

## CHAPTER 594—H. F. No. 1654

[Not Coded]

*An act relating to firemen's relief associations and firemen's pensions and pensions to their families in the city of Cloquet; repealing Laws 1941, Chapter 196, as amended.*

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

**Section 1. Cloquet, city of; firemen's relief.** Subdivision

1. In the city of Cloquet, having a firemen's relief association, such association shall pay pensions as set forth in the following subdivisions, provided, however, the age and years of service requirements of Minnesota Statutes, Section 69.06, have been fulfilled:

Subd. 2. To any member who has retired prior to January 1, 1955, a service pension of not more than \$60 per month. This amount may be increased by not more than \$2 per month for each year over 20 years of active duty, but no such member shall receive over \$80 per month.

Subd. 3. To any member who retired after January 1, 1955, but prior to January 1, 1965, a service pension of not more than \$100 per month. This amount may be increased by not more than \$5 per month for each year over 20 years of active duty, but no such member shall receive over \$150 per month.

Subd. 4. To any member who retires after January 1, 1965, a service pension of not more than \$150 per month. This amount may be increased by not more than \$5 per month for each year over 20 years of active duty, but no such member shall receive over \$200 per month.

Subd. 5. To a widow if a pensioner or an active member of such relief association dies, who is his legally married wife residing with him while he was on the payroll, a pension of not less than \$50 and not more than \$100 per month for life, or until she remarries. In the event the deceased was a service or deferred pensioner, their marriage must have taken place at least three years before his retirement from the department.

Subd. 6. To each child or children of a pensioner or active member of such association who were living while he was on the payroll of the fire department, or born within nine months thereafter, a pension:

(1) If the mother is living, of not more than \$25 per month until he reaches at least 16, but not over 18 years of age.

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

The total pensions of widow and children of any deceased member shall not exceed \$150 per month.

(2) If the mother is not living, of such an amount as the board of trustees of the association determines is necessary to properly support him until he reaches at least 16, but not over 18 years of age. The total pension of all children of a deceased member shall not exceed \$150 per month.

Subd. 7. To members of the association disability pensions in accordance with the bylaws of the association, but such pensions shall not exceed \$200 per month.

Subd. 8. To a member sick and accident benefits in accordance with the bylaws of the association, but after exhausting any sick leave allowed by the city of Cloquet for its employees, the daily sick and accident benefits payable to such member shall not be set by the association in excess of \$7 per day.

Subd. 9. Upon the death of any member of the association, and upon the death of any pensioner or deferred pensioner, in addition to the amount of money he is entitled to receive on account of sickness or injury, there shall be paid the sum of \$500 payable to the next of kin or beneficiary as the board of trustees of the association shall determine to be in charge and responsible for payment of funeral expenses, provided, however, that none but members in good standing shall be entitled to have any benefits from the funds of this association as this section may provide.

**Sec. 2. Payment to be subject to conditions and bylaws.** The payment of such pensions shall be subject to all the conditions imposed by Minnesota Statutes and by the certificate or bylaws of such association.

**Sec. 3. Not subject to judgments or executions.** No pension allowed or to be allowed by any firemen's relief association under this act, and no accumulated contributions of members to the fund hereinafter referred to, shall be subject to judgment, garnishments, or executions, or other legal process, and no person entitled thereto shall have any right to assign the same, nor shall the association have the power to recognize any attempted assignment or pay over any sum whatever, which has been assigned or attempted to be assigned.

**Sec. 4. Deductions from monthly pay.** In addition to the money in the special fund of said association, 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

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said special fund: The city clerk, treasurer or other disbursing officer of said city 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 five percent of the first \$400 of such monthly pay of each member, and to pay the same to the treasurer of the firemen's relief association. The city council or other governing body of such city for the support of the fund shall each year at the time the tax levies are made for the general revenues of the city, levy in excess of the limits permitted by law a tax of one mill on all taxable property of such city, exclusive of money and credits, which levy shall be transmitted to the county auditor of the county in which the city is located at the time the other tax levies are transmitted and collected, and the payment enforced in the same manner as other taxes of such city. The city treasurer, when the money derived from such tax is received by him, shall pay the same to the treasurer of the firemen's relief association.

**Sec. 5. Tax levy; when omitted.** If at any time the balance on hand of the fund so raised by taxation as in this section provided, together with other resources in said special fund, shall exceed \$200,000, then as often as this shall occur, the levy of said sum shall be omitted for any year in which said condition exists; if at any time the whole amount of the sums that may be raised by taxation in any year is not needed for the purpose of this act and the maintenance of said fund at the amount prescribed herein, then such sum so to be raised by taxation in any such year shall be proportionately reduced to such amount as will be sufficient to carry out the provisions hereof.

**Sec. 6. Investment of funds.** The treasurer of said association shall, upon written direction of the governing body or board of directors thereof, invest said funds in such interest bearing securities as are specified, from time to time, by said board of directors; provided same shall be such securities as are prescribed by laws of Minnesota, from time to time, as securities for investments of the state board of investment, or those types of investments permitted by Minnesota Statutes, Chapter 424.30 to 424.31; provided further the board of directors may invest such funds in first mortgage liens on such real estate owned by members of the association as may be approved by the Cloquet city council.

**Sec. 7. May receive accumulated deductions in certain cases.** Whenever a member of said association shall cease to be a member of said department, for any reasons other than death or retirement, he shall be paid, on demand, the full amount of the accumulated deductions from pay standing to his credit. Whenever any member shall die without having received a pension, or without

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having received in pension payments an amount equal to the total amount of the accumulated deductions from his salary heretofore provided for, the full amount of such accumulated deductions, less such pension payments, if any, as have been made to said member shall be paid in one lump sum to the beneficiary or beneficiaries of such member; provided, however, if no valid claim is established therefor such accumulated deductions shall remain with and become the property of said association. No member shall be entitled to interest upon deductions under the provisions of this section.

Sec. 8. Laws 1941, Chapter 196; Laws 1953, Chapter 253; Laws 1955, Chapter 42; and Laws 1961, Chapter 295, are hereby repealed.

Sec. 9. This act shall become effective only after its approval by the governing body of the city of Cloquet, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 22, 1965.

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CHAPTER 595—H. F. No. 1666

[Not Coded]

*An act relating to St. Louis county; prescribing the salary of the county surveyor.*

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

Section 1. **St. Louis county; surveyor's salary.** The salary of the county surveyor in St. Louis county shall be in such amount as the board of county commissioners may fix.

Sec. 2. This act shall become effective upon approval by the board of county commissioners of the county of St. Louis and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 22, 1965.

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CHAPTER 596—H. F. No. 2004

*An act relating to a tax on and measured by net income*

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