

1.1 A bill for an act  
1.2 relating to retirement; providing for increased annuity for surviving spouse and  
1.3 dependent children of employee killed while engaged in emergency response to  
1.4 flooding.

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

1.6 Section 1. **INCREASED ANNUITY FOR SURVIVING SPOUSE OF EMPLOYEE**  
1.7 **KILLED WHILE ENGAGED IN EMERGENCY RESPONSE TO FLOODING.**

1.8 (a) Notwithstanding Minnesota Statutes 2010, section 352.12, a surviving spouse  
1.9 of an eligible person specified in paragraph (b) is entitled, upon application filed with  
1.10 the executive director of the Minnesota State Retirement System, to the additional  
1.11 surviving spouse benefit, payable for the lifetime of the surviving spouse, from the general  
1.12 state employees retirement fund of the Minnesota State Retirement System specified in  
1.13 paragraph (c).

1.14 (b) An eligible person is a person who is a state employee who suffered a violent  
1.15 death while performing assigned duties responding to a flood emergency and:

1.16 (1) was born on November 7, 1971;

1.17 (2) began working for the state on September 25, 2002; and

1.18 (3) was killed on March 22, 2011, while working as an employee of the Department  
1.19 of Transportation engaged in emergency response to flooding by using a backhoe to clear  
1.20 debris from a culvert that drains into the Minnesota River between St. Peter and Mankato.

1.21 (c) The monthly annuity payable to the surviving spouse of an eligible person  
1.22 specified in paragraph (b) is 34 percent of the average monthly salary of the eligible  
1.23 person, and accrues as of the first day of the first week after the surviving spouse ceases to

2.1 receive workers' compensation payments attributable to the death of the eligible person  
2.2 specified in paragraph (b).

2.3 (d) "Average salary" has the meaning given in Minnesota Statutes 2010, section  
2.4 352.01, subdivision 14a.

2.5 (e) The benefit under this section is eligible for postretirement adjustments under  
2.6 Minnesota Statutes, section 356.415, subdivision 1a. The initial payment of the additional  
2.7 survivor benefit must include the postretirement adjustments under Minnesota Statutes,  
2.8 section 356.415, that would have been paid on and after January 1, 2012, if the additional  
2.9 survivor benefit were paid since April 1, 2011, and the adjusted additional survivor benefit  
2.10 is subject to regular postretirement adjustments on each January 1 thereafter.

2.11 **EFFECTIVE DATE.** This section is effective retroactively from March 22, 2011.