

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2009-13

**DEFERRED COMPENSATION PROGRAM FOR EMPLOYEES OF THE STATE OF IDAHO
REPEALING AND REPLACING EXECUTIVE ORDER NO. 2005-07**

WHEREAS, the Idaho Legislature, by and through the implementation of Section 59-513, Idaho Code, has provided for the establishment of a Deferred Compensation Program; and

WHEREAS, a Deferred Compensation Program has been presented to and approved by the Board of Examiners of the State of Idaho by the Deferred Compensation Committee; and

WHEREAS, administrative entities on the state level are necessary for proper implementation and maintenance of the plan;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of the State of Idaho do hereby order the following:

1. The Deferred Compensation Committee comprised of a representative appointed by the Governor, a representative from the Office of the Attorney General, a representative from the Office of the State Controller, and a representative from the Office of the Secretary of State is hereby named as the policymaking board for a Deferred Compensation Program subject to the authority vested in the Board of Examiners of the State of Idaho by law.
2. The Deferred Compensation Committee shall make the following decisions concerning the implementation and maintenance of a Deferred Compensation Program subject to the approval of the Board of Examiners.
 - a. Selection of a third-party administrator
 - b. Selection of product companies that sell or offer securities or other assets to the State of Idaho in accordance with a Deferred Compensation Program.
 - c. Approval and monitoring of the marketing program to introduce and explain the Deferred Compensation Program to state employees.
 - d. Review all summary reports produced by the office of the State Controller and the third-party administrator to ensure proper accounting for all funds.
 - e. Review on a yearly basis the viability of all product companies associated with the Deferred Compensation Program and to determine if re-bidding is necessary.
 - f. Review all financial hardship cases and other unusual circumstances developing with employees enrolled in the Deferred Compensation Program.
 - g. Review and remove all plan documents, contracts bylaws, and rules and regulations.
 - h. Review the performance of the third-party administrator.
 - i. Review all audits of the Deferred Compensation Program.
3. The Deferred Compensation Committee through the third-party administrator shall:
 - a. Ensure that remittance to the product companies of deferred moneys are made from the periodic payroll.

- b. *Review and sign all enrollments, change and claim requests.*
- c. *Keep or arrange to keep any necessary files concerning the Deferred Compensation Program.*
- d. *Communicate with state employees concerning routine matters.*

This Executive Order shall cease to be in effect four years after its entry into force.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 23rd day of June in the year of our Lord two thousand and nine and of the Independence of the United States of America the two hundred thirty-third and of the Statehood of Idaho the one hundred nineteenth.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE