

Subd. 3. This section shall not apply to any real estate owned by a pipeline company in fee simple.

Approved May 9, 1983

CHAPTER 88 — S.F.No. 936

An act relating to retirement; the Minneapolis police relief association; board membership; sources and uses of funds; member contributions; amending Laws 1949, chapter 406, sections 1, subdivision 1, as amended; 3, as amended; 4, subdivisions 2 and 3, as amended; 5, subdivisions 1, 3, and 5, as amended; and 6, subdivision 3, as amended; Laws 1953, chapter 127, section 1, subdivisions 2, as amended, and 4, and by adding a subdivision; and Laws 1965, chapter 493, section 3.

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

Section 1. Laws 1953, chapter 127, section 1, subdivision 2, as amended by Laws 1965, chapter 493, section 1, is amended to read:

Subd. 2. **MINNEAPOLIS, CITY OF; POLICE PENSIONS; MEMBERS.** “Active members” means policemen, policewomen, police matrons, assistant police matrons, police stenographers, police clerks, police telephone operators, police radio operators, and police mechanics duly appointed, regularly entered on the payroll of the police department prior to June 15, 1980, and on active duty. Effective May 1, 1959, only policemen, policewomen, police matrons and assistant police matrons shall be accepted as new members. Effective June 15, 1980, no newly hired police personnel shall be accepted as members.

Sec. 2. Laws 1953, chapter 127, section 1, is amended by adding a subdivision to read:

Subd. 2a. **RETIRED MEMBERS.** “Retired members” means policemen, policewomen, police clerks, police telephone operators, police radio operators, and police mechanics duly appointed, regularly entered on the payroll of the police department before June 15, 1980, who retire from active duty and are entitled to receive a pension pursuant to Laws 1953, chapter 127, as amended.

Sec. 3. Laws 1953, chapter 127, section 1, subdivision 4, is amended to read:

Subd. 4. **DISABILITY.** “Disability” means a physical or mental incapacity of a an active member to perform the duties of his position in the service of the police department.

Sec. 4. Laws 1949, chapter 406, section 1, subdivision 1, as amended by Laws 1965, chapter 493, section 2, is amended to read:

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

Sec. 2. **MAINTENANCE.**

Subdivision 1. The active and retired members of the police department of the city of Minneapolis shall maintain the policemen's relief association now existing.

Sec. 5. Laws 1965, chapter 493, section 3, is amended to read:

Sec. 3. **INCORPORATION, GOVERNMENT BY BOARD.**

The association shall become incorporated. It shall be governed by a board of ~~eight~~ nine members. The mayor, chief of police, and ~~treasurer~~ city comptroller/treasurer of the city shall be ex officio members of the board. The other members of the board shall be elected by the members of the association. Those elected to the first board shall be elected for terms of one, two, three, four, five years respectively; thereafter election shall be for a term of five years. Each elective member of the board shall hold office until his successor is elected and has qualified. Any vacancy in the office of an elective member of the board shall be filled by a special election called for that purpose. Any member so elected shall hold office for the balance of the term for which his predecessor was elected. Those members of the board shall continue to serve their present terms as provided by this section and the articles of incorporation and bylaws of the association. In 1983, the retired members shall separately from among themselves elect one member to serve on the board to serve a three-year term. This position shall continue to be filled by a retired member as in the same manner as provided for other elective members of the board; however, the election of this position shall be held every three years. In the years 1987, 1991, 1995, and 1999 when elections are held for board members, those board positions held by active members shall end and those board positions shall be filled by retired members from an election conducted amongst only the retired members, the term of office for those positions will be three years. In the other years when elections are held to fill a board position of an active member only active members will vote. As long as there remains at least one active member on active duty with the Minneapolis police department, there shall be a member of the board of directors from the active ranks in accordance with the election procedures outlined in this section. The affairs of the association shall be regulated by its articles of incorporation and bylaws.

Sec. 6. Laws 1949, chapter 406, section 3, as amended by Laws 1953, chapter 127, section 3, is amended to read:

Sec. 5. **SOURCE OF FUNDS.**

These funds shall be derived from the following sources:

- (a) Gifts made for such purpose;
- (b) Rewards received by active members;

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

(c) Moneys coming into the hands of members remaining unclaimed for six months;

(d) Proceeds from sales of property coming into the hands of active members and remaining unclaimed for six months. The chief of police of the city shall sell such unclaimed property;

(e) An amount equal to ~~four~~ eight percent of the salary of a first grade patrolman deducted by the city ~~treasurer~~ comptroller/treasurer from the monthly salary of each active member;

(f) All moneys derived from taxation, as provided by section 6; ~~and~~

(g) Moneys now in any policemen's pension or benefit fund continued to be maintained by the association;

(h) All moneys received from the state amortization aid pursuant to Minnesota Statutes, section 423A.02, to fund the unfunded accrued liability of the association;

(i) All moneys received from the state pursuant to chapter 69 for state police aid;

(j) All moneys derived from taxation by the municipality for the support of the association and payment of pensions;

(k) All moneys provided by the state for the association; and

(l) All moneys from investments, earnings, and interest of the fund.

Any surplus remaining in these funds at the close of any fiscal year shall continue therein.

Sec. 7. Laws 1949, chapter 406, section 4, subdivisions 2 and 3, as amended by Laws 1953, chapter 127, section 4; Laws 1965, chapter 534, section 1; Laws 1967, chapter 825, section 1; Laws 1969, chapter 258, section 1; Laws 1973, chapter 272, section 1; and Laws 1975, chapter 428, section 1, is amended to read:

Sec. 7. **MINNEAPOLIS, CITY OF; POLICEMEN'S PENSIONS.** The policemen's pension fund shall be used only for the payment of:

(a) Service, disability or dependency pensions;

(b) Salaries of the secretary of the association in an amount not to exceed 30 percent of the base salary of a top-grade patrolman and of the president of the association in an amount not to exceed ten percent of the base salary of a top-grade patrolman;

(c) Expenses of officers and employees of the association in connection with the protection of the fund;

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

(d) All expenses of operating and maintaining the association; ~~and~~

(e) Hospital and medical insurance for pensioners and widows of one unit per month, such one unit to be added to the pension otherwise provided for herein; provided that a pensioner or widow may in writing authorize a deduction from their pension for an insurance plan adopted by the association;

(f) Health and welfare benefits of one unit per month in addition to other benefits for members who retire after July 1, 1980; and

(g) Other expenses authorized by law.

Sec. 8. Laws 1949, chapter 406, section 5, subdivision 1, as amended by Laws 1953, chapter 127, section 5, and Laws 1969, chapter 560, section 1, is amended to read:

Sec. 8. MINNEAPOLIS, CITY OF; POLICE PENSIONS.

Subdivision 1. **PERSONS ENTITLED TO RECEIVE.** The association shall grant pensions payable from the policemen's pension fund in monthly installments, in the manner and for the following purposes:

(1) Any active member of the age of 50 years or more, who performs duty as a member of the police department of the city for 20 years or more, upon his written application after retiring from such duty, shall be paid monthly during his lifetime a pension equal to 32 units and an additional unit for each year of such service in excess of 20 years, but after completion of the 25th year of service the member shall receive 40 units thereafter.

(2) Any active member who performs duty as a member of the police department of the city for 20 years or more who retires from such duty before he attains the age of 50 years, upon his written application after reaching the age of 50 years shall be paid monthly during his lifetime a pension equal to 32 units and an additional unit for each year of such service in excess of 20 years, but after completion of the 25th year of service the member shall receive 40 units thereafter.

(3) To any active member who shall, after ten years' service but with less than 20 years' service with the police department of the city, become superannuated so as to be permanently unable to perform his duties, there shall be paid monthly during his lifetime a pension equal to 12 units for ten years of service and an additional two units for each completed year of such service over ten years and less than 20 years.

(4) To any active member not eligible for a service pension who, while a member of the police department of the city, becomes diseased or sustains an injury while in the service which permanently unfits him for the performance of police duties, there shall be paid monthly during his lifetime a pension equal to 32 units while so disabled.

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Sec. 9. Laws 1949, chapter 406, section 5, subdivision 3, as amended by Laws 1953, chapter 127, section 5, subdivision 2, is amended to read:

Subd. 2. **PAYMENTS, MEMBER SEPARATED FROM THE SERVICE.** If a an active member of the police department of the city is separated from the service after having completed not less than five years of service, under such circumstances that no pension benefits are payable to him or to his widow or to his children, the treasurer of the city association shall return to him the sum of \$500, with an additional \$100 for each completed year of service in excess of five. In the event the member is reinstated to police duty all moneys paid him shall be returned to the pension fund within six months from the date of the reinstatement. Failure to do so relieves the association from any liability as to prior years of service credit as to reinstatement date. In case of the death of the member any such sums shall be paid to his heirs, executors, or administrators.

Sec. 10. Laws 1949, chapter 406, section 5, subdivision 5, as amended by Laws 1953, chapter 127, section 5, is amended to read:

Subd. 4. **CERTIFICATE OF PHYSICIANS REQUIRED.** No member shall be awarded, granted, or paid a pension pursuant to subdivision 1, clauses (3) and (4), except upon the certificate of two or more physicians or surgeons chosen by the governing board. This certificate shall set forth the cause, nature, and extent of the disability, disease, or injury of the member. No active member shall be awarded, granted, or paid a pension pursuant to subdivision 1, clause (4), unless the certificate states that the disability, disease, or injury was incurred or sustained by the member while in the service of the police department of the city. Each such certificate shall be filed with the association.

Sec. 11. Laws 1949, chapter 406, section 6, subdivision 3, as amended by Laws 1953, chapter 127, section 6, and Laws 1965, chapter 493, section 3, is amended to read:

Subd. 3. **DISABLED MEMBERS.** Any active member who becomes disabled from performing his duties as a member of the police department of the city by reason of sickness or accident, if off the payroll of the police department, having exhausted all accumulated vacation, overtime, and sick leave credits due him, is entitled to receive from the association during his disability such benefits as the bylaws of the association provide, but such benefits shall not extend beyond a six-months period except when a an active member is disabled because of an injury sustained while on duty. Such benefits may extend for an indefinite time during disability. The bylaws may provide that such a an active member shall have completed a minimum number of years of service in order to be entitled to such benefits. Before any such benefits shall be paid or allowed, notice of the disability and application for benefits on account thereof shall be made to the secretary of the association within 90 days after such sickness or disability.

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Sec. 12. **EFFECTIVE DATE.**

This act is effective upon approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021.

Approved May 9, 1983

CHAPTER 89 — S.F.No. 972

An act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in St. Louis county; appropriating money.

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

Section 1. CONVEYANCE OF STATE LAND; ST. LOUIS COUNTY.

Subdivision 1. The state of Minnesota is the owner of Government Lot One, Section Twenty-six, Township Sixty-three North, Range Seventeen West, in St. Louis county,

Subd. 2. George Chlebeczek inadvertently built a cabin on this state property in 1967 and has owned, occupied, and made improvements on the cabin since it was built.

Subd. 3. Notwithstanding the provisions of Minnesota Statutes, section 92.45 to the contrary, the commissioner of natural resources may offer for sale and sell, in the manner provided for the sale of other trust fund lands, the following described land, except that the value of the improvements on the land shall be appraised separately. If, at the sale of the land George Chlebeczek is the purchaser, he shall not be required to pay for the improvements but in lieu thereof, at the time of sale, he shall furnish an affidavit to the effect that the improvements were paid by him. The land which the commissioner may offer for sale and sell is described as:

That part of the North 125.00 feet of Government Lot 1 of Section 26, Township 63 North, Range 17 West, St. Louis County, Minnesota, lying westerly of the following described line:

Commencing at the northeast corner of said Section 26; thence westerly, 1320.00 feet along the north line of said Section 26 to the southeast corner of Government Lot 8 of Section 23, Township 63 North, Range 17 West and the point of beginning of the line to be described; thence southerly deflecting to the left 90 degrees, 125.00 feet and there terminating. Containing 1.3 acres, more or less.

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