

CHAPTER 353A

LOCAL RELIEF ASSOCIATION CONSOLIDATION

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353A.01 LEGISLATIVE INTENT AND POLICY.

Subdivision 1. **Voluntary consolidation authorized.** It is the intent and policy of the legislature in sections 353A.01 to 353A.10 to authorize, on a voluntary elective basis, any local police or salaried firefighters relief association and the respective municipality to effect the consolidation of the local relief association with the public employees retirement association established by chapter 353.

[For text of subd 2, see M.S.1990]

History: 1991 c 341 s 25

353A.02 DEFINITIONS.

[For text of subds 1 to 15, see M.S.1990]

Subd. 16. **Local relief association consolidation accounts.** "Local relief association consolidation accounts" means the special accounts consolidated with the public employees retirement association under sections 353.65, subdivision 1, and 353A.09, subdivision 1.

[For text of subds 17 to 24, see M.S.1990]

Subd. 24a. **Public employees retirement association.** "Public employees retirement association" means the retirement system that administers the public employees police and fire fund and the local relief association consolidated accounts.

[For text of subds 25 to 30, see M.S.1990]

History: 1991 c 341 s 26,27

353A.03 VOLUNTARY CONSOLIDATION OPTION.

Notwithstanding any provision of law to the contrary, any local police or firefighters relief association, as defined in section 353A.02, subdivision 15, may consolidate with the public employees retirement association as provided in sections 353A.01 to 353A.10.

History: 1991 c 341 s 28

353A.06 FINALIZATION OF CONSOLIDATION.

Upon the completion of the applicable actions preliminary to consolidation finalization under section 353A.05, each entity shall report the result of those actions to the relief association and to the municipality. Upon final approval by the municipality under section 353A.04, subdivision 8, the consolidation of the relief association with the public employees retirement association is scheduled to occur. The consolidation is effective as of the date established for consolidation by the board of the public employees retirement association. The effect of the consolidation is governed under sections 353A.07 to 353A.09.

History: 1991 c 341 s 29

353A.08 EFFECT ON BENEFIT COVERAGE.

Subdivision 1. Election of coverage by current retirees. A person who is receiving a service pension, disability benefit, or survivorship benefit is eligible to elect benefit coverage provided under the relevant provisions of the public employees police and fire fund benefit plan or to retain benefit coverage provided under the relief association benefit plan in effect on the effective date of the consolidation. The relevant provisions of the public employees police and fire fund benefit plan for the person electing that benefit coverage shall be limited to participation in the Minnesota postretirement investment fund for any future postretirement adjustments in the amount of the benefit or pension payable as of the effective date of the consolidation, the date as of which pension or benefit payments are to be paid and the termination of a survivor or disability benefit or suspension of a retirement annuity before the death of the person. The survivorship benefit payable on behalf of any service pension or disability benefit recipient who elects benefit coverage provided under the relevant provisions of the public employees police and fire fund benefit plan must be calculated under the relief association benefit plan in effect on the effective date of the consolidation and is subject to participation in the Minnesota postretirement investment fund for any future postretirement adjustments in the amount of the survivorship benefit payable.

By electing the public employees police and fire fund benefit plan, a current service pension or disability benefit recipient who, as of the first January 1 occurring after the effective date of consolidation, has been receiving the pension or benefit for at least seven months, or any survivor benefit recipient who, as of the first January 1 occurring after the effective date of consolidation, has been receiving the benefit on the person's own behalf or in combination with a prior applicable service pension or disability benefit for at least seven months is eligible to receive a partial adjustment payable from the Minnesota postretirement investment fund under section 11A.18, subdivision 9.

The election by any pension or benefit recipient must be made on or before the deadline established by the board of the public employees retirement association in a manner that recognizes the number of persons eligible to make the election and the anticipated time required to conduct any required benefit counseling.

[For text of subs 2 to 8, see M.S.1990]

History: 1991 c 341 s 30

353A.081 PUBLIC EMPLOYEES RETIREMENT ASSOCIATION POLICE AND FIRE CONSOLIDATION ACCOUNT COVERAGE ELECTION AUTHORITY.

Subdivision 1. Entitlement. In addition to coverage selection periods in section 353A.08, subdivisions 3 and 4, the surviving spouse of a member of a public employee retirement association consolidation account who is killed in the line of duty is eligible to make an election of coverage indicated in subdivision 2. If there is no surviving spouse, the legal guardian of the oldest dependent child under the age of 18 is eligible to make an election of coverage under subdivision 2. If there are no surviving dependent children under age 18, then the oldest dependent child who is age 18 to 23 and who is enrolled full time in an accredited post-secondary educational institution is eligible to make the election. A refund may be paid to a designated beneficiary only if:

- (1) there are no survivors entitled to benefits under this subdivision; or
- (2) the surviving spouse and dependent children, who are between age 18 to 23, permanently waive their rights to benefits in writing and the benefits of dependent children under 18 are waived under a district court order.

Subd. 2. Election of coverage. Individuals eligible under subdivision 1 may elect, on a form prescribed by the executive director of the public employees retirement association, to have survivor benefits calculated under the relevant provisions of the public employees police and fire fund benefit plan or to have survivor benefits calculated under the relief association benefit plan. The relevant provisions of the public employee police and fire fund benefit plan for the person electing that benefit coverage are the relevant provisions of the public employee police and fire fund benefit plan applicable

to survivor benefits, including participation in the Minnesota postretirement investment fund.

If the election results in an increased benefit amount to the surviving spouse eligible under subdivision 1, or to eligible children if there is no surviving spouse, the increased benefit accrues as of the date on which the survivor benefits payable to the survivors from the consolidation account were first paid. The back payment of any increase in prior benefit amounts, plus any postretirement adjustments payable under section 356.41, or any increase payable under the local relief association bylaws is payable as soon as practicable after the effective date of the election.

History: 1991 c 172 s 1

353A.09 EFFECT ON CONTRIBUTIONS AND FUNDING.

[For text of subds 1 to 6, see M.S.1990]

Subd. 7. [Repealed, 1991 c 269 art 3 s 21]