

late any provision of this act or any regulation of the commissioner of conservation or of the commissioner of highways promulgated pursuant to this act shall be guilty of a misdemeanor and be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days.

Sec. 11. **Effective date.** *This act takes effect on the date of its enactment.*

Approved May 25, 1967.

CHAPTER 877—H. F. No. 2197

An act relating to the legislature; providing certain retirement allowances to members of the legislature and survivorship benefits to their dependents; amending Minnesota Statutes 1965, Sections 3A.02, Subdivision 2, and by adding a new subdivision; 3A.04, Subdivisions 1 and 2; 3A.09 and 3A.10.

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

Section 1. Minnesota Statutes 1965, Section 3A.02, is amended by adding a subdivision to read:

*Subd. 1a. **Legislature; retirement before age 65.** A member of the legislature who meets the requirements of clauses (1), (3), and (4) of section 3A.02, subdivision 1, may elect to receive a retirement allowance after reaching the age of 60 and before reaching the age of 65 by making application therefor to the state auditor. A retirement allowance to a member of the legislature in accordance with this subdivision shall be discounted at the rate of one-half of one percent per month for each month below the age of 65.*

Sec. 2. Minnesota Statutes 1965, Section 3A.02, Subdivision 2, is amended to read:

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 seven 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 within six months after July 1, ~~1965~~

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1967, except as hereinafter provided. A member of the legislature on July 1, 1965, or a member thereof on July 1, 1967, may make such payment within such six month period. A member of the legislature who qualifies as a member thereof subsequent to July 1, 1967, may make such payment within six months after the date of such qualification.

Sec. 3. Minnesota Statutes 1965, Section 3A.04, Subdivision 1, is amended to read:

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 ten years of service as required by section 3A.02, subdivision 1 (1), whether in the legislature or not and regardless of age, his* ~~widow~~ *the surviving spouse* shall be paid a survivor benefit in the amount of ~~\$50 per month~~ *one-half of the retirement allowance of the member of the legislature computed as though the member had retired at age 65 on the date of his death, but in no event shall such survivor's allowance be less than \$50 per month.* Such benefit shall be paid ~~to~~ *during the lifetime of the* ~~widow~~ *during her lifetime surviving spouse*, but shall cease and terminate upon ~~her~~ *the* remarriage of *the surviving spouse.*

Sec. 4. Minnesota Statutes 1965, Section 3A.04, Subdivision 2, is amended to read:

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 ten years of service as required by section 3A.02, subdivision 1 (1), whether in the legislature or not and regardless of age,* each dependent child or children of such member shall be paid a survivor benefit in the following amount: First dependent child \$50; for each additional dependent child \$25; but the total amount paid to the ~~widow surviving spouse~~ and dependent children shall not exceed \$200 in any one month. The payments for dependent children shall be made to the ~~widow surviving spouse~~ or the guardian of the estate of the dependent children, if there is one.

Sec. 5. Minnesota Statutes 1965, Section 3A.09, is amended to read:

3A.09 Membership in P.E.R.A. Any member of the legislature who is a member of the public employees retirement association on July 1, 1965 *or on July 1, 1967,* may, at this option, within

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six months of ~~July 1, 1965~~ *such latter date*, remain such a member and shall not be required to make the contributions required by sections 3A.01 to 3A.10 and until such election he shall remain a member of the public employees retirement association. *A member of the legislature who qualifies as a member thereof subsequent to July 1, 1967, and who is a member of the public employees retirement association at the time of such qualification, may, at his option, within six months of the date of qualification, remain such a member and shall not be required to make the contributions required by section 3A.01 to 3A.10, and until such election he shall remain a member of the public employees retirement association.* No member of the legislature shall belong to the public employees retirement association for service as a member of the legislature and make contributions under sections 3A.01 to 3A.10 or accrue rights under sections 3A.01 to 3A.10 at the same time. ~~All members~~ *A member* of the legislature who ~~are~~ *is* not a member of the public employees retirement association on July 1, 1965, ~~or on the date he qualifies as a member of the legislature~~, shall have contributions deducted from ~~their~~ *his* next salary warrant for all pay periods after January 1, 1965, ~~or after the date he qualifies as a member of the legislature~~. A member of the legislature may belong to the public employees retirement association for service performed other than as a member of the legislature and make contributions as required by sections 3A.01 to 3A.10.

Sec. 6. Minnesota Statutes 1965, Section 3A.10, is amended to read:

3A.10 One term of service being a certain time. *Subdivision 1.* In the case of a member of the house of representatives one full term of office shall be considered two full years service notwithstanding the fact that the oath of office may be taken on different days each biennium. In the case of a member of the senate, one full term of office shall be considered four full years service notwithstanding the fact that the oath of office may be taken on different days at the start of each term.

Subd. 2. *In the case of a member of either house of the legislature who is elected to serve the remainder of an unexpired term or who is seated and subscribes to his oath of office after the day appointed by law for the opening of the legislature, the member shall be considered to have served the number of years which he would have served had he taken the oath of office on the day appointed for the commencement of the full term of office.*

Approved May 25, 1967.

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