

Subd. 3. The city shall levy a tax for the policemen's pension fund equal to the net amount so certified, in the manner and at the time that it levies other taxes and the proceeds of such tax shall be paid into such fund; provided that the amount of tax so levied shall never be more than three times the estimated amount of salary deductions payable into the fund during the year for which the tax is levied. In lieu of all or part of such tax levy or as a supplement thereto the city council in its discretion may by resolution irrevocably appropriate and shall thereafter transfer to the policemen's pension fund money available from the city's general fund, or profits from its municipal liquor dispensary. Any such appropriation resolution shall precede the making of the tax levy for the fund, and the total so appropriated plus the amount levied shall be equal to the amount so certified.

Sec. 4. No member of the police department of the city shall be eligible to receive a service pension until he reaches the age of 55 years.

Sec. 5. The members of the policemen's relief association of the city shall consist only of policemen, policewomen, police matrons and assistant police matrons, and shall not include a person who is not a police officer as defined in Minnesota Statutes, Section 353.01, Subdivision 22.

Sec. 6. Except as provided in this act, the provisions of Minnesota Statutes, Sections 423.801 to 423.815 shall be applicable to the city and its policemen's relief association.

Sec. 7. This act shall become effective only after its approval by the governing body of the city of Richfield and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 19, 1965.

CHAPTER 459—S. F. No. 992

[Coded]

An act relating to the public employees retirement association; permitting the payment of an annuity to certain school district employees who otherwise are employed by the school district in certain cases.

Changes or additions indicated by italics, deletions by strikeout.

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

Section 1. [353.76] **Public employees retirement; certain school district employees, retirement date.** Notwithstanding the provisions of Minnesota Statutes 1961, Chapter 353, and any act amendatory thereof, to the contrary, whenever any public employee:

(a) On or prior to September 1, 1963, terminated his public service; and

(b) Had filed with the public employees retirement association his application for annuity based upon such service termination; and

(c) Had then fulfilled all membership, age, service, and contribution requirements for such annuity; and

(d) While thereafter receiving annuity payments was employed by the same governmental unit as a custodial employee of a school district in an emergency capacity for any period or periods between October 1, 1963, and October 1, 1964; and

(e) If the monthly average of his earnings from such subsequent employment did not exceed \$100; and

(f) If the governing body of the employing governmental unit by resolution duly adopted certifies to the association that such subsequent employment for its entire duration, and between October 1, 1963, and October 1, 1964, was of an emergency nature

he shall be deemed to have retired immediately following October 1, 1963, and his subsequent employment as an emergency custodial worker shall not affect, diminish, or impair, retroactive to October 1, 1963, and until October 1, 1964, his right to the annuity for which he had applied; and he shall, between October 1, 1963, and October 1, 1964, be entitled to receive all annuity payments notwithstanding his subsequent employment; and no employee or employer contributions shall be required for such period. Any such employee, however, shall not be entitled to any annuity payments which he may have received while employed by such governmental unit prior to October 1, 1963, and after October 1, 1964, and any such annuity payments shall be returned to the public employees retirement fund.

Approved May 19, 1965.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.