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**Testimony Before the Senate I & B Committee
HB 1321
March 13, 2023**

Chairman Larsen and members of the Senate Industry and Business Committee, for the record, my name is Nick Archuleta, and I am the president of North Dakota United. North Dakota United is a union of 11,500 professionals, each dedicated to serving the public. On behalf of our members, particularly those who are PERS members, I urge a do not pass recommendation on HB 1321.

Our primary concern with HB 1321 is embodied in Section 1 of the bill which, if enacted, would remove two members of the ND PERS board, one of whom is an active public employee, and replace them with North Dakota Legislators. The result of this unnecessary change would be an eleven member PERS Board with a legislative member majority. We believe that this change will diminish the voice of the public employees whose benefits are managed by PERS. Additionally, we are concerned that having a majority of legislators on the PERS Board will cause this Board to make important decisions based on politics rather than on what is in the best interest of the plans administered by PERS. Furthermore, we see this this section of HB 1321 as an effort by the Legislative Branch to usurp the authority of the Executive Branch. The last thing PERS needs at this time is to become embroiled in yet another political scrum.

Mr. Chairman and members of the Committee, the current makeup of the board with three members elected from the employees ensures that those most affected by changes to ND PERS retirement and healthcare have a seat at the table and that their concerns and ideas receive equal consideration as decisions are made. In short, it gives public employees suitable buy-in to the plans, and that instills confidence in state and political subdivision employees who depend on PERS success. It also gives piece of mind to our fellow North Dakotans knowing that decisions affecting PERS are based on what is in the best interest of PERS and not on political expedience.



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Finally, Mr. Chairman, ND Legislators already have two seats at the table which assures that the legislative perspective is in the mix at each PERS Board meeting. We believe that the current composition of the Board serves the interests of all involved and a change in the structure of the Board is unnecessary and unhelpful.

For these reasons, Chairman Larsen and members of the Committee, I respectfully urge a do not pass recommendation on HB 1321. Thank you for the opportunity to testify before you today. I am happy to answer any questions you may have.