

January 29, 1999

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1257

Page 1, line 3, replace the second "section" with "sections 54-52-02.5,"

Page 1, line 4, after the second comma insert "participation by newly appointed officials in a defined contribution retirement plan,"

Page 1, line 6, remove "to repeal section 54-52-02.5 of the North Dakota Century Code, relating to newly"

Page 1, line 7, remove "appointed officials as members of the public employees retirement system;"

Page 1, line 8, replace "effective date" with "appropriation and a continuing appropriation"

Page 1, line 16, remove the overstrike over "~~and appointed officials~~" and after "eligible" insert "who elect to participate"

Page 1, line 17, remove the overstrike over "~~under section 54-52-02.5~~"

Page 1, line 20, replace "and nonclassified state employees who enter upon the" with "but does include employees of the judicial branch"

Page 1, line 21, remove "payroll after December 31, 1999"

Page 1, after line 21, insert:

**"SECTION 2. AMENDMENT.** Section 54-52-02.5 of the North Dakota Century Code is amended and reenacted as follows:

**54-52-02.5. Newly appointed officials.** After ~~July 1, 1979, any~~ December 31, 1999, a person appointed to an office for the first time must, from and after the date ~~he~~ that person qualifies and takes office, be a participating member of the public employees retirement system unless that person makes an election at any time during the first six months after the date the person takes office to participate in the retirement plan established under chapter 54-52.6. As used in this section, the phrase "for the first time" means a person appointed, who, after ~~July 1, 1979~~ December 31, 1999, does not hold office as an appointed official at the time of ~~his~~ that person's appointment."

Page 3, line 21, after the second "employee" insert ", except an employee of the judicial branch,"

Page 3, line 28, remove "or is required"

Page 5, line 4, replace "must be a participant" with "may make an election at any time during the first six months after the date of employment to participate"

Page 6, line 3, after "3." insert "An employee who elects to participate in the retirement plan established under this chapter must remain a participant even if that employee returns to the classified service.

4."

Page 6, line 9, replace "4" with "5"

Page 6, line 17, remove "before April 30, 2000"

Page 7, line 10, after "**expenses**" insert "**- Continuing appropriation**"

Page 7, line 14, after the underscored period insert "The board shall place any money deducted in an administrative expenses account with the state treasurer. The board may also use funds from the payroll clearing account established pursuant to section 54-52.3-03 to pay for consulting expenses. All moneys in the payroll clearing account, not otherwise appropriated, or so much of the moneys as may be necessary, are appropriated to the board on a continuing basis for the purpose of retaining a consultant as required for the administration of this chapter."

Page 9, line 14, replace "public employees retirement fund" with "administrative expenses account"

Page 12, replace lines 14 through 16 with:

**"SECTION 6. APPROPRIATION.** There is hereby appropriated out of any moneys in the administrative expense account under section 54-52.6-06 and the payroll clearing account under section 54-52.3-03, in the state treasury, not otherwise appropriated, the sum of \$197,000, or so much of the sum as may be necessary, to the public employees retirement system board for the purpose of administering this chapter, for the biennium beginning July 1, 1999, and ending June 30, 2001. The public employees retirement system board is authorized one additional full-time equivalent position to implement this Act."

Renumber accordingly