

of each are authorized to do all things required by the Guidelines Act as conditions for the contribution of public funds or the levy of taxes for the support of the association.

Sec. 6. This act shall be effective upon its approval by the governing body of the city of Crystal and compliance with Minnesota Statutes, Section 645.021, but irrespective of the date upon which this act becomes effective, the deductions prescribed by section 1 shall commence with the first pay period beginning after May 31, 1969.

Approved June 6, 1969.

CHAPTER 1088—H. F. No. 2617

[Not Coded]

An act relating to the firemen's relief association of the city of Crystal; providing certain benefits for volunteer firemen and their survivors; authorizing tax levies; providing for administration of the firemen's pension fund.

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

Section 1. **Crystal, city of; firemen's relief association.** Notwithstanding the contrary provisions of Minnesota Statutes, Chapter 424, and other laws regarding firemen's relief associations organized and operating under the laws of the state of Minnesota, the firemen's relief association of the city of Crystal, Minnesota, hereafter referred to as the association, shall provide the additional benefits set forth in this act to its members.

Sec. 2. Subdivision 1. The association shall provide for the payment to a member who has heretofore retired or shall hereafter retire having reached the age of 50 years or more and having served 20 years or more as a volunteer fireman and who qualifies with such additional conditions as to age, service, and membership as may be required by the bylaws of the association of a service pension of \$5.50 per month for each year of service up to a maximum of \$165 per month for 30 years of service. The service pension shall be payable to the member upon retirement for the remainder of his natural life in conformity to the bylaws of the association.

Subd. 2. The association shall provide for the payment of a pension to his widow upon the death of a member who served 20 years or more as a volunteer fireman and was or would have been en-

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titled to receive a service pension upon reaching the age of 50 years or upon retirement of a widow's pension of not more than \$2.75 per month for each year of the deceased member's service up to a maximum of \$82.50 per month for 30 years service. The pension shall be paid as the bylaws of the association provide for her natural life; provided that if she remarry such pension shall cease and terminate as of the date of her remarriage. For the purposes of this subdivision, the term "widow" shall mean a spouse who became the legally married wife of the member while or prior to the time he served on active duty with the fire department and remained such continuously after the marriage until his death 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 the fire department.

Subd. 3. The association shall provide for payment of a children's pension to his surviving children upon the death of a member who served 20 years or more as a volunteer fireman and was or would have been entitled to receive a service pension upon reaching the age of 50 years or upon retirement if their mother is living and is entitled to receive a widow's pension as provided herein of not more than \$25 per month for each child up to the time each child reaches the age of 18 years as the bylaws of the association provide; provided that the aggregate monthly widow's pension under subdivision 2 and children's pension under this subdivision shall not exceed \$255 per month. For the purposes of this subdivision and subdivision 4, the term "surviving children" shall mean a child or children of the deceased member who were born while the member served on active duty with the fire department or within nine months following his termination or resignation from active duty or within nine months of his death, if he had neither resigned nor had been terminated. Surviving children shall include children adopted by the deceased member while serving on active duty, but shall not include children who predecease the volunteer fireman.

Subd. 4. The association shall provide in its bylaws for payment of a children's pension to his surviving children upon the death of a member who served 20 years or more as a volunteer fireman and was or would have been entitled to receive a service pension upon reaching the age of 50 years or upon retirement who survive their mother of \$25 per month for each child under the age of 18; provided that in no event shall the pension paid to the surviving children of a deceased volunteer fireman pursuant to this subdivision exceed a total aggregate sum of \$200 per month.

Sec. 3. The association shall provide, upon the death of any member of the association or any pensioner who is a former member,

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a death or funeral benefit not to exceed \$1,000 to defray or assist the family of the deceased in defraying the funeral expenses of the deceased.

Sec. 4. Subdivision 1. The association shall provide for the payment of a service award of \$5.50 per month for each year of service to a member who has served as a volunteer fireman for more than ten but less than 20 years and whose position as a volunteer fireman has been eliminated or who has become physically or mentally disabled so as to be totally and permanently incapable of performing service in the department as determined by a board of examiners. The service award shall be paid upon the member's reaching the age of 50 years.

Subd. 2. The association shall provide for the payment of a pension to the widow of a deceased member who performed services in the department for more than ten years, but less than 20 years, and whose position as a volunteer fireman was eliminated or who became physically or mentally disabled so as to be totally and permanently incapable of performing service in the department. The widow's pension shall be payable upon the death of the deceased member in the amount of \$2.75 per month for each year of the deceased member's service.

Subd. 3. The association may provide for the payment of a children's pension to the surviving children of a deceased member who performed services in the department for more than ten years, but less than 20 years, and whose position as a volunteer fireman was eliminated or who became physically or mentally disabled so as to be totally and permanently incapable of performing service in the department and whose mother is living and entitled to receive a pension. The pension may be payable upon the death of a member in an amount of \$1.25 per month for each year of the deceased member's service, provided that the total aggregate payments to the children of a deceased member under this section shall not exceed \$10 per month per year of the deceased member's service.

Subd. 4. The association may provide for the payment of a pension to the surviving children of a deceased member who performed services in the department for more than ten years but less than 20 years and whose position as a volunteer fireman was eliminated or who became physically or mentally disabled so as to be totally and permanently incapable of performing service in the department, who also survive their mother. The said pension shall be payable upon the death of the member if he is not survived by a widow entitled to receive a pension or upon the death of a widow entitled to re-

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ceive a pension or upon the occurrence of any event which terminates the widow's right to receive a pension under section 2, subdivision 2, of this act. The children's pension shall be in the amount of \$1.25 per month for each year of the deceased member's service, provided that the total aggregate payments to the children of a deceased member under this section shall not exceed \$200 per month.

Sec. 5. The association shall provide that a volunteer fireman who has performed service in the department for more than ten years and resigns shall be paid a lump sum service benefit after he has reached the age of 50 years, provided that in no event shall the lump sum service benefit exceed the amount of \$300 per year of service.

Sec. 6. The association shall provide for the payment of temporary disability compensation to members who become temporarily disabled, which disability shall have arisen from or shall have occurred during the performance by the member of his duties as a volunteer fireman or member of the association. A member shall be "disabled" within the meaning of this section only if such disability prevents him from performing his duties as a volunteer fireman. The by-laws shall also prescribe the amount of such benefits which shall not exceed \$10 per day for not more than 100 days. No benefit for disability shall be paid unless the member notifies the secretary of the association of his disability and applies for benefits within 30 days after disability commences.

Sec. 7. If the city shall convert the volunteer fire department to a full time, paid fire department and if any volunteer should become a full time fireman, his volunteer time shall apply toward his retirement under the terms of the full time retirement program of the city; provided, however, that benefits shall be determined on a pro-rata basis so that volunteer benefits are paid for the time worked as a volunteer and benefits under the full time retirement program of the city shall be paid for the time spent as a paid fireman.

Sec. 8. Subdivision 1. The treasurer of the city of Crystal and the secretary of the association, maintaining and administering the firemen's pension fund, shall during the month of June of each year prepare and certify an estimate of the necessary appropriation which will be sufficient to meet the current normal cost determined by the entry age normal cost method based upon a three percent interest assumption, plus an additional amount sufficient to retire the accumulated deficit within 40 years of the passage of this act. The estimate shall be reduced by aids or estimated aids from the state of Minnesota. During the first year after the passage of this act, and at least once every four years thereafter, the association shall obtain an actuarial

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survey and report to assist in the preparation of annual estimates required by this section, which survey and report shall be prepared in accordance with the provisions of Laws 1965, Chapter 751, as amended.

The records of account shall be maintained under the direction of the city treasurer and the secretary of the association. The system of accounting employed shall be in accordance with generally accepted accounting principles, and shall employ applicable actuarial assumptions in a manner which will provide an actuarial measurement of the liabilities for accumulated pension reserves needed for in-service members, the liabilities for rights which have become vested, and the overall financial solvency of the fund. Within 90 days following the end of each fiscal year the city treasurer shall submit a report to the city council which shall reflect the financial condition of the relief association fund.

Subd. 2. The city shall levy a tax for the firemen's pension fund equal to the net amount so certified, in the manner and at the time it levies other taxes. When the fund has reached a point sufficient to fully fund the association, the tax levy shall be established at an amount sufficient to maintain the fund in a completely funded status as new obligations are incurred. The proceeds of this tax shall be paid into the firemen's pension fund.

Sec. 9. The pensions provided for herein shall be paid to all volunteers in addition to any other pension due them from other employment.

Sec. 10. Moneys in the pension fund shall be disbursed only for purposes and in the manner authorized by the articles of incorporation or bylaws of the association. The funds of the association shall be invested in securities which are permitted by law as investments for funds of the Minnesota state retirement system and funds of Minnesota firemen's relief associations.

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 the city of Crystal.

Sec. 12. This act is effective upon its approval by the city council of the city of Crystal and upon compliance with Minnesota Statutes, Section 645.021.

Approved June 6, 1969.

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