

EXECUTIVE ORDER Number 8

19190

TO THE COMMISSIONER OF ADMINISTRATION  
OF THE STATE OF MINNESOTA:

WHEREAS, Laws 1967, Chapter 687, Section 11, provides:

"Subdivision 1. Pursuant to the provisions of the enabling act, the governor shall designate an agency or an individual to supervise a referendum for public employees at a date to be set by the governor in accordance with the requirements of the social security act.

"Subd. 2. The referendum shall decide the question of whether or not the employment of public employees should be excluded from or included in an agreement or modification.

"Subd. 3. In accordance with section 218 (d) (6) (C) of the social security act, the state agency shall divide into two divisions or parts, the public employees retirement association established by Minnesota Statutes, Chapter 353. One division or part of such retirement system shall be composed of positions of members of such system who desire coverage under an agreement pursuant to section 218 (d) of the social security act. The other division or part of such retirement system shall be composed of positions of members of such system who do not desire coverage under such agreement. Each division or part shall be deemed to be a separate retirement system for the purposes of section 218 (d) of the social security act. There shall be included in such division or part composed of members desiring such coverage, the positions of individuals who become members of the public employees retirement association after such coverage is extended with the exception of positions that may not be included in an agreement with the secretary of health, education and welfare under section 15."

NOW, THEREFORE, pursuant to said Laws 1967, Chapter 687, Section 11, I hereby designate the Commissioner of Administration, or his delegates, to supervise for public employees at a date to be set by him in accordance with the requirements of the Social Security Act, but in no case later than December 31, 1967,

a referendum to decide the question of whether or not the position of each public employee should be included in or excluded from a division of the Public Employees Retirement Association established by Minnesota Statutes 1961, Chapter 353, and Acts amendatory thereof, composed of positions of members of such system who desire coverage under Section 218 (d) of the Social Security Act. The term "public employee" as used herein is defined in Laws 1967, Chapter 687, Section 10, Subdivision 2.

I further direct the Commissioner of Administration to divide into two divisions or parts, the said Public Employees Retirement Association, one division or part to be composed of positions of members indicating in such referendum their desire to be covered by a State-Federal agreement pursuant to Section 218 (d) of the Social Security Act and the other to be composed of positions of members of such a system who do not desire such coverage. Each division or part shall be deemed to be a separate retirement system for purposes of Section 218 (d) of the Social Security Act. He shall give such notice of the referendum to the public employees as he deems sufficient to inform such public employees of the rights which accrue to them under the Social Security Act and of the effect that coverage under such Act will have on their public employee retirement program. Upon completion of the referendum, the Commissioner of Administration shall certify to me the results thereof and shall include a statement of the number of those eligible to participate in the referendum, the

number of those who by their vote therein declare their desire for individual coverage under the Social Security Act, and the number of those who do not desire such coverage. It shall also include a copy of the notice of the referendum, a copy of the ballot used therein, and a copy of all other notices or instructions given to said public employees relative to the referendum. The Commissioner shall also certify to me, if it be a fact, that the referendum to which said materials pertain was conducted in full compliance with all the conditions and requirements of Section 218 (d) (6) and (7) of the Social Security Act as amended. Upon such certification, the Commissioner of Administration shall be authorized to enter into an agreement with the Secretary of Health, Education and Welfare, or modify any such agreement previously made with respect to coverage by the Social Security Act of public employees. Said agreement or modification shall be made in accordance with Laws 1967, Chapter 687, Section 15 and other sections applicable thereto. The above and foregoing has been issued by me in accordance with the duties and authority described in and conferred upon me by Laws 1967, Chapter 687, Section 11, and by the Federal Social Security Act, Section 218 (d) (6) and (7).

WITNESS my hand and seal of the State of Minnesota this

24th day of July, 1967.

19190  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 24 1967

*Joseph L. Stoneman*  
Secretary of State

*Harold Levander*  
HAROLD LEVANDER  
GOVERNOR OF THE STATE OF MINNESOTA