

CHAPTER 3A

LEGISLATOR'S RETIREMENT

3A.01 Definitions.
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3A.01 DEFINITIONS.

[For text of subds 1 to 6, see M.S.1988]

Subd. 6a. **Salary.** "Salary" means the regular compensation payable under law to legislators and paid to the person for service as a legislator. The term includes the monthly compensation paid to the legislator, and the per diem payments paid during a regular or special session to the legislator. The term does not include per diem payments paid other than during the regular or special session, additional compensation attributable to a leadership position under section 3.099, subdivision 3, living expense payments under section 3.101, and special session living expense payments under section 3.103.

Subd. 7. **Average monthly salary.** "Average monthly salary" means the average of the member's highest five successive years of salary received as a member of the legislature and upon which the member has made contributions under section 3A.03, subdivision 1, payments for past service under section 3A.02, subdivision 2, or payments in lieu of contributions under section 3A.031.

[For text of subd 8, see M.S.1988]

History: 1989 c 319 art 16 s 1,2

3A.011 ADMINISTRATION OF PLAN.

The Minnesota state retirement system shall administer the legislators retirement plan in accordance with chapter 356A.

History: 1989 c 319 art 8 s 1

3A.02 RETIREMENT ALLOWANCE.

Subdivision 1. **Qualifications.** (a) A former legislator is entitled, upon written application to the director, to receive a retirement allowance monthly, if the person:

(1) has served at least six full years, without regard to the application of section 3A.10, subdivision 2, or has served during all or part of four regular sessions as a member of the legislature, which service need not be continuous;

(2) has attained the normal retirement age;

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

(4) has made all contributions provided for in section 3A.03, has made payments for past service under subdivision 2, or has made payments in lieu of contributions under section 3A.031.

(b) For service rendered before the beginning of the 1979 legislative session, but not to exceed eight years of service, the retirement allowance is an amount equal to five percent per year of service of that member's average monthly salary. For service in excess of eight years rendered before the beginning of the 1979 legislative session, and for service rendered after the beginning of the 1979 legislative session, the retirement allowance is an amount equal to 2-1/2 percent per year of service of that member's average monthly salary.

(c) The retirement allowance accrues beginning with the first day of the month of receipt of the application and for the remainder of the former legislator's life, if the former legislator is not serving as a member of the legislature or as a constitutional officer or commissioner as defined in section 352C.021, subdivisions 2 and 3.

(d) Any member who has served during all or part of four regular sessions is considered to have served eight years as a member of the legislature.

(e) The retirement allowance ceases with the last payment that accrued to the retired legislator during the retired legislator's lifetime, except that the surviving spouse, if any, is entitled to the retirement allowance for the calendar month in which the retired legislator died.

Subd. 1b. **Reduced retirement allowance.** Upon separation from service after the beginning of the 1981 legislative session, a former member of the legislature who has attained the age of at least 60 years and who is otherwise qualified in accordance with subdivision 1 is entitled upon making written application on forms supplied by the director to a retirement allowance in an amount equal to the retirement allowance specified in subdivision 1 reduced so that the reduced annuity is the actuarial equivalent of the annuity that would be payable if the former member of the legislature deferred receipt of the annuity and the annuity amount were augmented at an annual rate of three percent compounded annually from the date the annuity begins to accrue until age 62.

[For text of subds 2 and 3, see M.S.1988]

Subd. 4. **Deferred annuities augmentation.** The deferred annuity of any former legislator shall be augmented as provided herein. The required reserves 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 from the first of the month following termination of service, or July 1, 1973, whichever is later, to the first day of the month in which the annuity begins to accrue, at the rate of five percent per annum compounded annually until January 1, 1981, and thereafter at the rate of three percent per annum compounded annually until January 1 of the year in which the former legislator attains age 55. From that date to the effective date of retirement, the rate is five percent compounded annually.

History: 1989 c 319 art 16 s 3-5

3A.031 PAYMENTS IN LIEU OF MEMBER CONTRIBUTIONS IN CERTAIN INSTANCES.

A member may make a payment in lieu of member contributions on all or a portion of the member's per diem payments that were paid during the regular and special sessions after December 31, 1988, and before July 1, 1989. The amount of the payment is nine percent of the regular or special session per diem payments paid during the applicable period, plus interest at the annual rate of six percent, compounded annually, from the date the per diem payment was made to the date on which the payment in lieu of member contributions is made.

History: 1989 c 319 art 16 s 6

NOTE: This section, as added by Laws 1989, chapter 319, article 16, section 6, is repealed July 1, 1994. See Laws 1989, chapter 319, article 16, section 8.