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## EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Tuesday, April 18, 2023  
Pioneer Room, State Capitol  
Bismarck, North Dakota

Representative Josh Boschee, Chairman, called the meeting to order at 8:00 a.m.

**Members present:** Representatives Josh Boschee, Claire Cory, Mitch Ostlie, Matthew Ruby, Mary Schneider, Paul J. Thomas; Senators Brad Bekkedahl, Randy A. Burckhard, Dick Dever, Tim Mathern, Kristin Roers, Shawn Vedaa

**Member absent:** Representative Bert Anderson

**Others present:** See [Appendix A](#)

### AMENDMENT ACTUARIAL REPORT

The committee received technical comments, actuarial information, and comments by interested persons relating to the following amendments, over which the committee took jurisdiction, which affect, actuarially or otherwise, retirement programs of state employees or employees of any political subdivision, and health and retiree health plans of state employees or employees of any political subdivision pursuant to North Dakota Century Code Section 54-35-02.4.

- [Amendments to House Bill No. 1040 \[23.0280.05023\]](#), which provide for closure of the Public Employees Retirement System main system defined benefit plan for new hires, routing of new hires into the defined contribution plan, funding of the defined benefit plan, and a Legislative Management study.

Mr. Scott Miller, Executive Director, Public Employees Retirement System, provided technical comments ([Appendix B](#)) and actuarial information ([Appendix C](#)) on the amendments to House Bill No. 1040.

Mr. Nick Archuleta, President, North Dakota United, testified in opposition to the amendments to House Bill No. 1040. He noted the amendments bind the hands of future Legislative Assemblies to fund the unfunded liability of the defined contribution plan.

Senator Dever distributed a document ([Appendix D](#)) that lists the fiscal impact of House Bill No. 1040 in the 2023-25 and 2025-27 bienniums. He noted the amendments to the bill will tie the hands of future Legislative Assemblies to fund the unfunded liability of the defined contribution plan.

**It was moved by Senator Dever, seconded by Senator Roers, and carried on a roll call vote that the committee give a recommendation of no recommendation on the amendments to House Bill No. 1040.** Representatives Boschee, Cory, Ostlie, Schneider and Senators Bekkedahl, Burckhard, Dever, Mathern, and Roers voted "aye." Representatives Ruby and Thomas and Senator Vedaa voted "nay."

No further business appearing, Chairman Boschee adjourned the meeting at 8:30 a.m.

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Jennifer S. N. Clark  
Senior Counsel and Code Revisor

ATTACH:4