

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1022**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of various state
2 retirement and investment agencies; to provide a transfer; to amend and reenact subsection 1
3 of section 15-39.1-09 of the North Dakota Century Code, relating to teachers' fund for
4 retirement employer contributions; to provide for application; to provide an effective date; and to
5 provide an expiration date.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
8 funds as may be necessary, are appropriated out of any moneys from special funds derived
9 from income, to the retirement and investment agencies listed in this section for the purpose of
10 defraying their expenses, for the biennium beginning July 1, 2009, and ending June 30, 2011,
11 as follows:

12 Subdivision 1.

13 RETIREMENT AND INVESTMENT OFFICE

14			Adjustments or	
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Salaries and wages	\$2,334,909	\$339,171	\$2,674,080
17	Operating expenses	935,999	(11,429)	924,570
18	Contingencies	<u>82,000</u>	<u>0</u>	<u>82,000</u>
19	Total special funds	\$3,352,908	\$327,742	\$3,680,650
20	Full-time equivalent positions	17.00	0	17.00

21 Subdivision 2.

22 PUBLIC EMPLOYEES RETIREMENT SYSTEM

23			Adjustments or	
24		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>

Sixty-first
Legislative Assembly

1	Salaries and wages	\$3,746,283	\$490,206	\$4,236,489
2	Operating expenses	11,247,019	(9,587,020)	1,659,999
3	Contingencies	<u>250,000</u>	<u>0</u>	<u>250,000</u>
4	Total all funds	\$15,243,302	(\$9,096,814)	\$6,146,488
5	Less estimated income	<u>15,243,302</u>	<u>(9,109,814)</u>	<u>6,133,488</u>
6	Total general fund	\$0	\$13,000	\$13,000
7	Full-time equivalent positions	33.00	0	33.00

8 Subdivision 3.

9 BILL TOTAL

10			Adjustments or	
11		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
12	Grand total general fund	\$0	\$13,000	\$13,000
13	Grand total special funds	<u>18,596,210</u>	<u>(8,757,072)</u>	<u>9,839,138</u>
14	Grand total all funds	\$18,596,210	(\$8,744,072)	\$9,852,138
15	Full-time equivalent positions	50.00	0	50.00

16 **SECTION 2. APPROPRIATION LINE ITEM TRANSFERS.** Upon approval of the
 17 respective boards, the retirement and investment office and the public employees retirement
 18 system may transfer from their respective contingencies line items in subdivisions 1 and 2 of
 19 section 1 of this Act to all other line items. The agencies shall notify the office of management
 20 and budget of each transfer made pursuant to this section.

21 **SECTION 3. APPROPRIATION.** If Senate Bill No. 2277 is approved by the sixty-first
 22 legislative assembly and becomes effective, there is appropriated out of any moneys in the
 23 teachers' fund for retirement, not otherwise appropriated, the sum of \$25,000, or so much of the
 24 sum as may be necessary, to the retirement and investment office for the purpose of
 25 implementing Senate Bill No. 2277, for the biennium beginning July 1, 2009, and ending
 26 June 30, 2011.

27 **SECTION 4. AMENDMENT.** If Senate Bill No. 2277 is approved by the sixty-first
 28 legislative assembly and becomes effective, subsection 1 of section 15-39.1-09 of the North
 29 Dakota Century Code is amended and reenacted as follows:

- 30 1. Except as otherwise provided by law, every teacher is a member of the fund and
 31 must be assessed upon the teacher's salary seven and seventy-five hundredths

1 percent per annum, which must be deducted, certified, and paid monthly to the
2 fund by the disbursing official of the governmental body by which the teacher is
3 employed. Except as otherwise provided by law, every governmental body
4 employing a teacher shall pay to the fund eight and ~~twenty-five~~ seventy-five
5 hundredths percent per annum of the salary of each teacher employed by it. The
6 disbursing official of the governmental body shall certify the governmental body
7 payments and remit the payments monthly to the fund.

8 **SECTION 5. APPLICATION.** Section 4 of this Act applies to salaries earned after
9 June 30, 2010.

10 **SECTION 6. EFFECTIVE DATE.** Section 4 of this Act becomes effective on July 1,
11 2010.

12 **SECTION 7. EXPIRATION DATE.** Section 4 of this Act is effective until the ratio of the
13 actuarial value of assets to the actuarial accrued liability of the teachers' fund for retirement
14 increases to ninety percent based upon the actuarial value of assets and expires on the
15 July first that follows the first valuation that shows a ninety percent funded ratio. The board of
16 trustees of the teachers' fund for retirement shall notify the legislative council of the expiration
17 date of section 4 of this Act.