

Subdivision 1. **BEFORE RETIREMENT.** If a member or former member who terminated public service after June 30, 1973, dies before retirement or before he has received any retirement annuity and no other payment of any kind is or may become payable to any person, a refund shall be paid to his designated beneficiary or, if there be none, to his surviving spouse, or, if none, to the legal representative of his estate. Such refund shall be in an amount equal to his accumulated deductions plus interest thereon at the rate of 3-1/2 percent per annum compounded annually less the sum of any disability or survivor benefits, if any, that may have been paid by the fund; provided that a survivor who has a right to benefits pursuant to section 353.31 may waive such benefits in writing, except such benefits for a dependent child under the age of 18 years may only be waived pursuant to an order of the district court.

Sec. 7. Minnesota Statutes 1982, section 353.33, subdivision 5, is amended to read:

Subd. 5. **BENEFITS PAID UNDER WORKERS' COMPENSATION LAW.** Disability benefits paid shall be reimbursed and future benefits shall be reduced by any amounts received or receivable by a member, including temporary total, permanent total, temporary partial or permanent partial benefits, in either periodic or lump sum payments from the employer under applicable workers' compensation laws, after deduction of amount of attorney fees, authorized under applicable workers' compensation laws, paid by a disabilitant.

Sec. 8. Minnesota Statutes 1982, section 353.34, subdivision 2, is amended to read:

Subd. 2. **REFUND WITHOUT INTEREST.** Except as provided in subdivision 1, any person who ceases to be a public employee after June 30, 1973 shall receive a refund in an amount equal to his accumulated deductions without interest for the first three years of membership and thereafter accumulated deductions with interest to the first day of the month in which the refund is processed at the rate of three and one-half percent per annum compounded annually after the third year of membership based on fiscal year balances.

Sec. 9. **EFFECTIVE DATE.**

This act is effective June 30, 1983.

Approved April 29, 1983

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## CHAPTER 74 — H.F.No. 638

*An act relating to retirement; authorizing increases in survivor benefits payable by the Hibbing police relief association; amending Laws 1967, chapter 678, section 2, as amended.*

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

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

Section 1. Laws 1967, chapter 678, section 2, as amended by Laws 1971, chapter 807, section 2, is amended to read:

Sec. 2. **WIDOWS SURVIVING SPOUSES, CHILDREN; AMOUNT OF PENSION.** Notwithstanding any other provision of law or charter, pensions may be paid by the police relief association of the ~~village~~ city of Hibbing to any widow surviving spouse or child under 16 years of age of any pensioned and retired member of the police department, and to any widow surviving spouse or child under 16 years of age of any member who dies while in the service of the police department of the ~~village, and~~ city. The widow surviving spouse or child shall receive not more than the sums herein provided.

~~\$150~~ \$250 per month to the widow surviving spouse, and \$15 per month to each child under 16 years of age; ~~provided that.~~ Where a widow surviving spouse and children reside together the money herein required to be paid to the children shall be paid to the widow surviving spouse for the support of the children, but that money paid to the widow surviving spouse for herself ~~the surviving spouse~~ and the children shall not exceed ~~\$180~~ \$280 per month in all. ~~Provided further, that~~ In the event of the death of both parents leaving a minor child or children under the age of 16 years of age, entitled to a pension, the sums as may be necessary for the care, maintenance and education of the child or children may be paid to the legal guardian thereof, but not to exceed the sum of ~~\$180~~ \$280 per month to the children of any one ~~policeman~~ police officer. ~~Provided, further, that~~ In the event that widow surviving spouse remarries, he or she shall receive no further benefits under this law; ~~and provided, further, that.~~ The fund shall not be used for any other purpose than the payment of service, disability or dependency pensions, as herein provided, and for the relief of a sick, injured and disabled ~~policeman~~ police officer. The word "member", as used in this act, shall include policewomen, police matrons and assistant police matrons.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective upon approval by the Hibbing city council and compliance with Minnesota Statutes, section 645.021.

Approved April 29, 1983

CHAPTER 75 — H.F.No. 1079

*An act relating to social and charitable organizations; including planning and developing costs as fund raising costs; amending Minnesota Statutes 1982, section 309.50, subdivision 12.*

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