

## CHAPTER 808—H.F.No.1936

*An act relating to municipalities; authorizing counties, governmental subdivisions and certain others to cooperate with a nonprofit corporation in the carrying on of certain recreation programs; authorizing counties to levy taxes for the establishment and operation of recreational facilities for senior citizens; amending Minnesota Statutes 1969, Section 471.16.*

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

Section 1. Minnesota Statutes 1969, Section 471.16, is amended to read:

**471.16 MUNICIPALITIES; RECREATION PROGRAMS; CO-OPERATION; TAX LEVY.** Subdivision 1. Any city, however organized, or any village, borough, town, county, school district, or any board thereof, or any incorporated post of the American Legion or any other incorporated veterans' organization, may operate such a program independently, or they may cooperate among themselves or with any nonprofit organization in its conduct and in any manner in which they may mutually agree; or they may delegate the operation of the program to a recreation board created by one or more of them, and appropriate money voted for this purpose to such board which may in turn support or cooperate with a nonprofit organization.

Subd. 2. Notwithstanding the provisions of section 471.15, any county may levy a tax not to exceed one mill to provide funds for the establishment or operation of recreational facilities or programs for senior citizens either by such county or by any municipality, governmental subdivision, school district or other organization or entity referred to in subdivision 1.

Approved June 4, 1971.

## CHAPTER 809—H.F.No.2045

[Not Coded]

*An act relating to the firemen's relief association in the city of Chisholm; providing for the payment of certain pensions; authorizing tax levies; amending Laws 1961, Chapter 631, Sections 1 and 5, Subdivision 1.*

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

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

Section 1. Laws 1961, Chapter 631, Section 1, is amended to read:

**Sec. 1. CHISHOLM, CITY OF; FIREMEN'S RELIEF ASSOCIATION.** In the city of Chisholm, which has a fire department relief association organized under the laws of this state and authorized to pay pensions under Mason's Minnesota Statutes of 1927, Sections 1919, 1920, and 3723 to 3728, or any amendments thereof, such association may pay retirement pensions in excess of the amounts so authorized, but not in excess of the following total amounts:

~~-\$150 per month 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 such city. When a member has reached the age of 55 years or more and has served as a member of such municipal fire department for a period of 20 years or more, or has been disabled physically or mentally because of any injury received or suffered after at least one year of service as a member of the fire department so as to render necessary his retirement from active fire service and cause a total and permanent disability, such retirement member shall be paid each month a pension equal to one half of his average monthly base pay during the last six months of his service with said fire department. The monthly payments of \$150 may be increased by adding thereto an amount not exceeding \$5 per month for each year of active duty over 20 years of service before retiring; provided, that no such pension or payment shall exceed the sum of \$200 per month not to exceed five years for purposes of pension computation. No such pension shall be paid to any person while he remains a member of the fire department. The amounts of the retirement pensions hereby authorized shall not apply to members who have retired prior to the enactment hereof, except as may be hereinafter provided.~~

Sec. 2. Laws 1961, Chapter 631, Section 5, Subdivision 1, is amended to read:

**Sec. 5. PAY DEDUCTIONS, TAX LEVY.** Subdivision 1. In addition to the moneys 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 said special fund, to-wit: It shall be the duty of the city clerk, treasurer, or other disbursing officer of such city to 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 not less than six percent of the monthly pay rate base pay of a Class III fireman such member~~, and to place the same to the credit of said special fund. ~~The city council or other governing body of such city shall each year, at the time the tax levies are made for the general revenues of the city, levy within the per capita or mill limitations now permitted by law, a tax of \$5,000 each year, and in addition thereto may levy a tax of \$10,000 each year over and above such per capita or mill limitations, until the special fund has reached \$100,000 and when the fund exceeds \$100,000 then no tax shall be levied for that current~~

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~~year on all of the taxable property of such city, which levy shall be transmitted to the county auditor of the county in which the city is situated at the time the other levies are transmitted and shall be collected, and the penalties therefor shall be enforced, in the same manner as the other taxes of such city. If at any time the balance on hand of the special fund so raised by taxation, as in this section provided, together with the other resources in said special fund, shall be less than the sum of \$50,000, then as often as this shall occur, the city council or other governing body of such city shall in any such year, at the time the tax levies are made for the general revenues of the city, levy within the present per capita or mill limitations now permitted by law, the tax of \$10,000 each year and in addition thereto a tax of \$10,000 each year over and above such per capita or mill limitations until the special fund has exceeded the sum of \$50,000 and, when such fund again exceeds the sum of \$50,000, a tax of \$5,000 shall be levied each year, and in addition thereto there may be levied a tax of \$10,000 each year over and above such per capita or mill limitations. The city council shall each year, at the time the tax levies are made for the general revenues of the city, levy such amount of money for the benefit of the special fund as may be prescribed by Laws 1969, Chapter 223, as amended. Such levy shall be in addition to and in excess of any statutory or charter limitations imposed upon the rate or amount of taxes which the city can levy. The city treasurer, when the moneys derived from such tax are received by him, shall pay the same to the treasurer of the fire department'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 as amended and its adoption by said city, an amount not to exceed \$1,000 of such levy may, at the discretion of the board of trustees of said relief association, be placed to the credit of the general fund of said association. The balance of said levy, as well as all subsequent levies, shall be credited to the special fund of said association, and shall not be withdrawn from said fund or transferred to any other fund except for the purposes of this act. The board of trustees may, at its discretion, pay premiums upon the bond of the treasurer and secretary from said special fund.~~

Sec. 3. In the event of an increase in salary to the active members of the fire department, the monthly payments provided for herein shall be increased by three percent for each such increase in salary subsequent to passage of this act to the active members. This increase shall take effect in the month in which the salary increases become effective.

Sec. 4. Laws, 1961, Chapter 631, Section 5, Subdivision 2, is hereby repealed.

Sec. 5. This act applies only to pensions payable as a result of death, disability or retirement of members of the association occurring on and after November 1, 1969.

**Changes or additions indicated by underline, deletions by strikeout.**

Sec. 6. (1) No provision of this act shall be construed as exempting, abridging, repealing or amending the compliance with the provisions of the Police and Firemen's Relief Association Guidelines Act of 1969, as amended, except as provided for in this section.

(2) Notwithstanding Minnesota Statutes, Section 69.77, Subdivision 2, the governmental subdivision's minimum obligation shall not be reduced, but shall be the financial requirements of the association less member contributions and less one year's estimated receipts expected from the state of Minnesota through state collected insurance premium taxes or other state aids. The governmental subdivision shall provide in its annual budget commencing in 1971 the above minimum obligation, and shall levy taxes sufficient for the payment thereof.

(3) In addition to the above minimum obligation, the governmental subdivision shall provide in its annual budget commencing in 1971, an additional amount sufficient to amortize the deficit as determined by actuarial survey in accordance with Minnesota Statutes, Sections 69.71 to 69.76, within a period of 30 years.

(4) Prior to the approval of this act by the city council of Chisholm, the relief association shall secure from their actuary amendments to the actuarial survey required by Minnesota Statutes, Chapter 69, revising the findings of the survey to conform with the benefit changes in this act if approved by the local governing body, and shall submit to the governing body the amended survey which shall be presented at a public hearing in terms of mill rate increase prior to approval of this act. If this act is approved by the local governing body, the amended survey shall be the basis for all computations and determinations required by Minnesota Statutes, Section 69.77.

Sec. 7. This act takes effect when approved by a majority of the governing body of the city of Chisholm and upon compliance with Laws, 1959, Chapter 368.

Approved June 4, 1971.

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#### CHAPTER 810—H.F.No.2046

[Not Coded]

*An act relating to the police relief association in the city of Chisholm; authorizing deductions from salaries and tax levies; amending Laws 1945, Chapter 74, Sections 2, 4, and 6, as amended.*

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