

paid out of funds of the Regents of the University of Minnesota, ~~two~~ persons as investigators who shall have and may exercise throughout the State of Minnesota the same powers of arrest possessed by a sheriff, police officer, or peace officer, but said powers of arrest shall only be exercised in connection with investigations authorized to be made by the Regents of the University of Minnesota, which investigations shall relate to University personnel or property.

Approved April 30, 1969.

CHAPTER 267—S. F. No. 974

[Coded in Part]

An act relating to public employees retirement; amending Minnesota Statutes 1967, Sections 353.07; 353.27, Subdivision 4; 353.28, by adding a subdivision; 355.296, Subdivisions 1 and 2; 355.30; 355.77, Subdivisions 1 and 2; 355.81.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 353.07, is amended to read:

353.07 Public employees retirement; contributions and payments; employers recording and reporting requirements. Every head of a department in a governmental subdivision subject to the provisions of this chapter shall on the first day of each calendar month furnish the board of trustees with a statement for his department covering the preceding calendar month showing all new public employees, all removals, withdrawals, layoffs and leaves of absence affecting members during the same period. Additionally, all employing governmental subdivisions and their appropriate agencies shall furnish promptly to the association such other information relative to the employment status of any member as may be requested by the association or its secretary, *including schedules of salaries applicable to various categories of employment. In the event payroll abstract records have been lost or destroyed, for whatever reason or in whatever manner, so that such schedules of salaries cannot be furnished therefrom, the employing governmental subdivision, in lieu thereof, shall furnish to the association an estimate of the earnings of any member for any period as may be requested by the association or its secretary. Should the association receive such schedules of estimated earnings, the secretary is hereby authorized to use the same as a basis for making*

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whatever computations might be necessary for determining obligations of the employee and employer to the retirement fund. If estimates are not furnished by the employer pursuant to the request of the association or its secretary, the association may estimate the obligations of the employee and employer to the retirement fund based upon such records as are in its possession.

Sec. 2 Minnesota Statutes 1967, Section 353.27, Subdivision 4, is amended to read:

Subd. 4. Employers recording and reporting requirements. The head of each department of the various governmental subdivisions is hereby directed to cause employee contributions to be deducted at least once each month from the salary of each member and to issue or approve one voucher payable to the state treasurer for the aggregate amount so deducted from such salaries and to cause the same to be remitted within 15 days thereafter to the secretary of the board of trustees together with a statement showing the amount of each of such deductions, the amount of salaries from which such deductions have been made and the names of the public employees on whose accounts the same have been made. Such statement may be furnished in the form of a carbon or duplicate copy of departmental payroll abstracts and if not submitted in such form, the head of each department is hereby required to furnish the secretary of the board of trustees with a carbon or duplicate copy of his departmental payroll abstract for the last pay period during the months of January and July, respectively, in each year and it shall be the duty of said secretary to check the copies of all such payroll abstracts against *the membership records so as to ascertain whether or not any omissions have been made by the several department heads in the reporting of any new public employees, as required by section 353.07.* Upon notice from the secretary of omission of a required deduction, or deductions, from the salary of a member, the head of the department shall deduct from the member's next salary payment and forthwith remit to the secretary the amount of the employee contribution delinquency, with cumulative interest thereon at the rate of six percent per annum, *compounded annually*, payable from the date or dates each delinquent employee contribution was first payable, such interest to be contributed by the employer. *To the extent that any such omitted required deductions are not paid by the employee, they shall constitute a liability of the governmental subdivision which failed to make said required deductions, with interest thereon as hereinbefore specified. The failure to deduct any required employee contributions shall not relieve the governmental subdivision of the aforesaid obligation to the retirement fund. Any amount so due, together with employer and additional employer contributions at the rates and in the*

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amounts specified in section 353.27, subdivisions 3 and 5, with interest thereon at the rate of six percent compounded annually from the date they were just payable, shall be paid from the proceeds of a tax levy made pursuant to section 353.28, or from other funds available to the employer. This subdivision shall have both retroactive and prospective application, and the governmental subdivision is liable retroactively and prospectively for all amounts due hereunder. All remittances so received by the secretary of the board of trustees shall be promptly deposited with the state treasurer. Deductions from the salary of a district court reporter in a judicial district consisting of two or more counties shall be made by the auditor of the county in which the bond and official oath of such district court reporter are filed from the portion of his salary paid by such county.

Sec. 3. Minnesota Statutes 1967, Section 353.28, is amended by adding a subdivision to read:

*Subd. 11. **Omitted employee contributions; obligation of governmental subdivision in certain cases.** All amounts due covering omitted employee contributions, if not paid by the employee, must be so paid by each governmental subdivision together with interest thereon pursuant to section 353.27, subdivision 4, plus the required employer and additional employer contributions in connection therewith together with interest thereon pursuant to section 353.27, subdivision 4, from the sources and by the means provided in subdivision 1 of this section.*

Sec. 4. Minnesota Statutes 1967, Section 355.296, Subdivision 1, is amended to read:

355.296 Retroactive employer-employee contributions. Subdivision 1. Effective retroactively with respect to employment after the date of retroactive coverage by public employees who are employed on the date of the agreement or modification and who are included within such agreement or modification, the board of trustees of the public employees retirement association shall pay out of its fund an amount for each public employee so included which is equal to the amount of employee tax which would have been imposed by the federal insurance contribution act, if such service constituted employment within the meaning of that act. This payment shall be computed from the date of retroactive coverage to the date that deductions are taken from the wages of each such public employee as provided hereafter. The amount so paid by the trustees shall be deducted from the accumulated deductions, *if any, of each such member of from the salary of the public employee which have been paid to the public employees retirement association.* If the accumulated deductions of any

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~~member public employee~~ are not sufficient to pay for his retroactive contribution, such ~~member employee~~ shall pay the difference to the fund. *To the extent that the difference is not paid by the employee, it shall constitute a liability of his employer. An employer shall be subrogated to the rights of the association in respect of any amount paid by the employer on account of its liability in behalf of the employee.*

Sec. 5. Minnesota Statutes 1967, Section 355.296, Subdivision 2, is amended to read:

Subd. 2. Effective retroactively with respect to employment after the date of retroactive coverage by public employees who are employed on the date of the agreement or modification and who are included within such agreement or modification, the board of trustees of the public employees retirement association shall pay out of the fund an amount for each member which is equal to the amount of employer tax which would have been imposed by the federal insurance contribution act if such service constituted employment within the meaning of the act. This amount shall be computed from the date of retroactive coverage to the date deductions are taken from the wages of such public employees. *If this amount exceeds the contribution made to the association by the employer in respect of the employee, the difference shall be paid by the employer to the fund of the association.*

Sec. 6. Minnesota Statutes 1967, Section 355.30, is amended to read:

355.30 Delinquent payments. ~~This act with sections 355.29 to 355.301 shall bear interest at the rate of six percent per annum, compounded annually from the date upon which they were first payable, and may be recovered by action in a court of competent jurisdiction against each and every political subdivision or employee liable therefor or, if a political subdivision is liable, may, at the request of the state agency, be deducted from any other moneys payable to such political subdivision by any department or agency of the state. An action for the recovery of delinquent payments shall not be subject to any statutory provision which would otherwise limit the time within which such an action may be commenced.~~

Sec. 7. Minnesota Statutes 1967, Section 355.77, Subdivision 1, is amended to read:

355.77 Retroactive employer-employee contributions. Subdivision 1. Effective retroactively with respect to employment after the date of retroactive coverage by hospital employees who are

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employed on the date of the agreement or modification and who are included within such agreement or modification, the board of trustees of the public employees retirement association shall pay out of its fund an amount for each hospital employee so included which is equal to the amount of employee tax which would have been imposed by the federal insurance contribution act, if such service constituted employment within the meaning of that act. This payment shall be computed from the date of retroactive coverage to the date that deductions are taken from the wages of each such hospital employee as provided in section 355.78. The amount so paid by the trustees shall be deducted from the accumulated deductions of each such member of the public employees retirement association. If the accumulated deductions of any member are not sufficient to pay for his retroactive contribution, such member shall pay the difference to the fund. *To the extent that the difference is not paid by the employee, it shall constitute a liability of his employer. An employer shall be subrogated to the rights of the association in respect of any amount paid by the employer on account of its liability in behalf of the employee.*

Sec. 8. Minnesota Statutes 1967, Section 355.77, Subdivision 2, is amended to read:

Subd. 2. Effective retroactively with respect to employment after the date of retroactive coverage by hospital employees who are employed on the date of the agreement or modification and who are included within such agreement or modification, the board of trustees of the public employees retirement association shall pay out of the fund an amount for each member which is equal to the amount of employer tax which would have been imposed by the federal insurance contributions act if such service constituted employment within the meaning of that act. This amount shall be computed from the date of retroactive coverage to the date deductions are taken from wages as provided in section 355.78. *If this amount exceeds the contribution made to the association by the employer in respect of the employee, the difference shall be paid by the employer to the fund of the association.*

Sec. 9. Minnesota Statutes 1967, Section 355.81, is amended to read:

355.81 **Delinquent payments.** Delinquent payments under sections 355.71 to 355.81 ~~with~~ shall bear interest at the rate of six percent per annum, *compounded annually from the date upon which they were first payable,* and may be recovered by action in a court of competent jurisdiction against each and every political subdivision or

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employee liable therefor or, if a political subdivision is liable, may at the request of the state agency be deducted from any other moneys payable to such political subdivision by any department or agency of the state. An action for the recovery of delinquent payments shall not be subject to any statutory provision which would otherwise limit the time within which such an action may be commenced.

Approved April 30, 1969.

CHAPTER 268—S. F. No. 1297

[Not Coded]

An act creating a housing and redevelopment authority in Koochiching county; applying the provisions of the municipal housing and redevelopment act to Koochiching county.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Koochiching county; housing and redevelopment. There is hereby created in Koochiching county a public body corporate and politic, to be known as the Koochiching county housing and redevelopment authority, having all of the powers and duties of a housing and redevelopment authority under the provisions of the municipal housing and redevelopment act, Minnesota Statutes, Sections 462.411 to 462.711, and acts amendatory thereof, which act applies to the county of Koochiching. For the purposes of applying the provisions of the municipal housing and redevelopment act to Koochiching county, the county has all of the powers and duties of a municipality, the county board has all of the powers and duties of a governing body, the chairman of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county.

Sec. 2. If any housing or redevelopment project is undertaken in Koochiching county pursuant to this authorization, and such project is within the boundaries of any incorporated village or city, the location of such project shall be approved by the governing body of such village or city.

Sec. 3. This act takes effect when approved by a majority of the voters voting on the question at an election therefor in Koochi-

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