

Sec. 23. **Age of retirement.** A member of such association who has completed a period or periods of service as a fireman in the fire department of the city equal to 20 years or more, shall, after he has arrived at the age of 50 years or more and has retired from the payroll of the fire department, be entitled to receive from the association a service pension in such amount as shall be fixed by the bylaws of the association, which pension shall in no event be less than ~~\$100 per month~~ *one half of the pay of a first class fireman at the time of his retirement*, and shall be payable monthly during the term of his natural life, in conformity with the bylaws of the association. All leaves of absence of more than 90 days, except such as are granted to a member because of disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in the fire department not subject to the provisions of this act. No member shall be entitled to draw both a disability and a service pension.

Sec. 5. Laws 1949, Chapter 87, Section 26, Subdivision 4, is amended to read:

Subd. 4. Such widow shall be entitled to a pension ~~of not less than \$25; and not to exceed \$100 per month; in such amount as shall be fixed by the bylaws of the association shall provide,~~ *which pension shall in no event be less than 30 percent of the pay of a first class fireman at the time of the death of said deceased member or the time of retirement of said deceased pensioner; and which pension shall be paid monthly and shall continue for her natural life; provided, that if she shall remarry, the pension shall terminate as of the date of her remarriage.*

Sec. 6. *This act takes effect when approved by the governing body of the city of Austin and upon compliance with Minnesota Statutes, Section 645.021.*

Approved May 13, 1965.

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CHAPTER 419—H. F. No. 1022

*An act relating to workmen's compensation; establishing notification time for injury caused by x-ray, radium and radioactive substances; amending Minnesota Statutes 1961, Section 176.151.*

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

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

Section 1. Minnesota Statutes 1961, Section 176.151, is amended to read:

**176.151 Workmen's compensation; radiation; notice of injury; time limitations.** The time within which the following acts shall be performed shall be limited to the following periods, respectively:

(1) Actions or proceedings by an injured employee to determine or recover compensation, two years after the employer has made written report of the injury to the commission, but not to exceed six years from the date of the accident.

(2) Actions or proceedings by dependents to determine or recover compensation, two years after the receipt by the commission of written notice of death, given by the employer, but not to exceed six years from the date of the accident. In any such case, if a dependent of the deceased, or any one in his behalf, gives written notice of such death to the commission, the commission shall forthwith give written notice to the employer of the time and place of such death. In case the deceased was a native of a foreign country and leaves no known dependent within the United States, the commission shall give written notice of the death to the consul or other representative of the foreign country forthwith.

(3) In case of physical or mental incapacity, other than minority, of the injured person or his dependents to perform or cause to be performed any act required within the time specified in this section, the period of limitation in any such case shall be extended for two years from the date when the incapacity ceases.

(4) *In the case of injury caused by x-rays, radium, radioactive substances or machines, or ionizing radiation, the time limitations otherwise prescribed by Minnesota Statutes 1961, Chapter 176, and acts amendatory thereof, shall not apply, but the employee shall give notice to the employer and commence his action within two years after the employee has knowledge of the cause of such injury and the injury has resulted in disability.*

Approved May 13, 1965.

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CHAPTER 420—H. F. No. 1091

[Not Coded]

*An act relating to Independent School District No. 531; au-*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**