

time of retirement, would provide, or the equivalent thereof; *provided that on and after August 1, 1955 nothing in this section shall prevent such association from paying an aggregate annuity and pension of up to \$2,400 in any one year to any teacher who retired or retires on or after July 31, 1948 if such teacher is entitled to such amount under the articles of incorporation and bylaws of such association now in effect.*

This enactment shall not affect the annuities or rights to annuities of any members of such association who, at the time of this enactment, are being paid annuities, or any members who now are, or, prior to July 31, 1948 will be eligible to retirement, and shall have retired prior to that date; and, at the time the association shall certify to the board of education in any year the amount necessary to be raised by taxation, it shall file with the clerk of the board an itemized statement of its assets and liabilities at the close of the fiscal year, and itemized statement of receipts and disbursements for the year, and a list of the annuities paid during the year; and all the records of such association shall be open to reasonable public inspection.

Approved April 22, 1955.

CHAPTER 723—H. F. No. 1645

[Not Coded]

An act relating to a classification, salary and tenure system for any county having not less than 550,000 inhabitants; amending Laws 1945, Chapter 607, Section 8, as amended.

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

Section 1. Laws 1945, Chapter 607, Section 8, as amended by Laws 1947, Chapter 455, Section 2, and by Laws 1951, Chapter 636, Section 5, is amended to read:

Sec. 8. **Continuance in employment.** Subdivision 1. Except as provided in subdivision 2, persons once employed in the classified service of any *department* continue in such employment without interruption for any cause until discharged, demoted in salary or position, or suspended. When the employing officer determines that any person employed in his department is not faithfully and efficiently performing the duties of his office to the best of his ability or up to the standards required of the position or is guilty of any *offense* hereinafter designated, or when he determines, with the consent of the commission, to permit a position to become or remain vacant, he may discharge or demote *that* person from such employment

by giving him a written notice of discharge or demotion, stating specific charges, and filing a copy thereof with the commission. Within ten days after receiving such notice *the employee may appeal to the commission which shall grant a hearing thereon. The commission shall hear such appeal upon ten days notice to the employing officer and the employee of the time and place of hearing. If the commission determines that the action of the employing officer is unreasonable or arbitrary, it shall reverse him and compel the reinstatement and retention of the employee. If it determines otherwise, it shall sustain the employing officer. The county auditor shall mail a copy of the determination to the employing officer and to the employee. Within 30 days after the date of mailing, either the employing officer or the employee may appeal from the determination to the district court by serving a notice of appeal upon the other and upon the county auditor as a summons is served in a civil action and filing the original notice, with proof of service, with the clerk of the court. Within ten days after such service upon him the county auditor shall file with the clerk of court, a certified copy of the charges and a transcript of the proceedings of the commission had thereon. Upon five days notice to the adverse party the court shall set a date for hearing the appeal. On that date the court shall hear and determine the matter de novo. The court may disregard those technicalities and matters of form which do not affect the substantial merits.* The action of such official or the commission shall not be reversed unless unreasonable or arbitrary. Any employee reinstated by the commission or other legal action shall be paid as though he had not been separated or demoted from such employment. An employing officer may suspend any employee for not more than 30 days in any year for disciplinary purposes. *This action is not subject to review. The following are causes for discharge:*

(a) Conviction of any criminal offense involving moral turpitude;

(b) Neglect of duty, insubordination, wilful violation or disobedience of the rules of the employing officer or the commission;

(c) Inefficiency in performing duties;

(d) Determination on the part of the department head, with the consent of the commission, to permit the position to become or remain vacant. When it is determined that *the position is to be re-filled*, such discharged employee *has the first right to be re-employed therein.*

Subd. 2. There is hereby excepted from the tenure pro-

visions of subdivision 1 the persons occupying the following positions:

(a) One chief deputy or principal assistant and one secretary for each of the offices of the county attorney, county auditor, clerk of district court, coroner, register of deeds, and county treasurer;

(b) The clerk and court reporter of the probate court;

(c) The chief deputy or *under sheriff*, chief criminal deputy and secretary of the office of sheriff;

(d) Extra and emergency help.

Approved April 22, 1955.

CHAPTER 724—H. F. No. 1661

[Coded]

An act relating to duties of commissioner of administration; relating to preservation of certain documents and appropriating money therefor.

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

Section 1. [16.66] **Preservation of documents.** The commissioner of administration shall acquire necessary machinery and equipment to provide for the effective preservation of documents by a process of lamination and shall provide an operator therefor who shall be in the classified service of the state under the state archivist.

Sec. 2. [16.67] **Documents treated for preservation.** Upon request made by any department head of a state agency, or by the governing body of any governmental subdivision of the state, the commissioner of administration shall treat any document for preservation by lamination.

Sec. 3. [16.68] **Fee Schedule.** The commissioner of administration shall determine and publish a fee schedule to be charged the department or agency or governmental subdivision for the service of documentary preservation authorized by this act. The schedule shall be reasonably calculated to provide the service at cost to public agencies.

Sec. 4. [16.69] **Privately-owned documents preserved.** Any privately-owned document may be laminated by the commissioner of administration upon payment of the fees specified therefor in regulations at the same rate as public documents,