

fund shall return to the fireman all of the amounts so deducted from his base pay without interest. Members of the firemen's relief association in such city of the second class who were in cities of the second class receiving a firemen's pension on January 1, 1941, and who were active on January 1, 1941, and who joined the association thereafter, or their beneficiaries, shall receive as benefit payments, according to the rules of the association, amounts to be determined by the board of trustees of the association, but these amounts shall be no more than \$125 per month. The tax so levied shall be transmitted with other tax levies to the auditor of the county in which the city is situated, and by the county shall be collected and payments thereof enforced when and in like manner as state and county taxes are paid.

Approved April 2, 1953.

CHAPTER 235—S. F. No. 935

Chisholm

[Not Coded]

An act relating to police relief associations in certain cities of the fourth class; amending Laws 1945, Chapter 74, Section 2 as amended, and Section 4.

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

Section 1. Laws 1945, Chapter 74, Section 2, as amended by Laws 1949, Chapter 164, is amended to read:

Sec. 2. **Chisholm; police department, pensions.** Every paid municipal police department now existing or which may hereafter be organized in such city is hereby authorized to become incorporated pursuant to the provisions of General Statutes 1923, *Chapter 58*, and the laws amendatory thereto, and adopt a constitution and bylaws as a relief association, and is authorized to provide for and permit and allow such police relief association, so incorporated, and organized, to pay out of and from any funds it may have received from any source a service, disability or dependency pension in such amounts and in such manner as its articles of incorporation and bylaws shall designate, not exceeding, however, the following sum per month to each of its pensioned members who shall have reached the age of 55 years or more, and shall have served 20 years or more in such department, or their widows and children under 16 years of age:

When such members shall have reached the age of 55 years or more and shall have served as a member of such paid municipal police department for a period of 20 years or more

in the police department of such city in which such relief association shall have been organized, or who has been disabled physically or mentally because of any injury received or suffered after at least one year of service as such member, while a member of such organizations and police department, so as to render necessary his retirement from active police service and cause a total and permanent disability, such retirement member shall be paid each month a pension equal to one half of his average monthly earnings during the last preceding *three* years of his service with said police department, the minimum monthly pension to be not less than \$85 per month. No pension authorized by this act shall be paid to any person while receiving compensation in any form, or sick benefit, from any county, city, village, township or other political subdivision of the state, or to any person after he removes his residence from the United States, or to any person who shall have been convicted of a felony for which he shall have been adjudged to be imprisoned, or who is an habitual drunkard, or to any person receiving a pension or sick relief from any other public relief association.

These monthly payments may be increased by adding thereto an amount not exceeding \$5.00 per month for each year of active duty over 20 years of service before retirement *not to exceed five years for purposes of pension computation*. No such pension shall be paid to any person while he remains a member of the police department and no person receiving such pension shall be entitled to any other relief from the association. *The association may deny the pension provided for in this act to any eligible member who separates himself from the service of the police department for the purpose of taking other employment.*

Sec. 2. Laws 1945, Chapter 74, Section 4, is amended to read:

Sec. 4. **Pensions, to whom payable.** Pensions may be paid by such police relief association to any widow or child under 16 years of age of any such pensioned and retired member of the police department, and to any widow or child under 16 years of age of any member who dies while in the service of the police department of such city, and such widow or child shall receive not to exceed the sums hereinafter provided for:

\$75 per month to such widow, and \$15 per month to each of such children under 16 years of age. Where such widow and such children reside together, the money herein required to be paid to such children shall be paid to such widow for the support of such children, but the money paid to such widow for herself and such children shall not exceed \$105 per month in all.

In the event of the death of both parents leaving a minor child or children under the age of 16 years, entitled to such pension, such sums as may be necessary for the care, maintenance and education of such child or children may be paid to the legal guardian thereof, but not to exceed the sum of \$105 per month to the children of any one policeman and not more than \$75 per month to any one child. In the event any such widow remarries, she shall receive no further benefits under this law. *This fund shall not be used for any other purpose than the payment of service, disability or dependency pensions, as herein provided, and for the relief of a sick, injured and disabled policeman. The word "member" as used in this act includes policewomen, police matrons and assistant police matrons.*

Approved April 2, 1953.

CHAPTER 236—H. F. No. 939

An act relating to wild animals and to the taking of minnows; amending Minnesota Statutes 1949, Section 101.42, Subdivision 5.

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

Section 1. Minnesota Statutes 1949, Section 101.42, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise specifically permitted, it shall be unlawful to take minnows with a seine more than 25 feet in length or more than four feet in depth; to take minnows from waters inhabited by trout; to possess or transport minnows for sale except with the use of equipment approved by regulations of the commissioner; or to take minnows from any waters containing game fish from one hour after sunset to one hour before sunrise. *Licensed itinerant minnow dealers may take minnows with a seine not more than 50 feet in length or more than six feet in depth in waters licensed under private fish hatchery license and such waters as are designated by commissioner's order or regulation as primarily minnow lakes.*

Approved April 2, 1953.

CHAPTER 237—S. F. No. 945

An act relating to the State Bureau of Child and Animal Protection; amending Minnesota Statutes 1949, Section 343.07.