
CHAPTER 96—H.F.No.300

An act relating to elections; removing a provision for special hours during which registration locations must be open; amending Minnesota Statutes 1976, Section 201.091, Subdivision 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 201.091, ⁶Subdivision 6, is amended to read:

Subd. 6. **ELECTIONS; REGISTRATION LOCATIONS.** Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transmit the cards card to the appropriate county auditor. ~~All such locations shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day, and shall also remain open from 10:00 A.M. to 4:00 P.M. on the Saturday immediately preceding the last registration day.~~ An adequate supply of registration cards shall be maintained at the designated locations determined.

Approved May 18, 1977.

CHAPTER 97—H.F.No.307

An act relating to retirement; correcting outdated references in the teachers retirement law; amending Minnesota Statutes 1976, Sections 354.05, Subdivision 25; 354.41, Subdivision 3; 354.49, Subdivision 1; 354.53, Subdivision 1; 354.55, Subdivisions 6, 15, and 18; and 354.58.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 354.05, Subdivision 25, is amended to read:

Subd. 25. **TEACHERS RETIREMENT; CORRECTION BILL; FORMULA SERVICE CREDIT.** "Formula service credit" means any allowable service credit as defined in subdivision 13 except as provided in this subdivision:

(1) Any service rendered prior to July 1, 1951, for which payments were made pursuant to subdivision 13 except as provided in section 354.09, subdivision 4, as determined by multiplying the number of years of service established in the records of the teachers retirement fund as of July 1, 1961 by the ratio obtained between the total amount

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paid and the maximum amount payable for such years, and/or

(2) Any service rendered prior to July 1, 1957 for which payments were made pursuant to section 354.09, subdivision 4, as determined by multiplying the number of years of service established in the records of the teachers retirement fund by the ratio obtained between the total amount paid and the maximum amount payable for such years, and/or

(3) Any service rendered for which contributions were not made in full as determined by the ratio between the amounts of money credited to his account in a fiscal year and the retirement contribution payable for such fiscal year pursuant to sections ~~354.32~~, 354.42, and 354.51.

(4) No period of service shall be counted more than once for purposes of this subdivision.

Sec. 2. Minnesota Statutes 1976, Section 354.41, Subdivision 3, is amended to read:

Subd. 3. (1) Each annuitant, age 60 or over, who is drawing an annuity pursuant to Minnesota Statutes 1953, Section 135.10 and Minnesota Statutes 1965, Sections 354.44 and 354.33 shall have the right to have his membership in the fund restored upon resumption of teaching service, for the purpose of having deductions made in accordance with sections ~~354.32~~ 354.42 and 355.48. Upon completion of five years of allowable service, under this subdivision the member shall be entitled to ~~an~~ a coordinated annuity provided in section ~~354.33, subdivision 1~~ 354.44, subdivision 6. This annuity is in addition to any annuity previously granted under this chapter.

(2) Any annuitant qualifying for membership in the fund under clause (1) may file a written notice with the executive secretary of the teachers retirement association requesting that deductions provided for in section ~~354.32~~ 354.42 be made from compensation paid for subsequent teaching services. Such notice shall remain in effect until the annuitant requests in writing that this membership be revoked. After July 1, 1967, deductions pursuant to section 355.48 are required for any annuitant eligible for membership in the fund under clause (1). Teaching service rendered by an annuitant for which no deductions were made pursuant to section ~~354.32~~ 354.42, shall not be included in any additional annuity granted pursuant to clause (1) of this subdivision.

(3) Teachers retirement deductions made prior to July 1, 1973 from the salary of any annuitant who was qualified for membership in the fund under clause (1) of this subdivision at the time such deductions were made, shall be applicable to the computation of an annuity as provided under clause (1) of this subdivision even if the written notice required in clause (2) of this subdivision has not been filed. The teaching service related to such retirement deductions shall be deemed to be allowable service credit which is applicable to the completion of the five years of allowable service required in clause (2) of this subdivision.

Sec. 3. Minnesota Statutes 1976, Section 354.49, Subdivision 1, is amended to read:

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354.49 REFUND. Subdivision 1. Any person who ceases to render teaching service in any school or institution to which the provisions of this chapter apply shall be entitled to a refund provided in subdivision 2, or a deferred retirement annuity. Application for refund may be made no sooner than 30 days after termination of teaching service if the applicant has not again become a teacher. This payment will be made within 90 days after receipt of application for refund or upon completion of processing the report made pursuant to section 354.52, ~~subdivisions 4 and~~ subdivision 2 whichever is later.

Sec. 4. Minnesota Statutes 1976, Section 354.53, Subdivision 1, is amended to read:

354.53 MILITARY SERVICE CREDIT. *Subdivision 1. Any employee given a leave of absence to enter military service and who returns to teaching service upon discharge from military service as provided in section 192.262, shall obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member shall obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. For service rendered prior to July 1, 1957, the amount of his contribution shall be an amount equal to six percent of his salary; not to exceed \$175 per year for any service rendered prior to July 1, 1953, \$216 per year for service rendered during the period July 1, 1953 through June 30, 1955, \$288 per year for service rendered during the period July 1, 1955 through June 30, 1957. For service rendered subsequent to July 1, 1957 the amount of this contribution shall be as follows:*

Period	Basic Member	Coordinated Member
July 1, 1957	6 percent not	3 percent not
thru	to exceed	to exceed
June 30, 1965	\$288	\$144
July 1, 1965	6 percent not	3 percent not
thru	to exceed	to exceed
June 30, 1967	\$432	\$216
July 1, 1967		
thru	6 percent	3 percent
June 30, 1969		
July 1, 1969		
thru	7 percent	3 1/2 percent
June 30, 1973		
July 1, 1973		
and	8 percent	4 percent
thereafter		

The contributions specified in this subdivision shall be multiplied by the number of years of such military service together with interest thereon at the rate of six percent per annum from the time such military service was rendered to the first date of payment. In such cases the employer contribution and additional contribution provided in section 354.42 shall be paid by the state in the manner provided in section 354.43. Payment for military service which is part of any agreement signed by a member in accordance with Minnesota Statutes 1971, Section 354.51, Subdivision 2, is not subject to the provisions of this section.

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Sec. 5. Minnesota Statutes 1976, Section 354.55, Subdivision 6, is amended to read:

Subd. 6. **TEACHER'S RETIREMENT; SUPPLEMENTAL ANNUITIES.** Each annuitant who as a member of the fund commenced drawing his annuity between August 1, 1931 and June 30, 1965, but not including his beneficiaries, shall be paid ten percent of his present monthly annuity if such annuitant retired pursuant to Minnesota Statutes 1965, Sections 354.33 and 354.34 and fifteen percent of his present monthly annuity if such annuitant retired pursuant to Minnesota Statutes 1953, Section 135.10 and Minnesota Statutes 1965, Sections 354.44 and 354.45, in addition to the amounts such annuitant is otherwise entitled to receive under the provisions of ~~sections 354.05 to 354.14, and 354.31 to 354.55 and 354.58 and 354.59~~ Minnesota Statutes 1965, Chapter 354.

Sec. 6. Minnesota Statutes 1976, Section 354.55, Subdivision 15, is amended to read:

Subd. 15. Notwithstanding the maximum benefit provisions of section 354.46, subdivision 1, all benefits and annuities payable pursuant to sections ~~354.37; 354.48; 354.46, subdivision 1 and Laws 1915, Chapter 199, as amended, which are in effect on June 30, 1973 shall be increased 25 percent. Such increase shall begin to accrue January 1, 1974. Notwithstanding the provisions of section 356.18, increases in benefit and annuity payments pursuant to this subdivision will be made automatically unless written notice is filed by the annuitant with the teachers retirement association board requesting that the increase shall not be made.~~

Sec. 7. Minnesota Statutes 1976, Section 354.55, Subdivision 18, is amended to read:

Subd. 18. (1) Teachers who retired after June 30, 1972 and before July 1, 1973 who failed to make an election pursuant to Minnesota Statutes 1971, Section 354.145, Subdivision 1, Clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either Minnesota Statutes 1971, Section 354.33, Subdivision 1 or Subdivision 7, whichever is larger.

(2) Teachers who retired after June 30, 1972 and before July 1, 1973 and who failed to make an election pursuant to Minnesota Statutes 1971, Section 354.145, Subdivision 2, Clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either section 354.44, subdivision 2 or subdivision 6, whichever is larger.

Sec. 8. Minnesota Statutes 1976, Section 354.58, is amended to read:

354.58 SUPPLEMENTAL RETIREMENT ANNUITY. A supplemental retirement annuity shall be paid only to a member who retires pursuant to ~~sections 354.33, subdivision 1, or section 354.44, subdivision 2, and the options related thereto as established in sections 354.34, 354.35, and 354.45.~~ In establishing this supplemental retirement annuity the board shall ascertain the member's accumulated deduction including interest for the period of allowable service prior to July 1, 1957, and the member shall receive a retirement credit of 100 percent of this amount. The retirement

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credit so established shall be the basis for purchasing a supplemental retirement annuity using the 1937 standard annuity table of mortality set back two years with interest at the rate of three and one-half percent and calculated separately as to sex. This supplemental retirement annuity shall be doubled.

Approved May 18, 1977.

CHAPTER 98—H.F.No.308

[Coded in Part]

An act relating to retirement; Minnesota state retirement system; exclusion from pension coverage for certain tradesmen of the metropolitan waste control commission; amending Minnesota Statutes 1976, Sections 352.01, Subdivision 2B; 473.141, Subdivision 12; and 473.511, Subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 352.01, Subdivision 2B, is amended to read:

Subd. 2B. **MINNESOTA STATE RETIREMENT SYSTEM; METROPOLITAN WASTE CONTROL TRADESMEN; EXCLUDED EMPLOYEES.** The following persons are excluded from the meaning of state employee:

- (1) Elective state officers;
- (2) Students employed by the University of Minnesota, the state universities, and community colleges unless approved for coverage by the board of regents, the state university board or the state board for community colleges, as the case may be;
- (3) Employees who are eligible to membership in the state teachers retirement association except employees of the department of education who have elected or may elect to be covered by the Minnesota state retirement system instead of the teachers retirement association;
- (4) Employees of the University of Minnesota who are excluded from coverage by action of the board of regents;
- (5) Officers and enlisted men in the national guard and the naval militia and such as are assigned to permanent peacetime duty who pursuant to federal law are or are required to be members of a federal retirement system;
- (6) Election officers;
- (7) Persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent

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