

election whose terms end at a different date are hereby extended to the first business day in January of the even-numbered year first following the date the term would otherwise expire, unless this extension would be longer than thirteen months. If the extension would be longer than thirteen months, the terms of such incumbents are hereby shortened so as to end on the first business day in January of the even-numbered year first preceding the date the term would otherwise expire.

Notwithstanding any provision of law or municipal charter to the contrary, the governing body of a municipality adopting the uniform municipal election day shall in the adopting ordinance designate a new term for each office to be filled where the term for such office at the time of the ordinance is an odd number of years. Such new terms shall be an even number of years and for no more than one year longer than the term in effect at the time of the adoption of the ordinance. The governing body may also provide that one or more members of any multi-member body shall, at the first election held on the uniform municipal election day, be elected for a shorter term than is otherwise provided so as to achieve staggered terms on such multi-member bodies.

Subd. 5. **Effect of ordinance; referendum.** An ordinance adopting the uniform municipal election day shall not become effective until 90 days after passage and publication or at such later date as is fixed in the ordinance. Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the municipal clerk. The petition shall be signed by qualified voters equal in number to five per cent of the total number of votes cast in the municipality at the last state general election. If the municipality has a system of permanent registration of voters, only registered voters are eligible to sign the petition. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by a majority of 55 percent of voters voting on the question at a general or special election held at least 60 days after submission of the petition. If the petition is filed, the governing body may reconsider its action in adopting the ordinance.

Approved May 24, 1967.

CHAPTER 711—S. F. No. 148

An act relating to the public employees retirement association;

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

amending Minnesota Statutes 1965, Sections 353.33, Subdivision 5; 353.37, Subdivision 1.

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

Section 1. Minnesota Statutes 1965, Section 353.33, Subdivision 5, is amended to read:

Subd. 5. **P.E.R.A.; reduction and suspension of benefits; benefits paid under other laws.** The disability benefit shall be reduced by any amounts received or receivable by a member from the employer under applicable workmen's laws. ~~If a disabled person receives disability benefits under the provisions of the federal Social Security Act, his benefits computed under this section shall be reduced by the amount of disability benefits paid under the federal act.~~

Sec. 2. Minnesota Statutes 1965, Section 353.37, Subdivision 1, is amended to read:

353.37 Suspension of annuities. Subdivision 1. **Conditions.** The annuity of a person otherwise eligible therefor under this chapter shall be suspended if he re-enters and as long as he remains in public service as a non-elective employee of a governmental subdivision, or becomes a non-elective state employee as defined in chapter 352, if his earned compensation for such service, separately or in combination, exceeds ~~\$1,200~~ \$2,000 in any calendar year. The suspension of the annuity shall commence as of the first of the month in which the maximum permitted compensation is exceeded as herein provided, but shall not apply to any months in which the annuitant is not actually employed in non-elective service in a position covered by either chapter 353 or chapter 352. Any annuitant of the association, who is elected to public office after his retirement following June 30, 1959 shall be entitled to hold such office and receive his annuity otherwise payable from the public employees retirement association from and after July 1, 1959. Upon proper showing by an annuitant that this ineligibility no longer exists the board of trustees shall order that the monthly annuity payments be resumed. Public service performed by any annuitant subsequent to his retirement under this chapter does not increase or decrease any benefit when payments thereof are resumed. The annuitant is not required to make any further contributions to the retirement fund by reason of this subsequent public service. Provided, however, that the foregoing shall not apply to any benefits authorized by federal law to which any public employee and public official may be entitled.

Approved May 24, 1967.

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