

desires to operate the vehicle with the greater weight. In computing the additional tax as aforesaid, the owner shall be given credit for the unused portion of the tax previously paid computed pro rata by the month, one-twelfth of the annual tax paid for each month of the year remaining in the calendar year beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight.

Approved February 25, 1953.

*St Paul
(Repealed)*

CHAPTER 59—H. F. No. 23

An act relating to police pensions in cities of the first class having not less than 250,000 nor more than 450,000 inhabitants; amending Minnesota Statutes 1949, Sections 423.011, 423.021 and 423.023.

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

Section 1. Minnesota Statutes 1949, Section 423.011 is amended to read:

423.011 Police relief association. Any police relief association now in existence and incorporated according to law, in any city of the first class in this state having and operating under a charter adopted in pursuance of the Constitution of Minnesota, Article 4, Section 36, and which has not less than 250,000 and not more than 450,000 inhabitants and an assessed valuation, exclusive of moneys and credits, of more than \$125,000,000 and not more than \$225,000,000, may pay out of and from any funds it may have received a service, disability, or dependency pension in such amounts per month, and in such manner as its articles of incorporation or the constitution and by-laws shall designate, within the limitations set out herein, to each pensioned member who shall have reached the age of 50 years or more and served 20 years or more in such department, or to the widow and to children under 18 years of age of any deceased member.

Any such association shall pay a sum not less than \$65 nor more than \$150 per month to each of its pensioned members, in accordance with the following regulations:

(a) To each member of the organization who retired from the service of the police department prior to January 1, 1949, the sum of \$125 per month, if such member had served 20 years or more and had reached the age of 50 years.

(b) To each member of the organization who retired from the service of the police department prior to January 1,

1949, after having served 20 years, but had not attained the age of 50 years, the sum of \$125 per month when he shall attain the age of 50 years.

(c) To each member of the organization who retires from the service of the police department after January 1, 1949, after having served 20 years and having attained the age of 50 years, or who retires after such date, having served 20 years, when he shall attain the age of 50 years, the sum of \$125 per month.

(d) In addition to the basic pension of \$125 per month provided for herein, there shall be added to the pension payment each month to each member retiring after January 1, 1949, the sum of \$2.50 for each additional year of service over 20 years, to and including 30 years, as follows: 21 years service, \$127.50 per month; 22 years service, \$130 per month; 23 years service, \$132.50 per month; 24 years of service, \$135 per month; 25 years of service, \$137.50 per month; 26 years service, \$140 per month; 27 years service, \$142.50 per month; 28 years service, \$145 per month; 29 years service, \$147.50 per month; 30 years service or more, \$150 per month; provided that none of such payments shall be made until such retired member shall have attained the age of 50 years.

(e) To any member of said police department who has been permanently disabled physically or mentally because of any injury received or suffered while on duty as a member of such police department so as to render necessary his retirement from active police service, the sum of \$125 per month if the date of such retirement was prior to January 1, 1949. If the date of such retirement is subsequent to January 1, 1949, he shall receive the sum of \$125 per month if the retirement is necessary during the first 20 years of his service, and if such retirement occurs after 21 years or more of service in the department he shall receive the additional \$2.50 per month for each additional year of service provided for in subdivision (d) above, the same being payable regardless of whether he has attained the age of 50 years.

(f) To any member of said police department who shall, after 10 years of service, but less than 20 years of service, in such department, retire because of sickness or injury suffered or received while not on duty and not engaged in police work, and such retirement is necessary because such member is unable to perform police duties, the sum of \$75 per month, and for each additional year of service over ten years, the sum of \$5 per month.

(g) No member of any such association shall be awarded or paid a pension for disability of any type, received on or

off duty, except upon presentation to the board of directors of a certificate from one or more competent physicians chosen by the governing board of the association, which shall set out the cause, nature and extent of the disability, disease, or injury suffered by such member and shall certify that such member is unable to perform his necessary duties in such police department.

In the event the reserve fund of any such association shall at the end of any calendar year total less than \$200,000, the pensions paid to service or disability pensioners who retired prior to January 1, 1949, shall be reduced 10 per cent per month for the following calendar year.

Sec. 2. Minnesota Statutes 1949, Section 423.021, is amended to read:

423.021. **Payments; limitations.** Pensions shall be paid to any widow or child under 18 years of age, of any such pensioned and retired member of the police department, or to any widow, or child under 18 years of age, of any member who dies while in the service of the police department of any such city, or to any widow, or child under 18 years of age, of any member who, after having been a member of such police department for 20 years or more, shall sever his connection with such police department and who shall die before he arrives at the age of 50 years, and such widow or child shall receive the following sums: \$65 per month to such widow and \$15 per month to each of such children under 18 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. In the event that any such widow remarries she shall receive no further benefits under this law.

Sec. 3. Minnesota Statutes 1949, Section 423.023 is amended to read:

423.023. **Member.** The word "member" as used in Sections 423.011 to 423.061, includes police women and police matrons. *If, in any city affected by the provisions of sections 423.011 to 423.061, there has been in existence prior to January 1, 1953, a Park Police force organized under the provisions of the charter of such city, and the governing body of such city by resolution or ordinance provides for the merger of such Park Police force with the regular police department, and provides for the transfer of former park police to the regular police force, any member of such former park police force, who had been a member of the Public Employees Retirement Association, may apply for and shall be granted membership in the police relief association organized under the provisions of this*

law and shall be given credit for his time of service in such park police force in the same manner as if such service had been in the regular police force, provided, however, that such an applicant, to secure such service credit shall pay into the police relief association the sum of money that he would have contributed from his salary had his service been entirely in the regular police department of such city. Upon such payment the word "member" shall include such transferred park police.

Approved February 26, 1953.

CHAPTER 60—H. F. No. 29

[Not Coded]

An act relating to the Conciliation Court of the City of St. Paul; amending Laws 1921, Chapter 525, Sections 3, 4, 5 and 8.

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

Section 1. Laws 1921, Chapter 525, Section 3, as amended by Laws 1929, Chapter 346, Section 1, is amended to read:

Sec. 3. **Conciliation judge, powers.** Said conciliation judge shall have all the powers of a court of conciliation and shall exercise all the special powers conferred by this act. Said conciliation court shall be open every day except Sundays and holidays at such hours as may be fixed by rule, for the hearing and determining of controversies submitted to such court in accordance with the provisions of this act. When such judge is not acting as such conciliation court, under this act, he shall act as a regular judge of said municipal court. No costs shall be taxed to either party in said court, except that the plaintiff, upon commencing any action in said conciliation court, shall pay to the judge thereof the *following sums* for the use and benefit of the City of St. Paul as a filing fee and costs in said action, which said costs shall be borne by the losing party: *actions for sums not exceeding \$50.00, a fee of 50c; actions for sums exceeding \$50.00, but not exceeding \$100.00, a fee of \$1.00; actions for sums exceeding \$100.00, a fee of \$1.50.* Provided, however, that in any case where the plaintiff therein shall subscribe to and file with the said judge an affidavit to the effect that he has no money or property and is unable to pay said filing fee, no such fee will be required to commence said action. The filing of such affidavit shall be proper authority for said judge to receive and file such action without the prepayment of any fee therefor while the same is pending in the said conciliation court. Provided, however, that if any such