

Approved April 20, 1976.

CHAPTER 326—S.F.No.2014

[Coded in Part]

An act relating to retirement; increasing certain benefits and annuities; appropriating money.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [356.35] RETIREMENT; BENEFIT AND ANNUITY INCREASES; DEFINITIONS. Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purpose of this act, shall have the meanings subjoined to them.

Subd. 2. "Determinant date" means June 1, 1973, with respect to the highway patrolmen's retirement fund; June 27, 1973, with respect to permanent disability benefits, retirement annuities, and retirement allowance options II, III and IV paid to surviving spouses pursuant to Minnesota Statutes 1971, Section 422.08 provided by the Minneapolis municipal employees retirement fund; April 25, 1959, with respect to survivor benefits paid to surviving spouses of contributing members provided by the Minneapolis municipal employees retirement fund; January 1, 1970, with respect to the St. Paul teachers retirement fund; July 1, 1971, with respect to the Duluth teachers retirement fund; and July 1, 1973, with respect to all other covered retirement funds.

Subd. 3. "Plan participant" means the person receiving the permanent disability benefit or retirement annuity with respect to disabled and retired members of a covered fund; and the deceased member or deceased retired member on behalf of whom the survivor benefit or annuity is being paid with respect to surviving beneficiaries of a covered fund.

Subd. 4. "Years of retirement" means the number of years which have elapsed between:

(1) June 30 of the calendar year in which the earliest applicable event among the following occurred;

(a) the commencement of the plan participant's permanent disability benefit,

(b) the commencement of the plan participant's retirement annuity, or

(c) the death of the plan participant, and

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(2) July 1, 1976.

Subd. 5. "Covered retirement fund" means:

- (1) the highway patrolmen's retirement fund;
- (2) the public employees police and fire fund;
- (3) the public employees retirement fund;
- (4) the state employees retirement fund;
- (5) the teachers retirement fund;
- (6) the Minneapolis municipal employees retirement fund;
- (7) the legislators' retirement plan;
- (8) the St. Paul teachers retirement fund; or
- (9) the Duluth teachers retirement fund.

Sec. 2. [356.36] PERMANENT DISABILITY BENEFITS AND RETIREMENT ANNUITIES; INCREASE; EXCEPTIONS. Subdivision 1. Except as provided in section 4, any plan participant who began receiving a permanent disability benefit or a retirement annuity prior to the determinant date and is receiving a permanent disability benefit or a retirement annuity based on laws in effect prior to such date from a covered retirement fund or any combination of such funds shall receive, beginning with the first monthly benefit or annuity accruing after June 30, 1976, an increase in the benefit or annuity from each such fund as provided in subdivisions 2 and 3. Provided however, that no plan participant who is receiving a permanent disability benefit or a retirement annuity from the Minneapolis municipal employees retirement fund in excess of \$300 per month shall be entitled to an increase in such benefit or annuity pursuant to this act. Provided further, that no plan participant who is less than 70 years of age and is receiving a permanent disability benefit or a retirement annuity from the St. Paul teachers retirement fund shall be entitled to an increase in the benefit or annuity pursuant to this act until the plan participant attains the age of 70 years.

Subd. 2. In the case of permanent disability benefits and retirement annuities computed under the provisions of a "basic" retirement program, there shall be:

- (1) a \$4.50 increase in annual payments for each full year of allowable service earned by the plan participant in the respective covered retirement fund; and
- (2) a \$9 increase in annual payments for each year of retirement.

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Subd. 3. In the case of permanent disability benefits and retirement annuities computed under the provisions of a "coordinated" retirement program, there shall be:

(1) a \$1.20 increase in annual payments for each full year of allowable service earned by the plan participant in the respective retirement fund; and

(2) a \$2.40 increase in annual payments for each year of retirement.

Subd. 4. In the case of a retirement annuity which is increased pursuant to this section and which may become payable to a surviving beneficiary after the death of the plan participant, the survivor annuity ultimately payable in such event shall include only one-half the increase paid to the plan participant pursuant to this section.

Sec. 3. [356.37] SURVIVOR BENEFITS; INCREASE; EXCEPTIONS. Subdivision 1. Except as provided in section 4, any person who is receiving a survivor benefit or survivor annuity based on laws in effect prior to the determinant date and is the surviving spouse of a plan participant who died or retired prior to such date; and any person who is receiving a survivor annuity based on laws in effect prior to the determinant date and is the named beneficiary of a plan participant who died or retired prior to such date; and any person who is receiving any combination of such benefits and annuities from a covered retirement fund or any combination of such funds shall receive, beginning with the first monthly benefit or annuity accruing after June 30, 1976, an increase in each such benefit or annuity as provided in subdivisions 2 and 3. Provided however, that no surviving spouse who is receiving an option II, III or IV survivor retirement allowance pursuant to Minnesota Statutes 1971, Section 422.08 provided by the Minneapolis municipal employees retirement fund shall be entitled to an increase in such annuity pursuant to this act if the retirement annuity which was paid or payable to the plan participant was in excess of \$300 per month.

Subd. 2. In the case of survivor benefits and annuities computed under the provisions of a "basic" retirement program, there shall be:

(1) a \$2.25 increase in annual payments for each full year of allowable service earned by the plan participant in the respective covered retirement fund; and

(2) a \$4.50 increase in annual payments for each year of retirement.

Subd. 3. In the case of survivor benefits and annuities computed under the provisions of a "coordinated" retirement program, there shall be:

(1) a \$1.60 increase in annual payments for each full year of allow-

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able service earned by the plan participant in the respective retirement fund; and

(2) a \$1.20 increase in annual payments for each year of retirement.

Sec. 4. [356.38] MULTIPLE BENEFITS AND ANNUITIES; LIMITATION ON INCREASES. Any person who is receiving more than one benefit or annuity to which the increases in sections 2 and 3 apply shall not receive an increase based on years of retirement for each benefit or annuity but shall receive the increase based on years of retirement only for the benefit or annuity which will result in the largest such increase.

Sec. 5. There is hereby appropriated from the general fund in the state treasury \$21,207,456 to be apportioned as follows:

(1) To the highway patrolmen's retirement fund \$237,356;

(2) To the public employees police and fire fund \$359,302;

(3) To the public employees retirement fund \$8,668,197;

(4) To the state employees retirement fund \$2,216,377;

(5) To the teachers retirement fund \$5,612,272;

(6) To the Minneapolis municipal employees retirement fund \$2,740,752;

(7) To the executive director of the Minnesota state retirement system for the purpose of paying increases to plan participants of the legislators' retirement plan pursuant to this act \$43,375;

(8) To the executive director of the Minnesota state retirement system for the purposes of paying increases to surviving spouses of plan participants of the legislators' retirement plan pursuant to this act for the fiscal year ending July 1, 1977 \$783;

(9) To the St. Paul teachers retirement fund association \$942,137;

(10) To the Duluth teachers retirement fund association \$386,905.

Sec. 6. In the case of annuities or benefits for which the required reserves have been transferred to the Minnesota adjustable fixed benefit fund, each retirement fund shall transfer to the Minnesota adjustable fixed benefit fund the additional required reserves for the increases provided by this act, no later than October 15, 1976, and the moneys necessary for such transfer are hereby appropriated from each such retirement fund to the Minnesota adjustable fixed benefit fund. The increased benefit amounts shall thereafter be considered the "originally

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determined benefits" for the purpose of further adjustments pursuant to Minnesota Statutes, Section 11.25.

Sec. 7. Each retirement fund providing benefits or annuities to which the increases in this act apply may delay paying the increases until no later than the first monthly payment after October 15, 1976, but the first such payment shall include retroactivity to July 1, 1976. Provided however, that with respect to any plan participant who is less than 70 years of age and is receiving a permanent disability benefit or retirement annuity from the St. Paul teachers retirement fund, the increase in such benefit or annuity pursuant to this act shall commence when the plan participant attains the age of 70 years and shall not include retroactivity.

Sec. 8. Notwithstanding Minnesota Statutes, Section 356.18, increases in payments pursuant to this act shall be made automatically unless the intended recipient files written notice with the appropriate retirement fund requesting that the increase not be made.

Sec. 9. This act is effective July 1, 1976.

Approved April 20, 1976.

CHAPTER 327—S.F.No.2032

[Coded in Part]

An act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Chapter 245, is amended by adding a section to read:

[245.72] DAKOTA, WASHINGTON AND RAMSEY COUNTIES; MENTAL HEALTH TREATMENT; COMMUNITY PROGRAMS. The counties of Dakota, Washington, and Ramsey may individually or jointly establish pilot programs to provide nonresidential community based services of individualized treatment and rehabilitation to mentally ill persons residing in those counties. The pilot programs shall emphasize teaching basic skills to persons who would otherwise be hospitalized or who are unable to use currently available aftercare services, and shall be designed to enable those persons to live independently in the community without further hospitalization.

Sec. 2. There is appropriated from the general fund to the commissioner of public welfare the sum of \$350,000 solely for the purposes

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