

which proceedings comply with the requirements of said section, but the notice stating the time, place and object of the meeting erroneously refers to a section of Minnesota Statutes 1945 other than said section 315.01, and all official actions of said corporation subsequent to its incorporation, are hereby validated and legalized to the same extent as though said notice correctly referred to Minnesota Statutes 1945, Section 315.01.

Approved April 18, 1949.

CHAPTER 496—H. F. No. 1398

An act relating to police relief associations in certain cities of the third class; amending Minnesota Statutes 1945, Sections 423.376 and 423.384, as amended.

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

Section 1. Minnesota Statutes 1945, Section 423.376, as amended by Laws 1947, Chapter 625, Section 4, is amended to read:

423.376. **Tax levy.** The city council or other governing body of each such city wherein such a relief association is located shall each year, at the time the tax levies for the support of the city are made, and in addition thereto, levy a tax for the benefit of the special relief fund of such policemen's relief association of one mill on all taxable property within such city, until the balance in said special fund of such policemen's relief association in any such city has reached the sum of \$100,000 and thereafter said levy may be reduced by said city to a sum sufficient to maintain the balance in said special fund at not less than \$100,000.

The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is located and by said county shall be collected and payment thereof enforced, when and in like manner as state and county taxes are paid.

As soon as practicable after the first day of June and the first day of November, in each year, the county treasurer of

each such county shall pay to the treasurer of each such relief association within said county the amount of such tax then collected and payable to said association, together with all interest and penalties so collected, and all interest collected thereon between the time of collection and the time of payment to such relief association. And the city treasurer of such city, in the event that such tax or any part thereof is paid to him, shall likewise pay the same to the treasurer of the policemen's relief association of such city, as soon as the same has been collected, together with all interest and penalties thereon.

Sec. 2. Minnesota Statutes 1945, Section 423.384, as amended by Laws 1947, Chapter 625, Section 9, is amended to read :

423.384. **Retirement age.** A member of any such association as herein defined, who has completed a period, or periods of service, as a policeman in the police department of any such city, equal to 20 years or more, shall, after he has arrived at the age of 50 years or more, and has retired from the payroll of the police department of such city, be entitled *at the time of his retirement from said police department* to a service pension equal to $\frac{1}{2}$ of the *average* monthly base pay of such policeman, *such average to be computed from his monthly base pay during the last 20 years immediately preceding his retirement* but in no event shall such pension be less than \$75.00 per month which pension shall be payable monthly during the term of his natural life in conformity with the by-laws of the association, *provided however that those policemen who are members of any such association at the time of the passage of this act shall be entitled to a minimum service pension equal to $\frac{1}{2}$ of the monthly based [base] pay of such policeman at the time of the passage of this act.* All leaves of absence of more than 90 days except such as are granted to a member because of his disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in said police department not subject to the provisions of *Laws 1948, Chapter 521.* No member shall be entitled to draw both a disability and a service pension.

Approved April 18, 1949.