

date of its issuance, or may authorize an aircraft dealer to operate under a flight operator's license as otherwise provided by this chapter. The commissioner is empowered to suspend or revoke any license issued by the commissioner on determining that the holder thereof has violated any of the provisions of sections 360.511 to 360.67 or has failed to maintain any of the requirements necessary to obtain such license.

Sec. 7. Laws 1985, chapter 299, section 40, as amended by Laws 1986, chapter 454, section 34, is amended to read:

Sec. 40. SPECIAL PERMIT.

Subdivision 1. **PERMIT TO BE ISSUED.** Notwithstanding any law to the contrary the commissioner of transportation shall issue one special permit authorizing the operation for testing purposes of a three vehicle combination consisting of a motor vehicle, a "motorized hitch" and a trailer. The permit is valid for one year from the date of issuance. The annual fee for the permit is \$30. The permit is subject to all applicable provisions of Minnesota Statutes 1984, section 169.86, except as otherwise provided in this subdivision. The holder of the permit is responsible for all liability for personal injury, property damage or time lost, which may occur as a result of the operation of the combination for which the permit is issued, and must, if a claim is made against the state or a department, division officer or employee thereof arising from such operation, defend, indemnify and hold them harmless.

Subd. 2. **REPEALER.** This section is repealed July 31, ~~1987~~ 1988.

Sec. 8. REPEALER.

Minnesota Statutes 1986, section 160.81, subdivision 4, is repealed.

Approved May 29, 1987

CHAPTER 322—S.F.No. 587

An act relating to state and local government; adding certain emergency personnel to the list of people eligible for benefits from the peace officers benefit fund; Minneapolis police relief association service pensions and survivor benefits; amending Minnesota Statutes 1986, section 176B.01, subdivision 2; and Laws 1949, chapter 406, section 4, subdivisions 2 and 3, as amended, section 5, subdivisions 1 and 3, as amended, and section 6, subdivision 1, as amended; and Laws 1980, chapter 607, article 15, section 9.

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

Section 1. Minnesota Statutes 1986, section 176B.01, subdivision 2, is amended to read:

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

Subd. 2. **PEACE OFFICER.** "Peace officer" means:

(a) a police officer employed by the state of Minnesota or any governmental subdivision within the state to enforce the criminal laws;

(b) a Minnesota state patrol officer;

(c) a sheriff or full-time deputy sheriff with power of arrest by warrant;

(d) a state conservation officer as defined in section 84.028, subdivision 3;

(e) a person employed by the bureau of criminal apprehension as a police officer with power of arrest by warrant;

(f) a correction officer employed at any correctional institution and charged with maintaining the safety, security, discipline and custody of inmates at such institutions;

(g) a firefighter employed on a full-time basis by a fire department of any governmental subdivision of the state who is engaged in the hazards of firefighting or a regularly enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of fire fighting;

(h) a good samaritan who complies with the request or direction of a peace officer to assist the officer; ~~and~~

(i) a reserve police officer or a reserve deputy sheriff acting under the supervision and authority of a political subdivision; and

(j) a driver or attendant with a licensed basic or advanced life support transportation service who is engaged in providing emergency care.

Sec. 2. 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; Laws 1975, chapter 428, section 1; and Laws 1983, chapter 88, section 7, is amended to read:

Sec. 7. **MINNEAPOLIS, CITY OF; POLICEMEN'S POLICE PENSIONS.**

The ~~police~~ police 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;

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

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

(e) Hospital and medical insurance for pensioners who have completed 20 years or more of service or permanent ~~disabilitants~~ and ~~widows surviving spouses of deceased active members, disabilitants, or service pensioners who have completed 20 years or more of service~~ of one unit per month, such one unit to be added to the pension otherwise provided for herein; provided that a pensioner or ~~widow surviving spouse~~ 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 have completed 20 years or more of service or members who are permanent ~~disabilitants~~; and

(g) Other expenses authorized by law.

Sec. 3. Laws 1949, chapter 406, section 5, subdivision 1, as amended by Laws 1953, chapter 127, section 5, subdivision 1, Laws 1969, chapter 560, section 1, and Laws 1983, chapter 88, section 8, is amended to read:

Subdivision 1. **PERSONS MINNEAPOLIS POLICE; PERSONS ENTITLED TO RECEIVE.** The association shall grant pensions payable from the ~~police~~ police 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, and any deferred pensioner who performs has performed duty as a member of the police department of the city for 20 five years or more, upon his written application after retiring from ~~such duty~~ ; shall and reaching at least age 50 is entitled to be paid monthly during his lifetime a for life a service 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 eight units. For full years of service beyond five years, the service pension increases to a maximum of 40 units, as follows:

Sixth through 20th years 1.6 units per year

21st through 24th years 1.0 units per year

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

25th year 4.0 units.

Fractional years of service may not be used in computing pensions.

~~(3) To (2)~~ Any active member who shall, after ~~ten~~ five years' service but ~~with~~ less than 20 years' service with the police department of the city, ~~become~~ becomes superannuated so as to be permanently unable to perform ~~his~~ assigned duties, ~~there shall be paid monthly during his lifetime for life~~ a pension equal to ~~12~~ two units for ~~ten~~ five years of service and an additional two units for each ~~completed full~~ year of ~~such~~ service over ~~ten~~ five years and less than 20 years.

~~(4) To (3)~~ 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~~ the member for the performance of police duties, ~~there shall be paid monthly during his lifetime for life~~ a pension equal to 32 units while so disabled.

Sec. 4. Laws 1949, chapter 406, section 5, subdivision 3, as amended by Laws 1953, chapter 127, section 5, subdivision 2, and Laws 1983, chapter 88, section 9, is amended to read:

Subd. 2. **PAYMENTS, MEMBER SEPARATED FROM THE SERVICE MINNEAPOLIS POLICE; REFUNDS PROHIBITED.** If 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 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 No refund of contributions may be made upon separation from service; provided, however, that if an active member dies leaving no surviving spouse or children, the member's heirs, executors, or administrators are entitled to a refund of \$100 for each completed year of service.

Sec. 5. Laws 1949, chapter 406, section 6, subdivision 1, as amended by Laws 1953, chapter 127, section 6, and Laws 1967, chapter 820, section 1, is amended to read:

Subdivision 1. **MINNEAPOLIS POLICE SURVIVOR BENEFITS; PERSONS TO WHOM GRANTED.** The association shall grant pensions or benefits payable from the ~~police~~ police pension fund to any member or to any widow surviving spouse or to any child under 18 years of age or any member from the time and for the following purposes:

When a service pensioner, disability pensioner, or deferred pensioner, or an active member of a relief association dies, leaving

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(1) a ~~widow~~ surviving spouse, who was ~~his~~ a legally married ~~wife~~ spouse, residing with ~~him~~ the decedent, and who was married while or prior to the time ~~he~~ the decedent was on the payroll of the police department; and who, in case the deceased member was a service or deferred pensioner, was legally married to the member at least one year before ~~his~~ retirement from the police department; or

(2) a child or children, who were living while the deceased was on the payroll of the police department or born within nine months after the decedent was withdrawn from ~~such~~ the payroll, the ~~widow~~ surviving spouse and child, or children, shall be entitled to a pension, or pensions, as follows:

(a) To the ~~widow~~ surviving spouse of a deceased active member or disabilitant, a pension of 18 units per month for life. If the surviving spouse remarries, the pension ceases as of the date of the remarriage.

(b) To the surviving spouse of a deceased deferred or retired member, a pension of ~~48~~ 4.5 units per month for ~~her~~ natural life; ~~but, plus an additional~~ nine-tenths of one unit per month for every year of service of the decedent beyond five years to a maximum of 18 units. If she remarry the surviving spouse remarries, the pension shall cease ceases as of the date of the remarriage.

(~~b~~) (c) To each child of a deceased active member or disabilitant, a pension of six units per month until the child reaches the age of 18 years; or in the case of a child in full-time attendance during the normal school year, in a school approved by the board of directors, until the child receives a bachelor's degree or attains the age of 22 years, whichever occurs first.

(d) To each child of a deceased deferred or retired member, a pension of 1.5 units per month plus three-tenths of one unit per month for every year of service of the decedent beyond five years to a maximum of six units until the child reaches the age of 18 years; or, in the case of a child in full-time attendance during the normal school year in a school approved by the board of directors, until the child receives a bachelor's degree or attains the age of 22 years, whichever is first.

The total pensions hereunder for the ~~widow~~ surviving spouse and children of a deceased member shall not exceed 32 units per month.

Sec. 6. Laws 1980, chapter 607, article 15, section 9, is amended to read:

Sec. 9. **MINNEAPOLIS POLICE AND FIRE; HEALTH AND WELFARE BENEFIT.** Notwithstanding any law to the contrary, any person who, after July 1, 1980, retires on a service pension with at least 20 years of service or a permanent disability benefit from the Minneapolis police relief association or the Minneapolis firefighters relief association shall be entitled on January 1, 1981, or upon the date of retirement, whichever occurs later, to receive a monthly health and welfare benefit unless the city of Minneapolis elects to retain the local relief association by the adoption of a municipal resolution pursuant to section

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4, subdivision 1. The monthly health and welfare benefit shall be an amount equal to one unit as defined pursuant to Laws 1963, Chapter 315, Section 1, Subdivision 3, for the Minneapolis police relief association, or Minnesota Statutes, Section 69.45, for the Minneapolis firefighters relief association, whichever is applicable. The monthly health and welfare benefit shall be paid to the retired member unless the retired member designates in writing that the amount be paid to an insurance carrier to defray the cost of any health or welfare related insurance coverage.

Sec. 7. SAVINGS CLAUSE.

Nothing in sections 2 to 6 impairs or diminishes the benefits paid to members, spouses, or children of a member of the Minneapolis police relief association or the entitlement that members, spouses, or children had to benefits before the effective date of sections 2 to 6.

Sec. 8. EFFECTIVE DATES.

Sections 2 to 7 are effective upon approval by the Minneapolis council and compliance with Minnesota Statutes, section 645.021.

Approved May 29, 1987

CHAPTER 323—S.F.No. 905

An act relating to appropriations; appropriating money to the commissioner of natural resources to replace income lost to state trust funds when certain timber permits were canceled; releasing timber from the trust for a five-year period; authorizing the commissioner of natural resources to sell, recycle or dispose of the timber; directing the disposition of income.

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

Section 1. TRUST FUND INCOME; TIMBER PERMITS.

\$95,000 is appropriated from the general fund to the commissioner of natural resources to replace income lost to state trust funds when certain permits to cut timber on state trust fund lands were canceled by the state under Laws 1985, First Special Session chapter 13, section 219.

Sec. 2. TIMBER RELEASED FROM TRUST FOR FIVE-YEAR PERIOD; DISPOSITION OF INCOME.

Upon receipt by the permanent school fund of the funds necessary to replace lost income, as appropriated by section 1, the timber on the state trust fund lands covered by the canceled permits shall be released from the trust for a period of five years. During that five-year period the commissioner of natural resources shall attempt to sell, recycle, or dispose of the timber as otherwise provided by law. Any income generated during the five-year period shall be returned to the general fund to the extent of the funds actually received by the

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