

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

Section 1. Police officers, certain cities of fourth class. In any city of the fourth class lying within the same county as a city of the first class and one or more of whose boundaries abutt [abut] upon and are contiguous to that of a city of the first class, having a home rule charter at the time of the passage of this act which does not provide otherwise, the appointment of the chief of police and any assistant chief and the powers of the police officers shall be as prescribed by the provisions of Section 411.26, Minnesota Statutes 1949, unless such charter is amended to provide therefor.

Approved March 6, 1951.

CHAPTER 43—H. F. No. 171

An act relating to firemen's relief associations in certain cities; amending Laws 1947, Chapter 43, Sections 12, 18, 20 and 23, as amended by Laws 1949, Chapter 154.

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

Section 1. Laws 1947, Chapter 43, Section 12, as amended by Laws 1949, Chapter 154, Section 2, is amended to read:

Sec. 12. Tax levies. The city council or other governing body of each such city wherein such a relief association is located shall each year at the time all tax levies for the support of the city are made and in addition thereto levy a tax of *one mill* on all taxable property within said city. When said special fund shall reach or exceed \$75,000 the levy, each year, shall be *five-tenths* of a mill until the fund goes below \$75,000 when the levy shall again be *one mill*. 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. In addition thereto and only if such tax is levied the city treasurer, finance commissioner or other officer charged with the responsibility

of the city's finances, shall each month deduct the sum of \$4.00 from the basic monthly pay of all firemen and transfer the total thereof to the treasurer of the special fund of the firemen's relief association, who shall credit said total to the special fund and to the credit of the individual fireman. If a fireman in such city is separated from the service under such circumstances that no pension benefits are payable to him or his widow or children, the treasurer of the special fund shall return to the fireman or to his immediate family in the event such separation is due to his death, all of the amounts so deducted from his base pay, without interest and less the amount of any disability or other benefits theretofore paid such fireman. The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is situated, and by said county shall be collected and payment thereof enforced when and in like manner as state and county taxes are paid.

Sec. 2. Laws 1947, Chapter 43, Section 18, as amended by Laws 1949, Chapter 154, Section 3, is amended to read:

Sec. 18. **Payments to members.** A member of such association who, by reason of sickness or accident, becomes disabled from performing the duties of a fireman on the fire department, shall be entitled to receive from the association \$125 per month. No allowance for such disabilities shall be made unless notice of such disability and application for benefits on account thereof shall be made by or on behalf of the disabled member to the secretary of the association within 30 days after the beginning of such disability.

Sec. 3. Laws 1947, Chapter 43, Section 20, as amended by Laws 1949, Chapter 154, Section 4, is amended to read:

Sec. 20. **Pensions, who may receive.** A member of such association, as herein defined who has completed a period or periods on the fire department equal to 20 years or more, after he has arrived at the age of 50 years or more and has retired from the payroll of the fire department shall be entitled to a basic pension of \$100 per month for his natural life plus \$2.50 per month for each year of active service over 20 years, but the total of such pension shall not exceed the sum of \$125 per month. Any and 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 such computation. No deductions shall be made for a leave of absence

granted to a member to enable him to accept an appointive position on said fire department. No member shall be entitled to draw both disability and a service pension at the same time, and in no event shall the total pension exceed the sum of \$125 per month.

Sec. 4. Laws 1947, Chapter 43, Section 23, as amended by Laws 1949, Chapter 154, Section 5, is amended to read:

Sec. 23. Payments upon death of member. When a service pensioner, disability pensioner, or deferred pensioner, or an active member of such relief association dies, leaving:

(a) A widow who became his legally married wife while or prior to the time he was on the payroll of the fire department and remained such continuously after such marriage until his death without having applied for any divorce or legal separation, and who, in case the deceased member was a service or deferred pensioner, was legally married to such member at least three years before his retirement from said fire department; and who, in any case, was residing with him at the time of his death. No temporary absence for purposes of business, health, or pleasure shall constitute a change of residence for the purposes of this section.

(b) A child or children, who were living while the deceased was on the payroll of the fire department, or who were born within nine months after said decedent was withdrawn from the payroll of said fire department, such widow and said child or children shall be entitled to a pension as follows:

(1) To such widow a pension of the sum of \$65 per month for her natural life, and a pension \$15 per month for each child, not exceeding two, of such deceased member under eighteen years of age, and a pension of \$10 per month for each child in excess of two of the deceased member under eighteen years of age. The amount of such pension for such child or children shall be determined by the association, but the total amount of such pension or pensions shall not exceed the sum of \$125 per month, and provided if such widow shall remarry, then her pension shall cease and terminate as of the date of her said marriage.

(2) To such child or children of a deceased member, after the death of the widow of such member, a monthly pension, or pensions, in such amount or amounts in excess

of \$15 per month for each child as the board of trustees of such association shall deem necessary to properly support such child or children until they reach the age of eighteen years, but not to exceed the sum of \$125 per month to the children of any one family.

Approved March 6, 1951.

CHAPTER 44—H. F. No. 256

[Not Coded]

An act relating to police pensions in certain villages; amending Laws 1943, Chapter 196, Sections 4 and 13.

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

Section 1. Laws 1943, Chapter 196, Section 4, is amended to read:

Sec. 4. Retirement aid, pension. When any member of *the* association reaches the age of 55 years he may retire and *then shall receive* a pension as long he *lives*, at the following rates:

(a) \$100 per month when *he has* served as a member of the police department for a period of 20 years or more, excluding temporary employment or probationary periods.

(b) An additional \$5.00 per month for each year of service over 20 that *he has* served as a member of such police department after the age of 55 years. The total amount of *such* pension shall *not* exceed \$125 per month.

(c) In the event *he* retires after reaching the age of 55 or more and after having been a member of *the* department for at least 15 years, but before having served 20 years in *the* department, the amount of pension which he *receives* shall be that proportion of \$100 per month which the years of service in *the* department prior to retirement bear to 20 years, major fractions of years of service to be treated as one year and minor fractions disregarded.