

CHAPTER 422A

RETIREMENT ALLOWANCES, MINNEAPOLIS

422A.01	Definitions.	422A.221	Authorization for repayment of refund in certain instances.
422A.05	Trustee of funds.	422A.23	Survivor benefits.
422A.06	Retirement fund.	422A.24	Allowances not assignable or subject to execution.
422A.08	Financing of city's contribution.	422A.26	Coverage by the public employees retirement association.
422A.081	Repealed.	422A.30	Repealed.
422A.09	Classification of employees.	422A.31	Repealed.
422A.091	Repealed.	422A.32	Repealed.
422A.101	Preparation of financial requirements of fund; employer contributions.	422A.33	Repealed.
422A.11	Military service.	422A.34	Repealed.
422A.15	Service allowance; contributing employees.	422A.35	Repealed.
422A.16	Retirement allowance; deferred compensation.	422A.39	Repealed.
422A.22	Refunds.		

422A.01 DEFINITIONS.

[For text of subs 1 to 10, see M.S.1980]

Subd. 11. "Employee" means any person not exempted from the contributing class pursuant to section 422A.09, subdivision 3, who is employed by and paid, in whole or in part, by the city or any of its boards, departments, or commissions, operated as a department of city government or independently if financed in whole or in part by city funds, including any person employed by a public corporation as herein defined, and including any person employed by Special School District No. 1, who is not a member of any other retirement system, and also including any person who is employed by the county of Hennepin, who was entitled by law to elect and has elected to retain membership in the municipal employees retirement fund and who makes any required member contributions to the fund.

[For text of subs 12 and 13, see M.S.1980]

Subd. 14. [Repealed, 1981 c 224 s 276]

Subd. 15. [Repealed, 1981 c 224 s 276]

Subd. 16. [Repealed, 1981 c 224 s 276]

History: 1981 c 224 s 179

422A.05 TRUSTEE OF FUNDS.

[For text of subs 1 to 2b, see M.S.1980]

Subd. 2c. The board may invest funds in investments authorized by section 11A.24.

Subd. 3. [Repealed, 1981 c 298 s 12]

[For text of subs 5 and 6, see M.S.1980]

Subd. 7. The board may invest funds with the Minneapolis/Saint Paul family housing fund or any successor to its functions for the purpose of allowing the Minneapolis/Saint Paul family housing fund or any successor to its functions to make loans to purchasers of dwelling units which the purchaser intends to occupy as the purchaser's place of residence. The investment shall be evidenced by a loan agreement which shall provide the terms and conditions for repayment of the investment.

History: 1981 c 298 s 4; 1981 c 306 s 2

422A.06 RETIREMENT FUND.

Subdivision 1. **Creation; divisions of fund.** For the purposes of sections 422A.01 to 422A.25 there shall be a Minneapolis employees retirement fund, hereafter referred to as the retirement fund. The retirement fund shall be subdivided into (1) a deposit accumulation fund, (2) a participating share in the Minnesota post-retirement investment fund, (3) a survivor benefit fund, (4) a disability benefit fund, and (5) a retirement benefit fund. Expense of administration of the retirement fund shall be paid from the deposit accumulation fund, less the amount as the retirement board may charge against income from investments as the cost of handling the investments of the retirement fund.

Subd. 2. **Actuarial valuations required.** At the end of each class year an actuarial valuation of the retirement fund shall be prepared and filed in conformance with the provisions and requirements of sections 356.215 to 356.23. Experience studies shall be prepared at such times as required by statute or ordered by the board.

Subd. 3. **Deposit accumulation fund.** The deposit accumulation fund shall consist of the assets held in the fund, increased by amounts contributed by or for employees, amounts contributed by the city, amounts contributed by municipal activities supported in whole or in part by revenues other than taxes and amounts contributed by any public corporation, by the state and by income from investments. There shall be paid from the fund the amounts required to be transferred to the Minnesota post-retirement investment fund, retirement benefit fund, or the disability benefit fund, refunds of contributions, death benefits payable on death before retirement which are not payable from the survivors' benefit fund, post retirement increases in retirement allowances granted pursuant to Laws 1965, Chapter 688, or Laws 1969, Chapter 859, and expenses of administration.

Subd. 4. **Participation in the Minnesota post-retirement investment fund.** The Minneapolis employees retirement fund shall not participate in the Minnesota post-retirement adjustment fund. In that fund there shall be deposited the amounts provided in subdivision 5.

Subd. 5. **Valuation of assets; adjustments of benefits.** (a) For those members retiring pursuant to this chapter, assets equal to the required reserves as determined in accordance with a mortality table appropriate to the fund with an interest assumption set at the rate specified in section 356.215, subdivision 4, clause (4), shall be transferred to the Minnesota post-retirement investment fund, the disability benefit fund as provided in subdivision 7, or the retirement benefit fund, except for any amounts payable from the survivor benefit fund, as of date of retirement.

(b) Annuity payments shall be adjusted in accordance with the provisions of sections 422A.09 and 422A.15, except that no minimum retirement payments therein described shall include any amounts payable from the survivors' benefit fund or disability benefit fund and supplemented benefits specifically financed by statute.

(c) Notwithstanding the provisions of section 356.18 increases in annuity payments pursuant to this section shall be made automatically unless written notice on a form prescribed by the board is filed with the retirement board requesting that the increase not be made.

(d) All annuities payable from the Minnesota post-retirement investment fund which are in effect on June 30, 1973 shall be increased in the same ratio that the actuarially computed reserve for the annuities determined by using an interest assumption of 3-1/2 percent bears to the actuarially computed reserve for the

MINNESOTA STATUTES 1981 SUPPLEMENT

annuities determined by using an interest assumption of five percent. The reserves upon which the increases shall be based shall be the actuarially determined reserves for all Minnesota post-retirement investment fund annuities which were in effect on December 31, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of 3-1/2 percent and five percent. The ratio of increase computed to the last full 1/100 of one percent shall be applied to all annuities payable from the Minnesota post-retirement investment fund which are in effect on June 30, 1973. Any additional annuity shall begin to accrue on July 1, 1973 and shall be considered as part of the base amount to be used in determining any adjustments payable pursuant to the provisions of section 11A.18.

(e) The municipal employees retirement fund of Minneapolis shall determine the increase if any in accrual of benefits commencing January 1, 1974, determined on the basis of its entire participation in the manner provided in Minnesota Statutes, 1973 Supplement, Section 11.25, Subdivisions 12 and 13.

(f) The actuary for each participating fund shall calculate the reserve required to support the benefits in effect on June 30, 1973 as increased on July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota post-retirement investment fund assets so that its participation equals the total of the required reserves and the reserve for benefits authorized on or after July 1, 1973. The increased benefits accruing as of January 1, 1974 shall be the base for future adjustments.

[For text of subs 6 and 7, see M.S.1980]

Subd. 8. **Retirement benefit fund.** The retirement benefit fund shall consist of amounts held for payment of retirement allowances for members retired pursuant to sections 422A.01 to 422A.25. For members retiring after the established date for the transfer of assets and liabilities specified in section 422A.06, subdivision 3, assets equal to the required reserves pursuant to law shall be transferred from the deposit accumulation fund to the retirement benefit fund. All income from investments of these assets shall be allocated to this fund. There shall be paid from this fund all the retirement annuities authorized by law. The retirement benefit fund shall be governed by the applicable laws governing the accounting and audit procedures, investment, actuarial requirements, calculation and payment of post-retirement benefit adjustments, discharge of any deficiency in the assets of the fund when compared to the actuarially determined required reserves, and other applicable operations and procedures regarding the Minnesota post-retirement investment fund established pursuant to section 11A.18, and any legal or administrative interpretations of those laws of the state board of investment, the legal advisor to the board of investment and the executive director of the state board of investment. The retirement board shall also establish a deferred yield adjustment account within this fund.

History: 1981 c 224 s 180-182; 1981 c 298 s 5-9

422A.08 FINANCING OF CITY'S CONTRIBUTION.

Subdivision 1. All income, interest and dividends derived from deposits and investments authorized by this chapter shall be placed to the credit of the retirement fund.

Subd. 2. [Repealed, 1981 c 224 s 276]

Subd. 3. [Repealed, 1981 c 224 s 276]

Subd. 4. [Repealed, 1981 c 224 s 276]

MINNESOTA STATUTES 1981 SUPPLEMENT

1449

RETIREMENT ALLOWANCES, MINNEAPOLIS 422A.09

Subd. 5. Any contributor or retired employee who prior to entering the service of the city was an employee of a public corporation, shall be allowed credit in the retirement fund for employment by the public corporation in the same manner as though the service had been rendered to the city. Before receiving credit for service rendered to a public corporation as herein set forth, the contributing or retired employee shall make application therefor in writing to the retirement board, and shall contribute to the retirement fund the amount which would have been contributed had the employee been a contributing member of the fund during the time the service was rendered to the public corporation, plus six percent compound interest to date of payment or date of retirement, with the total amount to be determined by the retirement board.

Subd. 6. [Repealed, 1981 c 224 s 276]

History: 1981 c 224 s 183,184

422A.081 [Repealed, 1981 c 224 s 276]

422A.09 CLASSIFICATION OF EMPLOYEES.

[For text of subds 1 and 2, see M.S.1980]

Subd. 3. The exempt class shall consist of:

(1) Employees who are members of any other organization or association of the city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position; provided that any elective officer holding an elective city office, except a judge of municipal court, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ten or more years of service and attaining at least age 60.

All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee, or member of an executive board or commission or any combination thereof. Persons who have served in elective positions which qualified them for membership in the fund prior to July 1, 1967, and who immediately thereafter hold elective office, first being appointed to that elective office in Hennepin county, may retain or resume membership in the fund as an elective officer of the county. The county shall collect and pay to the retirement fund the employee contribution as required pursuant to section 422A.10. The employer contribution on behalf of the elected officer shall be paid by the county. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service pursuant to this section shall contribute to the fund an amount equal to the amount of contributions to the fund which the person would have made had the person been a contributor to the fund since the date the person first became eligible for membership in the fund, in accordance with section 422A.10, plus six percent compound interest.

(3) Persons serving without pay.

(4) Persons employed on a temporary basis, as doorkeepers, ticket takers, and attendants at the municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31,

MINNESOTA STATUTES 1981 SUPPLEMENT

inclusive, provided that employees who were contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

(5) A person who is exempted from the contributing class by Minnesota Statutes 1974, Section 422A.09, Subdivision 3, Clauses (4) and (5), but who is employed by and paid, in whole or in part, by the city or any of its boards, departments, or commissions, operated as a department of the city government or independently, if financed in whole or in part by city funds, including any person employed by a public corporation, and including any person employed by Special School District No. 1, each of whom is not a member of any other retirement system, who later becomes a contributing member of the fund may elect to qualify at that time for credit by paying into the fund an amount equal to the amount of contributions to the fund which the person would have made had the person been a contributor to the fund since the date the person first qualified as an exempt member of the contributing class, in accordance with section 422A.10, plus six percent compound interest.

(6) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation and is excluded from participation in the fund by paragraph (4) shall be separated from the service upon reaching the age of 70 regardless of the provisions of the veterans preference act.

(7) Any person who is employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the city council of the city of Minneapolis specifies that the person is to be considered as a provisional member of the retirement fund pursuant to section 356.451 or unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing to make the required employer contribution in addition to the required employee contribution.

[For text of subd 4, see M.S.1980]

History: 1981 c 224 s 185

422A.091 [Repealed, 1981 c 224 s 276]

422A.101 PREPARATION OF FINANCIAL REQUIREMENTS OF FUND; EMPLOYER CONTRIBUTIONS.

Subdivision 1. Financial requirements of fund. Prior to August 31 annually, the retirement board shall prepare an itemized statement of the financial requirements of the fund for the succeeding fiscal year. A copy of the statement shall be submitted to the city council, the board of estimate and taxation of the city, the managing board or chief administrative officer of each city owned public utility, improvement project or municipal activity supported in whole or in part by revenues other than real estate taxes, public corporation, or unit of metropolitan government employing members of the fund, the board of Special School District No. 1, and the state commissioner of finance prior to September 15 annually. The statement shall include the following:

(1) an estimate of the administrative expenses of the fund for the following year, less any amount which the retirement board may charge against the interest

MINNESOTA STATUTES 1981 SUPPLEMENT

1451

RETIREMENT ALLOWANCES, MINNEAPOLIS 422A.101

income account of the fund as the cost of handling the investment securities of the fund;

(2) an estimate of the normal cost of the fund expressed as a dollar amount, which shall be determined by applying the normal cost of the fund as reported in the most recent actuarial valuation and expressed as a percentage of covered payroll to the total covered payroll of all employees covered by the fund for the following year;

(3) an estimate of the contribution required to amortize on a level annual dollar basis the unfunded accrued liability of the fund by the year 2017 using an interest rate of five percent compounded annually as reported in the most recent actuarial valuation, expressed as a dollar amount;

(4) the amount of any deficiency in the actual amount of any employer contribution provided for in this section when compared to the required contribution amount for the previous year, plus interest on the amount at the rate of six percent per annum.

Subd. 1a. City contributions. Prior to August 31 of each year, the retirement board shall prepare an itemized statement of the financial requirements of the fund payable by the city for the succeeding fiscal year, and a copy of the statement shall be submitted to the board of estimate and taxation and to the city council by September 15. The financial requirements of the fund payable by the city shall be calculated as follows:

(a) a regular employer contribution of an amount equal to the percentage rounded to the nearest two decimal places of the salaries and wages of all employees covered by the retirement fund which equals the difference between the level normal cost plus administrative cost as reported in the annual actuarial valuation and the employee contributions provided for in section 422A.10 less any amounts contributed toward the payment of the balance of the normal cost not paid by employee contributions by any city owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than real estate taxes, any public corporation, any employing unit of metropolitan government, or by special school district number 1 pursuant to subdivision 2;

(b) an additional employer contribution of an amount equal to the percent specified in section 353.27, subdivision 3a, clause (a), multiplied by the salaries and wages of all employees covered by the retirement fund less any amounts contributed toward amortization of the unfunded accrued liability by the year 2017 attributable to their respective covered employees by any city owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than real estate taxes, any public corporation, any employing unit of metropolitan government, or by Special School District No. 1 pursuant to subdivision 2; and

(c) a proportional share of an additional employer amortization contribution of an amount equal to \$3,900,000 annually until the year 2017 based upon the share of the fund's unfunded accrued liability attributed to the city as disclosed in the annual actuarial valuation.

The city council shall, in addition to all other taxes levied by the city, annually levy a tax equal to the amount of the financial requirements of the fund which are payable by the city. The tax, when levied, shall be extended upon the county lists and shall be collected and enforced in the same manner as other taxes levied by the city. If the city does not levy a tax sufficient to meet the requirements of this subdivision, the retirement board shall submit the tax levy statement directly to the county auditor, who shall levy the tax. The tax, when

MINNESOTA STATUTES 1981 SUPPLEMENT

levied, shall be extended upon the county lists and shall be collected and paid into the city treasury to the credit of the retirement fund. Any amount to the credit of the retirement fund shall constitute a special fund and shall be used only for the payment of obligations authorized pursuant to this chapter.

Subd. 2. Contributions by or for city owned public utilities, improvements, or municipal activities. Contributions by or for any city owned public utility, improvement project and other municipal activities supported in whole or in part by revenues other than real estate taxes, any public corporation, any employing unit of metropolitan government, Special School District No. 1 or Hennepin County, on account of any employee covered by the fund shall be calculated as follows:

(a) a regular employer contribution of an amount equal to the percentage rounded to the nearest two decimal places of the salaries and wages of all employees of the employing unit covered by the retirement fund which equals the difference between the level normal cost plus administrative cost reported in the annual actuarial valuation and the employee contributions provided for in section 422A.10;

(b) an additional employer contribution of an amount equal to the percent specified in section 353.27, subdivision 3c, clause (a), multiplied by the salaries and wages of all employees of the employing unit covered by the retirement fund;

(c) a proportional share of an additional employer amortization contribution of an amount equal to \$3,900,000 annually until the year 2017 based upon the share of the fund's unfunded liability attributed to the employer as disclosed in the annual actuarial valuation.

The city council or any board or commission may, by proper action, provide for the inclusion of the cost of the retirement contributions for employees of any city owned public utility or for persons employed in any improvement project or other municipal activity supported in whole or in part by revenues other than taxes who are covered by the retirement fund in the cost of operating the utility, improvement project or municipal activity. The cost of retirement contributions for these employees shall be determined by the retirement board and the respective governing bodies having jurisdiction over the financing of these operating costs.

The cost of the employer contributions on behalf of employees of Special School District No. 1 who are covered by the retirement fund shall be the obligation of the school district. The retirement board shall prepare an itemized statement of the financial requirements of the fund payable by the school district, which shall be submitted prior to September 15. Contributions by the school district shall be made at times designated by the retirement board. The school district may levy for its contribution to the retirement fund only to the extent permitted pursuant to section 275.125, subdivision 6a.

The cost of the employer contributions on behalf of elective officers or other employees of Hennepin County who are covered by the retirement fund pursuant to sections 422A.09, subdivision 3, clause (2), 422A.22, subdivision 2, or 488A.115, or Laws 1973, Chapter 380, Section 3, Laws 1975, Chapter 402, Section 2, or any other applicable law shall be the obligation of Hennepin County. The retirement board shall prepare an itemized statement of the financial requirements of the fund payable by Hennepin County, which shall be submitted prior to September 15. Contributions by Hennepin County shall be made at times designated by the retirement board. Hennepin County may levy for its contribution to the retirement fund.

MINNESOTA STATUTES 1981 SUPPLEMENT

1453

RETIREMENT ALLOWANCES, MINNEAPOLIS 422A.15

Subd. 3. **State contributions.** The state shall pay to the Minneapolis municipal employees retirement fund annually an amount equal to the financial requirements of the Minneapolis municipal employees retirement fund reported by the actuary in the actuarial valuation of the fund prepared pursuant to section 356.215 for the most recent year but based on a target date for full amortization of the unfunded liabilities by the year 2017 less the amount of employee contributions required pursuant to section 422A.10, and the amount of employer contributions required pursuant to subdivisions 1a and 2. Payments shall be made in four equal installments on March 15, July 15, September 15, and November 15 annually.

History: 1981 c 224 s 186; 1Sp1981 c 1 art 10 s 22

422A.11 MILITARY SERVICE.

Subdivision 1. Any employee who engages in or has engaged in active service in time of war or other emergency declared by proper authority, in any of the military or naval forces of the state or of the United States, and returns to the employment of the city within 90 days following release from military or naval service, shall receive credit for the period of military service as provided in this section as though actually employed by the city, provided the employee was a member of the contributing class of the retirement fund at the time of entrance into military service, or was a member of the exempt class at the time of entrance into military service prior to December 31, 1945, or qualifies as a member of the exempt class as specified in section 422A.09, subdivision 3, clause (5), notwithstanding the provisions of the veterans preference act or any other law, rule or bylaw providing for credit for military service for pension purposes. Employees on leave of absence or layoff at time of entrance into military service as herein provided shall be considered employees for the purpose of this chapter. Credit shall be granted for military service rendered, provided that credit for military service shall not exceed six calendar years.

[For text of subds 2 to 4, see M.S.1980]

History: 1981 c 224 s 187

422A.15 SERVICE ALLOWANCE; CONTRIBUTING EMPLOYEES.

Subdivision 1. Except as otherwise provided in subdivision 3, each contributing member who, at the time of retirement, fulfills the conditions necessary to enable the member to retire, shall receive what shall be known as a "formula pension and annuity" equal to two percent for each year of allowable service for the first ten years and thereafter 2.5 percent per year of allowable service of the arithmetic average annual salary, wages or compensation of the member from the city for any five calendar years out of the last ten calendar years of service except as provided for in section 422A.16, which may include the year in which the employee retires, as selected by the employee, multiplied by the years of service credited by the retirement fund. The formula pension and annuity shall be computed on the single life plan but subject to the option selections provided for in section 422A.17.

In order to be entitled to the formula pension and annuity herein provided for, the retiring employee at the time of cessation of employment and of actual retirement shall have attained the age of 60 years or have been employed by the city not less than 30 years, or meet the qualifications provided for in section 422A.16, and in addition thereto have contributed to the retirement fund at the percentage rate prescribed by the retirement law applicable when the salary, wages or compensation was paid on all salaries, wages, or compensation received from

MINNESOTA STATUTES 1981 SUPPLEMENT

422A.15 RETIREMENT ALLOWANCES, MINNEAPOLIS

1454

the city or from an applicable employing unit. The years of service to be applied in the formula pension and annuity shall be found and determined by the retirement board, except that no credit shall be allowed for any year in which a back charge is owing at time of retirement and the earnings from any year in which a back charge is owing shall not be used in determining the average annual salary.

[For text of subs 2 to 5, see M.S.1980]

History: 1981 c 224 s 188

422A.16 RETIREMENT ALLOWANCE; DEFERRED COMPENSATION.

[For text of subs 1 to 7, see M.S.1980]

Subd. 8. **Service in more than one fund.** Any person who was a member of the Minneapolis municipal employees retirement fund and also a member of a plan administered by the director of the Minnesota state retirement system having a like provision or a member of the public employees retirement association or the teachers retirement association, or any other public employee retirement system in the state of Minnesota having a like provision but excluding all other funds providing benefits for police officers or firefighters shall be entitled when qualified to an annuity from each fund if the person's total allowable service in any two or more of these funds totals ten or more years, provided that no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund and provided further that any refundment received from the Minneapolis municipal employees retirement fund has been repaid to that fund. The annuity from each fund shall be determined by the appropriate provisions of that fund except the provision requiring at least ten years allowable service in the respective system or association shall not apply for the purposes of this section provided the combined service in two or more of these funds equal ten or more years.

[For text of subs 9 and 10, see M.S.1980]

History: 1981 c 224 s 189

422A.22 REFUNDS.

[For text of subd 1, see M.S.1980]

Subd. 2. Any person who has had 15 years or more of service as a member of the contributing class prior to July 1, 1967, and who separates from employment and becomes an employee or an elected or appointed official of Hennepin county within 30 days after the separation from employment with the city, shall have the option of resuming or retaining membership in this fund regardless of the provisions of any law which would otherwise require membership in some other retirement fund, or of taking any retirement allowance or refund to which the person would otherwise be entitled upon separation. The election of the contributing member to so resume or retain membership in this fund shall be made within three years from the date of separation by giving a written notice of election to the retirement board and a copy to Hennepin County. The cost of employer contributions to the retirement fund subsequent to entering the service of Hennepin County shall be an obligation of the county as provided in section 422A.101, subdivision 2. Any person who so elects to remain in this fund shall be entitled to all the benefits and subject to all the restrictions of this chapter.

[For text of subs 3 to 6, see M.S.1980]

History: 1981 c 224 s 190

MINNESOTA STATUTES 1981 SUPPLEMENT

1455

RETIREMENT ALLOWANCES, MINNEAPOLIS 422A.26

422A.221 AUTHORIZATION FOR REPAYMENT OF REFUND IN CERTAIN INSTANCES.

Subdivision 1. **Entitlement.** Any person who was a member of the Minneapolis municipal employees retirement fund by virtue of the person's employment and was required to receive a refund of accumulated member contributions and interest pursuant to Minnesota Statutes 1957, Section 422.09 shall be entitled to repay to the Minneapolis municipal employees retirement fund any amounts refunded and, when otherwise qualified, to receive a retirement annuity from the fund calculated under the applicable law in effect upon the termination of covered service.

Subd. 2. **Calculation of repayment.** The refund repayment shall be an amount equal to the amount previously refunded plus interest from the date of the refund until the date of the repayment at the rate of six percent per annum, compounded annually. No service credit shall be credited prior to the receipt of the amount refunded plus interest thereon.

History: 1981 c 68 s 30

422A.23 SURVIVOR BENEFITS.

[For text of subs 1 to 3, see M.S.1980]

Subd. 5. Benefits herein provided shall commence with the first day of the month following the month in which the employee dies and shall end with the last day of the month preceding the month in which eligibility ceases. Eligibility for the benefits herein provided shall be determined by the retirement board and its determination shall be final. Each beneficiary or parent or guardian of a dependent child or legal representative shall furnish such information as the board may deem necessary to determine eligibility for the benefits provided by this section, and failure to furnish any required information shall be sufficient grounds for the discontinuance of benefits. If the surviving spouse of the deceased member becomes entitled to a retirement allowance by reason of membership in this fund, the surviving spouse shall receive the retirement allowance in addition to the surviving spouse's benefit to which the surviving spouse is entitled. The cost of all monthly survivor's benefits provided in this section shall be an obligation of the members and of the city, any of its boards, departments, commissions or public corporations or other applicable employing units.

[For text of subs 6 to 10, see M.S.1980]

History: 1981 c 224 s 191

422A.24 ALLOWANCES NOT ASSIGNABLE OR SUBJECT TO EXECUTION.

No moneys payable pursuant to chapter 422A shall be assignable either in law or equity or be subject to execution, levy, attachment, garnishment, or other legal process, nor shall any of the proceeds of payments due pursuant to this chapter be subject to the inheritance tax provisions of this state upon transfer to a surviving spouse or minor or dependent child of the decedent or a trust for their benefit.

History: 1981 c 224 s 192

422A.26 COVERAGE BY THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION.

Notwithstanding section 422A.09, or any other law to the contrary, any person whose employment by, or assumption of a position as an appointed or

MINNESOTA STATUTES 1981 SUPPLEMENT

elected officer of, the city of Minneapolis, any of the boards, departments, or commissions operated as a department of the city of Minneapolis or independently if financed in whole or in part by funds of the city of Minneapolis, the metropolitan airports commission, the Minneapolis municipal employees retirement fund, or special school district number 1 if the person is not a member of the Minneapolis teachers retirement fund association by virtue of that employment or position, initially commences on or after July 1, 1979 shall be a member of the public employees retirement association unless excluded from membership pursuant to section 353.01, subdivision 2b. In no event shall there be any new members of the contributing class of the Minneapolis municipal employees fund on or after July 1, 1979.

History: 1981 c 224 s 193

- 422A.30 [Repealed, 1981 c 224 s 276]
- 422A.31 [Repealed, 1981 c 224 s 276]
- 422A.32 [Repealed, 1981 c 224 s 276]
- 422A.33 [Repealed, 1981 c 224 s 276]
- 422A.34 [Repealed, 1981 c 224 s 276]
- 422A.35 [Repealed, 1981 c 224 s 276]
- 422A.39 [Repealed, 1981 c 224 s 276]