

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

Section 1. Subdivision 1. **Saint Louis county, court commissioner.** Notwithstanding provisions of any law to the contrary thereto, in St. Louis county, from and after the first Monday in January, 1967, the office of court commissioner shall be abolished.

Subd. 2. Notwithstanding the provisions of Minnesota Statutes, Section 357.28, Subdivision 2, he shall receive the fees provided for in Minnesota Statutes, Section 357.28, Subdivision 1, until such office is abolished.

Sec. 2. This act shall become effective only after its approval by a majority vote of the board of county commissioners of St. Louis county and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 26, 1965.

CHAPTER 821—S. F. No. 752

[Coded in Part]

An act relating to the teachers retirement association; amending Minnesota Statutes 1961, Sections 135.01, Subdivision 5; 135.09, Subdivision 3; 135.32, Subdivisions 1, 2, and 3; 135.33, Subdivision 1; 135.38; 135.42, Subdivisions 2, 3, and 5; 135.43, Subdivision 2; 135.44, Subdivision 2; 135.47, Subdivision 1, as amended; and 135.53.

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

Section 1. Minnesota Statutes 1961, Section 135.01, Subdivision 5, is amended to read:

Subd. 5. **Teachers retirement association; contributions; member of fund.** The term "member of fund" means every teacher who joins and contributes to the teachers retirement fund as provided in this chapter *who has not retired.*

Sec. 2. Minnesota Statutes 1961, Section 135.09, Subdivision 3, is amended to read:

Subd. 3. If a member is granted (1) a Sabbatical leave or (2) a leave for educational purposes in any foreign country under a scholarship received from the board of foreign scholarships or (3) a leave for performing interchange teaching service in a foreign

Changes or additions indicated by italics, deletions by strikeout:

country pursuant to federal law or (4) a leave to participate in work of the National Science Foundation, he may receive allowable service credit not exceeding three years in any ten consecutive years toward a retirement annuity by paying into the fund employee contributions during the period of leave. The employee contribution shall be based upon the rate of contributions paid and the salary received during the year immediately preceding the leave. This subdivision also applies to any such service occurring prior to its enactment provided that the payments into the retirement fund for any year prior to July 1, 1953, shall not exceed \$175 and for any year from July 1, 1953, to June 30, 1955, such payments shall not exceed \$216 ~~and for any subsequent year such payment shall not exceed \$288 and for any year prior to July 1, 1965, such payment shall not exceed \$288 and for any subsequent year payment shall not exceed \$432.~~ These payments shall be without interest. A member shall not accrue more than three years allowable service by reason of this section unless the allowable service credit was paid for by the member prior to July 1, 1962.

Sec. 3. Minnesota Statutes 1961, Section 135.32, Subdivision 1, is amended to read:

135.32 Contributions by employer and employee. Subdivision 1. The employee contribution to the teachers retirement fund shall be an amount equal to three percent of the salary of every member. This contribution shall be made by deduction from salary. No deduction shall be made from any salary in excess of ~~\$4,800~~ *\$7,200* in any fiscal year. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received limited to ~~\$4,800~~ *\$7,200* in any fiscal year.

Sec. 4. Minnesota Statutes 1961, Section 135.32 Subdivision 2, is amended to read:

Subd. 2. The employer contribution to the fund shall be an amount equal to three percent of the salary of each member not exceeding ~~\$4,800~~ *\$7,200* in any fiscal year.

Sec. 5. Minnesota Statutes 1961, Section 135.32, Subdivision 3, is amended to read:

Subd. 3. An additional contribution of one and one-half percent shall be made to the fund based on the salary of each member not to exceed ~~\$4,800~~ *\$7,200* in any fiscal year for the purpose of amortizing the deficit in the fund. ~~This subdivision takes effect July 1, 1961.~~

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

Sec. 6. Minnesota Statutes 1961, Section 135.33, Subdivision 1, is amended to read:

135.33 Computation of retirement annuities. Subdivision 1. The amount of the retirement annuity is an amount equal to the annuity which could be purchased by the member's accumulated deductions, the employer's contribution, and interest. The retirement purchase rates shall be based on the 1937 standard annuity table of mortality set back two years, with interest at the rate of three percent and calculated separately as to sex. The accumulated deductions, employer's contribution and interest earned shall be computed as follows:

(a) the members accumulated deductions plus interest to July 1, 1957, plus interest to the date of retirement, and

(b) the members accumulated deductions *plus 20 percent* plus the employer's contribution from July 1, 1957, plus interest to the date of retirement.

Sec. 7. Minnesota Statutes 1961, Section 135.38, is amended to read:

135.38 Military service credit. After any agreement or modification is made pursuant to section 135.39, an employee given a leave of absence to enter military service and who returns to teaching service upon discharge from military service as provided in Minnesota Statutes, Section 192.262 shall obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member shall obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of this contribution shall be three percent of his salary not to exceed \$4,800 in any fiscal year *ending prior to July 1, 1965, and not to exceed \$7,200 in any fiscal year thereafter.* In such cases the employer contribution and additional contribution provided in section 135.32 shall be paid by the state in the manner provided in section 135.43.

Sec. 8. Minnesota Statutes 1961, Section 135.42, Subdivision 2, is amended to read:

Subd. 2. The employee contribution to the fund shall be an amount equal to six percent of the salary of every member. This contribution shall be made by deduction from salary in the manner provided in subdivision 4. No deduction shall be made from any salary in excess of ~~\$4,800~~ *\$7,200* in any fiscal year. Where any

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portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the entire salary received limited to ~~\$4,800~~ *\$7,200* in any fiscal year.

Sec. 9. Minnesota Statutes 1961, Section 135.42, Subdivision 3, is amended to read:

Subd. 3. The employer contribution to the fund shall be an amount equal to three percent of the salary of each member not exceeding \$4,800 in any fiscal year for the biennium commencing July 1, 1957 and ending June 30, 1959 and six percent thereafter. *Commencing July 1, 1965 the employer contribution provided in this subdivision shall be an amount equal to six percent of the salary of each member not exceeding \$7,200 in any fiscal year.* This contribution shall be made in the manner provided in section 135.43.

Sec. 10. Minnesota Statutes 1961, Section 135.42, Subdivision 5, is amended to read:

Subd. 5. An additional contribution shall be made in the amount of one percent of the salary of each member not to exceed ~~\$4,800~~ *\$7,200* in any fiscal year for the purpose of amortizing the deficit in the fund. This contribution shall be made in the manner provided in section 135.43. ~~This subdivision shall take effect July 1, 1961.~~

Sec. 11. Minnesota Statutes 1961, Section 135.44, Subdivision 2, is amended to read:

Subd. 2. **Computation of annuity.** The amount of the retirement annuity is an amount equal to double the annuity which could be purchased by the member's accumulated deductions plus interest thereon. The annuity shall be determined by the member's age, his sex, double the amount of his accumulated deductions, double the interest earned on the accumulated deductions, and the appropriate mortality tables and interest rates. For the purpose of determining the amount of the annuity, the accumulated deductions prior to July 1, 1957, and the accumulated deductions subsequent to July 1, 1957, shall be considered separately.

(1) For service rendered prior to July 1, 1957, the accumulated deductions for any member shall be carried forward at a fixed amount which is shown credited to his account as of that date. That fixed amount shall also include any payments in lieu of salary deductions which are to be made in the future and are actually so made pursuant to an agreement executed between the member and the board as authorized by section 135.50 or any other au-

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thorized payments made by the member to the fund. The annuity granted with respect to such period shall be determined by the following:

(a) The fixed amount of the accumulated deductions for such period including the interest credited thereon as earned up to July 1, 1957.

(b) Annuity purchase rates based on the mortality tables and interest assumption used by the board prior to July 1, 1957, calculated separately as to sex.

(2) For service rendered subsequent to July 1, 1957, the accumulated deductions for any member shall consist of the amounts actually credited to his account by reason of salary deductions. The annuity granted with respect to such period shall be determined by the following:

(a) accumulated deductions for such period;

(b) interest credited on these accumulated deductions from July 1, 1957, to the date of retirement;

(c) interest credited on accumulated deductions including prior credited interest provided in paragraph: (1) from July 1, 1957, to the date of retirement;

(d) after the amount available for an annuity granted with respect to such person is determined in accordance with the provisions of this subdivision, an additional amount equal to 20 percent of the sum of clause (2)(a) plus clause (2)(b) is to be added. This added amount is not to be doubled as provided for other amounts determined in this subdivision:

~~(D)~~ (e) annuity purchase rate based on the 1937 standard annuity table of mortality set back two years and calculated separately as to sex, with an interest assumption of three percent.

Sec. 12. Minnesota Statutes 1961, Section 135.47, Subdivision 1, as amended by Laws 1963, Chapter 845, Section 6, is amended to read:

135.47 Refundment after death. Subdivision 1. **Death before retirement.** If a member dies before retirement and neither an optional annuity, nor reversionary annuity is payable, there shall be paid to his surviving dependent spouse or if there is no surviving dependent spouse to his designated beneficiary an amount equal to his accumulated deductions ~~without~~ *with* interest credited to his account to the date of death.

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

Sec. 13. Minnesota Statutes 1961, Section 135.53, is amended to read:

135.53 Military service credit. Any employee given a leave of absence to enter military service and who returns to teaching service upon discharge from military service as provided in Minnesota Statutes, Section 192.262, shall obtain credit for his period of military service but he shall not receive credit for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to active duty. Such member shall obtain such credit by paying into the fund an employee contribution based upon his salary at the date of return from military service. The amount of his contribution shall be six percent of his salary not to exceed \$4,800 in any fiscal year ending prior to July 1, 1965, and not to exceed \$7,200 in any fiscal year thereafter. In such cases the employer contribution and additional contribution provided in section 135.42 shall be paid by the state in the manner provided in section 135.43.

Sec. 14. [135.511] Payments to receive credit for services after July 1, 1957. *Until July 1, 1967, members of the teachers retirement fund shall have the right to pay into the fund, and receive credit therefor as of the time such service was rendered, for services rendered subsequent to July 1, 1957, in schools or institutions to which Minnesota Statutes, Chapter 135 applies, provided such payment includes simple interest on such amounts at the rate of three percent per annum from the time such service was rendered until such amount was paid. Such payment may be made for an amount equal to the members employee contribution rate applied to the excess of his salary over \$4,800, but in no event shall such excess be greater than \$2,400. Each such payment shall be credited with interest as if it had been credited to the member's account at the time such service was rendered.*

Sec. 15. Minnesota Statutes 1961, Section 135.43, Subdivision 2, is amended to read:

Subd. 2. The auditor is hereby directed to include in each annual state tax levy the amounts so certified, which amounts are hereby annually levied against the taxable property ~~of~~ *in* the state, *including, notwithstanding the provisions of Minnesota Statutes, Section 273.13, Subdivisions 6 and 7, all real property which is used for the purposes of a homestead.* In certifying the rate to the several county auditors, the state auditor shall certify the amount required to be levied on account of services rendered for the ~~school~~ *schools* and institutions outside of cities of the first class

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against all of the *such* taxable property located outside of the cities of the first class.

Sec. 16. *This act takes effect July 1, 1965.*

Approved May 26, 1965.

CHAPTER 822—S. F. No. 1021

[Coded in Part]

An act relating to courts; fees to be charged and collected in judicial proceedings, and the compensation of clerks of the district court; amending Minnesota Statutes 1961, Sections 357.021, by adding new subdivisions, and 357.021, Subdivision 2.

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

Section 1. Minnesota Statutes 1961, Section 357.021, is amended by adding a subdivision to read:

Subd. 2. Courts; fees; compensation of clerks. The fees to be charged and collected by the clerk of district court shall be as follows:

(1) *In every civil action or proceeding in said court, the plaintiff, petitioner, or other moving party shall pay, when the first paper on his part is filed in said action, a fee of \$10.*

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper on his or their part is filed in said action, a fee of \$5.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed.

(2) *Copy of any instrument from a civil or criminal proceeding \$2.50 and \$1 for a certificate of the clerk.*

(3) *Issuing a subpoena 50 cents for each name.*

(4) *Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$2.*

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