

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE BILL NO. 2347
(Senators Grindberg, C. Nelson, B. Stenehjem)
(Representatives Berg, Ekstrom)

AN ACT to create and enact two new sections to chapter 18-11 of the North Dakota Century Code, relating to alternate firefighters relief association plan benefits; to provide for retroactive application; to provide an expiration date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 18-11 of the North Dakota Century Code is created and enacted as follows:

Service pensions - Formulation of optional plan. With the consent of the governing body of the city involved, and in substitution for a pension payment schedule provided in section 18-11-15, a firefighters relief association may adopt a monthly service pension plan for members of the association as provided in this section.

1. Retirement date is the first day of the month next following the month in which the member attains the age of fifty-five years.
2. Retirement benefits for members reaching the retirement date equal an annual amount, payable monthly, comprised of a service benefit that equals two and thirty-three hundredths percent of a first-class firefighter's salary at the time of the member's retirement multiplied by the number of years of service employment up to a maximum of thirty years.
3. Upon termination of employment after completing ten years of eligible employment but before the retirement date, a member is eligible to receive deferred vested retirement benefits payable commencing on the retirement date equal to one hundred percent of the member's accrued benefits.
4. Members participating in a firefighters relief association paying a monthly service pension to members of the association under this section must serve ten years before they are eligible for a service pension.

SECTION 2. A new section to chapter 18-11 of the North Dakota Century Code is created and enacted as follows:

Optional plan postretirement adjustments. Upon the recommendation of the association's actuary, a firefighters relief association adopting a monthly service pension plan under section 1 of this Act may implement postretirement adjustments on an actuarially sound basis to pensioners and beneficiaries under the plan.

SECTION 3. RETROACTIVE APPLICATION OF ACT. This Act is retroactive to January 1, 1998.

SECTION 4. EXPIRATION DATE. Section 2 of this Act is effective through July 31, 2001, and after that date is ineffective.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2347 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 49 Nays 0 Absent 0

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 97 Nays 0 Absent 1

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at ___ o'clock _____ M.

Secretary of State