

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

**Section 1. Metropolitan council; sewer service board; tax levy; advance of state moneys.** *At any time after the appointment of a sewer service board by the metropolitan council as may be required by law, the state auditor, at the request of the council, shall advance to the council for the use of the sewer service board, as determined by the council, for the purposes specified in section 2, the sum of \$500,000 from moneys on hand in the general revenue fund of the state and not needed for use on or before January 1, 1971, and that amount of it is appropriated for this purpose.*

**Sec. 2. Use of funds; repayment.** *The moneys so advanced shall be used by the sewer service board to carry out its powers and duties to provide for the collection, treatment and disposal of sewage in the metropolitan area. The board shall include all expenditures made or to be made from the moneys advanced under section 1 in its 1969 or 1970 budget. All moneys so advanced shall be repaid by the board to the state auditor on or before January 1, 1971, with interest from the date of the advance to the date of repayment at the rate of six percent per annum, for deposit in the general revenue fund.*

**Sec. 3. Subdivision 1.** Minnesota Statutes 1967, Section 473B.08, is amended to read:

**473B.08 Tax levy.** [Subdivision 1.] The metropolitan council may levy a tax on all taxable property in the counties named in section 473B.02 to provide funds for the purposes of sections 473B.01 to 473B.08. The tax shall not exceed ~~one half seven tenths~~ of one mill on each dollar of assessed valuation of all such taxable property, and shall be levied and collected in the manner provided by section 473.08.

*Subd. 2. This section applies to taxes levied in 1969 and subsequent years.*

**Sec. 4. Effective date.** *This act takes effect upon final enactment.*

Approved June 6, 1969.

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#### CHAPTER 1115—H. F. No. 3082

*An act relating to retirement of legislators and other elective state officers; amending provisions concerning years of service; amending Minnesota Statutes 1967, Sections 3A.02, Subdivision 1,*

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

*3A.04, Subdivisions 1 and 2, 352C.03, Subdivision 1, 352C.04, Subdivision 2, and 352C.08, Subdivision 1.*

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

Section 1. Minnesota Statutes 1967, Section 3A.02, Subdivision 1, is amended to read:

**3A.02 Legislators; retirement allowance.** Subdivision 1. **Qualifications.** Any member of the legislature:

(1) Who has served at least ~~ten years~~ *eight years* 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 65 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 \$100 per month of 40 percent of his average monthly salary during the period of his service as a member of the legislature since January 1, 1965, beginning with the first day of the month following 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 ~~\$4 per month~~ *for every year of service over ~~10~~ 8 years; but in no event shall the allowance exceed \$200 per month a monthly allowance which equals two percent of the average monthly salary determined pursuant to paragraph (4).*

Sec. 2. Minnesota Statutes 1967, 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~~ *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

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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 surviving spouse, but shall cease and terminate upon the remarriage of the surviving spouse.

Sec. 3. Minnesota Statutes 1967, 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~~ *eight* 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~~, *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 65 on the date of his death*; for each additional dependent child ~~\$25~~, *a monthly allowance which equals 12-1/2 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 ~~\$200~~ 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.*

Sec. 4. Minnesota Statutes 1967, Section 352C.03, Subdivision 1, is amended to read:

352C.03 **Retirement allowance.** Subdivision 1. A constitutional officer or commissioner, upon attaining age 65, whether in office or not, with at least ~~ten~~ *eight* years of service as a constitutional officer or commissioner ~~or member of the legislature~~, or combination of ~~both such offices~~, which service need not be continuous, shall be entitled to receive a retirement allowance to be computed on the basis of a percentage of the *average monthly compensation allocated to the last office held by the constitutional officer or commissioner at the time the constitutional officer or commissioner retires from such office as follows: received since January 1, 1965, as a constitutional officer or commissioner or member of the legislature, or from a combination of such offices, up to the time of retirement*

(a) After ~~ten~~ *eight* years of such service as a constitutional

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officer or commissioner *or member of the legislature or a combination of such offices* his retirement allowance shall be ~~50~~ 40 percent of the average salary ~~allotted to his office at received for such services since January 1, 1965, until the time he retires from said office all such offices.~~

(b) For service as a constitutional officer or commissioner *or member of the legislature or combination of such offices* in excess of the required ~~ten~~ eight years specified in clause (a) his retirement allowance shall be increased for each such year by an amount equivalent to ~~one~~ two percent of the average salary ~~allotted to his office at received while serving in such offices or combination of such offices after January 1, 1965, until the time he retires from said all such office offices;~~ provided that in no event shall his retirement allowance exceed ~~75 percent of~~ such average salary.

Sec. 5. Minnesota Statutes 1967, Section 352C.04, Subdivision 2, is amended to read:

Subd. 2. Upon the death of a constitutional officer or commissioner *or member of the legislature*, who on the date thereof was in all respects entitled to a retirement allowance except that (a) he had not retired, or (b) he had not reached age 65, his surviving widow is entitled to one half of the retirement allowance to which said constitutional officer or commissioner *or member of the legislature* would have been entitled had he retired and reached age 65, computed on the basis of the total years of service ~~as a constitutional officer or commissioner served by such constitutional officer or commissioner as defined in Minnesota Statutes, Section 352C.08.~~ Such benefit shall be paid to a widow eligible therefor during the remainder of her natural life or until she remarries. Upon remarriage such widow shall no longer be eligible for such benefit.

Sec. 6. Minnesota Statutes 1967, Section 352C.08, Subdivision 1, is amended to read:

**352C.08 Computation of time and application.** Subdivision 1. For purposes of computing the years of service required by section 352C.03, subdivision 1, all service as any of the constitutional officers listed in section 352C.02, subdivision 2, ~~and as a commissioner, and as a member of the legislature of this state shall be included.~~

Approved June 6, 1969.

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