

state shall pay, or cause to be paid, to such association *or public cemetery* all the unpaid lot care, together with the expenses of the service of the notice hereinbefore provided for, and any additional sums due for lot care subsequent to the date of the notice, as prescribed by the by-laws, rules, and regulations of the cemetery association *or public cemetery*, and shall take out and pay for a perpetual care contract upon the lot, the cemetery association *or public cemetery* shall reconvey the lot to the person lawfully entitled to the same.

Approved March 22, 1949.

---

CHAPTER 164—S. F. No. 193

[Not Coded]

*An act relating to police relief associations in certain cities of the fourth class; amending Laws 1945, Chapter 74, Sections 2 and 6.*

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

Section 1. Laws 1945, Chapter 74, Section 2, is amended to read:

Sec. 2. **May Incorporate; amount of conveyance.** That every paid municipal police department now existing or which may hereafter be organized in such city is hereby authorized to become incorporated pursuant to the provisions of Chapter 58, General Statutes 1923, and the laws amendatory thereto, and adopt a constitution and by-laws as a relief association, and is authorized to provide for and permit and allow such police relief association, so incorporated, and organized, to pay out of and from any funds it may have received from any source a service, disability or dependency pension in such amounts and in such manner as its articles of incorporation and constitution and by-laws shall designate, not exceeding, however, the following sum per month to each of its pensioned members who shall have reached the age of 55 years or more, and shall have served 20 years or more in such department, or their widows and children under 16 years of age, viz.:

When such members shall have reached the age of 55 years or more and shall have served as a member of such paid municipal police department for a period of 20 years or more

in the police department of such city in which such relief association shall have been organized, or who has been disabled physically or mentally because of any injury received or suffered after at least one year of service as such member, while a member of such organizations and police department, so as to render necessary his retirement from active police service and cause a total and permanent disability, *such retiring member shall be paid each month a pension equal to one-half of his average monthly earnings during the last preceding five years of his service with said police department, the minimum monthly pension to be not less than \$85 per month; provided, further, that no pension authorized by this act shall be paid to any person while receiving compensation in any form, or sick benefit, from any county, city, village, township or other political subdivision of the state, or to any person after he removes his residence from the United States, or to any person who shall have been convicted of a felony for which he shall have been adjudged to be imprisoned, or who is an habitual drunkard, or to any person receiving a pension or sick relief from any other public relief association.*

Provided, however, that said monthly payments may be increased by adding thereto an amount not exceeding \$3.00 per month for each year of active duty over 20 years of service before retirement; provided, further, that no such pension shall be paid to any person while he remains a member of the police department and no person receiving such pension shall be entitled to any other relief from the association.

Sec. 2. Laws 1945, Section 6, is amended to read:

**Sec. 6. Association to have control of pension fund.** Said association through its officers shall have full charge, management and control of the pension fund herein provided for, which said fund shall be derived from the sources herein stated: From gifts of real estate or personal property, and from the rents and sales thereof or the income therefrom. It shall also be the duty of the city clerk, treasurer or other disbursing officer of such city where a police relief association has been duly incorporated and organized under the provisions of this act, to deduct each month from the monthly pay of each member of such police department who is a member of the association and entitled to the benefits therefrom, a sum equal to three per cent of such monthly pay and to place the same to the credit of said police pension fund; it shall also be the duty of every police officer receiving any reward for ser-

vices, in making arrests or otherwise, to pay unto said police pension fund all such rewards, and it shall be the duty of the chief of police of any such city to place to the credit of and pay into such police pension fund all monies coming into the hands of the police, when the same shall have been unclaimed for a period of six months, and to sell all unclaimed property coming into the hands of the police when the same shall have been unclaimed for a period of six months, and place the proceeds thereof to the credit of said police pension fund.

The 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 limits permitted by law, a tax on all taxable property of such city, *in* the sum of \$8,000 per annum, which levy shall be transmitted to the county auditor of the county in which the city is situated at the time the other tax levies are transmitted, and shall be collected and the payment thereof shall be enforced in the same manner as the other taxes of such city. The city treasurer, when the monies derived from such tax are received by him, shall credit the same to the police pension fund, together with all penalties and interest collected thereon, and said monies shall not be withdrawn from said fund or transferred to any other fund.

If at any time the balance on hand of the fund so raised by taxation as in this section provided, together with other resources, exceeds the sum of \$50,000, then as often as this shall occur the levy of said sums shall be omitted for any year in which said condition shall exist, and if at any time the whole amount of the sums that may be raised by taxation in any year is not needed for the purposes of this act and the maintenance of the said fund at \$50,000, then said sum so to be raised by taxation in any such year shall be proportionately reduced to such amount as will be sufficient to carry out the provisions thereof.

*If in any year the total amount of pensions so paid by said city to said retired members of said police department of said city shall exceed the sum of \$8,000, then the city council or governing body of such city shall in the following year thereafter, at the time the tax levies are made for the general revenues of said city, levy within the limits permitted by law a tax on all taxable property of said city in a sum equal to the sum so paid out for said pensions during the preceding year, said levy to be transmitted to the county auditor of the county in which such city is situated at the time the other tax levies are*

*transmitted, and shall be collected and the payment thereof shall be enforced in the same manner as the other taxes of such city. The city treasurer, when the monies derived from such tax are received by him, shall credit the same to the police pension fund, together with all penalties and interest collected thereon, and said monies shall not be withdrawn from said fund or transferred to any other fund.*

The city treasurer shall, upon written direction of the governing board or board of directors of said association, invest said funds in such interest bearing securities as are specified from time to time by the said board of directors, provided that the same shall be such securities as are prescribed from time to time by the statutes of Minnesota as securities for investments of the state board of investment, and, the payment of premiums on insurance upon the respective members of said association for hospitalization, medical attention, and any insurance upon any of the members of such association which the board of directors shall deem advisable to contract for the best interests of said association and its members.

Approved March 22, 1949.

---

CHAPTER 165—S. F. No. 195

[Not Coded]

*An act relating to the salaries of certain city officials for cities of the second class operating under special charters.*  
Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Winona; salary.** In any city of the second class operating under a special charter, the compensation of aldermen, aside from the president of the council, shall not exceed \$500 a year each, and the compensation of the president of the council shall not exceed \$750 a year, and the salary of the mayor shall not exceed \$1,000 a year.

Approved March 22, 1949.

---

CHAPTER 166—S. F. No. 391

*An act relating to deposit for fees of clerk of district court, and amending Minnesota Statutes 1945, Section 357.07.*