

Sec. 6. **Retirement allowance for disabled persons.**—If such contributing member, after becoming permanently separated from the service of the city and after electing to receive a retirement allowance as provided herein, becomes totally and permanently disabled for any cause before reaching the age of fifty-five years, he or she shall be entitled to receive such retirement allowance before reaching the age of fifty-five years, upon application to the Municipal Pension and Retirement Board and certified by the medical board provided in such act. Such retirement allowance shall be the actuarial equivalent of the total credit to his or her account on the date application for such retirement allowance is made.

Approved March 2, 1937.

CHAPTER 53—H. F. No. 420

An act to amend 1934 Supplement to Mason's Minnesota Statutes of 1927, Section 1442-16, relating to the payment of retirement allowance to employes 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. **Law amended.**—That the 1934 Supplement to Mason's Minnesota Statutes of 1927, Section 1442-16, is hereby amended so as to read as follows:

"1442-16. Retirement allowance for employes in the non-contributing class including common laborers.—A retirement allowance, payable in equal monthly installments shall be granted to any laborer or other employe in the non-contributing class who satisfies the conditions hereafter specified.

Such retirement allowance shall be the actuarial equivalent of the accumulated amount of monthly installments of \$12.50 throughout the period of service of the retiring employe, accumulated to the date of retirement at four per cent compound interest; provided, that no such allowance shall exceed \$500.00 per annum, *nor be less than \$360.00 per annum.*

Upon receipt of proof of death of any common laborer or other employe in the non-contributing class who has fulfilled the minimum age and service requirements for retirement on an allowance, (a) who is employed by the city, or (b) who is temporarily separated from the service of the city, or (c) who has been retired on an allowance, shall be paid to the heir or heirs of such employe or to such trustee or trustees as the retirement board may select, the sum of \$150.00.

In order to be entitled to a retirement allowance, a common laborer or other employe in the non-contributing class shall be a resident of the city, shall have been employed thereby for a period of time which in the aggregate shall equal 20 or more periods of five months each, the last season of which shall have immediately preceded the date of retirement, and in addition thereto shall either (1) have attained the age of 55 years and have been declared by the medical board to be incapacitated for further service to the city or (2) shall have attained the age of 70 years.

(a) The retirement board may require any such beneficiary while still under the age of 70 years, to undergo a medical examination by the medical board once each year. Should the medical board report and certify to the retirement board that such beneficiary is no longer physically or mentally incapacitated for the performance of duty, such retirement allowance shall cease and the head of the department in which such beneficiary was employed at the time of this retirement shall, upon notification by the retirement board, re-employ said beneficiary.

(b) Should any such retired beneficiary, while under the age of 70 refuse to submit to at least one medical examination in any year by a physician or physicians designated by the medical board, his pension shall be discontinued until the withdrawal of such refusal, and should such refusal continue for one year, all his rights, in and to the retirement allowance shall be forfeited.

(c) Upon application of any such beneficiary under the age of 70, drawing a pension or a retirement allowance under the provisions of this Act, approved by the retirement board, said beneficiary may be restored to active service by the head of the department in which said beneficiary was employed at the time of his retirement. Upon the restoration of a beneficiary to active service, his retirement allowance shall cease."

Sec. 2. That this act shall take effect and be in force from and after its passage.

Approved March 2, 1937.

CHAPTER 54—H. F. No. 235

An act to amend Special Session Laws 1935, Chapter 79, Section 1, an act fixing the salary and compensation of the judge of probate and the clerk of probate court in all counties now or hereafter containing not less than 19, and not more than 21, whole or fractional