NOTICE TO ADOPT AND AMEND ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota Public Employees Retirement System will hold a public hearing to address a proposed addition and amendments to existing rules in the North Dakota Administrative Code as follows: 71-01-02-04 relating to election notification; 71-01-02-13 relating to electronic voting; 71-02-01-01 relating to the definition of termination of employment for purposes of benefit payments; 71-02-04-01 relating to applications for retirement benefits in the Public Employees Retirement System ; 71-02-04-04.1 relating to removal of the level social security benefit option; 71-02-04-09 relating to dual membership in retirement plans; 71-02-10-02 relating to processing qualified domestic relations orders in the Public Employees Retirement System; 71-03-03-08 relating to supplemental life insurance coverage; 71-03-04-02 relating to information provided to employees; 71-03-05-10 relating to determining the amount of premium overpayments and underpayments; 71-03-07-07 relating to participation by political subdivisions in the group health insurance program; 71-04-03-01 relating to enrollment in the deferred compensation plan; 71-04-05-02 relating to payroll deductions; 71-05-05-01 relating to applications for normal and early retirement benefits in the Highway Patrol Retirement System; 71-05-08-02 relating to processing qualified domestic relations orders in the Highway Patrol Retirement System; 71-07-01-01 relating to updates to the Pretax Benefits plan document; 71-08-04-02 relating to processing qualified domestic relations orders in the Defined Contribution plan. The purpose of the proposed addition and amendments is to implement new statutory provisions, comply with federal law and update existing language relating to administrative process. The proposed rulemaking implements bill numbers 1059 and 2060, enacted during the most recent legislative session, concerning withdrawal of a political subdivision from the uniform group insurance program, and removal of the level social security retirement benefit option under the public employees retirement system. Specific sections affected and explanations for proposed revisions are summarized below. The hearing will be held at 11:00 a.m. on Wednesday, November 6, 2013, in the NDPERS Conference Room at 400 E Broadway, Suite 505, Bismarck, North Dakota. The hearing will continue until 12:00 p.m. or until no further testimony is offered, whichever occurs last. The proposed rule changes are not expected to have an impact on the regulated community in excess of $50,000. The proposed rules may be viewed online at **www.nd.gov/ndpers** or at the NDPERS office at the following location:

North Dakota Public Employees Retirement System

400 E Broadway, Suite 505

P.O. Box 1657

Bismarck, ND 58502

Written or oral comments on the proposed rules sent to the above address or below referenced telephone number and received from November 6 – 18, 2013 will be fully considered. A copy of the proposed rules and small entity regulatory analysis may also be obtained by accessing them on the PERS website at **www.nd. gov/ndpers**, or by writing to the above address, or by calling the North Dakota Public Employees Retirement System at 701-328-3900 or by emailing: **ndpers-info@nd.gov**. If you plan to attend the public hearing and will need special

accommodations or assistance relating to a disability, please contact the Public Employees Retirement System at the above address or telephone number at least three business days prior to the public hearing.

Section	Description	Reason
71-01-02-04. Election notification.	Updates rule to reflect current language in the statute regarding who is eligible to receive election notification.	Administrative revision
71-01-02-13. Election voting.	New section adds option for electronic ballots.	Administrative revision
71-02-01-01(27) Definitions.	Clarifies when a refund may be applied for relating to a re-employed employee.	Administrative revision
71-02-04-01. Retirement benefits – Application	Adds process used if a birth certificate is not available for purposes of applying for retirement benefits.	Administrative revision
71-02-04-04.1. Benefit modifications.	Removes reference to repealed retirement benefit option (repealed by SB2060.)	Legislative, to comply with provisions of SB2060 relating to the removal of the level social security retirement benefit option under the public employees retirement system.
71-02-04-09. Dual membership - Receipt of retirement benefits while contributing to the teachers' fund for retirement, the highway patrolmen's retirement system, or the teachers' insurance and annuity	Formalizes procedure that is already in use regarding receipt of retirement benefits for an individual with dual membership.	Administrative revision

association of America - college retirement equities fund.		
71-02-10-02. Qualified domestic relations orders procedures.	Provides processing guidelines for NDPERS relating to when a refund is being requested and a QDRO is pending.	Administrative revision
71-03-03-08. Continuation of life insurance after retirement.	Clarifies that supplemental life for retirees can continue until 65 to be consistent with existing board policy.	Administrative revision
71-03-04-02. Information to employee	Removes reference to paper forms because electronic forms are now available and in use.	Administrative revision
71-03-05-10. Determining amount of premium overpayments and underpayments.	Establishes a time period for determining amount of premium overpayments or underpayments to make all NDPERS insurance plan procedures consistent.	Administrative revision
71-03-07-07. Minimum requirements for political subdivisions.	Language added pursuant to law change under amendment to NDCC 54-52.1-03.1 by HB 1059.	Legislative, to comply with provisions of HB1059 relating to the withdrawal of a political subdivision from the uniform group insurance program.
71-04-03-01. Enrollment.	Removes reference to paper forms because electronic forms are now available and in use.	Administrative revision
71-04-05-02. Payroll deductions.	Removes reference to paper forms because electronic forms are now available and in use and replaces with notice from NDPERS.	Administrative revision
71-05-05-01. Normal and early retirement benefits - Application.	Adds process used if a birth certificate is not available for purposes of applying for retirement benefits.	Administrative revision

71-05-08-02. Qualified domestic relations orders procedures.	Provides processing guidelines for NDPERS relating to when a refund is being requested and a QDRO is pending.	Administrative revision
71-07-01-01. Plan document.	Revises schedule for reviewing the plan document from annual to as needed due to changes in federal law.	Legislative, to comply with federal law.
71-08-04-02. Qualified domestic relations orders procedures.	Provides processing guidelines for NDPERS relating to when a refund is being requested and a QDRO is pending.	Administrative revision