

**NORTH DAKOTA TEACHERS' FUND FOR RETIREMENT
ADMINISTRATIVE RULES PUBLIC HEARING
NOVEMBER 19, 2015
RETIREMENT AND INVESTMENT OFFICE – CONFERENCE ROOM
1:00 P.M.**

STAFF PRESENT: Fay Kopp, Deputy Executive Director/Chief Retirement Officer
Darlene Roppel, Retirement Assistant
Shelly Schumacher, Retirement Program Manager

Mrs. Fay Kopp, Deputy Executive Director/Chief Retirement Officer, acted as the hearing officer and opened the public hearing at 1:00 p.m. on Thursday, November 19, 2015, at the Retirement and Investment Office (RIO), Conference Room, Bismarck, ND.

It was explained that the public hearing was called for the purpose of allowing all interested individuals an opportunity to submit information concerning proposed new rules and amendments to Title 82 of the ND Administrative Code, specifically:

82-02-01-01(4) **Definitions** – Proposed new rule defines “**benefit payment date**” as the date the member is paid a benefit which is the first day of the month. Benefits are paid on the benefit payment date retroactive to a member’s retirement date.

82-02-01-01(10) Proposed new rule defines “**covered payroll**” as all amounts included in payroll, salary or compensation paid to active members on which contributions to and benefits from the pension plan are based according to the definition of salary in NDCC 15-39.1-04(10) .

82-02-01-01(18) Proposed new rule defines “**retirement date**” as the effective date selected by the member to begin retirement benefits. Benefits are calculated as of the retirement date. A member’s retirement will not be effective until the member accepts the first benefit payment.

82-02-01-01(20) Proposed amendment to the rule updates the definition of “**special teachers**” to clarify that school counselors, language pathologists, and program coordinators are members of the plan if licensed by ESPB and under contract.

82-03-01-06 **Veterans’ rights** – Proposed amendment to the rule to reflect specific language outlining benefit eligibility for members who die or become disables while performing qualified USERRA military service under the federal HEART Act (Heroes Earnings Assistance and Relief Tax Act.)

82-03-01-08 **Dual Membership** – Proposed amendment to the rule to update plan requirements for receiving salary information from the alternate retirement system by replacing the phrase “certified in writing” with “provided in writing” since certified copies of account copies are not needed.

82-05-03-03 **Overpayment of retirement payments – Write offs** – Proposed new rule clarifies that the TFFR Board may write off an overpayment of retirement benefits if the cost of recovering the amount is estimated to exceed the overpayment.

82-05-04-01 Actuarial factors – Early retirement

82-05-04-02 Actuarial factors – Optional payment forms

82-05-04-04 Actuarial factors – Purchase of service

Proposed amendment to rules to implement the Actuarial Experience study conducted every 5 years to compare actual and assumed plan experience as required by NDCC 15-39.1-05.2(3).

It was explained that information gathered at this hearing will be transmitted to the TFFR Board for its deliberation and final decision.

At this point, the hearing was opened for comments.

Mrs. Shelly Schumacher, Retirement Program Manager, commented on two typo errors that were found in 82-05-04-02, nos. 2 and 3. The word "health" when it describes employee and annuitant tables should be "healthy".

There were no others in attendance, and no other comments were received.

Mrs. Kopp indicated that written and oral comments would be received until November 30, 2015.

Mrs. Kopp closed the hearing at 1:15 p.m.

Respectfully Submitted:



Mrs. Fay Kopp, Deputy ED/CRO
Teachers' Fund for Retirement



Darlene Roppel
Reporting Secretary