

3.97 LEGISLATURE

legislative auditor appointed on May 2, 1977, shall not be removed from his office before the expiration of his term of service except for cause after public hearing.

Subd. 5. The legislative auditor may appoint a deputy legislative auditor and a confidential secretary each of whom shall serve at his pleasure in the unclassified service. Except as may be otherwise provided for by law the legislative auditor shall fix their salaries. The deputy may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor and is authorized so to do by the legislative auditor. All other officers and employees of the legislative auditor shall continue to be in the classified civil service.

Subd. 6. All the powers, duties and responsibilities of the department of public examiner relating to the state of Minnesota, its departments and agencies as described in Minnesota Statutes 1971, Section 215.03, and any other law concerning powers, duties and responsibilities of the public examiner not otherwise dealt with by Laws 1973, Chapter 492 are hereby transferred to the legislative auditor. Nothing in this subdivision shall be deemed to supersede the powers conferred upon the commissioner of finance under section 6.21.

Subd. 7. In addition to the legislative auditing duties concerning state financial matters, the legislative auditor shall also exercise and perform such duties as may be prescribed by rule or regulation of the legislature or either body thereof or by the commission. The legislative auditor shall review department policies and evaluate projects or programs requested by the commission. Any standing legislative committee having legislative jurisdiction may request the commission to review projects or programs.

Subd. 8. The legislature may provide by rule or regulation such testimonial powers as are conferred by law on legislative standing commissions or committees on the legislative auditor.

[1973 c 492 s 12]

CHAPTER 3A. LEGISLATOR'S RETIREMENT

Sec.
3A.02 Retirement allowance.
3A.03 Contributions.
3A.04 Survivor benefit.

Sec.
3A.11 Participation in Minnesota adjustable fixed benefit fund [New].

3A.02 Retirement allowance

Subdivision 1. Qualifications. Any member of the legislature:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the state auditor to receive a retirement allowance monthly of 40 percent of his average monthly salary during the period of his service as a member of the legislature since January 1, 1973, beginning with the first day of the month of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of paragraphs (1), (2), (3) and (4) of this subdivision shall receive for every year of service over 8 years a monthly allowance which equals two and one half percent of the average monthly salary determined pursuant to paragraph (4).

LEGISLATOR'S RETIREMENT 3A.04

This subdivision is applicable to members of the legislature who retire after January 1, 1973, and to any widow or dependent child of any such member who retires after January 1, 1973.

[1973 c 653 s 1]

Subd. 1a. [Repealed, 1973 c 653 s 47]

Subd. 2. Payment for past service. Any member of the legislature who is a member on July 1, 1965 or thereafter, may, notwithstanding the provisions of subdivision 1, clause (1), receive credit for service rendered as a member of the legislature prior to July 1, 1965, and the pension based thereon provided that he pays to the state treasurer for credit to his account an amount equal to eight percent of all salary received by him for all periods of service rendered by him as a member of the legislature, even if such periods are not continuous and exceed ten years in duration. Such payment may be made at any time after the commencement of any regular session of the legislature of which he is a member.

[1973 c 653 s 2]

[For text of subd. 3, see M.S.1971]

Subd. 4. Deferred annuities augmentation. The deferred annuity of any member of the legislature who retires after July 1, 1973, shall be computed in the manner provided in subdivision 1 and augmented as provided herein. The required resources applicable to the deferred annuity, determined as of the date the benefit begins to accrue using an appropriate mortality table and an interest assumption of five percent, shall be augmented by interest at the rate of three and one-half percent per annum compounded annually from the date of retirement to the first day of the month in which the annuity begins to accrue.

[1973 c 653 s 3]

3A.03 Contributions

Subdivision 1. Percentage. Every member of the legislature shall contribute eight percent of his total salary, by payroll deduction, to be paid into the state treasury and deposited in the general fund. It shall be the duty of the state treasurer to record the periodic contributions of each member of the legislature and credit such contribution to the member's account.

[1973 c 653 s 4]

[For text of subd. 2, see M.S.1971]

3A.04 Survivor benefit

Subdivision 1. Surviving spouse. Upon the death of a member of the legislature while serving as such member, who has served as a member of the legislature for at least two years, or upon the death of a member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1(1), whether in the legislature or not and regardless of age, the surviving spouse shall be paid a survivor benefit in the amount of one-half of the retirement allowance of the member of the legislature computed as though the member had retired at age 60 on the date of his death and shall be based upon his allowable service or eight years whichever is greater. Such benefit shall be paid during the lifetime of the surviving spouse, but shall cease and terminate upon the remarriage of the surviving spouse.

[1973 c 653 s 5]

Subd. 2. Dependent children. Upon the death of a member of the legislature while serving as such member, who has served as a member of the legislature for at least two years, or upon the death of a member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1, clause (1), whether in the legislature or not and regardless of age, each dependent child of such member shall be paid a survivor benefit in the follow-

3A.04 LEGISLATOR'S RETIREMENT

ing amount: First dependent child, a monthly allowance which equals 25 percent of the monthly allowance of the member of the legislature computed as though the member had retired at age 60 on the date of his death; for each additional dependent child, a monthly allowance which equals 12½ percent of the monthly allowance of the member computed as in the case of the first child; but the total amount paid to the surviving spouse and dependent children shall not exceed in any one month 100 percent of the monthly allowance of the member computed as in the case of the first child. The payments for dependent children shall be made to the surviving spouse or the guardian of the estate of the dependent children, if there is one. A posthumous child qualifies as a dependent child for benefits provided herein from the date of its birth.

[1973 c 653 s 6]

[For text of subds. 3 and 4, see M.S.1971]

3A.11 Participation in Minnesota adjustable fixed benefit fund

Subdivision 1. The reserves necessary to fund the retirement benefits granted under section 3A.02 to retired legislators and legislators retiring in the future, shall be transferred by the state auditor to the Minnesota adjustable fixed benefit fund as of June 30, 1973, or as of the date benefits begin to accrue, whichever is later, in accord with section 11.25 as amended. The amount of the transfer made hereunder shall be determined by an approved actuary as defined in section 352.01, subdivision 15, in accord with appropriate mortality table using an interest assumption of five percent.

Subd. 2. Annuities and benefits shall be adjusted in accord with the provisions of section 11.25 as amended.

Subd. 3. There is herein appropriated from general revenue moneys sufficient to fund the reserves required by this section.

Subd. 4. Notwithstanding section 356.18 increases in benefit payments pursuant to this section will be made automatically unless the intended recipient files written notice with the auditor requesting that the increase shall not be made.

[1973 c 653 s 7]

EXECUTIVE DEPARTMENT

CHAPTER 4. GOVERNOR

Sec.
4.08 Repealed.
4.12 State Planning Agency, powers
and duties.

Sec.
4.14 Repealed.

4.08 [Repealed, 1973 c 757 s 5]

4.12 State planning agency, powers and duties

[For text of subd. 1, see M.S.1971]

Subd. 2. The state planning officer shall:

(1) Review current programming and future planning of all state departments and agencies.

(2) Report regularly and on or before January 15 of each odd numbered year to the legislature, reviewing in each report the state planning program, and the progress and development thereof. Thereafter, as soon as practicable, he shall make recommendations for desirable legislation and necessary appropriations.

(3) To the extent practicable coordinate with state budgets the items therein relating to and reflecting statewide planning as authorized by the legislature and as recommended for the consideration of the legislature.