

crippled or deformed child who is helpless and who cannot be benefited by treatment at the state hospital for crippled and deformed children, or any child who is physically helpless from any chronic disease of the nervous system or any child or adult suffering from such or other incurable chronic invalidism, may be admitted to the department for incurables in the institution in the discretion of and under such conditions as the director of social welfare shall determine.

*Sec. 2. This act shall take effect and be in force from and after January 1, 1954.*

Approved April 23, 1953.

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CHAPTER 679—H. F. No. 1518

[Coded]

*An act relating to the licensing of milk and cream buyers and testers; amending Laws 1949, Chapter 176, Section 4.*

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

Section 1. Laws 1949, Chapter 176, Section 4, is amended to read:

Sec. 4. [32.074] **Licensed dairy plant; licensed person to grade and test.** Every milk and cream buyer shall maintain at each licensed dairy plant where milk and cream is purchased, a licensed person to grade and test milk and cream.

*Any person gathering cream or milk and transporting it by bulk pickup and not in individual containers from farm to plant shall have a license to grade and sample such milk and cream.*

Approved April 23, 1953.

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CHAPTER 680—H. F. No. 1519

[Coded]

*An act relating to defamation by radio; amending Laws 1951, Chapter 532, Section 1.*

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

Section 1. Laws 1951, Chapter 532, is amended to read:

Section 1. [544.043] **Defamation by radio, defense.** *The owner, licensee or operator of a visual or sound radio broadcasting station or network of stations, or any agent or*

*employee of any such owner, licensee, or operator, is not liable for damages for any defamatory statement published or uttered in or as a part of a visual or sound radio broadcast, by any one other than such owner, licensee, or operator, or agent or employee thereof, if such owner, licensee, operator, or such agent or employee, shows that he has exercised due care to prevent the publication or utterance of the statement in that broadcast.*

*Sec. 2. Pending actions not affected. The provisions of this act shall not affect any action or proceeding now pending or which shall be commenced within six months after the passage thereof, in any of the courts of the state.*

Approved April 23, 1953.

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#### CHAPTER 681—H. F. No. 1640

*An act relating to retirement allowances of cities of the first class; amending Minnesota Statutes 1949, Section 422.05.*

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

Section 1. Minnesota Statutes 1949, Section 422.05, is amended to read:

**422.05 Classification of employees.** Employees of the city shall be divided into a contributing class, a non-contributing class, and an exempt class.

The contributing class shall consist of all employees not included in either of the other two classes, and shall be subdivided into present incumbents, employees in the service of the city at the date sections 422.01 to 422.23, becomes effective therein, who elect to become contributors to and prospective beneficiaries of the fund created by sections 422.01 to 422.23, and future entrants, employees who enter the service of the city subsequent to the date sections 422.01 to 422.23 becomes [become] effective therein.

Any employee in the service of any public corporation now or hereafter created in and for any two or more contiguous cities, the funds of which public corporation are in whole or in part raised by taxation on the property in such cities, may become a member of the contributing class by giving a written notice to the retirement board of his acceptance of and his desire to avail himself of the provisions of sections 422.01 to 422.23, within six months from the date of the passage of Laws 1945, Chapter 181, or of his employment, whichever is the later date.