

1944 Supplement
To
Mason's Minnesota Statutes, 1927
and
Mason's 1940 Supplement

Containing the text of the acts of the 1941 and 1943 Sessions of the Legislature, both new and amendatory, and notes showing repeals, together with annotations from the various courts, state and federal, and the opinions of the Attorney General, construing the constitution, statutes, charters and court rules of Minnesota together with Law Review Articles and digest of all common law decisions.

Edited by
the
Publisher's
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SAINT PAUL 1, MINNESOTA

1944

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251-33. Revisor shall complete annotations.—The revisor shall complete the preparation of annotations of the constitution and statutes in force at the close of the 1943 session of the Legislature, and the same

shall be printed and sold or otherwise distributed as now provided by law. (Act Apr. 20, 1943, c. 545, §4.) [482.047]

CHAPTER 5A

Salaries of Certain State Officers and Employees

252. Amount—Payment * * * * *

1. Office of Governor

Effective July 1, 1945, Governor, \$8,500; private secretary, \$5,000; executive clerk, \$3,000; recording clerk, who shall be also clerk of the pardon board, \$2,000; executive messenger, \$2,000; assistant executive messenger, \$1,200; notary clerk and stenographer, \$1,800. (As amended Apr. 24, 1943, c. 664, §1.)

2 to 21. * * * * *

22. District Court Judges

The judges of the District court, six thousand dollars each from the state and fifteen hundred dollars additional, payable monthly from each county in their respective districts having a population of seventy-five thousand or more and three hundred dollars additional in each judicial district having an area of more than fifteen thousand square miles, payable monthly from the counties comprising such judicial district in

such proportion as the assessed valuation of each county bears to the total assessed valuation of such judicial district in the preceding year; provided, however, that whenever any district judge shall preside upon the trial or hearing of any cause outside of his resident judicial district, wherein the district judge receives a larger salary, he shall receive as additional compensation during the period of such trial or hearing the difference between his fixed compensation and the compensation of the district judge of the district where he has been so engaged, the same to be paid by the county wherein said trial or hearing was held upon certification of the senior resident district judge thereof. (As amended Act Apr. 10, 1941, c. 195, §1.)

(22). District court judges.

Judge is not entitled to receive additional compensation during period of time when he may be traveling from his home to district where he is actually to hold court or conduct a hearing, and correct per diem is to be determined by dividing monthly salary by number of days in month. Op. Atty. Gen. (141d-6), July 29, 1941.

CHAPTER 5B

Public Officers and Employees in General

STATE EMPLOYEES' RETIREMENT ASSOCIATION

254-1. Definitions.—Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases shall, for the purposes of this act, be given the meaning subjoined to them.

Subd. 2. Definitions.—(1) "State employee" means any person holding a state office or regularly employed by the state in any capacity whatever and whose salary is paid either by warrant of the state auditor or from the fees or income of any department or agency of the state, excepting elective state officers, court commissioners, district judges; physicians, dentists, clergymen and other professional people whose employment by the state is incidental to their regular professional duties and whose compensation is paid on a per diem basis; the members of the board of tax appeals, the civil service board, and the members of any other state board or commission who serve the state intermittently and are paid on a per diem basis; and the president, deans, professors, and instructors in the state university and in the state teachers' colleges, and teachers in state institutions who are eligible to membership in the teachers' retirement fund, but shall not include students who secure employment with the state or a state institution incidental to and in furtherance of their education. Temporary employees as defined by the civil service act shall not be eligible to membership, but probationers thereunder and temporary employees in the unclassified service shall become members at the expiration of six months continuous employment, and deductions shall be made from the salaries of such employees beginning on the first day of the calendar month following the completion of six months continuous employment. Permanent employees in the unclassified service shall become members upon acceptance of state employment, and temporary employees in the unclassified service and

all employees in the classified service shall become members on the first day of the calendar month following the completion of six months continuous employment regardless of the classification by any department, commission, or agency of the state. Any former employee who has made contributions under former employment who has not taken a refundment from the retirement fund shall become a member immediately upon returning to the state service, regardless of his classification as temporary, provisional or probationary by any department, commission, or agency of the state, and salary deductions shall be made according to the age at the time of again becoming a state employee. Permanent seasonal employees in either the classified or unclassified service shall in no event be considered temporary employees.

(2) Employees of the department of education who are eligible to membership in the Teachers' Retirement Fund shall have the option of electing whether to be a member of the State Employees' Retirement Association or the Teachers' Retirement Fund. (As amended Apr. 23, 1941, c. 391; §1, Apr. 24, 1943, c. 622, §1.)

Subd. 3. "Head of Department" shall mean the head of any department, institution, or branch of the state service which directly pay salaries out of its income or which prepares, approves and submits salary abstracts of its employees to the state auditor and state treasurer.

Subd. 4. "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a member, and the total amount of assessments paid by a member in lieu of such deductions prior to July 1, 1939, and credited to his individual account in the retirement fund, without interest.

Subd. 5. "The Retirement Fund" shall mean and include the aggregate of all accumulated deductions