
 CHAPTER 388—H.F.No.611

[Coded in Part]

An act relating to retirement; date for payment of monthly annuities and benefits; additional lump sum payments to certain retirees, disabilitants and surviving spouses; amending Minnesota Statutes 1976, Chapter 356, by adding a section; Sections 352.01, Subdivision 21; and 354.46, Subdivision 3.

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

Section 1. Minnesota Statutes 1976, Section 352.01, Subdivision 21, is amended to read:

Subd. 21. **MINNESOTA STATE RETIREMENT; PAYMENT DATE FOR BENEFITS AND ANNUITIES.** For the purposes of this chapter and chapters 3A, 352B, 352C and 490 "accrued annuity" means an annuity which had become payable to a retired employee in his lifetime. An annuity or benefit authorized as provided in this chapter and chapters 3A, 352B, 352C and 490 becomes payable on the first day of each calendar month for the preceeding that calendar month and is to be paid during the first week on the first day of each calendar month beginning with benefits payable on and after December 1, 1977.

Notwithstanding any provision to the contrary in this chapter and chapters 3A, 352B, 352C and 490, benefit payment authorized as "payable for life" shall be payable for the entire month in which death occurs and the benefit payment for the month of death shall be payable to the surviving spouse or other beneficiary only if the annuitant dies before negotiating the check.

Sec. 2. Minnesota Statutes 1976, Section 354.46, Subdivision 3, is amended to read:

Subd. 3. **PAYMENT AFTER DEATH OF RETIREE.** If a former member dies after his retirement, there shall be paid to he or his designated beneficiary an amount equal to the shall be entitled to the annuity payment computed to the date of death due for the full month during which death occurs if no optional or reversionary annuity was designated by the member. If an optional or reversionary annuity has been designated by the member, a death benefit shall be paid in accordance with the provisions of such annuity as described in section 354.45.

Sec. 3. Minnesota Statutes 1976, Chapter 356, is amended by adding a section to read:

[356.40] DATE FOR PAYMENT OF ANNUITIES AND BENEFITS. Notwithstanding any law to the contrary, all annuities and benefits payable on and after December 1, 1977 by a covered retirement fund, as defined in section 356.30, subdivision 3, shall be paid in advance for each month during the first week of that month. Bylaws of municipal retirement funds shall be amended accordingly. In no event, however, shall this

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section authorize more than one payment in any one month where the law governing the applicable retirement fund as of the effective date of this act already provides for the full payment or accrual of annuities and benefits in advance for each month or as of the first day of the month, nor shall it authorize the payment of both a retirement annuity and a surviving spouse's benefit in one month where the law governing the applicable retirement fund provides for the payment of the retired member's retirement annuity to the surviving spouse for the month in which the retired member dies.

Sec. 4. LUMP SUM PAYMENTS. Subdivision 1. Any person who is receiving as of November 30, 1977, a retirement annuity, a disability benefit, or a surviving spouse's annuity or benefit from the teachers retirement fund, the public employees retirement fund including the public employees police and fire fund, or the regular fund of the Minnesota state retirement system, and whose annuity or benefit was computed under laws in effect prior to July 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$225 if the annuity or benefit is coordinated with social security, or a lump sum payment of \$250 if the annuity or benefit is not coordinated with social security.

Subd. 2. Any person who is receiving as of November 30, 1977, a retirement annuity, a disability benefit or surviving spouse's annuity or benefit from the highway patrolmen's retirement fund and whose annuity or benefit was computed under laws in effect prior to June 1, 1973, shall receive in addition to such annuity or benefit a lump sum payment of \$250.

Subd. 3. Any person who is receiving as of November 30, 1977 a retirement annuity, a disability benefit or surviving spouse annuity or benefit under retirement allowance options II, III, or IV, from the Minneapolis municipal employees retirement fund, and whose annuity or benefit was computed under laws in effect prior to June 27, 1973, and any person who is receiving as of November 30, 1977 a benefit for surviving spouses of active members from the Minneapolis municipal employees retirement fund and whose benefit was computed under laws in effect prior to April 25, 1959, shall receive in addition to such annuity or benefit a lump sum payment of \$250.

Subd. 4. The lump sum payments provided in this section for any person who is entitled to receive more than one such payment shall be reduced by dividing the amount of each such payment by the total number of such payments to which such person is entitled.

Subd. 5. Notwithstanding Minnesota Statutes, Section 356.18, additional payments pursuant to this act will be made automatically unless the intended recipient files written notice with the retirement fund requesting that the additional payment not be made. Nothing in this act shall authorize payment to an estate. The additional payments provided in this section shall be payable December 1, 1977 and may be included in the regular monthly annuity payments for the month of November 1977. The amounts necessary to make such additional payments for persons receiving annuities or benefits from the Minnesota adjustable fixed benefit fund are hereby appropriated from the Minnesota adjustable fixed benefit fund and the amounts necessary to make such additional payments for persons receiving benefits directly from the retirement funds are

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hereby appropriated from the retirement funds enumerated in this section.

Sec. 5. EFFECT ON FUTURE MINNESOTA ADJUSTABLE FIXED BENEFIT FUND ADJUSTMENTS. For purposes of the calculation of the increase adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25, payable January 1, 1978, an amount equal to the total of the additional lump sum payments which are appropriated from the Minnesota adjustable fixed benefit fund pursuant to section 4 of this act shall be considered appropriated as of June 30, 1977 and shall be subtracted from the reserves otherwise available to fund that increase adjustment.

Sec. 6. This act is effective June 30, 1977.

Approved June 2, 1977.

CHAPTER 389—H.F.No.613

[Coded in Part]

An act relating to the operation of state government; establishing an office of volunteer services within the office of the governor; coordinating volunteer programs throughout the state; appropriating money.

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

Section 1. [4.31] STATE GOVERNMENT; OFFICE OF VOLUNTEER SERVICES. Subdivision 1. There is created in the office of the governor the office of volunteer services, hereafter referred to as "the office". The office shall be under the supervision and administration of an executive director to be appointed by the governor and hereinafter referred to as "director". The director shall be regarded as an employee of the governor. The office shall operate as a state information center for volunteer programs and needed services that could be delivered by volunteer programs. Any person or public or private agency may request information on the availability of volunteer programs relating to specific services, and may report to the director whenever a volunteer program is needed or desired.

Subd. 2. The director shall cooperate with national, state, and local volunteer groups in collecting information on federal, state, and private resources which may encourage and improve volunteer projects within the state.

Subd. 3. The director may accept and disburse public or private funds and gifts made available for the promotion of volunteer programs.

Subd. 4. The director shall conduct research to identify needs of volunteer programs and to assess community needs for volunteer services. The director may issue informational materials relating to volunteer programs in Minnesota.

Subd. 5. The governor shall appoint an advisory committee of not more than 21

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