

in such proportion as the assessed valuation of each county bears to the total assessed valuation of such judicial district in the preceding year *provided, however, that whenever any district judge shall preside upon the trial or hearing of any cause outside of his resident judicial district, wherein the district judge receives a larger salary, he shall receive as additional compensation during the period of such trial or hearing the difference between his fixed compensation and the compensation of the district judge of the district where he has been so engaged, the same to be paid by the county wherein said trial or hearing was held upon certification of the senior resident district judge thereof.*"

Approved April 10, 1941.

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#### CHAPTER 196—H. F. No. 806

*An act relating to firemen's relief associations and firemen's pensions and levies therefore in cities of the fourth class in all counties having a population of not less than 24,000, nor more than 26,000 inhabitants according to the last federal census, and having an assessed valuation of not less than \$6,000,000, nor more than \$8,000,000, exclusive of money and credits, and containing a total acreage of not less than 550,000, nor more than 552,000 acres.*

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

**Section 1. Firemen's relief associations and firemen's pensions in certain cities.**—In any city of the fourth class situated in a county having a population of not less than 24,000, nor more than 26,000 inhabitants according to the last federal census, and having an assessed valuation of not less than \$6,000,000, nor more than \$8,000,000, exclusive of money and credits, and containing a total acreage of not less than 550,000, nor more than 552,000 acres, and having a Firemen's Relief Association organized under the laws of the state and authorized to pay benefits under Mason's Minnesota Statutes of 1927, Sections 1919, 1920, and 3723 to 3728 inclusive, or any amendments thereof, such Fire Department Relief Association may pay retirement pensions in excess of the amounts authorized by such statutes, but not in excess of the following total amounts: \$60.00 per month to each of its members who has heretofore retired or may hereafter retire, who has reached or shall hereafter reach the age of 50 years, and who has done or hereafter shall do active duty for 20 years

or more in a municipality where such association exists, and who complies with such additional conditions as to age, service and membership as may be prescribed by the certificate or by-laws of such association. The amount of monthly pension which may be paid to such retired fireman may be increased by adding to the maximum above described an amount not exceeding \$2.00 per month for each year of active duty over 20 years of service before retirement; provided, however, that no such Fire Department Relief Association shall pay to any member thereof a pension in any greater amount than the sum of \$80.00 per month.

**Sec. 2. Payment to be subject to conditions and by-laws.**—The payment of such additional retirement pension shall be subject to all the conditions imposed by the statutes heretofore mentioned and by the certificate or by-laws of such association.

**Sec. 3. Association may pay benefits.**—Nothing herein shall be construed as preventing any such association from paying any benefits other than service pension which they may be authorized to pay to members of the association under the General Laws of this state or of the statutes hereinbefore referred to, except that such benefits shall not be paid to any member while he is receiving a pension hereunder.

**Sec. 4. Not subject to judgments or executions.**—No pension allowed or to be allowed by any Firemen's Relief Association under this act, and no accumulated contributions of members to the fund hereinafter referred to, shall be subject to judgement, garnishments, or executions or other legal process, and no person entitled thereto shall have any right to assign the same, nor shall the association have the power to recognize any attempted assignment or pay over any sum whatever, which has been assigned or attempted to be assigned.

**Sec. 5. Deductions from monthly pay.**—In addition to the money in the special fund of said association or provided to be raised therefor under existing laws for the payment of pensions and other benefits, revenues from the following sources shall be paid to said special fund, to wit: It shall be the duty of the city clerk, treasurer or other disbursing officer of such city to deduct each month from the monthly pay, of each member of the fire department who is a member of the association, a sum equal to two per cent of such monthly pay, and to pay the same to the treasurer of the Firemen's Relief Association. The city council or other governing body of such city for the support of the fund, shall each year at

the time the tax levies are made for the general revenues of the city, levy within the limits permitted by law, a tax of three-tenth of one mill on all taxable property of such city, exclusive of money and credits, which levy shall be transmitted to the county auditor of the county in which the city is located at the time the other tax levies are transmitted and collected, and the payment enforced in the same manner as other taxes of such city. The city treasurer, when the money derived from such tax are received by him, shall pay the same to the treasurer of the Firemen's Relief Association.

**Sec. 6. Tax levy to be omitted in certain cases.**—If at any time the balance on hand of the fund so raised by taxation as in this section provided, together with other resources in said special fund, shall exceed the sum of \$75,000 or more, then as often as this shall occur, the levy of said sum shall be omitted for any year in which said condition shall exist; if at any time the whole amount of the sums that may be raised by taxation in any year is not needed for the purposes of this act and the maintenance of said fund at the amount prescribed herein, then such sum so to be raised by taxation in any such year shall be proportionately reduced to such amount as will be sufficient to carry out the provisions hereof.

**Sec. 7. Investment of funds.**—The treasurer of said association shall, upon written direction of the governing body or board of directors thereof, invest said funds in such interest-bearing securities as are specified, from time to time, by said board of directors; provided same shall be such securities as are prescribed by laws of Minnesota, from time to time, as securities for investments of the state board of investment.

**Sec. 8. May receive accumulated deductions in certain cases.**—Whenever a member of said association shall cease to be a member of said department, for any reasons other than death or retirement, he shall be paid, on demand, the full amount of the accumulated deductions from pay standing to his credit. Whenever any member shall die without having received a pension, or without having received in pension payments an amount equal to the total amount of the accumulated deductions from his salary heretofore provided for, the full amount of such accumulated deductions, less such pension payments, if any, as have been made to said member shall be paid in one lump sum to the beneficiary or beneficiaries of such member; provided, however, if no valid claim is established therefor, such accumulated deductions shall remain

with and become the property of said association. No member shall be entitled to interest upon deductions under the provisions of this paragraph.

Approved April 10, 1941.

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CHAPTER 197—H. F. No. 902

*An act regulating the inspection, certification, promotion of quality and demand of seed potatoes; amending Mason's Minnesota Statutes of 1927, Sections 6139-2 and 6139-3.*

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 6139-2, is hereby amended to read as follows:

"6139-2. **Commissioner to inspect seed potatoes.**—The inspection, *certification, promotion of quality, and creation of demand and sale* of seed potatoes by or under the direction of the commissioner as herein provided, is hereby authorized."

Sec. 2. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 6139-3, is hereby amended to read as follows:

"6139-3. **Duties of commissioner—forms—records.**—The commissioner is hereby authorized and it is made his duty to provide the means and direct the work for the inspection, certification, *promotion of quality, and creation of demand and sale* of seed potatoes. He shall provide such forms as are necessary and keep a record of the work performed, and shall appoint, designate or employ such officers, inspectors and *employees* as may be deemed necessary and fix their compensation."

Approved April 10, 1941.

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CHAPTER 198—H. F. No. 952

*An act requiring certain reports of escheated property and providing for the sale thereof in certain instances.*

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

Section 1. **Report of escheated property to state board of investment.**—The state auditor shall report immediately to the state board of investment all property other than