

Subd. 11. **Admission of non-resident and over-age pupils.**— It may provide for the admission to the schools of the district, of nonresident pupils, and those above school age, and fix the rates of tuition for such pupils. In case a person owns 70 acres or more of land and pays the taxes thereon, in a common or an independent school district other than the one in which he resides, then such person or his tenant shall be admitted to all the benefits of the schools of such district, the same as residents therein, and if the owner of less than 70 acres therein he or his tenant shall be admitted to all the benefits of said school the same as residents therein, upon conforming to such reasonable terms for tuition and transportation as the board of education of such school district may have established for nonresidents, except that he shall be entitled to have the amount of school taxes which he pays to the support of said district applied in payment of said tuition and transportation fees. Nothing in this subdivision shall be so construed as to authorize any person who may receive any of the benefits or privileges to vote at any school district meeting of the school district within which he may receive such benefits or privileges, but of which he is not a member.

Approved April 1, 1943.

CHAPTER 267—S. F. No. 878.

An act relating to police pensions in cities of the first class.

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

Section 1. **Amount of police pension in certain cities of the first class.**—Any police relief association or police pension relief association, now in existence and incorporated according to law, in any city of the first class in this state which has an assessed valuation, excluding money and credits, of not more than \$90,000,000, may pay out of and from any funds it may have received a service, disability, or dependency pension in such amounts and in such manner as its articles of incorporation or the constitution and by-laws shall designate, not exceeding the following sum per month to each of its pensioned members who shall have reached the age of 50 years or more and served 20 years or more in such department, or their widows, and children under 16 years of age:

A sum equal to one-half of the monthly compensation allowed such member as salary at the date of his retirement, when such

member shall have arrived at the age of 50 years or more and shall have served 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 is so in existence, or who has been permanently disabled physically or mentally because of any injury received or suffered while a duly authorized member of such paid municipal police department so as to render necessary his retirement from active police service. Any such member who has been a member of such paid municipal police department for 20 years or more and who shall sever his connection with said paid municipal police department before he shall have attained the age of 50 years, shall be eligible to the benefits of such police relief association of such city when he arrives at the age of 50 years. If any member retires under the provisions of the act before he has served one year in the grade in which he is serving when he retires, he shall receive the same compensation as though he had retired in the next lower grade. No retired member shall receive less than \$85.00, nor more than \$90.00 per month, but, commencing April 1, 1943, each member retired thereafter shall receive \$90.00 per month.

Sec. 2. Military service to be counted.—In the case of any applicant for a service pension who, following his entry into the service of any such police department, has served in the military forces of the United States in any war or national defense emergency subsequent to January 1, 1940, and has thereafter returned honorably discharged from such service and resumes active duty in such police department, the period that such applicant has served in such military or defense emergency service shall be counted in computing the period of service herein provided for, but during such period of military or defense emergency service, he shall not be considered as an active member of his association.

Sec. 3. Payments to widows and minor children.—The pension herein provided for shall be paid to any widow, or child under 16 years of age, of any such pensioned and retired member of the police department, or to any widow, or child under 16 years of age, of any member who dies while in the service of the police department of any such city, or to any widow, or child under 16 years of age, of any member who, after having been a member of such paid municipal police department for 20 years or more, shall sever his connection with such paid municipal police department and who shall die before he arrives at the age of 50 years, and such widow or child shall receive the sums hereinafter provided.

\$40.00—per month to such widow and \$10.00 per month to each of such children under 16 years of age; provided, that where such widow and such children reside together the money herein

required to be paid to such children shall be paid to such widow for the support of such children, but the money paid to such widow for herself and such children shall not exceed \$75.00 per month in all. In the event that any such widow remarries she shall receive no further benefits under this act.

Sec. 4. Pension fund not to be used for other purposes.—No police pension fund shall be used for any other purpose than for the payment of service, disability, or dependency pensions as herein provided.

Sec. 5. Who are members.—The word "member," as used in this act, includes police women, police matrons, and assistant police matrons.

Sec. 6. Subdivision 1. Who not entitled to pension.—The pensions authorized by this act shall not be paid to any person while drawing salary in any amount from such city as an employee in any police department or from any department of the state or any county or municipality therein as an employee; provided, however, that this provision shall not affect the status as a pensioner of any person whose status as a pensioner has been fixed by retirement while another provision of law was in effect.

Subd. 2. No member shall be entitled to said pension after he removes his residence from the United States.

Subd. 3. No member who has been convicted of a felony shall be entitled to such pension during the period of his incarceration in any penal institution as punishment for the commission of such felony; provided, that no widow, or child under 16 years of age, of any member who shall have been so convicted of a felony, shall be deprived of their pension rights under this act by reason thereof unless such widow, or child under 16 years of age, shall have been a party to the commission of such felony, and provided further that where such member so convicted of a felony is receiving a pension at the time of his conviction his wife, or child under 16 years of age, who has not been a party to the commission of such felony shall receive the pension provided for herein in the event of the death of such member.

Subd. 4. No person receiving the pension referred to in this act shall receive or be entitled to receive any other or further pension or relief from the relief association paying such pension.

Sec. 7. Subdivision 1. Relief Association to have charge of pension funds.—The relief association herein referred to, through its officers, shall have full charge, management, and control of the pension fund herein provided for, which said funds shall be derived from gifts of real estate or personal property, rents, money,

or from other sources. It shall be the duty of the city treasurer of any city affected by this act to deduct each month from the monthly pay of each member of such police department of such city a sum equal to three per cent of such monthly pay and place the same to the credit of the police pension fund. It shall be the duty of every police officer receiving any reward for services to place to the credit of the police pension fund all such rewards. The chief of police of any such city shall place to the credit of the police pension fund all moneys falling into the hands of the police that shall remain unclaimed for a period of six months and sell all unclaimed property falling into the hands of the police when the same is unclaimed for a period of six months and place the proceeds thereof to the credit of the police pension fund.

Subd. 2. An amount or sum sufficient to pay pensions due and payable in the following fiscal year, which shall be not less than three-fifths of a mill, nor in excess of one mill, in addition to the rate allowed to be levied by the charter of any city affected by this act, shall be annually assessed and levied at the time and in the manner that taxes for other funds of such city are levied by the proper officers of each city where a police relief association now exists, upon each dollar of all the taxable property in such city as the same appears on the tax records of such city and such levy for the benefit of such police relief association shall be collected and apportioned by the proper officers of any county in which such city is located in the same manner as are all taxes of such city and all annual surpluses shall remain in said police pension fund.

Approved April 1, 1943.

CHAPTER 268—H. F. No. 732.

(AMENDING SECTION 376.49 MINNESOTA STATUTES 1941.)

An act relating to the annual levy of taxes for joint tuberculosis sanatorium purposes in certain cases; amending Mason's Supplement 1940, Section 699-1, as amended by Laws 1941, Chapter 203.

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

Section 1. Law amended.—Mason's Supplement 1940, Section 699-1, as amended by Laws 1941, Chapter 203, is hereby amended to read as follows: