

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 37-17.1 of the North Dakota
2 Century Code, relating to a retirement payment program for volunteer emergency responders;
3 and to provide an appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 37-17.1 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Volunteer emergency responder retirement payment program - Rules.** The
8 adjutant general as director of the department of emergency services shall establish a
9 retirement payment program for volunteer emergency responders. The adjutant general shall
10 establish an account for each eligible volunteer emergency responder. The adjutant general
11 shall contribute two hundred fifty dollars annually to each account established for each
12 volunteer emergency responder. The adjutant general may not contribute more than five
13 thousand dollars to an account established under this section. A volunteer emergency
14 responder must complete twenty years of active volunteer status as a certified responder to be
15 eligible to access the account. A volunteer emergency responder who does not complete
16 twenty years of active volunteer status as a certified responder forfeits all state contributions
17 made to the volunteer emergency responder's account under this section. The public
18 employees retirement system and retirement and investment office may advise the adjutant
19 general on implementation of this section. The adjutant general shall adopt rules to implement
20 this section, including determination of eligibility to participate in the volunteer emergency
21 responder retirement payment program. An expenditure made under this section is deemed to
22 be compensation for volunteer services provided and is made for a public purpose and may not
23 be construed as a gift under section 18 of article X of the Constitution of North Dakota.

1 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
2 general fund in the state treasury, not otherwise appropriated, the sum of \$2,250,000, or so
3 much of the sum as may be necessary, to the department of emergency services for the
4 purpose of making volunteer emergency responder retirement program payments under
5 section 1 of this Act, for the biennium beginning July 1, 2009, and ending June 30, 2011.