

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

Section 1. [17A.091] SWINE IDENTIFICATION AND HEALTH STANDARDS.

Subdivision 1. DELAY BEFORE SLAUGHTER REQUIRED. Any livestock dealer, market operator, stockyard operator, commission company, buying station, or slaughtering establishment must identify the herd of origin, regardless of country of origin, of sows, boars, stags, and other swine. Sows, boars, stags, or other swine delivered for slaughter in a United States Department of Agriculture sealed shipment may not be slaughtered for a period of (1) seven days after receipt for slaughter or (2) until the commissioner determines, based upon laboratory analysis results for 50 percent of the animals in the shipment, that the animals meet United States Department of Agriculture and the United States Food and Drug Administration standards, whichever is later.

Subd. 2. RULES. The commissioner may adopt permanent and emergency rules to implement this section.

Sec. 2. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved May 30, 1985

CHAPTER 259 — H.F.No. 98

An act relating to retirement; expanding the availability of certain appropriations for actuarial services; authorizing amendments for the Duluth, Minneapolis, and St. Paul teachers retirement fund associations; approving the rescission of exemption from modification of pension coverage for Faribault firefighters and police relief associations; providing lump sum payments to certain retired or disabled public employees; appropriating money; amending Laws 1979, chapter 109, section 1, as amended.

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

Section 1. AVAILABILITY OF ACTUARIAL SERVICES APPROPRIATION.

Notwithstanding any provision of law governing the allocation, encumbrance, or expenditure of appropriated funds, funds appropriated for actuarial services by Laws 1984, chapter 564, sections 1 and 2 may be expended during the period of the appropriation for qualified services performed prior to the effective date of the appropriation. Qualified services are those required as a prerequisite to actuarial work performed during the period of the appropriation.

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

Sec. 2. **DULUTH TEACHERS; AMENDMENT OF ARTICLES.**

Authorization is hereby granted in accordance with Minnesota Statutes, section 354A.12, subdivision 4, for the Duluth teachers retirement fund association to amend its articles of incorporation to authorize an annual lump sum postretirement adjustment payable to retirees or beneficiaries.

The amendment may provide that the board of trustees shall have the discretion to eliminate or reduce the adjustment in any fiscal year and to establish a minimum period during which a recipient must have been receiving an annuity or benefits in order to be eligible for an adjustment, which shall be at least three years. The adjustment shall only be made if the investment income of the fund during the preceding fiscal year was at least six percent of the asset value of the fund at the end of that fiscal year. The amount that each eligible annuitant or benefit recipient shall be entitled to receive shall be determined as follows:

(a) the years of service of each annuitant as credited by the fund and the years of service of each person on behalf of whom a survivor benefit is paid as credited by the fund and the years receiving payments shall be totaled;

(b) the dollar amount equal to up to one percent of the asset value of the fund at the end of the previous fiscal year shall be determined by the board of trustees;

(c) the dollar amount determined pursuant to clause (b) shall be divided by the aggregate years of credited service and years receiving payments in a manner determined by the board of trustees pursuant to clause (a), the result is to be considered the adjustment figure per unit;

(d) for each eligible annuitant and benefit recipient, the adjustment shall be equal to the adjustment figure per unit determined pursuant to clause (c) multiplied by the combination of years of service and years receiving payments as determined by the board of trustees based on the records of the fund.

Sec. 3. Laws 1979, chapter 109, section 1, as amended by Laws 1981, chapter 157, section 1, is amended to read:

Section 1. Authorization is hereby granted in accordance with Minnesota Statutes, Section 354A.12, for the St. Paul teachers retirement fund association to amend its bylaws as follows:

(1) Paragraph 9 of Section 3 of Article IV of the bylaws may be amended to provide a lump sum payment to annuitants and survivor benefit recipients who have been receiving annuities or benefits for at least three years, payable ~~three~~ six months following the end of a fiscal year. The payments shall only be made if the investment income of the fund during the preceding fiscal year was ~~in excess of 5-1/2~~ at least six percent of the asset value of the fund at the end of that fiscal year. The amount that each eligible annuitant or benefit recipient shall be entitled to receive shall be determined as follows:

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(a) The years of service of each annuitant as credited by the fund and the years of service of each person on behalf of whom a survivor benefit is paid as credited by the fund shall be totaled;

(b) The dollar amount equal to one-half of one percent of the asset value of the fund at the end of the previous fiscal year shall be determined;

(c) The dollar amount determined pursuant to clause (b) shall be divided by the aggregate years of credited service totaled pursuant to clause (a), the result to be considered the bonus figure per year of service credit;

(d) For each eligible annuitant and benefit recipient, the payment shall be equal to the bonus figure per year of service credit determined pursuant to clause (c) multiplied by each year of service credited for that person by the fund.

(2) A new paragraph may be added to Section 2 of Article IV of the bylaws to provide that any active member of the fund with service credit prior to July 1, 1978 who elects in the social security referendum to become a coordinated member shall be entitled to a retirement annuity when otherwise qualified, the calculation of which shall utilize the formula specified in Laws 1977, Chapter 429, Section 61 for that portion of credited service which was served prior to July 1, 1978 and the new coordinated formula specified in the bylaws for the remainder of credited service, both applied to the average salary as specified in Paragraph 2 of Section 1 of Article IX. The formula percentages to be used in calculating the coordinated portion of a retirement annuity on coordinated service shall recognize the coordinated service as a continuation of any service prior to July 1, 1978.

(3) Paragraph 5 of Section 3 of Article IV of the bylaws in effect on June 1, 1978 may be amended to provide that the recomputation of a disability benefit in an amount equal to a service pension shall occur when the member attains the age of 60 years and shall be recomputed without any reduction for early retirement, and that if the disability terminates prior to age 60 the member shall be eligible for benefits as provided in Paragraph 1 of Section 3 of Article IV and the years of service and final average salary accrued to disability termination date would be used as provided in Paragraph 5 of Section 3 of Article IV of the bylaws in effect June 1, 1978 and that Paragraph 3 of Section 4 of Article IV be amended to conform to this provision.

(4) Article VIII of the bylaws in effect July 1, 1978 may be amended by adding a new section 5 providing augmentation of benefits in the same manner as Minnesota Statutes 1978, Section 354.55, Subdivision 11.

(a) the years of service of each annuitant as credited by the fund and the years of service of each person on behalf of whom a survivor benefit is paid as credited by the fund and the years receiving payments shall be totaled;

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(b) the dollar amount equal to up to one percent of the asset value of the fund at the end of the previous fiscal year shall be determined by the board of trustees;

(c) the dollar amount determined pursuant to clause (b) shall be divided by the aggregate years of credited service and years receiving payments in a manner determined by the board of trustees pursuant to clause (a), the result is to be considered the bonus figure per unit;

(d) for each eligible annuitant and benefit recipient, the bonus payment shall be equal to the bonus figure per unit determined pursuant to clause (c) multiplied by the combination of years of service and years receiving payments as determined by the board of trustees based on the records of the fund.

Sec. 4. **MINNEAPOLIS TEACHERS AMENDMENT.**

Pursuant to Minnesota Statutes, section 354A.12, subdivision 4, authority is hereby granted to the Minneapolis teachers' retirement fund association to amend subsection (11) of article IX of its articles of incorporation to eliminate the maximum of 30 years of service which may be used in the computation of formula annuities.

Sec. 5. **RATIFICATION OF RESCISSION BY FARIBAULT CITY COUNCIL.**

The action of the Faribault city council of March 26, 1985, rescinding the adoption of the resolution of the Faribault city council of August 8, 1980, exempting from phase out the Faribault police and firefighters relief associations, is ratified and confirmed.

By rescission of the resolution of August 8, 1980, and the enactment of the March 26, 1985, resolution, all salaried firefighters and police officers hired prior to October 23, 1984, shall remain as members of the Faribault firefighters relief association or Faribault police relief association, whichever is applicable. All salaried firefighters and police officers hired on or after October 23, 1984, shall be members of the public employees retirement association.

By rescission of the resolution of August 8, 1980, the provisions of Laws 1980, chapter 607, article 15, sections 4, 5, and 7, are made applicable to the municipality and relief associations, where applicable.

Sec. 6. **PAYMENT OF AMORTIZATION STATE AID.**

Pursuant to Laws 1980, chapter 607, article 15, section 5, the city of Faribault, having modified the coverage of its salaried firefighters and police, shall be entitled to the payment of the amounts of amortization state aid as provided by law now coded in Minnesota Statutes, section 423A.02.

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The amounts of the amortization state-aid payments for years after 1984 shall be paid to the city of Faribault following application to the commissioner of finance pursuant to section 432A.02.

Sec. 7. POST RETIREMENT ADJUSTMENT; LUMP SUM PAYMENTS.

Subdivision 1. ENTITLEMENT. Any person who is receiving a retirement annuity, a disability benefit or a surviving spouse's annuity or benefit from a retirement fund specified in subdivision 3, clauses (1) to (5), which was computed under the laws in effect prior to June 1, 1973, if the person is receiving an annuity or benefit from the retirement fund specified in subdivision 3, clause (4), or prior to July 1, 1973, if the person is receiving an annuity or benefit from a retirement fund specified in subdivision 3, clause (1), (2), (3), or (5), and any person who is receiving either an annuity which was computed under the laws in effect prior to March 5, 1974, or a "\$2 bill and annuity" annuity from the retirement fund specified in subdivision 3, clause (6), and any person who is receiving a retirement annuity, a disability benefit or a surviving spouse's annuity or benefit from the retirement fund specified in subdivision 3, clause (5), which was computed under the metropolitan transit commission-transit operating division employees retirement fund plan document in effect on or prior to December 31, 1977, shall be entitled to receive a post retirement adjustment from the applicable retirement fund in the amount specified in subdivision 2.

Subd. 2. AMOUNT OF POST RETIREMENT ADJUSTMENT; PAYMENT. For any person receiving an annuity or benefit on November 30, 1985, or on November 30, 1986, and entitled to receive a post retirement adjustment pursuant to subdivision 1, the post retirement adjustment shall be a lump sum payment in an amount equal to \$18 during 1985 and \$19 during 1986 for each full year of allowable service credited to the person by the respective retirement fund. The post retirement adjustment provided for in this section shall be payable for those persons receiving an annuity or benefit on November 30, 1985, on December 1, 1985, and for those persons receiving an annuity or benefit on November 30, 1986, on December 1, 1986. Nothing in this section shall authorize the payment of a post retirement adjustment to an estate. Notwithstanding Minnesota Statutes, section 356.18, the post retirement adjustment provided for in this section shall be paid automatically unless the intended recipient files a written notice with the retirement fund requesting that the post retirement adjustment not be paid.

Subd. 3. COVERED RETIREMENT FUNDS. The post retirement adjustment provided for in this section shall apply to the following retirement funds:

- (1) public employees retirement fund;
- (2) public employees police and fire fund;

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- (3) teachers retirement fund;
- (4) state patrol retirement fund;
- (5) state employees retirement fund of the Minnesota state retirement system; and
- (6) Minneapolis employees retirement fund.

Subd. 4. **TERMINAL AUDIT.** Each covered retirement fund as specified in subdivision 3 shall, as soon as is practical following the payment of the December 1, 1986, post retirement adjustment, calculate the amount of any appropriation apportioned to it which is in excess of the amounts required to pay the post retirement adjustments provided for in this act. The calculations required by this paragraph shall be reported to and verified by the commissioner of finance and amounts equal to these reported excess appropriation amounts shall be returned to the general fund.

Sec. 8. **APPROPRIATION.**

There is hereby appropriated during the 1986-87 biennium, the amount of \$11,429,317 for the purpose of funding the post retirement adjustments provided for in this section. The appropriation shall be apportioned to the retirement funds paying the post retirement adjustment as follows:

| | FY 1986 | FY 1987 |
|--|-------------|-------------|
| <u>public employees retirement fund</u> | \$1,849,896 | \$1,821,454 |
| <u>public employees police and fire fund</u> | 76,338 | 76,551 |
| <u>teachers retirement fund</u> | 1,569,042 | 1,566,075 |
| <u>state patrol retirement fund</u> | 59,328 | 59,489 |
| <u>state employees retirement fund</u> | 1,316,736 | 1,320,386 |

Sec. 9. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment. The remaining sections are effective July 1, 1985.

Approved May 30, 1985

CHAPTER 260 — H.F.No. 155

An act relating to weights and measures; specifying the contents of a cord of freshly cut rough green aspen; amending Minnesota Statutes 1984, section 239.33.

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

Section 1. Minnesota Statutes 1984, section 239.33, is amended to read:

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