

Provided, however, the commissioner of highways is authorized to refuse to pay this claim unless he receives an easement covering the property damaged in such form as is approved by the attorney general.

d. Oliver and Serine Prestholdt, in reimbursement of damages to property arising from the construction and maintenance of Trunk Highways Nos. 7 and 101 in Hennepin County . . . \$3,000.00

e. Ellen Lovestrand in reimbursement of damages to property resulting from the construction and maintenance of Trunk Highway No. 75 in Lincoln County . . . \$1,500.00

Approved April 26, 1947.

CHAPTER 577—S. F. No. 389

An act relating to the Highway Patrolmen's Retirement Fund; amending Minnesota Statutes 1945, Sections 172.02 and 172.08.

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

Section 1. Minnesota Statutes 1945, Section 172.02, is amended to read as follows :

172.02. **Retirement association.** There is hereby established a Highway Patrolmen's Retirement Association, the membership of which shall consist of highway patrolmen. Every highway patrolman who is employed by the state of Minnesota, as such, on July 1, 1943, and every person employed as a patrolman thereafter, shall become a member of this association. Each patrolman while in the service of the state highway patrol shall pay a sum equal to six per cent of his monthly salary not exceeding the sum of \$15.00 per month except as hereinafter provided. Such amounts shall be deducted monthly by the commissioner of highways, who shall cause the total amount of said monthly deductions to be paid to the state treasurer, and shall cause a detailed report of all monthly deductions to be made each month to the secretary of the association. In addition thereto, there shall be paid out of highway funds, monthly, by the commissioner of highways a sum equal to the amount of said salary deductions

each month, the same to be credited to the fund created by Laws 1943, Chapter 637. All moneys received by said association shall be deposited by the state treasurer in the Highway Patrolmen's Retirement Fund created by Laws 1943, Chapter 637. Out of said fund shall be paid the expenses of the association, and the benefits and annuities as hereinafter provided. The amount of contributions required from state highway patrolmen may be increased from time to time to insure the actuarial soundness of the highway patrolmen's retirement fund created by Laws 1943, Chapter 637.

Sec. 2. Minnesota Statutes 1945, Section 172.08, shall be amended to read as follows:

172.08. Membership eligibility. Subdivision 1. Separation from service; life annuity; age limitation. Every patrolman who shall have been in the employ of the state as such for 20 years or more and during such time shall have paid by salary deductions, or otherwise, into the state employees' retirement fund, the amount required by law and into the fund hereby created or into either fund, *shall be entitled to separate himself from such state service and upon attaining the age of 58 years, shall be entitled to receive a life annuity, upon his separation from state service, of an amount equal to 60 per cent of the average annual salary which he received during the five years immediately prior to said separation from state service, except as hereinafter limited, which life annuity shall be paid in monthly installments during the remainder of his life.* Any patrolman who has been employed by the state as such for more than 15 years, and less than 20 years, when he attains the age of 58 years, may, if physically qualified, continue as such patrolman until he has attained the age of 60 years, or he may pay a sum which will result by multiplying the number of months which he would be required to serve so as to complete 20 years of service, by the amount of his monthly salary deductions at the time when he attained 58 years of age, and thereupon, and upon his compliance with the provisions hereof relative to salary deductions, and upon his separation from state service, he shall be entitled to the annuity, as provided for in this *subdivision*; provided, that no patrolman shall continue as such after he attains the age of 60 years and in the event that he has not served 20 years as a patrolman, when he attains said age of 60 years, he shall pay a lump sum equal to the salary deductions which would have been made had he continued in state employment until he had acquired a total of 20 years of service.

Subd. 2. Patrolmen employed less than 15 and more than 10 years. Patrolmen whose employment with the state has

been less than 15 years and more than ten years, and during such time have paid, by salary deductions or otherwise, into the state employees' retirement fund, the amount required by law and into the fund hereby created, or into either fund and who shall have attained the age of 58 years, shall be entitled to receive a life annuity upon his separation from state service of an amount which the years of service in the highway patrol prior to his retirement bears to 20 years, except as hereinafter limited, which life annuity shall be paid in monthly installments during the remainder of his life.

Subd. 3. Patrolmen employed less than 20 and more than 10 years. Every patrolman, whose employment with the state of Minnesota has been more than ten years and less than 20 years, and during such time has paid, by salary deductions or otherwise, into the state employees' retirement fund, the amount required by law and into the fund hereby created, or into either fund, and allowing said deductions to remain in such fund, may separate himself from the state service subsequent to the effective date of this amendment, at any time during the above period, and upon attaining the retirement age of 58 years shall be entitled to receive a life annuity of an amount which the years of his service in the state highway patrol, prior to his retirement, bears to 20 years.

Subd. 4. Limitation as to monthly annuity. No patrolman shall receive an annuity in excess of \$100 per month.

Subd. 5. Death of patrolmen; payment to spouse or heirs. In the event that any patrolman should die after he has become eligible to receive an annuity as herein provided for, the amount he has paid into said funds, less the annuity payments he received prior to his death, shall thereupon be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent.

Approved April 26, 1947.

CHAPTER 578—S. F. No. 713

[Coded as Section 137.13, Subdivisions 1 to 5]

An act relating to the Duluth State Teachers College; providing for an offer by the state teachers college board to the Regents of the University of Minnesota to transfer to such University corporate body all property and facilities