

ation of the city of Brainerd shall provide in its certificate of incorporation or bylaws, for a service pension in an amount not exceeding \$600 per year of service to be paid in a lump sum where the retiring member qualifies for a service pension under the provisions of said section 69.06.

Sec. 2. This act becomes effective when approved by the governing body of the city of Brainerd, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 7, 1973.

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### CHAPTER 171—H.F.No.345

*An act relating to wild animals; providing that the notice of violation of certain laws has the effect of a summons and complaint; amending Minnesota Statutes 1971, Section 97.50, Subdivision 1.*

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

Section 1. Minnesota Statutes 1971, Section 97.50, Subdivision 1, is amended to read:

**97.50 GAME AND FISH; WILD ANIMALS; VIOLATIONS; NOTICE AS SUMMONS AND COMPLAINT.** Subdivision 1. The commissioner, director, game refuge patrolmen, and conservation officers are hereby authorized and empowered to execute and serve all warrants and processes issued by any justice of the peace or magistrate or by any court having jurisdiction under any law relating to wild animals, wild rice, use of water, conservation, protection or control of public waters, state-owned dams or other works affecting public waters or water pollution, in the same manner as any constable or sheriff may do so, and to arrest, without a warrant, any person detected in the actual violation of any provisions of chapters 84, 97 to 102, 105 and 106, and section 609.68, and acts amendatory thereof, and to take such person before any court in the county in which the offense was committed and make proper complaint.

When a person is arrested for any violation of the provisions of the above named chapters, punishable as a misdemeanor, and is not taken into custody and immediately taken before a court or magistrate, the arresting officer shall prepare, in quadruplicate,

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

written notice to appear before a court or magistrate. This notice has the effect of, and serves as, a summons and complaint. The notice shall be in the form of a summons and complaint and shall contain the name and address of the person arrested, the offense charged, and the time and the place he is to appear before the court or magistrate. This place must be before a court or magistrate who has jurisdiction within the county in which the offense charged is alleged to have been committed.

In order to secure release, without being taken into custody and immediately taken before the court or magistrate, the arrested person must give his written promise so to appear before the court or magistrate by signing, in quadruplicate, the written notice prepared by the arresting officer. The officer shall retain the original of the notice and deliver the copy thereof marked "summons" to the person arrested. Thereupon the officer shall release the person from custody.

On or before the return day the officer shall make a return thereof to the court or magistrate before whom the notice or summons is returnable, ~~and he shall make proper complaint against the person so arrested as the facts warrant.~~ If the person so summoned fails to appear on the return day the court or magistrate shall issue a warrant for his arrest, and upon his arrest proceedings shall be had as in other cases.

Sec. 2. **EFFECTIVE DATE.** This act is effective January 1, 1974.

Approved May 7, 1973.

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## CHAPTER 172—H.F.No.362

[Not Coded]

*An act relating to the village of St. Michael; validating state aid payments to the firemen's relief association and service of members thereof.*

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

Section 1. **ST. MICHAEL, VILLAGE OF; FIREMEN'S RELIEF ASSOCIATION.** All payments or distributions of state aid to the St. Michael firemen's relief association made prior to May 28, 1970 are hereby validated. Service of a member of said association prior to May 28, 1970 shall be includable in the computation of the

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