

Subd. 5. **Abandonment; incumbent clerk and treasurer continue.** When any optional plan is abandoned and the standard form of village government is resumed, the term of the incumbent clerk, *or clerk-treasurer and assessor, if any,* shall continue until the first business day of January in the next odd-numbered year and the term of the incumbent treasurer *if any* shall continue until the first business day of January in the next even-numbered year; and their successors shall be chosen at the annual village election immediately preceding.

Sec. 11. Minnesota Statutes 1961, Section 412.581 is amended to read:

412.581 **Optional Plan "A"; officers.** In any village operating under Optional Plan A, the council shall be composed of five members consisting, except during the initial period of its operation as provided in section 412.571, of the mayor and four trustees and, except as provided in that section, the clerk; *and treasurer, and assessor, if any, or clerk-treasurer,* shall be appointed by the council for indefinite terms.

Sec. 12. Minnesota Statutes 1961, Section 412.591, Subdivision 1, is amended to read:

412.591 **Optional plan "A"; duties of clerk.** Subdivision 1. The village clerk shall perform all the duties imposed on the clerk in villages generally but he shall not be a member of the council, except that when Optional Plan A is first adopted in any village, the incumbent clerk shall continue to be a member of the council until the expiration of his term. The duties of the village treasurer *if that office exists* ~~and assessor~~ shall not be affected by adoption of Optional Plan A.

Sec. 13. *This act is effective on July 1, 1965.*

Approved May 13, 1965.

CHAPTER 418—H. F. No. 975

[Not Coded]

An act relating to the firemen's relief, death benefit and pension association in the City of Austin in Mower County; amending Laws 1949, Chapter 87, Sections 1, 21, 22, 23, and 26.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Section 1. Laws 1949, Chapter 87, Section 1, is amended to read:

Section 1. **Austin, city of; firemen's relief.** In ~~each the city having, according to the 1940 census, not less than 17,500, and not more than 18,750 inhabitants of Austin in Mower county,~~ the members of the fire department may, when authorized by the governing body of the city, organize a firemen's relief, death benefit and pension association, or maintain any such association existing therein at the time of the taking effect of this act. All such associations now existing as corporations, or hereafter incorporated under the laws of this state, shall have perpetual existence. This act shall not apply to any ~~associations~~ *association* in existence at the time it takes effect; but ~~each~~ such association in said ~~cities~~ *city* may elect to come under its provisions, when authorized to do so, by the governing body of such city, by the adoption of a resolution of the members of the association signifying its intention to do so, at any annual meeting of said association, or at any special meeting duly called for that purpose.

Sec. 2. Laws 1949, Chapter 87, Section 21, is amended to read:

Sec. 21. **Disability allowance.** A member of the association who, by reason of sickness or accident, becomes disabled from performing the duties of a fireman, and as a result thereof is removed from the payroll of the fire department, shall be entitled to receive from the association during disability, such disability pension as the bylaws of the association may provide; which pension shall in no event be less than ~~\$75 per month~~ *one half of the pay of a first class fireman at the time of such disability.* No disability pension shall be paid or allowed by such association unless notice of the disability and application for pension on account thereof shall be made by or on behalf of the disabled member to the secretary of the association within 90 days after such disability.

Sec. 3. Laws 1949, Chapter 87, Section 22, is amended to read:

Sec. 22. **Period of disability.** A member of the association entitled to disability pension, as herein defined, shall receive the same from the association for such periods of time, at such times, and in such amounts, as the bylaws of the association shall provide, but in no event shall such disability pension be less than ~~\$75 per month~~ *one half of the pay of a first class fireman at the time of such disability.*

Sec. 4. Laws 1949, Chapter 87, Section 23, is amended to read:

Changes or additions indicated by italics, deletions by strikeout.

Sec. 23. **Age of retirement.** A member of such association who has completed a period or periods of service as a fireman in the fire department of the city equal to 20 years or more, shall, after he has arrived at the age of 50 years or more and has retired from the payroll of the fire department, be entitled to receive from the association a service pension in such amount as shall be fixed by the bylaws of the association, which pension shall in no event be less than ~~\$100 per month~~ *one half of the pay of a first class fireman at the time of his retirement*, and shall be payable monthly during the term of his natural life, in conformity with the bylaws of the association. All leaves of absence of more than 90 days, except such as are granted to a member because of disability due to sickness or accident, shall be excluded in computing the period of service. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in the fire department not subject to the provisions of this act. No member shall be entitled to draw both a disability and a service pension.

Sec. 5. Laws 1949, Chapter 87, Section 26, Subdivision 4, is amended to read:

Subd. 4. Such widow shall be entitled to a pension ~~of not less than \$25; and not to exceed \$100 per month; in such amount as shall be fixed by the bylaws of the association shall provide,~~ *which pension shall in no event be less than 30 percent of the pay of a first class fireman at the time of the death of said deceased member or the time of retirement of said deceased pensioner; and which pension shall be paid monthly and shall continue for her natural life; provided, that if she shall remarry, the pension shall terminate as of the date of her remarriage.*

Sec. 6. *This act takes effect when approved by the governing body of the city of Austin and upon compliance with Minnesota Statutes, Section 645.021.*

Approved May 13, 1965.

CHAPTER 419—H. F. No. 1022

An act relating to workmen's compensation; establishing notification time for injury caused by x-ray, radium and radioactive substances; amending Minnesota Statutes 1961, Section 176.151.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.