

CHAPTER 563—S.F.No. 2750

An act relating to retirement; St. Paul fire department and police relief associations; increasing service pension amounts; limiting future benefit reductions; amending Laws 1955, chapters 151, section 9, subdivisions 5, as amended, and 6, as amended; and 375, sections 21, as amended, and 22, as amended.

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

Section 1. Laws 1955, chapter 151, section 9, subdivision 5, as amended by Laws 1963, chapter 271, section 5, and Laws 1971, chapter 549, section 3, is amended to read:

Subd. 5. **ST. PAUL POLICE RELIEF ASSOCIATION: ADDITIONAL SERVICE PENSIONS.** (a) In addition to the pension of 40 units per month provided for in subdivision 4, the association shall pay a pension of one unit per month for each additional year of service over 20 years, provided, however that each member who retires from the service of the police department after June 1, 1971 shall receive two units per month for each additional year of service over 20 years, but the total of these pension payments shall not exceed 50 units per month.

(b) Beginning with the first service pension payment made after the effective date of this section, a person who retired before June 1, 1971, and who did not receive the benefit increase provided by Laws 1971, chapter 549, section 3, is entitled to receive an additional one unit per month for each year of active service rendered by the person with over 20 years of service, but not to result in a service pension in total that exceeds 50 units per month.

Sec. 2. Laws 1955, chapter 151, section 9, subdivision 6, as amended by Laws 1973, chapter 286, section 1, is amended to read:

Subd. 6. **ST. PAUL, CITY OF; POLICE PENSIONS.** (a) The association shall pay to any member permanently disabled physically or mentally because of an injury received while on duty as a member of the city police department so as to render necessary his retirement from active police service, a pension of 40 units per month, if the date of the retirement was prior to January 1, 1949. If the date of such retirement is subsequent to January 1, 1949, and occurs during the first 20 years of his service, the association shall pay him a pension of 40 units per month. If such retirement occurs after 21 years of service, the association shall pay him a pension of one unit per month for each additional year of service over 20 years; provided, however, if the date of such retirement is subsequent to June 1, 1971, the association shall pay him a pension of two units per month for each year of service over 20 years, regardless of whether he has attained the age of 50 years; but the total of these pension payments shall not exceed 50 units per month.

(b) Beginning with the first disability benefit payment made after the effective date of this section, a person who was disabled before June 1, 1971, and who did not receive the benefit increase provided by Laws 1973, chapter 286,

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section 1, is entitled to receive an additional one unit per month for each year of active service rendered by the person with over 20 years of service, but not to result in a disability benefit in total that exceeds 50 units per month.

Sec. 3. Laws 1955, chapter 375, section 21, as amended by Laws 1967, chapter 644, section 1, is amended to read:

Sec. 21. ST. PAUL, CITY OF; ~~FIREMEN'S FIRE DEPARTMENT RELIEF ASSOCIATIONS~~ ASSOCIATION; UNIT DEFINED; AMOUNT OF DISABILITY BENEFITS.

Subdivision 1. DEFINITION OF UNIT. A unit as referred to hereinafter in this act shall be one-eightieth of the maximum current monthly salary of a first grade fire fighter ~~on February 1 of the current calendar year in which the pensions provided for in this act are paid.~~

Subd. 2. MAXIMUM DISABILITY BENEFITS. A member of any such relief association is entitled to disability benefits as herein defined, shall receive the same from his association for such periods of time, at such times, and in such amounts, not to exceed 40 units per month, as the bylaws of said association provide.

Sec. 4. Laws 1955, chapter 375, section 22, as amended by Laws 1973, chapter 287, section 1, is amended to read:

Sec. 22. SAINT PAUL, CITY OF; ~~FIREMEN'S FIRE DEPARTMENT RELIEF ASSOCIATION~~; ~~RETIREMENT BENEFITS~~ SERVICE PENSIONS.

Subdivision 1. PRIMARY SERVICE PENSION; GENERAL PROVISIONS. A member of such association who has completed a period, or periods of service on the fire department equal to 20 years or more, shall, after he has arrived at the age of 50 years, or more, and has retired from the payroll of the fire department, be entitled to a basic pension of not less than 20 units and not more than 33 units per month for his natural life in conformity to the ~~by-laws~~ bylaws of such association. Any and all leaves of absence of more than 90 days, except such as are granted to a member because of his disability due to sickness or accident, shall be excluded in computing said period of service; and all periods of time during which a member received a disability pension shall be excluded in such computation. No deduction shall be made for a leave of absence granted to a member to enable him to accept an appointive position in said fire department. No member shall be entitled to draw both a disability and a service pension.

Such monthly basic payments may be increased by adding to said basic pension 1 unit per month, or any portion thereof, for each year of active duty over 20 and not more than 35 years. Provided further, however, that for a member who retires after July 1, 1973, such monthly basic payments may be increased by the addition of 2 units per month, or any portion thereof, for each year of active duty over 20 years.

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The ~~by-laws~~ bylaws of such association may provide for these increases, or any portion thereof: provided, that in no event the total pension exceed the sum of 40 units per month.

Subd. 2. INCREASE IN CERTAIN PRE-1973 PENSION AMOUNTS. Beginning with the first service pension payment made after the effective date of this section, a person who retired before July 1, 1973, and who did not receive the benefit increase provided by Laws 1973, chapter 287, section 1, is entitled to receive an additional one unit per month for each year of active service rendered by the person over 20 years of service, but not to exceed 35 years of service, and not to result in a service pension in total that exceeds 40 units per month.

Sec. 5. LIMITATION ON POSTRETIREMENT BENEFIT REDUCTIONS.

A monthly service pension or retirement benefit payment from the St. Paul fire department relief association or the St. Paul police relief association may not be reduced in amount to an amount that is less than that received by the person for the immediately previous month. This limitation may not be construed to limit the power of the board of trustees of the relief association to require proof of continuing eligibility for receipt of a disability benefit or a survivor benefit, or to require the reduction in amount or elimination of a disability benefit in the event of changed medical circumstances, or to require the reduction in amount or elimination of a survivor benefit in the event of changes in eligibility.

Sec. 6. EFFECTIVE DATE.

Sections 1, 2, 3, and 4 are effective upon approval by the city council of the city of St. Paul and compliance with Minnesota Statutes, section 645.021. Section 5 is effective December 31, 1993, and upon approval by the city council of the city of St. Paul and compliance with Minnesota Statutes, section 645.021.

Presented to the governor April 17, 1992

Signed by the governor April 27, 1992, 2:07 p.m.

CHAPTER 564—H.F.No. 1681

An act relating to commerce; regulating data collection, enforcement powers, premium finance agreements, temporary capital stock of mutual life companies, surplus lines insurance, conversion privileges, coverages, rehabilitations and liquidations, the comprehensive health insurance plan, and claims practices; requiring insurers to notify all covered persons of cancellations of group coverage; regulating continuation privileges and automobile premium surcharges; regulating unfair or deceptive practices; regulating insurance agent licensing and education; carrying out the intent of the legislature to make uniform the statutory service of

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