

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*

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in subdivision 2 who also meets either of the following conditions:

(1) *that he has been in the same class, or in more than one class in the same salary range, for at least eight years, which may include portions of a year spent in a higher class on intermittent or seasonal appointments, or,*

(2) *that he has been in the same class, or in more than one class all of which are in the same salary range, for at least eight years, including any years during which he was employed on a school year basis at a state institution or youth camp having an established school program.*

Subd. 2. *This section shall be effective retroactive to January 1, 1961, and shall expire July 1, 1961.*

Sec. 2. Minnesota Statutes 1957, Section 43.125, is amended to read:

43.125 Rates in addition to established maximum salaries. Subdivision 1. ~~(1)~~ The rates provided for by this section shall be in addition to maximum salaries established by section 43.12, subdivision 2, as adjusted under the provisions of section 43.123. The additional step provided for in subdivision 2 shall be computed as provided in section 43.12, subdivision 2 (3). The second additional step provided for in subdivision 3 shall be computed by adding to each rate provided for in subdivision 2 a step computed as provided in section 43.12, subdivision 2 (3).

(2) For the purposes of this section, an employee who receives an increase in salary on July 1, 1955, as a result of adjustments made under provisions of section 43.12, subdivision 2 (6), shall be considered as being at the maximum salary of his range starting on such date on or after July 1, 1955, as he reaches the maximum adjusted salary for the range to which his class is assigned under the provisions of section 43.12, subdivision 2, section 43.121, and section 43.122.

(3) For the purposes of this section the words "higher range" mean a salary range having a higher maximum adjusted salary. For the purposes of this section an employee whose class is or has been re-assigned to a higher range under the provisions of section 43.121, shall be considered as being at the maximum salary only on and after such date as he reaches the maximum adjusted salary of the new range. For the purpose of this section, reassignments made under the provisions of Laws 1947, Chapter 606, to a range having

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the same range number as previously, shall not be considered as reassignments to higher ranges.

Subd. 2. Any employee in the classified service of the state of Minnesota who is paid on a monthly basis shall be eligible to receive as a merit longevity increase, upon recommendation of his appointing authority, one additional step above the maximum adjusted salary established for his class, provided the following conditions are met:

(1) that he has been employed continuously in the classified service at a monthly rate for at least eight years, the aggregate total of the periods he has actually worked in the classified service is at least fifteen years, and,

(2) that he has been in the same class, or in more than one class all of which are in the same salary range, for at least eight years continuously, and, is being paid at the maximum adjusted salary for his class.

(3) that on or after July 1, 1955, he has been at the maximum adjusted salary of his range for at least three years continuously.

Subd. 3. Any employee in the classified service of the state of Minnesota who has been paid at the rate provided for in subdivision 2 for an aggregate total of the periods he has actually worked of at least five years, continuously, shall be eligible to receive as a merit longevity increase, on the recommendation of his appointing authority, a second additional step above the maximum adjusted salary established for his class.

Subd. 4. (1) Whenever a class is assigned under provisions of section 43.121, subdivision 1, or reassigned under provisions of section 43.121, subdivision 2, to a range with a different maximum adjusted salary, every employee in the class who is paid at a rate above the maximum as provided in this section shall receive a salary bearing the same relation to the maximum adjusted salary of the new range as his salary bore to the maximum of the range to which his class previously had been assigned.

(2) When an employee who is paid at a rate above the maximum as provided in this section is promoted to a position in a higher class, he shall not retain the longevity allowance unless the promotion is for a portion of a year on a seasonal or intermittent basis.

Subd. 5. Any employee who on June 30, 1961, was paid

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at a rate above the maximum as provided in the law in effect at that time, shall continue to be paid at a rate one step above the maximum adjusted salary for his class, subject to the provisions of subdivision 4, until he becomes eligible for and receives a second additional step as provided in subdivision 3.

Sec. 3. *Section 2 shall be effective on July 1, 1961.*

Approved April 20, 1961.

CHAPTER 739—S. F. No. 666

[Coded]

An act relating to private schools maintaining or conducting courses for profit or for tuition.

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

Section 1. [142.01] **Prohibitions.** No person, firm, association or corporation maintaining, advertising or conducting in Minnesota any course of instruction for profit, or for tuition charge, whether by classroom instructions or by correspondence, shall:

(a) Falsely advertise or represent to any person any matter material to such course of instruction or that such course of instruction is approved, accredited or licensed by the state of Minnesota; or

(b) Sell, assign or transfer, without recourse, any note accepted in payment, or part payment, for any such course until the obligations of the party furnishing the instruction have been performed.

Sec. 2. [142.02] **Catalogs, prospectuses, or brochures; content.** Subdivision 1. When such courses are taught by classroom instruction, any catalog, prospectus or brochure used by any such person, firm, association or corporation shall be filed with the secretary of state prior to the general distribution thereof and shall state the cost of the course or courses offered; the number of hours to be devoted to each subject offered in the course of instruction; the total amount of time, to the nearest month, necessary to complete the course; the facilities available for placement of students in employment and housing; the schedule, if any, by which the

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