

more years and shall have attained the established age for retirement, or shall have been employed by the city for 30 or more years all as determined by the retirement board, shall be entitled to retire. Any employee in the contributing class shall be retired upon reaching the age of 65 70 regardless of the provisions of the veterans preference act and receive a service allowance as specified in sections 356.30, 356.32, or 422A.01 to 422A.25.

Sec. 7. Minnesota Statutes 1976, Chapter 423, is amended by adding a section to read:

**[423.076] RETIREMENT; POLICE AND FIRE DEPARTMENTS.** A compulsory retirement age of not less than 65 years may be established for persons on the payroll of a police or fire department which does not come within the provisions of section 423.075 or 423.26 without being a violation of section 2 of this act or section 4 of this act.

Sec. 8. This act is effective as of June 1, 1980, subject to the following exception:

(1) No mandatory retirement program or policy established by a collective bargaining agreement between a labor organization and a private employer executed prior to the enactment date of this act which mandates retirement prior to attaining 70 years of age shall be invalidated.

(2) Nothing contained in this act shall be construed as requiring the rehiring, reinstatement or payment of additional benefits to an employee who terminates service prior to June 1, 1980, pursuant to a mandatory retirement law or policy which mandates retirement prior to attaining 70 years of age, or any other employee who terminates service prior to the termination of a collectively bargained contract containing a mandatory retirement provision.

(3) No collective bargaining agreement executed following the enactment date of this act shall provide for mandatory retirement prior to attaining 70 years of age for an employee who terminates service June 1, 1980, or subsequent thereto.

Approved March 28, 1978.

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**CHAPTER 650-H.F.No.2043**

*An act relating to the legislature; prohibiting an employer or employee organization from discharging or discriminating against legislators or former legislators in retribution for political statements or beliefs; amending Minnesota Statutes 1976, Section 3.083.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Minnesota Statutes 1976, Section 3.083, is amended to read:

**3.083 RETENTION OF SENIORITY, FRINGE BENEFITS AND TENURE.**  
**Subdivision 1.** Any member of the legislature who is continued in or restored to a position

**Changes or additions indicated by underline deletions by strikeout**

in accordance with the provisions of section 3.082 shall be so continued or restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to its established rules and practices, and shall not be discharged from such position for a period of three years after his continuation or restoration except in the reverse order of his seniority with the employer within the field of the legislator's training and experience without good cause after such continuation or restoration.

Subd. 2. No employer or employee organization may at any time discharge or otherwise discriminate against an employee or member who is or was a member of the legislature in retribution for statements made or beliefs held by the employee or member in his capacity as a member of the legislature. For purposes of this subdivision "employee organization" means any union or organization of employees which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances or term or conditions of employment.

Sec. 2. This act is effective the day following final enactment.

Approved March 28, 1978.

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CHAPTER 651-H.F.No.2049

*An act relating to local units of government; removing certain restrictions on contracts affecting the financial interests of public officers; amending Minnesota Statutes 1976, Section 471.89, Subdivisions 2 and 3; and Minnesota Statutes, 1977 Supplement, Section 471.88, Subdivision 5.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1977 Supplement, Section 471.88, Subdivision 5, is amended to read:

Subd. 5. A contract for which competitive bids are not required by law and where the amount does not exceed \$5000 ~~when the commodity or service contracted for is not otherwise available in the affected governmental unit;~~

Sec. 2. Minnesota Statutes 1976, Section 471.89, Subdivision 2, is amended to read:

Subd. 2. **RESOLUTION BY GOVERNING BODY.** Except in an emergency making such procedure impracticable, the governing body of the governmental unit shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the commodity or services could be obtained elsewhere; ~~and that the commodity or service cannot be otherwise obtained in the affected governmental unit.~~ In case of an emergency when the contract cannot be authorized in advance, payment of the claims shall be authorized by a like resolution in which the facts of the emergency are also

Changes or additions indicated by underline deletions by ~~strikeout~~