

percent of the total pensions paid during the previous fiscal year. Upward adjustments of the annuity payments to each annuitant shall be limited to eight percent of the previous year's payment rate with any excess being added to the annuity stabilization reserve even though such reserve may then exceed 25 percent of the immediate past fiscal year's total annuity payments.

(b) If the annuity stabilization reserve should become negative as a result of the guarantee set forth in subdivision 12, clause (h), the amount of subsequent benefit increases after January 1, 1978, shall be limited to amounts which will cause the annuity stabilization reserve to be restored again to a positive level.

**Sec. 4. TEMPORARY PROVISION.** Each participating pension fund shall recalculate the amount of its mortality gain or loss for each of the fiscal years ending June 30 or December 31, 1975 and 1976, in accordance with this act.

If the total amount of such recalculated mortality gain or loss differs from the total amount of mortality gain or loss previously reported, the pension fund shall be credited with the difference if it has previously paid an excess amount to the Minnesota adjustable fixed benefit fund or the pension fund shall pay the difference to the Minnesota adjustable fixed benefit fund if it has previously paid a deficient amount. In either case the fund's participation in the Minnesota adjustable fixed benefit fund shall be adjusted on December 30, 1977 to reflect the credit or payment.

**Sec. 5.** This act is effective the day following final enactment.

Approved May 26, 1977.

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## CHAPTER 275—H.F.No.491

[Not Coded]

*An act relating to retirement; police pensions in the city of Crookston.*

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

**Section 1. CROOKSTON, CITY OF; POLICE RELIEF ASSOCIATION; COMPLETION OF PERIOD OF SERVICE; AGE; RETIREMENT; SERVICE PENSION.** Subdivision 1. Notwithstanding Minnesota Statutes, Section 423.55, a member of the Crookston police relief association who has completed a period, or periods of service, as a policeman in the police department of the city of Crookston, equal to 15 years or more, shall, after he has arrived at the age of 50 years or more, and has retired from the payroll of the police department of the city, be entitled to a service pension equal to 37-1/2 percent of the monthly base pay of the policeman at the time of his retirement from the police department, plus an additional 2-1/2 percent for each full year of service in excess of 15 years, to a maximum of 75 percent. In no event shall the pension be less than \$75 per month, which pension shall be payable monthly during the term of his natural life in conformity with the bylaws of the association.

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Subd. 2. "Monthly base pay" means the highest monthly salary earned by the member, exclusive of any overtime pay or special allowances.

Subd. 3. All leaves of absence of more than 90 days, except those which are granted to a member because of his disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in the police department not subject to the provisions of Minnesota Statutes, Sections 423.41 to 423.62. No member shall be entitled to draw both a disability and a service pension.

**Sec. 2. MEMBER RETIRING AFTER SERVING 15 YEARS BUT HAS NOT REACHED RETIREMENT AGE.** A member of the association who has completed a period, or periods of service, as a policeman in the police department of the city equal to 15 years or more, but has not reached the age of 50 years, shall have the right to retire from the department without forfeiting his right to a service pension. He shall, upon application, be placed on the deferred pension roll of the association, and, after he has reached the age of 50 years, the association shall, upon application therefor, pay his pension from the date the application is approved by the association.

**Sec. 3. EMPLOYEE CONTRIBUTION.** The employee contribution shall be eight percent of salary of the member.

**Sec. 4.** This act is effective upon approval by the governing body of the city of Crookston and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 26, 1977.

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#### CHAPTER 276—H.F.No.672

*An act relating to insurance; providing for determination of the participation ratio; providing for higher limits of liability coverage and uninsured motorist coverage; amending Minnesota Statutes 1976, Sections 65B.02, Subdivision 7; 65B.06, Subdivision 2; and 65B.49, Subdivision 6.*

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

Section 1. Minnesota Statutes 1976, Section 65B.02, Subdivision 7, is amended to read:

Subd. 7. **AUTOMOBILE INSURANCE; LIABILITY LIMITS.** "Participation ratio" means the ratio of the participating member's Minnesota premiums, or other measure of business written approved by the commissioner, in relation to the comparable statewide totals for all participating members.

(1) For private passenger non-fleet automobile insurance coverages the participation ratio shall be based on voluntary car years written in this state for the

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