

# NDPERS BOARD MEETING

## Agenda

**Bismarck Location:**  
ND Association of Counties  
1661 Capitol Way  
**Fargo Location:**  
BCBS, 4510 13<sup>th</sup> Ave SW

**March 24, 2011**

**Time: 8:30 AM**

### **I. MINUTES**

- A. February 17, 2011
- B. March 3, 2011

### **II. PERSLink**

- A. Update – Sharon (Information)

### **III. GROUP INSURANCE**

- A. Group Life Insurance Proposals – Gabriel Roeder Smith (Board Action)
- B. BCBS 2010 Claims Audit – Bryan (Information)
- C. EAP Utilization – Bryan (Information)
- D. Employee Assistance Program RFP – Bryan (Board Action)

### **IV. RETIREMENT**

- A. 457 Companion Plan/401(a) Proposals – Segal (Information)
- B. 457 Companion Plan & 401 (a) Plan 4<sup>th</sup> Quarter 2010 Reports – Bryan (Information)

### **V. MISCELLANEOUS**

- A. Audit Committee Minutes – Information
- B. Audit Committee Charter Activity Review – Information
- C. Legislative Update- Sparb (Information)
- D. SIB Agenda
- E. Appeal 18, Group Health – Kathy (Board Action)
- F. Appeal 19, Retirement – Kathy (Board Action)
- G. Appeal 20, Deferred Compensation – Kathy (Board Action)

---

Any individual requiring an auxiliary aid or service must contact the NDPERS ADA Coordinator at 328-3900, at least 5 business days before the scheduled meeting.



**North Dakota  
Public Employees Retirement System**  
400 East Broadway, Suite 505 • Box 1657  
Bismarck, North Dakota 58502-1657

**Sparb Collins**  
Executive Director  
(701) 328-3900  
1-800-803-7377

---

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

# Memorandum

**TO:** PERS Board  
**FROM:** Sparb  
**DATE:** March 16, 2011  
**SUBJECT:** PERSLink Update

Sharon Schiermeister will be at the Board meeting to give an update on our PERSLink business system.



**North Dakota  
Public Employees Retirement System**  
400 East Broadway, Suite 505 • Box 1657  
Bismarck, North Dakota 58502-1657

**Sparb Collins**  
Executive Director  
(701) 328-3900  
1-800-803-7377

---

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

# Memorandum

**TO:** PERS Board  
**FROM:** Sparb  
**DATE:** March 16, 2011  
**SUBJECT:** Group Life Insurance Proposals

Proposals for the group Life and AD&D bid were due March 1, 2011. Gabriel Roeder Smith is reviewing the group life insurance proposals and is developing a report to be shared with the Board. This report will be sent to Board members under separate cover prior to the Board meeting. We received proposals from 9 firms:

1. Prudential
2. ING
3. MetLife
4. CIGNA
5. Aetna
6. Dearborn Life
7. Minnesota Life
8. Hartford
9. Standard



# Memo

To: NDPERS Board  
From: Bryan T. Reinhardt  
Date: 3/4/2011  
Re: 2010 BCBS Claims Review

---

Each year we conduct an audit to check the accuracy of BCBS claims processing. On March 1st, I was at the BCBS corporate office in Fargo to review a sample of 100 NDPERS claims. A list of the claim specifications is attached. Note that this is not a random sample of all claims, but a select sample from specific areas that we felt needed to be looked at. I focused on claims incurred in the year 2010. BCBS did a good job of having everything ready for me and having staff available to answer my questions and explain the claims payment process. The 2010 BCBS audit resulted in similar errors to other recent reviews. These findings are detailed below:

## Review Error Findings:

1. A WSI claim was processed in error (overpayment of \$11.96).
2. A WSI claim was processed in error (underpayment of \$9.64).
3. A WSI claim processed incorrectly.
4. A deductible was charged on a claim that should have fallen under the \$200 screening benefit.
5. A deductible was charged on a claim that should have fallen under the \$200 screening benefit.
6. A PSA test did not have coinsurance applied to the claim when it should have.

Five of the five mammograms, five of the five Flu vaccinations, five of the five PAP tests, three of the five fecal occult tests, four of the five cholesterol tests, four of the five blood sugar tests, two of the five PSA tests, and five of the HPV vaccine claims for Gardasil were paid at 100% under the screening benefits. The new screening benefits effective 7/1/09 need the 'routine' or 'preventative' diagnosis, but after the \$200 allowance diagnostic procedures will be covered subject to member cost sharing. Note that if an office visit is charged along with the screening benefits, the office visit is not included in the \$200 allowance and the member is charged the \$25 copayment.

If you have any questions, I will be available at the Board meeting.

NDPERS 2010 Audit of 1/2010 – present BCBS Claims Processing

1. Blue Shield Chiropractic (5 claims)
2. Blue Cross COB (5 claims)
3. Blue Cross COB (5 with Medicare Member age 65+)
4. Blue Cross COB (5 with Medicare Member age <65)
5. Blue Cross COB (5 with Workers Compensation)
6. Blue Shield COB (5 claims)
7. Blue Shield COB (5 with Medicare)
8. Blue Shield COB (5 with Workers Compensation)
9. Blue Cross Psych (2 claims)
10. Blue Shield Psych (3 claims)
11. Blue Cross CDU (2 claims)
12. Blue Shield CDU (3 claims)
13. Blue Shield PAP (5 claims)
14. Blue Shield Mammograms (5 claims)
15. Blue Shield EPO Fecal Occult Test (5 claims)
16. Blue Shield EPO Cholesterol Screening (5 claims)
17. Blue Shield EPO Blood Sugar Testing (5 claims)
18. Blue Shield EPO PSA Testing (5 claims)
19. Prescription Drug Formulary (2 claims)
20. Prescription Drug Non-Formulary (2 claims)
21. Prescription Drug for “Gardasil” (HPV drug) (5 claims)
22. Prescription Drug for Flu Vaccine (5 claims)
23. Prescription Drug Medicare Part-D claims (5 claims)
24. Blue Cross 'Denied Experimental' (1 claims)

Total 100 Claims



# Memo

To: NDPERS Board  
 From: Bryan T. Reinhardt  
 CC: Sparb, Kathy  
 Date: 3/21/2011  
 Re: 2010 EAP Utilization

---

The following table shows the self-reported 2010 utilization from the NDPERS Employee Assistance Program (EAP) providers. The overall EAP utilization rate is just over 9%. This is about the same rate as in prior years.

## NDPERS Employee Assistance Program – 2010

	NDPERS TOTAL	Medcenter One	Deer Oaks	The Village	St. Alexius
Contracts	15965	599	25	4985	10356
Cases*	1466	135	3	413	915
%	9.2%	22.5%	12.0%	8.3%	8.8%
Sessions**	2072	135	19	1316	915
%	13.0%	22.5%	82.6%	26.4%	8.8%
Case Types:					
Psychiatric	517	49	0	125	363
Family/Personal	574	63	3	176	459
Work Problems	70	8	0	27	42
Financial/Legal	73	8	0	44	11
Drugs/Alcohol	35	0	0	7	30
Other/Unknown	97	7	0	34	10

\* - Note that family members are also eligible for the EAP.

\*\* - Per Session information was not available from St. Alexius.

If you have any questions or need anymore information, please contact me.



**North Dakota  
Public Employees Retirement System**

400 East Broadway, Suite 505 • Box 1657  
Bismarck, North Dakota 58502-1657

**Sparb Collins**  
Executive Director  
(701) 328-3900  
1-800-803-7377

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

# Memorandum

**TO:** PERS Board

**FROM:** Sparb & Bryan

**DATE:** March 17, 2011

**SUBJECT:** Employee Assistance Program (EAP) Renewal

Attached is a revised RFP for the EAP renewal for 2011-2013. We issue the EAP RFP every two years. There are currently four active EAP contracts:

St. Alexius Employee Assistance Program  
Medcenter One Employee Assistance Program  
The Village Business Institute EAP  
Deer Oaks

The agency listing by EAP provider is on the following page.

We plan to issue the RFP next month and have the process completed before the start of the new contract period (July 1, 2011).

If you have any comments, suggestions, or changes to the RFP or the EAP in general, we will be available at the NDPERS Board meeting.

[Deer Oaks](#)

Cavalier County Health District  
Lake Region District Health Unit  
Nelson/Griggs District Health Unit

[Medcenter One Health Systems](#)

Bismarck State College  
Game & Fish Department  
Legal Counsel of Indigents  
ND Council on the Arts  
ND University System  
ND Wheat Commission  
Sargent County District Health  
Southwestern District Health Unit  
State Board of Law Examiners  
Tobacco Prevention and Control  
Executive Committee  
Towner County Public Health  
District  
Veterans Affairs  
Walsh County Health District

[Village Employee Assistance  
Program](#)

Central Valley Health District  
City-County Health District  
Dakota College at Bottineau  
Dickinson State University  
Electrical Board  
Garrison Diversion Conserv. Dist.  
Lake Region State College  
Mayville State University  
Mill & Elevator Association  
Minot State University  
ND Barley Commission  
ND Corn Utilization Council  
ND Soybean Council  
IND State College of Science  
ND State University  
ND Supreme Court  
ND Veterans Home  
School for the Deaf  
State Fair Assoc.  
State Seed Department  
Traill District Health Unit  
Valley City State University  
Wells County District Health Unit

[St. Alexius/PrimeCare](#)

Adjutant General Army Natl. Grd.  
Aeronautics Commission  
Attorney General's Office  
Bank of North Dakota  
Beef Commission  
Board of Medical Examiners  
Board of Nursing  
Board of Pharmacy  
Central Duplicating  
Commerce Department  
Custer District Health Unit  
Department of Corrections  
Department of Agriculture  
Dept. of Banking & Finance  
Dept. of Career & Technical  
Education  
Department of Human Services  
Department of Transportation  
Developmental Center  
Dickey County Health District  
Education Standards & Practice  
Emmons County Public Health  
First District Health Unit  
Governor's Office  
Highway Patrol  
Historical Society  
Housing Finance Agency  
Indian Affairs Commission  
Industrial Commission  
Information Technology  
Department  
Insurance Department  
James River Correctional Center  
Jamestown State Hospital  
Job Service North Dakota  
Kidder County District Health Unit  
Land Department  
Legislative Assembly  
Legislative Council  
Mcintosh District Health Unit

[St. Alexius/PrimeCare](#)

Milk Marketing Board  
Municipal Bond Bank  
ND Department of Health  
ND Department of Labor  
ND Div. of Emergency  
Management  
ND Oilseed Council  
NDPERS  
ND State Board of Cosmetology  
ND State Board of Accountancy  
ND State Library  
ND Youth Correctional Center  
Office of Administrative Hearing  
Office of Management & Budget  
Parks & Recreation Department  
Plumbing Board  
Protection & Advocacy Project  
Public Instruction  
Public Service Commission  
Racing Commission  
Radio Communications  
Real Estate Commission  
Retirement & Investment Office  
Rolette County Public Health  
District  
Rough Rider Industries  
School for the Blind  
Secretary of State  
Securities Commission  
State Auditor's Office  
State Parole Board  
State Penetentiary  
State Treasurer's Office  
Tax Department  
UND Family Practice  
University of North Dakota  
Upper Missouri Dist. Health Unit  
Water Commission  
Williston State College  
Workforce Safety & Insurance

March 2011

# **REQUEST FOR PROPOSALS**

## **Enrollment in the State of North Dakota's Employee Assistance Program**

---

**Prepared by:**

**North Dakota Public Employees Retirement System  
P.O. Box 1657  
Bismarck, ND 58502-1657**

---

## **I. BACKGROUND**

The 1995 Legislature authorized an Employee Assistance Program (EAP), for employees of state agencies and higher education. This program allows employees to receive confidential assistance in many areas without accessing the health care system.

EAP coverage applies to approximately 115 agencies. These agencies have about 16,000 employees with about 25,000 dependents. Residence of these members is mainly in North Dakota and border cities. Eligibility for a dependent is spouse or child living at home and under age 18 and/or attending school full-time and under ages 26.

## **II. ADMINISTRATION**

The Public Employees Retirement System (PERS) administers the EAP. The PERS EAP is an agency-based program with each individual agency choosing an EAP vendor. PERS does all agency billing and provider payments. Enrollment, orientation, services and reporting is the responsibility of the Provider. Individual agency reports are supplied on at least an annual basis. Overall reporting on utilization shall be reported back to PERS on a quarterly basis. Reporting shall include but not be limited to Cases, Services, Treatments, Referrals, and Management Training.

## **III. EAP PROGRAM FORMAT, SOLICITATION PROCESS AND TIME FRAMES**

PERS has adopted a methodology for providing EAP services that is called an Agency Based Approach. Pursuant to this method each agency is the focal point for the decision on which EAP vendor would be the most appropriate for their employees. To implement this approach the PERS Board establishes a list of qualified vendors based upon this bid process and a renewal procedure for existing providers. EAP vendors that are able to successfully meet the minimum requirements are placed on a list of qualified vendors. Each agency is offered the list and allowed to select one vendor from that list to provide services to that agency's employee base. An agency may select multiple vendors for geographical reasons.

In recognition of the above, this solicitation process involves two steps. First each vendor must complete this RFP and be approved by the PERS Board. The approved vendors will be placed upon a list of qualified vendors that will be sent to each agency. Along with the list will be information on the vendor's EAP and pricing. Each agency will review the list of qualified vendors and select a vendor to provide services to that agency for the upcoming biennium. PERS will then finalize a contract with each of the selected vendors for services. The initial selection by PERS, to place a vendor on the list of qualified vendors, does not guarantee the vendor will be selected by any of the agencies. If not selected by any agency the vendor will not have a contract with PERS for services.



The estimated time frames for this solicitation process are as follows:

March, 2011	PERS will issue RFP
April 15, 2011	Proposals are due
May, 2011	PERS will select vendors
May, 2011	List of qualified vendors will be given to agencies
June, 2011	NDPERS Payroll Conference
June, 2011	Agencies select vendors
June, 2011	PERS enters into contract with selected vendors
July 1, 2011	EAP Contract Effective Date

#### **IV. SCOPE OF WORK**

PERS is seeking a vendor(s) to provide the following services:

##### **A. Member Orientation**

- 1) The vendor shall conduct the member orientation for state employees in the EAP. This effort will consist of the following activities:
  - a) Prepare and print appropriate informational material for distribution to all employers.
  - b) Conduct all presentations in a courteous, prudent and restrained manner without any pressure or harassment. The emphasis of all presentations and informational material shall be placed upon a factual representation of the features of the EAP.
  - c) Attend and present information at the PERS Payroll Conference.
  - d) Participate in NDPERS or agency wellness and benefit fairs or meetings.
- 2) If the EAP vendor selected by the agency is not the vendor that provided services during the 2009-2011 biennium, the EAP vendor must:
  - a) Distribute informational material to all agency employees advising them of the change in vendors and supplying appropriate reference material.
  - b) Hold informational meeting for agency employees.

## **B. Minimum Services**

- 1) Confidential, voluntary, in-person short-term assessment and counseling sessions for employees and families experiencing life problems of any kind. The EAP will provide counseling for problems related, but not limited to: Stress, Family, Work, Grief, Tobacco, Alcohol & Drugs, Marriage & Divorce, Depression, Parent-Child Relationships, Child/Spouse Abuse, Aging, Eating Disorders, Financial, School, Gambling, and Mental Health. Proper referrals will be made if more extensive counseling is needed or further counseling is needed, and the number of personal counseling sessions is exhausted.
- 2) Intervention, assessment, referral, and ongoing consultation with supervisors or employees regarding problems in the work place.
- 3) Consultation and case management regarding challenging work site problems such as harassment, conflict resolution, violence, critical incidents, work performance and change.
- 4) Educational programs including training of State supervisory personnel on the use of EAP services and employee seminars.
- 5) Administrative services including employee communications.
- 6) The table in Section VII - 9 shows the minimum requirements for selected features of the EAP.
- 7) All services proposed, as part of the EAP must be available within the proposed geographic area.
- 8) Before March 1 of each year, the vendor will provide NDPERS an aggregate report of services provided to NDPERS members for the previous calendar year.

## **C. Consulting**

The vendor will be expected to serve as a consultant for the EAP to the agency and to the PERS Board, Executive Director, and PERS staff. In this capacity, the vendor may be expected to attend meetings to present findings and recommendations as required. The PERS Board meets on a monthly basis. The vendor should anticipate attending one of these meetings per biennium. The vendor must provide the following:

- 1) Information on proposed state and federal laws affecting the EAP.
- 2) General assistance to PERS regarding the administration of the EAP.
- 3) Advice in determining the eligibility and services of the EAP.
- 4) The effect of changes in law or administrative interpretations on the

operations of the EAP.

## **V. PERS ACTIVITIES**

PERS will assist the vendor in the following:

- 1) Notify the vendor of any new agencies.
- 2) Include information on the EAP in our PERS newsletters.
- 3) Assist the vendor with establishing contacts with each of the agencies. The payroll/personnel staffs of these agencies will set up meetings with their employees.
- 4) Assign an individual to act as the project leader and be the primary contact within each agency.

## **VI. FEES**

PERS receives its funding for this program from the covered state agencies.

PERS is requesting each vendor bid this project on a fixed fee per active employee per month basis for enrollments (any changes beyond the fixed fee will not be allowed).

PERS will make payment to the vendor by multiplying the total monthly per employee fee by the number of employees in the agencies that chose the provider to contract for services. PERS will provide each vendor with details of each monthly premium payment electronically in the HIPAA 820 file format.

Bids exceeding \$1.54 per contract (employee) per month will not meet the minimum qualification and will be disqualified from further consideration. Price per contract must be evenly divisible by two.

## **VII. INFORMATION REQUESTS**

The proposal must contain, in a separate section, your organization's responses to the following requested information:

- 1) Provide a brief description of the size, structure and services provided by your organization, with special emphasis on past experience as an EAP vendor.
- 2) Provide, in detail, your understanding of the services PERS is requesting; specifically addressing the scope of work in Section IV, timeframes for delivery and how you intend to staff the project.
- 3) The vendor should provide the following information:

- An organizational chart of the company which identifies its principal officers and staff members.
  - The qualifications of the vendor's staff members who will be associated with the contract (i.e., education levels and experience with EAP plans). Identify the relationship of staff to the vendor or project manager (i.e., full-time employee, part-time employee, etc.).
  - The day-to-day contact or project manager of the vendor's organization and the qualifications and authority of any such persons.
  - Describe the quality assurance guidelines or ongoing monitoring system you have in place for evaluating professional staff. Who is responsible for assuring high standards of care?
  - Locations the vendor currently maintains or plans to maintain. Offices and staff located in and outside of North Dakota. Any subcontractors for EAP services. Please explain.
  - Please explain how you will provide services in areas you do not have an office.
- 4) If some staff is not yet hired or there are plans for expansion, the vendor should provide detailed descriptions.
  - 5) Experience and reliability of the vendor's organization is considered in the evaluation process. Therefore, the vendor is advised to submit any information, which documents successful and reliable experience in past performances; especially those performances related to the requirements of this RFP.
  - 6) The vendor **MUST** specify the principle business of the vendor and when the vendor began working in this area.
  - 7) Please discuss your capabilities to provide referral and evaluation services under the Omnibus Transportation Employee Testing Act of 1991. However, these services are not being requested as part of the EAP.
  - 8) Please certify that no real or potential conflicts of interest are known. If there is a perceived conflict of interest, please include a statement proposing remedial actions that would be taken to eliminate it. No conflict of interest should exist which would prevent the vendor from representing PERS with respect to this proposal. Each vendor must disclose all potential conflicts of which he or she has knowledge or which may arise with respect to the representation of PERS on this proposal including, without limitation, any circumstances which would create the appearance

of a conflict of interest. PERS will disqualify a potential vendor if, in PERS' sole judgement, such conflict would preclude effective representation by that vendor.

- 9) Complete the following table and questions with information on your proposed EAP. The vendor shall show where they're proposed services meets or exceeds the minimum requirements in the following table.

EAP Features	Minimum	Provider
EAP Established	1 year	
Number of Annual Sessions Per Individual	6	
Number of Annual Sessions Per Incident	6 (Full Individual Minimum)	
Coverage	Family in Home & Out-of-House Dependents (STATUTE)	
Staffing	Licensed Social Workers	
Appointment Timing	Within 72 hours	
Emergency Appointments	Within 24 hours	
Weekend/Holiday Appointments	Emergency	
1-800 number	Minimum one line	
Phone Counseling	Minimum one staffed line	
24 hour Crisis 'Hot' Line Staffing	Minimum one staffed line by LSW	
On-site Employee Orientation	1 per year (Smaller groups may be combined)	
On-site Seminars	None, except as noted in IV, A, 1, c & d	
Off-site Seminars	None, except as noted in IV, A, 1, c & d	
Management Training	Minimum Requirements: Stress, Conflict, Crisis, Change Management	
Management Consulting	Available to all supervisory/management staff	
Additional/Specialty Services Available	@ Additional Cost	
Employee Newsletters Supervisory Newsletters Internal Marketing Material (i.e., payroll stuffers, posters, etc.)	Quarterly Biannually As needed	
Agency Reporting - Utilization	Quarterly with Annual to Date	
Price	\$1.54 Maximum	
OTHER UNIQUE FEATURES		

## **Questions:**

1. Indicate how long your organization has been in the EAP market.
2. Specify how long your organization has been in existence and whether it is a division of a parent company. Does it have an affiliation with other business entities? If so, explain the nature of these affiliations. Is it privately or publicly held?
3. Has your organization been through recent reorganization or name changes? If yes, briefly describe the nature of the reorganization and list past names of your organization.
4. Provide a summary of any and all claims, pending litigation and judgements that have been entered against your organization in the past five years that are directly related to its provision of an EAP.
5. For cases in which a plan member requires additional services beyond those available through the EAP, which are not covered by the State health plan, how do you recommend handling referrals so that members do not get the mistaken impression that these services are covered?
6. How are emergency and crisis situations handled? How do you recommend your organization be contacted in the case of emergency admissions? What is your response time?
7. For short-term counseling within the EAP, what number of sessions per individual do you recommend and why? Is this number a total per individual per year or per problem incident? Do you recommend a different number of sessions based upon incident treatment? Explain your answers.
8. Typically, what percent of cases do you resolve within the EAP through short-term counseling and what percent are referred outside the EAP?
9. If treatment outside the EAP is recommended, typically how many visits are made to an EAP counselor before outside referral is made?
10. Describe the range of counseling services available which you recommend be provided within the EAP. Will all services be offered to employees at all your locations?
11. Describe educational courses you would propose for supervisors on use of an EAP and other employee educational programs. Indicate frequency, topics and specify associated costs.
12. Describe the nature and scope of employee communications that are provided as part of your fee. Include a sample of all communication material you customarily prepare.
13. Are you able to customize written materials and communications? Is there an additional

cost associated with customization?

14. Under the plan of benefits you indicate a certain number of sessions are available to each member. Please define what constitutes a session (i.e., duration or time).
15. Concerning the management training and consulting services that are part of the services proposed, please define the depth, scope and range of these services (number of sessions, hours of management consulting, etc.).
16. What services does your EAP provide relating to maintaining a drug free workplace and employee testing? To what extent are these services part of your proposal and, to the extent they are not, what is the cost for those additional services?

### **VIII. SUBMISSION OF PROPOSAL**

A) Proposals should be prepared in a straightforward manner to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content. Costs for developing proposals are entirely the responsibility of the provider and shall not be chargeable to PERS.

B) The bidder shall sign the proposal. The signer must be a partner or principal of the firm. An unsigned proposal will be rejected.

C) Address or deliver the RFP to:

Mr. Sparb Collins  
North Dakota Public Employees Retirement System  
400 E Broadway, Suite 505  
Bismarck, ND 58501  
(701) 328-3900

D) Ten (10) copies of the proposal must be received at the above listed location by: **5:00 p.m., on April 15, 2011.** The package the proposal is delivered in must be plainly marked "**PROPOSAL TO PROVIDE EAP SERVICES**".

A proposal shall be considered late and will be rejected if received at any time after the exact time specified for return of proposals.

E) The policy of the PERS Board is to solicit proposals with bonafide intent to award a contract. This policy will not affect the right of the PERS Board to reject any or all proposals.

F) The PERS Board may request representatives of your organization appear before them for interviewing purposes. Travel expenses and related costs will be the

responsibility of the organization being interviewed.

- G) The PERS Board will award the contracts for service no later than June, 2011.
- H) In evaluating the proposals, price will not be the sole factor. The PERS Board may consider any factors it deems necessary and proper for best value, including but not limited to: price, quality of service, response to this request, experience, staffing and general reputation.
- I) The vendor must sign the attached contract and submit it with their proposal. If the PERS Board accepts the proposal, the contract will be signed and a copy will be returned.
- J) PERS reserves the right to make the decision exclusively based on whatever criteria the Board deems appropriate and will decide by June, 2011.

## AGREEMENT FOR SERVICES

This proposal is our, the Vendor's, offer to provide services to the North Dakota Public Employees Retirement System (NDPERS) the client. If NDPERS accepts this offer by signing, the RFP requirements, this offer, and the proposal shall constitute the consulting services agreement.

In addition, the Provider, and NDPERS agree to the following:

- 1) **SCOPE OF SERVICES:** We agree to provide the accepted services as specified in the proposal and the RFP. The terms and conditions of the RFP are hereby incorporated as part of the contract.
- 2) **TERM:** This agreement shall commence on July 1, 2011 and end on June 30, 2013.
- 3) **FEES:** NDPERS shall only pay pursuant to the terms in the proposal and RFP.
- 4) **BILLINGS:** The Vendor shall receive monthly payment from NDPERS based on agencies enrolled and the number of active employees within those agencies. Payments shall be made at the (end/beginning) of the month of service.
- 5) **TERMINATION:** Either party may terminate this agreement with respect to tasks yet to be performed with thirty (30) days written notice mailed to the other party.
- 6) **EMPLOYMENT STATUS:** The Vendor acknowledges that any services performed in connection with the Vendor's duties and obligations, as created and provided for in this agreement, are performed in the capacity of an independent vendor. At no time during the performing of services as required by this contract will the Vendor be considered an employee of the State of North Dakota.
- 7) **SUBCONTRACTS:** Sub-vendors to the Vendor shall be considered agents of the Vendor and agree to all accepted services as specified in the proposal and RFP.
- 8) **ACCESS TO RECORDS:** PERS agrees that all participation by its members and their dependents in programs hereunder is confidential. The Vendor shall not disclose any individual employee or dependent information to the covered agency or its' representatives without the prior written consent of the employee or family member. The Vendor will have exclusive control over the direction and guidance of the professionals rendering services under this agreement. The Vendor agrees to keep confidential all PERS information obtained in the course of delivering services.
- 9) **OWNERSHIP OF WORK PRODUCT:** All work products of the Vendor, including but not limited to, data, documents, drawings, estimates and actuarial calculations which are provided to NDPERS under this agreement are the exclusive property of NDPERS.

- 10) **APPLICABLE LAW AND VENUE:** This agreement shall be governed by and construed in accordance with the laws of the State of North Dakota. Any action to enforce this contract must be brought in the District Court of Burleigh County, North Dakota.
- 11) **MERGER AND MODIFICATION:** This contract and the RFP constitute the entire agreement between the parties. In the event of any inconsistency or conflict among the documents making up this agreement, the documents must control in this order of precedence: First – the terms of this Contract, as may be amended and Second - the state’s Request for Proposal. No waiver, consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instances and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.
- 12) **INDEMNITY:** Vendor shall comply with all applicable federal, state, and local laws, rules, and ordinances at all times in the performance of this agreement, and conduct its activities so as not to endanger any person or property. Vendor agrees to indemnify and save and hold harmless NDPERS, its officers and employees from any and all claims of any nature, including claims of employees or agents of Vendor, resulting from or arising out of the activities of the Vendor or its agents, officers or employees under this agreement.
- 13) **INSURANCE:** Vendor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, appropriate professional liability insurance, including a three year “tail coverage endorsement”, with minimum liability limits of \$500,000 per occurrence and \$1,000,000 in the aggregate for each employee conducting counseling services for PERS members. Vendor shall also require all subcontractors to secure and keep in force during the term of the agreement, the same professional liability insurance coverage as Vendor. Any deductible or self insured retention amount or other similar obligation under the policies must be the sole responsibility of the Vendor. Vendor shall furnish a certificate of insurance to NDPERS prior to the commencement of this agreement. Failure to provide insurance as required in this agreement is a material breach of contract entitling NDPERS to terminate this agreement immediately.
- 14) **SEVERABILITY:** If any term in this contract is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms must not be affected, and, if possible, the rights and obligations of the parties are to be construed and enforced as if the contract did not contain that term.

Vendor and NDPERS have executed this agreement as of the date first written above.

**NORTH DAKOTA PUBLIC  
EMPLOYEES RETIREMENT SYSTEM**

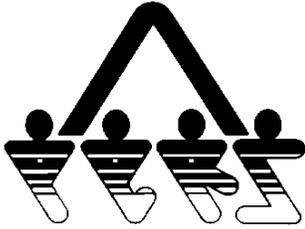
**PROVIDER**

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**North Dakota  
Public Employees Retirement System**  
400 East Broadway, Suite 505 • Box 1657  
Bismarck, North Dakota 58502-1657

**Sparb Collins**  
Executive Director  
(701) 328-3900  
1-800-803-7377

---

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

# Memorandum

**TO:** PERS Board  
**FROM:** Sparb  
**DATE:** March 17, 2011  
**SUBJECT:** 401(a) and 457 Plan Bids

Attached is an update on the 401(a) and 457 plan RFP process from Segal. As you will note, we had much interest in the programs.

**MEMORANDUM**

**To:** PERS Retirement Board

**From:** Robert A. Liberto, Senior Vice President

**Date:** March 16, 2011

**Re:** PERS 401(a) Defined Contribution and IRC Section 457 Deferred Compensation Plan - Vendor Search Update

---

- On behalf of the PERS Retirement Board, Segal Advisors, Inc. issued a Request for Proposal (“RFP”) for semi-bundled Deferred Compensation Services on December 27, 2010.
- The RFP was sent to eighteen (18) service providers:
  - American Trust Center
  - Asset Management Group, Inc.
  - AXA Equitable Life Insurance Co
  - Bank of North Dakota
  - Fidelity Investments
  - Financial Planning Centers
  - Great West Retirement Services
  - ICMA
  - ING
  - Jackson National Life Ins Co
  - Nationwide Retirement Solutions
  - Prudential
  - The Hartford
  - TIAA-CREF
  - VALIC
  - Waddell & Reed Inc
- Questions from bidders were received on February 4, 2011 and responses were issued February 11, 2011
- On March 4, 2011, proposals were received from eight (8) service providers:
  - AXA Equitable Life Insurance Co
  - Fidelity Investments
  - Great West Retirement Services
  - ICMA
  - MetLife
  - The Hartford
  - TIAA-CREF
  - VALIC
- The following firms formally declined to submit a proposal:
  - ING
  - Prudential

**Next steps:**

- Segal Advisors will review and analyze the responses over a 4 week period and present its findings at the April 21, 2011 PERS Board Meeting at which time finalists will be determined
- Finalist presentations will be held on May 19, 2011. If a new vendor is selected, plan transition is scheduled to begin on June 1, 2011. Assets will be transferred on August 1, 2011.



# Memo

To: NDPERS Board  
From: Bryan T. Reinhardt  
Date: 3/21/2011  
Re: 457 Companion Plan & 401(a) plan 4th Quarter 2010 Reports

---

Here is the 4th quarter 2010 investment report for the 401(a) & 457 Companion Plan. The reports are available separately on the NDPERS web site. The NDPERS Investment Sub-committee reviewed the 4th quarter report.

Assets in the 401(a) plan increased to \$20.2 million as of Dec 31, 2010. The number of participants is at 291, about the same as when the plan started. The largest funds are the Fidelity Growth Company and Fidelity Managed Income each with 13% of the assets.

Assets in the 457 Companion Plan increased to \$34.3 million as of Dec 31, 2010. The number of participants is increasing and is now at 3,252. The largest funds are the Fidelity Freedom 2020 Fund (13% of assets), Allianz Small Cap Fund (9% of assets) and Fidelity Diversified International (8% of assets).

## Benchmarks:

Fund returns for the quarter were all positive except for the PIMCO bond fund. The difference between 1-year, 3-year, and 5-year returns show the market volatility with a market downturn in 2008 and bull market in 2009. Most of the core funds performed well compared to their benchmarks and peer funds. Note that index funds are expected to slightly underperform their benchmarks because of fund administration fees.

## Fund / Investment News:

The NDPERS Investment Sub-Committee reviewed a 4<sup>th</sup> quarter market overview with Fidelity and plan statistics. The Investment Sub-Committee did not mark any funds as underperforming for the quarter. The RFP for the two plans is due in March. Callan is continuing work on the asset allocation study for the retirement systems.

NDPERS  
Quarterly Investment Report  
4<sup>th</sup> Quarter  
10/1/2010 – 12/31/2010



North Dakota Public Employees Retirement System  
400 E Bdwy, Suite 505  
Box 1657  
Bismarck, ND 58502



**North Dakota**  
**Public Employees Retirement System**  
400 East Broadway, Suite 505 • PO Box 1657  
Bismarck, North Dakota 58502-1657

Sparb Collins  
Executive Director  
(701) 328-3900  
1-800-803-7377

FAX: (701) 328-3920 • EMAIL: NDPERS-INFO@ND.GOV • www.nd.gov/ndpers

## **MEMORANDUM**

**TO:** NDPERS Board

**FROM:** Jamie Kinsella

**DATE:** February 23, 2010

**SUBJECT: Audit Committee Charter Activity Review**

The Audit Committee Charter states that it will "17. Confirm annually that all responsibilities outlined in this charter have been carried out. Report annually to the Board, members, retirees and beneficiaries, describing the committee's composition, responsibilities and how they were discharged, and any other information required by rule, including approval of non-audit services."

To meet this requirement a matrix was developed to review against current practices to ensure that the audit committee is meeting its responsibilities. The attached copy of this matrix was provided to the audit committee at their February meeting for review. This is for your information.

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM

Audit Committee Charter Review Matrix

For Year Ending December 31, 2010

J. Kinsella

02/23/2011

12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
1. The audit committee (AC) will consist of two to five members with the majority of the members selected from the Board of Directors, and one may be selected from outside the organization. The Board or its nominating committee will appoint committee members and the committee chair.	The Board of Directors determines who will serve on the AC when they are assigning committees.	Indicate in AC meeting minutes whenever a new member is appointed.	Whenever there is a change in AC members.	No change in audit committee since 2006.
2. The Board should attempt to appoint committee members who are knowledgeable and experienced in financial matters, including the review of financial statements.	Ascertain that at least one member of the AC is knowledgeable and experienced in financial matters, including the review of financial statements.	Indicate in AC meeting minutes which member of the AC is knowledgeable and experienced in financial matters, including the review of financial statements.	Whenever there is a change in board members.	At the February 20, 2008 audit committee meeting Jon Strinden and Rebecca Dorwart were noted in the minutes as knowledgeable and experienced in financial matters.
3. The AC will meet as often as it determines is appropriate, but not less frequently than quarterly.	Hold meetings at least once each quarter.	Prepare minutes that document decisions made and action steps following meetings and review for approval.  Meeting minutes should be filed with the board of directors.	Quarterly, or more often if necessary, but no later than prior to the next meeting.	Meeting minutes for 2/17/10, 3/12/10, 8/18/10 and 11/17/10 were prepared and presented for approval at the next quarterly meeting. These minutes are made available on the NDPERS web site after approval. The approved minutes are reported to the board at the next board meeting. The May meeting was not held due to scheduling conflicts, and minimal issues to discuss at that time.
4. All committee members are expected to attend each meeting, in person or via tele- or video-conference.	Accommodations should be made available to committee members to encourage attendance.	Note in the AC meeting minutes the members who were in attendance at the meeting.	Quarterly, or more often if necessary, but no later than prior to the next meeting.	All AC members were in attendance at the quarterly meetings that were held (February, March, August, and November) and are noted in the minutes.
5. The committee periodically will hold individual meetings with management, the internal auditor and the external auditor.	Establish these sessions in conjunction with quarterly meetings or as necessary.	Contact appropriate people to arrange time for meetings.	Annually, or more often if necessary.	An individual meeting with the Internal Auditor was held 2/17/10. The AC did not meet individually with the external auditors or management, but the external auditors presented the audit report to the AC in November 2010.
6. The AC may invite any officer or	Establish these sessions in	Contact appropriate people	Annually, or more	The external auditors were invited to

**NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM**  
**Audit Committee Charter Review Matrix**  
For Year Ending December 31, 2010

J. Kinsella  
02/23/2011  
12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
employee of the agency, the external auditor, the agency's outside counsel, or others to attend meetings and provide pertinent information.	conjunction with quarterly meetings or as necessary	to arrange time for meetings.	often if necessary.	present the audit report to the AC in November 2010.
7. Meeting agendas will be prepared by the Chief Audit Executive (CAE) and provided in advance to members, along with appropriate briefing materials.	The agendas for meetings should be prepared and provided to members in advance, along with appropriate briefing materials.	Prepare and provide meeting agenda, previous meeting minutes, and appropriate briefing materials to members in advance.	Quarterly, or more often if necessary	Meeting agendas were mailed to the AC on 2/10/10, 8/11/10, and 11/10/10. The March meeting was a special meeting put together on short notice, so an agenda was not mailed.
8. Minutes will be kept by a member of the AC or a person designated by the AC.	Designate the appropriate person to keep the minutes of meetings.	Prepare minutes documenting decisions made and future action steps and review for approval at the next meeting.	Quarterly, or following each meeting.	The Internal Audit Manager provides meeting minutes to the administrative assistant to prepare for the next quarterly meeting. These minutes were provided to the AC at the next quarterly meeting. See #7.
9. The AC will: <ul style="list-style-type: none"> <li>• Obtain information and/or training to enhance the committee members' expertise in financial reporting standards and processes so that the committee may adequately oversee financial reporting.</li> <li>• Review significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.</li> <li>• Review with management, the external auditors, and the internal auditors the results of the audit, including any difficulties encountered.</li> <li>• Review all significant</li> </ul>	<p>Provide information related to financial reporting standards and processes to the AC.</p> <p>Bring external auditors to explain new changes to accounting reporting and how they impact NDPERS.</p> <p>Invite the external auditors to present the financial statements upon completion of their audit.</p> <p>Review with management</p>	<p>Articles, publications, external auditors, speakers with information regarding changes to accounting rules.</p> <p>Report to the board on issues relating to internal controls, with emphasis on management's ability to override and related monitoring and testing.</p> <p>Submit reports of audit findings and their status at each AC meeting.</p> <p>Audited Financial</p>	Quarterly, or as they become available.	<p>Articles from the Institute of Internal Auditors are provided as they become available.</p> <p>External auditors discussed with the AC significant accounting and reporting issues as they develop.</p> <p>External auditors presented the FY 2010 audit report to the AC in November 2010.</p> <p>External and internal audit findings were presented to the AC at each quarterly meeting with a status update.</p> <p>External auditors provided the statement of management responsibility and reviewed with staff prior to commencement of audit.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<p>adjustments proposed by the external financial statement auditor and by the internal auditor.</p> <ul style="list-style-type: none"> <li>• Review all significant suggestions for improved financial reporting made by the external financial statement auditor and by the internal auditor.</li> <li>• Review with the General Counsel the status of legal matters that may have an effect on the financial statements.</li> <li>• Review the annual financial statements, and consider whether they are complete, consistent with information known to committee members, and reflect appropriate accounting principles.</li> <li>• Review with management and the external auditors all matters required to be communicated to the committee under generally accepted auditing <i>Standards</i>.</li> <li>• Understand how management develops interim financial information, and the nature and extent of internal and external auditor involvement.</li> <li>• Review the statement of management responsibility for and the assessment of the effectiveness of the internal control structure and procedures of the organization for financial reporting. Review</li> </ul>	<p>and AC any proposed significant adjustments.</p> <p>Review management letter with management and AC.</p> <p>Bring to the General Counsel's attention any legal matters that may have an effect on the financial statements. AC should ask of management if the annual financial statements are complete.</p> <p>Inquire of management and external auditors if there are any matters required to be communicated to the committee under GAAS. Inquire of management their system of developing interim financial information and if the internal or external auditors were involved.</p> <p>Ascertain that the external auditors provided the statement of management responsibility and review with them. Review key internal controls with the CAE, and understand how</p>	<p>Statements, including the Independent Auditor's Report, management Discussion and Analysis, financial Statements, Required Supplementary Information, Supplementary Information, Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Governmental Auditing Standards, and Special Comments Requested by the Legislative Audit and Fiscal Review Committee.</p>		<p>There were no legal matters relating to financial statements.</p> <p>Staff reviewed the annual statements for completeness, consistency of information and accounting principles.</p> <p>External auditors presented all matters required to be communicated to AC at the November 2010 meeting.</p> <p>A system for interim financial information is not in place at this time.</p> <p>External audit discussed with CAE and management the effectiveness of internal controls.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
the attestation on this management assertion by the financial statement auditor as part of the financial statement audit engagement.	these controls will be tested during the year.			
<p>10. The AC will:</p> <ul style="list-style-type: none"> <li>• Obtain information about, training in and an understanding of risk management in order to acquire the knowledge necessary to adequately oversee the risk management process.</li> <li>• Periodically review that the organization has a comprehensive policy on risk management.</li> <li>• Consider the effectiveness of the organization's risk management system, including risks of information technology systems.</li> <li>• Consider the risks of business relationships with significant vendors and consultants.</li> <li>• Review management's reports on management's self-assessment of risks and the mitigations of these risks.</li> <li>• Understand the scope of internal auditor's and external auditor's review of risk management over financial reporting.</li> <li>• Understand the scope of internal auditor's review of risk management over all other processes, and obtain reports on significant findings and</li> </ul>	<p>Provide the AC members with information regarding risk management.</p> <p>Review risk management policy periodically.</p> <p>Create a portfolio that documents the material risks that the agency faces. Update as events occur. Review with management and the CAE periodically to make sure it is up-to-date.</p> <p>Provide AC a summary of results of self-assessment of risks, and how these risks are handled. Provide the AC information on how external and internal audit review risk management over financial reporting. Provide AC a summary of results of self-assessment of risks, and how these risks are handled.</p>	<p>Articles, publications, etc. relating to risk management.</p> <p>Current risk management policy and most recent information relating to risk management. Submit a risk report including mitigation strategies and quantifiable risks and insurance to cover such risks, e.g., loss of business.</p>	<p>Quarterly.</p> <p>As necessary.</p>	<p>Articles, publications, etc. relating to risk management are provided as they become available.</p> <p>It is required by Risk Management of OMB to have a Loss Control Committee. The Chairperson presented an overview of the committee at the August 2010 meeting. This will be done every year in August, providing an update annually. In addition, quarterly agendas and minutes of the Loss Control Committee will be provided to the Audit Committee.</p> <p>Enterprise Risk Management assessment questionnaires will be developed with management's input. This assessment is conducted once every four years. The next scheduled assessment is 2012.</p> <p>The NDPERS self- assessment questionnaire is developed and in use specifically for benefit programs, business processes and accounting functions. This assessment is conducted every two years, following the legislative session, to include any legislative changes to the programs</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
recommendations, together with management's responses. <ul style="list-style-type: none"> <li>• Understand the scope of any other external auditor's or consultant's review of risk management.</li> <li>• Hire outside experts and consultants in risk management as necessary subject to full board approval.</li> </ul>	Provide the AC an explanation of other external auditor's review of risk management.  Develop a request for proposal if an outside expert is deemed necessary.			as part of the assessment process. None was conducted due to time constraints from PERSLink project.  In addition to the above risk assessments, a separate assessment is made at the beginning of each audit, to ensure the audit focus is on high risk areas.
11. The AC will: <ul style="list-style-type: none"> <li>• Obtain information about, training in and an understanding of internal control in order to acquire the knowledge necessary to adequately oversee the internal control process.</li> <li>• Ensure that the organization has a comprehensive policy on internal control and compliance.</li> <li>• Review periodically the policy on ethics, code of conduct and fraud policy.</li> <li>• Consider the effectiveness of the organization's internal control system, including information technology security and control.</li> <li>• Consider any internal controls required because of business relationships with significant vendors and consultants.</li> <li>• Understand the scope of internal auditor's and external auditor's review of internal control over financial reporting, and obtain reports on significant findings and recommendations,</li> </ul>	Provide the AC members with information regarding internal control process.  Review periodically the policy on internal controls, ethics, code of conduct and fraud.  Review the reports of the internal audit team for all audits completed since the prior AC meeting.  Review key internal controls with the CAE, and understand how these controls will be tested during the year.  Review with the CAE the plans for audits of other elements of the control environment.	Report to the board on issues relating to internal controls, with emphasis on management's ability to override and related monitoring and testing.	Quarterly.  Update on anything new, or any changes to the internal control system, at every meeting.	Information relating to internal control is provided as they become available.  Internal periodic reviews on ethics, code of conduct and fraud have not been conducted consistently. These issues are addressed during the benefit programs, business processes, accounting functions and enterprise risk management assessments. Internal controls are reviewed as part of each audit project and/or special examinations.  External auditors conduct a review of internal accounting controls annually. There have been no areas of concern as a result of these reviews.

**NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM**  
**Audit Committee Charter Review Matrix**  
For Year Ending December 31, 2010

J. Kinsella  
02/23/2011  
12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<p>together with management's responses.</p> <ul style="list-style-type: none"> <li>• Understand the scope of internal auditor's review of internal control over all other processes, and obtain reports on significant findings and recommendations, together with management's responses.</li> <li>• Review the role of the internal auditor's involvement in the corporate governance process, including corporate governance documentation and training.</li> <li>• Periodically review contracts with external service providers which should contain appropriate record-keeping and audit language.</li> </ul>	<p>Determine that all internal control weaknesses are quantified, reviewed, and addressed.</p> <p>Review these plans with the independent auditor to understand their scope with respect to key controls</p>			<p>Internal audit includes a review of internal controls as part of each audit and/or special examinations.</p> <p>At this time the role is to assist in the development of the enterprise risk management questionnaire. The results will be summarized into a report, and this will discuss corporate governance.</p> <p>System is not in place to review contracts specifically for appropriate record-keeping and audit language with the exception of BCBS. BCBS's contracts are examined as part of determining what should be verified upon reconciling their reports.</p>
<p>12. The AC will:</p> <ul style="list-style-type: none"> <li>• Obtain the information and training needed to enhance the committee members' understanding of the role of internal audits so that the committee may adequately oversee the internal audit function.</li> <li>• Oversee the selection process for the Chief Audit Executive.</li> <li>• Assure and maintain, through the organizational structure of the organization and by other means, the independence of the internal audit process.</li> <li>• Review any difficulties encountered in the course of</li> </ul>	<p>Review reports of all internal auditors from the preceding 12 months and planned for the upcoming six months along with the status of each planned audit.</p> <p>Hold special meetings as necessary to address appointment, reassignment, or dismissal of CAE.</p>	<p>Report on the status of all current internal audits and audits planned for the next quarter and/or year.</p> <p>Report to the full board on the performance of the CAE including the effectiveness of the internal audit function.</p>	<p>Review at each meeting.</p> <p>Conduct ongoing reviews, as changes can be made at any time during the year.</p>	<p>An updated quarterly status report is provided to the AC at each meeting.</p> <p>No change in internal auditors this period. Special meetings was held in March 2010. No change in reporting structure this period. Structure is in accordance with best practices.</p> <p>No difficulties encountered.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM

Audit Committee Charter Review Matrix

For Year Ending December 31, 2010

J. Kinsella

02/23/2011

12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<p>audit work, including any restrictions on the scope of activities or access to required information</p> <ul style="list-style-type: none"> <li>Review with management and the Chief Audit Executive the charter, objectives, plans, activities, staffing, budget, qualifications, and organizational structure of the internal audit function.</li> <li>Receive and review all internal audit reports and management letters.</li> <li>Review the responsiveness and timeliness of management's follow-up activities pertaining to any reported findings and recommendations.</li> <li>Receive periodic notices of advisory and consulting activities by internal auditors.</li> <li>Review and concur in the appointment, replacement, or dismissal of the Chief Audit Executive.</li> <li>Review the performance of the Chief Audit Executive periodically.</li> <li>Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' <i>Standards for the Professional Practice of Internal Auditing</i>.</li> </ul>	<p>Discuss internal audit division's budget and staffing with CAE.</p> <p>Maintain workload project management worksheet, audit recommendation worksheets</p> <p>Review and discuss the findings for each audit completed since the prior meeting, and management's response to the report.</p> <p>Meet periodically with other members of executive management and the external auditors to discuss the performance of CAE.</p> <p>Discuss internal audit's compliance with IIA Standards, including the requirement for a peer review once every five years.</p>	<p>Internal Audit Activities Report</p> <p>Audit Recommendation Report</p> <p>Annual Internal Audit Report</p> <p>Performance evaluation worksheet</p> <p>Quality Assurance Review report</p>	<p>Quarterly</p> <p>Quarterly</p> <p>Annually</p> <p>As needed</p> <p>As needed</p> <p>Annually</p> <p>QAR every five years.</p> <p>Annual Internal Audit report</p>	<p>A revised Internal Audit Charter was approved by the Board 9/18/2008. No changes were made since.</p> <p>The Internal Audit Activities report is presented at each audit committee meeting.</p> <p>A report of all audit recommendations is provided to the AC quarterly, with a progress update for each audit.</p> <p>An annual report of the Internal Audit Division was presented in February 2010.</p> <p>A quarterly report of audit activities is provided to the AC, which includes advisory and consulting activities. No change in internal audit staff this year.</p> <p>A performance review is written by the Executive Director and approved by the AC. Nothing is reported to the full board at this time.</p> <p>A Quality Assurance Review was not completed in 2010 to review the effectiveness of the internal audit function. AC approved delaying this process to 2012 due to the PERSLink</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<ul style="list-style-type: none"> <li>• On a regular basis, meet separately with the Chief Audit Executive to discuss any matters that the committee or internal audit believes should be discussed privately (subject to open meeting laws).</li> <li>• Designate the Chief Audit Executive as the lead coordinator for handling all matters related to audits, examinations, investigations or inquiries of the State Auditor and other appropriate State or Federal agencies.</li> </ul>	<p>Review the internal audit charter periodically. Assess the appropriateness of each point in the charter from past experience (since the last review). Assess the completeness of the charter against new best practices and new legal or regulatory requirement.</p> <p>The AC chair should be available if any unforeseen issues arise between meetings relating to the CAE.</p> <p>Discuss job satisfaction and other employment issues with the CAE.</p>	<p style="text-align: center;">Internal Audit Charter</p>	<p style="text-align: center;">Annually</p> <p style="text-align: center;">Periodically</p>	<p>project.</p> <p>Private meeting with the Internal Audit Manager was held in February 2010.</p> <p>Internal Audit Charter was reviewed and noted in the February minutes that no changes were necessary.</p> <p>AC Chair is available at all times if needed.</p> <p>The Internal Audit Division is the primary contact for the external auditors, and coordinated all matters relating to the 2010 financial audits.</p>
<p>13. The AC will:</p> <ul style="list-style-type: none"> <li>• Obtain the information and training needed to enhance the committee members' understanding of the purpose of the financial statements audit and the role of external financial statement auditor so that the committee may adequately oversee the financial statement audit function.</li> <li>• Review the external auditor's proposed audit scope and approach, including coordination of audit effort with internal audit.</li> </ul>	<p>Provide information and/or training.</p> <p>Meet with independent audit partner, the controller and CAE to discuss scope of the previous year's audit, and lessons learned. Later, discuss planned scope for audit of current</p>	<p>Document the meeting in the AC meeting minutes.</p>	<p>Meet with new audit firm at the beginning of a new contract to review the scope of the upcoming audit; discuss audit results, lessons learned and scope for current year at the exit conference.</p> <p>As requested</p>	<p>The contract is for the period 2009 through 2011; a meeting was not held because there was no change in the external audit firm.</p> <p>Nothing to review at this time.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<ul style="list-style-type: none"> <li>• Review the performance of the external financial statement audit firm, and review the State Auditor's recommendation for the final approval on the request for proposal for, and the appointment, retention or discharge of the audit firm. Obtain input from the Chief Audit Executive, management and other parties as appropriate.</li> <li>• Review the independence of the external financial statement audit firm by obtaining statements from the auditors on relationships between the audit firm and the organization, including any non-audit services, and discussing these relationships with the audit firm. Obtain from management a listing of all services provided by the external audit firm. Obtain information from the Chief Audit Executive and other sources as necessary.</li> <li>• Review the audited financial statements, associated management letter, attestation on the effectiveness of the internal control structure and procedures for financial reporting, other required auditor communications, and all other auditor reports and communications relating to the financial statements.</li> <li>• Review all other reports and</li> </ul>	<p>year.                      Provide input on the external audit performance to the State Auditor's Office.</p> <p>Provide input to the State Auditors Office on the request for proposal for the appointment of the next audit firm.</p> <p>Obtain from external audit firm and/or management any documentation of any activity or issues between the audit firm and organization if information should be provided to the AC.</p> <p>Review at the exit conference with management, and again with the AC.</p> <p>Review as needed.</p>		<p>Every three years</p>	<p>No comments were requested by the State Auditor's Office.</p> <p>This was not an issue for 2010.</p> <p>External audit firm presented the financial statements and associated reports to the AC at the November meeting.</p>



NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<ul style="list-style-type: none"> <li>• Confirm coordination of efficient and effective audit activities between the internal and external auditors.</li> <li>• Review the performance of the other external audit firm(s),</li> <li>• Review the scope all services to be performed by the other external auditor.</li> <li>• Review the reports of the audits and/or agreed-upon-procedures.</li> <li>• Provide a forum for follow up of findings from the audit reports or agreed-upon-procedures.</li> <li>• Meet separately with the other external audit firm(s) on a regular basis to discuss any matters that the committee or staff of the audit firm(s) believes should be discussed</li> <li>• Review a report of all costs of and payments to other external audit firm(s). The listing should separately disclose the costs of any audit, other attest projects, agreed-upon-procedures and any non-audit services provided.</li> </ul>	<p>CAE to discuss scope of the previous year's audit, and lessons learned. Later, discuss planned scope for audit of current year.</p>			
<p>15. The AC will:</p> <ul style="list-style-type: none"> <li>• Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of noncompliance.</li> <li>• Review the findings of any</li> </ul>	<p>Review the reports of compliance with laws and regulations.</p> <p>Discuss compliance issues and resolutions.</p>	<p>Record discussion and any action steps in the AC meeting minutes.</p>	<p>Review as necessary.</p>	<p>Compliance with laws and regulations are reviewed for each specific audit by both the external auditors and internal auditors. Any concerns will be brought before management, the AC and/or board as necessary.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<p>examinations by regulatory agencies, and any auditor observations, including investigations of misconduct and fraud.</p> <ul style="list-style-type: none"> <li>• Review the process for communicating to all affected parties the ethics policy, code of conduct and fraud policy to organization personnel, and for monitoring compliance therewith.</li> <li>• Obtain regular updates from management and organization legal counsel regarding compliance matters.</li> <li>• Monitor changes and proposed changes in laws, regulations and rules affecting the organization.</li> </ul>	<p>Require staff to sign off on ethics/code of conduct and fraud policy annually during their performance reviews.</p> <p>Report to AC as necessary.</p> <p>Report to AC as needed.</p>	<p>Review signed form stating the employee read the policies.</p> <p>Report to AC at meeting, if matters arise.</p> <p>Report to AC of changes in laws, regulations and rules.</p>	<p>Annually.</p> <p>As they occur.</p> <p>As they occur.</p>	<p>An audit was not conducted on Human Resources this year due to shortage of staff. Therefore this process was not reviewed.</p> <p>There were no compliance matters this year to report.</p> <p>During legislative years changes in laws, regulations and rules were monitored by management and reported to the board, but not to the Audit Committee. There were none to report during 2010.</p>
<p>16. The AC will:</p> <ul style="list-style-type: none"> <li>• Institute and oversee special investigations as needed.</li> <li>• Provide an appropriate confidential mechanism for whistleblowers to provide information on potentially fraudulent financial reporting or breaches of internal control to the AC.</li> </ul>	<p>Review procedures with CAE and the general counsel.</p> <p>Review all complaints that have been received and the status of resolution.</p> <p>Ensure proper steps are taken to investigate and resolve complaints timely.</p>	<p>Review an original of each complaint received, no matter the media used to submit. Discuss the status or resolution of each complaint.</p> <p>Review a cumulative list of complaints submitted to date to review for patterns or other observations.</p>	<p>Review at each meeting.</p>	<p>None during 2010.</p>
<p>17. The AC will:</p> <ul style="list-style-type: none"> <li>• Regularly report to the Board of Directors about all committee activities, issues, and related recommendations.</li> <li>• Perform other activities related</li> </ul>	<p>Submit AC meeting minutes to the board after AC approval.</p>	<p>Submit AC meeting minutes after AC approval to the board for their next meeting.</p>	<p>Following each AC meeting provide the approved AC minutes to the Administrative Services Manager to</p>	<p>Copies of the AC minutes are provided to the board after the AC's approval of the minutes.</p>

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM  
 Audit Committee Charter Review Matrix  
 For Year Ending December 31, 2010

J. Kinsella  
 02/23/2011  
 12:07 PM

Audit Committee Charter Objective	Steps to Accomplish the Objective	Deliverable	Achieve (Frequency Due Date)	Date Completed
<p>to this charter as requested by the Board of Directors, and report to the Board</p> <ul style="list-style-type: none"> <li>• Provide an open avenue of communication between internal audit, the external financial statement auditors, other external auditors, management and the Board of Directors.</li> <li>• Review any other reports that the organization issues that relates to AC responsibilities.</li> <li>• Confirm annually that all responsibilities outlined in this charter have been carried out. Report annually to the Board, members, retirees and beneficiaries, describing the committee's composition, responsibilities and how they were discharged, and any other information required by rule, including approval of non-audit services.</li> <li>• Review and assess the adequacy of the committee charter periodically, requesting Board approval for proposed changes, and ensure appropriate disclosure as may be required by law or regulation.</li> </ul>	<p>Have at minimum annual meeting with internal auditor, external auditor, management, and Board of Directors to discuss issues.</p> <p>Utilize a matrix to determine if all responsibilities outlined in the charter are carried out.</p> <p>Review charter periodically. Assess the suitability of each point in the charter based on past experiences (since the last review). Evaluate completeness of the charter against best practices and legal or regulatory requirements. Revise charter as needed and obtain AC and Board approval for changes.</p>	<p>An AC Charter review matrix will be updated each year and presented to the AC to present a report to the Board for approval.</p> <p>Report to the board on the appropriateness of the AC charter and any revisions recommended.</p>	<p>include in the next board meeting materials.</p> <p>Annually.</p> <p>As needed.</p>	<p>An annual meeting was held with the Internal Audit Manager in 2/2010. The external auditors provided an overview of the financial statements during the November 2010 meeting. The report was presented to the full Board in December 2010.</p> <p>An updated AC review matrix was provided to the AC at the February 2010 meeting.</p> <p>AC Charter was reviewed, updated, and approved by the board September 2008. No change has been required since then.</p>



**North Dakota**  
**Public Employees Retirement System**  
400 East Broadway, Suite 505 • PO Box 1657  
Bismarck, North Dakota 58502-1657

Sparb Collins  
Executive Director  
(701) 328-3900  
1-800-803-7377

FAX: (701) 328-3920 • EMAIL: [NDPERS-INFO@ND.GOV](mailto:NDPERS-INFO@ND.GOV) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

## MEMORANDUM

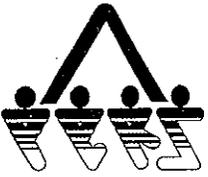
**TO:** NDPERS Board  
**FROM:** Jamie Kinsella *Jamie*  
**DATE:** February 23, 2011  
**SUBJECT:** November 17, 2010 PERS Audit Committee Minutes

Attached are the approved minutes from the November 17, 2010 meeting. Those who attended the meeting are available to answer any questions you may have.

The minutes may also be viewed on the NDPERS web site at [www.nd.gov/ndpers](http://www.nd.gov/ndpers).

The next audit committee meeting is tentatively scheduled for May 18, 2011 10:00 a.m., in the NDPERS Conference Room.

Attachment



**MEMORANDUM**

**TO:** Audit Committee  
Jon Strinden  
Ron Leingang

**FROM:** Jamie Kinsella, Internal Auditor *Jamie*

**DATE:** January 6, 2011

**SUBJECT:** **November 17, 2010 Audit Committee Meeting**

In Attendance:

Jon Strinden, via conference call  
Arvy Smith  
Rebecca Dorwart  
Jamie Kinsella  
Leon Heick  
Sparb Collins  
Deb Knudsen  
Sharon Schiermeister  
John Mongeon, Brady Martz  
Robyn Goven, Brady Martz  
Sara Herbert, TriCast Inc., via conference call

The meeting was called to order at 10:00 a.m.

**I. August 18, 2010 Audit Committee Minutes**

The audit committee minutes were examined and approved by the Audit Committee.

**II. Internal Audit Quarterly Report**

- A. Quarterly Audit Plan Status Report –There is no report provided this time as there were no changes to report. Staff is spending the bulk of their time working with the PERSLink project team assisting with projects they need help with. Staff was working on testing software, data conversion, training employers and correspondence since August and up to PERSLink go-live October 4, 2010. Since go live, staff has continued to support staff with various projects that are considered high priority. Discussion followed regarding internal audit independence.
- B. Quarterly Audit Recommendation Status Report – As stated in the Audit Policy #103, the Internal Audit Division is to report quarterly to management and the audit committee the status of the audit recommendations of the external auditors, as well as any found by the internal auditor. A report was not provided this time as there is no change from the previous meeting.

- C. Internal Audit Plan for 2011 – Included in the audit committee minutes was an excerpt from the 2010-2011 audit plan. Since the new PERSLink system was implemented, the next year will focus primarily on the new system, to ensure that data going in, and coming out, is accurate. Thus staff will continue to test components that need testing, train staff or employers where needed when staff finds there is an issue, audit the process documentation on PERSLink to determine adequacy, and audit the data for accuracy. Staff will continue to work with management to determine areas they deem to be at high risk to develop audit plans.

### III. Administrative

- A. Audit Committee Meeting Date & Time – A schedule of tentative audit committee meetings for 2011 was included in the audit committee materials. Ms. Kinsella will send a revised schedule out to audit committee members since there were conflicts on the proposed dates.

### IV. Miscellaneous

- A. Brady Martz & Associates – John Mongeon and Robyn Goven, Brady Martz & Associates, presented the 2010 audit report.
- B. Pharmacy Benefits Manager (PBM) Project – Sara Herbert from TriCast Inc. joined the meeting via conference call and presented their audit report on PrimeCare, the pharmacy benefits manager. Discussion followed.
- C. Travel Expenditures – Included with the audit committee materials were copies of the travel expenditures for travel through October 31, 2010. Discussion followed on including airfare in the report. By general consensus, the audit committee recommended to include the cost of airfare in the worksheet.
- D. Risk Management Report – At a previous audit committee meeting, it was determined that a Risk Management Policy for PERS would not be necessary since a Loss Control Committee is in place to manage risk for the agency. At that time it was suggested that the Loss Control Committee provide a copy of the last meeting agenda and the approved minutes. Included with the audit committee materials was a copy of the approved meeting minutes from the June 10, 2010 meeting and the agenda for the September 9, 2010 meeting. Discussion followed.
- E. PERSLink Quarterly Report – Included with the audit committee minutes were the PERSLink quarterly status reports that were presented to the board since the last audit committee meeting. These reports were presented to the Board at the August and September board meetings. Ms. Schiermeister provided an recap of recent events since the go live date. Discussion followed.
- F. Report on Consultant Fees - According to the Audit Committee Charter, the audit committee should "Periodically review a report of all costs of and payments to the external financial statement auditor. The listing should separately disclose

the costs of the financial statement audit, other attest projects, agreed-upon-procedures and any non-audit services provided." Staff was unable to give a report since the accounting staff did not provide a report to the Board at the end of the last quarter due to the time involved with implementation of the new PERSLink system.

- G. Publications – Included with the materials were articles from the Institute of Internal Auditors for the audit committee's education.

The meeting adjourned at 11:40 a.m.



**North Dakota  
Public Employees Retirement System**  
400 East Broadway, Suite 505 • Box 1657  
Bismarck, North Dakota 58502-1657

**Sparb Collins**  
Executive Director  
(701) 328-3900  
1-800-803-7377

---

FAX: (701) 328-3920 • EMAIL: [NDPERS-info@nd.gov](mailto:NDPERS-info@nd.gov) • [www.nd.gov/ndpers](http://www.nd.gov/ndpers)

# Memorandum

**TO:** PERS Board  
**FROM:** Sparb  
**DATE:** March 17, 2011  
**SUBJECT:** Legislative Update

Attached is the legislative update on bills affecting NDPERS. I will present the Board with any pertinent updates at the next meeting.

[Legislative Bill Tracking](#)

## SUBSCRIBERS' AREA

- [LBTS Homepage](#) :
- [Search Bills](#) :
- [Manage Tracking Lists](#) :
- [Reports](#) :
- [My Account](#) :
- [Logout](#) :
- [Online Help](#)

## North Dakota Legislative Bill Tracking System

Reports for [cstocker@nd.gov](mailto:cstocker@nd.gov) as of 03/17/11 09:18:10

### Current Status Report

Tracking List: 1 - PERS Bills

#### [HB 1228](#) Defined Contribution Plan

**Title:** Relating to a defined contribution retirement plan for state employees; and to provide a statement of legislative intent.

**Sponsor(s):**

Rep. Grande, Vigesaa, Weisz  
Sen. Andrist, Miller, Grindberg

File Date	Chamber	Comm	Action	Journal Page
01/10	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 102</a>
01/21	H		COMMITTEE HEARING 01/21 10:00 AM	
02/07	H		Reported back amended, do pass, amendment placed on calendar 8 4 1	<a href="#">HJ 385</a>
02/08	H		Amendment adopted, placed on calendar	<a href="#">HJ 395</a>
02/17	H		Laid over one legislative day	<a href="#">HJ 610</a>
02/18	H		Second reading, failed, lacks constitutional majority yeas 47 nays 46	<a href="#">HJ 632</a>

#### [HB 1258](#) Teachers DC Plan

**Title:** Relating to a defined contribution retirement plan for teachers; to amend and reenact sections 15-39.1-09 and 15-39.1-30 of the North Dakota Century Code, relating to a defined contribution retirement plan for teachers; to provide a penalty; to provide a statement of legislative intent; to provide an appropriation; and to provide a continuing appropriation.

**Sponsor(s):**

Rep. Grande, Headland, Louser  
Sen. Oehlke, Lee, Andrist

File Date	Chamber	Comm	Action	Journal Page
01/10	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 104</a>
01/21	H		COMMITTEE HEARING 01/21 09:00 AM	
02/07	H		Reported back amended, do pass, amendment placed on calendar 7 6 0	<a href="#">HJ 386</a>
02/08	H		Amendment adopted	<a href="#">HJ 395</a>
02/08	H	APPR	Rereferred to Appropriations	<a href="#">HJ 395</a>
02/11	H		Reported back, do pass, place on calendar 13 8 0	<a href="#">HJ 523</a>
02/17	H		Laid over one legislative day	<a href="#">HJ 610</a>
02/18	H		Second reading, failed to pass, yeas 38 nays 56	<a href="#">HJ 633</a>

### [HB 1364](#) Creation of a high-deductible health plan

**Title:** Relating to the creation of a high-deductible health plan with a health savings account; and to provide an appropriation.

#### Sponsor(s):

Rep. Carlson

File Date	Chamber	Comm	Action	Journal Page
01/17	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 173</a>
01/28	H		COMMITTEE HEARING 01/28 09:00 AM	
02/07	H		Reported back amended, do pass, amendment placed on calendar 13 0 0	<a href="#">HJ 389</a>
02/08	H		Amendment adopted	<a href="#">HJ 395</a>
02/08	H	APPR	Rereferred to Appropriations	<a href="#">HJ 395</a>
02/11	H		Reported back, do pass, place on calendar 21 0 0	<a href="#">HJ 524</a>
02/17	H		Second reading, passed, yeas 94 nays 0	<a href="#">HJ 604</a>
02/18	S		Received from House	<a href="#">SJ 468</a>
02/22	S	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">SJ 561</a>
03/10	S		COMMITTEE HEARING 03/10 09:00 AM	

### [SB 2022](#) PERS appropriation bill.

**Title:** At the request of the Governor A BILL for an Act to provide an appropriation for defraying the expenses of various state retirement and investment agencies; to provide an exemption; to provide various transfers; and to declare an emergency.

#### Sponsor(s):

Appropriations

Journal

File Date	Chamber	Comm	Action	Page
01/04	S	APPR	Introduced, first reading, (emergency), referred Appropriations Committee	<a href="#">SJ 22</a>
01/12	S		COMMITTEE HEARING 01/12 08:30 AM	
02/11	S		Reported back, do pass, place on calendar 13 0 0	<a href="#">SJ 381</a>
02/14	S		Second reading, passed, yeas 47 nays 0, Emergency clause carried	<a href="#">SJ 390</a>
02/15	H		Received from Senate	<a href="#">HJ 573</a>
02/22	H	APPR	Introduced, first reading, (emergency), referred Appropriations Committee	<a href="#">HJ 778</a>
03/07	H		COMMITTEE HEARING 03/07 08:30 AM	
03/07	H		COMMITTEE HEARING 03/07 10:00 AM	

### **[SB 2108](#) Relating to increased employer and employee contributions under the HP and PERS.**

**Title:** At the request of the Public Employees Retirement System Board Relating to increased employer and employee contributions under the highway patrolmen's retirement plan and public employees retirement system.

#### **Sponsor(s):**

Government and Veterans Affairs

File Date	Chamber	Comm	Action	Journal Page
01/04	S	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">SJ 32</a>
01/13	S		COMMITTEE HEARING 01/13 09:00 AM	
02/10	S		Reported back amended, do pass, amendment placed on calendar 5 2 0	<a href="#">SJ 354</a>
02/11	S		Amendment adopted	<a href="#">SJ 373</a>
02/11	S	APPR	Rereferred to Appropriations	<a href="#">SJ 373</a>
02/16	S		COMMITTEE HEARING 02/16 08:30 AM	
02/21	S		Reported back, do pass, place on calendar 13 0 0	<a href="#">SJ 491</a>
02/24	S		Second reading, passed, yeas 46 nays 0	<a href="#">SJ 614</a>
02/24	H		Received from Senate	<a href="#">HJ 861</a>
03/02	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 874</a>
03/10	H		COMMITTEE HEARING 03/10 09:30 AM	

### **[SB 2109](#) PERS bill updating various code sections.**

**Title:** At the request of the Public Employees Retirement System Board Relating to special annuity purchases in the alternate retirement program for university system employees, surviving spouse payment options under the highway patrolmen's retirement plan, calculation of member service credit under the highway patrolmen's retirement plan, election of members to the public employees retirement system board, calculation of normal retirement date for peace officers and correctional officers under the public employees retirement system, payment of member account balances under the public employees retirement system, purchase of sick leave credit under the public employees retirement system, spousal elections to participate in the uniform group insurance program, reporting of employer pickups under the defined contribution retirement plan, and Internal Revenue Code compliance under the highway patrolmen's

retirement plan and the public employees retirement system.

**Sponsor(s):**

Government and Veterans Affairs

File Date	Chamber	Comm	Action	Journal Page
01/04	S	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">SJ 32</a>
01/13	S		COMMITTEE HEARING 01/13 09:30 AM	
02/14	S		Reported back amended, do pass, amendment placed on calendar 7 0 0	<a href="#">SJ 394</a>
02/15	S		Amendment adopted, placed on calendar	<a href="#">SJ 406</a>
02/16	S		Second reading, passed, yeas 43 nays 2	<a href="#">SJ 423</a>
02/17	H		Received from Senate	<a href="#">HJ 612</a>
02/23	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 830</a>
03/10	H		COMMITTEE HEARING 03/10 10:30 AM	
03/11	H		Reported back, do pass, place on calendar 12 0 1	<a href="#">HJ 950</a>
03/15	H		Second reading, passed, yeas 92 nays 0	<a href="#">HJ 978</a>
03/16	S		Returned to Senate	<a href="#">SJ 741</a>

**[SB 2110](#) Relating to subgroups under the uniform group insurance program.**

**Title:** At the request of the Public Employees Retirement System Board Relating to subgroups, receiving bids for prescription drug coverage, self-insurance for prescription drug coverage, and contingency reserve fund requirements under the uniform group insurance program.

**Sponsor(s):**

Industry, Business and Labor

File Date	Chamber	Comm	Action	Journal Page
01/04	S	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">SJ 32</a>
01/12	S		COMMITTEE HEARING 01/12 11:00 AM	
01/14	S		Reported back, do pass, place on calendar 7 0 0	<a href="#">SJ 86</a>
01/17	S		Second reading, passed, yeas 44 nays 0	<a href="#">SJ 91</a>
01/19	H		Received from Senate	<a href="#">HJ 200</a>
02/23	H	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">HJ 830</a>
03/14	H		COMMITTEE HEARING 03/14 02:00 PM	
03/16	H		Reported back, do pass, place on calendar 14 0 0	<a href="#">HJ 998</a>

**[SB 2302](#) Membership on the state investment board and management of the legacy fund**

**Title:** Relating to the membership of the state investment board and management of the legacy fund.

**Sponsor(s):**

Sen. Hogue, Stenehjem, Christmann  
Rep. Carlson, Grande, Vigesaa

File Date	Chamber	Comm	Action	Journal Page
01/25	S	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">SJ 167</a>
02/02	S		COMMITTEE HEARING 02/02 09:00 AM	
02/03	S	APPR	Rereferred to Appropriations	<a href="#">SJ 257</a>
02/09	S		COMMITTEE HEARING 02/09 08:30 AM	
02/22	S		Reported back amended, do not pass, placed on calendar 7 6 0	<a href="#">SJ 551</a>
02/24	S		Amendment adopted, placed on calendar	<a href="#">SJ 607</a>
02/24	S		Second reading, passed, yeas 29 nays 17	<a href="#">SJ 607</a>
02/24	H		Received from Senate	<a href="#">HJ 861</a>
03/02	H	GVA	Introduced, first reading, referred Government and Veterans Affairs Committee	<a href="#">HJ 874</a>
03/10	H		Request return from committee	<a href="#">HJ 937</a>
03/10	H	IBL	Rereferred to Industry, Business and Labor	<a href="#">HJ 937</a>
03/16	H		COMMITTEE HEARING 03/16 09:00 AM	

### [SB 2344](#) Composition of the state investment board

**Title:** Relating to the composition of the state investment board.

#### **Sponsor(s):**

Sen. Christmann

File Date	Chamber	Comm	Action	Journal Page
01/25	S	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">SJ 170</a>
02/02	S		COMMITTEE HEARING 02/02 10:00 AM	
02/22	S		Reported back amended, do pass, amendment placed on calendar 5 2 0	<a href="#">SJ 553</a>
02/23	S		Amendment adopted, placed on calendar	<a href="#">SJ 584</a>
02/23	S		Second reading, passed, yeas 31 nays 16	<a href="#">SJ 584</a>
02/24	H		Received from Senate	<a href="#">HJ 861</a>
03/02	H	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">HJ 875</a>
03/15	H		COMMITTEE HEARING 03/15 02:00 PM	

### [SB 2358](#) Expand uniform group insurance

**Title:** Relating to the expansion of the uniform group insurance program to allow participation by permanent and temporary employees of private sector employers and by certain other individuals who are otherwise without health insurance coverage; to amend and reenact section 54-52.1-02 of the North Dakota Century Code, relating to subgroups under the uniform group insurance program; to provide an appropriation; to provide a continuing appropriation; and to provide an effective date.

#### **Sponsor(s):**

Sen. Taylor, Mathern  
Rep. Kelsh, Kaldor

File Date	Chamber	Comm	Action	Journal Page
01/25	S	IBL	Introduced, first reading, referred Industry, Business and Labor Committee	<a href="#">SJ 171</a>
01/31	S		COMMITTEE HEARING 01/31 02:45 PM	
02/07	S		Reported back, do not pass, placed on calendar 5 2 0	<a href="#">SJ 289</a>
02/09	S		Second reading, failed to pass, yeas 12 nays 35	<a href="#">SJ 306</a>

[Back to Select Reports](#)

- [ND State Legislature](#) :
- [NDUS](#) :
- [Road Conditions](#) :
- [ND Weather](#)
- Application Development Services
- Enterprise Computing and Infrastructure
- © 2010 North Dakota State University