

Opinion No. 55-6209

June 30, 1955

BY: RICHARD H. ROBINSON, Attorney General

TO: Mr. John C. Hays, Executive Secretary, Public Employees Retirement Association,
P. O. Box 2237, Santa Fe, New Mexico

In your letter of June 13, 1955, you ask whether or not a District Judge may continue to be a member of your Association if he is also a member of the Judges' Retirement System.

This office has previously ruled in Opinion No. 5785, a copy of which is enclosed herewith, that there is prohibition as to maintenance of membership in two retirement systems, the only prohibition being against maintaining membership in the Public Employees Retirement System after becoming a beneficiary of another plan established by the state or any of its political subdivisions. This opinion is equally applicable to the present case, and in concurrence therewith, it is our opinion that such District Judges may maintain membership in the Public Employees Retirement Association.

By: Walter R. Kegel

Assistant Attorney General