

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."

Sec. 6. **Law amended.**—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 254-19, is hereby amended so as to read as follows:

"254-19. **Donations and gifts to fund.**—The retirement board is hereby authorized and empowered to credit to the fund any moneys received in the form of donations, gifts, appropriations, bequests or otherwise, or derived therefrom.

Sec. 7. **Appropriation for fund.**—There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of \$50,000 for each year or so much thereof as may be necessary to carry out the provisions of this act, *provided, however, that any amount paid into the state retirement fund by any 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 be deducted from said annual appropriations of \$50,000.*

Approved April 22, 1939.

CHAPTER 433—H. F. No. 1426

An act relating to the supervision and regulation of the transportation of property by motor vehicle on the highways of this state by contract carriers and common carriers not operating over a regular route; and to amend the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 5015-20, Subdivision (g).

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

Section 1. **What are contract carriers.**—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 5015-20, Subdivision (g), is hereby amended so as to read as follows:

"5015-20. (g) The term "contract carrier" means any person engaged in the business of transporting property for hire over the public highways of this state, other than as a common carrier.

The terms "common carrier" and "contract carrier" shall not apply to any person engaged in the business of operating motor vehicles in the transportation of property exclusively

within the zone circumscribed by a line running parallel to the corporate limits of any city or village or contiguous cities and/or villages and 35 miles distant therefrom when such person resides within said zone. The terms "common carrier" and "contract carrier" shall not apply to a person engaged in agricultural pursuits who owns and uses a truck either for the purpose of transporting the products of his farm or occasionally transporting the property of others for hire, *nor shall the terms "common carrier" and "contract carrier" apply to any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, nor shall the terms "common carrier" and "contract carrier" apply to a manufacturer, producer, dealer or distributor who, in the pursuit of his business, owns and uses a truck, or trucks, either for the purpose of transporting his own products or occasionally transporting the property of others for hire.*"

Approved April 22, 1939.

CHAPTER 434—H. F. No. 1460

An act relating to firemen's relief associations in certain cities; amending the 1938 Supplement to Mason's Minnesota Statutes of 1927, Sections 3728-1 and 3728-2; and amending Laws 1935, Chapter 153.

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

Section 1. Law amended.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 3728-1, is hereby amended so as to read as follows:

"3728-1. Firemen's Relief associations in certain cities—**Retirement age.**—In any city of the third class having an assessed valuation in excess of \$12,000,000, and having a fire department relief association organized under the laws of this state, and authorized to pay benefits under Mason's Minnesota Statutes of 1927, Sections 1920, and 3723 to 3728, inclusive, or any amendments thereof, such fire department relief association, *when its special fund as shown by the secretary's annual report shall have reached the sum of \$65,000*, may pay retirement pensions in excess of the amounts authorized by such statutes, but not in excess of the following total amounts: *a basic pension of \$75.00 per month to each of its members who has heretofore retired or may hereafter retire, who has*