

CHAPTER 352

STATE EMPLOYEES RETIREMENT ASSOCIATION

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352.01 DEFINITIONS. Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

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, and The Disabled American Veterans, Department of Minnesota, and currently contributing members of the association who are temporarily employed by the legislature during a legislative session, or any currently contributing 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;
- (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) 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.

Subd. 3. **Head of department.** "Head of department" means the head of any department, institution, or branch of the state service which directly pays salaries out of its income or which prepares, approves, and submits salary abstracts of its employees to the state auditor and state treasurer.

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 credited to his individual account in the retirement fund, without interest.

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 state and departments thereof.

Subd. 6. **Monthly deductions from salaries.** "Monthly deductions from salaries" means the actual receipts received or credited to the fund from salary deductions in any calendar month.

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 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 world war.

[1929 c. 191 s. 1; 1931 c. 351 s. 1; 1933 c. 326 s. 1; 1935 c. 238 s. 1; 1939 c. 432 s. 1; 1941 c. 391 s. 1; 1943 c. 622 s. 1; 1945 c. 38 s. 1; 1945 c. 284 ss. 1, 2] (254-1)

352.015 MEMBERSHIP. Subdivision 1. **Persons aged 65.** No state employee who has reached the full age of 65 at the time he becomes entitled to membership in the association shall be eligible to membership, but any such person who is now a member of the association shall have the option of remaining a member or taking a refundment from the retirement fund.

Subd. 2. **Heads of department, when exempted.** Heads of departments required by law to be appointed by the governor or other elective officials may request exemption from membership provided they are not members of the association at the date of such appointment and the request for exemption is made within 90 days from the date of entering upon the duties of the position to which appointed, and they shall not thereafter be entitled to membership so long as they continue in the position which entitled them to exemption from membership.

Subd. 3. **Termination.** Nothing in this chapter shall terminate the membership of any present member of the association unless he should become eligible to and elect membership in the state teachers retirement fund in which event membership in the state employees retirement association shall cease; and if such member is entitled to service credit in the teachers retirement fund for the same period of service during which he was a member of the state employees retirement association he shall be entitled to a refundment but not entitled to an annuity from the state employees retirement fund for such duplicated period of service.

Subd. 4. **Membership not retroactive.** The membership of any person who may become entitled to membership under Laws 1945, chapter 284, shall not be retroactive.

Subd. 5. **Status of certain employees.** The membership of employees of the Minnesota Historical Society and employees of The Disabled American Veterans, Department of Minnesota, paid by state auditor's warrants and all employees of such society and such veterans' organization heretofore so paid or now contributing to the retirement fund are hereby declared to have such status as of the date their respective contributions began.

[1945 c. 284 s. 2]

352.02 STATE EMPLOYEES RETIREMENT ASSOCIATION. Subdivision 1. There is hereby established a state employees retirement association the membership of which shall consist only of state employees. Membership in such association shall be optional on the part of persons in the employ of the state on July 1, 1929, but all new state employees entering the service of the state thereafter, except

elective state officers and others, specifically excluded from membership by this act, shall become members of the association by acceptance of state employment and the head of the department shall thereupon cause deductions to be made from the salary of such new employees, and acceptance of employment shall be deemed consent to have such deductions made from salary for deposit to the credit of the member's individual account in the retirement fund. In the event that any error has been or should be made in the deductions from the salaries of members it shall be the duty of heads of departments to cause corrections to be made in such deductions upon discovery of the error. No person in the employ of the state on July 1, 1929, shall be eligible to apply for membership in the retirement association after July 1, 1931, except as provided in this chapter.

Subd. 2. (1) **State employees who may be members.** 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 required for the person's age on July 1, 1929, according to the rate schedule in effect at the date of becoming a member, 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 \$300.00 minimum 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; and beginning with the date of his return to the state service, or active service as the case may be, payments shall be at the rate required for his age at the date of returning to work.

(2) 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 in either a lump sum or in monthly installments by payroll deductions. Any person who has not completed the payments provided for in this section within 27 months from the date of becoming a member, shall have returned to him the sums paid less \$10.00 and shall thereupon be a member from July 1, 1941, or the date of becoming a member by reason of being a new state employee. The retirement board shall at the member's option accept notes for any balance due at the expiration of the 27 months, such notes to be paid in installments on or before July 1, 1947, but the entire 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.

[1929 c. 191 s. 2; 1931 c. 351 s. 2; 1933 c. 326 s. 2; 1935 c. 238 s. 2; 1941 c. 391 s. 2; 1943 c. 622 s. 2; 1945 c. 284 ss. 3, 4] (254-2)

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 reelection 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 compensation, but shall be reimbursed out of the retirement fund for expenses

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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 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.

[1929 c. 191 s. 3; 1931 c. 351 s. 3; 1935 c. 238 s. 3; 1941 c. 391 s. 3] (254-3)

352.04 PAYMENTS INTO RETIREMENT FUND. Subdivision 1. 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. The head of each department is required to cause such deduction 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.

Every department, bureau, division, commission, committee, or board which functions regularly as a permanent unit of the state government, shall pay to the state treasurer, for the uses and purposes of the state employees retirement fund, in the manner and at the times hereinafter specified, the amount of money hereinafter provided for, which payments shall be credited to the retirement fund by the state treasurer.

Every such unit of the state government which is wholly or substantially financially self-sustaining by reason of income or revenue derived from its own activities shall, beginning with the state's fiscal year ending June 30, 1940, and continuing with each fiscal year thereafter, allocate to the state employees retirement fund an amount equal to one-half of the total amount of superannuation annuities paid during the fiscal year to employees who were retired by such unit of the state government. Within 60 days after the end of each fiscal year, the secretary of the state employees retirement association shall compute the amounts due from such units of state government and certify the same to the state auditor who shall immediately transfer the amounts involved from the unit accounts to the state treasurer to the credit of the retirement fund, and notify the unit head of such transaction and this authority of the state auditor to transfer shall include all sums not transferred prior to the passage of this act.

The moneys necessary to provide for contributions to the retirement fund by the various units of the state government which are wholly or substantially financially self-sustaining by reason of income or revenue derived from their own activities are hereby appropriated for such purpose out of any funds derived by such units of government as income or revenue from their own activities.

If an employee has worked in departments other than the one in which he was last employed, that portion of the annuity herein provided to be paid by the department shall be paid by the department where he was last employed.

All such salary deductions and the contributions herein provided by the state 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.

The state auditor is hereby authorized and directed to cause to be levied for the year 1945 and each year thereafter upon all taxable property in the state, in the manner in which other taxes are levied, three-tenths of one mill. The proceeds of such tax levy are hereby appropriated to the state employees retirement fund.

Subd. 2. Computation of length of service. In computing the length of service of members for retirement purposes, who were required to pay a membership fee, full credit shall be given for prior service, and in computing the length of service of those entering the state service after July 1, 1929, who have had service prior to July 1, 1929, full credit shall be given for prior service, but no credit for service rendered prior to the date of becoming a member by reason of being a new state employee shall be given to any person who was a state employee on July 1, 1929, and did not exercise his option to become a member; except that a person electing to become a member as of July 1, 1929, as herein provided, shall be entitled to credit for service subsequent but not prior to July 1, 1929.

Subd. 3. Credit for service, when. No credit for service shall be allowed any member for periods such member may have been a state employee from June 30, 1929, to July 1, 1939, unless deductions shall have been made from the salary of such member or he has made payment in lieu thereof. From and after July 1, 1939, no credit for service shall be allowed any member for any calendar month in which he receives no salary or wages unless the head of the department gives notice, in writing, to the secretary of the retirement board within or prior to the calendar month when no salary or wages are received, that the member is on leave, or is on sick leave, or is inactive because of the seasonal nature of his work, as the case may be; unless the member's name is carried on the department payroll abstract marked "on leave," "sick leave," or "inactive."

Subd. 4. Absent because of temporary disability. 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 be given credit for service during such temporary disability, and 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.

Subd. 5. Limitation on payments in lieu of salary deductions. 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; the deductions made from the compensation received shall cover periods of inactivity, provided notice is given or the payroll abstract is marked as provided herein. 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.

Subd. 6. Serviceman granted leave of absence. Any member, however, who is granted a leave of absence to accept employment in essential war work during the present war emergency and until the cessation of hostilities as declared by proper federal authority, or until July 1, 1947, whichever may first occur, shall be required to pay into the retirement fund during such leave of absence, a sum equal to the deductions required on the basis of the salary received from the state at the time such leave began, payments to be made either monthly or within one year from the date of returning to the service of the state. Those members of the state employment service of the division of employment and security who were transferred to the United States Employment Service for the purpose of the war emergency shall be considered as engaged in essential war work.

Subd. 7. No credit for former service, when. Upon acceptance of a refundment of the accumulated deductions standing to the credit of a member in the retirement fund, all existing service credits and all rights and benefits to which the member was entitled prior to the acceptance of such refundment shall terminate and shall not again be restored. However, should any former member of the retirement association who has taken a refundment or refundments from the retirement fund prior to July 1, 1945, again become a member of the retirement association he may by making application to the retirement board within six months from the date of again becoming a member, repay the last refundment received from the retirement

fund with interest at four per cent per annum compounded annually from the date of refundment to the date of repayment and thereupon have restored the annuity rights forfeited by the acceptance of the refundment; repayment to be completed within five years upon such terms and conditions as the retirement board may by general rule prescribe, but payment with interest must be completed before any member is entitled to receive an annuity from the retirement fund.

Subd. 8. Status determined by board. The final power to determine the status of any individual in the employ of the state for the purposes of this chapter is hereby vested in the retirement board and its decision shall be final. Any individual or group of employees who have made contributions to the retirement fund for a period of two years shall not have membership terminated so long as such individual or group continues in the same employment, except as herein specifically provided.

[1929 c. 191 s. 4; 1931 c. 351 s. 4; 1933 c. 326 s. 4; 1935 c. 238 s. 4; 1939 c. 432 s. 2; 1941 c. 391 s. 4; 1943 c. 622 s. 3; 1945 c. 284 ss. 5, 6, 7; 1945 c. 603 s. 1] (254-4)

352.05 STATE TREASURER TO BE TREASURER OF ASSOCIATION. The state treasurer shall be ex-officio treasurer of the retirement funds of the association and his general bond to the state shall cover all liability for his acts as treasurer of these funds. All moneys of the association received by him shall be set aside in the state treasury to the credit of the proper fund. He shall deliver to the secretary of the retirement board each month copies of all payroll abstracts of the state together with the state auditor's warrants covering the deductions made on these payroll abstracts for the retirement fund; whereupon the secretary shall cause to be made, in triplicate, a list of the auditor's warrants and these warrants shall then be deposited with the state treasurer to be credited to the retirement fund. He shall pay out of this fund only on warrants issued by the state auditor, upon abstracts signed by the secretary of the retirement board; provided, that abstracts for investments may be signed by the secretary of the state board of investment.

[1929 c. 191 s. 5; 1931 c. 351 s. 5; 1935 c. 238 s. 5; 1941 c. 391 s. 5; 1945 c. 284 s. 8] (254-5)

352.06 INVESTMENT BOARD TO INVEST FUNDS. The retirement board shall, from time to time, certify to the state board of investment for investment such portions of the retirement fund as in its judgment may not be required for immediate use. The state board of investment shall thereupon invest the sum so certified in such securities as are duly authorized legal investments for savings banks and trust companies, and shall sell any such securities upon request of the retirement board.

[1929 c. 191 s. 6; 1931 c. 351 s. 6; 1935 c. 238 s. 6; 1941 c. 391 s. 6] (254-6)

352.07 CIVIL SERVICE DEPARTMENT TO FURNISH INFORMATION AS TO STATUS. Upon the request of the retirement board, the civil service department shall furnish such information relative to the status of state employees as may be required by the board in the performance of its duties.

[1929 c. 191 s. 7; 1931 c. 351 s. 7; 1941 c. 391 s. 7] (254-7)

352.08 LEGAL ADVISER. The attorney general shall be the legal adviser of the retirement board.

[1929 c. 191 s. 8] (254-8)

352.09 REFUNDMENT IN CERTAIN CASES. 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 serv-

ice, 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 an annuity determined as follows: for each year of 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. All annuities provided for in this section shall begin on the first day of the calendar month in which the application for such 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. Salary deductions are to be made according to the age at the time of again becoming a state employee. No annuity provided for in this section shall exceed the maximum provided by this chapter. 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, and The Disabled American Veterans, Department of Minnesota, whichever applies, except that persons receiving an annuity shall be considered members.

[1929 c. 191 s. 9; 1931 c. 351 s. 8; 1933 c. 326 s. 5; 1935 c. 238 s. 7; 1939 c. 432 s. 3; 1941 c. 391 s. 8; 1945 c. 284 s. 9] (254-9)

352.10 [Repealed by 1945 c. 284 s. 1]

352.103 EX-MEMBER RETURNING TO STATE EMPLOYMENT. Subdivision 1. Whenever a member who has withdrawn his accumulated deductions shall re-enter employment entitling him to membership in the state employees retirement association, he shall become a member of the association on the same basis as a new employee and shall not be entitled to credit for any former service, nor shall the annuity rights forfeited at the time of taking a refundment be restored, except that members who took refundments prior to July 1, 1945, may repay the last refundment as is provided in this chapter.

Subd. 2. Should any former member who has received either an annuity, a proportional deferred annuity, or a deferred 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.

[1945 c. 284 s. 10]

352.11 RETIREMENT ANNUITY. Subdivision 1. When any member of the retirement association has been an employee of the state for a period of 20 years and has attained the age of 65 years, or when any such employee has been in the service of the state for a period of 35 years, he shall be eligible for retirement for superannuation, but such retirement shall not be compulsory prior to attaining the age of 70; provided, that in computing such term of service the time during which any member of the association shall have maintained his membership by the payment of assessments during the period July 1, 1929, to July 1, 1939, shall be included.

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; 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

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will be made in the amount of the annuity by reason of such military service. Such retirement may be made upon application of the member or of some one acting in his behalf, or in case of an employee in active service, upon the application of the head of the department in which the member is employed. 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 per month.

Subd. 3. If the total of annuities shall, during any month, become greater in amount than the monthly deductions from salaries and contributions made by the state, the board shall proportionally reduce the amount of annuities for that month. In determining the contributions made by the state in any month, it shall be considered that one-twelfth of the amount appropriated for the fiscal year is the amount of the contributions made by the state for that month; provided, such one-twelfth does not exceed 50 per cent of the annuities paid and payable for that month. If such one-twelfth exceeds 50 per cent of the annuities paid and payable for that month, then, in that case, 50 per cent of the annuities paid and payable for that month shall be considered the amount of the contributions made by the state for that month. The balance of any annuities heretofore not paid in full by reason of the fact that the total of annuities and refundments were greater than the monthly deductions from salaries, shall be paid proportionally in the first and subsequent months when the salary deductions exceed the total of annuities and refundments. Any annuity payments which may subsequent to July 1, 1939, be proportionally reduced by reason of the fact that annuities exceed the salary deductions and contributions made by the state, shall be paid proportionally in the first and subsequent months when the salary deductions and contributions by the state exceed the annuity payments.

Subd. 4. In making proportional annuity payments for prior months in which the annuities were not paid in full, full payments shall be made for the first month in which annuities were proportionally reduced before any proportional payments shall be made to apply on subsequent months when annuity payments were reduced, and this method shall be followed for each month when only proportional annuity payments were made.

[1929 c. 191 s. 11; 1931 c. 351 s. 10; 1933 c. 326 s. 7; 1935 c. 238 s. 9; 1939 c. 432 s. 5; 1941 c. 391 s. 10; 1945 c. 38 s. 2] (254-11)

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 annuity payment to which a member is entitled at the time of his death shall be paid in the same manner. Any member who dies without having designated a beneficiary, or if the beneficiary should die before making application for refundment or annuity payment, as the case might be, 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.

[1929 c. 191 s. 14; 1933 c. 326 s. 1; 1935 c. 238 s. 12; 1941 c. 391 s. 11] (254-14)

352.13 ANNUITIES PAID IN MONTHLY INSTALMENTS. All annuities granted under the provisions of this chapter shall be paid in equal monthly instalments and shall not be increased, decreased, or revoked except as provided herein.

[1929 c. 191 s. 15; 1931 c. 351 s. 1; 1933 c. 326 s. 1; 1935 c. 238 s. 13; 1941 c. 391 s. 12] (254-15)

352.14 DATE OF RETIREMENT. No member of the retirement association shall be entitled to receive an annuity until he shall have paid into the retirement fund, by deductions from salary for a period of five years after becoming a member.

[1929 c. 191 s. 16; 1931 c. 351 s. 1; 1933 c. 326 s. 1; 1935 c. 238 s. 14; 1941 c. 391 s. 13] (254-16)

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352.15 FUNDS NOT SUBJECT TO PROCESS. None of the moneys, annuities, or other benefits mentioned herein shall be assignable either in law or in equity or be subject to execution, levy, attachment, garnishment, or other legal process, nor shall they be subject to any state income tax.

[1929 c. 191 s. 17; 1931 c. 351; 1933 c. 326; 1935 c. 238 s. 15; 1941 c. 391 s. 14] (254-17)

352.16 INSURANCE LAWS NOT TO APPLY. None of the laws of this state regulating insurance or insurance companies shall apply to the retirement association or any of its funds.

[1929 c. 191 s. 18; 1933 c. 326; 1935 c. 238 s. 16; 1941 c. 391 s. 15] (254-18)

352.17 MAY RECEIVE GIFTS AND BEQUESTS. The retirement board is hereby authorized and empowered to credit to the retirement fund any moneys received in the form of donations, gifts, appropriations, bequests, or otherwise, or derived therefrom.

[1929 c. 191 s. 19; 1933 c. 326; 1935 c. 238 s. 17; 1939 c. 432 s. 6; 1941 c. 391 s. 16] (254-19)

352.18 RULES AND REGULATIONS. Any changes or additions which may be found necessary or advisable for the management of the retirement fund, may be made by a majority vote of the board of directors, provided no increase is made in the amount of deductions from salaries, or decrease in the amount of benefits paid.

[1929 c. 191 s. 22; 1933 c. 326; 1935 c. 238 s. 20; 1941 c. 391 s. 18] (254-22)