

# MINNESOTA STATUTES 1979 SUPPLEMENT

## 349.21 BINGO, GAMBLING DEVICES

(a) Department of the treasury, internal revenue service, "Return of Organization Exempt from Income Tax," Form 990, or a comparable form if the organization is required to file the form with the department of the treasury;

(b) Department of the treasury, internal revenue service, "Exempt Organization Business Income Tax," Form 990-T, or a comparable form if the organization is required to file the form with the department of the treasury;

(c) A "Statement of Bingo Operations" in the form prescribed by the local governmental unit. All information contained in the statement shall be true, correct, and complete to the best of the knowledge of the person or persons signing the statement. Any person who shall knowingly make a false statement or knowingly conceal a material fact in the statement shall be subject to the penalties provided in section 349.22;

(d) Any lease agreements required by Laws 1976, Chapter 261, executed by the organization in regard to premises leased for the conduct of bingo.

[ 1979 c 188 s 1 ]

## 349.26 Gambling devices.

[For text of subs 1 to 11, see M.S.1978]

Subd. 12. No compensation shall be paid to any person in connection with the operation of a gambling device or the conduct of a raffle by a licensed organization except a licensed organization may elect to pay a percent of raffle ticket sales to nonprofit organizations selling for the licensed organization. No person who is not an active member of an organization, or its auxiliary, or the spouse or surviving spouse of an active member may participate in the organization's operation of a gambling device or conduct of a raffle except the licensed organization may utilize nonmember nonprofit organizations in raffle ticket sales.

[For text of subs 13 to 16, see M.S.1978]

[ 1979 c 313 s 4 ]

## CHAPTER 352. MINNESOTA STATE RETIREMENT SYSTEM

Sec.  
352.15 Exemption from process and taxation.

### 352.15 Exemption from process and taxation.

Subdivision 1. None of the moneys, annuities, or other benefits mentioned herein shall be assignable either in law or in equity or be subject to execution, levy, attachment, garnishment, or other legal process, or to any state estate tax. Provided, however, the executive director may pay an annuity, benefit or refund to a banking institution, qualified under chapter 48, that is trustee for a person eligible to receive such annuity, benefit or refund. Upon the request of a retired, disabled or former employee, the executive director may mail the annuity, benefit or refund check to a banking institution, savings association or credit union for deposit to such employee's account or joint account with his spouse. The board of directors may prescribe the conditions under which such payments will be made.

[For text of subd 2, see M.S.1978]

[ 1979 c 303 art 3 s 28 ]

## CHAPTER 352B. HIGHWAY PATROLMEN, RETIREMENT

Sec.  
352B.01 Definitions.

Sec.  
352B.11 Retirees.

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## HIGHWAY PATROLMEN, RETIREMENT 352B.11

### 352B.01 Definitions.

[For text of subd 1, see M.S.1978]

Subd. 2. "Member" means (a) all of the persons referred to and employed on and after July 1, 1943 pursuant to the provisions of Laws 1929, Chapter 355, and all acts amendatory thereof and supplementary thereto, currently employed by the state, whose salaries or compensation is paid out of funds of the state of Minnesota; (b) any conservation officer employed under the provisions of section 97.50, currently employed by the state, whose salary or compensation is paid out of funds of the state; and (c) any crime bureau officer who was employed by the crime bureau and was a member of the highway patrolmen's retirement fund on July 1, 1978, whether or not that person has the power of arrest by warrant after that date, or who is employed as police personnel, with powers of arrest by warrant, pursuant to the provisions of section 299C.04, and who is currently employed by the state, and whose salary or compensation is paid out of funds of the state.

The term "member" shall not include any person employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive employment and training act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contribution in addition to the required employee contribution.

[For text of subds 3 to 10, see M.S.1978]

[ 1979 c 262 s 1 ]

### 352B.11 Retirees.

[For text of subd 1, see M.S.1978]

Subd. 2. **Death; payment to spouse and children.** In the event any member serving actively as a member, a member receiving the disability benefit provided by section 352B.10, clause (1), or a former member with 20 or more years of allowable service credit receiving a disability benefit as provided by section 352B.10, clause (3) shall die from any cause, the surviving spouse and dependent child or dependent children shall be entitled to benefit payments as follows:

(a) The surviving spouse of a member who had credit for less than ten years of service shall receive, for life, a monthly annuity equal to 20 percent of that portion of the average monthly salary of the member from which deductions were made for retirement. If the surviving spouse remarries, the annuity shall cease as of the date of the remarriage.

(b) The surviving spouse of a member who had credit for at least ten years of service and who dies after attaining 55 years of age, may elect to receive a 100 percent joint and survivor annuity, for life, notwithstanding a subsequent remarriage, in lieu of the annuity prescribed in clause (a).

(c) The surviving spouse of any member who had credit for ten years or more and who was not 55 years of age at death, shall receive the benefit equal to 20 percent of the average monthly salary as described in clause (a) until the deceased member would have reached his or her 55th birthday, and beginning the first of the month following that date, may elect to receive the 100 percent joint and survivor annuity. If the surviving spouse remarries prior to the deceased member's 55th birthdate, all benefits or annuities shall cease as of the date of remarriage. Remarriage subsequent to the deceased member's 55th birthday shall not affect the payment of the benefit.

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## 352B.11 HIGHWAY PATROLMEN, RETIREMENT

(d) Each dependent child shall receive a monthly annuity equal to ten percent of that portion of the average monthly salary of the former member from which deductions were made for retirement. A dependent child over the age of 18 years and under the age of 22 years also may receive the monthly benefit provided herein, if said child is continuously attending an accredited school as a fulltime student during the normal school year as determined by the director. If said child does not continuously attend school but separates himself during any portion of a school year, the annuity shall cease at the end of the month of separation. In addition, a payment of \$20 per month shall be prorated equally to such children when the former member is survived by one or more dependent children. Payments for the benefit of any qualified dependent child shall be made to the surviving spouse, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed 40 percent of the average monthly salary for any number of children.

(e) If the member shall die under circumstances which entitle the surviving spouse and dependent children to receive benefits under the workers' compensation law, the amounts so received by them shall not be deducted from the benefits payable under this section.

(f) In the event any former member who had separated from service prior to having completed ten years of service, except former members permanently disabled in performance of duty, and was not employed by the state in a capacity entitling the former member to accumulate allowable service credit at the time of death, the surviving spouse, or if none, the children or heirs shall be entitled to receive any funds the former member may have left on deposit in the highway patrolmen's retirement fund, but shall receive no further benefits under this chapter. The surviving spouse of such deceased former member who had credit for ten or more years of allowable service, but excluding the spouse of a former member receiving a disability benefit under the provisions of section 352B.10, clause (3) based on less than 20 years of service, shall be entitled to receive the 100 percent joint and survivor annuity at such time as the deceased member would have reached his or her 55th birthdate, provided he or she has not remarried prior to that date.

[For text of subs 3 and 4, see M.S.1978]

[ 1979 c 50 s 41 ]

## CHAPTER 352D. STATE UNCLASSIFIED EMPLOYEES RETIREMENT PROGRAM

Sec.  
352D.02 Coverage.

### 352D.02 Coverage.

Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall participate in the unclassified program unless such employee gives notice to the executive director of the state retirement system within one year following June 5, 1975 or the commencement of his employment, whichever is later, that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan. The employee and applicable employer contributions for those employees covered by the regular plan on June 5, 1975, who after such date participate in the unclassified plan, shall be transferred to the supplemental fund in accordance with subdivision 4 and section 352D.03 as though the employee had elected to participate when first eligible to make such election. This subdivision shall also be applicable to any person who was an employee in an eligible position on or after January 1, 1975, has terminated service before June 5, 1975 with less than ten years of allowable service, and has not taken a refund of his contributions.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, revisor of statutes or the state board of investment,