

CHAPTER 93—H. F. No. 1000.

An act to re-enact and amend Mason's Minnesota Statutes of 1927, Section 1442-14, as amended by Laws 1933, Chapter 328, Section 4, relating to the payment of retirement allowances to employees of cities of the State of Minnesota having over 50,000 inhabitants.

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

Section 1. **Persons entitled to allowances—retirement age.**—Mason's Minnesota Statutes of 1927, Section 1442-14, as amended by Laws 1933, Chapter 328, Section 4, is hereby re-enacted and amended so as to read as follows:

"1442-14. Any person who shall have been employed by the city to which this act applies, and who shall have fulfilled the conditions herein specified, shall be entitled to receive a retirement allowance therefrom, as set forth in the provisions of this act; provided, that no retirement allowance shall be paid any retired employee of such city prior to the expiration of the calendar year next succeeding the date this act becomes effective therein.

Any conditional present incumbent shall be entitled to participate in the benefits provided by this act upon submitting to the retirement board a written notice of desire to accept the provisions of the act and of such evidence of the right to so participate as the board may require; provided that any such employee who is less than 30 years of age at the date this provision becomes effective therein shall submit such notice before reaching that age, and any such employee who shall have passed the age of 30 at that date shall make written application for participation in the benefits of the retirement fund within 90 days after such date. All such applications not filed within the time specified herein shall be denied by the retirement board.

The minimum age for retirement on a service allowance except as otherwise provided, shall be established by the retirement board, may be greater for men than for women, may differ for different classes or grades of employment, but shall not be less than 60 years for men and 58 years for women, nor greater than 65 years for men and 63 years for women. The ages so established by the board shall not be subject to revision prior to the expiration of a five-year period from the establishment thereof, and shall apply to all persons who retire during the continuance thereof.

Subject to the limitations stated in this act, any employee in the contributing class who shall have attained the established age for retirement shall be entitled to retire, and any such employee who shall remain in the service of the city for five years thereafter, shall be retired, and receive a service allowance as specified in this act; provided, that if in not less than 90 days before the arrival of an employee at the age of compulsory retirement, the head of the department, branch or independent board of the municipality in which he or she is employed, certifies to the retirement board that by reason of his or her efficiency and his or her willingness to remain in the service of the municipality the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term not exceeding three years upon certification by the retirement board, and at the end of the three years he or she may, by similar certification, be continued for one additional term not to exceed two years.

Any employee who retired prior to the passage of this amendment, and the designated beneficiaries of any such employee shall be entitled to a retirement allowance to be calculated, determined and payable in accordance with the provisions of Mason's Minnesota Statutes of 1927, Sections 1442-11 to 1442-34, inclusive, as amended. Any payments heretofore made and retirements heretofore approved, which would have been valid had this act been in force at the time of making the same, are validated to the same extent as if the same had been made subsequent to the passage of this amendment."

Approved April 1, 1935.

CHAPTER 94—H. F. No. 1249.

An act relating to clerk hire in the offices of County Auditor, County Treasurer, and Register of Deeds, in counties now or hereafter containing not less than 22 and not more than 25 organized towns, and now or hereafter having a population of not less than 29,000 and not more than 33,000 inhabitants, and repealing inconsistent acts.

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

Section 1. Clerk hire in certain counties.—In all counties in this state now or hereafter containing not less than 22 and not more than 25 organized towns, not including cities and villages, and now or hereafter having a population of