

disability benefit, but not for the purpose of establishing service credit for the calculation of the amount of a disability benefit, service covered by any retirement fund as defined in section 356.60, subdivision 1, clause (a) shall be recognized.

**Sec. 2. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved March 18, 1982

---

**CHAPTER 450 — H.F.No. 1735**

*An act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.*

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

Section 1. Laws 1969, Chapter 950, Section 1, is amended to read:

Section 1. **HENNEPIN COUNTY; SUPPLEMENTAL RETIREMENT ACCOUNT.**

Subdivision 1. ELIGIBILITY FOR COVERAGE. Beginning January 1, 1980, Any person who was employed by the county of Hennepin or its agencies, boards, commissions, authorities and committees prior to the effective date of this act as an employee or an officer in the classified service as defined in Laws 1965, Chapter 855, and amendatory and supplemental acts, or as an employee in the unclassified service, and who has served for five years as a county employee or an officer in the classified service, or as a county employee in the unclassified service, which need not necessarily be continuous, and which shall include time served as a county employee prior to June 8, 1965, if the person is an employee in the classified service, shall be entitled to elect to retain or obtain, whichever is applicable, coverage by the Hennepin county supplemental retirement program. The election to retain or obtain coverage may be exercised only once. The election to retain coverage shall be exercised within 90 days of the effective date of this act. The election to obtain coverage shall be exercised within 30 days of the date on which the person first becomes entitled to elect to obtain coverage.

Subd. 2. ESTABLISHMENT OF ACCOUNT; CONTRIBUTIONS. The county of Hennepin shall deduct from the salary of every employee and officer of the county of Hennepin and its agencies, boards, commissions, authori-

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

ties, and committees within the classified service as defined in Laws 1965, Chapter 855, and acts amendatory thereof, and supplemental thereto, who has served five years, not necessarily continuous, as such employee, including time served as an employee prior to the effective date of Laws 1965, Chapter 855, and from every such employee within the unclassified service who has served as a county employee for five years, not necessarily continuous, person who is eligible for coverage and who elected to retain or obtain coverage by the Hennepin county supplemental retirement program a sum equal to one percent of such employee's the total salary of the person. Such ~~The~~ deduction is to ~~shall~~ be made in the same manner as other retirement deductions are made from the salary of ~~such the~~ person. ~~The money so deducted, together with~~ An amount equal sum which to the amounts deducted during each payroll period shall be contributed by the county of Hennepin. The total amount deducted and contributed shall be deposited to the credit of the supplemental retirement account in the treasury of the county of Hennepin, ~~which~~. The Hennepin county supplemental retirement account is hereby established as an account separate and distinct from other funds, accounts, or assets of the county of Hennepin.

Sec. 2. Laws 1969, Chapter 950, Section 2, is amended to read:

**Sec. 2. PARTICIPATION IN MINNESOTA SUPPLEMENTAL INVESTMENT FUND.**

With the moneys deposited to the credit of the supplemental retirement account in the treasury of the county of Hennepin, the county of Hennepin shall purchase shares in the accounts of the Minnesota supplemental retirement investment fund as hereinafter provided in section 3.

Sec. 3. Laws 1969, Chapter 950, Section 3, as amended by Laws 1975, Chapter 153, Section 1, is amended to read:

**Sec. 3. HENNEPIN COUNTY; SUPPLEMENTAL RETIREMENT FUND PURCHASE OF SHARES IN MINNESOTA SUPPLEMENTAL INVESTMENT FUND.** At the time ~~he~~ a person becomes subject to section 4 eligible for coverage and elects to obtain coverage by the Hennepin county supplemental retirement program and prior to July 1 of each subsequent year, each employee described in section 4 of this act a participant in the Hennepin county supplemental retirement program shall indicate in writing on forms a form provided by the county of Hennepin the account of the Minnesota supplemental retirement investment fund in which ~~he~~ the participant wishes his salary deductions and county matching funds contributions attributable to his salary deductions to be invested for that fiscal year. For ~~the that~~ fiscal year for which the choice is made the county of Hennepin shall purchase with the salary deductions and county matching funds attributable to the salary deductions shares in the appropriate account of the Minnesota supplemental retirement investment fund ~~chosen by~~ in accordance with the indicated preferences of the employee participant. The shares so purchased shall stand in the name of the

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

county of Hennepin, ~~but~~. A record shall be kept by the county of Hennepin indicating the number of shares in each account of the Minnesota supplemental retirement investment fund purchased with the salary deductions and county matching funds attributable to the salary deductions of each employee participant. Such ~~The~~ record shall be known as the "employee's participant's share account record". The ~~employee's participant's share account record~~ shall show, in addition to the number of shares therein, any cash balance of salary deductions or county matching funds attributable to those deductions which stand uninvested in shares.

Sec. 4. Laws 1969, Chapter 950, Section 4, as amended by Laws 1975, Chapter 153, Section 2, is amended to read:

**Sec. 4. SUPPLEMENTAL RETIREMENT BENEFITS; REDEMPTION OF SHARES.**

When requested to do so, in writing, on forms provided by the county, by a participant, surviving spouse, a guardian of a surviving child or an estate, whichever is applicable, the county of Hennepin shall redeem shares in the accounts of the Minnesota supplemental retirement investment fund standing in an ~~employee's~~ a participant's share account record under the following circumstances ~~but always~~ and in accordance with the laws and regulations governing the Minnesota supplemental retirement investment fund:

(1) When requested to do so in writing on forms provided by the county of Hennepin by a person having shares to the credit of his employee's share account record, if the person ~~A participant~~ who has reached the age of 62 at least 58 years and who is no longer an employee of employed by the county of Hennepin. ~~In such case the person shall be entitled to receive the cash realized on the redemption of the shares to the credit of the participant's share account record of the person.~~ The ~~person~~ participant may direct the redemption of not more than 20 percent of his the shares in his ~~employee's~~ the participant's share account record of the person in any one year and, but may not direct more than one redemption in any one calendar month; provided, however, that the board of commissioners of the county of Hennepin may, upon application, in their sole discretion permit greater withdrawals in any one year.

(2) When requested to do so in writing on forms provided by the county of Hennepin by a person having shares to the credit of his employee's share account record, if the person ~~A participant~~ who has terminated his employment with the county of Hennepin on account of total and permanent disability shall be entitled to receive the cash realized on the redemption of the shares to the credit of the participant's share account record of the person. The board of commissioners of the county of Hennepin ~~county~~ shall make the initial determination of whether the ~~person~~ participant is totally and permanently disabled, but any aggrieved party may commence an action in the district court for Hennepin county for a review de novo of the decision of the county board. The proceedings in district

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

court shall conform to the Minnesota rules of civil procedure. An appeal may be taken to the supreme court from any final order or decision of the district court in the same manner as in other civil actions. The qualified person under this clause shall receive the cash realized on the redemption of the shares. The person participant may direct the redemption of all or a portion of the shares in his employee's the participant's share account record of the person, but in no event may he the participant direct more than one redemption in each calendar month. Should In the event that the person return to good health he becomes no longer totally and permanently disabled, the person shall owe no restitution to the county or any fund for a redemption directed pursuant to this paragraph.

If only a portion of the shares in the participant's share account record is elected to be redeemed, the disabled person may direct the redemption of not more than 20 percent of the shares in his employee's share account record in any one year; provided, however, that the board of commissioners of the county of Hennepin county may, upon application, in their sole discretion permit greater withdrawals in any one year.

(3) In the event of the death of a person having shares to the credit of his employee's share account record and participant leaving a surviving spouse, then when requested to do so in writing on forms provided by the county of Hennepin by such surviving spouse. Such the surviving spouse may direct, except as set forth hereafter, shall be entitled to receive the cash realized on the redemption of all or a portion of the shares in her deceased spouse's employee's the participant's share account record of the deceased spouse, but in no event may the spouse direct more than one redemption in each calendar month. In such case the surviving spouse shall receive the cash realized from the redemption of shares. If only a portion of the shares in the participant's share account record is elected to be redeemed, the surviving spouse may direct the redemption of not more than 20 percent of the shares in her deceased spouse's employee's share account record in any one year; provided, however, that the board of commissioners of Hennepin county may, upon application, in their sole discretion permit greater withdrawals in any one year. Upon the death of such the surviving spouse, any shares remaining in the employee's participant's share account record shall be redeemed by the county of Hennepin and the cash realized therefrom distributed to the estate of such the surviving spouse.

(4) In the event of the death of a person having shares to the credit of his employee's share account record and participant leaving no surviving spouse, but leaving a minor surviving child or minor surviving children surviving him, then the county of Hennepin shall redeem the guardianship estate of the minor child or the guardianship estates of the minor children shall be entitled to receive the cash realized on the redemption of all shares to the credit of the employee's participant's share account record and pay of the deceased participant. In the event of minor surviving children, the cash realized therefrom to the guardianship estate of the minor child or shall be paid in equal shares to the guardianship estates of the minor surviving children. Should the person leave

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

(5) In the event of the death of a participant leaving no surviving spouse and no minor surviving children, then the county of Hennepin shall redeem all shares to the credit of the employee's share account record and pay the cash realized therefrom to the estate of the deceased person participant shall be entitled to receive the cash realized on the redemption of all shares to the credit of the participant's share account record of the deceased participant.

(5) When requested to do so in writing on forms provided by the county of Hennepin by a person having shares to the credit of his employee's share account record, if the person is no longer employed by

(6) A participant who has terminated employment with the county of Hennepin but, who does not qualify under pursuant to the provisions of paragraphs (1) through (4) of this section. In such case one half of the cash realized on the redemption of shares shall be received by the person and one half shall be received by the county of Hennepin and set aside in an account containing all like moneys. Once each year at a time determined by the county of Hennepin the money in the account will be distributed per capita to the employee share account records of active county employees (5) and who became a participant in the Hennepin county supplemental retirement program prior to or after the effective date of this act and who previously had not redeemed any shares in the program shall be entitled to receive the total amount of the cash realized on the redemption of all shares to the credit of the participant's share account record.

Sec. 5. Laws 1969, Chapter 950, Section 5, is amended to read:

**Sec. 5. PROSPECTUS.**

The county of Hennepin shall distribute to each county employee having shares to the credit of his employee's share account record participant a prospectus of the Minnesota supplemental retirement investment fund when received from the fund.

Sec. 6. Laws 1969, Chapter 950, Section 6, is amended to read:

**Sec. 6. NO ASSIGNMENT OR GARNISHMENT.**

The right of a person participant who has shares to the credit of his employee's the participant's share account record to redeem his shares all or any portion thereof of the shares is a personal right only and shall not be assignable. Legal title to the assets of the Hennepin county supplemental retirement fund program shall be in the state of Minnesota or the state board of investment or the nominee of either, subject to the rights of the county of Hennepin. Any assignment or attempted assignment of shares to the credit of an employee's a participant's share account record by any person is null and void. Such The shares are exempt from garnishment or levy under attachment or execution and from all taxation by the state of Minnesota.

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

Sec. 7. **REPEALER.**

Laws 1969, Chapter 950, Section 8, is repealed.

Sec. 8. **EFFECTIVE DATE.**

This act is effective upon compliance with Minnesota Statutes, Section 645.021.

Approved March 18, 1982

---

**CHAPTER 451 — H.F.No. 1955**

*An act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value and in an amount and with a maturity date to be determined by the governing body.*

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

Section 1. **WACONIA REVENUE BONDS.**

Notwithstanding Minnesota Statutes, Sections 475.54, 475.56 and 475.60, the city of Waconia in Carver County may sell its revenue bonds issued pursuant to Minnesota Statutes, Sections 447.45 to 447.50, at a price not less than 95 percent of their par value, and the bonds may mature in years and amounts as determined by resolution of the Waconia city council. This authorization applies only to bonds sold to finance the project described in the certificate of need, dated July 17, 1981, issued by the Minnesota department of health for the Waconia-Ridgeview Hospital.

Sec. 2. **EFFECTIVE DATE.**

Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (a), this act is effective the day after final enactment.

Approved March 18, 1982

---

**CHAPTER 452 — H.F.No. 2011**

*An act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 80E.*

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