

sation for his services as such elective officer any sum or sums in excess of \$3,000 per annum, shall be entitled to retire upon the completion of 20 years of service, *as hereinafter provided*, on a service allowance. *All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee or a combination of both, as in this act defined.* Before receiving this retirement allowance any officer or any employee who claims credit for service as an elective officer shall contribute to the fund herein provided for an amount which shall be equal to the amount of contributions to the fund which the elective officer or employee 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 per cent compound interest;

(3) Persons serving without pay;

(4) Persons serving on executive boards;

(5) Pupil nurses, internes and staff physicians employed at the city hospitals;

(6) Employees in the service of the city at the time sections 422.01 to 422.23 are adopted, who, after such adoption, have not given written notice of a desire to accept the provisions of sections 422.01 to 422.23;

(7) Persons not citizens of the United States;

(8) 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 their acceptance of and desire to avail themselves of the provisions of sections 422.01 to 422.23.

Approved March 13, 1947.

CHAPTER 86—S. F. No. 453

An act relating to the payment of retirement allowances to employees of cities of the first class, amending Minnesota Statutes 1945, Section 422.10.

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

Section 1. That Minnesota Statutes 1945, Section 422.10, is hereby amended to read as follows:

422.10. **Deductions from pay; amounts.** Beginning on the first day of the year next succeeding that in which sections 422.01 to 422.23 become effective in any city, 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, except as hereinafter provided, the following percentage of such salary, pay, or compensation.

Employees who enter the service at 20 years of age or younger, three per cent of salary, pay, or compensation; employees who enter the service at 45 years of age or older, eight per cent of salary, pay, or compensation; employees who enter the service after the age of 20 and prior to age 45, a percentage of salary, pay, or compensation, which shall be equal to three per cent, plus as many times two-tenths of one per cent as the age of the employee exceeds 20 at the time service begins.

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 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. 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 the act.*

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, 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 city service, and other factors determining probable time of employment.*

In the event that such employee becomes separated from the service of the city, except by retirement or death, prior to the expiration of five years subsequent to the date on which he was reinstated as an employee of the city, such contribution may not be withdrawn by said employee, but shall be cancelled and credited to the reserve for annuities account of this fund. *If an employee returns to the service of the city 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 by the city.*

Every employee to whom sections 422.01 to 422.23 apply who shall continue in the service after the passage of sections 422.01 to 422.23, as well as every person to whom sections 422.01 to 422.23 applied who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein, and payment with such deductions, 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 sections 422.01 to 422.23.

Any employee who becomes entitled to a retirement allowance and who retires without having paid into the retirement fund the full amount required by sections 422.01 to 422.23 shall have the option of electing to receive such allowance on the basis of the actuarial equivalent of the net balance of debits 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.

No employee shall be required to contribute to the retirement fund for a period in excess of 30 years; all contributions made thereafter to this fund shall be voluntary.

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 sections 422.01 to 422.23.

(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 section 422.01 to 422.23.

(3) Withdraw, after having become eligible for service retirement, such part of his net accumulated contributions as shall be in excess of the amount necessary to procure the minimum annuity to which he would be entitled at the expiration of 30 years of service.

Approved March 13, 1947.

CHAPTER 87—H. F. No. 69

An act relating to intoxicating liquors, and amending Minnesota Statutes 1945, Section 340.73, Subdivision 1, and Section 340.82.

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

Section 1. Minnesota Statutes 1945, Section 340.73, Subdivision 1, is amended to read as follows:

340.73. **Persons to whom sales are illegal.** Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any minor person, or to any pupil or student of any school or other educational institution in this state, or to any intoxicated person, or to any person of Indian blood *who has not adopted the language, customs, and habits of civilization*, or to any public prostitute.

Sec. 2. Minnesota Statutes 1945, Section 340.82, is amended to read as follows:

340.82. **Sale to Indians.** Whoever sells or in any way furnishes liquor to any person of Indian blood, except as hereinbefore provided is guilty of a felony, and shall be punished by imprisonment in the state prison for not more than two years; and a fine of not more than \$300.

Approved March 13, 1947.