

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1067

Introduced by

Representatives Grande, Hawken, Brandenburg

Senators O'Connell, Lyson

1 A BILL for an Act to create and enact a new section to chapter 15-39.1 and a new subsection to
2 section 15-39.1-24 of the North Dakota Century Code, relating to participation by short-term
3 summer school contract teachers in the teachers' fund for retirement; to provide an effective
4 date; and to declare an emergency.

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

6 **SECTION 1.** A new section to chapter 15-39.1 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Short-term summer school contract teachers - Participation not required -**

9 **Election.** Notwithstanding any other provision of law, a teacher who is not covered under a
10 public school teaching contract during the regular school year and who teaches a summer
11 school course or summer school program on a short-term contract basis may elect not to
12 participate in the fund for the period of the short-term contract. To elect not to participate in the
13 fund under this section, a teacher must notify the governmental entity by which the teacher is
14 employed in writing within thirty days of entering the contract or before the first payment is
15 received by the teacher, whichever occurs earlier. If a teacher fails to make an election under
16 this section, the teacher is a member of the fund. If a teacher elects not to participate in the
17 fund under this section, the teacher and the governmental entity by which the teacher is
18 employed are not required to make contributions to the fund for the period of the short-term
19 summer school contract.

20 **SECTION 2.** A new subsection to section 15-39.1-24 of the North Dakota Century
21 Code is created and enacted as follows:

22 A teacher may purchase service credit at the actuarial equivalent cost for the time
23 spent teaching under a short-term summer school contract.

24 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on June 1, 2005.

1 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.