

refuge. All acts or parts of acts to the contrary notwithstanding.

Approved April 5, 1955.

CHAPTER 347—H. F. No. 1357

[Not Coded]

An act relating to the salary of the county treasurer and county auditor in certain counties.

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

Section 1. Salaries; county treasurer, county auditor. In all counties of this state having a population of not less than 24,000 nor more than 25,000, according to the federal census of 1950, and having an area of not less nor more than 24 full or fractional townships, the salary of the county treasurer and county auditor may be increased by the county board by an amount not in excess of 12½ percent above the amount now provided by law.

Sec. 2. Inclusion in section 375.43. The county treasurer and the county auditor shall be included under the provisions of Minnesota Statutes 1953, Section 375.43, as amended.

Sec. 3. Fees retained. Nothing contained in section 1, of this act shall be construed as limiting the right of such officers to collect and retain fees, per diem payments, or any other payment which they are now authorized to collect in addition to the stated amount of their monthly salary.

Sec. 4. This act shall become effective on May 1, 1955.

Approved April 5, 1955.

CHAPTER 348—H. F. No. 1432

[Not Coded]

An act relating to firemen's relief associations in certain villages and to the powers and duties thereof.

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

Section 1. Richfield; village fire department relief association. Every fire department relief association organized under the laws of this state, in any village now or hereafter

having a population of 30,000 or more, according to the last preceding general or special federal census, when its certificate of incorporation or bylaws so provide, may pay out of any funds received from the state, or other source, for any of the purposes provided in Minnesota Statutes, Section 424.31, subject to the provisions of this chapter.

Sec. 2. Relief benefits and pensions. Each such relief association shall in its bylaws define the sickness or disability entitling its members to any relief, shall specify the amounts of any benefits which this association is authorized to pay, and fix the age limit of children to whom pensions may be paid. No disability pension may be paid to a volunteer fireman whose disability did not arise out of and in the course of his activity as a volunteer fireman.

Sec. 3. Adjustment of pensions and benefits. Such relief association shall at all times have and retain the right to reduce or increase or otherwise adjust the amount of the pensions and benefits to be thereafter paid out of its funds.

Sec. 4. Service pensions. Subdivision 1. A member of such association who has completed a period or periods of service on the fire department equal to 20 years or more, after he has attained the age of 50 years or more and has retired from the fire department, may receive a service pension, which shall not exceed one half the base salary of a first class fireman in said village as of January 1 of the year during which such pension is paid. The amount of such monthly service pension may be increased by adding to the maximum above prescribed an amount not exceeding \$2.50 per month for each year of active duty over 20 years of service before retirement; provided that such added amount may never exceed the sum of \$25 per month.

Subd. 2. The service pension which may be paid for service as a volunteer fireman shall never exceed one-third of the amount of the service pension being paid by such association for service as a full-time paid fireman.

Subd. 3. No member shall be entitled to draw both a disability and a service pension, and no disability pension shall exceed the amount of service pension provided for a member who was a full-time fireman for 30 years and who has retired.

Sec. 5. Retirement benefits. Subdivision 1: A member of such association who has performed service on the fire department for 20 years or more but who has not reached the age of 50 years shall have the right to retire from the department without forfeiting his right to a service pension.

He shall, upon application, be placed on the deferred pension roll of the association and, after he has reached the age of 50 years, the association shall, upon his application therefor, pay his pension from the date the application is approved. Any person making this application thereby waives all other rights, claims, or demands against his association for any cause that may have arisen from, or that may be attributable to, his service in the fire department.

Subd. 2. A member of such association having performed service on the fire department for 15 years or more, and having reached the age of 50 years, who can no longer discharge his duties by reason of physical disability, upon retirement, may be paid a service pension on a pro-rata basis.

Sec. 6. **Widows, death or funeral benefits.** When any member of the association or any pensioner dies leaving a widow as defined in Minnesota Statutes, Section 424.31, such widow may be paid a death or funeral benefit, which shall not exceed \$500.

Sec. 7. **Additional benefits to widows.** Until her death or remarriage such widow may be paid an additional benefit or pension which shall not exceed the amount which her husband was qualified to receive, or was receiving, at the time of his death. For the purposes of this section, a fireman who is killed in the course of his duties shall be deemed to have qualified himself to receive a disability pension even though he shall not have lived long enough to have received such pension.

Sec. 8. **Pensions to minor children.** When any member of such association or any pensioner thereof dies leaving a child or children living at his death or born within nine months thereafter, a pension may be paid to each such child of not more than \$15 per month until the child reaches an age of not more than 18 years. The total amount of pensions which may be paid to the children of any one such member shall not exceed \$35 per month.

Sec. 9. **Payments exempt from process.** All payments made, or to be made by any such relief association are exempt from any legal process. No persons entitled to any payment may assign the payment. The association may not accept any purported assignment or pay any sum on account thereof. Any attempt to transfer any right or claim to any payment, or any part thereof, is void.

Approved April 5, 1955.
