

MINUTES

North Dakota Public Employees Retirement System Special Meeting Friday, January 17, 2025 2:30 P.M.

Members Present:
by Teams

Chairman Mike Seminary
Representative Greg Stemen
Representative Jason Dockter
Senator Dick Dever
Senator Kyle Davison
Mr. Tyler Erickson
Mr. Gerald Buck
Mr. Jeffry Volk
Ms. Casey Goodhouse
Mr. Adam Miller

Others Present:

Ms. Rebecca Fricke, NDPERS
Mr. Derrick Hohbein, NDPERS
Ms. Audra Ferguson, Ice miller
Mr. Robert Gauss, Ice Miller

Chairman Seminary called the special meeting to order at 2:30 P.M. Roll call was taken, and a quorum was present by Teams.

LEGISLATION

Ms. Fricke provided information about additional bills introduced since the January 7th board meeting that could impact NDPERS.

Ms. Audra Ferguson and Mr. Robert Gauss, legal consultants with Ice Miller, were present by phone to provide a federal law compliance analysis of Bill Draft 1187. As written, Bill Draft 1187 creates an impermissible cash or deferred arrangement ("CODA") creating a plan qualification concern with federal law.

House Bill 1248, Section 2 removes the Employee Benefits Programs Committee's jurisdiction, and thus process, bill proposals that fiscally impact the health insurance and retiree health plans of state employees or employees of any political subdivision. As written, Section 2 of the bill would remove the ability to provide thorough, independent cost and technical analysis on these proposals through the use of our actuary and consultant. HB 1248 also repeals the insurance mandate requirement under Section 3. Two amendments are being prepared. The first is to remove Section 2 from the bill so that the current law remains related to jurisdiction of the Employee Benefits Programs Committee. The second amendment is being drafted to remove language that places this responsibility of the NDPERS Board to submit a bill proposal at the end of the NDPERS pilot program to roll the coverage out to the commercial market regulated by the Insurance Department..

Senate Bill 2180 requires several changes for public meetings, including a required public comment period at public meetings.

Senate Bill 2215 restricts executive branch agencies from submitting a legislative bill for introduction unless legislative management or a committee of the legislative management requested the agency to submit the bill.

Discussion followed.

Senator Davison joined the meeting at 2:55 P.M.

MR. VOLK MOVED TO APPROVE A POSITION OF OPPOSITION TO BILL DRAFT 1187 AS INTRODUCED. SHOULD THE AMENDMENT PROPOSED SATISFY THE CONCERN WITH FEDERAL LAW, THEN TO APPROVE A NEUTRAL POSITION. THE MOTION WAS SECONDED BY MR. MILLER.

Ayes: Senator Dever, Ms. Goodhouse, Mr. Erickson, Representative Dockter, Mr. Buck, Mr. Miller, Mr. Volk, Representative Stemen, and Chairman Seminary

Nays: None

Absent: Senator Davison

MOTION PASSED

MR. ERICKSON MOVED TO APPROVE A POSITION OF OPPOSITION TO HOUSE BILL 1248 AS INTRODUCED. SHOULD THE AMENDMENT PROPOSED SATISFY THE CONCERN WITH JURISDICTION OF THE EMPLOYEE BENEFITS PROGRAMS COMMITTEE OVER HEALTH AND RETIREE HEALTH PLANS OF STATE EMPLOYEES AND EMPLOYEES OF POLITICAL SUBDIVISION, THEN TO APPROVE A NEUTRAL POSITION ON HB 1248. THE MOTION WAS SECONDED BY SENATOR DEVER.

Ayes: Senator Dever, Ms. Goodhouse, Senator Davison, Mr. Erickson, Representative Dockter, Mr. Buck, Mr. Miller, Mr. Volk, Representative Stemen, and Chairman Seminary

Nays: None

Absent: None

MOTION PASSED

MR. VOLK MOVED TO APPROVE STAFF MONITOR SENATE BILL 2180. THE MOTION WAS SECONDED BY REPRESENTATIVE STEMEN.

Ayes: Senator Dever, Ms. Goodhouse, Senator Davison, Mr. Erickson, Representative Dockter, Mr. Buck, Mr. Miller, Mr. Volk, Representative Stemen, and Chairman Seminary

Nays: None

Absent: None

MOTION PASSED

MR. MILLER MOVED TO APPROVE STAFF MONITOR SENATE BILL 2215. THE MOTION WAS SECONDED BY MR. BUCK.

Ayes: Senator Dever, Ms. Goodhouse, Senator Davison, Mr. Erickson, Representative Dockter, Mr. Buck, Mr. Miller, Mr. Volk, Representative Stemen, and Chairman Seminary

Nays: None

Absent: None

MOTION PASSED

The meeting was adjourned at 3:11 P.M.

Submitted by:

Jan Lund, Assistant to the NDPERS Board