

and that it is no longer of public benefit and utility, the board or court shall so find and shall by order abandon the ditch.

After abandonment of any ditch, no petition shall be entertained for its repair and the responsibility of the board or court for the maintenance thereof thereafter shall cease.

Sec. 67. Repeals. Minnesota Statutes 1945, Sections 105.13 to 105.36, both inclusive, Sections 106.01 to 106.79, both inclusive, Sections 106.81 to 106.93, both inclusive, Chapters 107, 108, and Sections 113.07 to 113.22, both inclusive, are repealed save only as to unfinished proceedings instituted under any of said chapters or sections and not completed at the effective date of this act. Any proceedings so instituted and incomplete at the effective date of this act may be completed under the provisions of the laws under which the same were instituted; and for such purpose the provisions of such laws shall continue and apply to such proceedings. In proceedings pending at the effective date hereof, the board or court may avail itself of the provisions of this act when such course appears to be in the public interest.

Sec. 68. Effective date. This act shall take effect and be in force from and after its passage.

Approved March 25, 1947.

CHAPTER 144—S. F. No. 383

An act relating to firemen's relief associations in cities of the first class; amending Minnesota Statutes 1945, Sections 69.44 and 69.45.

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

Section 1. Minnesota Statutes, 1945, Section 69.44, is amended to read as follows:

69.44. Amount of payments. A member of any such relief association entitled to disability benefits as herein defined, shall receive the same from his association for such periods of time, at such times, and in such amounts, not to exceed \$108.00 per month, as the by-laws of said association provide.

Section 2. Minnesota Statutes 1945, Section 69.45, is amended to read as follows:

69.45. Retirement pay. A member of such association as herein defined who has completed a period, or periods of service on the fire department equal to 20 years or more, shall, after he has arrived at the age of 50 years, or more, and has retired from the payroll of the fire department, be entitled to a basic pension of not less than \$64.00 and not more than \$85.00 per month for his natural life in conformity to the by-laws of each association. 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 computing said period of service; and all periods of time during which a member received a disability pension shall be excluded in such computation. No deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position in said fire department. No member shall be entitled to draw both a disability and a service pension

Such monthly basic payments may be increased by adding to said basic pension *the sum of \$3.85 per month, or any portion thereof, for each year of active duty over 20 and not more than 35 years*

The by-laws of each association may provide for these increases, or any portion thereof; provided, that in no event shall the total pension exceed the sum of \$108.00 per month.

Approved March 27, 1947.

CHAPTER 145—S. F. No. 348

An act relating to firemen's relief associations in cities of the first class, amending Minnesota Statutes 1945, Section 69.36.

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

Section 1. Minnesota Statutes 1945, Section 69.36, is amended to read as follows

69.36. Firemen's relief association in certain cities; tax levy. The city council or other governing body of each city wherein such a relief association is located 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-fourths* of one mill on all taxable property within said city. In the event the