

of the police and fire fund, whether his membership in either fund is continuous or not shall; if he ~~qualifies therefor while a member and under the respective laws hereinafter mentioned~~, have the option when he retires to elect benefits or annuities based on his public service to be computed under (1) Minnesota Statutes 1953, Chapter 353, as amended by Laws 1955, Chapter 815, or (2) Minnesota Statutes 1961, Section 353.66, and all laws amendatory thereof; *The annuities authorized by this section to be paid under Minnesota Statutes 1953, Chapter 353, as amended by Laws 1955, Chapter 815, shall be computed according to the respective formulae therein provided, but as to persons who retire after June 30, 1965 such annuities shall not be subject to any maximum limitation.* ~~and if~~ If he elects the option under (1) hereof, the survivor benefits provided in Laws 1955, Chapter 815, Section 10, shall apply exclusively. Any annuitant who became such after April 20, 1961, and who first files with the association prior to December 31, 1963, his application therefor, shall be entitled to a recomputation of his annuity in accordance with option (1) hereof, if applicable, and to receive the unpaid amount thereof for such period retroactively to April 20, 1961, or to date of termination of his public service, whichever is later, and to the increased annuity thereafter. The provisions of section 353.46 shall apply to members of the public employees police and fire fund except as otherwise provided in this subdivision.

Sec. 3. Minnesota Statutes 1961, Section 353.46, Subdivision 3, is amended to read as follows:

Subd. 3. **Certain survivor benefit selections continued.** Any survivor benefits selected by a member prior to July 1, 1957 pursuant to Laws 1955, Chapter 815, Section 10, shall continue in effect until the member retires. Such survivor shall have the option of receiving the payments provided under such election or the survivor benefits provided in Laws 1957, Chapter 935. *In the case of death after retirement of a member who qualifies for and elects to receive a retirement annuity computed under subdivision 1 of this section, the survivor benefits under Laws 1955, Chapter 815, Section 10 shall apply.*

Approved May 26, 1965.

CHAPTER 815—H. F. No. 627

An act relating to highway traffic regulations; providing that au-

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tomobile accident reports shall be made available to representatives of insurance companies insuring automobiles involved in an accident; amending Minnesota Statutes 1961, Section 169.09, Subdivision 13, as amended.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 169.09, Subdivision 13, as amended by Laws 1963, Chapter 634, Section 1, is amended to read as follows:

Subd. 13. **Traffic regulations; accident reports confidential.** All required accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the department for accident prevention purposes, except that the department or any law enforcement department of any municipality or county in this state shall, upon written request of any person involved in an accident or upon written request of the representative of his estate, his surviving spouse, or one or more of his surviving next of kin, or a trustee appointed pursuant to Minnesota Statutes, Section 573.02, disclose to such requester, ~~or~~ his legal counsel *or a representative of his insurer* any information contained therein except the parties' version of the accident as set out in the written report filed by such parties. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department shall furnish upon the demand of any person who has, or claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirements that such report be made to the department. Disclosing any information contained in any accident report, except as provided herein, is unlawful and a misdemeanor.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this chapter from testifying in any trial, civil or criminal, arising out of an accident, as to facts within his knowledge. It is intended by this subdivision to render privileged the reports required but it is not intended to prohibit proof of the facts to which such reports relate. Legally qualified newspaper publications shall upon request to a law enforcement agency be given an oral statement covering only the time and place of the accident, the names and addresses of the parties involved, and a general statement as to how the accident happened without attempting to fix liability upon anyone, but said legally qualified newspaper publications shall not be given access to the hereinbefore mentioned confidential reports, nor shall any such statements or information so orally given

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be used as evidence in any court proceeding, but shall merely be used for the purpose of a proper publication of the news.

Approved May 26, 1965.

CHAPTER 816—H. F. No. 1331

[Not Coded]

An act authorizing the conveyance by the state of certain lands in Crow Wing county.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Conveyance of state lands; Bohmer-Herberger Development Company; Crow Wing county. The governor, upon recommendation of the commissioner of conservation, shall transfer and convey by quitclaim deed, in such form as the attorney general approves, in the name of the state of Minnesota, as grantor, to Bohmer-Herberger Development Company, as grantee, that part, as the commissioner may determine and select, of the following described lands located in Crow Wing county, Minnesota, to wit:

The East Half of the South East Quarter (E ½ of SE ¼), and the North West Quarter of the Southeast Quarter (NW ¼ of SE ¼), of Section twenty-two (22), Township forty-four (44) North, Range twenty-eight (28) West.

Sec. 2. The consideration and the terms and conditions for the transfer and conveyance of the part of the lands described in section 1 shall be as mutually agreed upon between the commissioner and the grantee.

Approved May 26, 1965.

CHAPTER 817—H. F. No. 1595

An act relating to school aids, appropriating certain sums for use in computing such aid under the foundation aid program; amending Minnesota Statutes 1961, Section 124.21, Subdivision 4.

Be it enacted by the Legislature of the State of Minnesota:

Changes or additions indicated by italics, deletions by ~~strikeout~~.