

51 percent of the taxable valuation consists of property situated within the corporate limits of a city or village, levies made for road and bridge purposes in excess of 15 mills for the years 1952, 1953 and 1954, are hereby validated.

Approved March 30, 1955.

CHAPTER 289—S. F. No. 968

An act relating to firemen's relief associations and re-retirement pensions in cities of second class and amending Minnesota Statutes 1953, Sections 424.03, 424.16 and 424.17.

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

Section 1. Minnesota Statutes 1953, Section 424.03 is amended to read:

424.03 Members. A fireman under sections 424.01 to 424.29 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 therein, or having charge of one or more of the companies and engaged in the hazards of fire-fighting; and includes all members of the electrical and mechanical divisions of the fire departments who are subject to like hazards; and shall include all volunteer firemen of the city not on the pay-roll who regularly comply with such rules as may be prescribed by the governing body of the city for service by volunteer firemen with the fire department of the city, and who by reason of their status as such volunteer firemen are engaged in the hazards of fire-fighting. Substitutes and persons employed irregularly from time to time shall not be included.

All persons who are members of the relief associations on April 16, 1941, or who were members of a firemen's relief association in a municipality which shall have become a city of second class by reason of adoption of a home rule charter or increase in its population, 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 firemen herein provided shall have the right to retain his membership on promotion or appointment to other positions to which such firemen herein may be subject.

Sections 424.01 to 424.29 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 law on April 16, 1941; *or as of the date that the municipality may become a city of the second class by reason of the adoption of a home rule charter, or increase in its population.* Payment of such pensions and benefits shall be continued by the respective associations, subject only to the provisions of section 424.18.

Section 2. Minnesota Statutes 1953, Section 424.16, is amended to read:

424.16 Special fund. The amounts so paid to relief association by the state and each city under the provisions of sections 424.01 to 424.29 and by it set aside and deposited as a special fund, shall be appropriated and disbursed by each such association for the following purposes:

(1) For the relief of sick, injured, and disabled members of the relief associations, their widows and orphans; and

(2) For payment of disability and service pensions to members of the relief associations.

(3) *In any city of the second class in which members of the firemen's relief association include volunteer firemen the special fund shall be segregated into two accounts, one of which shall be for the benefit of members who are volunteer firemen, and the other for the benefit of members who are paid firemen. All moneys received by the association which are derived from pay-roll deductions from paid firemen's salaries under section 424.12 shall be paid into the account of the fund for the benefit of paid firemen only. Funds received from other sources shall be allocated between the account for the benefit of paid firemen and the account for the benefit of volunteer firemen in such proportions as shall be designated by the governing body of the city from time to time. In the event the governing body of the city shall abolish the volunteer branch of its fire department any surplus remaining in the account of the fund for the benefit of volunteer firemen after discharging all obligations to those who are volunteer members at the time of such abolition shall be paid into the account of the fund for the benefit of paid firemen. Any funds of a firemen's relief association in a municipality which shall have become a city of the second class by adoption of a home rule charter, or increase in its population, may be allocated by action of the governing body of such city between the respective accounts of the special fund of the relief association for the benefit of paid firemen and volunteer firemen if, prior to becoming a city of second class, the municipality shall have had a relief association whose members included volunteer firemen.*

Section 3. ° Minnesota Statutes 1953, Section 424.17, is amended to read:

424.17 Relief, determination of entitlement. Each relief association shall, in its by-laws, define the sickness and disability entitling its members to relief, and specify the amounts thereof, and also specify the amounts to be paid to its disability and service pensioners, and to widows and children of deceased members, and to fix the age limit of children to which pensions may be paid. When the total assets of the association shall amount to \$50,000 or more, it shall have the right to pay to its members the maximum amounts specified in sections 424.01 to 424.29. *The by-laws of such association shall provide for payment of a service pension to volunteer firemen who are members of the association, which service pension shall be paid in a lump sum, in an amount not exceeding \$100 per year of service, to a retiring member or widow or minor children of a deceased member who qualifies for a service pension by reason of having reached the age of 50 years, and who has done active duty for 20 years or more as a volunteer fireman of the fire department in the municipality where the association exists, and who has been a member of such fire department relief association at least 10 years prior to his retirement or death. No other pension or benefit shall be payable to members of the association who are volunteer firemen. In determining the period of service of any individual member of the association for the purpose of computation of service requirements in connection with payment of any pensions or other benefits specified by the by-laws of the relief association, or any provision of sections 424.03 to 424.29, service of a volunteer or paid fireman of the fire department or the municipality in which the relief association is situated, and membership in a firemen's relief association in such municipality prior to said municipality becoming a city of the second class, shall be taken into account on the same basis as if said municipality had been a city of the second class during all of the time such service was rendered.*

Approved March 30, 1955.

CHAPTER 290—S. F. No. 997

[Not Coded]

An act relating to public drainage systems and providing for assessment of lands benefited by the repair thereof in certain counties.