

MINNESOTA STATUTES 1977 SUPPLEMENT

LEGISLATOR'S RETIREMENT 3A.02

3.9272 Advisory task force on early childhood and family education programs.

The council on quality education shall appoint an advisory task force on early childhood and family education programs. The advisory task force shall be composed of parents of young children and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be parents of young children. The advisory task force shall advise the council in the administration of the early childhood and family education programs. The terms, compensation and removal of members shall be governed by the provisions of section 15.059, subdivision 6. The task force shall expire June 30, 1979.

[1977 c 447 art 8 s 2]

3.9275 Voluntary participation.

All participation by parents and children in these early childhood and family education programs shall be voluntary, and shall not preclude participation in any other state or local program. All pilot programs shall provide services to all qualified children, regardless of race, religion or ethnic background, and no such programs shall be used in whole or in part for religious worship or instruction.

[1977 c 447 art 8 s 3]

3.973 State treasurer; audit.

At least once each year, and at such other times as he may deem appropriate, without previous notice to the state treasurer, the legislative auditor shall examine and audit the accounts, books, and vouchers of the state treasurer, ascertain the amounts of the several funds which should be in the treasury, count the sums actually on hand, and make a record of the facts found. On or before the third day of each regular session the legislative auditor shall report to the legislature the results of such examinations and his doings in the premises. He shall also witness and attest the transfer of books, accounts, vouchers, and funds from the out-going treasurer to his successor in office, verify the official record of all redeemed bonds, certificates of indebtedness, and interest coupons issued by the state; and, from time to time, shall cause to be destroyed all such obligations which shall have been redeemed for at least one year. A notation shall be made by the treasurer in his records of all such obligations destroyed and the legislative auditor shall certify to the correctness thereof. A copy of each such legislative auditor's certificate shall be filed with the commissioner of finance and treasurer.

[1977 c 347 s 1]

CHAPTER 3A. LEGISLATOR'S RETIREMENT

Sec.
3A.02 Retirement allowance.

Sec.
3A.04 Survivor benefit.

3A.02 Retirement allowance.

Subdivision 1. **Qualifications.** Any former legislator:

(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 director to receive a retirement allowance monthly of 40 percent of that member's final monthly salary during the final term of office as a member of the legislature 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.

MINNESOTA STATUTES 1977 SUPPLEMENT

3A.02 LEGISLATOR'S RETIREMENT

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

Notwithstanding clause (4), a member shall receive two and one-half percent of the average monthly salary determined pursuant to clause (4) for each year of service served after the beginning of the 1979 legislative session.

The retirement allowance shall cease with the last payment which had accrued to the retired legislator during his lifetime except that the surviving spouse, if any, shall be entitled to the retirement allowance for the calendar month in which the retired legislator died.

Effective for service rendered after the beginning of the 1981 legislative session, no member may accrue credit for more than 20 years service, nor shall member contributions thereafter be required for more than 20 years service.

For the purposes of this chapter the term salary shall not be deemed to include any additional payments provided by law for legislative leadership positions.

This subdivision is applicable to members of the legislature who terminate service after January 1, 1973, and to any widow or dependent child of any such member. Clauses (1) and (2) shall also be applicable to any former legislator who applies for a deferred annuity after June 5, 1975. Any former legislator who was in office on or after January 1, 1965, who had at least eight years of service but less than ten years of service as a member of the legislature, and who took a refund of his contributions, may upon application to the director repay to the director for credit to his account all refundments taken plus interest thereon at six percent per annum compounded annually. Upon repayment of the refundment, he shall then be entitled when otherwise qualified to a retirement allowance pursuant to subdivision 1, provided however that the retirement allowance shall be based on his salary at the time of his termination of service as a member of the legislature.

[For text of subds 2 to 4, see M.S.1976]

[1977 c 35 s 12]

3A.04 Survivor benefit.

Subdivision 1. Surviving spouse. Upon the death of a member of the legislature while serving as such member after June 30, 1973, or upon the death of a former member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1, clause (1), 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 were at least age 60 on the date of his death and based upon his allowable service or eight years whichever is greater. The augmentation provided in section 3A.02, subdivision 4, if applicable, shall be applied to the month of death. Upon the death of a former legislator receiving a retirement allowance, the surviving spouse shall be entitled to one-half of the amount of the allowance being paid to the legislator. Such benefit shall be paid during the lifetime of the surviving spouse, but shall cease and terminate upon the remarriage of the surviving spouse.

Subd. 1a. Increase in survivor benefits. Survivor benefits provided in subdivision 1 authorized and in effect on the effective date of Laws 1977, Chapter 429 shall be increased by 25 percent, effective retroactively to January 1, 1974, or the date the survivor benefit became payable, whichever is later.

Subd. 2. Dependent children. Upon the death of a member of the legislature while serving as such member after June 30, 1973, or upon the death of a former member of the legislature with at least eight years of service as required by section 3A.02, subdivision 1, clause (1), each dependent child of such member shall be paid a survivor benefit in the following amount: First dependent child, a monthly allowance which equals 25 percent of the monthly retirement allowance of the member of the legislature computed as though the member were at least age 60 on the date of his death and based upon his allowable service or eight years whichever is

MINNESOTA STATUTES 1977 SUPPLEMENT

GOVERNOR 4.12

greater; for each additional dependent child, a monthly allowance which equals 12 1/2 percent of the monthly retirement 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 retirement allowance of the member computed as in the case of the first child. The augmentation provided in section 3A.02, subdivision 4, if applicable, shall be applied to the month of death. Upon the death of a former legislator receiving a retirement allowance, the surviving dependent child shall be entitled to the applicable percentage of the amount of the allowance being paid to the former legislator. 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.

[For text of subds 3 and 4, see M.S.1976]

[1977 c 429 s 1-3]

CHAPTER 4. GOVERNOR

Sec.	Sec.
4.035 Executive orders. [New]	4.31 Office of volunteer services. [New]
4.12 State planning agency, powers and duties.	4.35 Trail planning. [New]
4.19 Repealed.	4.36 Grants-in-aid for recreational betterment.
4.191 Planning programs. [New]	[New]
	4.40 Displaced worker programs. [New]

4.035 Executive orders.

Subdivision 1. **Applicability.** A written statement or order executed by the governor pursuant to his constitutional or statutory authority and denominated by him as an executive order, or a statement or order of the governor required by law to be in the form of an executive order, shall be uniform in format, shall be numbered consecutively, and shall be effective and expire as provided in this section. Executive orders creating agencies shall be consistent with the provisions of this section and section 15.0593.

Subd. 2. **Effective date.** An executive order issued pursuant to sections 12.31 to 12.32 or any other emergency executive order issued to protect a person from an imminent threat to his health and safety shall be effective immediately and shall be filed with the secretary of state and published in the state register as soon as possible after its issuance. Emergency executive orders shall be identified as such in the order. Any other executive order shall be effective upon 15 days after its publication in the state register and filing with the secretary of state. The governor shall submit a copy of the executive order to the commissioner of administration to facilitate publication in the state register.

Subd. 3. **Expiration date.** Unless an earlier date is specified by statute or by executive order, an executive order shall expire 90 days after the date that the governor who issued the order vacates his office.

[1977 c 305 s 2]

4.12 State planning agency, powers and duties.

[For text of subd 1, see M.S.1976]

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 November 15 of each even 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.