

Subd. 4. The unexpended balances on June 30, 1961, shall not cancel but shall be available for expenditure during the ensuing biennium.

Sec. 2. This act is in effect from and after its final enactment.

Approved May 22, 1961.

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## EXTRA SESSION

### CHAPTER 25—S. F. No. 1

*An act relating to retirement of judges of probate court and providing compensation; and amending Minnesota Statutes 1957, Section 490.12.*

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

Section 1. Minnesota Statutes 1957, Section 490.12 is amended to read:

**490.12 Half pay. Subdivision 1. Retirement under section 490.11.** When a probate judge shall be retired under the provisions of section 490.11, he shall receive the compensation allotted to his office for the remainder of his term; *or* ~~Thereafter~~, if then past ~~70~~ 65 years of age, having served as such judge, or as such judge and as judge of a court of record, or as such judge and a referee in probate, ~~continually~~ for ~~25~~ 24 years, or more, ~~or, if then past 60 years of age, having served as such judge continuously for 26 years or more,~~ he shall receive one-half of the compensation allotted to his office at the time of such retirement for the remainder of his life, to be paid at the time and in the manner provided by law.

**Subd. 2. Voluntary retirement.** ~~After~~ *When* a probate judge has attained the age of 70 years or more and has served as such judge, or as such judge and as judge of a court of record, or as such judge and as referee in probate, ~~continuously~~ for ~~25~~ 20 years or more, *or when a probate judge has attained the age of 65 years or more and has served as such judge or as such judge and as judge of a court of record or as such judge and as referee in probate for 24 years or more,* he may voluntarily retire ~~at the end of his term of office,~~ *even though he is not physically or mentally incapacitated from performing the duties of his* ~~from office,~~ and after he

**Changes or additions indicated by italics, deletions by strikeout.**

has so retired he shall receive one-half of the compensation allotted to his office at the time of such retirement for the remainder of his life, to be paid at the time and in the manner provided by law for the payment of salaries of probate judges.

**Subd. 3. Service not continuous.** In computing the period of service of any probate judge for retirement purposes he shall receive credit for all periods of time served in the armed forces of the United States during any period when the United States was at war. Such period of service as a probate judge need not be continuous.

**Subd. 4. Limitations.** *In no event shall the total retirement pension to a probate judge exceed the retirement pension provided by law for district judges of the county in which the probate judge held office.*

**Subd. 5. Membership in other retirement pension funds.** *The probate judges retirement pension as provided herein shall be reduced by the full amount of any retirement pension other than is herein provided received by a probate judge from the state, any political subdivision, or public employees retirement association. In the event the probate judge withdraws from any retirement pension fund other than as herein provided prior to his retirement as a probate judge, the amount contributed by the state or any political subdivision shall be computed and deducted from the probate judge's retirement over a five-year period commencing upon the date of such judge's retirement.*

Approved May 23, 1961.

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EXTRA SESSION  
CHAPTER 26—H.F. No. 92

[Not Coded]

*An act relating to the village of South International Falls; authorizing the sale of certain commodities in "on sale" liquor establishments.*

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

**Section 1. South International Falls, village of; liquor stores.** The governing body of the village of South Interna-

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**