

(6) The name of the owner thereof at the time of making such statement, according to the best information then had; ~~and~~

(7) The post-office address of the claimant. (The failure to insert such post-office address shall not invalidate the lien statement);

(8) That a copy of such statement has been served or mailed to the owner, his authorized agent or the person who entered into the contract with the contractor as provided herein; and

(9) That notice as required by section 2, subdivision 2, if any, was given.

Sec. 7. Minnesota Statutes 1971, Section 514.11, is amended to read:

514.11 COMMENCEMENT OF ACTION; PROCEEDINGS. The action may be commenced by any lienholder who has filed his lien statement for record and served a copy thereof on the owner pursuant to section 514.08, and all other such lienholders shall be made defendants therein. The summons shall state that the complaint has been filed with the clerk and shall be of no effect unless such complaint be in fact so filed. It shall contain a notice that the action is brought to foreclose a lien, giving the amount thereof, and a brief description of the premises affected, and of the improvement out of which the lien arose, and shall require each defendant to file his answer to the complaint with the clerk within 20 days after service on him. Such answer, in addition to all other matters proper to be pleaded, shall set up any lien claimed by the defendant, and demand the enforcement thereof. No copies of such complaint or answer need be served on any party, upon demand or otherwise, and all averments of the answer shall be taken as denied without further pleading.

Sec. 8. This act shall apply to contracts for improvements entered into by the owner after January 1, 1974, at 12:01 A.M.

Approved May 15, 1973.

CHAPTER 248—H.F.No.178

[Coded]

An act relating to peace officers; providing benefits to survivors of peace officers killed in the line of duty; establishing a peace

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officers' benefit fund in the state treasury; providing an appropriation.

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

Section 1. **[352E.01] PEACE OFFICERS; DEATH IN LINE OF DUTY; BENEFITS; DEFINITIONS.** Subdivision 1. **TERMS.** For the purposes of sections 1 to 5, the terms defined in this section have the meanings here given them.

Subd. 2. **PEACE OFFICER.** "Peace officer" means:

(a) A police officer employed by the state of Minnesota or any governmental subdivision within the state to enforce the criminal laws;

(b) A Minnesota highway patrol officer;

(c) A sheriff or full-time deputy sheriff with power of arrest by warrant;

(d) A state conservation officer, as defined in Minnesota Statutes, Section 84.028, Subdivision 3;

(e) A person employed by the bureau of criminal apprehension as a police officer with power of arrest by warrant;

(f) A correction officer employed at any correctional institution and charged with maintaining the safety, security, discipline and custody of inmates at such institutions;

(g) A fireman, for the purposes of this act, is a person employed on a full-time basis by a fire department of any governmental subdivision of the state who is engaged in the hazards of fire fighting or a regularly enrolled member of a volunteer fire department who is engaged in the hazards of fire fighting; and

(h) A good samaritan, for the purposes of this act, is a person who complies with the request or direction of a peace officer to assist the officer.

Subd. 3. **SPOUSE.** "Spouse" includes a person legally married to the decedent at the time of death.

Subd. 4. **DEPENDENT CHILD.** A "dependent child" is one who is unmarried and who was either living with or was receiving support contributions from the peace officer at the time of death, including a stepchild, an adopted child, or a posthumous child, and who is

(a) under 18 years of age;

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(b) over 18 years of age and incapable of self-support because of physical or mental disability; or

(c) over 18 years of age and a student as defined by section 8101 of Title 5, United States Code.

Sec. 2. [352E.02] PEACE OFFICERS BENEFIT FUND. There is hereby created in the state treasury an account to be known as peace officers benefit fund. Funds in the peace officers benefit fund shall consist of moneys appropriated to that fund as provided in section 5.

Sec. 3. [352E.03] WORKMENS COMPENSATION COMMISSION. Eligibility to receive benefits as herein provided shall be determined by the workmens compensation commission in the manner provided by Minnesota Statutes 1971, Chapter 176. A decision of the workmens compensation commission hereunder may be reviewed by the Minnesota supreme court in the same manner and subject to the same procedures governing all other appeals from the decisions of the workmens compensation commission.

Sec. 4. [352E.04] DISBURSEMENTS. Upon certification to the governor by the administrator of any state or governmental subdivision employing peace officers that a peace officer employed by that state or governmental subdivision within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the auditor shall, subject to the approval of the workmens compensation commission, pay the sum of \$25,000 as follows:

- (a) If there is no dependent child, to the spouse;
- (b) If there is no spouse, to the dependent child or children in equal shares;
- (c) If there are both a spouse and one or more dependent children, one half to the spouse and one half to the child or children, in equal shares;
- (d) If there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares;
- (e) If there is no surviving spouse or dependent child, children or parent, then there shall be no payment made from the peace officers benefit fund. For the purpose of this act, killed in the line of duty shall not include any peace officer who dies as a result of a heart attack.

Sec. 5. [352E.05] APPROPRIATION. There is annually appropriated from the general fund to the peace officers benefit fund

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such sums of money as may be necessary to pay the benefits provided in this act.

Sec. 6. **EFFECTIVE DATE.** This act becomes effective upon final enactment and is retroactive to January 1, 1973.

Approved May 15, 1973.

CHAPTER 249—S.F.No.103

An act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

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

Section 1. **TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE 303.** Route No. 303 as contained and described in Minnesota Statutes 1971, Section 161.115, is discontinued and removed from the trunk highway system.

Sec. 2. The revisor of statutes, in compiling the Minnesota Statutes, shall delete the route specified in section 1.

Approved May 16, 1973.

CHAPTER 250—S.F.No.147

An act relating to public health; abolishing certain advisory committees; amending Minnesota Statutes 1971, Section 145.10; repealing Minnesota Statutes 1971, Sections 144.75 and 144.93.

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

Section 1. Minnesota Statutes 1971, Section 145.10, is amended to read:

145.10 PUBLIC HEALTH; ADVISORY COMMITTEES; STATE BOARD TO FURNISH LIST OF NURSES. There shall be

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