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## EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Friday, February 3, 2023  
Pioneer Room, State Capitol  
Bismarck, North Dakota

Representative Josh Boschee, Chairman, called the meeting to order at 7:00 a.m.

**Members present:** Representatives Josh Boschee, Bert Anderson, Claire Cory, Mitch Ostlie, Mary Schneider, Paul J. Thomas; Senators Randy A. Burckhard, Dick Dever, Tim Mathern, Kristin Roers, Shawn Vedaa

**Members absent:** Representative Matthew Ruby and Senator Brad Bekkedahl

**Others present:** See [Appendix A](#)

**It was moved by Senator Mathern, seconded by Representative Schneider, and carried on a voice vote that the minutes of the January 27, 2023, meeting be approved as distributed.**

### BILL AND AMENDMENT ACTUARIAL REPORTS

The committee received technical comments, actuarial information, and comments by interested persons relating to the following four bills and one set of amendments, over which the committee took jurisdiction, which affect, actuarially or otherwise, the retirement programs of state employees or employees of any political subdivision, and health and retiree health plans of state employees or employees of any political subdivision pursuant to North Dakota Century Code Section 54-35-02.4:

- [House Bill No. 1416](#), which provides for freedom of choice in participating in health insurance networks;
- [Senate Bill No. 2164](#), which provides for modification of membership of the Public Employees Retirement System (PERS) Board;
- [Senate Bill No. 2389](#), which provides a prior authorization protocol for health insurers;
- [Amendments to House Bill No. 1040 \[23.0280.03003\]](#), which provides for closure of the PERS defined benefit plan and routing of new hires into the defined contribution plan; and
- [House Bill No. 1501](#), regarding privatization of the Soy Bean Council.

Mr. Scott Miller, Executive Director, Public Employees Retirement System, provided technical comments ([Appendix B](#)) and actuarial information ([Appendix C](#)) on the four bills and one set of amendments.

Mr. Dylan Wheeler, Senior Legislative Affairs Specialist, Sanford Health Plan, testified in opposition to House Bill No. 1416. He stated the bill would negatively impact affordability of focus network health plans.

**It was moved by Senator Mathern, seconded by Senator Roers, and carried on a roll call vote that the committee give an unfavorable recommendation on House Bill No. 1416.** Representatives Boschee, Anderson, Cory, Ostlie, Schneider, and Thomas and Senators Burckhard, Dever, Mathern, Roers, and Vedaa voted "aye." No negative votes were cast.

Senator Dever provided an overview of Senate Bill No. 2164.

**It was moved by Senator Dever, seconded by Senator Roers, and carried on a roll call vote that the committee give a favorable recommendation on Senate Bill No. 2164.** Representatives Anderson, Cory, Ostlie, and Schneider and Senators Burckhard, Dever, Mathern, Roers, and Vedaa voted "aye." Representatives Boschee and Thomas voted "nay."

Mr. Wheeler testified on Senate Bill No. 2389. He noted he has concerns with the scope of the bill.

**It was moved by Senator Roers, seconded by Senator Mathern, and carried on a roll call vote that the committee give a recommendation of no recommendation on Senate Bill No. 2389.** Representatives Boschee, Anderson, Cory, Ostlie, Schneider, and Thomas and Senators Burckhard, Dever, Roers, and Mathern voted "aye." Senator Vedaa voted "nay."

**It was moved by Representative Thomas, seconded by Senator Vedaa, and carried on a roll call vote that the committee give a favorable recommendation on the amendments to House Bill No. 1040.** Representatives Anderson, Cory, Ostlie, and Thomas and Senators Roers and Vedaa voted "aye." Representatives Boschee and Schneider and Senators Burckhard, Dever, and Mathern voted "nay."

**It was moved by Representative Boschee, seconded by Representative Thomas, and carried on a voice vote that the committee receive the actuarial report on House Bill No. 1501.**

Mr. Phil Murphy, Murphy Consulting, summarized House Bill No. 1501.

**It was moved by Senator Roers, seconded by Representative Thomas, and carried on a roll call vote that the committee give a favorable recommendation on House Bill No. 1501.** Representatives Boschee, Anderson, Cory, Ostlie, Schneider, and Thomas and Senators Burckhard, Dever, Mathern, and Roers voted "aye." No negative votes were cast.

No further business appearing, Chairman Boschee adjourned the meeting at 8:20 a.m.

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Jennifer S. N. Clark  
Senior Counsel and Code Revisor

ATTACH: 3