

constructed and that the traffic using such portion of the highway system should move at a speed in excess of a certain determined minimum he shall issue his order making such determination. The order shall specify the particular portion of highway affected, the minimum speed permissible and a determination by the commissioner that the minimum speed prescribed is reasonable and necessary to the safe use of the portion of the highway affected. Upon the issuance of such order, the commissioner shall cause such portion of highway to be appropriately posted with reasonable and adequate signs sufficient to inform the traveler of the nature of the minimum and maximum permissible speeds and the zone boundaries established by the order. Upon such posting it shall be unlawful to travel upon such portion of the highway at a speed less than the established minimum. *speed at least as great as, or in excess of, a specified and determined minimum is necessary to the reasonable and safe use of any trunk highway or portion thereof, he may erect appropriate signs specifying the minimum speed on such highway or portion thereof. The minimum speed shall be effective when such signs are erected. Any speeds less than the posted minimum speeds shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.*

Approved May 23, 1963.

CHAPTER 844—S. F. No. 813

[Coded in Part]

An act relating to judges and compensation and allowance for widows of district and supreme court judges; amending Minnesota Statutes 1961, Section 490.102, Subdivision 6, and adding new subdivisions to said section.

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

Section 1. Minnesota Statutes 1961, Section 490.102, is amended by adding a new subdivision thereto as follows:

Subd. 7. Judges; widows benefits. In addition to the provisions of Minnesota Statutes 1961, Section 490.102, Subdivision 1 to 6, inclusive, and notwithstanding the limitations thereof, the widow of every judge of the District or Supreme Court who died in active service prior to May 19, 1961, who had been married to such judge for five years prior to his death and who has now attained the age of 49 years, shall be paid during her life one-half

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of the retirement compensation to which such judge would have been entitled, if he had been retired as of date of death. For the purposes of this subdivision, the said judge shall be deemed to have been entitled to full retirement and to have retired as of the day of his death. If retirement of a district judge from active service was by executive order prior to enactment of Laws 1949, Chapter 640, his unremarried widow who would otherwise qualify under this section will receive one-half of the compensation such judge would have received if his retirement occurred in 1949 after enactment of that law and he was eligible for compensation thereunder.

Sec. 2. Minnesota Statutes 1961, Section 490.102, Subdivision 6, is amended to read:

Subd. 6. The widow of every judge of the district or supreme court who dies, in active service, shall be paid one-half of the retirement compensation to which such judge would have been entitled on the date of his death, if he would have been otherwise eligible for retirement under the provisions of section 490.101 or under section 490.025, and had retired on that date, irrespective of whether he shall have attained the age of retirement at the date of his death or not and irrespective of whether he had served 15 years as such judge or as a judge of a court of record, and irrespective of whether he had previously been eligible to retire, but had not retired under the provisions of Minnesota Statutes 1957, Section 490.101, *as amended by Laws 1959, Chapter 688, Section 2, or Section 490.025; as amended by Laws 1959, Chapter 564, Section 4,* prior to his death, provided she had been married to such judge for five years prior to his death. The widow of every judge of the district court or supreme court who dies after retiring shall be paid one-half of the retirement compensation which such judge was receiving at the date of his death.

Any judge who has heretofore retired and exercised the option previously set forth in Minnesota Statutes ~~1957~~, Section 490.102, *as amended by Laws 1959, Chapter 688, Section 3, adding a subdivision 6 thereto;* shall, after July 1, 1961, be paid the full retirement compensation herein provided for, and his widow shall upon his death be entitled to compensation as herein set forth.

The term "widow" as used in this subdivision means the surviving wife of a district or supreme court judge, but only if she was married to him for a period of not less than five years immediately prior to the date of his retirement or of his death, whichever occurs first. *three*

If such widow, either of a retired judge or a judge who dies in active service, who is otherwise qualified under this section,

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has not attained the age of 50 years at the time of such judge's death, such widow will not become eligible for retirement compensation payments hereunder until her 50th birthday but shall receive such payments thereafter.

A widow who is entitled to a retirement compensation under the provisions of this subdivision *and subdivision 7* shall be paid such retirement compensation for the period of her life, unless she remarries, in which event such retirement compensation is to cease and terminate. Every judge of the district court and every judge of the supreme court shall contribute ~~two~~ *four* percent, of his state salary, which amount shall be deducted from his salary at least once each month and paid to the state treasurer to be deposited in a special survivor retirement account. This contribution shall be for the purpose of providing the survivor benefits established by this ~~act~~ *subdivision and subdivision 7* and such amount as may be necessary to carry out this purpose is hereby appropriated from such special retirement account. *(It is declared to be the policy of the legislature that the survivor benefits provided for herein shall be wholly paid from contributions by the judges to said special retirement account. To implement this policy the rate of contribution by the judges shall be reviewed periodically and contributions adjusted to make this account sufficient to cover all benefits.*

Sec. 3. Minnesota Statutes 1961, Section 490.102, is amended by adding a new subdivision to read:

Subd. 8. On June 30 of each year, the state auditor shall review the fiscal condition of the special survivor retirement account in the light of the prospective demands for payment therefrom in the next fiscal year. If the state auditor determines that the balance in such account on June 30 plus the prospective receipts in the next fiscal year appear to be insufficient to meet the demands on such account during the next fiscal year, the state auditor on July 1 of each year shall make and file in his office an order increasing the rate of contribution to such account by the several judges of the district court from four percent of his salary to such rate of contribution as will, in the judgment of the state auditor, provide sufficient funds in said special survivor benefit account to pay all demand thereon during the next fiscal year. If on any following June 30, the state auditor should determine that a lower rate of contribution will provide sufficient moneys to pay all demands on such special survivor benefit account, he may on the next July 1, make and file an order reducing the rate of contribution to such rate as will in his judgment provide sufficient moneys to meet all demands on such special account in the current fiscal year but in no event lower than four percent. The state auditor shall make

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deductions of contributions in accordance with rates prescribed by law or by his order, as the case may be.

Sec. 4. *This act shall take effect from and after its passage.*

Approved May 23, 1963.

CHAPTER 845—S. F. No. 1081

[Coded in Part]

An act relating to the teachers retirement association; amending Minnesota Statutes 1961, Sections 135.01, Subdivision 2; 135.31; 135.34; 135.37; 135.45; 135.47, Subdivision 1; 135.48, Subdivisions 3 and 5, and amending Minnesota Statutes 1961, Chapter 135, by adding a new section.

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

Section 1. Minnesota Statutes 1961, Section 135.01, Subdivision 2, is amended to read:

Subd. 2. **Teachers retirement association.** The word "teacher" includes any person who has rendered, is rendering, or shall hereafter render, service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state colleges, or in any charitable or state institution including penal and corrective institutions supported, in whole or in part, by public funds, or who has been engaged, is engaged, or shall hereafter be engaged, in educational administration in connection with the state public school system, including the state colleges, but excluding the state university, whether the position be a public office or an employment, not including members of any general governing or managing board or body connected with such systems, or the officers of common, independent, special, or associated school districts, or unorganized territory. *The term shall also include any nurse, counselor, social worker or psychologist who has rendered, is rendering or shall hereafter render service in the public schools as defined above or in state colleges.* The term does not mean any person who works for such school or institution as an independent contractor.

Sec. 2. Minnesota Statutes 1961, Section 135.31, is amended to read:

135.31 **Scope and application.** Sections 135.31 to 135.39

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