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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 3567

February 28, 2008

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The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to retirement; general employees retirement plan of the Public
1.3 Employees Retirement Association; waiving annuity repayment requirement for
1.4 a certain Glencoe/Silver Lake school district retiree.

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

1.6 Section 1. **PERA CONSOLIDATED INDEPENDENT SCHOOL DISTRICT**
1.7 **NO. 2859, GLENCOE/SILVER LAKE, ANNUITANT WAIVER OF REPAYMENT**
1.8 **REQUIREMENT.**

1.9 (a) Notwithstanding any provisions of Minnesota Statutes 2008, section 353.01,
1.10 subdivision 28, to the contrary, an eligible person described in paragraph (b) must be
1.11 considered by the executive director of the Public Employees Retirement Association to
1.12 have retired on September 30, 2003, although the person rendered service in October
1.13 2003 as an employee of an independent contractor which provided services to the same
1.14 governmental subdivision from which the individual terminated service on September
1.15 30, 2003.

1.16 (b) An eligible person is a person who:

1.17 (1) was born on November 13, 1944;

1.18 (2) was hired on August 17, 1964, by Independent School District No. 422,
1.19 Glencoe, predecessor of the now consolidated Independent School District No. 2859,
1.20 Glencoe/Silver Lake, with coverage by the general employees retirement plan of the
1.21 Public Employees Retirement Association;

1.22 (3) terminated employment as manager of the grounds and transportation for the
1.23 school district on September 30, 2003; and

2.1 (4) relying upon incomplete or erroneous information provided by the Public
2.2 Employees Retirement Association regarding separation from service requirements as it
2.3 applies to independent contractor employment, became an employee in October 2003 of
2.4 the independent contractor providing bus service for the same school district.

2.5 (c) Notwithstanding Minnesota Statutes, section 353.27, subdivision 7b, an eligible
2.6 person described in paragraph (b) must not be required to repay, through suspension
2.7 or reduction of the annuity or any other means, any Public Employees Retirement
2.8 Association general plan retirement annuity amount received before December 31, 2004.

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