

Section 1. **Koochiching county; vacation of streets.** In any plat of land outside of the boundaries of any city or village in the county of Koochiching the county board of Koochiching county may by resolution vacate any street, alley, public grounds, or any part thereof in said plat on petition of a majority of the owners of land abutting on the street, alley, public grounds or part thereof to be vacated. No such vacation shall be made unless it appears for the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. After a resolution of vacation is adopted, the county auditor shall prepare and present to the proper county officers a notice of completion of the proceedings in accordance with Minnesota Statutes, Section 117.19.

Sec. 2. This act shall become effective only after its approval by a majority of the board of county commissioners of the county of Koochiching and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 26, 1963.

CHAPTER 374—S. F. No. 1436

An act relating to retirement allowances for employees of cities of the first class; amending Minnesota Statutes 1961, Sections 422.05, 422.07, 422.09 and 422.10.

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

Section 1. Minnesota Statutes 1961, Section 422.05 is amended to read:

422.05 Cities of the first class; 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 encumbents, employees in the service of the city at the date this chapter becomes effective therein, who elect to become contributors to and prospective beneficiaries of the fund created by this chapter, and future entrants, employees who enter the service of the city subsequent to the date this chapter becomes 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

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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 this chapter, within six months from the date of the passage of Laws 1945, Chapter 181, or of his employment, whichever is the later date.

The non-contributing class shall consist of all employees, including common laborers, whose individual pay or compensations do not exceed \$750 per annum; provided, that when the compensation of an employee who is paid on a monthly basis equals or exceeds \$62.50 per month on a 12-month basis, such employee shall be classified as a contributor and shall from and after such time contribute to the fund and assume all the obligations imposed upon and be entitled to all the benefits conferred upon members of the contributing class, specifically set forth in this chapter.

From and after the end of the calendar year in which the average annual compensation of an employee who is paid on a day basis equals or exceeds \$750 per calendar year during his period of service with the city, such employee from and after such date shall be classified as a contributor and shall assume all the obligations imposed upon and be entitled to all the benefits conferred upon members of the contributing class, as specifically set forth in this chapter.

Any employee in the non-contributing class may, upon written application filed with the retirement board prior to attaining the age of 50 years, elect to become a member of the contributing class, and shall then assume all the obligations imposed upon and be entitled to all the benefits conferred upon members of the contributing class, as specifically set forth in this chapter.

The exempt class shall consist of:

(1) Employees who are members of an organization or association of such city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position. Provided that any elective officer holding an elective position, as those terms are defined herein, *including judges of a municipal court*, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ~~20~~ 15 or more years of service. All retirement allowances shall be computed and determined as pro-

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vided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee, as in this act defined, or member of an executive board or commission or any combination thereof. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service under this section shall contribute to the fund herein provided for an amount which shall be equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since January 1, 1922, or date of election or employment, whichever is later, in accordance with the method of contribution herein provided for, plus four percent compound interest.

Any pension due and payable to an elective officer who claims credit for service as a member of an executive board or commission shall not exceed \$200 per month computed under the single life plan but subject to the option selections provided for in Section 422.08;

(3) Persons serving without pay;

(4) Persons serving on executive boards. Provided that any person serving on an executive board or commission shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance which shall be granted only upon completion of 20 or more years of service.

All retirement allowances shall be computed, determined and paid for in the same manner as for employees, as provided herein, except that in determining the number of years of service, credit shall be given for time served as a member of an executive board or commission, employee, or elective officer, or any combination thereof.

Before receiving this retirement allowance, or any other benefit, the person who claims credit for service under this section shall contribute to the fund an amount which shall be equal to the amount of contributions to the fund which would have been made had he been a contributor to the fund since January 1, 1922, or date of becoming a member of an executive board or commission or elective officer or employee whichever is later, in accordance with the method of contribution in this chapter provided, plus four percent compound interest.

Said service shall include periods of service at different times and service for one or more executive boards or commissions, but periods of separation from the service shall not be included.

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Any pension due and payable to any person who claims credit for service as a member of an executive board or commission shall not exceed \$100 per month computed under the single life plan but subject to the option selections provided for in Section 422.08.

(5) *Nurses, ~~Pupil~~ pupil nurses, internes and staff physicians employed at the city hospitals; provided that any nurse employed by the city at a city hospital who is not otherwise prohibited from membership may make application to become a contributing member of the fund, such application to be final and irrevocable, and thereafter the provisions of this chapter shall fully apply to said nurse upon the contribution to the fund by said nurse of six percent of all salaries, wages or other compensation paid to him or her by the city from the date of his or her original employment by the city as a nurse to the date said application is made plus the further payment to the fund by said nurse of interest compounded annually at four percent on such delayed contribution. Provided that the provisions of this subsection shall not apply to nurses who are presently contributing members of the fund.*

(6) Employees in the service of the city at the time this chapter is adopted, who, after such adoption, have not given written notice of a desire to accept the provisions of this chapter;

(7) Persons not citizens of the United States;

(8a) Persons employed after July 1, 1959, who have attained the age of 56, unless such person was previously employed by the city or any of its boards, departments or commissions or by a public corporation whose employees are members of or eligible to be members of a fund operating under the provisions of Chapter 422, Minnesota Statutes, and was a contributing member of the fund at the time of separation from the service, and unless the service rendered by such employee after July 1, 1959 when added to the service rendered by the employee prior to July 1, 1959 will equal or exceed 10 years, as determined by the retirement board, regardless of the provisions of the veterans preference act or any law, rule or by-law to the contrary.

(8b) Persons employed after July 1, 1959 on a temporary basis, including persons employed on permits issued by a Civil Service Commission; doorkeepers, ticket takers, and attendants at a municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31, inclusive, provided that employees who are contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

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(8c) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation, as herein outlined, and is excluded from participation in the fund by Section 422.05-8a, 8b shall be separated from the service upon reaching the age of 65 regardless of the provision of the veterans preference act.

(9) Employees of a public corporation now or hereafter created in and for two or more contiguous cities of the first class, who do not within six months from the date of the passage of Laws 1945, Chapter 181, or the date when they enter the service of said corporation, whichever is later, give written notice to the retirement board of the acceptance of and desire to avail themselves of the provisions of this chapter. Any such employee who failed to give notice to the retirement board within the six months here required may by written application to the retirement board made within 60 days after the passage of Laws 1953, Chapter 681, become a contributing member of the retirement fund.

Any employee who makes an application as herein provided shall receive credit for service in such public corporation only upon contribution to the retirement fund of the amount which would have been contributed to such fund at the required percentage rate, plus four percent compound interest, had such application been made within the time prescribed by Laws 1945, Chapter 181, and only upon approval of the governing board or commission of such public corporation.

Sec. 2. Minnesota Statutes 1961, Section 422.07 is amended to read:

422.07 Disability allowances. Upon the application of the head of the department in which a contributing employee is employed, or upon the application of the contributing employee or of one acting in his behalf, the retirement board shall retire the contributor for disability; provided the medical board, after a medical examination of the contributor made at the place of residence of the contributor or at a place mutually agreed upon, shall certify to the retirement board that the contributor is physically or mentally incapacitated for the performance of further service to the city and that the contributor ought to be retired.

Disability of an employee resulting from injury received in the performance of the duties of the city service shall be defined as accident disability. Disability incurred as a result of injury not connected with the performance of such service shall be defined as ordinary disability. In order to be entitled to a retirement allowance for ordinary disability an employee shall have rendered ten or more years of service to the city.

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The ordinary disability allowance shall be the actuarial equivalent at the age when the employee retires on such disability allowance of the net amount to which the contributions already made by the employee and the credits allowed or contributions already made by the city on his behalf would accumulate if allowed to remain at four percent compound interest until the earliest permissible date for retirement on a service allowance.

The accident disability allowance shall equal the actuarial equivalent at the age when an employee retires on such disability allowance of the net amount which would be accumulated to the credit of the employee if his annual contributions at the time of disability and the annual credits or contributions of the city were continued to the earliest permissible date for retirement on a service allowance, interest for such period being calculated at four percent compound interest.

Payment of any disability allowance shall continue throughout the full period of the disability subject to the same optional selections as are provided for service allowances; provided that when a disability beneficiary shall have attained the minimum age for retirement on a service allowance the disability allowance shall be discontinued only as provided by the terms of the option selected.

Any employee eligible to an accident disability allowance who is also entitled to an allowance under a workmen's compensation act shall be entitled to receive during the period of such compensation only that portion of the retirement allowance provided by this chapter by which such retirement allowance exceeds the workmen's compensation.

Once each year the retirement board may require any disability beneficiary while still under the established age for retirement to undergo medical examination by a physician or physicians designated by the retirement board, the examination to be made at the place of residence of the beneficiary or other place mutually agreed upon. Should the medical board report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty, his allowance shall be discontinued and the head of the department in which said beneficiary was employed at the time of his retirement shall, upon notification by the retirement board of such report of the medical board, reemploy the beneficiary at a rate of salary not less than the amount of his retirement allowance, but after the expiration of five years subsequent to the retirement of such beneficiary his restoration to duty, notwithstanding the recommendation of the medical board, shall be optional with the head of the department.

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

Upon application of any beneficiary under the established age for retirement drawing a pension or a retirement allowance under the provisions of this chapter, approved by the retirement board, the beneficiary may be restored to active service by the head of the department in which the beneficiary was employed ~~at~~ at the time of his retirement. Upon the restoration of a beneficiary to active service his retirement allowance shall cease.

The medical board shall consist of the city physician, a physician to be selected by the retirement board, and a physician to be selected by the employeec.

Should any disability beneficiary while under the established age of retirement on a service pension, resume a gainful occupation and his earnings are less than his salary or wages at the date the disability allowance became effective, the board shall continue paying the disability allowance in an amount which when added to his earnings does not exceed his salary or wages at the date the disability allowance became effective or the salary currently paid for similar positions, whichever is lower.

The board shall establish rules and regulations for the determination of earnings.

Sec. 3. Minnesota Statutes, Section 422.09 is amended to read:

422.09 Refunds.

If an employee to whom this chapter applies becomes absolutely separated from the service prior to attaining the minimum retirement age established in section 422.04, the net accumulated amount of reduction from his or her salary, pay, or compensation, made for the purpose of accumulating a fund from which to pay retirement allowances, shall be returned to such employee, with interest.

Any contributing employee who is absolutely separated from the service of the city after attaining the minimum retirement age established in section 422.04, who has five years or less of creditable service, as determined by the retirement board, shall have the option of accepting a refund of the net accumulated amount of deductions

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from his or her salary, pay or compensation, to his or her credit, and if said employee accepts said refund all present and future rights to a retirement allowance shall be forfeited.

Any contributing employee who separates from a department, board or commission of a city whose employees are covered by a fund organized under this chapter, and becomes an employee of a department or board of the same city, whose employees are covered by a retirement fund or relief association by whatever name known, organized under any other law and supported in whole or in part by taxes on the same city, shall have the option of:

1. Retaining their membership in the fund organized under this chapter, regardless of the provisions of any law, rule, bylaw or other action requiring membership in any other retirement fund or relief association however organized.

2. Transferring to the fund or association covering the employees of the department or board to which they are transferring, providing they are eligible for membership therein.

Any contributing employee who elects to transfer to another fund or association as herein provided, shall make such election within one year from the date of separation from the city service covered by this fund or the passage of this section, whichever applies.

If the contributing employee elects to transfer to another fund as herein provided, a refund of the net accumulated contributions made by such employee to the fund organized under this chapter, shall be returned to the employee, with interest.

Any employee in any city to which this act applies shall waive the pension benefits under this act while holding non-elective employment in any other governmental subdivision for which they receive compensation, provided that this provision shall not apply to any person so employed at the time this act takes effect.

No employee in any city to which this act applies shall be eligible to be a member of or receive benefits from more than one fund or association of such city by whatever name known, supported in whole or in part by taxes levied by such city.

Upon the death of a contributing member while still in the service of the city, and before reaching the compulsory age of retirement, there shall be paid to such person or persons as he or she shall have nominated by written designation filed with the retirement board, in such form as the retirement board shall require, the net accumulated amount of deductions from his or her salary, pay, or compensation, to his or her credit on date of death.

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If the employee fails to make a designation, or if the person or persons designated by such employee pre-deceases such employee, the net accumulated amount of deductions from his or her salary, pay, or compensation, to the credit of such employee on date of death shall be paid to such employee's estate.

If a contributing member dies after having been in the service ten or more years, and before actual retirement, as determined by the retirement board, the present worth of the city's annual installments of \$60 then to the credit of the contributing member, and the supplementary allowance, as defined in this act, shall be paid to a beneficiary designated by such contributing member in such form as the retirement board shall require, who shall be the surviving spouse, or surviving *child, or children of such member, if there be no surviving* spouse, or surviving child or children then to a person actually dependent on and receiving principal support from such member or surviving mother or father, or surviving brother or sister, or surviving children of the deceased brother or sister of such member.

If the beneficiary designated by the member is not one of the class of persons named in the preceding sentence, such benefit from the accumulation of city deposits shall be paid in the following order: (1) to the surviving spouse, the whole thereof; (2) if there be no surviving spouse, to the surviving children, share and share alike; (3) if there be no surviving spouse or child or children, to the dependent or dependents, as those terms are herein defined, of the member, share and share alike; (4) if there be no surviving spouse, child or children, or dependents, to the surviving mother and father, share and share alike; (5) *If there be no surviving mother and father, to the surviving* brothers and sisters of the member, in equal shares; (6) and if there be no surviving brothers and sisters, to the surviving children of the deceased brothers and sisters of the member, in equal shares; (7) and if there is no person named in the preceding sentence who survives the member, the accumulation of city deposits shall be cancelled.

Upon the death of a contributing member after having been in the city service not less than 18 months but before the effective date of retirement, such board shall in lieu of the settlement hereinbefore provided pay to the surviving dependent spouse and/or dependent children under the age of 18 the following monthly benefit:

- (a) Surviving widow or widower \$65 per month.
- (b) Each dependent child \$45 per month.

In addition to the amounts provided in (a) and (b) hereof, \$20 per month shall be paid to be divided equally among the dependent children. Payments for the benefit of any dependent child under the

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age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed \$200 for any one family.

The widow of a deceased member, who has not re-married and was living with and dependent upon the member at the time of his death, shall be entitled to the monthly benefit herein provided unless such widow has an income in excess of \$1400 for a 12-month period commencing with the first day of the month following the month in which the employee died, in which case all income in excess of \$1400 for the previous 12-month period shall be prorated over the succeeding 12-month period and deducted from the surviving spouse benefit herein provided. This process shall be continued for each succeeding 12-month period.

The widower of a deceased member, if such widower has not re-married and was living with the deceased member at the time of her death, and was receiving at least one-half of his support from the deceased member at the time of her death and has attained the age of 65 or is totally and permanently disabled, shall be entitled to the monthly benefit herein provided.

Benefits herein provided shall commence with the first day of the month following the month in which the employee dies and shall end with the last day of the month preceding the month in which eligibility ceases.

Eligibility for the benefits herein provided shall be determined by the retirement board and its determination shall be final. Each beneficiary or parent or guardian of a dependent child or legal representative shall furnish such information as the board may deem necessary to determine eligibility for the benefits provided by this section, and failure to furnish such information shall be sufficient grounds for the discontinuance of such benefits.

If the widow or widower of the deceased member becomes entitled to a retirement allowance by reason of his or her membership in this fund, such widow or widower's benefit shall be discontinued.

The cost of all monthly survivor's benefits provided in this section shall be an obligation of the members and of the city and any of its boards, departments, commissions or public corporations as hereinafter provided.

The retirement board shall increase the contribution rate to the fund of each member provided by one-fourth of one percent, such additional contribution to be credited to a reserve for survivor's benefit account, which shall remain a separate account from which

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shall be paid on an actuarial basis all such survivor benefits due and payable. Any deficiency in such account shall be an obligation of the city and any of its board, departments, commissions or public corporations and shall be paid for in the same manner as other benefits. Any surplus in the survivor's account shall inure to the credit of the retirement fund.

The retirement board shall cause an annual actuarial valuation of the survivor's benefit account to be made by the board's actuary.

The retirement board shall reduce or increase the contribution rate of one-fourth of one percent if and when it is actuarially determined that such rate is in excess of or less than the amount necessary to pay for 50 percent of the cost of the survivor benefits herein provided.

The additional member contribution provided for herein shall commence as of July 1, 1959.

If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance under the option 4-five year certain life income plan of retirement, as adopted by the board, to the designated beneficiary of such employee, providing such employee prior to the date of his death filed a written request therefor with the board on forms provided by such board. The monthly allowance herein provided for shall be the actuarial equivalent of a single life retirement allowance which would have been payable to the employee on the date of his death had he been eligible to retire and retired.

The beneficiary designated by the employee shall be the surviving spouse of such employee. If there is no surviving spouse, the designated beneficiary may be a dependent surviving child or dependent parent of such employee as dependency is defined in this chapter. If the beneficiary designated by the employee is not of the class of persons provided for in this paragraph, or if the designated beneficiary predeceases the employee, a refund shall be made as provided for in section 422.09, in lieu of a life income under the option 4-five year certain plan.

If the employee does not elect to designate a beneficiary to receive a life income under the option 4-five year certain plan, as herein provided, the designated beneficiary, if of the class of persons set forth in the preceding paragraph, may elect within 60 days after the date of death of the employee to receive a life income computed and determined as though the employee had retired on the date of his death

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under the option 2 plan of retirement, as provided for in this act, and had designated such person as his beneficiary.

If any employee who has contributed to the survivor's benefit account as herein provided dies before the effective date of retirement on a service or disability pension and is not survived by a beneficiary eligible to receive a monthly allowance as herein provided, there shall be paid from the survivor's benefit account to a beneficiary designated by the employee a death benefit of \$500 if death occurs prior to the end of the employee's tenth year of service or of \$1000 if the employee had prior to his death completed 10 or more calendar years of service.

Upon reinstatement of a former employee to the service, credit for such past service or for any part thereof shall be granted only upon repayment of the amount of the separation refund, with interest, from the time of separation; provided this provision shall not apply to service rendered prior to the date that sections 422.01 to 422.23 become effective.

Sec. 4. Minnesota Statutes 1961, Section 422.10 is amended to read:

422.10 Salary deductions.

Beginning on the first day of July 1961 1963, and thereafter throughout the period of employment, there shall be deducted and withheld from the basic salary, pay or compensation of each employee in the contributing class, five six percent of such salary, pay, or compensation, except as hereinafter provided.

~~Employees who are members of and contributing to the retirement fund on the first day of July, 1951, and who at said time are contributing to said fund at a rate of less than five percent, may continue to contribute at said lesser rate. Any such employee may make an application in writing to the retirement board for permission to have the lesser rate of contribution increased to five percent. Such application, when accepted, shall be final and irrevocable.~~

The retirement board is authorized to increase the percentage rate of contribution to the retirement fund of any employee or employees for the purpose of establishing and maintaining on an actuarial basis a plan of insurance, survivor's benefits, or other type of benefit or benefits, the cost of which shall be paid out of such extra percentage so authorized and deducted from the employee's compensation, except as hereinafter provided.

Any plan or plans so established and placed in operation may be amended from time to time, or may be abandoned, but if

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abandoned, any surplus remaining from the operation of a plan shall be the property of the fund, and shall be credited to the reserve for loss in investment account.

Any employee who engages in or has engaged in active service in time of war or other emergency declared by proper authority, in any of the military or naval forces of the state or of the United States, shall receive credit for such period of military service as hereinafter provided as though actually employed by such city, provided such employee was a member of the contributing class of the retirement fund at the time of entrance into military service, notwithstanding the provisions of the Veterans Preference Act and/or any other law, rule or by-law providing for credit for military service for pension purposes.

(1) Any contributing member of the fund who was employed by the city at the time of entrance into military service during World War I and who returned to the employment of the city within 90 days following release from such military service, shall receive credit for such military service as though actually employed by the city during such military service but in no case shall credit for such military service exceed 4 years. Credit for World War I service shall be granted as provided herein regardless of whether the employee was a member of the contributing class at the time of entrance into such service.

(2) Credit shall be granted for military service subsequent to January 1, 1922 but prior to July 1, 1959, providing the provisions of this section are complied with.

(3) Credit shall be granted for military service rendered subsequent to July 1, 1959 provided such credit shall not exceed 6 calendar years.

(4) No credit shall be granted for military service rendered subsequent to July 1, 1959 if the military service credit for service prior to July 1, 1959 equals or exceeds 6 calendar years.

(5) If the military service credit for service prior to July 1, 1959 is less than 6 calendar years, credit for service subsequent to July 1, 1959 shall be added to such prior service, but in no case shall such combined service exceed 6 calendar years.

Employees of a public corporation, as defined in subdivision 19, Section 422.01, who were in military service prior to the enactment of Laws 1945, Chapter 181, and who returned to the service of such public corporation and subsequently became members of the contributing class of the retirement fund, shall receive credit for

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such period of military service as though actually employed by such public corporation during such period of military service.

Employees on leave of absence or lay-off at time of entrance into military service as herein provided shall be considered employees for the purpose of this chapter.

Any employee who was a member of the contributing class of the fund at the time of his entrance into military service and who resigned from the service of the city and received a refund of his personal contribution to the fund and who is reemployed by the city and again becomes a contributing member of the fund shall receive credit for such military service as provided by this section upon repaying to the fund the amount of said refund plus interest thereon at four percent compounded annually until fully paid and the further payment to the fund without interest of the amount his contribution would have totaled had he continued as a contributing member of the fund during the period of such military service. No contribution shall be made by the city to the credit of such employee's account for the period of such military service.

The retirement board shall determine and compute the amount of the contributions which said employee would have made to such fund if his employment had not been interrupted by such military service. The amount so determined and computed by the retirement board shall constitute an obligation of and be paid by the city or public corporation, and shall be credited to the contribution account of such employee. In determining the amount of contributions that the employee would have made if he had not entered military service, consideration shall be given to the employment service of employees who did not enter military service with like classification, seniority rights, length of service, and other factors determining probable time of employment.

In the event that such employee becomes separated from the service, except by retirement or death, prior to the expiration of five years subsequent to the date on which he was reinstated as an employee, such contribution may not be withdrawn by said employee, but shall be canceled and credited to the reserve for annuities account of this fund. If an employee returns to the service after being separated as provided herein, credit shall be granted upon payment of the separation refund required by section 422.09. In determining the five year period, there shall be included only time of actual employment.

Every employee to whom this chapter applies who shall continue in the service after the passage of Laws 1919, Chapter 522, as well as every person to whom this chapter applies who may hereafter be appointed to a position or place, shall be deemed to

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consent and agree to the deductions made and provided for herein, and payment with such reductions, for service, shall be a full and complete discharge and acquittance of all claims and demands for all services rendered by such person during the period covered by such payment; **except his claim to the benefits to which he may be entitled under the provisions of this chapter.**

Any employee who becomes entitled to a retirement allowance and who retires without having paid into the retirement fund the full amount required by this chapter shall have the option of electing to receive such allowance on the basis of the actuarial equivalent of the net balance of debts and credits to his account at the time, or on the basis of the actuarial equivalent of the total credits at date of retirement, initial and successive instalments of the allowance to be applied on any indebtedness of such employee to the retirement fund until such indebtedness is paid, any instalments so credited to be treated as if actually paid to the annuitant entitled to such allowance.

Subject to such terms and conditions and to such rules and regulations as the retirement board may adopt, any contributor from time to time may:

(1) Increase or decrease his rate of contribution to the retirement fund, but in no event shall the contribution be less than the minimum contribution specified in the provisions of this chapter.

(2) Withdraw from his individual account in the retirement fund the amount in excess of the minimum accumulation resulting from the deductions specified in the provisions of this chapter.

Approved April 26, 1963.

CHAPTER 375—S. F. No. 1464

[Not Coded]

An act authorizing the conveyance by the state of certain lands in Becker county.

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

Section 1. State land conveyance in Becker county. The governor, upon recommendation of the commissioner of conservation, shall transfer and convey by quitclaim deed, in such form as the attorney general approves, in the name of the state of Minnesota, to the buyer for such consideration or terms as agreed upon, the

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