

A bill for an act
relating to retirement; waiving general employees retirement plan of the Public
Employees Retirement Association annuity repayment requirement for a certain
city of Bayport independent contractor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **PERA ANNUITANT WAIVER OF REPAYMENT REQUIREMENT;
CITY OF BAYPORT INDEPENDENT CONTRACTOR.**

(a) Notwithstanding any provision of Minnesota Statutes, section 353.01, subdivision
28, to the contrary, an eligible person described in paragraph (b) must be considered by the
executive director of the Public Employees Retirement Association to have retired on April
30, 2005, although the person rendered service in May 2005 as an independent contractor
or as an employee of an independent contractor which provided services to the same
governmental subdivision from which the person terminated service on April 30, 2005.

(b) An eligible person is a person who:

(1) was born on June 4, 1946;

(2) was hired in June 2002 by the city of Bayport, with coverage by the general
employees retirement plan of the Public Employees Retirement Association;

(3) terminated employment as city administrator for the city of Bayport on April
30, 2005; and

(4) relying upon incomplete or inaccurate information provided by the Public
Employees Retirement Association regarding separation from service requirements as it
applies to independent contractor employment, became an independent contractor or
employee of the independent contractor providing consulting work for the city of Bayport
in May 2005.

2.1 (c) Notwithstanding Minnesota Statutes, section 353.27, subdivision 7b, an eligible
2.2 person described in paragraph (b) is not required to repay, through suspension or reduction
2.3 of the annuity or any other means, any Public Employees Retirement Association general
2.4 plan retirement annuity amount received before the date of enactment. If full or partial
2.5 repayment has occurred, the total amount of the repayment, including any interest
2.6 provided with that repayment, if applicable, must be returned to the eligible person in a
2.7 lump sum within 60 days after satisfying the requirements of this section.

2.8 (d) The executive director of the Public Employees Retirement Association is
2.9 authorized to require an eligible person described in paragraph (b) to provide any
2.10 documentation or information deemed necessary by the executive director to determine
2.11 application and eligibility under this section.

2.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.