

Ray negatives, maps, surveys, plats, and profiles in drainage proceedings or other actions or proceedings affecting real estate or the title thereto.

(b) Settled cases, including stipulations for and order settling such case.

Sec. 2. This act shall not affect any existing statute for destruction of files and documents in the clerk of district court office in certain counties, or any special rule for destruction of records of the clerk of district court office which may now be in effect or hereafter be adopted by the judge or judges of the respective judicial districts.

Approved March 15, 1957.

CHAPTER 183—H. F. No. 772

An act relating to retirement allowances for employees of cities of the first class, amending Section 422.09 Minnesota Statutes 1953.

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

Section 1. Minnesota Statutes 1953, Section 422.09, is amended to read:

422.09 **Refunds.** If an employee to whom this chapter applies becomes absolutely separated from the service prior to attaining the minimum retirement age established in section 422.04, the net accumulated amount of reduction from his or her salary, pay, or compensation, made for the purpose of accumulating a fund from which to pay retirement allowances, shall be returned to such employee, with interest.

Any contributing employee who is absolutely separated from the service of the city after attaining the minimum retirement age established in section 422.04, who has five years or less of creditable service, as determined by the retirement board, shall have the option of accepting a refund of the net accumulated amount of deductions from his or her salary, pay or compensation, to his or her credit, and if said employee accepts said refund all present and future rights to a retirement allowance shall be forfeited.

Any contributing employee who separates from a department, board or commission of a city whose employees are covered by a fund organized under Minnesota Statutes, Chapter 422, and becomes an employee of a department or board

of the same city, whose employees are covered by a retirement fund or relief association by whatever name known, organized under any other law and supported in whole or in part by taxes on the same city, shall have the option of:

1. *Retaining their membership in the fund organized under Minnesota Statutes, Chapter 422, regardless of the provisions of any law, rule, by-law or other action requiring membership in any other retirement fund or relief association however organized.*

2. *Transferring to the fund or association covering the employees of the department or board to which they are transferring, providing they are eligible to membership therein.*

Any contributing employee who elects to transfer to another fund or association as herein provided, shall make such election within one year from the date of separation from the city service covered by this fund or the passage of this act, whichever applies.

If the contributing employee elects to transfer to another fund as herein provided, a refund of the net accumulated contributions made by such employee to the fund organized under Minnesota Statutes, Chapter 422, shall be returned to the employee, with interest.

No employee in any city to which this act applies shall be eligible to be a member of or receive benefits from more than one fund or association of such city by whatever name known, supported in whole or in part by taxes levied by such city.

Upon the death of a contributing member while still in the service of the city, and before reaching the compulsory age of retirement, there shall be paid to such person or persons as he or she shall have nominated by written designation filed with the retirement board, in such form as the retirement board shall require, the net accumulated amount of deductions from his or her salary, pay, or compensation, to his or her credit on date of death.

If the employee fails to make a designation, or if the person or persons designated by such employee pre-deceases such employee, the net accumulated amount of deductions from his or her salary, pay or compensation, to the credit of such employee on date of death shall be paid to such employees' estate.

If a contributing member dies after having been in the service ten or more years, and before actual retirement, as determined by the retirement board, the present worth of the

city's annual installments of \$60 then to the credit of the contributing member, and the supplementary allowance, as defined in this act, shall be paid to a beneficiary designated by such contributing member in such form as the retirement board shall require, who shall be the surviving spouse, or surviving child, or children of such member, if there be no surviving spouse, or surviving child or children then to a person actually dependent on and receiving principal support from such member or surviving mother or father, or surviving brother or sister, or surviving children of the deceased brother or sister of such member.

If the beneficiary designated by the member is not one of the class of persons named in the preceding sentence, such benefit from the accumulation of city deposits shall be paid in the following order: (1) to the surviving spouse, the whole thereof; (2) if there be no surviving spouse, to the surviving children, share and share alike; (3) if there be no surviving spouse or child or children, to the dependent or dependents, as those terms are herein defined, of the member, share and share alike; (4) if there be no surviving spouse, child or children, or dependents, to the surviving mother and father, share and share alike; (5) if there be no surviving mother and father, to the surviving brothers and sisters of the member, in equal shares; (6) and if there be no surviving brothers and sisters, to the surviving children of the deceased brothers and sisters of the member, in equal shares; (7) and if there is no person named in the preceding sentence who survives the member, the accumulation of city deposits shall be cancelled.

If the contributing member dies after having been in the service of the city 20 or more years, and before the effective date of retirement, as determined by the retirement board, such board shall pay a monthly allowance under the option 4-5 year certain life income plan of retirement, as adopted by the board to the designated beneficiary of such employee, providing such employee prior to the date of his death filed a written request therefore with the board on forms provided by such board. The monthly allowance herein provided for shall be the actuarial equivalent of a single life retirement allowance which would have been payable to the employee on the date of his death had he been eligible to retire and retired.

The beneficiary designated by the employee shall be the surviving spouse of such employee. If there is no surviving spouse, the designated beneficiary may be a dependent surviving child or dependent parent of such employee as dependency is defined in this chapter. If the beneficiary designated by the employee is not of the class of persons provided for in this

paragraph, or if the designated beneficiary pre-deceases the employee, a refund shall be made as provided for in section 422.09, in lieu of a life income under the option 4-5 year certain plan.

If the employee does not elect to designate a beneficiary to receive a life income under the option 4-5 year certain plan, as herein provided, the designated beneficiary, if of the class of persons set forth in the preceding paragraph, may elect within 60 days after the date of death of the employee to receive a life income computed and determined as though the employee had retired on the date of his death under the option 2 plan of retirement, as provided for in this act, and had designated such persons as his beneficiary.

Upon reinstatement of a former employee to the service, credit for such past service or for any part thereof shall be granted only upon repayment of the amount of the separation refund, with interest, from the time of separation; provided this provision shall not apply to service rendered prior to the date that sections 422.01 to 422.23 become effective.

Approved March 15, 1957.

CHAPTER 134—S. F. No. 21

[Not Coded]

An act authorizing certain counties to issue bonds for the construction of county buildings.

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

Section 1. Todd county, bonds for county buildings. In any county having over 20,000 inhabitants according to the 1950 Federal census, and having a taxable valuation for the year 1955 of more than \$8,000,000 and less than \$10,000,000, and having no bonded indebtedness, and having, for at least three years immediately preceding the passage of this act, made a maximum levy of two mills pursuant to authorization of Laws 1949, Chapter 693, the county board may, by resolution adopted by two-thirds of its members, issue and sell bonds in any amount not to exceed \$150,000, or so much thereof as the board deems necessary for the purpose of constructing, altering, repairing and equipping the buildings required for administering the county government.

Sec. 2. Issuance, sale. Such bonds shall be issued and sold in accordance with the provisions of Minnesota Stat-