

the time of such leave, provided, that so far as any increase in the amount of money benefits accruing with respect to the time of such leave is dependent upon the payment of any contributions or assessments, the right to such increase shall be conditioned upon the payment of such contributions or assessments within such reasonable time after the termination of such leave and upon such terms as the authorities in charge of such system may prescribe.

Sec. 4. Vacancies to be filled temporarily.—In any case where a public officer or employee is absent with leave under the provisions of this act and where it is necessary in the public interest to provide for the performance of the duties of his position during such absence, the authority having power to fill a vacancy in the position may appoint a substitute, to be known as acting incumbent, who shall qualify as required for the regular incumbent, shall receive the same compensation as fixed by law, otherwise such compensation as may be fixed by proper authority, and shall have all the powers and perform all the duties of the position until the return of the regular incumbent; provided, that this shall not preclude the making of any other provision for the discharge of the duties of the position which may be otherwise authorized by law.

Sec. 5. Act to be supplementary.—The rights and privileges granted by this act shall be supplementary to and not exclusive of any other rights or privileges conferred by law on public officers or employees, but shall not obtain in any case where the military or naval service is constitutionally or legally incompatible with the public office or employment.

Sec. 6. Law repealed.—Mason's Supplement 1940, Section 2425, is hereby repealed.

Approved April 4, 1941.

CHAPTER 121—H. F. No. 561

An act authorizing conveyance of the site of the present St. Cloud Armory to the City of St. Cloud.

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

Section 1. Governor and State Auditor to convey property to the city of St. Cloud.—The governor and the state auditor are hereby authorized and directed to convey by proper deed in the name of the state to the City of St. Cloud the site of the present armory in said city, such conveyance to be made

upon notification by the adjutant general that a suitable new armory has been constructed and completed upon another site in said city by the Minnesota State Armory Building Commission or other authorized agency.

Approved April 4, 1941.

CHAPTER 122—H. F. No. 770

An act authorizing a city of the fourth class that has entered into a sewage disposal contract with an adjoining city of the first class to collect and certify to county auditor maintenance charge thereunder in same manner as cities of the first class.

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

Section 1. **Cities of fourth class to collect sewage charge in certain cases.**—Any city of the fourth class that has entered into a contract with an adjoining city of the first class for the conveying, treatment and disposal of the sewage of said city of the fourth class, pursuant to Mason's Supplement 1940, Section 1607-23, shall have the same authority to collect and certify to the county auditor the maintenance charge made for the services under said contract as do said cities of the first class pursuant to Mason's Supplement 1940, Section 1607-33.

Approved April 4, 1941.

CHAPTER 123—S. F. No. 570

An act relating to proceedings by the state fire marshal for the demolition or repair of buildings and structures which are fire hazards and dangerous to the life and limb, which buildings are located on state owned property or held in trust by the state, amending Mason's Supplement 1940, Section 5961-1. Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—That Mason's Supplement 1940, Section 5961-1, be amended so as to read as follows:

"5961-1. State fire marshal may repair or demolish certain structures.—The state fire marshal is hereby authorized to petition the district court of any county for an order of condemnation directing the destruction, repair or alteration of any building or structure located on land owned by and/or on land held in trust by the state, which is especially liable