

Sec. 4. This proposed amendment shall be submitted to the voters for their approval or rejection at the general election for the year 1962 in the manner provided by law. The ballots used at the election shall have printed thereon:

“Shall the Constitution of the State of Minnesota, Article VIII, Sections 2, 5, and 6, be amended to consolidate the swamp land fund and the permanent school fund; making the fund created thereby, perpetual, and distributing the net interest and dividends arising from the investment thereof to the different school districts of the state in proportion to the number of scholars in each district between the ages of five and twenty-one years; and authorizing the investment of not more than 20 percent thereof in certain corporate stocks and not more than 40 percent thereof in certain corporate bonds, subject to limitations to be prescribed by law, to secure the maximum return thereon consistent with the maintenance of the perpetuity of the fund?

Yes
No

Approved May 19, 1961.

EXTRA SESSION

CHAPTER 15—S. F. No. 43

An act relating to judges; providing for retirement and compensation allowance for district judges; and compensation and allowance for widows of district judges and widows of supreme court judges; amending Minnesota Statutes 1957, Section 490.102, Subdivisions 2 and 3, as amended by Laws 1959, Chapter 688, Section 3, and Subdivision 6 as added by said Section 3; and 490.103, as amended by Laws 1959, Chapter 688, Section 4.

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

Section 1. Minnesota Statutes 1957, Section 490.102, subdivision 2, as amended by Laws 1959, Chapter 688, Section 3, is amended to read:

Subd. 2. If, at the time of retirement, *he has attained the age of at least 70 years and he has served for 15 years as such judge, or as such judge and as judge of a court of*

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record, he shall receive for the remainder of his life, one-half the compensation allotted to the office ~~immediately prior to the year 1957.~~

Sec. 2. Minnesota Statutes 1957, Section 490.102, Subdivision 3, as amended by Laws 1959, Chapter 688, Section 3, is amended to read:

Subd. 3. Any judge of the district court who is serving in such capacity on the effective date of sections 490.101 to 490.104 and who has attained or hereafter attains, the age of 73 or more years, and has completed 15 years of service, as such judge, or as such judge and as judge of a court of record, shall receive retirement pay hereunder if he applies for retirement within one year after becoming eligible, but not otherwise.

~~Any judge of the district court whose initial service as a judge of the district court begins after the effective date of sections 490.101 to 490.104, who hereinafter attains the age of 70 years, and who has completed 15 years of service, as such judge and as judge of a court of record shall receive retirement pay hereunder, if he applies for retirement within one year after becoming eligible, but not otherwise. such judge began after the effective date of 490.101 to 490.104, after reaching his 70th birthday, shall apply for retirement within one year after such birthday or forfeit all retirement benefits hereunder. However, if a judge of the district court presently serving has not completed 15 years of service on attaining the age of 70 years, he shall receive retirement pay hereunder if he applies for retirement within six months of the date he completes 15 years of service. But in no event shall any judge whose initial service as a district judge began after January 1, 1949 serve beyond his 73rd birthday or he shall waive all pension rights, and no such judge continuing to serve after his 70th birthday to become eligible for pension shall receive more compensation for his office than the retirement compensation authorized by section 490.102. Provided that any district judge past the age of 74 years still serving on the bench and for whom retirement has been allowed by a previous act passed by the 1959 Legislature shall be permitted retirement allowance if he retires during his current term of office or during an extended term of three years thereafter which extension may be granted in the same manner as provided in section 490.101, subdivision 4.~~

Sec. 3. Minnesota Statutes 1957, Section 490.102, Sub-

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division 6, as amended by Laws 1959, Chapter 688, Section 3, is amended to read:

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Subd. 6. The widow of every judge of the district or supreme court who dies, in active service, shall be paid one-half of the retirement compensation to which such judge would have been entitled on the date of his death, if he would have been otherwise eligible for retirement under the provisions of section 490.101 or under section 490.025, and had retired on that date, irrespective of whether he shall have attained the age of retirement at the date of his death or not, and irrespective of whether he had *served 15 years as such judge or as a judge of a court of record, and irrespective of whether he had previously been eligible to retire, but had not retired under the provisions of Minnesota Statutes 1957, Section 490.101, as amended by Laws 1959, Chapter 687, Section 2, or Section 490.025, as amended by Laws 1959, Chapter 564, Section 1, prior to his death, exercised the option hereinafter given, prior to his death or not*, provided she had been married to such judge for five years prior to his death. Any judge of the district or supreme court retiring subsequent to April 30, 1959, may, prior to his retirement, elect in writing, filed with the secretary of state, to take in lieu of retirement compensation otherwise provided by law, retirement compensation for himself during his lifetime, and thereafter, for his surviving widow during her lifetime as follows: (a) to the judge, three fourths of the retirement compensation he would otherwise have been entitled to under the laws applicable on date of his retirement, and (b) upon his death, to his widow, as hereinafter defined, one half of the retirement compensation which the judge would otherwise have been entitled to receive during his lifetime had he not made such election. The written election herein provided for must be filed before such retirement, and may be filed at any time within six months before such retirement. Every such written election shall specify the name and birth date of the wife of the judge and the date of their marriage; and the election once made shall be irrevocable. In the event a judge making such election shall die without leaving a surviving wife, all benefits hereunder or otherwise shall cease. *The widow of every judge of the district court or supreme court who dies after retiring shall be paid one-half of the retirement compensation which such judge was receiving at the date of his death.*

Any judge who has heretofore retired and exercised the option previously set forth in Minnesota Statutes 1957, Sec-

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tion 490.102, as amended by Laws 1959, Chapter 688, Section 3, adding a subdivision 6 thereto, shall, after July 1, 1961, be paid the full retirement compensation herein provided for, and his widow shall upon his death be entitled to compensation as herein set forth.

The term "widow" as used in this subdivision means the surviving wife of a district or supreme court judge, but only if she was married to him for a period of not less than five years immediately prior to the date of his retirement or of his death, whichever occurs first.

If such widow, either of a retired judge or a judge who dies in active service, who is otherwise qualified under this section, has not attained the age of ~~60~~ 50 years at the time of such judge's death, such widow will not become eligible for retirement compensation payments hereunder until her ~~60th~~ 50th birthday, but shall receive such payments thereafter.

A widow who is entitled to a retirement compensation under the provisions of this subdivision shall be paid such retirement compensation for the period of her life, unless she remarries, in which event such retirement compensation is to cease and terminate. *Every judge of the district court and every judge of the supreme court shall contribute two percent of his state salary, which amount shall be deducted from his salary at least once each month and paid to the state treasurer to be deposited in a special survivor retirement account. This contribution shall be for the purpose of providing the survivor benefits established by this act and such amount as may be necessary to carry out this purpose is hereby appropriated from such special retirement account. It is declared to be the policy of the legislature that the survivor benefits provided for herein shall be wholly paid from contributions by the judges to said special retirement account. To implement this policy, the rate of contribution by the judges shall be reviewed periodically and contributions adjusted to make this account sufficient to cover all benefits.*

Sec. 4. Minnesota Statutes 1957, Section 490.103, as amended by Laws 1959, Chapter 688, Section 4, is amended to read:

490.103 Prior retirement. A judge of the district court who has heretofore retired as provided by law shall hereafter receive one-half of the compensation allotted to

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the office from which he retired; ~~immediately prior to the year 1957.~~

Approved May 19, 1961.

EXTRA SESSION

CHAPTER 16—S. F. No. 48

[Coded]

An act relating to state colleges; providing certain retirement benefits for teachers thereof; appropriating moneys therefor.

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

Section 1. [135.59] **State college teachers, additional retirement allowance.** In addition to other retirement benefits provided by law for teachers including those received under provisions of Minnesota Statutes 1957, Sections 135.01 to 135.18 and 135.31 to 135.55, as amended, each state college teacher, who on July 1, 1957, had been a member of the teachers retirement association for at least 15 years, upon retirement shall be paid one dollar a month for each year of allowable service, as defined by Minnesota Statutes 1957, Section 135.01, Subdivision 13, as amended by Extra Session Laws 1959, Chapter 50, Section 50, out of the teachers' retirement fund. The moneys necessary to make the payments as provided for herein are appropriated out of moneys in the teachers' retirement fund.

Sec. 2. This act is effective on July 1, 1961.

Approved May 19, 1961.

EXTRA SESSION

CHAPTER 17—S. F. No. 67

[Coded in Part]

An act relating to the teachers retirement association; amending Minnesota Statutes 1957, Section 135.01, Subdivision 11; 135.03, Subdivision 1, as amended, and 2; 135.04,

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