

Presented to the governor April 6, 1992

Signed by the governor April 8, 1992, 4:42 p.m.

CHAPTER 440—H.F.No. 2063

An act relating to retirement; changing provisions governing reduced annuities from the public employees retirement association due to reemployment of annuitants; amending Minnesota Statutes 1990, section 353.37, subdivision 1.

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

Section 1. Minnesota Statutes 1990, section 353.37, subdivision 1, is amended to read:

Subdivision 1. **EFFECT ON ANNUITY.** (a) The annuity of a person otherwise eligible for an annuity under this chapter must be ~~suspended~~ reduced if the person ~~reenters, and for as long as the person remains in,~~ public service as a nonelective employee of a governmental subdivision in a position covered by this chapter, if earned compensation for the reemployment service equals or exceeds the annual maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under the federal old age, survivors and disability insurance program as set by the secretary of health and human services under United States Code, title 42, section 403, in any calendar year. In the event that the person has not yet reached the minimum age for the receipt of social security benefits, the maximum earnings for the person are equal to the annual maximum earnings allowable for the minimum age for the receipt of social security benefits. ~~The suspension of the annuity must commence as of the first of the month after the month in which the maximum permitted compensation is exceeded; but it applies only to those months in which the annuitant is actually employed in nonelective service in a position covered by this chapter. An annuitant of the association who is elected to public office after retirement is entitled to hold the office and receive the annuity otherwise payable from the public employees retirement association. Upon proper showing by an annuitant that the reason for the suspension of the annuity payments no longer exists, the monthly annuity payments must be resumed.~~

(b) The amount of the reduction is as follows:

(1) for a person who has not reached normal retirement age, one-half of the amount in excess of the applicable reemployment income maximum specified in this subdivision;

(2) for a person who has reached normal retirement age, but has not reached age 70, one-third of the amount in excess of the applicable reemployment income maximum specified in this subdivision.

New language is indicated by underline, deletions by ~~strikeout~~.

For a person who has reached age 70, or for income earned through service in an elected office, there is no reduction upon reemployment, regardless of income. Any reduction must be made from the annuity payable for the calendar year immediately following the calendar year in which the excess amount was earned. The executive director may adopt policies regarding reduction of annuities under this section.

(c) Except as provided in paragraphs (a) and (b), public service performed by an annuitant subsequent to retirement under this chapter does not increase or decrease the amount of an annuity when payment of the annuity is resumed. The annuitant may not make any further contributions to the retirement fund association's defined benefit plan by reason of this subsequent public service.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective retroactive to January 1, 1992.

Presented to the governor April 9, 1992

Signed by the governor April 10, 1992, 2:14 p.m.

CHAPTER 441—H.F.No. 2707

An act relating to state lands; authorizing public sale of certain tax-forfeited land in Mille Lacs county; authorizing an exchange of real property.

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

Section 1. SALE OF TAX-FORFEITED LAND; MILLE LACS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Mille Lacs county may sell the tax-forfeited land described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed is located in Mille Lacs county, consists of about 80 acres, and is described as: The East Half of the Southeast Quarter of Section 20, Township 37 North, Range 26 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 2. EXCHANGE OF LAND; AITKIN COUNTY.

(a) Notwithstanding the requirements of Minnesota Statutes, sections 94.341 to 94.348 and 103F.535, and with the approval of the land exchange board, the commissioner of natural resources shall exchange the land described in paragraph (c) for land owned by Thomas Godward, et. al., and described in paragraph (d).

New language is indicated by underline, deletions by ~~strikeout~~.