

Sec. 4. **REPEALER.**

Minnesota Statutes 1990, section 268A.05, subdivision 2, is repealed.

Sec. 5. **EFFECTIVE DATE.**

This article is effective July 1, 1991.

Presented to the governor May 31, 1991

Signed by the governor June 4, 1991, 9:10 p.m.

CHAPTER 293—S.F.No. 906

An act relating to retirement; authorizing purchase of military service credit by a certain teachers retirement association member; authorizing issuance of a state Persian Gulf war ribbon; proposing coding for new law in Minnesota Statutes, chapter 190.

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

Section 1. [190.17] STATE PERSIAN GULF WAR RIBBON.

From money appropriated for the purpose, the adjutant general shall issue a state ribbon to each Minnesota resident who is a member of the Minnesota army or air national guard who has been called to active duty to participate in Operation Desert Shield, Operation Desert Storm, or any other military operation that is part of the war in the Persian Gulf region. The adjutant general may adopt rules necessary to implement this section. In the case of other reservists ordered to active duty, a certificate replica of the state ribbon will be rendered.

Sec. 2. TEACHER'S MILITARY SERVICE CREDIT.

Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, section 354.094, a member of the teachers retirement association who was born May 23, 1936, and who is employed by independent school district No. 833 may purchase allowable service credit for a one-year period of involuntary extension of military active duty performed after June 30, 1984, and before July 1, 1985, and not previously credited to the member.

Subd. 2. PURCHASE PAYMENT AMOUNT. To purchase service credit under subdivision 1, there must be paid to the teachers retirement association an amount equal to the present value, on the date of payment, of the amount of the additional retirement annuity that would be obtained by the purchase. Present value shall be calculated using the preretirement interest rate specified in Minnesota Statutes, section 356.215, subdivision 4d, and the mortality table adopted for the fund and assuming continuous future service as a member of the association until the requirements for retirement at the minimum age for normal

New language is indicated by underline, deletions by ~~strikeout~~.

retirement or retirement with an annuity unreduced for early retirement are met with the additional service credit purchased. The calculation shall also assume future salary history that includes annual salary increases at the rate specified in Minnesota Statutes, section 356.215, subdivision 4d. The member must establish proof of the service for which the purchase of service credit is requested in the manner prescribed by the executive director of the teachers retirement association.

Subd. 3. PAYMENT; CREDITING SERVICE. Payment must be made in one lump sum. Allowable service may be credited only after receipt of full payment by the executive director.

Subd. 4. OPTIONAL EMPLOYER PARTIAL PAYMENT. Payment must be made by the member. However, the current or former employer of the member may, in its discretion, pay all or any portion of the payment amount that exceeds an amount equal to the employee contribution rates in effect or required during the period of military service, applied to the actual salary rates in effect after the period of military service, plus interest at the rate of six percent a year compounded annually from the date on which the contributions would otherwise have been made to the date on which the payment is made.

Sec. 3. EFFECTIVE DATE.

Section 2 is effective the day following final enactment.

Presented to the governor May 29, 1991

Signed by the governor June 1, 1991, 4:06 p.m.

CHAPTER 294—H.F.No. 181

An act relating to the environment; adding reimbursement requirements for the petroleum tank release cleanup account; providing for insurance subrogation rights; amending Minnesota Statutes 1990, sections 115C.04, subdivision 3; 115C.09, subdivision 3; and 115C.10, subdivision 1.

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

Section 1. Minnesota Statutes 1990, section 115C.04, subdivision 3, is amended to read:

Subd. 3. AGENCY COST RECOVERY. Reasonable and necessary expenses incurred by the agency in taking a corrective action, including costs of investigating a release, administrative and legal expenses, and reimbursement costs described in subdivision 1, paragraph (b), may be recovered in a civil action in district court brought by the attorney general against a responsible person. The agency's certification of expenses is prima facie evidence that the

New language is indicated by underline, deletions by ~~strikeout~~.