

dary line between the state of Minnesota and any other state is hereby authorized, in addition to all other authority possessed by such village, to own, maintain and operate a ferry boat across such river, and the village council or other governing body is authorized to provide rules and regulations therefor.

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

Approved April 24, 1919.

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CHAPTER 430—H. F. No. 393.

*An act creating a pension for disabled or retired employes in the classified service of any department or bureau of health in any city now or hereafter having a population of fifty thousand or more, operating under a home rule charter and providing a fund out of which such pensions shall be paid and for the establishment of a pension board for the management, control and distribution of such pension and funds.*

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

Section 1. **Bureau of health detention board.**—In every city in this state now or hereafter having a population of fifty thousand or more, there may be created a department or bureau of health pension fund which shall be governed and managed by a department or bureau of health pension board, in accordance with the provisions of this act.

Sec. 2. **Service pension to be allowed.**—That every such municipal department or bureau of health now existing, or which may hereafter be organized, may and hereby is authorized to become incorporated pursuant to the provisions of the General Statutes of Minnesota, and to adopt articles of incorporation and by-laws as a relief association to provide and permit said department or bureau of health, relief association so incorporated or so organized, to pay out of and from any funds that it may have received from the state of Minnesota or from any other source, a service pension in such amount and in such manner as its articles of incorporation and by-laws shall designate, not exceeding, however, the sum of \$50.00 per month to each of its pensioned members, who have arrived at the age of fifty years and who shall have done active duty as a member of such health department or bureau for a period of twenty years or more in the city in which such relief association shall be so organized, or who having been disabled physically or mentally because of any injury or disability received or suffered while in the performance of his duties as such member of the department or bureau of health, so as to render necessary his retirement from active 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 than for the payment of service and disability pensions as herein provided.

**Sec. 3. Right to increase or reduce amount not to exceed \$50.**—Every such association shall at all times have and retain the right to increase or reduce the amount of such pension 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, provided the pension herein authorized shall never exceed \$50.00 per month for each person pensioned.

**Sec. 4. Not to be paid while drawing salaries.**—The pension authorized by this act shall not be paid to any person while drawing salary in any amount from said municipality and no member shall be entitled to said pension after he removes from the state of Minnesota or who shall have been convicted of a felony for which he shall be adjudged to be imprisoned, or who is an habitual drunkard; and 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.

**Sec. 5. Not subject to execution.**—No payments made or to be made by said board to said member of said department or bureau of health 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, except that nothing herein contained shall be construed as prohibiting payment of such pension to the duly appointed guardian of the person to whom it has been awarded.

**Sec. 6. Association to have charge of funds—Tax levy.**—Said association through its officers shall have full charge, management and control of the health department or bureau pension fund herein provided for, which said fund shall be derived from the following sources: First, dues of its members and from the gifts of real estate or personal property, rents, or money or other sources; second, an amount or sum equal to one-twentieth of one mill shall be annually assessed, levied and collected by the proper officers of such city where a health relief association exists, upon each dollar of 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 to the credit of the health department or bureau pension funds, and shall not be used or devoted to any other purpose than for the purpose of the health department or bureau 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 health department or bureau of pension fund in 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, and there shall only be raised by taxation such part of said one-twentieth of one 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.

**Sec. 7. Power of governing board.**—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.

**Sec. 8. Membership of board.**—The governing board of said association shall consist of five members to be elected annually, the members of the first board shall hold their offices for one, two, three, four and five years respectively, and until their successors are duly elected and qualified, and the commissioner of public safety or other department head, and chief health officer and city treasurer or commissioner of finance or other similar officer, shall be ex-officio members of said board, and the said commissioner of finance or city treasurer, or other like officer, shall be ex-officio treasurer of said board and organization. All vacancies occurring in the elective membership of said board shall be filled by a special election called for said purpose.

**Sec. 9. Annual report.**—The said governing boards of said associations shall file annually, on or before the 10th 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.

**Sec. 10. Application.**—This act shall apply only to cities of the first class operating under a charter framed pursuant to section 36 of article 4 of the constitution of the state of Minnesota.

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

Approved April 24, 1919.