

shall be an amortized loan, and incident thereto may credit on the debt the withdrawal value of mortgage loan shares or accounts pledged as security for the real estate loan.

Approved April 17, 1947.

CHAPTER 398—S. F. No. 72

An act relating to the Minnesota state teachers retirement fund law; amending Minnesota Statutes 1945, Section 135.05, and providing for additional levies by the state auditor for the purposes of the act.

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

Section 1. Minnesota Statutes 1945, Section 135.05, is amended to read as follows:

135.05. Members of fund. Subdivision 1. Members. Members of the fund shall include all teachers who render any teaching service after August 1, 1931, in any of the schools or institutions to which sections 135.01 to 135.15 apply, except:

(1) Those who at the time of rendering such service have not attained the age of 25 years; but any such teacher who renders any teaching service after September first after attaining *that* age shall automatically become a member, any such teacher who has not attained *that* age shall be admitted as a member upon written application to the board, *and* any member of the fund who rendered teaching service before attaining the age of 25 years and who has not received credit therefor may, upon written application, receive credit for such service and may pay into the fund five per cent of the annual salary received during such service, with interest at four per cent per annum from the time of rendering such service;

(2) Those who have rendered teaching service prior to August 1, 1931, in any of the schools or institutions to which sections 135.01 to 135.15 apply, but any such teacher shall be admitted as a member upon written application to the board made within two years after rendering the first teaching service subsequent to August 1, 1931.

Subd. 2. Inclusion of persons who did not become a member within two years after resuming teaching service.

Any teacher who has rendered teaching service since August 1, 1931, in schools or institutions to which sections 135.01 to 135.15 apply, and who had rendered teaching service in schools or institutions subject to Laws 1915, Chapter 199, and all acts amendatory thereof, prior to August 1, 1931, but who did not become a member of the fund within two years after resuming teaching service after August 1, 1931, as required by subdivision 1, shall have the right to become a member of the fund if application for such membership is made to the board in writing within two years after rendering the first teaching service in any of the schools or institutions to which sections 135.01 to 135.15 apply subsequent to August 1, 1947. Teachers who so become members of the fund shall pay into the fund the amount of assessments provided for in section 135.06, and shall have the right to pay into such fund, and receive similar credit therefor at the time paid, an additional sum, either in cash or in installments, prior to August 1, 1952, which payment or payments shall not be in excess of five per cent of the teacher's average yearly salary for the five years of service immediately preceding 1947, multiplied by the number of years of previous service for which the teacher has been given credit, together with interest on the same at the rate of four per cent per annum from the time of first rendering that previous service until July 1, 1947. All cash and installments payments herein provided for shall be paid in full prior to August 1, 1952. Those members shall have the rights provided for and be subject to the provisions of sections 135.06 and 135.10 (except as hereinafter provided), and section 135.11.

Subd. 3. Allocation between classes of members. *If the proceeds of the sales of the certificates of indebtedness shall in any year be insufficient to pay the state's obligation in full, said proceeds shall first be used to pay the state's obligation to those annuitants who became members as provided in subdivision 1, and those members who, on January 1, 1932, were drawing annuities under Laws 1915, Chapter 199, as provided in section 135.07.*

Subd. 4. Additional levy if required; board to certify. *In order to meet the state's increased obligation due to the admission of the teachers who may become members of the fund under the provisions of subdivision 2, the board is hereby authorized to certify to the state auditor, in addition to the amounts provided in section 135.13, not to exceed during the next biennium, 1947-1949, \$30,000, and subsequently, not to exceed in any one year thereafter the sum of \$50,000, and the state auditor is hereby directed to include*

in the levies provided for in said section the additional amounts so certified to him by the teachers retirement fund board.

Approved April 19, 1947.

CHAPTER 399—S. F. No. 187

An act relating to the adoption of minor children, providing for investigation by the director of social welfare and limiting the time thereof, and amending Section 259.02, Minnesota Statutes 1945.

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

Section 1. Minnesota Statutes 1945, Section 259.02, is hereby amended to read as follows:

259.02. **Investigation; probationary residence.** Upon the filing of a petition for the adoption of a minor child the court shall notify the director of social welfare. It shall then be the duty of the director to verify the allegations of the petition; to investigate the condition and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption, and to make appropriate inquiry to determine whether the proposed foster home is a suitable home for the child. *The director shall in not more than 90 days submit to the court a full report in writing with a recommendation as to the granting of the petition and any other information regarding the child or the proposed home which the court shall require. No decree of adoption shall be granted until such report be returned, but if such report is not returned within the time limited by law without the fault of the petitioner, the court may proceed with the hearing of the petition upon giving five days' written notice by mail of the time and the place of the hearing to the director of social welfare. If the report of the director of social welfare disapproves of the adoption of the child, the director of social welfare may move the court to dismiss the petition. No petition shall be granted until the child shall have lived six months in the proposed home. Provided, however, that such investigation and period of residence may be waived at the discretion of the court when the petition for adoption is submitted by a stepfather or stepmother, or upon good cause being shown the court is satisfied that the proposed home*