

of corrections as authorized by law, shall be employees within the meaning of this subdivision. In the event of injury or death of any such voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services in institutions where such services are performed by paid employees;

(7) *a voluntary uncompensated workers worker* engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be employees. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of such injury or death for similar services where such services are performed by paid employees.

In the event it is difficult to determine the daily wage as herein provided, then the commission may determine the wage upon which the compensation is payable.

Sec. 2. Minnesota Statutes 1965, Section 176.021, is amended by adding a new subdivision to read;

Subd. 7. Public officer. If an employee who is a public officer of the state or governmental subdivision continues to receive the compensation of his office during a period when he is receiving benefits under the workmen's compensation law for temporary total or temporary partial disability or permanent total disability and the compensation of his office exceeds \$100 a year, the amount of that compensation attributable to the period for which benefits under the workmen's compensation law are paid shall be deducted from such benefits.

Approved May 24, 1967.

CHAPTER 702—S. F. No. 1680

[Not Coded]

An act relating to firemen's relief and retirement in the city of St. Cloud; amending Laws 1961, Chapter 343, Sections 10, Subdivisions 1 and 2; 11, as amended; 15; 16, Subdivision 1; 22; and 25.

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

Section 1. Laws 1961, Chapter 343, Section 10, Subdivision 1, is amended to read:

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

Sec. 10. St. Cloud, city of; firemen's relief and retirement; tax levy. Subdivision 1. Except as provided in subdivision 2, in addition to all other taxes it may levy, the common council of the city of St. Cloud shall levy a tax of ~~one mill~~ *one and one-half mills* at the time and in the manner it levies other taxes, and the proceeds of this tax shall be paid to the relief association.

Sec. 2. Laws 1961, Chapter 343, Section 10, Subdivision 2, is amended to read:

Subd. 2. At any time the balance in the special fund ~~reaches \$150,000~~ *is adequate according to an actuarial survey prepared in accordance with Chapter 751, Laws 1965, as amended* any levy in an ensuing year shall be only such as will be calculated to maintain this amount but in no event shall any levy exceed ~~one mill~~ *one and one-half mills* or be less than three-tenths of one mill.

Sec. 3. Laws 1961, Chapter 343, Section 11, as amended by Laws 1963, Chapter 453, Section 2, is amended to read:

Sec. 11. Salary deductions. During all times that the relief association is in existence the city shall regularly deduct from the salary of each member of the association an amount equal to ~~two~~ *four* percent of the highest base salary paid to any fireman first class. In the event the actual balance of cash and investments in the special fund ever becomes less than \$75,000 the city shall regularly deduct from the salary of each member of the association an amount equal to ~~four~~ *six* percent of the highest base salary paid to any fireman first class and shall continue to deduct such amount until the actual balance of cash and investments in the special fund again reaches \$75,000 or more. In no event shall any such deduction be less than ~~two~~ *four* percent or more than ~~four~~ *six* percent of such highest base salary paid to any fireman first class. All salary deductions shall be remitted by the city to the treasurer of the relief association not less than quarterly.

Sec. 4. Laws 1961, Chapter 343, Section 15, is amended to read:

Sec. 15. Special fund; authorized uses. The special fund shall be used only for the following purposes:

(a) For the payment of service, disability, or dependency pensions to members of the association and to their widows and children as hereinafter provided;

(b) For the payment of funeral and death benefits as may be determined by the relief association;

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

(c) For the payment of all expenses of administering said fund including *payments from the fund for the purchase of insurance to cover either the disability or death of a member declaring the special fund as beneficiary and including* expenses in connection with the investment and protection of moneys in said fund; and

(d) For the payment of all expenses of operating and maintaining the association including the secretary's and treasurer's salaries.

Sec. 5. Laws 1961, Chapter 343, Section 16, Subdivision 1, is amended to read:

Sec. 16. **Pensions; limitations.** Subdivision 1. The relief association shall grant pensions to its members payable from the special fund in monthly installments in the following manner and for the following purposes:

(a) Any member of the age of 50 years or more who performs duty as a member of the fire department of the city for 20 years or more upon his written application after retiring from such duty shall be paid monthly during his lifetime a pension equal to 35 units and an additional unit for each year of such service in excess of 20 years but not to exceed ~~40~~ 42 units;

(b) Any member who performs duty as a member of the fire department of the city for 20 years or more who retires from such duty before he attains the age of 50 years upon his written application after reaching the age of 50 years shall be paid monthly during his lifetime a pension equal to 35 units and an additional unit for each year of such service in excess of 20 years but not to exceed 40 units; and

(c) Any member not eligible for a service pension who, while a member of the fire department of the city, becomes diseased or sustains an injury which permanently unfits him for the performance of department duties shall be paid monthly during his lifetime a disability pension equal to 36 units while so disabled. No member shall be awarded, granted, or paid a disability pension under the provisions of this clause except upon the certificate of two or more physicians or surgeons chosen by the board of trustees. This certificate shall set forth the cause, nature, and extent of the disability, disease, or injury of the member. No member shall be awarded, granted, or paid a disability pension pursuant to this clause unless the certificate states the disability, disease, or injury. Each such certificate shall be filed with the secretary of the association.

Sec. 6. Laws 1961, Chapter 343, Section 22, is amended to read:

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

Sec. 22. **Pension payments exempt from legal process.** Any payment made by this association under any provisions of this act is exempt from any legal process. No person entitled to any such payment may assign the same. The association may not recognize any assignment or pay any sum on account thereof. *Any person entitled to any payment or benefit by this association under the provisions of Laws, 1961, Chapter 343, as amended, may waive payment of all or any part thereof for the period of time he or she desires. The waiver shall be in writing and filed with the secretary of the association. Upon the filing of the waiver, the association shall suspend payment of as much of the benefits as the waiver authorizes and for the period of time it authorizes. Benefits once waived may be reinstated in full or in part by a revocation of the waiver in writing filed with the secretary of the association. Benefits unpaid pursuant to a waiver shall not thereafter be collectible by any person, and benefits waived shall lapse and upon subsequent revocation of the waiver, benefits shall accrue and be paid only from the effective date of the revocation of the waiver.*

Sec. 7. Laws 1961, Chapter 343, Section 25, is amended to read:

Sec. 25. **Pension fund investment restrictions.** The board of trustees of the St. Cloud fire department relief association shall from time to time invest pension funds available for that purpose and they may buy bonds issued by the city of St. Cloud at the market value thereof, or bonds issued by the board of education of the city of St. Cloud as the market value thereof, or buy bonds of the state of Minnesota, or United States bonds, notwithstanding the state of Minnesota or United States bonds may be above par value thereof at the time of the investment; they may deposit these funds in any bank in the city of St. Cloud, Minnesota. *They may invest in such investments as are lawful investments for the State Employees Retirement Association.*

Sec. 8. *This act shall be effective upon its approval by the common council of the city of St. Cloud and upon compliance with Minnesota Statutes, Section 645.021.*

Approved May 24, 1967.

CHAPTER 703—S. F. No. 1741

An act relating to Hennepin county, and the establishing and maintenance of the county pistol range; amending Minnesota Statutes 1965, Section 387.045.

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