

## CHAPTER 126—H.F.No. 1442

*An act relating to the city of Columbia Heights; exclusions from salary in computing police relief association retirement benefits; permitting a contribution with interest by a member for past service with the city; amending Minnesota Statutes 1992, section 353B.02, subdivision 10; and Laws 1977, chapter 374, section 8, subdivision 1.*

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

## ARTICLE 1

## COLUMBIA HEIGHTS POLICE BENEFIT CHANGES

Section 1. Laws 1977, chapter 374, section 8, subdivision 1, is amended to read:

Subdivision 1. The words "salary of a top patrolman" and "top patrolman's salary" as used in this act shall mean all monthly wages and salaries subject to Minnesota state or federal withholding for tax purposes of a top patrolman employed by the city of Columbia Heights on scheduled shifts set by the city of Columbia Heights pursuant to the current terms of any labor agreement between the policeman or his union and the city of Columbia Heights, including longevity pay and education incentive pay in an amount not to exceed \$235 per month. The terms "salary of a top patrolman" and "top patrolman's salary" shall exclude payment for overtime work which shall be defined as work performed at the express authorization of the city of Columbia Heights in excess of the policeman's scheduled shift, any increased amount of pay over the pay of a top patrolman for duties as a detective investigator, payment for volunteer work, payment for court time, payment for call back time which shall be defined as work performed by a policeman who is called to duty during his scheduled off-duty time, ~~payment of education incentive or for longevity,~~ payment for clothing, payment for holiday service, night shift pay, emergency duty pay, standby pay or pay for or in lieu of any fringe benefit or term or condition of employment whatsoever other than payment for scheduled shifts. ~~This definition shall be effective retroactive to June 15, 1976.~~

## Sec. 2. BUY BACK FOR CERTAIN PAST SERVICE.

Notwithstanding Minnesota Statutes, section 353A.10, subdivision 1, a member of the Columbia Heights police relief association who was hired on February 16, 1964, is allowed to contribute to the relief association or to the consolidation account under Minnesota Statutes, chapter 353A, whichever applies, an amount equal to eight percent of the salary of a top grade patrol officer from the period February 10, 1989, through the last full pay period before contributions would be required under consolidation with the public employees retirement association, plus interest at the rate of 6.5 percent, compounded

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

annually, from the date the member contribution would have been payable until the date that the equivalent amount is paid.

Notwithstanding Minnesota Statutes, section 353.01, subdivision 10, paragraph (c), contributions made by a member of the Columbia Heights police relief association pursuant to this section may be included in determining the years of service and salary upon which that individual's annuity would be computed, in the event that the person selects benefit coverage under the public employees police and fire fund benefit plan following a consolidation under Minnesota Statutes, chapter 353A.

### Sec. 3. LOCAL APPROVAL.

Sections 1 and 2 are effective upon an affirmative vote by the city of Columbia Heights police relief association to consolidate with the public employees police and fire fund under Minnesota Statutes, section 353A.04, and upon approval of sections 1 and 2 by the Columbia Heights city council and compliance with Minnesota Statutes, section 645.021, subdivision 3. The amendment made in section 1 applies only to benefits payable and contributions made after the date of approval by the Columbia Heights city council.

---

## ARTICLE 2

### CONFORMING CHANGES

Section 1. Minnesota Statutes 1992, section 353B.02, subdivision 10, is amended to read:

Subd. 10. **SALARY.** (a) "Salary" for benefit computation and contribution purposes means the salary of a first class or first grade firefighter or patrol officer, whichever applies, for the former members of the following consolidating relief associations:

- (1) Anoka police relief association;
- (2) Austin firefighters relief association;
- (3) Austin police relief association;
- (4) Columbia Heights fire department relief association, paid division;
- (5) ~~Columbia Heights police relief association;~~
- (6) Fairmont police benefit association;
- (7) (6) Faribault fire department relief association;
- (8) (7) Mankato fire department relief association;

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

- ~~(9)~~ (8) Minneapolis fire department relief association;
- ~~(+0)~~ (9) Minneapolis police relief association;
- ~~(+1)~~ (10) Richfield fire department relief association;
- ~~(+2)~~ (11) Rochester fire department relief association;
- ~~(+3)~~ (12) Rochester police relief association;
- ~~(+4)~~ (13) St. Cloud fire department relief association;
- ~~(+5)~~ (14) St. Cloud police relief association;
- ~~(+6)~~ (15) St. Paul fire department relief association;
- ~~(+7)~~ (16) South St. Paul firefighters relief association;
- ~~(+8)~~ (17) West St. Paul firefighters relief association;
- ~~(+9)~~ (18) West St. Paul police relief association; and
- ~~(20)~~ (19) Winona fire department relief association.

(b) "Salary" for benefit computation purposes means the salary of a first grade patrol officer for the second month of the previous fiscal year and for contribution purposes means the current salary of a first grade patrol officer, for the former members of the following consolidating relief associations:

- (1) Bloomington police relief association;
- (2) Crystal police relief association;
- (3) Fridley police pension association;
- (4) Richfield police relief association;
- (5) St. Louis Park police relief association; and
- (6) Winona police relief association.

(c) "Salary" for benefit computation purposes means the final salary and for contribution purposes means the current salary for the former members of the following consolidating relief associations:

- (1) Albert Lea firefighters relief association;
- (2) Albert Lea police relief association;
- (3) Buhl police relief association;
- (4) Chisholm firefighters relief association;

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

- (5) Crookston fire department relief association;
- (6) Crookston police relief association;
- (7) Faribault police benefit association;
- (8) Red Wing police relief association; and
- (9) Virginia fire department relief association.

(d) "Salary" for benefit computation purposes means the average earnings or salary for the final six months of employment before retirement and for contribution purposes means the current salary for the former members of the following consolidating relief associations:

- (1) Chisholm police relief association;
- (2) Hibbing firefighters relief association; and
- (3) Hibbing police relief association.

(e) "Salary" for benefit computation purposes means the greater of the final salary at retirement or the highest salary of a patrol officer and for contribution purposes means the greater of the current salary or the current highest salary of a patrol officer for the former members of the following consolidating relief associations:

- (1) Brainerd police benefit association; and
- (2) New Ulm police relief association.

(f) "Salary" for benefit computation and contribution purposes means the following for the former members of the consolidating relief associations as indicated:

(1) salary of a top grade patrol officer, including longevity pay and education incentive pay in an amount not to exceed \$235 per month, Columbia Heights police relief association;

(2) maximum pay of a firefighter, Duluth firefighters relief association;

~~(2)~~ (3) salary of a first class patrol officer with 16 years of service, Duluth police pension association;

~~(3)~~ (4) base salary for the rank currently held, plus longevity pay, pay for eligibility for next higher rank and pay for first aid care, Mankato police benefit association;

~~(4)~~ (5) average annual salary for highest three paid years for benefit computation purposes and current salary for contribution purposes, Red Wing fire department relief association;

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

~~(5)~~ (6) pay of the highest grade full-time firefighter, St. Louis Park fire department relief association;

~~(6)~~ (7) maximum monthly pay of a patrol officer, St. Paul police relief association;

~~(7)~~ (8) prevailing base pay of rank held at retirement for benefit computation purposes and current salary for contribution purposes, South St. Paul police relief association; and

~~(8)~~ (9) prevailing pay for rank held for at least six months before retirement for benefit computation purposes and current salary for contribution purposes, Virginia police relief association.

## Sec. 2. EFFECTIVE DATE.

Section 1 is effective on the effective date of article 1, section 1.

Presented to the governor May 10, 1993

Signed by the governor May 11, 1993, 6:02 p.m.

## CHAPTER 127—H.F.No. 648

*An act relating to counties; permitting Itasca and Polk counties to consolidate the offices of auditor and treasurer.*

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

### Section 1. CONSOLIDATION OF OFFICES.

Upon adoption of a resolution by the Itasca county board of commissioners, or the Polk county board of commissioners, the offices of auditor and treasurer in the county adopting the resolution shall be consolidated. The title of the consolidated office will be "auditor-treasurer." All the duties, functions, and responsibilities required by law to be performed by the county auditor and county treasurer shall be vested in and performed by the auditor-treasurer. The auditor-treasurer shall be elected like other county officers under Minnesota Statutes, section 382.01.

### Sec. 2. SCHEDULE.

Persons elected at the November 1990 general election to the positions of auditor and treasurer shall serve in those capacities and perform the duties, functions, and responsibilities required by statute, until the completion of the term of office to which each was elected, or until a vacancy occurs in the office, whichever occurs earlier. If a vacancy occurs, the other officer shall perform the duties, functions, and responsibilities of both offices.

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