

of his experience, training and general qualifications for the work. His salary shall be fixed by the County Welfare Board, except the salary of the Executive Secretary of the County Welfare Board appointed pursuant to Section 1, Subdivision (c) hereof (Sec. 974-11 c)), which salary shall be approved by the Board of County Commissioners of any such county and the City Council of any city of the first class located within such county, and said County Welfare Board shall fix the salary of such other employes as it may hire.

Said welfare board shall require its executive secretary and such other of its employes as it may determine, to execute and file with it a bond conditioned as are other official bonds, to the state, with corporate sureties to be approved by it, in such amount as it may fix, not less than \$1,000.00, and the premium thereon shall be paid by said board."

Sec. 3. **Effective July 1, 1941.**—This act shall take effect and be in force from and after July 1, 1941.

Approved April 17, 1941.

CHAPTER 285—S. F. No. 191

An act relating to the Public Employes Retirement Association and to amend the 1940 Supplement to Mason's Minnesota Statutes of 1927, Sections 254-23, 254-24, 254-26, 254-29, 254-33, 254-36, 254-37, 254-38, 254-44, and 254-46.

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

Section 1. **Law amended.**—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-23, is hereby amended so as to read as follows:

"254-23. **Definitions.**—The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

"1. 'Public Employe' shall mean any person holding a position, either by election, appointment or contract in and for any of the several counties, cities, villages or school districts which are now or hereafter may be affected by the provisions of this act, whose salary is paid, in whole or in part, through taxation, or by fees, assessments or revenue from any one or more of the governmental subdivisions here-

inbefore enumerated, irrespective of whether or not such person is directly employed by the authority of, or is under the control and supervision of the governing body of any such county, city, village or school district, *except* (a) any temporary employe, as hereinafter defined; (b) any employe of any governmental subdivision affected by the provisions of this act, who, by virtue of his former employment in the public service is a beneficiary of, or a contributing member to, or who has an unrealized interest in, or is designated as a future beneficiary by the rules of, any pension, relief or retirement fund established and maintained by authority of the laws of this state, provisions of any municipal charter, or ordinance of any municipality or other governmental subdivision thereof; or (c) any employe of any governmental subdivision who by virtue of his present employment is required to contribute to, or is eligible for membership in, or to be designated as a future beneficiary of, any retirement, relief or pension system established and maintained by authority of and pursuant to any one or more of the following sections of the 1940 Supplement to Mason's Minnesota Statutes for 1927, to-wit: 254-1 to 254-22, relating to retirement annuities for state employes; 1264-6 to 1264-19½j, relating to police pensions in certain villages; 1358 to 1366, relating to pensions for teachers in certain cities; 1432 to 1442, relating to police pensions in cities of the first class; 1442-1 to 1442-10, relating to pensions for employes of the bureau of health in certain cities of the first class; 1442-11 to 1442-56, relating to pensions and retirement allowances in certain cities of the first class; 1643-1 to 1643-9, relating to police pensions in cities of the second class; 1716-4 to 1716-18, relating to police pensions in certain cities of the third class; 1828-16½, relating to pension funds in cities of the fourth class; 1828-16¾k to 1828-16¾n, relating to police relief associations in cities of the fourth class; 1828-16¾o to 1828-16¾p, relating to firemen's relief associations in cities of the fourth class; 2950-1 to 2950-16, relating to teachers' pensions; 3723 to 3728, relating to the establishment of firemen's relief associations; 3728-1 to 3728-7, relating to firemen's relief associations in cities of the third class; and 3750-1 to 3750-38, relating to firemen's relief associations in cities of the first class. The term 'public employe' shall also be construed to mean any person appointed as a district court reporter in this state.

"2. 'Head of Department' shall mean the head of any department, institution, office or branch of service of any governmental subdivision which directly pays salaries out of its revenue or is empowered to authorize the payment of such salaries.

"3. 'Accumulated Deductions' shall mean the total of the amounts deducted from the salary of a member and the total amount of assessments paid by a member in lieu of such deductions and credited to his or her individual account in the retirement fund, without interest.

"4. 'The Retirement Fund' shall mean and include the aggregate of all accumulated deductions from the salaries of members of the retirement association, all assessments paid by such members in lieu of such deductions, and all other monies paid into the state treasury or received by the retirement board pursuant to the provisions of this act, together with all income and profits therefrom and interest thereon.

"5. 'Governmental Subdivision' shall mean a county, or a city, or a village, or a school district, as the case may be.

"6. 'City' shall be deemed to mean and include any incorporated city of this state, whether operating under a home rule charter or otherwise.

"7. 'Village' shall be deemed to mean and include any incorporated village of this state now or hereafter having a population of more than *five thousand* (5,000) inhabitants.

"8. 'School District' shall be deemed to mean and include any independent, common or special school district of this state, which is now or hereafter may be wholly or partly within the limits of any such city, or any such village, and shall also mean any unorganized school territory governed by any county board of education.

"9. 'Salary' shall mean the periodical compensation of any public employe and shall also be deemed to mean 'wages', and, in case of officers elected to a fee office, shall be deemed to include the term 'fees'.

"10. 'Present Public Employe' shall mean any public employe receiving salary from any county, city, village or school district on the date of the acceptance of the terms of this act by the governing body of the governmental subdivision by or for which he is employed or from whose funds his salary is paid.

"11. 'New Public Employe' shall mean any public employe who enters the public service in any county, city, village or school district subsequent to the date of the acceptance of the terms of this act by the governing body of the governmental subdivision by or for which he is employed, or from whose funds his salary is paid.

"12. 'Temporary Employee' shall mean any person employed by or for any of the governmental subdivisions affected by the provisions of this act, who holds any position for a period not exceeding six (6) months within any twelve (12) month period, as (a) a substitute for another regularly employed and on leave of absence, or (b) any employe holding any position of an essentially temporary character, excepting seasonal employment. The term 'temporary employe' shall also be deemed to mean any part-time employe whose compensation does not exceed Three Hundred (\$300.00) Dollars per annum, but shall not be construed to include any person employed in the classified civil service of any such governmental subdivision, whether as a probationer or otherwise."

Sec. 2. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-24, is hereby amended so as to read as follows:

"254-24. Public employees retirement association established.—There is hereby established a public employes retirement association, the membership of which shall consist only of public employes, and employes of said association. Membership in said association shall be optional on the part of the present public employes, but all new public employes except elective public officers shall become members of said association by acceptance of public employment. In all governmental subdivisions, heretofore operating under and affected by the provisions of this act prior to January 1, 1933, present public employes who apply for membership therein after January 1, 1932, shall pay a membership fee of Ten (\$10.00) Dollars, but no present public employe shall be eligible to apply for membership in the retirement association after July 1, 1935, except upon the payment of such additional penalties as the retirement board may, by general rule, prescribe. In addition to such membership fee, every present public employe who becomes a member of the retirement association shall pay in a sum equal to all accrued deductions from his or her salary which would have been made had such employe become a member of the retirement association July 1, 1931, with interest thereon at the rate of five per cent (5%) per annum compounded annually. In all governmental subdivisions wherein the governing body thereof has duly accepted the provisions of this act subsequent to January 1, 1933, and prior to May 1, 1935, present public employes who apply for membership in the retirement association after January 1, 1934, shall pay a membership fee of Ten (\$10.00) Dollars, but no such present public employe shall be eligible to apply for membership in the retirement association after July 1, 1935,

except upon the payment of such additional penalties as the retirement board may, by general rule, prescribe. In addition to such membership fee every such present public employe who becomes a member of the retirement association shall pay in a sum equal to all accrued deductions from his or her salary which would have been made had such public employe become a member of the retirement association July 1, 1933, with interest thereon at the rate of five per cent (5%) per annum compounded annually. In all governmental subdivisions wherein the governing body thereof has duly accepted the provisions of this act subsequent to May 1, 1935, present public employes may apply for membership in said association at any time within a period of two (2) years from the first (1st) day of the first (1st) calendar month next succeeding the date of the acceptance of the terms of this act by the governing body of the governmental subdivision concerned, and at any time thereafter upon the payment of such additional penalties as the retirement board may, by general rule, prescribe. Any such present public employe who shall apply for membership in said association shall be required to pay a membership fee of Ten (\$10.00) Dollars. In addition thereto, any such present public employe shall pay into the retirement fund a sum equal to all accrued deductions which *would* have been made had such present public employe become a member of said association on the first (1st) day of the first (1st) calendar month next succeeding the date of the acceptance of the terms of this act by the governing body of the governmental subdivision concerned, together with interest thereon at the rate of five per cent (5%) per annum, *compounded annually*.

"An elected public officer, eligible for membership in said association, may exercise his option to become a member thereof, but such option, once exercised, may not be withdrawn during the incumbency of such officer in the office to which he was elected or re-elected. If holding office at the time of the acceptance of the terms of this act by the governing body of the governmental subdivision concerned, the terms and conditions of membership pertaining to a present public employe shall govern the admission of such elected public officer to membership in said association. Any person elected to a public office in any governmental subdivision affected by the provisions of this act, subsequent to the date of the acceptance of the terms of this act by the governing body of the governmental subdivision concerned, may apply for membership in said association at any time within a period of two (2) years from the date he first became eligible for membership in said association, and at any time there-

after upon *the* payment of such additional penalties as the retirement board may, by general rule, prescribe. Any such person who applies for membership in said association shall be required to pay a membership fee of Ten (\$10.00) Dollars. In addition thereto, any such elected public officer shall pay into the retirement fund a sum equal to all accrued deductions which would have been made had such elected public officer become a member of said association on the first (1st) day of the first (1st) calendar month next succeeding the date he first assumed the office to which he was elected, together with interest thereon at the rate of five per cent (5%) per annum, *compounded annually*.

“Any person appointed to fill a vacancy in an elective office and becomes eligible thereby to membership in said association may likewise exercise his option to become a member thereof under the terms and conditions that govern the admission of elective public officers to membership in said association.

“Except as in this act otherwise provided, membership in said association may not be terminated by resignation, or in any manner other than by death, or by leaving the employ of the governmental subdivision concerned. On or after the passage of this act, no employe of any governmental subdivision shall be required to become a member of any retirement fund or relief association, or to contribute to any fund established for such purpose, except the retirement fund established pursuant to the provisions of this act.”

Sec. 3. **Law amended.**—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-26, is hereby amended so as to read as follows:

“254-26. **Retirement fund.**—Every member of the retirement association shall pay into the retirement fund three and one-half per cent ($3\frac{1}{2}\%$) of his salary as a public employe as and when paid. Such payment shall be made by deduction thereof from such salary, provided, however, that under such regulations as the retirement board may by general rule prescribe, any member may, at his option, continue to make contributions to the retirement fund on the basis of his last regular salary, in case said salary is diminished or reduced for any cause and thereby become entitled to the same annuity as though there had been no diminution or reduction in such salary. The head of each department is hereby directed to cause such deductions to be made at least once each month from the salary of each member of the retirement association and to issue or approve one voucher payable to

the state treasurer for the aggregate amount so deducted from such salaries and to cause the same to be remitted within fifteen (15) days thereafter to the secretary of the retirement board together with a statement showing the amount of each of such deductions, the amount of salaries from which such deductions have been made and the names of the employes on whose accounts the same have been made. *Such statement may be furnished in the form of a carbon or duplicate copy of departmental payroll abstracts and if not submitted in such form, the head of each department of any governmental subdivision affected by the provisions of this act is hereby required to furnish the secretary of the retirement board a carbon or duplicate copy of his departmental payroll abstract for the first (1st) pay period during the months of January and July, respectively, in each year and it shall be the duty of said secretary to check the copies of all such payroll abstracts against the membership records of said association so as to ascertain whether or not any omissions have been made by the several department heads in the reporting of any new public employes as required by the 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-29.* All remittances so received by the secretary of the retirement board shall be promptly deposited with the state treasurer. Deductions from the salaries of district court reporters shall be made by the several county auditors of the state. Each county auditor of the state shall make such deduction from the amount of each warrant issued by him in payment of the salary of the district court reporter and shall on or before the fifteenth (15th) day of each month issue a warrant to the order of the state treasurer for the aggregate amount of all such deductions made by him during the preceding month and shall transmit the same to the secretary of the retirement board with a statement showing the amount of each of such deductions and the names of the district court reporters on whose account the same have been made, provided that the deductions from the salary of a district court reporter in a judicial district consisting of two or more counties shall be made by the auditor of the county in which the bond and official oath of such district court reporter are filed from the portion of his salary paid by such county. All salary deductions shall be credited to a fund to be known as the retirement fund and all interest and other income of said association shall be credited to said fund. The retirement fund shall be disbursed only for the purposes herein provided. The expenses of said association and the annuities herein provided upon retirement shall be paid only from said fund."

Sec. 4. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-29, is hereby amended so as to read as follows:

“254-29. Heads of departments to make monthly statement.—Within ninety (90) days after the acceptance of the terms of this act by the governing body of any governmental subdivision, the heads of departments affected shall submit to the retirement board a statement showing the name, age, sex, title, compensation, and length of service in his department of every public employe in his department as defined in *the 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-29*, and on the first (1st) day of each calendar month thereafter shall furnish the retirement board a like statement of all new officers or employes who have entered the public service as public employes in his department, and at the same time shall notify the board of all removals, withdrawals and changes in salaries of any members of the retirement association which have occurred during the preceding month, and shall furnish to said board a like statement of all new officers or employes who have entered the service as public employes.”

Sec. 5. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-33, is hereby amended so as to read as follows:

“254-33. Retirement.—Except as in this act otherwise provided, whenever any member of the retirement association has been a public employe for a period of twenty (20) years and has attained the age of sixty-five (65) years, or when any such employe has been a public employe for a period of thirty-five (35) years, he shall be eligible for retirement, provided that in computing such terms of service, the time during which any member of the association shall have maintained his membership by the payment of assessments after leaving the service as a public employe, in lieu of deductions, shall be included. Provided, however, that no person admitted to membership in said association after May 1, 1937, shall be entitled to receive a retirement annuity unless he has either attained the age of sixty-five (65) years and has been a public employe for a period of twenty (20) years, or has attained the age of sixty (60) years and has been a public employe for a period of at least thirty-five (35) years. Such retirement shall be made upon application of the member or of someone acting in his or her behalf, or in the case of any employe in active service upon the application of the head of the department in which such member is employed. Except as in this act otherwise provided, upon such retire-

ment such member shall receive an annuity for the remainder of his or her life equal to fifty (50) per centum of the average annual salary received for the entire period of his or her membership in said association, provided, that in computing the average annual salary of members who have contributed by assessments, in lieu of salary deductions or otherwise, the average annual salary received while such member was in the public service as a member of said association shall, for the purpose of construing this section, be considered the salary of such member for that period of his membership in said association during which he made contributions to the retirement fund by assessments, in lieu of salary deductions or otherwise, and provided, further, that in computing the period of past service, employment by or for any of the governmental subdivisions as defined and enumerated by this act shall be counted, irrespective of whether or not the governing body of such governmental subdivision has qualified its public employes for membership in said association, and provided further, that no such retirement annuity shall, in any event, exceed the sum of One Thousand Eight Hundred (\$1,800.00) Dollars per annum. Membership in said association for any present public employe shall commence upon the date of the acceptance of the application for membership by the retirement board and, in no event, shall said retirement board grant to any member any pro rata annuity, as hereinafter provided for in *the 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-38*, until and unless four (4) full years of membership in said association shall have elapsed, nor shall said retirement board grant any pro rata annuity based on a greater number of years of contributions to the retirement fund than *then stand* to the credit of such member on the books of said association, or any full retirement annuity, as hereinafter provided, until and unless five (5) full years of membership have so elapsed. *No taxes shall be levied or raised for the aid of said retirement association or the membership thereof by any governmental subdivision of this state affected by the provisions of this act, unless the governing body of any such governmental subdivision, or any agency, board or commission thereof, shall by enactment of any ordinance, resolution, rule or regulation, cause the retirement of any public employe, as herein defined, solely by reason of having attained any fixed age. In the event that any such governmental subdivision shall adopt, by appropriate local legislation, compulsory retirement ages for public employes, as herein defined, then such governmental subdivision shall also assume the liability to pay one-half of the cost of all annuities thereafter granted by the retirement*

board pursuant to the provisions of this act to any public employe affected by such compulsory retirement requirements. The total amount of such contributory share of such annuities shall before September 30th of each year be duly determined by the said retirement board and certified to any such governmental subdivision for the period of the previous twelve months ending June 30th immediately preceding. Said amount so certified by said retirement board shall be included in the next budget of any such governmental subdivision subsequent to the certification by said retirement board and shall be levied, collected and apportioned in the same manner as other taxes are levied, collected and apportioned, and for the express purposes of this section, the payment of all such annuities are hereby made obligations of the governmental subdivisions concerned in the proportion and to the extent provided. Any levy authorized under this section shall be in addition to and exclusive of all levies authorized for other purposes.

Sec. 6. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-36, is hereby amended so as to read as follows:

"254-36. Heirs or legal representatives to receive benefit of funds.—Whenever any member of said association shall die without having received an annuity or without having received in annuity payments an amount equal to the total amount of the accumulated deductions from his or her salary, and such additional accumulated deductions, if any, as may have been paid into the retirement fund under and pursuant to the provisions of the 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-38, exclusive, however of any payments representing accrued interest, the full amount of such total accumulated deductions and additional accumulated deductions, if any, less such annuity payments, if any, as have been paid to such member, shall be paid in one lump sum to the beneficiary or beneficiaries designated by such member, or, if none, to the legal representatives of such member, upon establishment of a valid claim therefor. Provided, however, if no valid claim is established therefor, the said accumulated deductions shall remain with and become the property of said retirement association."

Sec. 7. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-37, is hereby amended so as to read as follows:

"254-37. Annuities payable monthly.—All annuities granted under the provisions of this act shall commence with

the first (1st) day of the first (1st) calendar month next succeeding the date of termination of public service for the purpose of retirement, and shall be paid in equal monthly installments commencing one month thereafter, and continuing only during the lifetime of the annuitant, and shall not be increased, decreased or revoked, except as provided in this act."

Sec. 8. Law amended.—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-38 is hereby amended so as to read as follows:

"254-38. Date of retirement.—No retirement annuity shall be granted under the provisions of this act until July 1, 1935, nor shall any member of the retirement association be entitled to receive a retirement annuity until he shall have contributed to the retirement fund either by salary deductions or otherwise for a period of four (4) full years, and unless he shall have been a member of said association for a like period. Provided, however, that if any member who is eligible for retirement and who has attained to the age of sixty-five (65) years has contributed to the retirement fund for a period of less than twenty (20) years he shall be entitled to receive a pro rata retirement annuity for the remainder of his life in an amount bearing the same ratio to the full retirement annuity that the period of his salary deductions, or assessments in lieu thereof, bears to twenty (20) years, but fractional parts of a year shall not enter into the computation of such pro rata retirement annuity. Provided, further, that whenever any such member shall have become eligible to receive a pro rata retirement annuity, as hereinbefore provided, and shall have contributed to the retirement fund for a period of five (5) full years, and shall have been a member of said association for a like period, such member may, if he shall so elect at any time before making application for such pro rata retirement annuity make application for a full retirement annuity, or for a pro rata retirement annuity based on a greater number of years of contributions to the retirement fund than then stand to his credit on the books of said association, and, in either case, the same shall be granted to him upon compliance with the following terms and conditions, to-wit:

"(a) In case such member shall make application for a full retirement annuity, the retirement board, before granting said application, shall do the following things, to-wit:

"1. Determine the number of full years of contributions required of such member to make a total of twenty (20) full years of contributions by him to the retirement fund.

"2. Determine the average annual amount of the accumulated deductions of such member for the period of his membership in said association.

"3. Determine the amount of the additional accumulated deductions to be required of such member by multiplying the number of years as determined by the method prescribed in sub-paragraph one (1) hereof by the average annual amount of his accumulated deductions, as determined in the manner prescribed by sub-paragraph two (2) hereof.

"4. Require that such member shall pay into the retirement fund, before such full retirement annuity shall be granted, the total amount of his additional accumulated deductions, as determined by the methods prescribed by sub-paragraph three (3) hereof, and, in addition thereto, a further amount representing an accrued interest payment, to be determined as follows:

"In the case of fifteen (15) years of additional contributions required, an amount equal to forty-eight (48%) per cent of the total accumulated deductions required for such period, and in case of fourteen (14) years of additional contributions required, or less, an amount to be determined in like manner, based on percentages of the total accumulated deductions required in each instance, as hereinafter set forth, to-wit: Fourteen (14) years, fifty (50%) per cent; thirteen (13) years, fifty-two (52%) per cent; twelve (12) years, fifty-four (54%) per cent; eleven (11) years, fifty-six (56%) per cent; ten (10) years, fifty-eight (58%) per cent; nine (9) years, sixty (60%) per cent; eight (8) years, sixty-two (62%) per cent; seven (7) years, sixty-four (64%) per cent; six (6) years, sixty-six (66%) per cent; five (5) years, sixty-eight (68%) per cent; four (4) years, seventy (70%) per cent; three (3) years, seventy-two (72%) per cent; two (2) years, seventy-four (74%) per cent; one (1) year, seventy-six (76%) per cent.

"Provided, that after the total amounts required of such member have been determined, as hereinbefore set forth, credit thereon shall be allowed such member for the amount contributed by him to the retirement fund through salary deductions, or otherwise, during the fractional part of any year not included in the computation for a full retirement annuity.

"(b) In case such member shall make application for a pro rata retirement annuity based on a greater number of full years of *contributions* than then *stand* to his credit on the books of said association, the retirement board, in the

manner hereinbefore provided, shall determine the amount of the additional accumulated deductions required under such application and shall require that such applicant shall pay into the retirement fund before such greater pro rata retirement annuity is granted, all additional accumulated deductions required, and, in addition thereto, such further and additional amounts representing accrued interest payments as may be determined in the manner hereinafter set forth, to-wit:

"In case of one (1) additional year's credit, an amount equal to that percentage of the total accumulated deductions required for one (1) year as may be determined by multiplying the number of full years such member has contributed to the retirement fund by four (4%) per cent. In case of two (2) additional years' credit, an amount equal to that percentage of the additional accumulated deductions required as in the case of one (1) additional year's credit, and, in addition thereto, a further amount equal to two (2%) per cent of the total accumulated deductions required. In like manner for three (3) additional years' credit, or more, an amount equal to that percentage required as in the case of one (1) additional year's credit, and, in addition thereto, the further amount computed on the following percentage of the total accumulated deductions required in each instance as hereinafter set forth, to-wit: Three (3) additional years' credit, four (4%) per cent; four (4) additional years' credit, six (6%) per cent; five (5) additional years' credit, eight (8%) per cent; six (6) additional years' credit, ten (10%) per cent; seven (7) additional years' credit, twelve (12%) per cent; eight (8) additional years' credit, fourteen (14%) per cent; nine (9) additional years' credit, sixteen (16%) per cent; ten (10) additional years' credit, eighteen (18%) per cent; eleven (11) additional years' credit, twenty (20%) per cent; twelve (12) additional years' credit, twenty-two (22%) per cent; thirteen (13) additional years' credit, twenty-four (24%) per cent; fourteen (14) additional years' credit, twenty-six (26%) per cent; fifteen (15) additional years' credit, twenty-eight (28%) per cent. Provided that after such total amount required of such member has been determined, as hereinbefore set forth, credit thereon shall be allowed such member for any amount contributed by him to the retirement fund through salary deductions, or otherwise, during the fractional part of any year not included in the computation for such greater pro rata retirement annuity. Provided further, nothing done under the terms of this act shall create or give any contract rights to any person, except the right to receive back upon withdrawal from the

association, through separation from the public service any salary deductions made or assessments paid hereunder.

"As hereinbefore provided, the minimum requirements for a retirement annuity for any applicant who has attained to the age of sixty-five (65) years, shall be twenty (20) years of contributions to the retirement fund, or its equivalent, with an amount representing accrued interest earnings, as hereinbefore set forth. In the case of any member who becomes eligible for retirement at any age earlier than sixty-five (65) years, the said minimum requirements as to years of contributions before any full retirement annuity or any pro rata retirement annuity based on a greater number of years of contributions than then stand to his credit on the books of said association shall be granted, shall be twenty (20) years increased by one (1) year for each year that the said applicant is under the age of sixty-five (65) years, in accordance with the following schedule, to-wit: Age sixty-four (64), twenty-one (21) years; age sixty-three (63), twenty-two (22) years; age sixty-two (62), twenty-three (23) years; age sixty-one (61), twenty-four (24) years; age sixty (60), twenty-five (25) years, provided, however, that in the case of any member who shall have reached the age of sixty (60) years on May 1, 1937, and who, prior to June 1, 1936, shall have left the public service and maintained membership by payment of assessments, the minimum requirements for a full retirement annuity shall be *twenty* (20) years, regardless of the attained age at the time of any such retirement.

"From and after May 1, 1937, no full retirement annuity or any pro rata retirement annuity based on a greater number of years of contributions than the number of years he shall have been a member of said association shall be granted to any member of said association who has not attained to the age of sixty (60) years, and with respect to any such member said retirement board may grant only a pro rata annuity in an amount bearing the same ratio to a full retirement annuity as the period of full years of salary deductions or assessments received in lieu thereof during his membership in the association, or its equivalent, with an additional amount representing accrued interest earnings, shall bear to the number of years expressed in the following schedule of requirements as to the years of contributions for a pro rata retirement annuity at any given age of the applicant, to-wit: Age fifty-nine (59), twenty-six (26) years; age fifty-eight (58), twenty-seven (27) years; age fifty-seven (57), twenty-eight (28) years; age fifty-six (56), twenty-nine (29) years; age fifty-five (55), thirty (30) years; age fifty-four (54), thirty-one (31) years; age fifty-three (53), thirty-two (32) years;

age fifty-two (52), thirty-three (33) years; age fifty-one (51), thirty-four (34) years, and age fifty (50), thirty-five (35) years.

“The retirement board shall by general rule adopt regulations and schedules of rates of payments required of applicants who shall become eligible for retirement at ages earlier than sixty-five (65), which regulations shall provide for the granting of pro rata retirement annuities in amounts bearing the same ratio to a full retirement annuity as the period in full years of salary deductions, or assessments received in lieu thereof, or its equivalent with an additional amount representing accrued interest earnings, shall bear to the number of years expressed in the above schedule of minimum requirements as to years of contributions for a full retirement annuity at any given age of the applicant. Provided, however, that the retirement board shall not grant any full retirement annuity or any pro rata retirement annuity based on a greater number of years of contributions to the retirement fund than then stand to the credit of the applicant until such member shall have been a member of said association for a period of five (5) full years. *The total amount available from the retirement fund for distribution in annuity payments during any one month shall in no event exceed the total amount received from salary deductions and assessments in lieu thereof during the preceding month and should the total of annuities previously granted and then in force exceed such amount, it shall be the duty of the retirement board to restrict the total amount available for distribution in annuities for any such month accordingly and all annuities payable shall be proportionately reduced. The balance of any annuities not paid in full by reason of such restriction shall be paid proportionately during the first and subsequent months when such salary deductions and assessments exceed the total of all outstanding annuities then payable.*”

Sec. 9. **Law amended.**—The 1940 Supplement to Mason’s Minnesota Statutes of 1927, Section 254-44, is hereby amended so as to read as follows:

“254-44. **Board may make regulations.**—*All matters and administrative details not specifically provided for in this act shall be governed by rules and regulations issued and promulgated by the retirement board. The final power to determine the status of any individual in the employ of any governmental subdivision, for the purposes of this act, is hereby vested in said board.*”

Sec. 10. **Law amended.**—The 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-46 is hereby amended so as to read as follows:

"254-46. **Application of act.**—The provisions of this act shall not apply to any county, city, village or school district, or the employes thereof, until and unless the governing body of any such county, city, village or school district, shall have duly approved by a majority vote and by a resolution in writing of salary deductions for public employes, as contemplated by *the 1940 Supplement to Mason's Minnesota Statutes of 1927, Section 254-26*, and shall have filed a duly certified copy of such resolution of approval with the proper officials of the county, city, village or school district, whose duty it is to pay or authorize the payment of salaries, and one (1) such certified copy with the secretary of the retirement board. Salary deductions for present public employes in all governmental subdivisions heretofore operating under and affected by the provisions of this act prior to January 1, 1933, shall be computed from the first (1st) day of July, 1931, and in all governmental subdivisions wherein the governing body thereof has duly accepted the provisions of this act subsequent to January 1, 1933, and prior to May 1, 1935, shall be computed from the first (1st) day of July, 1933. Salary deductions for present public employes in all governmental subdivisions wherein the governing body thereof has duly accepted the terms and provisions of this act subsequent to May 1, 1935, and who shall thereafter become members of the retirement association shall be computed from the first (1st) day of the first (1st) calendar month next succeeding the date of the acceptance of the terms of this act by the governing body of the governmental subdivision concerned."

Approved April 17, 1941.

CHAPTER 286—S. F. No. 436

An act to authorize any city or village, however organized, and bordering upon any navigable or non-navigable stream, river or body of water, including any international or interstate navigable or non-navigable stream, river or body of water, to acquire, purchase, construct, maintain and operate a bridge or bridges across any such navigable or non-navigable stream, river or body of water and to charge tolls for the use