

after its approval by a majority vote of the city council of the city of Albert Lea.

Approved April 10, 1959.

CHAPTER 208—S. F. No. 814

[Not Coded]

An act relating to firemen's relief associations and firemen's pensions in the Village of Hibbing; amending Laws 1935, Chapter 192, as amended.

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

Section 1. Laws 1935, Chapter 192, Section 1, as amended by Laws 1951, Chapter 48, Section 1, and by Laws 1955, Chapter 294, Section 1, is amended to read :

Section 1. **Firemen's relief, Hibbing, pensions.** Subdivision 1. *The village of Hibbing, having a fire department relief association organized under the laws of this state and authorized to pay pensions under Minnesota Statutes, Section 424.30, 424.31, and 69.01 to 69.06, such fire department relief associations may pay retirement pensions in excess of the amounts so authorized, but not in excess of the following total amounts: A sum equal to one-half of his average monthly earnings during the last preceding three years of his service with said fire department to each member of the association who shall have reached the age of 55 years and shall have served 20 years or more as a member of the paid municipal fire department in the village. The monthly payments may be increased by adding thereto an amount not to exceed \$5 per month for each year of active service over 20 years of service before retirement, not to exceed five years for the purpose of pension computation. No such payment shall be made to any person while he remains a member of the fire department and the association may reduce or suspend such payments during the period of time that such person has substantially full employment at other jobs. The increased pension provided hereby shall not be applicable to persons already retired from the department, but such retired persons subject to the applicable bylaws of the association shall continue to receive pensions at rates existing prior to this amendment.*

Subd. 2. When a pensioned and retired or active member of a relief association of such a village dies leaving

(1) A widow who was his legally married wife, re-

siding with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service pensioner, was legally married to the member at least three years before his retirement from the fire department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within nine months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, a pension of not less than \$50, and not to exceed the sum of \$75 per month, as the bylaws of the association provide, for her natural life which amount may be applicable to widows already receiving pension payments if the bylaws should so provide; 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 bylaws 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 bylaws 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.

Subd. 3. All payments of pensions made to members who have retired prior to the enactment of this law not in excess of amounts herein authorized, are hereby validated and legalized.

Sec. 2. Laws 1935, Chapter 192, Section 5, as amended by Laws 1943, Chapter 413, Section 1, by Laws 1947, Chapter 101, Section 1, by Laws 1951, Chapter 48, Section 2, and by Laws 1955, Chapter 294, Section 2, is amended to read:

Sec. 5. Salary deductions and tax levies. Subdivision 1. In addition to the moneys in the special fund of the asso-

ciation or provided to be raised therefor under existing laws for the payment of pensions and other benefits, revenues from the following sources shall be paid to the special fund. The village recorder, treasurer, or other disbursing officer of the village shall deduct each month from the monthly pay of each member of the fire department who is a member of the association a sum equal to three and one-half percent of such monthly pay, but not to exceed three and one-half percent of the basic monthly pay of a *first* grade fireman, and to place the name to the credit of the special fund. Any fireman who has served more than six months in said fire department shall be deemed a member of the association for the purpose of the above deduction. The council or other governing body of the village shall each year, at the time the tax levies are made for the general revenues of the village, levy, within the per capita or mill limitations permitted by law, a tax on all of the taxable property of the village in the sum of \$15,000 per annum, which levy shall be transmitted to the county auditor at the time the other levies are transmitted and shall be collected, and penalties therefor shall be enforced, in the manner as the other taxes of the village. The village treasurer, when the moneys derived from such tax are received by him, shall pay the same to the treasurer of the firemen's relief association, together with all penalties and interest collected thereon, in the following manner: Of the first levy made after the passage of this act an amount not to exceed one-half of such levy may, at the discretion of the board of trustees of the relief association, be placed to the credit of the general fund of the association. The balance of the levy, as well as all subsequent levies, shall be credited to the special fund of the association and shall not be withdrawn from the fund or transferred to any other fund, except for the purposes of this act; but the board of trustees may, in its discretion, pay premiums upon the bond of the treasurer and secretary from the special fund and may invest the balance of its funds in certificates of indebtedness of the municipality, and the governing body of the municipality shall sell its certificates of indebtedness to the relief association at the same rate it sells them to others.

Subd. 2. Any tax levy necessary for the payment of pensions as provided in this act, in excess of \$15,000 and not more than \$35,000, shall be in addition to all other taxes which the village *shall* levy upon the aggregate valuation of all taxable property within the village, and is in addition to the amount of tax the village may levy for general purposes. The auditor of the county in which such village is located, in extending or reducing tax levies shall not consider this tax as a part of the general tax levy for village purposes and shall

not include it in any limitations as provided in Minnesota Statutes, Section 275.11.

Sec. 3. Effective date. *This act takes effect when approved by a majority of the village council of the village of Hibbing.*

Approved April 10, 1959.

CHAPTER 209—S. F. No. 860

[Not Coded]

An act relating to the levy of taxes for the maintenance of a work farm in St. Louis County; amending Laws 1953, Chapter 286, Section 1.

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

Section 1. Laws 1953, Chapter 286, Section 1, is amended to read:

Section 1. **Work farm, tax levy.** *In St. Louis County the county board may levy not to exceed three-fifths of a mill on the dollar of the assessed valuation of property in the county for maintenance purposes for such work farm.*

Sec. 2. The provisions of section 1 shall become effective only after their approval by a majority vote of the members of the county board of St. Louis county.

Approved April 10, 1959.

CHAPTER 210—S. F. No. 903

[Coded]

An act designating Trunk Highway No. 212 as the "Yellowstone Trail" and directing the commissioner of highways to so mark or blaze said highway.

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

Section 1. [160.515] **Yellowstone Trail.** The highway now marked and known as Trunk Highway No. 212 from the Wisconsin state line to the South Dakota state line is hereby named and designated as the "Yellowstone Trail," and the commissioner of highways shall adopt a suitable marking