

Sec. 4. Minnesota Statutes 1971, Section 144.804, Subdivision 1, is amended to read:

144.804 STANDARDS. Subdivision 1. No publicly or privately owned ambulance service shall be operated in the state of ~~Minnesota~~ unless the drivers and ~~any~~ attendants possess a current advanced American Red Cross first aid certificate or an advanced first aid certificate issued by the United States bureau of mines or other first aid certificate ~~issued~~ authorized by the state board of health.

Sec. 5. Minnesota Statutes 1971, Section 144.804, Subdivision 2, is amended to read:

Subd. 2. Every ambulance, ~~when in service, offering emergency service~~ shall be equipped with a stretcher and after July 1, 1975, a two-way communications system and carry the minimal equipment recommended by the American College of Surgeons.

Sec. 6. Minnesota Statutes 1971, Section 144.804, Subdivision 3, is amended to read:

Subd. 3. All ambulances offering emergency service, whether publicly or privately owned, shall offer ambulance service 24 hours per day every day of the year and shall be staffed by a driver and attendant. Whenever an ambulance service shall find it impossible to arrange for an attendant to accompany the driver, the driver may proceed to answer an emergency call without an accompanying attendant, provided that the ambulance service shall make all reasonable efforts to arrange for an attendant to be present at the site of the emergency. Drivers and attendants are authorized to use only such equipment for which they are qualified by training.

All ambulances offering non-emergency service shall be equipped with oxygen and resuscitation and aspiration equipment. No ambulance offering only non-emergency services shall be equipped with emergency warning lights or siren.

Approved May 11, 1973.

CHAPTER 221—S.F.No.912

An act relating to the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 352.01, Subdivisions 11 and 16; 352.021, Subdivision 3; 352.115, Subdivision 1; 352.12,

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

Subdivisions 1, 2 and 6; 352.22, Subdivision 3; and 352.72, Subdivisions 2 and 4; repealing Minnesota Statutes 1971, Section 352.04, Subdivision 7.

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

Section 1. Minnesota Statutes 1971, Section 352.01, Subdivision 11, is amended to read:

Subd. 11. **MINNESOTA STATE RETIREMENT SYSTEM; ALLOWABLE SERVICE.** "Allowable service" means:

(1) Any service rendered by an employee for which on or before July 1, 1957, he was entitled to allowable service credit on the records of the system by reason of employee contributions in the form of salary deductions, payments in lieu of salary deductions, or in any other manner authorized by Minnesota Statutes 1953, Chapter 352, as amended by Laws 1955, Chapter 239, or

(2) Any service rendered by an employee for which on or before July 1, 1961, he elected to obtain credit for service by making payments to the fund pursuant to Minnesota Statutes 1961, Section 352.24, or

(3) Any service rendered by an employee after July 1, 1957, for any ~~pay period when he receives~~ calendar month in which he is paid salary from which deductions are made, deposited and credited in the fund, including deductions made, deposited and credited as provided in section 352.041, or

(4) Any service rendered by an employee after July 1, 1957 for any ~~pay period~~ calendar month for which payments in lieu of salary deductions are made, deposited and credited in the fund, as provided in section 352.27 and Minnesota Statutes 1957, Section 352.021, Subdivision 4.

(For purposes of paragraphs (3) and (4) of this subdivision, any salary paid for a fractional part of any ~~pay period~~ calendar month is deemed the compensation for the entire ~~pay period~~ calendar month. The board of directors of the Minnesota state retirement system shall establish rules governing the accrual of allowable service credit for less than full time employment.), or

(5) The period of absence from their duties by employees who by reason of injuries incurred in the performance thereof are temporarily disabled and for which disability the state is liable under the workmen's compensation law until the date authorized by the director for the commencement of payments of a total and permanent disability benefit from the retirement fund, or

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(6) The unused portion of an employee's annual leave allowance for which he is paid salary ~~on regular pay period abstracts until his accumulated leave is exhausted; but, if payment of annual leave allowance is made as provided in section 351.12, the last day of the pay period in which is his last working day is the date credit for state service terminates, or~~

(7) Any employee who made payment in installments in order to obtain additional service credit but failed to make the final payment on or before July 1, 1962 shall be entitled to have credit for all service for which the payments he made will entitle him under the provisions of Minnesota Statutes 1961, Section 352.24. In determining "the service for which the payments he made will entitle him" service credit shall extend retroactively from the latest service for which he made payment, or

(8) Former state employees who hold numbered certificates of deferred annuity who again become state employees shall surrender such certificates and shall be entitled to full credit for the service covered by the surrendered certificates, or

(9) Any service covered by refundment repaid as provided in section 352.23 but does not include service rendered as an employee of the adjutant general for which the person has credit with the federal civil service retirement system.

Sec. 2. Minnesota Statutes 1971, Section 352.01, Subdivision 16, is amended to read:

Subd. 16. **YEAR OF ALLOWABLE SERVICE.** "Year of allowable service" means any 12 calendar months not necessarily consecutive in which an employee is entitled to allowable service credit ~~for all pay periods in such 12 calendar months.~~ It also means 12 months credit each calendar year for teachers in the state colleges and state institutions who may or may not receive compensation in every pay period month in the calendar year.

Sec. 3. Minnesota Statutes 1971, Section 352.021, Subdivision 3, is amended to read:

Subd. 3. **OPTIONAL EXEMPTIONS.** Any person who is a ~~departmental head~~ appointed by the governor or lieutenant governor may request exemption from coverage under this chapter if he is not so covered at the date of such appointment. To qualify for this exemption he shall make his request within 90 days from the date of entering upon the duties of the position to which appointed. He shall not thereafter be entitled to such coverage so long as he continues in the position which entitled him to exemption therefrom.

Sec. 4. Minnesota Statutes 1971, Section 352.115, Subdivision 1, is amended to read:

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352.115 RETIREMENT ANNUITY. Subdivision 1. **AGE AND SERVICE REQUIREMENTS.** After separation from state service any employee (a) who has attained the age of at least 65 62 years and who is entitled to credit for not less than ten years allowable service or (b) who has attained the age of at least 58 years and who is entitled to credit for not less than 20 years allowable service is entitled upon application to a retirement annuity. ~~Retirement is not compulsory prior to attaining the age of 70.~~

Sec. 5. Minnesota Statutes 1971, Section 352.12, Subdivision 1, is amended to read:

352.12 REFUNDMENT AFTER DEATH OF EMPLOYEE OR FORMER EMPLOYEE. Subdivision 1. **DEATH BEFORE TERMINATION OF SERVICE.** If an employee dies before his state service has terminated and neither a survivor annuity nor a reversionary annuity is payable or if ~~an a former~~ employee who has ~~filed a valid application for sufficient service credit to be entitled to an annuity or disability benefit prior to the termination of his state service~~ dies before the benefit has become payable, the director shall make a refundment to his last designated beneficiary or, if there be none, to his surviving spouse or, if none, to the representative of his estate in an amount equal to his accumulated contributions plus interest thereon to the date of death at the rate of three and one-half percent per annum compounded annually. In the event an employee dies who has received a refundment which he had subsequently repaid in full, interest shall be paid on such repaid refundment only from the date of repayment. If the repayment was made in installments, interest shall be paid only from the date installment payments began. The designated beneficiary, surviving spouse or representative of the estate of an employee who had received a disability benefit shall not be entitled to interest upon any balance remaining to his credit in the fund at the time of death.

Sec. 6. Minnesota Statutes 1971, Section 352.12, Subdivision 2, is amended to read:

Subd. 2. **SURVIVING SPOUSE BENEFIT.** If an employee who has attained the age of at least 65 62 years and has credit for not less than ten years allowable service or who has attained the age of at least 58 years and has credit for not less than 20 years allowable service dies before his state service has terminated or if an employee who has filed a valid application for an annuity or disability benefit prior to the termination of his state service dies before the benefit has become payable, notwithstanding any designation of beneficiary to the contrary, his surviving spouse may elect to receive, in lieu of the refundment with interest provided in subdivision 1, an annuity equal to the joint and 50 percent survivor annuity which the employee could have qualified for had he retired

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on the date of death, computed as provided in section 352.115, subdivisions 2 and 3, and section 352.116, subdivisions 1 and 3. The annuity shall cease with the last payment received by the surviving spouse in his or her lifetime. An amount equal to the excess, if any, of the accumulated contributions which were credited to the account of the deceased employee over and above the total of the benefits paid and payable to the surviving spouse shall be paid to the deceased employee's last designated beneficiary or, if none, to the representative of the estate of such deceased employee. Any employee may request in writing that this subdivision not apply and that payment be made only to his designated beneficiary as otherwise provided by this chapter.

Sec. 7. Minnesota Statutes 1971, Section 352.12, Subdivision 6, is amended to read:

Subd. 6. **DEATH AFTER SERVICE TERMINATION.** Except as provided in subdivision 1, if a former employee covered by the system dies and he has not received an annuity, a retirement allowance or a disability benefit, a refundment shall be made to his last designated beneficiary or, if there be none, to his surviving spouse or, if none, to the representative of his estate in an amount equal to his accumulated contributions.

Sec. 8. Minnesota Statutes 1971, Section 352.22, Subdivision 3, is amended to read:

Subd. 3. **DEFERRED ANNUITY.** (1) Any employee with at least ten years of allowable service when such termination occurs may at his option leave his accumulated contributions in the fund and thereby be entitled to a deferred retirement annuity ~~commencing at age 65.~~ This annuity shall be computed in the manner provided by the law in effect at the time state service terminated, on the basis of allowable service prior to termination of service.

(2) An employee on layoff who does not return to state service during the period his name is carried on a layoff list pursuant to civil service law or regulation shall have any deferred annuity to which he may become entitled computed under the law in effect on his last working day.

(3) The provisions of section 352.28, subdivision 1, and section 352.115, subdivisions 4 and 5 shall not apply to paragraphs (1) and (2) hereof.

(4) No application for a deferred annuity shall be made prior to the time the former employee reaches the required age to entitle him to the payment of such annuity. Such deferred annuity shall begin to accrue no earlier than 60 days prior to the date the application is filed in the office of the system except that if an

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optional annuity as provided in section 352.116 is selected the annuity shall begin to accrue 30 days after the application is filed but in no event prior to the date the employee reaches the required age to entitle him to such annuity nor prior to the day following the termination of state service in a position not covered by the retirement system nor prior to the day following the termination of employment in a position which requires the employee to be a member of either the public employees retirement association or the teachers retirement association.

(5) Application for the accumulated contributions left on deposit with the fund may be made at any time after 60 days following the date of his termination of service.

Sec. 9. Minnesota Statutes 1971, Section 352.72, Subdivision 2, is amended to read:

Subd. 2. **COMPUTATION OF DEFERRED ANNUITY.** The deferred annuity, if any, accruing under subdivision 1, or section 352.22, subdivision 3, shall be computed in the manner provided in section 352.22, subdivision 3, and acts amendatory thereof, on the basis of allowable service prior to termination of state service and augmented as provided herein. The required reserves applicable to a deferred annuity or to an annuity for which a former employee was eligible but had not applied or to any deferred segment of an annuity shall be determined as of the date the benefit begins to accrue and augmented by interest compounded annually from the first day of the month following the month in which the employee ceased to be a state employee, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. The rates of interest used for this purpose shall be ~~one percent less than the interest assumptions which were in effect during the period for which interest is two and one-half percent compounded annually.~~ If a person has more than one period of uninterrupted service, the required reserves related to each period shall be augmented by interest pursuant to this subdivision. The sum of the augmented required reserves so determined shall be the present value of the annuity. Uninterrupted service for the purpose of this subdivision shall mean periods of covered employment during which the employee has not been separated from state service for more than two years. If a person repays a refundment, the service restored by such repayment shall be considered as continuous with this system. The formula percentages used for each period of uninterrupted service shall be those as would be applicable to a new employee. The mortality table and interest assumption used to compute such annuity shall be those in effect at the time the employee files application for annuity. This section shall not reduce the annuity otherwise payable under this chapter.

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Sec. 10. Minnesota Statutes 1971, Section 352.72, Subdivision 4, is amended to read:

Subd. 4. **REFUNDMENT REPAYMENT.** Any person who has received a refundment from the state employees retirement fund ~~prior to July 1, 1961, and who is a member of either the public employees retirement association or the state teachers retirement association~~ a public retirement system included in subdivision 1, may repay such refundment with interest to the state employees retirement fund. If a refundment is repaid to the fund and more than one refundment has been received from the fund, all refundments must be repaid. Such repayment shall be made as provided in Minnesota Statutes 1957, Section 352.23, and acts amendatory thereof, and under such terms and conditions consistent therewith as may be agreed upon with the director. ~~If a refundment has been received from the fund subsequent to June 30, 1961, the provisions of this subdivision do not apply and repayment of refundment can be made only as provided in section 352.23.~~

Sec. 11. Minnesota Statutes 1971, Section 352.04, Subdivision 7, is repealed.

Sec. 12. This act is effective July 1, 1973.

Approved May 11, 1973.

CHAPTER 222—S.F.No.1013

[Not Coded]

An act relating to the city of Fraser in St. Louis county; providing for the dissolution of the city of Fraser.

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

Section 1. **FRASER, CITY OF; DISSOLUTION.** The legislature finds that the city of Fraser in St. Louis county is abandoned and no longer serves any function of local government. The city of Fraser is in all things dissolved on the effective date of this act, and all territory contained within the corporate limits of Fraser shall become a part of the town of Balkan.

Sec. 2. The last duly constituted governing body of the city of Fraser shall have custody of any funds of the city of Fraser from its dissolution until January 31, 1974. The said body on the first business day of each week in September, 1973 shall publish in a

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