

saler in an adjoining state delivering malt beverages manufactured in Minnesota.

Approved April 11, 1961.

CHAPTER 300—H. F. No. 969

[Not Coded]

An act relating to the firemen's relief association in the city of Red Wing; amending Laws 1953, Chapter 348, Section 1, and Sections 12, 17, and 20, as amended.

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

Section 1. Laws 1953, Chapter 348, Section 1, is amended to read:

Red Wing; firemen's relief association. The fire department of each city of the third class having an assessed valuation of over \$5,000,000 and less than \$8,000,000 employing 11 or more regular and fully paid firemen and 30 or more volunteer firemen and having a population of not less than 10,000 and not more than 13,000 according to the last federal census; in the city of Red Wing shall maintain a firemen's relief association which shall be duly incorporated under the laws of the state of Minnesota. All such associations now existing as such corporations, or hereafter incorporated under the laws of this state, *Such corporation shall have perpetual existence.*

Sec. 2. Laws 1953, Chapter 348, Section 12, as amended by Laws 1957, Chapter 10, Section 1, is amended to read:

Sec. 12. Tax levy, payroll deductions, payment on separation from service. The council of ~~any~~ the city wherein such a relief association is located of Red Wing shall each year at the time all tax levies for the support of the city are made and in addition thereto levy a tax of one mill on all taxable property within the city. When the special fund reaches or exceeds \$125,000 \$150,000 the levy each year shall be one half of a mill until the fund goes below \$125,000 \$150,000 when the levy shall again be one mill. Any city whose maximum annual tax levy for all purposes is limited by charter provision or statute, may, notwithstanding this maximum of annual tax levy, levy the tax herein provided for

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in addition to the levy as limited by charter or statute. Nothing contained in the provisions of any local charter or any general or special law shall limit or curtail the levy hereby authorized and directed. In addition thereto and only if such tax is levied the city treasurer, finance commissioner, or other officer charged with the responsibility of the city's finances, shall each month deduct the sum of 3 percent from the basic monthly pay of all regular full-time firemen and such amount as shall be fixed in the bylaws from the volunteer firemen, and transfer the total thereof to the treasurer of the special fund of the firemen's relief association, who shall credit this total to the special fund and to the credit of the individual firemen. If a fireman in such city is separated from the service under such circumstances that no pension benefits are payable to him or his widow or children, the treasurer of the special fund shall return to the fireman or to his immediate family, in the event such separation is due to his death, all of the amounts so deducted from his base pay without interest in such manner and under such conditions as shall be provided in the bylaws of the association. 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 payment hereof enforced when and in like manner as state and county taxes are paid.

Sec. 3. Laws 1953, Chapter 348, Section 17, as amended by Laws 1957, Chapter 10, Section 2, is amended to read:

Sec. 17. **Retirement pensions, entitlement, amount.** A member of such association who has completed a period or periods on the fire department equal to 20 years or more, after he has arrived at the age of 50 years or more and has retired from the payroll of the fire department shall be entitled to a basic pension of \$100 \$150 per month for his natural life plus \$5 per month for each year of active service over 20 years, but the total of such pension shall not exceed the sum of \$125 \$175 per month. Any and all leaves of absence of more than 90 days, except such as are granted to a member because of his disability, due to sickness or accident, shall be excluded in such computation. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointed position on said fire department. No member shall be entitled to draw both a disability and a service pension at the same time, and in no event shall the total pension exceed the sum of \$125 \$175 per month.

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Sec. 4. Laws 1953, Chapter 348, Section 20, as amended by Laws 1957, Chapter 10, Section 3, is amended to read:

Sec. 20. **Death benefits.** When a service pensioner, disability pensioner, deferred pensioner, or an active member of such relief association dies, leaving:

(a) A widow who became his legally married wife while or prior to the time he was on the payroll of the fire department and remained such continuously after such marriage until his death without having applied for any divorce or legal separation, and who, in case the deceased member was a service or deferred pensioner, was legally married to such member at least three years before his retirement, from said fire department; and who, in any case, was residing with him at the time of his death. No temporary absence for purposes of business, health or pleasure shall constitute a change of residence for the purposes of this section.

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

(1) To such widow a pension of \$50 \$100 per month for her natural life, and a pension of \$10 per month for each child of such deceased member under 18 years of age. The amount of such pension for such child or children shall be determined by the association, but the total amount of such pension or pensions shall not exceed \$125 \$150 per month. If the widow remarry, her pension shall cease and terminate as of the date of her remarriage.

(2) To such child or children of a deceased member, after the death of the widow of such member, a monthly pension, or pensions, in such amount or amounts in excess of \$10 per month for each child as the board of trustees of the association deem necessary to properly support the child or children until they reach the age of 18 years, but not to exceed \$75 per month to the children of any one family.

Sec. 5. *This act shall become effective only after its approval by a majority of the council of the city of Red Wing*

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and upon compliance with the provisions of Laws 1959, Chapter 368.

Approved April 11, 1961.

CHAPTER 301—H. F. No. 977

[Not Coded]

An act authorizing the county of Freeborn to require work relief as a condition to receiving assistance from the county; and authorizing such work relief on property or projects of the state or agency thereof.

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

Section 1. **County of Freeborn; authority to require work relief.** The county of Freeborn may, as a condition for granting relief or public assistance to any person, require that such person perform work relief as provided herein.

Sec. 2. **Definition of work relief.** The term "work relief" as used in sections 1 to 4 has the same meaning given the term in Minnesota Statutes 1957, Section 261.15, Subdivision 3, insofar as the provisions thereof are applicable and not inconsistent with the authority herein conferred.

Sec. 3. **Authority to contract with state or agency.** The county of Freeborn may contract with the state, any department or agency thereof, or any governmental subdivision or instrumentality thereof on such terms as may be agreed upon, with or without consideration, that the work of persons on work relief be used on public projects of the state, department or agency thereof, or a governmental subdivision or instrumentality thereof; and the county may likewise use the work of persons on work relief on public projects of the county and on projects for current repair and maintenance of drainage systems as authorized by Minnesota Statutes 1957, Section 106.471, Subdivision 2.

Sec. 4. **Effective date.** This act shall become effective only after its approval by a majority of the members of the board of county commissioners of the county of Freeborn and upon compliance with Laws 1959, Chapter 368.

Approved April 11, 1961.

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