

CHAPTER 578—S. F. No. 2326

[Not Coded]

An act relating to the firemen's relief association of the city of Virginia; amending Laws 1953, Chapter 399, Sections 12, Subdivision 2 as amended; 20 as amended; and 23.

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

Section 1. Laws 1953, Chapter 399, Section 12, Subdivision 2, added by Laws 1961, Chapter 420, Section 2, and amended by Laws 1965, Chapter 546, Section 2, is amended to read:

Subd. 2. **Virginia, city of; firemen's relief.** The council or other governing body of such city shall each year at the time the tax levies for the support of the city are made and in addition thereto levy a tax of three mills on all taxable property within the city. It shall levy taxes for such purposes in excess of the limitations of Minnesota Statutes, Section 275.11. ~~When this special fund reaches or exceeds \$120,000, the levy, each year, shall be one mill until the fund goes below \$100,000 when the levy shall again be three mills.~~ The tax so levied shall be transmitted with other tax levies to the auditor of the county in which the city is located and by the county shall be collected and payment thereof enforced when and in like manner as state and county taxes are paid. In addition thereto, and only if such tax is levied, the city treasurer, finance commissioner, or other officer charged with the responsibility of the city's finances, shall each month deduct ~~four percent~~ from the basic monthly pay of each fireman *an amount which equals six percent of the basic monthly pay of a grade 3 fireman* and transfer the total ~~thereof of such deductions~~ to the treasurer of the special fund of the firemen's relief association, who shall credit ~~this total~~ *the deductions* to the special fund and to the credit of the individual ~~fireman~~ *firemen*. If a fireman in such city is separated from the service under such circumstances that no pension benefits are payable to him, the treasurer of the special fund shall return to the fireman or to his immediate family all of the amounts so deducted from his base pay, without interest. ~~The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is situated, and by the county shall be collected and payment thereof enforced when and in like manner as state and county taxes are paid.~~

Sec. 2. Laws 1953, Chapter 399, Section 20, as amended by Laws 1961, Chapter 420, Section 5, and Laws 1963, Chapter 407, Section 1, is amended to read:

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

Sec. 20. **Virginia, city of; firemen's relief association; base pay.** Base pay as hereafter referred to means the base pay of a Grade 3 fireman, *but not less than \$175 per month.* A member of such association, who has completed a period or periods on the fire department equal to 20 years or more, after he has arrived at the age of 50 years or more and has retired from the payroll of the fire department shall be entitled to a basic *monthly pension of \$175 per month for his natural life, plus \$2.50 per month for each year of active service after he has served 20 years.* ~~The total of such additional pension shall not exceed the sum of \$25 per month in an amount which equals 35 percent of monthly base pay at the time of his retirement plus one and one half percent of monthly base pay for each year of service in excess of 20 years. The total monthly service pension hereunder shall not exceed 50 percent of monthly base pay at the time of retirement.~~ Any and all leaves of absence of more than 90 days, except such as are granted to a member because of his disability due to sickness or accident, shall be excluded in such computation.

No member shall be entitled to draw both a disability and a service pension at the same time; ~~and in no event shall the total pension exceed one half of the then existing base pay, plus \$25 per month.~~

Each member shall be entitled to earn from wages, salaries, and business activities not to exceed the sum of \$100 per month. Earnings in excess thereof shall proportionately reduce the benefits provided in this section. The foregoing provisions of this paragraph shall not apply to a member 65 years of age or over, or to a member drawing sickness or accident benefits from the relief association unless his combined monthly income of disability pension and any earnings which he has exceeds the amount which was last paid to him as a rate of monthly compensation as a fireman by the city of Virginia. In no event shall the disability pension payments to such recipient exceed an amount which when combined with his monthly earnings will give the recipient an amount in excess of his monthly rate of compensation when last employed as a fireman by the city of Virginia.

Sec. 3. Laws 1953, Chapter 399, Section 23, is amended to read:

Sec. 23. **Widows and dependents.** When a service pensioner, disability pensioner, or deferred pensioner, or an active member of such relief association, dies, leaving:

(a) A widow who became his legally married wife while or prior to the time he was on the payroll of the fire department and remained such continuously after such marriage until his death without

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having applied for any divorce or legal separation, 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 said fire department, and who, in any case, was residing with him at the time of his death. No temporary absence for purpose of business, health or pleasure shall constitute a change of residence for the purpose of this act.

(b) A child or children, who were living while the deceased was on the payroll of the fire department, or who were born within nine months after said decedent was withdrawn from the payroll of said fire department, such widow and said child or children shall be entitled to a pension as follows:

(1) To such widow a pension of the sum of ~~\$60~~ *not exceeding \$100* per month for her natural life, and a pension of ~~\$10~~ *\$20* per month for each child, *not exceeding three*, of such deceased member under *not less than 16 nor more than 18* years of age *as the bylaws provide*. ~~The amount of such pension for such child or children shall be determined by the association;~~ but The total amount of such pension or pensions *for a widow and the children* shall not exceed the sum of ~~\$80~~ *\$160* per month. ~~and provided~~ If such widow shall remarry, then her pension *other than that allocable to the children* shall cease and terminate as of the date of said remarriage.

(2) To ~~such child or~~ *the children* of a deceased member, after the death of the widow of such member, a monthly pension or pensions, in such amount ~~or amounts in excess of \$10 per month~~ for each child as the board of trustees of such association shall deem necessary to properly support such child or children until they reach the age of *not less than 16 nor more than 18* years, *as the bylaws provide*, but not to exceed the sum of ~~\$60~~ *\$20* per month to ~~the children of any one family~~ *each child*.

Sec. 4. *Section 1 shall apply to deductions in respect of pay periods commencing after June 30, 1969. Sections 2 and 3 shall apply to benefits payable in respect of retirement and death occurring after June 30, 1969.*

Sec. 5. *Notwithstanding Laws 1953, Chapter 398, Section 4, a person who is a fireman in the fire department of the city of Virginia on the effective date of this act may become a member of the relief association irrespective of his age on the date his application for membership is filed and may file an application for membership within 90 days after the effective date of this act, and the relief association shall act upon the application within six months after the effective date of this act.*

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Sec. 6. *No provision of this act shall be construed as reducing the amount or rate of contribution to the association by the municipality or a member of the association from such minimum contributions as are prescribed by the Police and Firemen's Relief Associations Guidelines Act of 1969. Notwithstanding the provisions of this or any other act, the association and the municipality and the officers 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. 7. *This act is effective upon its approval by the governing body of the city of Virginia and upon compliance with Minnesota Statutes, Section 645.021.*

Approved May 22, 1969.

CHAPTER 579—H. F. No. 1636

An act relating to financial institutions and mortgagees; amending Minnesota Statutes 1967, Section 47.20.

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

Section 1. Minnesota Statutes 1967, Section 47.20, is amended to read:

47.20 Financial institutions; use of federal acts. Pursuant to such regulations as the commissioner of banks finds to be necessary and proper, *if any*, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations *organized under the laws of this state or the United States*, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, *and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administration of veterans affairs*, are authorized:

(1) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured by the ~~federal housing administrator~~ *secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended*, and to obtain such insurance;

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