

under part A or part B of medicare with the knowledge that such policy substantially duplicates health benefits to which such individual is otherwise entitled under a requirement of state or federal law other than under medicare shall be guilty of a felony and subject to a civil penalty of not more than \$5,000 per violation, and the commissioner may revoke or suspend the license of any company, association, society, other insurer, or agent thereof.

Sec. 12. [62A.42] RULEMAKING AUTHORITY.

To carry out the purposes of sections 1 to 12, the commissioner may promulgate rules pursuant to chapter 15. These rules may:

(a) Prescribe additional disclosure requirements for medicare supplement plans, designed to adequately inform the prospective insured of the need and extent of coverage offered;

(b) Prescribe uniform policy forms in order to give the insurance purchaser a reasonable opportunity to compare the cost of insuring with various insurers; and

(c) Establish other reasonable standards to further the purpose of sections 1 to 12.

Sec. 13. Minnesota Statutes 1980, Section 62E.02, Subdivision 5, is amended to read:

Subd. 5. "Qualified medicare supplement plan" means those health benefit plans which have been certified by the commissioner as providing the minimum benefits required by section 62E.07 ~~of the actuarial equivalent of those benefits.~~

Approved May 29, 1981

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CHAPTER 319 — S.F.No. 690

*An act relating to retirement; providing survivor benefit coverage for certain former judges on deferred status; clarifying retirement coverage for certain members of the public employees police and fire fund; providing survivor benefits for survivors of certain deceased teachers; providing for retroactive effect of a special retirement program for the military affairs department; amending Minnesota Statutes 1980, Section 490.124, Subdivisions 9 and 12.*

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

Section 1. Minnesota Statutes 1980, Section 490.124, Subdivision 9, is amended to read:

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

Subd. 9. **SURVIVORS' ANNUITY.** Upon the death of a judge prior to retirement, or upon the death of a person who has qualified for an annuity but who ceases to be a judge prior to retirement and has not received a refund of contributions pursuant to subdivision 12, his surviving spouse or, if there be no surviving spouse, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge or former judge had the date of his death been the normal retirement date, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's or former judge's final average compensation.

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.

Sec. 2. Minnesota Statutes 1980, Section 490.124, Subdivision 12, is amended to read:

Subd. 12. **REFUND.** Any person who ceases to be a judge but who does not qualify for a retirement annuity or other benefit under section 490.121 shall be entitled to a refund in an amount equal to all his contributions to the judges' retirement fund plus interest computed to the first day of the month in which the refund is processed based on fiscal year balances at the rate of five percent per annum compounded annually. ~~The surviving spouse, or if there is no surviving spouse, then the estate, of any person who has ceased to be a judge and has died prior to receiving a retirement annuity or other retirement benefits shall be entitled to receive a refund in an amount equal to all the contributions made by the person to the judges retirement fund plus interest computed to the date of death at the rate of five percent per annum compounded annually.~~

Sec. 3. **PUBLIC EMPLOYEES POLICE AND FIRE FUND; CLARIFICATION OF COVERAGE FOR CERTAIN PERSONS.**

Any person who was deemed to be an employee serving on less than a full time basis as a firefighter within the meaning of Minnesota Statutes, Section 353.64, Subdivisions 1 and 3 pursuant to Laws 1980, Chapter 341, Section 7, and who has any period of prior service with the person's current employer as a full time employee of the public works department and who has as part of the person's duties as an employee the secondary responsibility of providing service as a firefighter shall be deemed eligible for pension coverage by the public employees police and fire fund for that prior service. Any contributions made by the person or on behalf of the person to the public employees retirement association for any period of this prior service shall be transferred to the public employees police and fire fund. If the amount of

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those contributions were less than those required pursuant to Minnesota Statutes, Section 353.65, Subdivisions 2 and 3, the person shall be entitled on or prior to July 1, 1983 to pay the difference between the amount of employee and employer and employer additional contributions which were actually made and the amount of employee and employer contributions required pursuant to Minnesota Statutes, Section 353.65, Subdivisions 2 and 3, on the actual salary amounts paid, plus interest at the rate of six percent per annum compounded annually from the date payment otherwise would have been made as a regular contribution to the date payment is made. If full required contributions are not transferred or paid subsequent with interest, the person's service credit in the public employees police and fire fund shall be prorated accordingly.

**Sec. 4. SURVIVOR BENEFITS FOR SURVIVORS OF CERTAIN DECEASED TEACHERS.**

Notwithstanding any provision of law to the contrary, any deceased basic member of the teachers retirement association who was born on June 6, 1927, and who died on December 16, 1980, shall be deemed to have completed 30 years of allowable service and to have filed a valid election of a joint and survivor annuity, and the surviving spouse of the deceased member shall be entitled to the second portion of a joint and survivor annuity pursuant to Minnesota Statutes, Section 354.46, Subdivision 2, in lieu of any other survivor benefit which the surviving spouse may be entitled to receive. The survivor annuity pursuant to this section shall accrue on the first day of the month next following the effective date of this section.

**Sec. 5. RETROACTIVE EFFECT OF CERTAIN PROVISIONS.**

Notwithstanding any law to the contrary, the provisions of Minnesota Statutes, Section 352.85, Subdivision 1, shall apply to any former employee of the department of military affairs who has retired from the Minnesota state retirement system subsequent to January 1, 1978 but prior to the effective date of Laws 1980, Chapter 607, Article XV, Section 22. The retirement annuity payable to any person to whom this section applies shall be recomputed in accordance with the provisions of Minnesota Statutes, Section 352.85, Subdivision 1, and the recomputed retirement annuity shall accrue on the first day of the month next following the effective date of this section and shall be payable as soon as practicable thereafter.

**Sec. 6. RETROACTIVE EFFECT OF CERTAIN PROVISIONS.**

Sections 1 and 2 shall apply retroactively to any person living on the effective date of this section who ceased to be a judge prior to retirement and who has not received a refund pursuant to Minnesota Statutes, Section 490.124, Subdivision 12.

**Sec. 7. EFFECTIVE DATE.**

**Changes or additions are indicated by underline, deletions by strikethrough.**

Sections 1, 2 and 6 are effective on July 1, 1981. Sections 3, 4 and 5 are effective on the day following final enactment.

Approved May 29, 1981

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**CHAPTER 320 — S.F.No. 767**

*An act relating to counties; providing for publication of certain salary and expense information; amending Minnesota Statutes 1980, Section 375.17.*

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

Section 1. Minnesota Statutes 1980, Section 375.17, is amended to read:

**375.17 PUBLICATION OF FINANCIAL STATEMENTS.**

Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, under the form and style prescribed by and on file with the state auditor, which prescribed form and any changes or modifications thereof shall so far as practical be uniform for all counties and shall be approved by the attorney general and the state printer and within 30 days thereafter shall cause the same to be published for one issue in some newspaper within the county, which newspaper must be a duly qualified legal newspaper, as provided by law. The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain such information, provided that all disbursements aggregating \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names and amounts of salaries and expenses paid to employees but shall publish the totals of disbursements for salaries and expenses. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements for such purposes must be published. In addition to the publication thereof in the newspaper designated by the board as the official newspaper for publication of the financial statement, the same shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each

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