

ment fund as defined in Minnesota Statutes 1957, Section 97.66, shall be entitled to an option. This option affords such a person the right to have his retirement annuity and other benefits computed pursuant to Minnesota Statutes 1957, Sections 97.61 to 97.73. Any person who wishes to exercise this option shall file an application with the board of trustees before July 1, 1963. After the option is exercised the person shall be entitled to no annuities nor other benefits provided by this act. If the person remains in state service as a state police officer after the option is exercised, the employee contributions provided in section 5, subdivision 1, and the employer contribution provided in section 5, subdivisions 2 and 4 shall be paid nonetheless.

Sec. 12. [353A.12] **Options, state employees retirement fund members.** Any state police officer who on July 1, 1961, had 20 years of service in the state employees retirement fund shall be entitled to an option. This option affords such a person the right to have his retirement annuity and other benefits computed pursuant to Minnesota Statutes 1957, Sections 352.01 to 352.37, as amended by Laws 1959, Chapters 124 to 162, 362 and 647; Extra Session Laws 1959, Chapter 6. Any person who wishes to exercise this option shall file an application with the board of trustees before July 1, 1963. If the option is exercised, the person shall be entitled to no annuities or other benefits provided by this act. If the person remains in the state service as a police officer after the option is exercised, the employee contributions provided in section 5, subdivision 1, and the employer contributions provided in section 5, subdivisions 2 and 4, shall be paid nonetheless.

Sec. 13. Minnesota Statutes 1957, Sections 97.61 to 97.73, are repealed.

Sec. 14. This act takes effect July 1, 1961.

Approved April 20, 1961.

CHAPTER 737—S. F. No. 523

[Coded in Part]

An act relating to the payment of benefits and annuities to survivors of members of the teachers retirement association; amending Minnesota Statutes 1957, Section 135.46, Subdivisions 1 and 3, as amended, and adding a new subdivision thereto.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Subdivisions 1 and 3, as amended, and adding a new subdivision thereto.

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

Section 1. Minnesota Statutes 1957, Section 135.46, Subdivision 1, as amended by Extra Session Laws 1959, Chapter 50, Section 13, is amended to read:

135.46 Payments after death. Subdivision 1. **Benefits for spouse and children of teacher.** Upon the death of a member before retirement or upon the death of a former member who was disabled and receiving disability benefits pursuant to section 135.48 at the time of his death, who has had at least 18 months of allowable service, his surviving dependent spouse and dependent children under the age of 18 shall receive the monthly benefit provided below. Where a member died on or after July 1, 1955, leaving any dependent child, such dependent child shall receive the benefits provided in this subdivision commencing from and after the effective date of Extra Session Laws 1957, Chapter 16.

- (a) Surviving dependent spouse .30 percent of the member's monthly average salary not to exceed \$65 per month
- (b) Each dependent child 20 percent of the member's monthly average salary not to exceed \$45 per month

In addition to the amounts provided in (a) and (b) hereof, 10 percent of the member's monthly average salary not to exceed \$20 per month shall be paid to be divided equally among the dependent children. Payments for the benefit of any dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed ~~\$200~~ \$250 for any one family. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a member whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision. If the survivor benefits provided in this subdivision exceed in total the monthly average salary

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of the deceased member, these benefits shall be reduced to an amount equal to the deceased member's monthly average salary.

Sec. 2. Minnesota Statutes 1957, Section 135.46, Subdivision 3, as amended by Extra Session Laws 1959, Chapter 50, Section 47, is amended to read:

Subd. 3. Payment after death of retiree. *If a former member dies after his retirement or after he has qualified for disability benefits, there shall be paid to his surviving spouse or dependent children if no spouse survives, or to the designated beneficiary if there be no spouse or surviving children, an amount equal to the annuity for the entire month in which death occurs payment computed to the date of death if no optional or reversionary annuity was designated by the member. If more than one dependent child qualifies, this amount shall be divided equally among the dependent children.*

Sec. 3. Minnesota Statutes 1957, Section 135.46, as amended by Extra Session Laws 1959, Chapter 50, Sections 13, 14, 47, is amended by adding a new subdivision to read:

Subd. 4. Death in special cases. *If a member died after June 30, 1957, and was receiving disability benefits as provided in section 135.48, at the time of his death, his survivors shall be entitled to the benefits provided in subdivision 1 from and after June 30, 1961. If any such survivor received a refundment after the death of such a person, the refundment shall be repaid to the fund before the survivors benefits provided herein are payable.*

Sec. 4. *This act takes effect July 1, 1961.*

Approved April 20, 1961.

CHAPTER 738—S. F. No. 525

An act relating to the state civil service, providing rates in addition to established maximum salaries for longevity in certain cases, amending Minnesota Statutes 1957, Section 43.125.

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

Section 1. Subdivision 1. *With respect to use of the word "continuously" as used in Minnesota Statutes 1957, Section 43.125, Subdivision 2, eligibility is intended to include any employee otherwise meeting the conditions prescribed*

Changes or additions indicated by italics, deletions by strikeout.