

IN THE MATTER OF THE APPLICATION  
OF THE HONORABLE ROLF FOSSEEN,  
JUDGE OF THE FOURTH JUDICIAL  
DISTRICT COURT, STATE OF MINNESOTA,  
FOR RETIREMENT UNDER AND PURSUANT  
TO MINNESOTA STATUTES, SECTION  
490.125

WHEREAS, The Honorable Rolf Fosseen, Judge of the Fourth Judicial District Court, State of Minnesota, has heretofore filed with the undersigned Governor of the State of Minnesota his written application for retirement, said application being made under and pursuant to the provisions of Minnesota Statutes, Section 490.125, and

WHEREAS, the said Judge Rolf Fosseen has served as such judge, or as such judge and as such judge of a court of record for more than twenty-nine (29) years, and

WHEREAS, the said Judge Rolf Fosseen has reached the age of seventy (70) years as of June 10, 1976,

NOW, THEREFORE, I, Wendell R. Anderson, Governor of the State of Minnesota, acting pursuant to the provisions of Minnesota Statutes, Section 490.125, do hereby order and direct the retirement of the Honorable Rolf Fosseen, to become effective at the close of business on June 30, 1976. He shall become entitled thereafter to retirement compensation as provided under the law, and I further direct that this Order be filed in the Office of the Secretary of State of the State of Minnesota.

Dated this 23<sup>rd</sup> day of June, 1976, at the State Capitol, in the City of Saint Paul, Minnesota.

*Wendell R. Anderson*  
WENDELL R. ANDERSON, Governor  
State of Minnesota

#29646  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUN 23 1976  
*James Anderson Howe*  
Secretary of State

DISTRICT COURT OF MINNESOTA  
FOURTH JUDICIAL DISTRICT  
MINNEAPOLIS 55415

CHAMBERS OF  
ROLF FOSSEEN  
JUDGE

June 17, 1976

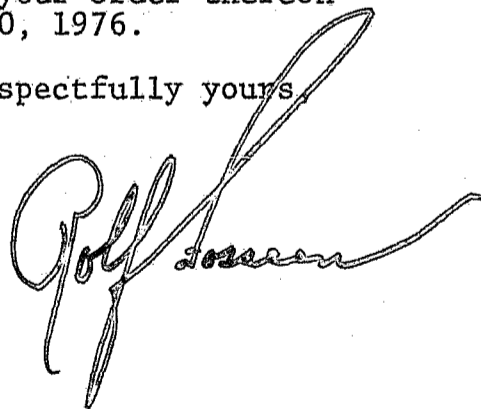
*188 6/10/86*  
~~490.101, subd. a~~  
~~490.101, subd. 2a~~  
M.S. 490.125  
~~490.121~~

The Honorable Wendell R. Anderson  
Governor of Minnesota  
State Capitol  
St. Paul, Minnesota 55101

Dear Governor Anderson:

Upon the representations of Paul L. Groschen, Executive Director of the Minnesota State Retirement System, communicated to me by letter dated June 14, 1976 a copy of which is enclosed, I hereby, pursuant to M.S.A. 490.1205, apply for retirement as a Minnesota District Court Judge and request your order thereon be made effective June 30, 1976.

Respectfully yours,



**OFFICERS**  
Paul L. Groschen, Executive Director  
Arne Ulvi, Assistant Director



**MINNESOTA STATE RETIREMENT SYSTEM**

In Reply Refer to

No. 500094

529 Jackson at 10th Street St Paul, Minnesota 55101

Tel (612) 296-2761

June 14, 1976

Honorable Rolf O. Fosseen  
2301 Penn Avenue South  
Minneapolis, Minnesota 55405

*[Handwritten signature]*  
*Barney*

**JUN 21 1976**

**BOARD OF DIRECTORS**  
Elected

Francis Hage, Chairman  
Department of Natural Resources  
Carolyn Anderson, Vice Chairman  
University of Minnesota

Robert H. Blanck  
State Highway Department

Karl W. Christey  
Department of Public Safety

Berdine Erickson  
Rochester State Hospital

Appointed

Lieutenant Governor  
Lyle Farmer, St. Paul  
A. P. Bordenave, St. Paul

Dear Judge Fosseen:

It is our understanding of Minnesota Statutes, Section 490.121, Subd. 12 and 490.125, based on consultations with the Attorney General's Office, that retirement of a judge is mandatory the last day of the month in which age 70 is attained. The only exceptions to this is as provided in 490.124, Subd. 2, which allows an extension if the judge needs the extension to qualify for full benefits under the "old" law provisions or as provided in 490.125, Subd. 2, an extension to the end of the term for those judges who were 70 or older on December 31, 1973.

As your 70th birthday is June 10th, we have calculated an estimate of the amount of your retirement benefit. Based on a retirement date of June 30, 1976, your average monthly salary for the highest 5 years in the last 10 is \$2,633.70. Twenty-nine years of service provides a percentage factor of 72.5% to be applied to the high 5 year average salary. However, the law limits the benefit payment to a maximum of 60% of annual salary for the year preceding retirement.

Sixty percent of your current annual salary of \$33,740 provides an annuity of \$20,100.00 per year, or \$1,675.00 per month.

You did elect to continue contributions to the special survivors benefit account to provide payment of one-half of your retirement annuity to your spouse after your death.

Increases in your benefit after retirement or in your spouse's benefit will be made in the same manner and at the same time as retired State employees.

Minnesota Statutes, Section 490.124, Subd. 7, states that no retired judge shall receive a retirement annuity while practicing law in Minnesota.

Enclosed is an application form for the annuity. Sign it in the presence of a Notary Public, have the Notary sign and affix his seal and then return the application to this office.

While application for the annuity is made to this office on the enclosed form, Section 490.126 provides that written application for retirement must be made to the Governor.

Let us know if you have questions.

Sincerely,

AN EQUAL OPPORTUNITY EMPLOYER