

**OPINION
67-218**

March 31, 1967 (OPINION)

General James O. Guthrie

Chairman

State Employees' Retirement Board

RE: Chapter 54-54, N.D.C.C. - State Employee Retirement Act

This will acknowledge receipt of your request for an opinion as to the eligibility of the Lewis and Clark Job Corps Conservation Center to receive a refund of employer's contributions made to the State Employees' Retirement Plan during the period that such center functioned as an agency of the state of North Dakota.

We are of the opinion that you correctly interpreted the law in your letter, dated February 2, 1967, addressed to Mr. Paul W. Eslinger, Administrator of the Lewis and Clark Job Corps Center and hereby further advise that under no circumstances under the present law, may any part of the employer's contribution be refundable to the employer.

HELGI JOHANNESON

Attorney General