

heretofore or hereafter organized under the laws of this state, including private cemetery associations, which shall maintain a public cemetery of not less than 20 acres in extent in or adjacent to any city of the first class of this state and which has provided for a permanent care and improvement fund administered, whether in one trust or more than one trust, by one or more trust companies acting as trustee or trustees of such fund, pursuant to the provisions of Minnesota Statutes, Section 306.32, when the aggregate principal of such fund reaches \$100,000 or more, may, by a resolution adopted by a vote of at least two-thirds of the members of its board of trustees at any authorized meeting of its board, authorize the trust company or trust companies acting as such trustee or trustees, in investing, reinvesting, exchanging, and managing such fund, to acquire every kind of investment, specifically including, but not by way of limitation, bonds, debentures, and other corporate obligations, and corporate stocks, which any ordinarily prudent person of discretion and intelligence, who is a trustee of the property of others, would acquire as such trustee.

Sec. 3. *This act takes effect and is in force from and after its passage.*

Approved April 24, 1959.

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CHAPTER 641—H. F. No. 1541

[Coded]

*An act relating to justice courts, providing for deposit of cash in lieu of bond.*

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

Section 1. [633.38] **Cash in lieu of bond.** In all cases brought before justices of the peace, where a bond is required, cash may be deposited in lieu of the sureties on the bond.

Approved April 24, 1959.

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CHAPTER 642—H. F. No. 343

*An act relating to highway patrolmen, retirement; amending Minnesota Statutes 1957, Section 172.02; Section 172.08,*

*Subdivisions 1, 3 and 4; Section 172.09; and Section 172.10, Subdivision 2.*

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

Section 1. Minnesota Statutes 1957, Section 172.02 is amended to read:

**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 seven percent of his monthly salary not exceeding the sum of seven percent of the salary of the highest paid patrol officer as defined *by law* 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 1957, Section 172.08, Subdivision 1, is amended to read:

**172.08 Subdivision 1. Separation from service; life annuity; age limitation.** Every patrolman whose employment with the state has been 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 created by Laws 1943, Chapter 637, or into either fund, shall be entitled to separate himself from such state service and upon attaining the age of 55 years, shall be entitled to receive a life annuity, upon his

separation from state service, of an amount equal to 50 percent of the salary of the highest paid patrol officer as defined *by law*, not to exceed \$200 per month, except a patrolman who has served in excess of 20 years shall be entitled to receive an additional sum of \$3 per month as provided in subdivision 2 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 completed the year of his employ during which 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 55 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 has completed the year in employ of the state during which he attains the age of 60 years and in the event that he has not served 20 years as a patrolman, when he completes said year, 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.

Sec. 3. Minnesota Statutes 1957, Section 172.08, Subdivision 3, is amended to read:

Subd. 3. **Employment 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 created by Laws 1943, Chapter 637, or into either fund and who retires voluntarily or otherwise, shall be entitled, upon reaching the age of 55 years, to receive a life annuity of that percentage of 50 percent of the salary of the highest paid patrol officer as defined *by law* which the years of his service in the state highway patrol, prior to his retirement, bear to 20 years.

Sec. 4. Minnesota Statutes 1957, Section 172.08, Subdivision 4 is amended to read:

Subd. 4. **Employment more than 10 and less than 20 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 created by Laws 1943, Chapter 637, or into either fund, and who retires voluntarily or otherwise shall be entitled, upon reaching the age of 55 years, to receive a life annuity of that percentage of 50 percent of the salary of the highest paid patrol officer as defined *by law* which the years of his service in the state highway patrol, prior to his retirement, bear to 20 years.

Sec. 5. Minnesota Statutes 1957, Section 172.09 is amended to read:

**172.09 Disability benefits.** (1) Any patrolman less than 55 years of age, who shall become disabled and physically unfit to perform his duties as such subsequent to the effective date of Laws 1943, Chapter 637 as a direct result of an injury, sickness, or other disability incurred in or arising out of any act of duty, which shall render him physically or mentally unable to perform his duties as such highway patrolman, shall receive disability benefits during the period of such disability equal to 50 percent of the salary of the highest paid patrol officer, as defined *by law*, not to exceed \$200 per month, except a patrolman who has served in excess of 20 years shall be entitled to receive an additional sum of \$3 per month as provided in section 172.08, subdivision 2, to be paid to such patrolman in monthly payments.

(2) If a patrolman, as described in clause (1), is injured under circumstances which entitle him to receive benefits under the Workmen's Compensation Law, he shall receive the same benefits as provided in section 172.02, less the amount paid to him in weekly benefits under the Workmen's Compensation Law.

(3) Any patrolman who after not less than ten and not more than 20 years of service, before reaching the age of 55, retires because of sickness or injury occurring while not on duty and not engaged in state highway patrol work, and the retirement is necessary because the patrolman is unable to perform state highway patrol duties, shall be entitled to receive a life annuity of that percentage of 50 percent of the salary of the highest paid patrol officer as defined *by law*, which the years of his service in the state highway patrol, prior to his retirement, bear to 20 years. If such retirement occurs after 21 years of service, said patrolman shall be paid additionally a pension of \$3 per month for each additional year of service over 20 years.

(4) No patrolman shall receive any disability benefit payments when there remains to his credit unused annual leave or sick leave or under any other circumstances, when during the period of disability there has been no impairment of his salary and if, during the period of disability, the patrolman earns any amount from employment, the amount so earned shall be deducted from the benefits payable under this section.

(5) No disability benefit payments shall be made except upon adequate proof furnished to the association of the existence of such disability, and during the time when any such benefits are being paid, the association shall have the right, at reasonable times, to require the disabled patrolman to submit proof of the continuance of the disability claimed.

Sec. 6. Minnesota Statutes 1957, Section 172.10, Subdivision 2 is amended to read:

Subd 2. **Death; payment to spouse and children.** In the event any patrolman who is a member of the association shall die from any cause, the association shall grant annuities or benefit payments from the retirement fund to any widow who was his legally married wife, residing with him at the time of his death and who was married to him while or prior to the time he was an active member of the association, for a period of at least one year, and to a child or children under the age of 18 years who were living while the deceased patrolman was an active member of the association, the widow and child or children shall be entitled to annuity as follows:

(a) To the widow a sum not to exceed \$75 per month for her natural life; but if she remarry the annuity shall cease as of the date of the remarriage.

(b) To each child the amount of \$20 per month until the child reaches the age of 18 years, not to exceed the aggregate sum of \$75 per month. The total amount of the annuity for the widow shall not exceed \$75 per month, and the total amount of the annuity for the children of a deceased member shall not exceed \$75 per month, to be prorated equally to the children when the patrolman is survived by more than one child.

(c) In the event that a patrolman died after July 1, 1943, and prior to the effective date of Laws 1957, Chapter 869, who, at the time of his death was an active member of the association and who was survived by his widow, such widow shall receive during the time she remains unmarried an

amount in the sum of 23 percent of the salary of the highest paid patrol officer as defined *by law*, per month for her natural life, to be paid monthly by the association commencing upon the effective date of Laws 1957, Chapter 869.

(d) If the patrolman shall die under circumstances which entitle his widow and dependent children to receive benefits under the Workmen's Compensation Law, the amounts so received by them shall be deducted from the benefits payable under this section.

(e) In the event any patrolman who had separated from service prior to having completed 20 years of service except patrolmen permanently disabled in performance of duty and was not employed as a patrolman at the time of his death, his widow and children or heirs shall be entitled to receive any funds he may have left on deposit in the highway patrolmen's retirement fund, but shall receive no further benefits under Laws 1957, Chapter 869.

Approved April 24, 1959.

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CHAPTER 643—H. F. No. 1727

[Not Coded]

*An act relating to the City of Saint Paul, pertaining to contracts and purchase of supplies.*

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

Section 1. **St. Paul, contracts and purchase of supplies.** Notwithstanding any provision of the Charter of the City of Saint Paul to the contrary, all contracts and purchases of supplies of the City of Saint Paul are hereby divided into the following classes:

(a) All purchases or contracts under the sum of \$500 shall be made in such manner and from such persons as the purchasing agent may determine.

(b) All contracts and purchases of \$500 and not to exceed \$2000 shall be made upon such informal bids or proposals, not less than two, as the purchasing agent may procure or may be filed with him, and shall be awarded to the lowest responsible bidder by the purchasing agent. Notice of such proposed purchases shall be posted in the office of the purchasing agent for not less than one day.

(c) All purchases or contracts in excess of the sum of \$2000 shall be made only upon competitive sealed bids and