

CHAPTER 353

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

353.01 DEFINITIONS.

Subd. 11, amended by L. 1947 c. 18 s. 1.

Subd. 12, amended by L. 1947 c. 2 s. 1.

All employees, unless they are temporary, should pay deductions even though compensated by the hour. OAG June 4, 1945 (331-B-1).

An employee of the Hennepin County Historical Society cannot qualify for membership under this chapter. OAG June 5, 1945 (331-b-1).

Teacher employed by state teachers college must be a member of either the teachers retirement fund or the public employees retirement association, and in either case deductions prescribed by section 135.06 are compulsory. OAG Dec. 21, 1945 (175).

Employees of public sanatorium operated by eight counties are public employees. OAG Sept. 6, 1946 (331-B-1).

Person under contract to furnish transportation to school children is not a public employee under the provisions of section 353.01. OAG June 20, 1947 (331-B-1).

Employees of the T. B. Sheldon Memorial Auditorium of Red Wing are eligible for membership in the Public Employees Retirement Association. OAG July 8, 1947 (331-B-1).

353.02 PUBLIC EMPLOYEES RETIREMENT ASSOCIATION ESTABLISHED.

Amended by L. 1947 c. 18 s. 2.

A regular employee, as distinguished from a temporary employee, is eligible to membership, though paid by the hour. OAG June 4, 1945 (331-b-1).

A member of the city council, also acting veterans service officer, may apply for membership under the latter employment without doing so as councilman, and deductions in such case would be from his compensation as service officer only. OAG June 9, 1945 (331-b-3).

353.04 RETIREMENT FUND.

The municipality cannot pay the deductions. They must be paid by the member. OAG Jan. 24, 1945 (331b).

353.07 HEADS OF DEPARTMENTS TO MAKE MONTHLY STATEMENTS.

Amended by L. 1947 c. 18 s. 3.

353.09 PAYMENTS UPON RETIREMENT.

Amended by L. 1947 c. 18 s. 4.

Section 353.09 has no application to a city health officer who had not been in the public service for ten years. OAG May 8, 1946 (331-B-1).

A city of the second class is not authorized to pay into the public employees retirement association the salary deductions which would have to be paid in to entitle a retiring employee the privilege of retiring on the maximum annuity. Such payment would be a bonus which is forbidden. OAG Oct. 29, 1946 (59-A-141).

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353.10 FORFEITED RIGHTS RESTORED.

Amended by L. 1947 c. 18 s. 5.

353.11 RETIREMENT.

Amended by L. 1947 c. 18 s. 6.

The school district's contributory share of the annuities duly determined by the board are legal obligations of the district. If the district returns to the county auditor a levy greater than that permitted by section 275.12, it is the auditor's duty under section 275.16 to extend an amount sufficient to provide for the district's share of the annuities granted. Levies for other purposes may in such event have to be reduced in order to permit a levy for sufficient amounts to pay for the district's share of the annuities. OAG June 12, 1946 (331-B).

353.14 DATE OF RETIREMENT.

Employee applied for retirement annuity on February 16, 1945. The application was approved March 12, 1945. He continued to work until April 1, 1945. Under the 1945 amendment he must continue his payments to date of severance. OAG March 12, 1945 (331-b); OAG June 4, 1945 (331-b).

353.20 APPLICATION.

Amended by L. 1947 c. 18 s. 7.

All members of the Itasca county welfare board (Poor & Hospital Commission) who became employees of the county after April 24, 1931, automatically became members of the public employees retirement association by acceptance of public employment. It is optional on the part of persons employed prior to the above stated date whether they become members of the association. 1942 OAG 117, Nov. 25, 1942 (331-B-1).

The salary of the stenographer for the county attorney, being paid by the county, is subject to deductions. OAG July 21, 1945 (331-b-1).

The county board having adopted a resolution to bring Lyon County within the operation of the public employees retirement act, the board has no duty to enforce the provisions of the act nor can it withdraw from the operation of the act after having adopted such resolution. OAG May 9, 1947 (331-B).