

a receipt for the same, setting forth the object for which the same was paid; which certificate and receipt shall be forwarded to the state auditor, who shall, at the next settlement, place a warrant for such amount into the hands of the state treasurer, to be credited on the settlement with said county treasurer."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

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## CHAPTER 159.

H. F. No. 758.

*An act creating pension for disabled or retired policemen in cities situated in counties now having or which may at any time hereafter have a population of 150,000 and not over 225,000 inhabitants and providing for a fund out of which such pension shall be paid and for the establishment of a pension board for the management, control and distribution of such fund.*

Cities of  
150,000 to  
225,000 inhab-  
itants.

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

SECTION 1. In every city situated in counties now having or which may at any time hereafter have a population of 150,000 inhabitants or over, and not over 225,000 inhabitants, there may be created a police pension fund, which shall be governed and managed by a police pension board in accordance with the provisions of this act.

SEC. 2. That every paid municipal police department now existing or which may hereafter be organized may and are hereby authorized to become incorporated pursuant to the provisions of title 3, chapter 34 of the General Statutes of Minnesota, 1894, and acts amendatory thereto, or adopt a constitution and by-laws as a relief association to provide and permit and allow said police relief association so incorporated or so organized to pay out of, and from any funds it may have received from the State of Minnesota or from any other source, a service pension in such amounts and in such manner as its articles of incorporation or the constitution and by-laws shall so designate, not exceeding however the sum of \$40 per month to each of its pensioned members who shall have arrived at the age of 55 years or more, and shall have

Incorporation  
of police  
department.

Service pen-  
sion to dis-  
abled and  
aged mem-  
bers.

done active police duty as a member of such paid municipal police department for a period of 20 years or more in the police department of such city in which such relief association shall be so organized or who having been disabled physically or mentally because of any injury received or suffered while in the performance of his duties as such police officer, so as to render necessary his retirement from active police service may be placed upon the pension list, and shall receive such pension as provided for in said articles of incorporation or constitution and by-laws; *provided, however*, that said fund shall not be used for any other purpose other than for the payment of service pensions and a disability pension as herein provided.

Not to exceed \$40 per month.

SEC. 3. Every such association shall at all times have and retain the right to increase or reduce the amount of such pension not to exceed \$40 per month whenever, because of the amount of funds on hand, or for other good reasons such increase or reduction may seem advisable or proper to the board of management of said relief association.

Restrictions.

SEC. 4. The pension authorized by this act shall not be paid to any person while drawing salary in any amount from said police department; and no member shall be entitled to said pension after he removes his residence from the city where such relief association is located or who shall have been convicted of a felony or misdemeanor for which he shall be adjudged to be imprisoned or who is a habitual drunkard; and that any person receiving the pension herein mentioned shall not receive or be entitled to receive any other or further pension or relief from said association.

Pension not subject to judgment, etc.

SEC. 5. No payments made or to be made by said board to said member of said police force shall be subject to judgment, garnishment or execution or other legal processes and no person entitled to such payment shall have the right to assign the same, nor shall said association have the authority to recognize or pay over any sum whatever which has been assigned.

Management of fund.

SEC. 6. Said association through its officers shall have full charge, management and control of the police pension fund herein provided for, which said fund shall be derived from the following sources:

Gifts, etc.

First—From the gifts of real estate or personal property, rents, or money or other sources; second, an amount

or sum equal to 1-10 of 1 mill shall be annually assessed, levied and collected by the proper officers of such city where a police relief association exists, upon each dollar of each taxable property in such city as the same appears on the tax records of such city, which said sum shall by the proper officers of said city be placed on the credit of the police pension funds, and shall not be used or devoted to any other purpose other than for the purpose of the police pension fund; *provided, however*, that if at any time the fund so raised by taxation as in this section provided, together with other resources exceeds the needs of said police pension board in the properly carrying out the provisions of this act; then as often as this shall occur, said sum so to be raised by taxation shall be proportionately reduced to such amount as will sufficiently carry out the provisions of this act, then there shall only be raised by taxation such part of aid 1-10 of 1 mill upon each dollar of all the taxable property in such city as shall be necessary for the proper maintenance of said fund as in this act provided.

Tax levy.

Levy may  
be reduced.

SEC. 7. The said governing board shall have full power to hold, transfer and sell real estate and personal property, and invest said funds for the betterment of said association.

Conveyance  
of property.

SEC. 8. The governing board of said association shall consist of five members to be elected annually, who shall hold their terms of office for one, two, three, four and five years, respectively, or until their successor is duly elected and qualified, and the mayor and chief of police shall be ex-officio members of said board. All vacancies occurring in the elective membership of said board shall be filled by a special election called for said purpose.

Members  
of govern-  
ing board,  
terms, ex-  
officio.

Vacancy.

SEC. 9. The said governing board of said association shall file annually, on or before the first day of September of each year, with the comptroller of said municipality, a detailed report of the amount of money so received, expended and still remaining on hand to the credit of said association.

Report.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.