

This appropriation is made from any money in the natural resources fund not otherwise appropriated.

Subd. 5. Interim commission on public retirement systems	\$50,000
Subd. 6. Governor's commission on employment of handicapped persons.....	\$15,000
for the fiscal year ending June 30, 1966, and.....	\$15,000
for the fiscal year ending June 30, 1967.	
Subd. 7. Commission on taxation and production of iron ore and other minerals.....	\$10,000

This appropriation is made from any moneys in the state treasury appropriated to and made available for the iron range resources and rehabilitation commission or from other moneys not otherwise appropriated, for carrying on its duties imposed by law and defraying the expenses incurred in connection therewith.

Subd. 8. Except where otherwise provided, expenses of each of the commissions shall be approved by its chairman or such other members of the commission as it may provide and such expenses shall then be paid in the same manner as other expenses are paid.

Sec. 10. **Not to affect other commissions.** None of the provisions of this act shall in any way affect any commission or committee of the legislature or any branch thereof now existing or hereafter established under any other law.

Sec. 11. **Effective date.** This act is in effect upon its final enactment.

Approved May 27, 1965.

CHAPTER 889—S. F. No. 461

[Coded in Part]

An act relating to highway patrolmen and the highway patrolmen's retirement association; amending Minnesota Statutes 1961, Sections 172.02; 172.08, Subdivisions 1 and 2; 172.09; 172.10, Subdivision 2 and 172.14, by adding a subdivision.

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

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

Section 1. Minnesota Statutes 1961, Section 172.02, is amended to read:

172.02 **Highway patrolmen; retirement; disability.** 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~~ 7.4 percent of his monthly salary not exceeding the sum of ~~seven~~ 7.4 percent of the salary limited to ~~\$400~~ \$500 per month. 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 ~~10-1/2~~ 11.2 percent of the salary upon which deductions were made, *and a sum equal to 9 percent of the salaries upon which deductions were made for the purpose of amortizing the actuarial deficit of the fund*, 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.

Sec. 2. Minnesota Statutes 1961, Section 172.08, Subdivision 1, is amended to read:

172.08 **Benefits.** 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 ~~\$200~~ \$250 per month, except a patrolman who has served in excess of 20 years shall be entitled to receive an additional ~~\$4~~ \$5 per month for every year of service in excess of 20 years, to be paid to him after retirement concurrently with retirement benefit otherwise provided in this chapter, which life annuity shall be paid in monthly installments during the remainder of his life. *In lieu of the life annuity herein provided, the patrolman*

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may elect a joint and survivor annuity, payable to his surviving spouse, adjusted to the actuarial equivalent value of such life annuity. No patrolman shall continue as such beyond the age of 60 years, notwithstanding the Veteran's Preference Law, except that a patrolman may continue as a patrolman for a partial year after attaining the age of 60 years to complete a full year of employment.

Sec. 3. Minnesota Statutes 1961, Section 172.08, Subdivision 2, is amended to read:

Subd. 2. **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 ~~\$200~~ \$250 per month which the years of his service in the state highway patrol, prior to his retirement, bear to 20 years.

Sec. 4. Minnesota Statutes 1961, 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 ~~\$200~~ \$250 per month, except a patrolman who has served in excess of 20 years shall be entitled to receive an additional \$4 \$5 per month, as provided in section 172.08, 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

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necessary because the patrolman is unable to perform state highway patrol duties shall be entitled to receive a life annuity of that percentage of ~~\$200~~ \$250 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 \$4 \$5 per month for each additional year of service over 20 years.

(4) No patrolman shall receive any disability benefit payment 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 and should such patrolman resume a gainful occupation and his earnings are less than his salary at the date of disability or the salary currently paid for similar positions, the association shall continue the disability benefit in an amount which when added to such earnings does not exceed his salary at the date of disability or the salary currently paid for similar positions, whichever is higher, provided the disability benefit in such case does not exceed the disability benefit originally allowed.~~

(5) No disability benefit payment 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. 5. Minnesota Statutes 1961, 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, *and serving actively as a patrolman*, 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

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for her natural life; but if she remarry the annuity shall cease as of the date of the remarriage.

(b) To each *unmarried* child the amount of ~~\$20~~ \$45 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, plus an additional \$20 per month~~ to be prorated equally to the *such* children when the patrolman is survived by more than one child. *Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the widow, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed \$250 for any one family. The provisions of this clause are effective retroactively to June 30, 1964.*

(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 *not* be deducted from the benefits payable under this section. *The provisions of this clause are effective retroactively to June 30, 1964.*

(e) In the event any patrolman who had separated from service prior to having completed 20 years of service except patrolmen permanently disabled in preformance 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.

Sec. 6. Minnesota Statutes 1961, Section 172.14, is amended by adding a new subdivision to read:

Subd. 5. Notwithstanding the provisions of subdivisions 1 to 4 hereof, the retirement annuities or benefits provided for under Minnesota Statutes, Sections 172.01 to 172.11, and as in effect

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on April 21, 1961, shall also apply to annuitants who retired and to those entitled to survivors benefits on or prior to April 21, 1961. Any additional annuities or benefits provided for by this subdivision shall be available only after July 1, 1965.

Sec. 7. Except as otherwise provided for in this act the provisions hereof are in effect from and after July 1, 1965.

Approved May 27, 1965.

CHAPTER 890—S. F. No. 1159

An act relating to the state police officers retirement fund; amending Minnesota Statutes 1961, Sections 352A.01; 352A.03; 352A.05; 352A.06; 352A.08; 352A.11; Minnesota Statutes 1961, Chapter 352A, as amended, by adding new sections; and repealing Minnesota Statutes 1961, Section 352A.10.

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

Section 1. Minnesota Statutes 1961, Section 352A.05 is amended to read:

352A.05 State police officers retirement fund; contributions, deductions, credits and disbursements. Subdivision 1. **Employee contributions.** The employee contributions to the fund shall be in an amount equal to six percent of the salary of every member, *not to exceed \$7,200 per year.* These contributions shall be made by deductions from salary in the manner provided in subdivision 3. ~~No deduction shall be made from any salary in excess of \$4,800 in any calendar year on a pro rata basis.~~

Subd. 2. **Employer contributions.** The employer contributions to the fund shall be in an amount equal to nine percent of the salary upon which deductions were based of each member. This contribution shall be made in the manner provided in section 352.04.

Subd. 3. **Employee deductions.** The head of each department employing any state police officer is hereby directed to cause employee contributions to be deducted in the manner provided in section 352.04, subdivisions 4, 5, 7, and 8.

Subd. 4. **Additional employer contribution.** An additional contribution shall be made to the fund of ~~two~~ *three and one-half* percent of the salary upon which deductions were based of each

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