

by such existing police pension associations in accordance with their Articles of Incorporation, Constitution and By-laws, and shall be subject to all the provisions thereof existing at the time of the passage of this act; provided, that where the benefits and pensions created by the provisions of this act are in a larger amount than those given by prior acts, then the pensioners receiving pensions under any such prior act shall be entitled to receive the greater benefits and pensions as provided by the provisions of this act.

Sec. 11. **Certain Laws Repealed.** Except as otherwise provided herein, the provisions of this act shall supersede and repeal all prior laws and statutes relating to police pension associations in cities of the first class with a population of not less than 75,000 nor more than 150,000 inhabitants and an assessed valuation, excluding monies and credits, of not more than \$90,000,000.

Sec. 12 **Effective date.** This act shall become effective on and after January 1, 1950.

Approved March 21, 1949.

CHAPTER 154—S. F. No. 576

[Not Coded]

An act relating to firemen's relief associations in certain cities; amending Laws 1947, Chapter 43, Sections 1, 12, 18, 20 and 23.

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

Section 1. Laws 1947, Chapter 43, Section 1, is amended to read:

Section 1. ^{Firemen's} ~~Financial~~ relief associations ^{the} in ~~certain cities;~~ ^{the City of Faribault;} establishment. The fire department of ~~any city in this state~~ ^{any city in this state} having ~~not less than 12,000 and not over 19,000 inhabitants~~ ^{not less than 12,000 and not over 19,000 inhabitants} according to the most recent national census, and not less than \$3,000,000 or more than \$8,000,000 assessed valuation, shall maintain a firemen's relief association which shall be duly incorporated under the laws of the State of Minnesota.

The
All ~~such~~ associations now existing as such corporations, or hereafter incorporated under the laws of this state, shall have perpetual existence.

Sec. 2. Laws 1947, Chapter 43, Section 12, is amended to read:

Sec. 12. **Tax levies by city council; payments on account of fireman separated from service.** The city council or other governing body of each such city wherein such a relief association is located shall each year at the time all tax levies for the support of the city are made and in addition thereto levy a tax of five-tenths of one mill on all taxable property within said city. When said special fund shall reach or exceed \$65,000 the levy, each year, shall be two-tenths of a mill until the fund goes below \$65,000 when the levy shall again be five-tenths. The tax so levied shall be transmitted with other tax levies to the auditor of the county in which such city is located and by said 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 the sum of \$4.00 from the basic monthly pay of all firemen and transfer the total thereof to the treasurer of the special fund of the firemen's relief association, who shall credit said total to the special fund and to the credit of the individual firemen. If a fireman in such city is separated from the service under such circumstances that no pension benefits are payable to him or his widow or children, the treasurer of the special fund shall return to the fireman or to his immediate family in the event such separation is due to his death, all of the amounts so deducted from his base pay, without interest and less the amount of any disability or other benefits theretofore paid such fireman. 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 said county shall be collected and payment thereof enforced when and in like manner as state and county taxes are paid.

Sec. 3. Laws 1947, Chapter 43, Section 18, is amended to read:

Sec. 18. **Payments and allowances to members.** A member of such association who, by reason of sickness or accident, becomes disabled from performing the duties of a fireman on

the fire department, shall be entitled to receive from the association \$100 per month. No allowance for such disabilities shall be made unless notice of such disability and application for benefits on account thereof shall be made by or on behalf of the disabled member to the secretary of the association within 30 days after the beginning of such disability.

Sec. 4. Laws 1947, Chapter 43, Section 20, is amended to read:

Sec. 20. Who entitled to pension. A member of such association, as herein defined 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 pension of \$75 per month for his natural life plus \$2.50 per month for each year of active service over 20 years, but the total of such pension shall not exceed the sum of \$100 per month. 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 deductions shall be made for a leave of absence granted to a member to enable him to accept an appointive position on said fire department. 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 the sum of \$100 per month.

Sec. 5. Laws 1947, Chapter 43, Section 23, is amended to read:

Sec. 23. Payments upon death of member. 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 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 purposes of business, health, or pleasure shall constitute a change of residence for the purposes of this section.

(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 \$50 per month for her natural life, and a pension of \$15 per month for each child, *not exceeding two*, of such deceased member under eighteen years of age, *and a pension of \$10 per month for each child in excess of two of the deceased member under eighteen years of age*. 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 shall not exceed the sum of \$100 per month, and provided if such widow shall remarry, then her pension shall cease and terminate as of the date of her said remarriage.

(2) To such child or 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 \$15 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 eighteen years, but not to exceed the sum of \$100 per month to the children of any one family.

Approved March 21, 1949.

CHAPTER 155—S. F. No. 626

[Coded as Sections 246.33, 246.34, 246.35]

An act authorizing the director of public institutions to establish and maintain cemeteries and to remove bodies from existing cemeteries and abandon such cemeteries.

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

[246.33] Section 1. Cemetery established in connection with state institution. Subdivision 1. The director of public institutions may establish and maintain a cemetery for the burial of any patient, inmate or person admitted to any