

This act is effective the day following final enactment.

Presented to the governor May 3, 1993

Signed by the governor May 5, 1993, 6:20 p.m.

CHAPTER 95—H.F.No. 977

*An act relating to retirement; Minneapolis employees retirement fund; permitting purchase of service credit by a certain member.*

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

Section 1. PURCHASE OF PRIOR SERVICE CREDIT.

Subdivision 1. ELIGIBILITY. (a) A member of the Minneapolis employees retirement fund who:

(1) was born on September 25, 1954; and

(2) while disabled due to a duty-related injury, was recommended for discharge by the Minneapolis public works department on October 17, 1981, which recommendation was subsequently withdrawn by the department on April 8, 1982,

may purchase allowable service credit in the Minneapolis employees retirement fund for the period or periods described in paragraph (b).

(b) The period or periods for service credit purchase is a period or periods between January 1, 1980, and December 31, 1981, for which the member:

(1) did not receive disability benefits under this chapter;

(2) did not receive service credit from the Minneapolis employees retirement fund; and

(3) does not have existing service credit for the period or periods from any other plan listed in Minnesota Statutes, section 356.30, subdivision 3.

Subd. 2. PURCHASE PAYMENT AMOUNT. (a) To purchase service credit under subdivision 1, there must be paid to the Minneapolis employees retirement fund an amount equal to the present value on the date of payment of the amount of the additional retirement annuity obtained by purchase of the additional service credit.

(b) Calculation of this amount must be made by the executive director of the Minneapolis employees retirement fund using the applicable preretirement interest rate specified in Minnesota Statutes, section 356.215, subdivision 4d,

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and the mortality table adopted for the plan. The calculation must assume continuous future service in the fund until, and retirement at, the age at which the minimum requirements of the retirement association for normal retirement or retirement with an annuity unreduced for retirement at an early age, including Minnesota Statutes, section 356.30, are met with the additional service credit purchased. The calculation must also assume a future salary history that includes annual salary increases at the salary increase rate specified in section 356.215, subdivision 4d.

(c) The portion of the total cost of the purchase payable by the eligible person is specified in subdivision 3. The remaining portion of total cost is to be paid by the applicable employing unit as specified in subdivision 4.

Subd. 3. ELIGIBLE MEMBER PAYMENT. (a) To receive credit for the period of service credit purchase specified in subdivision 1, paragraph (b), the member must pay a member contribution equivalent amount.

(b) The member contribution equivalent amount is an amount equal to the employee contribution rate in effect during the period or periods for which service credit is purchased, multiplied by the full-time equivalent salary for an individual described in subdivision 1, paragraph (a), upon returning to covered employment in April 1982, for the period or periods of service credit purchased. Payment must include six percent annually compounded interest from the date on which a member contribution would have been made if the member had not been injured and remained in covered salaried employment during the period or periods of service credit purchase to the date on which payment is made. Payment must be made in a lump sum before December 31, 1993, unless the executive director agrees to accept payment in installments, not to exceed three years. If the executive director agrees to accept installment payments, payments must include interest at a rate determined by the executive director, and payments must begin before December 31, 1993.

Subd. 4. MANDATORY EMPLOYING UNIT PAYMENT. Within 60 days of the receipt by the executive director of the Minneapolis employees retirement fund of the full payment under subdivision 3, the governmental unit employing the member during the period or periods of service credit purchase described in subdivision 1, paragraph (b), shall pay a lump sum equal to the difference between the amounts specified in subdivisions 2 and 3.

Subd. 5. SERVICE CREDIT GRANT. Service credit for the purchase period must be granted to the account of the eligible person upon receipt of the purchase payment amount specified in subdivision 2.

## Sec. 2. LOCAL APPROVAL.

Section 1 is effective the day following approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021.

Presented to the governor May 6, 1993

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

Signed by the governor May 7, 1993, 2:42 p.m.

CHAPTER 96—H.F.No. 522

*An act relating to utilities; clarifying the specificity needed for public service corporation easements; amending Minnesota Statutes 1992, section 300.045.*

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

Section 1. Minnesota Statutes 1992, section 300.045, is amended to read:

**300.045 EASEMENTS OVER PRIVATE PROPERTY, LIMITATIONS.**

When public service corporations, including pipeline companies, acquire easements over private property by purchase, gift, or eminent domain proceedings, except temporary easements for construction, they must definitely and specifically describe the easement being acquired, and may not acquire an easement greater than the minimum necessary for the safe conduct of their business.

For the purposes of this section, a public service corporation may meet the requirement of a definite and specific description of an easement by:

(1) including in the recorded description of the easement the specific legal reference points as to the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property; or

(2) appending to the recorded description of the easement a drawing that identifies by means of a scale or specific measurements the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property.

When a question arises as to the location of an easement across specific property and the recorded description of the easement does not include a definite and specific description of the easement by a method identified in clause (1) or (2), the public service corporation holding the easement shall, upon written request by the specific property owner, produce and record in a timely manner a definite and specific description using a method described in clause (1) or (2).

This section does not require a public service corporation to physically locate, establish, and monument by means of a land survey prepared by a registered land surveyor the corners of the specific property involved.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

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