

Sec. 11. The bylaws of the association referred to in this act, and any amendments thereto, shall not be effective unless approved by the city council of Brooklyn Center.

Sec. 12. This act is effective upon its approval by the governing body of the city of Brooklyn Center and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 24, 1967.

CHAPTER 816—H. F. No. 1932

[Not Coded]

An act relating to the firemen's relief association and firemen's pensions in the village of Hibbing; amending Laws 1935, Chapter 192, Sections 1 and 5, as amended; repealing Laws 1935, Chapter 192, Section 2, and Section 6, 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, as amended by Laws 1955, Chapter 294, Section 1, as amended by Laws 1959, Chapter 208, Section 1, is amended to read:

Section 1. **Hibbing, village of; firemen's relief association.** Subdivision 1. **Service pensions.** *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 amount 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 Hibbing firemen's relief association shall pay to each of its members who has retired after 20 years or more of active service as a member of the fire department of the village of Hibbing and who has attained the age of 55 years a monthly service pension for the remainder of his life equal to one-half of his average monthly earnings as a member of the fire department during his last three years of service. The monthly payments may be increased by adding there-*

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to an amount not to exceed ~~\$5~~ *\$10* 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. **Dependency pensions.** When a pensioned and retired or active member of a ~~relief~~ *the* association ~~of such a village~~ dies leaving

(1) A widow who was his legally married wife, residing 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~~ *\$100* per month, as the bylaws of the association provide, for her natural life which amount may be applicable to widows already receiving pension payments *before the effective date of the most recent amendment hereto which affects the amount* 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,

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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. Disability pensions. A member of the association who is totally disabled by injury or sickness while an active member of the fire department of the village but is ineligible for a service pension under subdivision 1 shall be paid a monthly disability pension for the duration of his disability in such amount as would be payable for the same disability under the provisions of Minnesota Statutes, Chapter 176, if within the scope of those provisions.

Subd. 4. Applicability of amendments. No amendment to Laws 1935, Chapter 192, Section 1, which affects the amount of any pension or other benefit authorized or required to be paid by the association or which provides for the payment of a kind of pension or other benefit not previously authorized or required to be paid by the association shall apply to any member or dependent of a member who qualifies to receive such pension or other benefit by reason of death, retirement, or disability which occurs before the effective date of the amendment unless another provision of this section provides to the contrary. In the absence of such a provision to the contrary, such person shall continue to receive pensions or other benefits in accordance with the law as it exists before the amendment takes effect.

*Subd. 3 5. All payments of pensions made to members who have retired prior to the enactment of ~~this law~~ Laws 1955, Chapter 294, not in excess of amounts ~~herein~~ *therein* authorized, are hereby validated and legalized.*

Sec. 2. Laws 1935, Chapter 192, Section 5, as amended by Laws 1943, Chapter 413, Section 1, as amended by Laws 1947, Chapter 101, Section 1, as amended by Laws 1951, Chapter 48, Section 2, as amended by Laws 1955, Chapter 294, Section 2, as amended by Laws 1959, Chapter 208, 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 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 the special fund. The village recorder, treasurer, or

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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 same~~ 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;~~ *The amount received by the treasurer of the association 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 directors 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 county 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. **Repealer.** *Laws 1935, Chapter 192, Section 2,*

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and Laws 1935, Chapter 192, Section 6, as amended by Laws 1945, Chapter 182, Section 1, are repealed.

Sec. 4. Effective date. *This act shall take effect upon its approval by the governing body of the village of Hibbing and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*

Approved May 24, 1967.

CHAPTER 817—H. F. No. 1947

[Coded]

An act relating to nonprofit corporations; providing for renewal of existence; amending Minnesota Statutes 1965, Chapter 317, by adding a section.

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

Section 1. Minnesota Statutes 1965, Chapter 317, is amended by adding a section to read:

[317.271] Nonprofit corporations; renewal of existence. *Subdivision 1. Domestic corporation. As used in this section, "domestic corporation" means every nonprofit corporation organized under any law of this state whether or not formed under or subject to the provisions of this chapter.*

Subd. 2. Authority to renew. If the period of duration of any domestic corporation organized under any law of this state has expired and such domestic corporation has continued to transact its business, or its assets have not been liquidated and distributed, such domestic corporation may renew its corporate existence from the date of its expiration for a further definite time or perpetually from and after the term of its expired period of duration with the same force and effect as if extended prior to the expiration of its term of existence.

Subd. 3. Manner of renewal. Such renewal shall be effected by taking the same proceedings and obtaining the same vote of members or directors as are required by section 317.27 for the extension of the period of duration of corporate existence prior to the expiration of such period.

Subd. 4. Proceedings to relate back. Such proceedings shall relate back to the date of the expiration of such original cor-

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