eligible retirement plan other than the public employees retirement system.

18 **SECTION 4. AMENDMENT.** Section 54-52.2-01 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **54-52.2-01. Deferred compensation program for public employees - Contract.** The
21 state or any county, city, ~~or~~ other political subdivision, or an association of counties organized
22 pursuant to section 11-10-24 may, by contract, agree with any employee to defer, in whole or in
23 part, any portion of that employee's compensation and may subsequently, with the consent of
24 the employee, fund a deferred compensation program for the employee. The deferred
25 compensation program may consist of a contract, purchase, or investment in a fixed or variable
26 life insurance or annuity contract from any life underwriter duly licensed by this state who
27 represents an insurance company licensed to contract business in this state, a savings account
28 at a federally insured financial institution or the Bank of North Dakota, an account with or
29 managed by a dealer registered under chapter 10-04, or any combination of contracts or
30 accounts authorized by this section, as specified by the employee. The public employees
31 retirement board shall specify methods of payment of deferred compensation funds to be

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- 1 selected by individual employees. That board shall determine the number of employees
- 2 participating in a deferred compensation program necessary to qualify for automatic payroll
- 3 deduction.