

Sec. 10. **Salaries, payment.** The salaries of the agent and his assistants and the expenses of the agent for the year 1951 shall be paid out of the general revenue fund of the county.

Sec. 11. **Annual reports.** The agent shall submit to the county board at the time prescribed by it, an annual report on the work of his office.

Sec. 12. **Not to affect sections 471.34 to 471.37.** Nothing contained in this act shall modify, amend or repeal any of the provisions of Minnesota Statutes 1949, Sections 471.34 to [Section] 471.37.

Sec. 13. Minnesota Statutes 1949, Section 375.21, Subdivision 2, Section 160.39 and Section 164.22 are amended to conform with the provisions of this act.

Approved April 20, 1951.

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CHAPTER 557—S. F. No. 987

[Section 5 Coded as Section 69.485.]

*An act relating to firemen's relief associations in cities of the first class; amending Minnesota Statutes 1949, Sections 69.27, 69.44 as amended, 69.45 as amended and 69.48 as amended.*

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

Section 1. Minnesota Statutes 1949, Section 69.27, is amended to read :

69.27. **Members.** A fireman under sections 69.25 to 69.53 is one who is regularly entered on the pay-roll of one of the fire departments serving on active duty with a designated fire company thereon or having charge of one or more of the companies and engaged in the hazards of fire fighting; and shall include all members of the electrical and mechanical divisions of these fire departments *and all others* who are

subject to like hazards. Substitutes and persons employed irregularly from time to time shall not be included.

All persons who are members of such relief associations at the time of the passage of sections 69.25 and 69.53, whether their status is embraced within the definition of a fireman herein contained or otherwise, shall have the right to continue as members of their respective associations and be entitled to all benefits pertaining thereto, and any member included under the definition of fireman shall have the right to retain his membership on promotion or appointment to other positions to which the fireman may be subject.

Sections 69.25 to 69.53 shall not affect any pensions or other benefits which have been allowed or which are being paid by any such relief association under or in accordance with any prior act, at the time sections 69.25 to 69.53 become effective. Payment of these pensions and benefits shall be continued by the respective associations and shall be subject only to the provisions of section 69.42.

Sec. 2. Minnesota Statutes 1949, Section 69.44, is amended to read:

69.44. **Amount of payments.** A member of any such relief association entitled to disability benefits as herein defined, shall receive the same from his association for such periods of time, at such times, and in such amounts, not to exceed \$150 per month, as the by-laws of said association provide. *Provided, however, that in any city of the first class of over 450,000 inhabitants the amount above mentioned shall not exceed \$125 per month.*

Sec. 3.. Minnesota Statutes 1949, Section 69.45, is amended to read:

69.45. **Retirement pay.** A member of such association who has completed a period, or periods of service on the fire department 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 fire department, be entitled to a basic pension of not less than \$85 and not more than \$125 per month for his natural life in conformity to the by-laws of each association. Any and all leaves of absence of more than 90 days, except such as are granted to a member because of his dis-

ability due to sickness or accident, shall be excluded in computing said period of service; and all periods of time during which a member received a disability pension 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 in said fire department. No member shall be entitled to draw both a disability and a service pension.

*Such monthly basic payments may be increased by adding to said basic pension the sum of \$3.85 per month, or any portion thereof, for each year of active duty over 20 and not more than 35 years.*

The by-laws of each association may provide for these increases, or any portion thereof; provided, that in no event the total pension exceed the sum of \$150 per month.

*Provided however that in any city of the first class of more than 450,000 inhabitants the basic pension above mentioned shall not exceed \$100 per month and the pension resulting from the above mentioned increases of \$3.85 per month shall not exceed \$125 per month.*

Sec. 4. Minnesota Statutes 1949, Section 69.48, is amended to read:

69.48. Pensions to widow and children of members. When a service pensioner, disability pensioner, or deferred pensioner, or an active member of a relief association, dies, leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the pay-roll of the fire department; and who, in case the deceased member was a service or deferred pensioner, was legally married to the member at least three years before his retirement from the fire department; or

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

(a) To the widow, a pension of not less than \$50, and not to exceed the sum of \$75, per month, as the by-laws of the association provide, for her natural life; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage;

(b) To the child or children, if their mother be living, a pension of not to exceed \$25 per month for each child up to the time each child reaches the age of not less than 16 years and not to exceed an age of 18 years, in conformity with the by-laws of the association; provided, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of \$150 per month;

(c) A child or children of a deceased member receiving a pension or pensions hereunder shall, after the death of their mother, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of not less than 16 and not more than 18 years, as the by-laws of the association may provide; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of \$150 per month.

[69.485] Sec. 5. **Maximum payments in certain cities.** Regardless of other provisions of this act the maximum pension payable to a widow and children of a deceased member or the maximum pension payable to any retired member, in any city of the first class, the charter of which city contains a per capita limitation upon expenditures, shall be \$125 per month.

Approved April 20, 1951.

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CHAPTER 558—S. F. No. 988

[Not Coded]

*An act relating to the payment of retirement allowances to employees of cities of the first class.*

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