

"(11) *The Commission may, by written order, temporarily suspend or wholly revoke the exempt status of any security exempted by this section.*"

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 25, 1931

CHAPTER 405—H. F. No. 376

An act to provide relief for certain officers, soldiers, marines, nurses, and the surviving wives, minor children, mothers and fathers thereof, providing for the issuance of certificates of indebtedness for the raising of necessary funds therefor; and for the retirement of the same by money raised from a tax levy provided therefor, and the creation of a board to issue such certificates and the administration of this act and the expenditures of and disbursements of funds by the adjutant general, and appropriating \$1,500,000.00 therefor, and making it a misdemeanor for any claimant to transfer or attempt to transfer his right or claim and for any other person to acquire or attempt to acquire any interest therein before the issuance of the auditor's warrant therefor.

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

Section 1. **Definition.**—That the word "soldier" as used in this act, shall mean any officer, soldier, sailor, marine or nurse who was a part of the military or naval forces of the United States during the Spanish American War, Philippine Insurrection, and China Relief Expedition, and who was a bona fide resident of the State of Minnesota, at the time such soldier was commissioned, enlisted, appointed, mustered into, or as a nurse contracted into the military or naval service of the United States, and who rendered service subsequent to April 11, 1898, and prior to the official termination of hostilities of the Philippine Insurrection, July 4, 1902, and who was given an honorable or ordinary discharge or release from such service; provided, that where a discharge was given due

to mustering out of a regiment and the soldier reenlisted, and continuous service was performed thereunder, such subsequent service shall be deemed to be a part of the service rendered by such soldier, and provided further that the provisions of this act shall not apply to any individual who was commissioned or served as an officer in the Regular Army prior to July 4, 1902.

Sec. 2. Compensation to be received by each soldier, etc.—

That any such soldier shall be entitled to receive from the State of Minnesota, from a fund hereinafter created and called the "Spanish War Veterans' Fund" the sum of fifteen dollars (\$15.00) for each and every month and fraction thereof of service given by him as such soldier prior to July 4, 1902; provided that the amount received hereunder by any such soldier shall be not less than fifty dollars (\$50.00).

Sec. 3. Procedure.—That before receiving any such sum under the provisions of this act, said soldier shall file with the adjutant general application therefor on forms provided by the adjutant general. Such application shall state facts sufficient to establish the status of such applicant as a soldier as defined herein, and shall be duly verified.

Sec. 4. Spanish War Veterans' Board.—There is hereby created a board to be known as the "Spanish War Veterans' Board," to consist of the state auditor, state treasurer, and the adjutant general; which board is hereby authorized and empowered to issue and sell certificates of indebtedness to make funds available for the purpose of carrying out the provisions of this act. Said certificates shall draw interest at a rate of not to exceed four per cent per annum, payable semi-annually, except the interest due in 1931, which shall be paid in one installment; and shall not be sold for less than the par value thereof. The proceeds of the sale of such certificates, from time to time, shall be paid into a fund hereby created, which fund shall be known as the "Spanish War Veterans' Fund." Said certificates shall mature not more than ten years from the date thereof, and be in such form and on such terms and conditions, other than those herein specified, as said board shall determine. Such certificates shall be issued in an aggregate amount not exceeding the sum of one million five hundred thousand dollars (\$1,500,000.00). Said certificates shall be signed by the members of said board and shall be attested by the state auditor under the seal of

his office. The state auditor shall keep a record showing the number, amount, date of issue and date of maturity of each certificate and the proceeds of the sale thereof shall be deposited with the state treasurer to the credit of said Spanish war veterans' fund. Redemption of said certificates and payment of interest thereon shall be made from said fund, and any excess remaining in or accruing to said fund after payment in full of all such certificates shall be credited to the revenue fund.

Sec. 5. \$1,500,000.00 appropriated.—That the sum of one million five hundred thousand dollars (\$1,500,000.00) or as much thereof as may be necessary, is hereby appropriated out of said Spanish war veterans' fund for carrying out the provisions of this act.

Sec. 6. Tax levy authorized.—That for the purpose of providing funds with which to pay said certificates of indebtedness as they mature and the interest thereon, the state auditor is hereby authorized and directed to levy and collect in the same manner as other state taxes are collected, for the taxable year 1931, and for each succeeding year for nine (9) years a sum not exceeding one hundred and fifty thousand dollars (\$150,000.00) per year and such additional sums as may be necessary to meet the interest on such certificates of indebtedness. The sum so levied and collected shall be placed in the said Spanish war veterans' fund.

Sec. 7. Administration.—The administrative duties hereunder shall be performed by the adjutant general. It shall be the duty of the adjutant general to examine into such applications and he shall make any other examination necessary to establish the facts and approve or disapprove the same, or set apart as held for lack of facts sufficient to establish the right of such soldier to said compensation sixty days after request for such information. Whenever any such application has been approved by the adjutant general, he shall prepare a voucher and transmit the same to the state auditor; said state auditor shall issue a warrant for the amount stated therein, and the state treasurer shall pay such warrant out of said Spanish war veterans' fund. No assignment of any right or claim to benefits hereunder made prior to the issuance of the state auditor's warrants herein provided for, shall be valid, and any

transfer or attempt to transfer any such right or claim or any part thereof by any beneficiary prior to the issuance of such warrant and the acquiring of or attempting to acquire by any person of any interest in or title to such claim prior to the issuance of such warrant shall be a misdemeanor and punishable as such.

Sec. 8. Employees authorized.—That the adjutant general is hereby empowered to appoint a deputy at a salary of not to exceed three thousand six hundred dollars (\$3,600.00) per annum and to employ such assistance and incur such other expenses as may be necessary for the administration and carrying out of the provisions of this act, which shall be expended from said Spanish war veterans' funds; said deputy and such assistants as the adjutant general may determine shall give bond in such amount as he shall require, and shall, whenever practicable, be soldiers as defined in section one of this act.

Sec. 9. Widows, minor children, mothers and fathers to receive relief in certain cases.—Where any soldier, as herein defined, died and left surviving him a widow, or children now under eighteen years of age, or parent or parents, such widow, if still single, or if there be no widow, or children now under eighteen years of age, or if there be neither, such mother, or if there be neither widow, children now eighteen years of age, or mother, then such father shall be entitled to and paid out of the Spanish war veterans' fund, the amount which such deceased soldier would have received hereunder for the period of his active service, if living; provided, that where the parents of such deceased soldier are separated or divorced, then and in that event the parent with whom the soldier last resided and who became responsible for his funeral expenses and the expenses of his last illness shall be paid out of the Spanish war veterans' fund, the sum which such deceased soldier would have received for the period of his active service if living.

Sec. 10. Termination of activities.—The adjutant general shall conclude the duties under the provisions of this act on June 30, 1935. All files and pending applications shall be retained by the adjutant general as part of the permanent records of his office. All office equipment in the custody of the adjutant general for the

administration of the provisions of this act shall be allotted by him for use by other departments of state, and which shall be receipted therefor.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved April 25, 1931

CHAPTER 406—H. F. No. 491

An act to establish a teachers' retirement fund, to authorize the payment of annuities and benefits therefrom to retired teachers of public schools and other educational, correctional and charitable institutions supported wholly or in part by the State of Minnesota, to prescribe the means for the creation, management and disbursement thereof, to provide for the transfer and liquidation of the teachers' insurance and retirement fund created by Chapter 199, Laws 1915, and to repeal Chapter 199, Laws 1915, as amended by Chapter 404, Laws 1925, except as specifically provided.

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

Section 1. **Definitions.**—Unless the context indicates a different meaning, the following words and terms shall, wherever used in this act, have the meaning set after the same viz.:

1. The word "teacher" shall include any person who has rendered, is rendering, or shall hereafter render service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state teachers' colleges, or in any charitable institution supported in whole or in part by public funds, or who has been engaged, is engaged, or shall hereafter be engaged in educational administration in connection with the state public school system, including the state teachers' colleges but excluding the state university, whether the position be a public office or an employment, not including, however, members of any general governing or managing board or body connected with such system, or the officers of common, independent, special, or county school districts.