

(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.

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:

Section 1. Increase of retirement allowances. In each city of the first class which has heretofore adopted or may hereafter adopt a pension system, pursuant to the provisions of Minnesota Statutes 1949, Chapter 422, and is paying benefits thereunder the retirement board in charge of the operation of such system shall increase the retirement allowances hereafter paid as follows:

(1) Of those employees on retirement on January 1, 1951, who retired prior to January 1, 1943, by 40 per cent, or \$300 per annum, whichever is the lesser;

(2) Of those employees who have retired or shall retire subsequent to January 1, 1943, by 25 per cent or \$300 per annum, which ever is the lesser.

(3) No retirement allowance when increased by the percentage or by the amount contained in Subdivisions 1 and 2, of Section 1, shall exceed \$125 a month.

Sec. 2. Limitation of application of certain provisions. Nothing in this act shall be construed to alter the method of computing and determining the amount of the retirement allowance as provided in Minnesota Statutes 1949, Chapter 422 [,] except the amount provided in Section 1 of this act shall be paid in addition to any allowance authorized under Chapter 422.

Sec. 3. Determination of cost of increase. The retirement board shall annually determine the amount necessary to defray the cost of such per cent increase, and shall include the amount so determined in the statement required by section 422.13 to be submitted to the board of tax levy or other corresponding body, and it shall be the duty of the city council, or other chief governing body of such city, in addition to all other taxes levied by such city, to annually levy a tax for such purpose. Such tax, when levied, shall be extended upon the county tax list and collected, and enforced as other taxes levied by such city are extended, collected, and enforced. The proceeds of such taxes shall be paid into the city treasury to the credit of the retirement fund.

Sec. 4. Retroactive; limited to July 1, 1953. The retirement allowances authorized under this act are made retroactive to January 1, 1951, and shall continue only until July 1, 1953.

Sec. 5. **Only certain cities affected.** This act shall be effective only as hereinafter provided in those cities where an increase in pensions has been granted as a result of Chapter 408 of the Laws of 1949, and the increases provided shall be effective only in those cities in which the city council or governing body shall approve the increase by a two-thirds vote of all members of the governing body.

Approved April 20, 1951.

CHAPTER 559—S. F. No. 1237

[Sections 1 to 3 Coded as Sections 182.177 to 182.179]

An act relating to the liability of owners or the person responsible or liable for the repair, maintenance and care of business property for the injury or death of firemen and policemen; amending Minnesota Statutes 1949, Section 182.18.

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

[182.177] **Section 1. Definitions.** Subdivision 1. **Terms.** For the purposes of this act, unless the context otherwise requires, the terms defined in this section have the meanings ascribed to them.

Subd. 2. **Business property.** "Business property" means a building or other structure owned or used for business purposes; but it does not include a private residence, multiple dwelling in which there are fewer than four separate apartments, rooming house in which there are fewer than four rooms let to roomers, or rest or nursing home in which accommodations are furnished for the care of fewer than four persons.

Subd. 3. **Fireman.** "Fireman" includes the state fire marshal, deputy fire marshal, and an officer or other employee, or a duly enrolled member of a municipal fire department.

Subd. 4. **Policeman.** "Policeman" includes the superintendent and any other officer or employee of the state