

## CHAPTER 636—H. F. No. 642.

*An act repealing Mason's Minnesota Statutes of 1927, Section 8833, relating to claims of the State of Minnesota for the maintenance of insane persons confined in state institutions.*

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

Section 1. **Law repealed.**—Mason's Minnesota Statutes of 1927, Section 8833, is hereby repealed.

Approved April 24, 1943.

## CHAPTER 637—H. F. No. 644.

*An act relating to the creation, establishment, and administration of highway patrolmen's retirement fund for highway patrolmen and their dependents.*

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

Section 1. **Highway patrolmen's retirement association established.**—There is hereby established a Highway Patrolmen's Retirement Association, the membership of which shall consist of highway patrolmen. Every highway patrolman who is employed by the State of Minnesota, as such, when this Act becomes effective, and every person employed as a patrolman thereafter, shall become a member of this Association. Each patrolman while in the service of the State Highway Patrol shall pay a sum equal to 6 per cent of his monthly salary not exceeding the sum of \$15 per month except as hereinafter provided. Such amounts shall be deducted monthly by the Commissioner of Highways, who shall cause the total amount of said monthly deductions to be paid to the State Treasurer, and shall cause a detailed report of all monthly deductions to be made each month to the Secretary of the Association. In addition thereto, there shall be paid out of highway funds, monthly, by the Commissioner of Highways a sum equal to the amount of said salary deductions each month, the same to be credited to the fund created by this act. All monies received by said Association shall be deposited by the State Treasurer in the Highway Patrolmen's Retirement Fund by this Act created. Out of said fund shall be paid the expenses of the Association, and the benefits and annuities as hereinafter provided. The amount of contributions required from state highway patrolmen may be increased from time to time to insure the actuarial soundness of the highway patrolmen's retirement fund in this Act created.

**Sec. 2. Officers of association—terms.**—(a) The officers of this Association shall consist of the Chief of the State Highway Patrol, who shall be President, the State Treasurer, who shall be ex-officio Treasurer, and a Secretary, who shall be a member of the Association, to be chosen by the membership thereof for a term of 2 years. Said officers shall administer the provisions of this Act, and may make such rules and regulations therefor, not inconsistent herewith, as may be necessary for such purposes. The general bond of the State Treasurer at the time of the passage of this Act shall cover all liability for his acts as Treasurer, and no additional bond shall be required.

(b) All monies of the Association received by him pursuant to the provisions of this Act shall be set aside by him in the State Treasury and credited to the Highway Patrolmen's Retirement Fund. He shall transmit, monthly, to the Secretary of the Association, a detailed statement showing all credits to and disbursements from said fund. He shall disburse monies from such fund only on warrants issued by the State Auditor upon vouchers signed by the Secretary of the Association.

**Sec. 3. Duties of secretary.**—The Secretary of this Association shall keep a record of all the acts and proceedings taken by the officers, and he shall keep a complete record of the names of all of the members, their ages and length of service, the salary of each member, together with such other facts as may be necessary in the administration of the provisions of this Act, and for the purpose of obtaining such facts, he shall have access to the records of the various departments of the State. A certified copy of birth certificate or delayed birth certificate shall be prima facie evidence of the age of the person named therein.

**Sec. 4. State Board of Investment to invest funds.**—The State Board of Investment is hereby authorized to invest such funds of the Association as in the judgment of the officers of this Association are not needed for immediate purposes, in such securities as are duly authorized or legal investments for savings banks and trust companies, and shall sell any such securities upon request from the officers of the Association so as to provide money for the payment of benefits or annuities.

**Sec. 5. Highway patrolmen's retirement fund created.**—There is hereby created the Highway Patrolmen's Retirement Fund and all monies received under the provisions of this Act shall be credited to said fund. In addition thereto, 66% of all monies heretofore paid by any highway patrolman into the State Employees' Retirement Fund is hereby appropriated therefrom and credited to the fund hereby created. The State Treasurer shall, upon the passage of this Act, ascertain the amount heretofore paid

by highway patrolmen as aforesaid and transfer the amount so paid to the fund hereby created. It shall be the duty of the Commissioner of Insurance to make a bi-annual audit of the condition of said fund, and a bi-annual report to the legislature of its condition on an actuarial basis.

**Sec. 6. Association to be represented by attorney general.**—The Association may sue or be sued in the name of the Association, and in all actions brought by or against it, the Association shall be represented by the Attorney General who shall also be the legal adviser for the Association.

**Sec. 7. Who are eligible to membership.**—(a) Every patrolman who shall have been in the employ of the State as such for 20 years or more and during such time shall have paid by salary deductions, or otherwise, into the State Employees' Retirement Fund, the amount required by law and into the fund hereby created or into either fund and who shall have attained the age of 58 years, shall be entitled to receive a life annuity, upon his separation from State Service, of an amount equal to 60 per cent of the average annual salary which he received during the 5 years immediately prior to said separation from State service, except as hereinafter limited, which life annuity shall be paid in monthly installments during the remainder of his life. Provided, however, that any patrolman who has been employed by the State as such for more than 15 years, and less than 20 years, when he attains the age of 58 years, may, if physically qualified, continue as such patrolman until he has attained the age of 60 years, or he may pay a sum which will result by multiplying the number of months which he would be required to serve so as to complete 20 years of service, by the amount of his monthly salary deductions at the time when he attained 58 years of age, and thereupon, and upon his compliance with the provisions hereof relative to salary deductions, and upon his separation from State service, he shall be entitled to the annuity, as provided for in this subsection; provided, however, that no patrolman shall continue as such after he attains the age of 60 years and in the event that he has not served 20 years as a patrolman, when he attains said age of 60 years, he shall pay a lump sum equal to the salary deductions which would have been made had he continued in State employment until he had acquired a total of 20 years of service.

(b) Patrolmen whose employment with the State has been less than 15 years and more than 10 years, and during such time have paid, by salary deductions or otherwise, into the State Employees' Retirement Fund, the amount required by law and into the fund hereby created, or into either fund and who shall have attained the age of 58 years, shall be entitled to receive a life annuity

upon his separation from State service of an amount which the years of service in the Highway Patrol prior to his retirement bears to 20 years, except as hereinafter limited, which life annuity shall be paid in monthly installments during the remainder of his life.

(c) No patrolman shall receive an annuity in excess of \$100 per month.

(d) In the event that any patrolman should die after he has become eligible to receive an annuity as herein provided for, the amount he has paid into said funds, less the annuity payments he received prior to his death, shall thereupon be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent.

**Sec. 8. Disability benefits.**—(a) Any patrolman less than 58 years of age who has been employed as such for at least 10 years, and who shall become disabled and physically unfit to perform his duties as such, subsequent to the effective date of this Act as a direct result of an injury, sickness, or other disability incurred in or arising out of any act of duty, which shall render him physically unable to perform his duties as such highway patrolman, shall receive disability benefits during the period of such disability of an amount equal to 60 per cent of his salary as it shall be at the time when such disability occurs, but not to exceed \$100.00 per month, to be paid to such patrolman in monthly payments. In the event that such patrolman shall die during the period of such disability, the amount he has paid into said funds, less the amount of the disability benefits received by him prior to his death, shall be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent. Provided, however, that any income under the Workmen's Compensation Law, or income from employment earned by any disabled patrolman, shall be deducted from the amount that said disabled patrolman would be entitled to receive under the benefits of this Section.

(b) No patrolman shall receive any disability benefit payments when there remains to his credit unused annual leave or sick leave or under any other circumstances, when during the period of disability there has been no impairment of his salary or while receiving workmen's compensation from the State on account of such disability.

(c) No disability benefit payments shall be made except upon adequate proof furnished to the Association of the existence of such disability, and during the time when any such benefits are being paid, the Association shall have the right, at reasonable

times, to require the disabled patrolman to submit proof of the continuance of the disability claimed.

**Sec. 9. Retired patrolmen—refundments of payments.**—(a) Should any patrolman, prior to becoming 58 years of age, and with less than 20 years of service, become separated from state service as a patrolman, either voluntarily or involuntarily, such patrolman shall thereupon be entitled to receive all payments which have been made by salary deductions into the fund created by this act; and in the event of his death the amount he had paid into said funds, less all payments received by him hereunder, shall be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent.

(b) In the event that a patrolman who has served as such for 20 years, and during such period has paid by salary deductions into the State Employees' Retirement Fund, or into the fund created by this Act, the amount required by law, shall die before reaching the age of 58 years, the amount he has paid into said funds shall thereupon be paid to the surviving spouse, if any, and if there be no surviving spouse, then to the heirs as provided by the laws of descent.

**Sec. 10. Annuities not subject to process.**—All annuities or benefits which any person shall be entitled to receive under the provisions of this Act shall not be subject to garnishment, attachment or levy, and the same shall at all times be exempt.

**Sec. 11. Highway patrolmen must become members of association.**—Every highway patrolman shall, upon the passage of this Act, become a member of this Association, and thereafter such patrolman shall not be eligible to membership in the State Employees' Retirement Association, and the provisions of said law shall not apply to the highway patrolmen.

**Sec. 12. Who are highway patrolmen.**—Whenever used in this Act "Highway Patrolmen" or "Highway Patrolman" shall deem to mean the persons referred to and employed pursuant to the provisions of Laws 1929, Chapter 355, and all acts amendatory thereof and supplementary thereto, their chief supervisor and all assistant supervisors, whose salaries or compensation is paid out of funds of the State of Minnesota.

**Sec. 13. Inconsistent acts repealed.**—All acts, or parts of acts, inconsistent herewith are hereby suspended in so far as may be necessary to give full force and effect to this Act.

**Sec. 14. Provisions severable.**—The provisions of this Act shall be severable, and if any provision of this Act or the application thereof, to any person or circumstances, is held invalid, such invalidity shall not affect any other provision or application

of this Act which can be given effect without the invalid provision or application.

Sec. 15. **Effective July 1, 1943.**—This act shall take effect and be in force from and after July 1, 1943.

Approved April 24, 1943.

CHAPTER 638—H. F. No. 793.

*An act to appropriate money for the conservation and development of the state's natural resources; for maintenance and improvement of State Soldiers' Home; for maintenance of Minnesota Department G. A. R.; for maintenance Minnesota Historical Society; for maintenance, improvement and repairs, Minnesota State Agricultural Society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry associations and societies; for sheriff's per diem and mileage in certain cases; for drainage assessments upon state lands; for vessel tonnage tax; for maintenance of Sibley House; for maintenance of various semi-state activities; for aids to various local subdivisions of government and school districts; providing for appropriations to be made out of the game and fish department funds for wolf and fox bounties; and for other purposes.*

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

Section 1. **Appropriations**—The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act, to be available, when not otherwise stated, for each of the fiscal years ending June 30, 1943, June 30, 1944, and June 30, 1945.

APPROPRIATIONS  
AVAILABLE FOR THE YEAR  
Ending June 30:  
1944                      1945

Sec. 2. **Soldiers' Home:**

1. Maintenance and repairs . . . . .	\$224,176	\$224,176
Federal aid, compensation or reimbursement from the federal government or otherwise, received by the Soldiers' Home, is		