

said minerals that the interest owned by the State bears to the entire interest therein. Except as herein otherwise provided, royalty and rental payable hereunder shall be paid into the same fund as if the particular lands had been leased or sold under existing laws.

Sec. 8. **Effective date.**—This act shall take effect sixty days after its adoption and approval.

Approved April 2, 1943.

CHAPTER 278—H. F. No. 633.

(AMENDING SECTIONS 425.02; 425.03; 425.04; 425.06 and 425.08 MINNESOTA STATUTES 1941.)

An act relating to department of health pension funds in cities now or hereafter having a population of 50,000 inhabitants or more, and amending Mason's Supplement 1940, Sections 1442-2, 1442-3, 1442-4 and 1442-6, and amending Mason's Minnesota Statutes of 1927, Section 1442-8.

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

Section 1. **Law amended.**—Mason's Minnesota Supplement 1940, Section 1442-2 is amended to read as follows:

1442-2. **Pension system for disabled or retired employees.**—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 fund that it may have received from the State of Minnesota or from any other source, a service or disability pension in such sum and under such limitations and conditions as its articles of incorporation and by-laws shall provide and permit, to each of its pensioned members, who shall have reached the age of fifty years or more, 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 so employed as such member of such health department or bureau so as to render necessary his retire-

ment from active service, and in addition thereto to pay out of and from any such fund funeral benefits for deceased members, not exceeding the sum of \$100.00 for each deceased member, and general administration expenses, in such sum and under such limitations and conditions as the articles of incorporation and by-laws shall provide and permit. Such member entitled to pension under the provisions hereof may be placed upon the pension list, and shall receive such pension, in such sum and under such limitations and conditions as the articles of incorporation and by-laws shall provide and permit; provided, however, that such funds shall not be used for any other purpose than for the payment of service and disability pensions as herein provided, funeral benefits for deceased members and general administration expenses. *The service or disability pension payable to members of such relief associations who meet the requirements of this section shall be the sum of \$75.00 per month.* Provided further, that whenever it shall appear that any applicant for a service pension was a member of such relief association for a period of less than twenty years at the time of retirement, the amounts herein provided shall be reduced in such sum and under such limitations and conditions as its articles of incorporation and by-laws shall provide and permit.

Sec. 2. **Law amended.**—That Mason's Minnesota Supplement 1940, Section 1442-3 is amended to read as follows:

1442-3. **May increase or reduce amounts.**—Every such association shall at all times have and retain the right to reduce the amount of such pension if such pensioner was a member of such relief association for a period of less than twenty years; provided, however, that pensioners who have been members of such associations for twenty years and have met the provisions of Section 1442-2 or are disability pensioners as defined in Section 1442-2, shall receive the sum of \$75.00 per month.

Sec. 3. **Law amended.**—Mason's Minnesota Supplement 1940, Section 1442-4 is amended to read as follows:

1442-4. **When not to be paid.**—The pension authorized by this act shall not be paid to any person who is drawing salary in any amount from said municipality 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. *Every person employed in the health department or health bureau of any city in which a health relief association has heretofore or may hereafter be organized shall be required to join such health relief association, provided, however, that part-time employes shall here-*

after not be eligible to join any such association; provided further, that this section shall not affect the status of the membership of persons heretofore joining any such pension association organized under the provisions of Chapter 430 of the Laws of Minnesota for 1919 or acts amendatory thereof; provided further, that school nurses employed on the school year basis shall be considered full-time employes.

Sec. 4. **Law amended.**—That Mason's Minnesota Supplement 1940, section 1442-6, is amended to read as follows:

1442-6. 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, the Commissioner of Finance or Department of finance of any city affected by this act shall deduct each month from the monthly pay of each member of such department or bureau of health *relief association*, a sum equal to one per cent of such monthly pay and place the same to the credit of the said health department or bureau pension fund; third, 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.

Sec. 5. **Law amended.**—That Mason's Minnesota Statutes 1927, Section 1442-8 is amended to read as follows:

1442-8. Members 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. 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 governing board. The city treasurer or commissioner of finance or other similar 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.

Approved April 2, 1943.