

thence southeast on a line having a central angle of 95° 40' with the north section line of said section 8, to the north right-of-way line of the Northern Pacific Railway Company right-of-way and there terminating.

The terminus of the above described center line is westerly of the west section line of said section 8 along the north right-of-way line of the Northern Pacific Railway Company right-of-way a distance of 729.0 feet, more or less.

The tract of land is approximately 865 feet long, 70 feet wide, with an area of about 1.39 acres.

for the purpose of establishing, locating, constructing, improving, and maintaining a Municipal State-Aid street.

Sec. 2. The authorization of the village of Roseville to condemn by eminent domain the property described in section 1 is given said village notwithstanding any and all provisions of Minnesota Statutes 1957, Chapters 306, 307, and 614, or any other law relating to establishing roads or streets through cemeteries.

Sec. 3. This act shall become effective from and after its approval by the governing body of the village of Roseville, and upon compliance with Laws 1959, Chapter 368.

Approved June 7, 1961.

EXTRA SESSION

CHAPTER 87—H. F. No. 279.

An act relating to the public employees retirement association, amending Minnesota Statutes 1957, Sections 353.37, as amended; 353.46, as amended, adding a subdivision thereto.

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

Section 1. Minnesota Statutes 1957, Section 353.37, amended by Laws 1959, Chapter 650, Section 26, is amended to read:

353.37 Limitation on eligibility for benefits. *Subdivision 1.* A person otherwise eligible for retirement benefits under this chapter may not receive or be paid an an-

Changes or additions indicated by italics, deletions by strikeout.

nunity if he (a) re-enters public service as ~~an officer or a non-elective~~ employee of a political subdivision, or becomes a *non-elective* state employee as defined in chapter 352 if such service exceeds 60 working days in any ~~12 or more consecutive months~~ calendar year or if the salary for such service exceeds \$75 per month, or (b) he is receiving any other retirement benefit or pension authorized by law for public employees or state employees, if contributions therefor had been required from that person and if any period of public service required for benefits under this chapter was requisite in establishing eligibility for this other retirement benefit or pension. *Any elected official holding office after June 30, 1959 shall be entitled to hold such office and receive his annuity otherwise payable from the Public Employees Retirement Association from and after July 1, 1959.* The monthly annuity payment is suspended during the ineligibility of any person by reason of this subdivision. Payment for a full month is suspended for any portion of a month in which this ineligibility exists. Upon proper showing by an annuitant that this ineligibility no longer exists the board of trustees shall order that the monthly annuity payments be resumed. Public service performed by any annuitant subsequent to his application for a retirement annuity under this chapter does not increase or decrease any benefit when payments thereof are resumed. The annuitant is not required to make any further contributions to the retirement fund by reason of this subsequent public service. Provided, however, that the foregoing shall not apply to any benefits authorized by federal law to which any public employee and public official may be entitled.

Subd. 2. Notwithstanding any provision of Minnesota Statutes 1957, Chapter 353 and acts amendatory thereof to the contrary, any person who retired on December 1, 1953, and who on November 21, 1957, re-entered public service as a non-elective employee of a political subdivision and whose compensation during such periods of public service did not exceed \$80 per month, shall not be subject to suspension of any annuity payments, regardless of the dates so served as a non-elective public employee following retirement, and the provisions of this subdivision shall be retroactive to November 21, 1957.

Sec. 2. Minnesota Statutes 1957, Section 353.46, as amended by Laws 1959, Chapter 650, Section 27, is amended by adding a new subdivision to read:

Changes or additions indicated by italics, deletions by strikeout.

Subd. 4. Any member who retires with a deferred annuity payable pursuant to Minnesota Statutes 1953, Chapter 353, as amended by Laws 1955, Chapter 815, may select an optional annuity payable as a joint and survivor annuity which shall be in lieu of the straight life deferred annuity otherwise payable. This optional annuity shall be the actuarial equivalent of such straight life deferred annuity. The selection of this optional annuity shall be made at least 30 days before the deferred annuity payments are to begin except that any person who began receiving a deferred annuity after June 30, 1957, and before July 1, 1961, pursuant to Minnesota Statutes 1953, Chapter 353, as amended by Laws 1955, Chapter 815, may select the optional annuity provided herein by making application to the board of trustees before January 1, 1962.

Approved June 7, 1961.

EXTRA SESSION

CHAPTER 88—S. F. No. 7

[Coded in Part]

An act relating to the administration of state government; appropriating moneys therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; adjusting the salaries of certain state officers and employees; authorizing land acquisition by gift, purchase, or condemnation in certain cases; limiting the amount of fees to be collected for deposit in the state treasury; and providing penalties for misusing funds appropriated hereby.

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

Section 1. Expenses of state government appropriations. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS," or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1961," "1962" and "1963" wherever used in this act, shall mean that the appropriation or appro-

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.