

CHAPTER 21—S. F. No. 16

An act relating to the records in the office of the clerk of probate court and providing for the destruction of certain vouchers; amending Minnesota Statutes 1949, Section 525.092, Subdivision 1.

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

Section 1. Minnesota Statutes 1949, Section 525.092, Subdivision 1, is amended to read:

Subdivision 1. **Certain vouchers and receipts.** The clerk of the probate court is hereby authorized to destroy all vouchers or receipts filed in estates and guardianship proceedings of record in his office after such estates or guardianships have been closed for a period of 25 years, or more, except receipts for any federal or state taxes.

Approved February 21, 1951.

CHAPTER 22—S. F. No. 31

An act relating to public employees retirement; amending Minnesota Statutes 1949, Sections 353.03, 353.04, 353.07, 353.11, 353.12, 353.13, 353.17, 353.20, Section 353.01, Subdivisions 2, 6, 7, 8, 9, 11, 12 and 13, Section 353.02, Subdivisions 1, 2, 3, 4, 5, 6 and 7 and Section 353.09, Subdivisions 1, 2, 3 and 4; and repealing Minnesota Statutes 1949, Section 353.02, Subdivisions 8 and 9, and Section 353.14.

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

Section 1. Minnesota Statutes 1949, Section 353.01, Subdivision 2, is amended so as to read:

Subd. 2. **Public employee.** "Public employee" means any person performing personal services for a governmental subdivision as an officer or employee, whose salary is paid, in whole or in part, through taxation, or by fees, assessments, or other revenue accruing to such governmental subdivision. The term "public employee" shall also mean any person ap-

pointed as a district court reporter in this state and any officer or employee of the public employees retirement association.

Sec. 2. Minnesota Statutes 1949, Section 353.01, Subdivision 6, is amended so as to read:

Subd. 6. **Governmental subdivision.** "Governmental subdivision" means a county, a city, a village, borough, town, or a school district *within this state*.

Sec. 3. Minnesota Statutes 1949, Section 353.01, Subdivision 7, is amended so as to read:

Subd. 7. **Member, Membership.** "*Member*" means a member of the public employees retirement association and "*membership*" means membership therein.

Sec. 4. Minnesota Statutes 1949, Section 353.01, Subdivision 8, is amended so as to read:

Subd. 8. **Non-employee Member.** "*Non-employee member*" means a member who continues his membership after ceasing to be a public employee.

Sec. 5. Minnesota Statutes 1949, Section 353.01, Subdivision 9, is amended so as to read:

Subd. 9. **Contributory Membership** "*Contributory membership*" means membership during which contributions are made to the retirement fund through salary deductions or assessments in lieu thereof.

Sec. 6. Minnesota Statutes 1949, Section 353.01, Subdivision 11, is amended so as to read:

Subd. 11. **Public service.** "*Public service*" means service as an officer or employee of the state or of a governmental subdivision.

Sec. 7. Minnesota Statutes 1949, Section 353.01, Subdivision 12, is amended so as to read:

Subd. 12. **New public employee.** "*New Public employee*" means any public employee who hereafter enters public

service subsequent to the date when the governmental subdivision of which he is an officer or employee elects to avail itself of the provisions of this chapter.

Sec. 8. Minnesota Statutes 1949, Section 353.01, Subdivision 13, is amended so as to read:

Subd. 13. Service charge. *“Service charge” means an administrative charge computed at the rate of \$1 per year, or fraction thereof, and withheld from the refunds of members having less than 10 years of membership.*

Sec. 9. Minnesota Statutes 1949, Section 353.02, Subdivision 1, is amended so as to read:

Subdivision 1. Continuance. *The public employees retirement association created and established by Laws 1931, Chapter 307, and acts amendatory thereof, is hereby confirmed and continued.*

Sec. 10. Minnesota Statutes 1949, Section 353.02, Subdivision 2, is amended so as to read:

Subd. 2. Who may become members. *On or after July 1, 1951, every public employee, if not already affiliated with the association, shall become a member by acceptance of public employment or continuance in public service, except any public employee who (1) has been elected or appointed to an elective office, (2) has attained the age of 60 years, (3) by virtue of his employment is required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, or (4) any employee of a governmental subdivision not heretofore affected by the provisions of this chapter, unless the governing body thereof shall adopt the resolution provided for in section 353.20.*

Sec. 11. Minnesota Statutes 1949, Section 353.02, Subdivision 3, is amended so as to read:

Subd. 3. Certain public officers may become members. *An elected public officer or any person appointed to fill a vacancy in an elective office within any governmental subdivision shall have the right to exercise an option to become a*

member, but each option, once exercised, may not be withdrawn during the incumbency of such person in office.

Sec. 12. Minnesota Statutes 1949, Section 353.02, Subdivision 4, is amended so as to read:

Subd. 4. Employees 60 years old as members. *Any public employee not a member who on or before July 1, 1951 has attained the age of 60 years may at any time thereafter elect to become a member by making application to the retirement board and complying with the other applicable provisions of this chapter.*

Sec 13 Minnesota Statutes 1949, Section 353.02, Subdivision 5, is amended so as to read:

Subd. 5. Commencement of membership. *Membership for a public employee who was not a member prior to July 1, 1951 and who is not exempt from such membership shall commence on July 1, 1951 and for all new public employees who shall become affiliated with the retirement association thereafter, membership shall commence on the date of their entrance in the public service. The provisions of Laws 1931, Chapter 307, Section 2; Laws 1933, Chapter 374, Section 1; Laws 1937, Chapter 466, Section 2; Laws 1941, Chapter 285, Section 2 and Laws 1947, Chapter 18, Section 2 shall be paramount and controlling with respect to the terms and conditions governing admission of public employees to membership prior to July 1, 1951.*

Sec. 14. Minnesota Statutes 1949, Section 353.02, Subdivision 6, is amended so as to read:

Subd. 6. No Membership fee. *No membership fee shall be required of any member after July 1, 1951 nor shall admission to membership be subject to any penalty. Interest required in connection with back payments is not a penalty.*

Sec. 15. Minnesota Statutes 1949, Section 353.02, Subdivision 7, is amended so as to read:

Subd. 7. Termination of membership. *Except as in this chapter otherwise provided, membership may not be terminated in any manner other than by death or by separation from the public service.*

Sec. 16. Minnesota Statutes 1949, Section 353.03, is amended so as to read:

353.03 Board of Directors. Subdivision 1. **Management.** The management of the public employees retirement fund is hereby vested in a board of 12 members, who shall be known as the public employees retirement board. This board shall consist of the state auditor, the state insurance commissioner, the state treasurer, and nine *other persons* who shall be elected *from the membership* by the members of the retirement association at a time and in a manner to be fixed by the retirement board. *Members* of the board so elected shall hold office for a term of three years and until their successors are elected and qualified. Present members of the retirement board shall serve for the terms for which they were elected.

Subd. 2. No compensation expenses. The members of the retirement board and members of any authorized committee of said retirement association shall serve without 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 or on any authorized committee of said retirement association.

Subd. 3. Officers. The board shall elect a chairman and appoint a secretary and such other employees 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.

Subd. 4. Offices. The legal cutodian of public buildings within the state shall as soon as practicable make provision for suitable office space in the state capitol or other state office buildings for the use of the retirement board and its secretary.

Sec. 17. Minnesota Statutes 1949, Section 353.04, is amended so as to read:

353.04 Retirement Fund. Subdivision 1. **Payments into.** Every member shall pay into the retirement fund three

and one-half per cent of his salary as a public employee as and when paid, which shall be credited to the accumulated deductions of such member, and on and after July 1, 1943, every member shall pay into the retirement fund an additional one-half of one per cent of his salary as a public employee as and when paid. *Such additional payment of one-half of one per cent shall be refundable to a member in case of resignation or to his heirs or beneficiary in case of death in the same manner as accumulated deductions if application therefor is made within the first 10-year period of his contributory membership, but not thereafter. All payments by public employees not on leave of absence without pay shall be made through salary deductions.*

Subd. 2. Deductions. After July 1, 1949 no deductions shall be made from salaries on any amount thereof in excess of \$400 per month.

Subd. 3. Contributions. Under such regulations as the retirement board may by general rule prescribe, any member may, at his option, continue to make contributions to the retirement fund on the basis of his last regular salary, in case said salary is reduced for any cause and thereby become entitled to the same annuity as though there had been no reduction in such salary.

Subd. 4. Manner of making deductions. The head of each department is hereby directed to cause the deductions to be made at least once each month from the salary of each member and to issue or approve one voucher payable to the state treasurer for the aggregate amount so deducted from such salaries and to cause the same to be remitted within 15 days thereafter to the secretary of the retirement board together with a statement showing the amount of each of such deductions, the amount of salaries from which such deductions have been made and the names of the *public* employees on whose accounts the same have been made. Such statement may be furnished in the form of a carbon or duplicate copy of departmental payroll abstracts and if not submitted in such form, the head of each department is hereby required to furnish the secretary of the retirement board *with* a carbon or duplicate copy of his departmental payroll abstract for the first pay period during the months of January and July, respectively, in each year and it shall be the duty of said secretary to check the copies of all such payroll abstracts against the membership records so as to ascertain whether or

not any omissions have been made by the several department heads in the reporting of any new public employees, as required by section 353.07. *Upon notice from the secretary of omission of a deduction from the salary of a public employee, the head of the department shall deduct the amount of the omitted salary deduction from the next salary of the public employee and forthwith remit it to the secretary.* All remittances so received by the secretary of the retirement board shall be promptly deposited with the state treasurer. *Deductions from the salary of a district court reporter in a judicial district consisting of two or more counties shall be made by the auditor of the county in which the bond and official oath of such district court reporter are filed from the portion of his salary paid by such county.*

Subd. 5. Credit for deductions. All salary deductions 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 said fund. The retirement fund shall be disbursed only for the purposes herein provided. The expenses of said association and the annuities herein provided upon retirement shall be paid only from said fund.

Sec. 18. Minnesota Statutes 1949, Section 353.07, is amended so as to read:

353.07. Monthly statements. *Every head of a department in a governmental subdivision subject to the provisions of this chapter shall on the first day of each calendar month furnish the retirement board with a statement for his department covering the preceding calendar month showing all new public employees, all removals, withdrawals, lay-offs and leaves of absence without pay affecting members during the same period.*

Sec. 19. Minnesota Statutes 1949, Section 353.09, Subdivision 1, is amended so as to read:

353.09. Payment upon termination of membership. Subdivision 1. When any member ceases to be a public employee for any reason other than death or retirement, he shall be paid, on demand, after *such notice, as the retirement board may by general rule prescribe*, the full amount of the accumulated deductions standing to the credit of his individual account, *less the service charge if any*, or in lieu thereof, he

may, if eligible, elect to proceed under one of the following subdivisions hereof.

Sec. 20. Minnesota Statutes 1949, Section 353.09, Subdivision 2, is amended so as to read:

Subd. 2. *Any person who was a member prior to March 10, 1945, and who has been in the public service for not less than 10 years and who has been a contributing member for not less than four years immediately prior thereto, may, in lieu thereof, upon application in writing to the retirement board within 60 days from the termination of his employment, become a non-employee member and shall enjoy all the rights and privileges thereof upon such terms and conditions as to his employment and the payment of assessments in lieu of salary deductions as the retirement board may by general rule prescribe. The requirement for non-employee membership of any person who has or shall become a member on and after March 10, 1945 shall be 10 years of contributory membership prior to termination of his employment, and further, application for non-employee membership shall be made within 60 days from the date he shall cease to be a public employee, and assessment shall be paid as hereinbefore provided. After July 1, 1949 no application for non-employee membership shall be approved by the retirement board except upon condition that such non-employee member shall pay into the retirement fund a monthly assessment equal to one and one-half times the average monthly salary deductions or assessments paid in lieu thereof, or both, contributed by him during the 10-year period of his contributory membership immediately preceding termination of public service. On and after July 1, 1943, an amount equivalent to one-half of one per cent of the average salary upon which the monthly assessment of each non-employee member is computed shall be deducted from each monthly assessment of such non-employee member and credited to the retirement fund and in no event shall be refunded to such non-employee member, his heirs, or to his beneficiary. The remaining portion of such monthly assessment shall be credited to the accumulated deductions of each such non-employee member.*

Sec. 21. Minnesota Statutes 1949, Section 353.09, Subdivision 3, is amended so as to read:

Subd. 3. *Any person who has been a contributing member for not less than five years upon termination of his em-*

ployment by a governmental subdivision may leave his accumulated deductions in the retirement fund and receive a deferred annuity at the time when he would have been eligible to receive a retirement annuity if he had remained a public employee *based upon the average annual salary over the period of his membership at the time of termination of employment*. Such deferred annuity shall be in an amount bearing the same ratio to the full retirement annuity that the number of years of contributory service which such member is entitled to credit at the time of his separation from the service bears to the number of years of contributory service required had he continued as a public employee until eligible to receive a full retirement annuity but fractional parts of a year shall not enter into the computation of such deferred annuity. The option under this subdivision shall be available to a non-employee member under such conditions as the retirement board may by general rule prescribe.

Sec. 22. Minnesota Statutes 1949, Section 353.09, Subdivision 4, is amended so as to read:

Subd. 4. Any *non-employee* member who has maintained his membership after leaving the public service by the payment of such assessments, or any person who has elected to receive a deferred annuity, may terminate such membership by notice in writing to the retirement board, whereupon he shall be paid on demand, after such notice, *as the retirement board may by general rule prescribe*, the full amount of the accumulated deductions standing to the credit of his individual account.

Sec. 23. Minnesota Statutes 1949, Section 353.11 is amended so as to read:

353.11. **Retirement.** *Subdivision 1.* Except as in this chapter otherwise provided, when any member, *except a non-employee member, meets the minimum requirements shown in the following table with respect to: Attained age (Column A); Years of public service (Column B); And years of contribution to the retirement fund through salary deductions or otherwise (Column C applying to persons who became members prior to July 1, 1951 and Column D applying to persons who became members on or after July 1, 1951); he shall receive a full retirement annuity for the remainder of his life equal to 50 per cent of the average annual salary upon which deductions or assessments for the retirement fund have been*

based during the 10-year period immediately preceding retirement, or \$1,800 per annum, whichever is the smaller amount:

A Required attained age	B Minimum Required Years of Service	C Required Years of Contributions	D Minimum Required Years of Contributions
60	35	25	35
61	32	24	32
62	29	23	29
63	26	22	26
64	23	21	23
65	20	20	20

The full retirement annuity of any non-employee member who meets the minimum requirements shown in the foregoing table shall equal 50 per cent of the average annual salary upon which assessments paid as such non-employee member have been based and years of public service shall include time as a non-employee member. Fractional parts of a year of public service shall not enter into the computation of any annuity for which provision is made by this chapter.

Subd. 2. Any member who is eligible for retirement under the provisions of subdivision 1 of this section in all respects except that he lacks the years of contributions indicated in Column C, as shown in the table appearing in subdivision 1 of this section shall, if he so elects, receive a pro rata annuity in an amount bearing the same ratio to the full retirement annuity that the period of his salary deductions, or assessments in lieu thereof, bears to the number of years of contributions required for his then attained age as indicated in said table. Provided, that any such member may, upon payment into the retirement fund in a lump sum of an amount to be determined by the retirement board, secure credit for additional years of contributions and thus become entitled to a larger pro rata annuity or to a full retirement annuity, whichever he may elect. In determining the amount required to be paid into the retirement fund in any such case, the retirement board shall first determine the average annual amount of the member's accumulated deductions over the period of his contributory membership, immediately preceding retirement, said period not to exceed 10 years, which, multiplied by the number of the additional years of contributions desired, will establish and determine the amount of the

additional accumulated deductions required under the application for any such larger pro rata or full retirement annuity. To this amount, however, there shall be added one-half of one per cent of his average annual salary for said additional years plus a further sum equivalent to four per cent interest for the several additional years of contributions required, and it shall be assumed for the purposes of such computation of interest, that the several additional years required preceded those with which the member is already credited on the books of the association. The retirement board shall adopt such uniform schedules of rates of payment as may be necessary to carry out the provisions of this section.

Subd. 3. Any member may secure for one or more years of contributions covering prior years of public service subsequent to the date on which the terms of this chapter became operative within his governmental subdivision provided he shall pay into the retirement fund a sum equal to all accrued deductions from his salary which would have been made had such public employee been a member during the period for which credit is desired, together with interest thereon at the rate of five per cent per annum, compounded annually.

Subd. 4. After July 1, 1951, any member who has been a public employee for five or more years, has made regular contributions to the retirement fund for such five-year period, or longer, and has attained to the age of 65 years, shall be eligible for retirement even though he does not meet the minimum requirements indicated in Column B and Columns C or D in the table appearing in subdivision 1 of this section. Such member, upon retirement, shall receive a pro rata annuity for the remainder of his life in an amount equal to the product of two and one-half per cent of his average annual salary upon which deductions for the retirement fund over the period of his service have been based, or \$90, whichever is the smaller amount, multiplied by the number of full years of service covered by his contributions.

Subd. 5. When any member, irrespective of the date of his affiliation with the retirement association, attains eligibility for a full retirement annuity in all respects without payment into the retirement fund of any additional amount authorized in either subdivisions 2 or 3 of this section and (1) such member continues contributions to the retirement fund either as a public employee or a non-employee member, such member, upon retirement, shall be entitled to receive his

normal full retirement annuity but there shall be added thereto an amount equal to an increase of five per cent thereof for each additional year such member has made such contributions to the retirement fund; or (2) such member has to his credit on the books of the association one or more years of contributions in excess of the minimum number of years of contributions required for his then attained age, as indicated by Columns A and D in the table appearing in subdivision 1 of this section, such member, upon retirement, shall be entitled to receive his normal full retirement annuity but there shall be added thereto an amount equal to one per cent thereof for each additional year such member has contributed to the retirement fund in excess of the minimum requirements applicable to his case as determined by the table appearing in subdivision 1 of this section. The benefits under (1) and (2) shall not be paid concurrently and if both benefits herein provided for shall become available to a member, he shall elect which benefit he desires to receive.

Subd. 6. The retirement board shall by general rule prescribe such uniform regulations as may be necessary to establish credits for years of contributions, or fractions thereof, which shall be allowed public employees for public service of a temporary character whether performed prior or subsequent to the date such public employee became a member.

Subd. 7. No public employee shall be entitled to or be paid an annuity unless he shall have been a contributing member for five or more years.

Subd. 8. After July 1, 1949, each governmental subdivision is hereby authorized, empowered and directed to pay into said retirement fund upon the certification of the retirement board an amount equal to one-half of the salary deductions of all members of this association then or thereafter carried on the payrolls of such governmental subdivision and assessments paid by members during periods of authorized leave from such employment with such governmental subdivision. Such payments shall be made out of moneys collected from taxes or other revenue of such governmental subdivision. On or before September 30th of each year beginning with 1950 the total amount due from each governmental subdivision shall be determined by the retirement board and shall be certified by the secretary or other authorized officer of said board to each governmental subdivision affected by the provisions of this section, which certification shall cover the

period of the 12 months ending June 30th immediately preceding. The amount so certified shall be included in the next budget of any governmental subdivision subsequent to such certification and shall be levied, collected and apportioned in the same manner as other taxes are levied, collected and apportioned and for the express purposes of this section the payment of such contributory share of retirement cost is hereby made an obligation of the governmental subdivision concerned in the proportion and to the extent provided, but no such certification shall be made to any governmental subdivision if any surplus exists in the retirement fund, such surplus to be deemed to consist of excess of assets over accumulated deductions and other current liabilities. Assessments paid by non-employee members who were former public employees of such governmental subdivision shall be excluded from the amount certified. In the event that any governmental subdivision shall fail or neglect to pay into the retirement fund in full the amount properly certified by the board, through failure to collect the full amount through taxation or otherwise, such deficiency shall be added to the next subsequent levy made by any such governmental subdivision but no interest shall accrue on such delinquent payment. If the retirement of any member or members of said retirement association be not voluntary, the governmental subdivision from which said member is or members are so retired shall assume the liability to pay one-half of the costs of all annuities granted such member or members by the retirement board pursuant to the provisions of this chapter, and such governmental subdivisions are hereby authorized, empowered and directed to pay such share of said annuities from moneys collected from taxes or other revenues. The total amount of such contributory share of such annuities shall, before September 30th of each year, be duly determined by the retirement board and certified to any such governmental subdivision for the period of the previous 12 months ending June 30th immediately preceding. The amount so certified by the retirement board shall be included in the next budget of any such governmental subdivision subsequent to the certification by the retirement board and shall be levied, collected, and apportioned in the same manner as other taxes are levied, collected, and apportioned, and, for the express purposes of this section, the payment of all such annuities are hereby made obligations of the governmental subdivisions concerned in the proportion and to the extent provided. If the taxes authorized to be levied under this section shall cause the total amount of taxes levied to exceed any limitation of any kind upon the power of any county, city, village, *borough*, *town* or school district to levy

taxes, the governmental subdivision concerned may levy taxes in excess of and over and above such taxing limitations such amount as may be necessary to meet its obligations under this section. The expenditures authorized to be made under the provisions of this chapter by any municipality shall not be included in computing the cost of government as defined in any home rule charter of any municipality affected by this chapter. However, the governing body of any governmental subdivision affected by the provisions of this chapter may from time to time and under proper resolution, ordinance, or rule, make contributions to the retirement fund of said retirement association from moneys derived from revenues other than general taxes, and such governmental subdivision is hereby authorized and empowered to make such contributions. Such resolution, ordinance or rule may limit the use of such contributions by the retirement association for specific purposes as set forth therein, and such limitations shall be binding upon said retirement association. The retirement board shall have the right to refuse acceptance of any or all of such conditional contributions.

Subd. 9. A person otherwise eligible for retirement benefits under this chapter shall not be entitled to receive or be paid an annuity if he is receiving (1) any compensation for services performed as a public employee, a judicial officer, or as an appointed officer or employee of the state, or any agency, board or commission thereof; or (2) any other retirement benefit or pension authorized by law for public employees or state employees, if any period of public service required for benefits under this chapter is also a requisite in establishing eligibility for such other retirement benefits or pension.

Subd. 10. Nothing done under the terms of this chapter shall create or give any contract rights to any person, except the right to receive back upon withdrawal from the association through separation from the public service, the accumulated deductions, as by law defined, standing to his credit on the books of the association.

Sec. 24. Minnesota Statutes 1949, Section 353.12, is amended so as to read:

353.12. Benefits of funds, by whom received. When any member shall die without having received an annuity, or without having received in annuity payments an amount equal

to the total amount of the accumulated deductions from his salary, and such additional accumulated deductions, if any, as may have been paid into the retirement fund under and pursuant to the provisions of section 353.11, exclusive of any payments representing accrued interest, the full amount of such total accumulated deductions and additional accumulated deductions, if any, less such 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 such member, or, if none, to the legal representative of such member, upon establishment of a valid claim therefor. If no valid claim is established therefor, the accumulated deductions shall remain with and become the property of the retirement association. *After July 1, 1951, such beneficiary or legal representative shall also be paid on demand the full amount of the additional penalty, if any, paid into the retirement fund by the deceased member in accordance with the provisions of Laws 1937, Chapter 466, Section 2; Laws 1947, Chapter 18, Section 2 and any rules made by the retirement board pursuant to said laws.*

Sec. 25. Minnesota Statutes 1949, Section 353.13, is amended so as to read:

353.13. Annuities payable monthly. All annuities granted under the provisions of this chapter shall commence with the first day of the first calendar month next succeeding the date of termination of public service for the purpose of retirement and paid in equal monthly installments commencing one month thereafter and continuing only during the lifetime of the annuitant, and shall not be increased, decreased, or revoked except as provided in this chapter. *No annuity payment shall be made retroactive beyond the first day of the calendar month in which application therefor shall be filed.*

Sec. 26. Minnesota Statutes 1949, Section 353.17, is amended so as to read:

353.17. Contributions to retirement fund. The retirement board is hereby authorized and empowered to credit to the fund any moneys received in the form of contributions, donations, gifts, appropriations, bequests, or otherwise. *Refundable accumulated deductions of any member, if unclaimed for a period of five years after separation from the public service, shall be credited to a donations suspense account. The retirement board is authorized to pay refunds of accumulated deductions, without interest, from such donations sus-*

pense account, upon proper application therefor. After the refundable accumulated deductions of any former member have remained in such donations suspense account for a period of 10 years, without application for a refund thereof having been made, they shall be transferred to and credited to the retirement fund proper.

Sec. 27. Minnesota Statutes 1949, Section 353.20, is amended so as to read:

353.20. Application. *After July 1, 1951, the public employees of any governmental subdivision other than one, the employees of which are members, shall become members provided the duly constituted officials of such governmental subdivision, after a majority of the employees thereof have so requested in writing, shall adopt a resolution authorizing, empowering and directing that salary deductions be made for public employees as provided by section 353.04, and thereupon such governmental subdivision shall be subject to all applicable provisions of this chapter. One certified copy of such resolution shall be filed with the proper officials of the governmental subdivision, who are empowered to pay or to authorize the payment of salaries of public employees, and one certified copy shall be transmitted to the secretary of the retirement board. Such coverage shall become effective from the first day of the first calendar month next succeeding the date of the acceptance of the terms of this chapter by the governing body of the governmental subdivision concerned, and salary deductions for said public employees shall commence upon such date. The dates from which salary deductions shall be computed and fixed shall be determined by the provisions of Laws 1931, Chapter 307, Section 24; Laws 1933, Chapter 374, Section 1; Laws 1935, Chapter 106, Section 3; Laws 1941, Chapter 285, Section 10 and Laws 1947, Chapter 18, Section 7.*

Sec. 28. Minnesota Statutes 1949, Section 353.02, Subdivision 8, is hereby repealed.

Sec. 29. Minnesota Statutes 1949, Section 353.02, Subdivision 9, is hereby repealed.

Sec. 30. Minnesota Statutes 1949, Section 353.14, is hereby repealed.

Approved February 21, 1951.