

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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member for the purpose of amortizing the deficit of this fund. This contribution shall be made in the manner and subject to the terms provided for in section 352.04, subdivisions 4, 5, 7, and 8.

Subd. 5. Credits and disbursements. All contributions shall be credited to the fund and all interest and other income of the fund shall be credited to said fund. The fund shall be disbursed only for the purposes herein provided. The expenses of the fund and the annuities and benefits herein provided shall be paid from the fund.

Sec. 2. Minnesota Statutes 1961, Section 352A.06, is amended to read:

352A.06 Retirement. Subdivision 1. **Qualifications for retirement.** After separation from state service, any state police officer who has attained the age of at least 58 years and who received credit for not less than ten years of allowable service as a state police officer is entitled upon application to a retirement annuity.

Subd. 2. Normal retirement annuity. The retirement annuity hereunder payable at age 58 or thereafter shall be computed in accordance with applicable provisions of the formula stated in subdivision 3 hereof on the basis of the member's average salary for the period of his allowable service. Such retirement annuity is known as the normal retirement annuity.

(a) For years prior to July 1, 1961, average salary for determining a member's retirement annuity means the amount equivalent to the average of his highest salary upon which deductions were based for any five consecutive years prior to that date limited to \$4,800;

(b) For each year subsequent to June 30, 1961; *and prior to July 1, 1965*, average salary for a member for the purpose of determining his retirement annuity means his average salary not exceeding in any one year \$4,800 and for which he has made contributions to the retirement fund;

(c) Average salary in no case shall exceed ~~\$4,800~~ \$7,200 per year. *For each year subsequent to June 30, 1965, average salary for a member for the purpose of determining his retirement annuity means his average salary for which he has made contributions to the retirement fund.*

Subd. 3. Computing normal annuity. The normal annuity

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for any member shall be computed by multiplying his average salary upon which deductions were based times two percent per year of allowable service. After a member has reached the age of 60, each year of allowable service thereafter shall not be computed in determining his normal annuity unless he was employed as a state police officer before July 1, 1961. If the member was so employed before July 1, 1961 and reached 60 years of age and had more than 30 years' allowable service at such time, each year of allowable service acquired by the member shall be computed in determining his normal annuity until such member reaches the age of 60. If the member was so employed before July 1, 1961, and had less than 30 years of allowable service when he reached age 60, each year of allowable service acquired by such member shall be computed in determining his normal annuity not to exceed 30 years of such allowable service. The year any member reaches age 60 may be computed in full in determining the normal annuity provided herein.

Subd. 4. Early retirement. After separation from state service, any state police officer who has attained the age of at least 55 years and who receives credit for not less than 20 years of allowable service as a state police officer, is entitled upon application to a retirement annuity which shall be equal to his normal annuity reduced by one half a percent for each month that he is under age 58 at the time of retirement.

Sec. 3. Minnesota Statutes 1961, Section 352A.08, is amended to read:

352A.08 State employees retirement association; application; disability; annuities; survivor's benefits. Subdivision 1. **Incorporation by reference.** General provisions of Minnesota Statutes, Chapter 352, apply to all state police officers who are members of the state police officers retirement fund and also to all departments of the state employing such members except where otherwise specifically provided or inconsistent with the provisions of this chapter.

Subd. 2. Disability not in line of duty. If a member of the state police officers retirement fund is permanently and totally disabled not in the line of duty, the computation of the disability benefits of section 352.113 as they apply to members of the state police officers retirement fund shall be equal to the normal annuity, based on a person's age when disabled, provided in section 352A.06 computed as though the person were age 58 when disabled, plus a supplementary monthly annuity computed in accordance with the

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following table, but in no case shall these benefits exceed the normal annuity for 30 years of allowable service:

Age when disabled	Supplementary benefits
Under 51	\$50
51	\$44
52	\$38
53	\$32
54	\$26
55	\$20
56	\$12
57	\$ 6

Subd. 3. **Disability in line of duty.** If a member of the state police officers fund is permanently and totally disabled in the line of duty, regardless of his age or years of service when disabled, he shall be paid disability benefits in an amount equal to 40 55 percent of his average salary as defined in section 352A.06. Except as specifically provided in this subdivision, all other terms and conditions of section 352.113 shall apply to establish qualifications for disability. If a member qualifies for the disability benefits of subdivisions 2 and 3, he shall have the option to apply for benefits under either but not both.

The provision contained in Minnesota Statutes, Section 352.113, which reads "If a disabled person receives disability benefits under the provisions of the Federal Social Security Act, his benefits computed under subdivision 2 of this section shall be reduced by the amount of disability benefits paid under the federal act." shall not apply to state police officers who are members of this fund.

Subd. 4. **Deferred annuity.** The deferred annuity of section 352.22, as it applies to members of the state police officers retirement fund, shall commence at age 58 and shall be computed in the manner provided in section 352A.06 on the basis of allowable service prior to termination of service.

Subd. 5. **Survivor's annuity.** The survivor's annuity of section 352.117, subdivision 2, shall be paid in behalf of members of the state police officers retirement fund under the following terms and conditions: Upon the death of a member before retirement who has had at least 20 years of allowable service as a state police officer, his surviving spouse shall be paid a deferred annuity in

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an amount equal to 75 percent of the member's normal annuity provided in section 352A.06 not to exceed ~~\$150~~ \$200 per month. If, at the time of death, the member was under 58 years of age, his normal annuity shall be reduced one half percent for each month that he was under age 58. This annuity shall be paid when the surviving spouse reaches the age of 62 and shall terminate upon remarriage. The surviving spouse has the option, if qualified, to receive the annuity provided in section 352.117, subdivision 1, or the benefit provided in section 352.117, subdivision 2, but not both.

Subd. 6. Line of duty survivor's benefits. If a member is killed in the line of duty, survivor's benefits shall be paid even though the member did not have 18 months of allowable service credit at the date of death.

Sec. 4. Minnesota Statutes 1961, Chapter 352A, as amended, is amended by adding a section to read:

[352A.085] Survivors and death benefits. *Upon the death of a member before retirement or upon the death of a former member who was disabled and receiving disability benefits pursuant to section 352A.08 at the time of his death his surviving dependent spouse and dependent children under the age of 18 shall receive the monthly benefit provided below.*

- | | |
|--------------------------------|----------------|
| (a) Surviving dependent spouse | \$75 per month |
| (b) Each dependent child | \$45 per month |

In addition to the amounts provided in (a) and (b) hereof, \$20 per month shall be paid to be divided equally among the dependent children. Payments for the benefit of any dependent child under the age of 18 years shall be made to the surviving parent, 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 surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Sec. 5. Minnesota Statutes 1961, Chapter 352A, as amended, is amended by adding a new section to read:

[352A.081] Incorporation of Chapter 352 by reference. *The incorporation by reference of Minnesota Statutes 1961, Chapter 352, provided for in section 352A.08, subdivision 1, shall be held to mean incorporation of chapter 352 as it existed July 1, 1961, subject to the provisions of this chapter.*

Sec. 6. Minnesota Statutes 1961, Section 352A.11, is amended to read:

Changes or additions indicated by italics, deletions by strikeout:

352A.11 Options, game wardens retirement fund members. Any state police officer who, on July 1, ~~1964~~ 1965, had 20 years of service in the game wardens retirement fund as defined in Minnesota Statutes 1957, Section 97.66, shall be entitled to an option. This option affords such a person the right to have his retirement annuity and other benefits computed pursuant to Minnesota Statutes 1957, Section 97.61 to 97.73. Any person who wishes to exercise this option shall file an application with the board of trustees before July 1, ~~1963~~ 1966. After the option is exercised the person shall be entitled to no annuities nor other benefits provided by this chapter. If the person remains in state service as a state police officer after the option is exercised, the employee contributions provided in section 352A.05, subdivision 1, and the employer contribution provided in section 352A.05, subdivisions 2 and 4 shall be paid nonetheless.

Any state police officer who took an option to retire under the game warden retirement fund as defined in Minnesota Statutes 1957, Section 97.66, may revoke such option. Any person who wishes to exercise the right to revoke shall file such revocation with the board of trustees before July 1, 1966.

Sec. 7. *This act shall be effective July 1, 1965.*

Approved May 27, 1965.

CHAPTER 891—S. F. No. 1653

[Coded]

An act restricting the use of sales ratio studies prepared by the E.A.R.C.; amending Minnesota Statutes 1961, Section 124.21, as amended, by adding a new subdivision.

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

Section 1. Minnesota Statutes 1961, Section 124.21, as amended by Laws 1963, Chapters 334 and 836, is amended by adding a new subdivision to read:

Subd. 6. Education; school aid. The sales ratio studies, or any part thereof, or any copy of the same, or records accumulated in preparation thereof, which are prepared by the commissioner of taxation for the E.A.R.C. for use in determining school aids pursuant to this chapter, shall not be admissible in evidence in any

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