

in the classified Civil Service of the State of Minnesota or any of its political subdivisions, or to fill any other appointive position in the public service of the state or any of its political subdivisions which is subject to veteran's preference under any existing law or charter provision shall be governed by the existing law or charter provision applicable to such appointment, but any rights of a person appointed to such a position during such suspension period to continued tenure therein shall terminate upon the expiration of such suspension period, *except those persons promoted in accordance with the provisions of section 1 of this act.*

Approved April 28, 1947.

CHAPTER 631—H. F. No. 1523

An act relating to the state employees retirement fund; amending Minnesota Statutes 1945, Section 352.01, Subdivisions 2, 4, 5, and 7, Section 352.015, Subdivision 4, Section 352.02, Subdivision 2, Section 352.03, Section 352.04, Subdivisions 1 and 5, Section 352.09, Section 352.103, Subdivision 2, Section 352.11, Subdivision 2, and Section 352.12, appropriating money therefor and repealing Minnesota Statutes 1945, Section 352.04, Subdivisions 2, 3 and 4, and Section 352.11, Subdivisions 3 and 4.

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

Section 1. **Repealer.** Minnesota Statutes 1945, Section 352.04, Subdivisions 2, 3 and 4, and Section 352.11, Subdivisions 3 and 4 are hereby repealed.

Sec. 2. Minnesota Statutes 1945, Section 352.01, Subdivision 2, is amended to read as follows:

352.01. **Definitions.** Subd. 2. **State Employee.** "State Employee" means employees in the classified and unclassified services of the State of Minnesota as defined in the State Civil Service Act, and employees of the Minnesota Historical Society, the State Horticultural Society, the Disabled American Veterans, Department of Minnesota, *Veterans of Foreign Wars, Department of Minnesota, and the Minnesota Crop Improvement Association*, and currently contributing members of the association who are temporarily employed by the legislature during a legislative session or any currently contrib-

uting member employed for any special service as defined in paragraph eight of this subdivision; but does not include the following:

- (1) Elective state officers;
- (2) Students who secure employment with the state or a state institution incidental to and in furtherance of their education *whether employed during the school year or during vacation periods*;
- (3) Employees who are eligible to membership in the state teachers retirement fund, except employees of the department of education who have elected or may elect to become members of the state employees retirement association instead of the teachers retirement fund;
- (4) Employees of the University of Minnesota who are excluded from membership by action of the Board of Regents and employees who are eligible to membership in the University Faculty and Group Insurance Retirement Plan;
- (5) Officers and enlisted men in the national guard and the naval militia except such as are assigned to permanent peacetime duty;
- (6) Election officers;
- (7) Persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;
- (8) *Officers and employees of the Senate and House of Representatives and persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation*;
- (9) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except employees of the supreme court and referees and adjusters employed by the industrial commission;
- (10) Patient and inmate help in state charitable, penal and correctional institutions including the Minnesota Soldiers Home;
- (11) Persons employed for professional services where such service is incidental to regular professional duties and whose compensation is paid on a per diem basis;

(12) Employees of the Sibley House Association;

(13) Employees of the Grand Army of the Republic and employees of the Ladies of the G.A.R.;

(14) Operators and drivers employed pursuant to Laws 1941, Chapter 478;

(15) 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;

(16) State Highway Patrolmen;

(17) *Skilled workmen, such as electricians, plumbers, and carpenters who are paid on an hourly or per diem basis and who serve the state intermittently for short periods of time the same as they serve the general public; and casual labor service employees. The names of employees exempted from membership under this item must be noted by symbol on all payroll abstracts to indicate they are employed in a classification which is exempted from membership and the Retirement Board shall accept such symbol as proof such employees are not eligible to membership in the Retirement Association;*

(18) *Temporary employees of the Minnesota State Fair employed during the State Fair.*

Sec. 3. Minnesota Statutes 1945, Section 352.01, Subdivision 4, is amended to read as follows:

352.01. **Definitions.** Subd. 4. **Accumulated deductions.** "Accumulated deductions" means 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 the payments made while on leave of absence for employment in essential war work as provided by Laws 1943, Chapter 622, section 3, subdivision 3 (4), and Laws 1945, Chapter 284, section 5, subdivision 6, and payments by a member as authorized in this act, and credited to his individual account in the retirement fund, without interest.

Sec. 4. Minnesota Statutes 1945, Section 352.01, Subdivision 5, is amended to read as follows:

352.01. **Definitions.** Subd. 5. **The retirement fund.** "The retirement fund" means and includes the aggregate of all accumulated deductions from the salaries of members of the retirement association, all assessments paid by such members in lieu of such deductions, prior to July 1, 1939, and all other

moneys paid into the state treasury or received by the retirement board pursuant to the provisions of this chapter, together with all income and profits therefrom and interest thereon, including contributions on the part of *the federal government*, the state and departments thereof.

Sec. 5. Minnesota Statutes 1945, Section 352.01, Subdivision 7, is amended to read as follows:

352.01. **Definitions.** Subd. 7. **Prior service.** "Prior service" means the service of a member rendered before the first day of July, 1929, and includes the service during the *first* world war of officers, soldiers, sailors, marines, and army nurses who were state employees at the time of enlisting or being drafted into the military service of the United States, and who returned directly to the service of the state upon returning from the *first* world war.

Sec. 6. Minnesota Statutes 1945, Section 352.01, is amended by adding thereto the following subdivisions:

352.01. **Definitions.** Subd. 8. **Allowable service.** "*Allowable service*" for retirement purposes means

(1) *For persons who were required to pay a membership fee under Laws 1929, Chapter 191, prior service as defined in this act, and all service subsequent to June 30, 1929, while members of the retirement association and for which the required deductions from salaries or payments in lieu of deductions have been deposited in the retirement fund, including the time during which membership was maintained by the payment of assessments between July 1, 1929, and July 1, 1939.*

(2) *For persons entering the state service after July 1, 1929, and required to become members of the retirement association, prior service as defined in this act and all service subsequent to July 1, 1929, while members of the retirement association and for which the required deductions or payments in lieu of deductions have been deposited in the retirement fund, including the time during which membership was maintained by the payment of assessments prior to July 1, 1939.*

(3) *For persons who entered the state service on or before July 1, 1929, but did not exercise the option to become members of the retirement association on or before July 1, 1931, who were required to become members as of July 1, 1941, all service subsequent to June 30, 1941, while members of the retirement association and for which the required deductions have been deposited in the retirement fund, and all service subsequent to June 30, 1929, and prior to July 1, 1941,*

for which payments in lieu of salary deductions as provided by Laws 1941, Chapter 391, section 2, were deposited in the retirement fund.

(4) For all persons listed in paragraphs (1), (2) and (3) of this subdivision, service while on leave of absence for employment in essential war work for which payments have been or will be deposited in the retirement fund as provided in this act.

(5) For all persons listed in paragraphs (1), (2) and (3) of this subdivision, who were members of the retirement association and who left the service of the state to serve in the military forces of the United States or the State of Minnesota subsequent to July 1, 1940, and prior to December 31, 1946, credit for the period of such military service shall be included in computing time of service for the state, but excluded in computing the amount of the average salary upon which the annuity is based.

(6) For all members of the association who were employed by the commissioner of banks in the liquidation of closed banks during the period July 1, 1929, to July 1, 1943, or any portions of such period, and for all members of the association whose compensation was paid in whole or in part from Federal funds under the State Relief Agency or State Emergency Relief Agency who elect to make the payments provided for in Section 352.02, Subdivision 2 (1) of this act, the period or periods for which payment is made in addition to the service which they are entitled to under paragraphs (1), (2), (3), (4) and (5) of this subdivision.

(7) For all persons becoming members of the retirement association under the provisions of Laws 1945, Chapter 284, and all persons becoming members under this act, credit for all service for which payments are required and for all service for which payments are permitted provided payments are made in the manner and within the time provided in this act.

(8) "Allowable service" from and after June 30, 1947, shall include only those calendar months in which the member receives salary or wages from which deductions are made and deposited to the members credit in the retirement fund.

(9) "Allowable service" does not include credit for service for any periods members may have been on leave of absence or lay-off from July 1, 1933, to July 1, 1939, unless payments equal to the deductions that would have been made from salary

had it been received were deposited in the retirement fund within 90 days from the date members returned to the state service.

(10) "Year of Allowable Service" means any 12 months not necessarily consecutive, in which a member received compensation from the state, or was eligible to credit for service as provided in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9) of this subdivision, and for employees in the University, the state teachers colleges and state institutions who are paid on a yearly contract basis and who may or may not receive compensation in every calendar month in the year, credit for 12 months service each year.

(11) Members who are absent from their duties because of temporary disability resulting from injuries for which the state is liable under the workmen's compensation law shall have the period of such absence for which compensation is paid under the workmen's compensation law included in determining the period of service for the state, but it shall not be included in determining the average salary upon which the annuity is based, so that there shall be no reduction in the amount of the annuity by reason of such injury. The industrial commission shall furnish the retirement board with a copy of each abstract submitted to the state auditor and to be charged to the state compensation revolving fund, which shall be construed as notice to the retirement board that the employees listed thereon have sustained injury arising out of and in the course of employment by the state of Minnesota and are entitled to credit for service on the records of the association during the time compensation is received for temporary disability resulting from such injury, but shall not be used for any other purpose.

Sec. 7. Minnesota Statutes 1945, Section 352.015, Subdivision 4, is amended to read as follows:

352.015. **Membership.** Subd. 4. **Membership not retroactive.** The membership of any person who became entitled to membership under Laws 1945, Chapters 38 and 284 shall not be retroactive except as provided in this act.

Sec. 8. Minnesota Statutes 1945, Section 352.02, Subdivision 2, is amended to read as follows:

352.02. **State employees retirement association.** Subd. 2. **State employees who may be members.** (1) Any person employed by the state on July 1, 1941, who was a state employee on July 1, 1929, and did not exercise his option to become

a member of the association on or before July 1, 1931, shall become a member as of July 1, 1941, the same as though he had on that day become a new state employee. Such persons and any person who has prior to the effective date of this act become a member by reason of being a new state employee shall have the option of electing to become a member as of July 1, 1929, by making payments in lieu of salary deductions from July 1, 1929, to the date of becoming a member, at the rate of *five per cent* plus interest at four per cent per annum compounded annually. Such payments to be based upon the salary, wages or compensation actually received, subject to the \$300 maximum provision, including any allowance for maintenance or housing not in excess of \$50.00 a month. Nothing herein shall give any person required to become a member on July 1, 1941, or any person electing to become a member as of July 1, 1929, credit for any service prior to July 1, 1929, nor shall any person becoming a member as provided herein have the right to make any payments in lieu of salary deductions, or receive credit for service for any period he was out of the state service or when he was on leave of absence or lay-off from July 1, 1929, to the date of becoming a member.

(2) *Persons employed by the commissioner of banks for the liquidating of closed banks during the period July 1, 1929, to July 1, 1943, or any portions of such period, who are members of the retirement association and who have not heretofore had the right to elect to make payments to the retirement fund, and persons who became members of the retirement association pursuant to Laws 1945, Chapters 38 and 284, and who had not theretofore had the right to elect to make payments into the retirement fund, may at their option elect to pay into the retirement fund for the period of state service or if service was intermittent, periods of state service subsequent to June 30, 1929, on the same basis as persons who were required to become members on July 1, 1941, as provided in this subdivision. Members of the association whose compensation has been paid in part from federal and county funds may at their option elect to pay into the retirement fund the sum required had deductions been permitted from this portion of their compensation from the date of becoming members of the association at a deduction rate of five per cent limited to \$300 a month, plus interest at four per cent per annum compounded annually. Members whose compensation was paid in whole or in part from federal funds under the State Relief Agency or State Emergency Relief Agency may elect to pay into the retirement*

fund the sum required had deductions been permitted from this compensation beginning on the first day of the calendar month following the completion of six months continuous employment as an employee of such agency, at a deduction rate of five per cent limited to \$300 a month plus interest at four per cent per annum compounded annually.

(3) All payments provided for in this section must be paid not later than 27 months from the date of becoming a member, and shall be paid either in a lump sum or in monthly installments by payroll deductions, *except that members who are by this act permitted to make such payments shall be given a period of 27 months from the effective date of this act in which to make such payment.* Any person who has not completed the payments provided for in this section within 27 months from the date of becoming a member, *or the effective date of this act, whichever applies,* shall have returned to him the sums paid less \$10.00 and shall thereupon be a member from July 1, 1941, *the effective date of this act,* or the date of becoming a member by reason of being a new state employee, *whichever applies,* but the extra principal sum with interest at four per cent per annum must be paid before the member is entitled to credit for service subsequent to June 30, 1929, and prior to July 1, 1941, *or prior to the date of becoming a member, whichever applies.*

Sec. 9. Minnesota Statutes 1945, Section 352.03, is amended to read as follows:

352.03. Board of managers; officers. The management of the state employees retirement fund is hereby vested in a board of seven members, who shall be known as the state employees retirement board. This board shall consist of the state auditor, the state treasurer, the insurance commissioner, and four state employees who shall be elected by the members of the retirement association at a time and in a manner to be fixed by the retirement board. The members of the board so elected shall hold office for a term of four years and until their successors are elected and have qualified. A state employee on leave of absence shall not be eligible for election or re-election to membership on the retirement board; and the term of any board member who is on leave for more than six months shall automatically terminate upon the expiration of such period. Any vacancy in the board caused by the death, resignation, or removal of any member so elected shall be filled by the retirement board for the unexpired portion of the term in which the vacancy occurs. The members of the retirement board shall serve without com-

compensation, but shall be reimbursed out of the retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties, and shall suffer no loss of salary or wages through service on the board. The board shall elect a chairman and appoint a secretary and such other employees *including actuarial services* as may be necessary, and fix their compensation. The board shall, from time to time, subject to the limitations of this chapter and of the law, establish rules and regulations for the administration of the retirement and other provisions of this chapter and for the transaction of its business.

Sec. 10. Minnesota Statutes 1945, Section 352.04, Subdivision 1, is amended to read as follows:

352.04. Payments into retirement fund. Subd. 1. **Special fund.** (1) *There is hereby created a special fund to be known as the "State Employees Retirement Fund" to be used for the purposes herein specified.*

(2) From and after July 1, 1945, members shall pay into the retirement fund five per cent of the compensation paid them including compensation for overtime and any allowance for maintenance or housing, provided, however, that those members now paying into the retirement fund 5½ per cent and 6 per cent of the compensation paid them including compensation for overtime and any allowance for maintenance or housing shall continue to pay at the rate of 5½ per cent and 6 per cent respectively, but no person becoming a member after June 30, 1945, shall pay more than 5 per cent. Such payments shall be made by deduction thereof from salary. No deduction shall be made from salaries on any amount thereof in excess of \$300 per month. *Provided, that any member whose salary or a portion of whose salary is paid from other than state funds shall pay into the retirement fund on the basis of the entire salary received limited to \$300 a month.* The head of each department is hereby required to cause such deductions to be made from the salary of each member of the retirement association on every payroll abstract and to approve one voucher payable to the state treasurer for the aggregate amount so deducted from the salaries covered by the payroll abstract; provided, that deductions from salaries of employees paid direct by any department, institution, or agency of the state shall be made by the officer or employee authorized by law to pay such salaries, and remitted by him to the secretary of the retirement association with a statement showing the amount of each of such deductions and the

names of the employees on whose account the same have been made.

(3) *Every department, bureau, division, commission, committee or board which functions as a unit of the state government which pays salaries to its employees from income or revenue derived from its own activities, federal grants or any other sources and not from an appropriation from the general revenue fund, is hereby authorized, required, and directed to transfer and pay into the state employees retirement fund monthly and charge as an administrative cost, an amount equal to 56 per cent of the total amount deducted from the salaries of such employees for the state employees retirement fund. The moneys necessary to provide for the administrative cost as herein provided are hereby appropriated for such purpose out of any funds derived by such units of government as income or revenue from their own activities, federal grants or any other sources. For the employees of the State Horticultural Society, The Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, and the Minnesota Crop Improvement Association, these units of government shall also pay into the retirement fund a sum equal to the deductions taken from the salaries paid employees from funds other than those appropriated by the state from the general revenue fund.*

All such salary deductions and all contributions to the retirement fund herein provided for shall be credited to a fund to be known as the retirement fund and all interest and other income of the association shall be credited to this fund. The retirement fund shall be disbursed only for the purposes herein provided. The expenses of the association and the annuities herein provided upon retirement shall be paid only from such fund. Under the direction of the retirement board the head of each department shall furnish such information and keep such records as the board may require for the discharge of its duties. As the contribution to the state employees retirement fund on the part of the state for those employees whose salaries are paid by appropriation from the general revenue fund, the state auditor is hereby authorized and directed to cause to be levied for the year 1947 and each year thereafter upon all taxable property in the state, in the manner in which other taxes are levied, four tenths of one mill. The proceeds of such tax are hereby appropriated to the state employees retirement fund.

Sec: 11. Minnesota Statutes 1945, Section 352.04, Subdivision 5, is amended to read as follows:

352.04. Payments into retirement fund. Subd. 5. Limitation on payments in lieu of salary deductions. (1) From and after July 1, 1939, no member shall be entitled to make payments in lieu of salary deductions for periods no salary or wages are received, *except that beginning January 1, 1947, members who are on leave of absence from the state service for employment by other units of government whether federal, state or local, and such leaves are incident to the functions of Minnesota state government or any political subdivision thereof, or who are absent to teach preparatory courses for highway engineers, shall continue to pay into the retirement fund during the period of such leave of absence on the basis of the salary received from the state at the time such leave of absence began and upon such payment they shall have credit for service on the records of the retirement association the same as though they had continued to receive compensation from the state. Such payments shall be made either monthly or within one year from the date of returning to the state service. Any payments provided for in this subdivision which are not paid monthly shall be paid with interest at four per cent per annum compounded annually and any payments which are not made before the expiration of state service cannot be made thereafter and no credit for service shall be allowed for any part of such leave for which payment has not been made as herein provided. Salaries paid for a fractional part of any calendar month shall be considered the compensation for the entire calendar month unless state service has terminated.*

(2) *Any "state employee" who has been employed by a county within the State of Minnesota for a period of not less than five years and who has been a member of the Public Employees Retirement Association may at his option obtain credit for such county service by paying into the state employees retirement fund a sum equal to deductions at a rate of five per cent on the basis of the salary received from the county limited to \$300 a month, plus interest at four per cent per annum compounded annually. Such payment to be made within five years from the date of becoming a member of the state employees retirement association or within five years from the effective date of this act, whichever applies.*

(3) *All individuals who have been granted a leave of absence from state service to enter the employ of the United States Employment Service may, when returned to the state service, elect to pay into the retirement fund for the period with respect to which they were in the employ of the United*

States Employment Service a sum equal to the deductions required on the basis of salary received from the state at the time such leave of absence commenced. Such payments shall be made either on a monthly basis or in a lump sum within three years from the date such individuals returned or return to state service. No credit for service shall be allowed for any periods for which payments are not made as provided in this subdivision.

Sec. 12. Minnesota Statutes 1945, Section 352.09, is amended to read as follows:

352.09. Refundment in certain cases. Subdivision 1. Rights of member applying for annuity after separating from state service. Any member before applying for an annuity and after separation from state service shall be entitled to the return of the full amount of the accumulated deductions standing to the credit of his individual account upon making application therefor on a form furnished by the retirement board, which form shall include certification by the head of the department where the member was last employed. The member's application and such certification by the department head shall be final proof of the fact of such separation from the state service. Any such person who has been a member of the retirement association for not less than ten years, may, in lieu of applying for such refundment leave the sum to his credit in the retirement fund and at the time he would have been eligible to receive a superannuation annuity if his state service had not been terminated, or at any time thereafter make application for an annuity the amount of which shall be in the same proportion as the number of years service for which the member is entitled to credit, is to the number of years service required had the member continued in the state service until eligible to receive a full superannuation annuity as provided by this chapter. Any person who has been a member of the retirement association five years or more may in lieu of applying for a refundment leave the sum to his credit in the retirement fund and at the age of 65 or any time thereafter, make application for a *partial* annuity determined as follows: for each *full* year of *allowable* service during which he has made payments to the retirement fund and for which he is entitled to credit on the records of the retirement association, an annuity equal to one-seventieth of his average salary upon which deductions for the retirement fund have been made while a state employee.

Subd. 2. Computation of annuity. All annuities provided for in this section shall be *computed in accordance with the*

law in effect at the date state service terminated and shall begin on the first day of the calendar month in which the annuity is granted by the retirement board. Members who have elected to take either a proportional deferred annuity or a deferred annuity prior to the effective date of this act who again become state employees shall surrender their certificates and shall be entitled to full credit for the service covered by the surrendered certificate. No annuity provided for in this section shall exceed \$100 a month. There shall be no limit as to the time in which application for refundment may be made, but upon making application for annuity the right to make application for refundment terminates. Membership in the retirement association ceases upon the termination of employment in the classified and unclassified services of the state, or as employees of the Minnesota Historical Society, the State Horticultural Society, The Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, and Minnesota Crop Improvement Association, whichever applies, except that persons receiving an annuity shall be considered members.

Subd. 3. Refundment in case of error. (1) Any deductions taken from the salary of an employee for the retirement fund in error shall upon discovery, and verification by the department making the deduction, be refunded to the employee.

(2) In the event a salary warrant or check from which a deduction for the retirement fund was taken has been canceled or the amount of the warrant or check returned to the funds of the department making the payment, a refundment of the sum so deducted, or any portion of it as is required to adjust the deductions, shall be made to the department or institution provided application for it is made on a form furnished by the retirement board.

Sec. 13. Minnesota Statutes 1945, Section 352.103, Subdivision 2, is amended to read as follows:

352.103. Ex-member returning to state department.
Subd. 2. Should any former member who has received an annuity again receive salary or wages from the state his annuity shall cease during the period of employment but no deductions shall be made from his earnings for the retirement fund. Upon the termination of his employment annuity payments shall be resumed and there shall be no change in the amount of such annuity because of such employment.

Sec. 14. Minnesota Statutes 1945, Section 352.11, Subdivision 2, is amended to read as follows:

352.11. **Retirement annuity.** Subd. 2. Members who have left the service of the state to serve in the military forces of the United States or of the State of Minnesota, subsequent to July 1, 1940, shall be considered as on leave of absence during the period of such military service; and if such members again receive salary or wages as employees of the state within six months from the date of discharge or other release from military service by proper authority, their deduction rate shall not change by reason of the lapse in time from the date of such discharge or other release by proper authority, to the date of their return to state employment; *but no credit for military service shall be allowed should the member after discharge from military service re-enter military service subsequent to V. J. day, and no member entering military service after December 31, 1946, shall be entitled to credit for military service and, in computing the amount of annuities of such members, the period of such leave shall be included in computing time of service for the state, and excluded in computing the annuity, so that no reduction will be made in the amount of the annuity by reason of such military service.*

Subd. 3. (1) Retirement may be made upon application of the member or of some one acting in his behalf, or in the case of an employee in active service, upon the application of the head of the department in which the member is employed.

(2) Upon retirement the member shall receive an annuity for the remainder of his life equal to 50 per cent of his average salary upon which deductions for the retirement fund have been based while a state employee; provided, that no such retirement annuity shall exceed the sum of \$100.00 per month.

Subd. 4. The first payment shall be prorated for any fraction of a calendar month elapsing at the time salary ceases, but no annuity shall commence prior to the date through which the member is paid for any accumulated leave, whether payment is made in a lump sum or otherwise, provided application for the annuity is made within 30 days from the date salary ceases. In no case shall any annuity be retroactive for more than three months from the date the application for such annuity is filed with the retirement board as provided herein. If the annuitant leaves a spouse surviving, any annuity due the annuitant at the time of death shall be paid to the surviving spouse, otherwise, the annuity ceases with the last payment received by the annuitant in his lifetime.

Sec. 15. Minnesota Statutes 1945, Section 352.12, is amended to read as follows:

352.12. **Surviving spouse or legal representative of deceased member to receive lump sum.** When a member of the association shall die without having received an annuity, or without having received in annuities an amount equal to the total amount of the accumulated deductions from his salary, the full amount of the accumulated deductions, less the annuity payments, if any, as have been paid to such member, shall be paid in one lump sum to the beneficiary or beneficiaries designated by the member, or, if none, to the surviving spouse, or, if none, to the legal representatives of the member, upon the establishment of a valid claim therefor. Any member who dies without having designated a beneficiary, or if the beneficiary should die before making application for refundment and there is no surviving spouse and no legal representative of such member, the accumulated deductions to the member's credit and any annuity payment to which he was entitled at the time of death shall, after five years, be credited to and become a part of the retirement fund.

Sec. 16. **Effective date.** This act shall take effect July 1, 1947.

Approved April 28, 1947.

CHAPTER 632—H. F. No. 1543

[Not Coded]

An act relating to the regulation, control, decontrol and stabilization of rents for housing accommodations during an emergency; prescribing the powers and duties of the commissioner of administration in relation thereto; providing for local advisory boards; limiting summary proceedings for the recovery of possession of certain housing accommodations and prescribing remedies.

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

Section 1. **Purpose; emergency declared; declaration of public interest.** The legislature hereby finds that a serious public emergency exists in the housing of a considerable number of persons in the State of Minnesota, which emergency has been created by war, the effects of war, and the aftermath