

## CHAPTER 234—H. F. No. 746

*An act relating to the charge for receiving, handling and delivering grain at terminal warehouses, and amending Minnesota statutes 1945, Section 233.10.*

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

Section 1. Minnesota Statutes 1945, Section 233.10, is amended to read :

**233.10. Publication of rates.** Every warehouseman shall annually, during the first week in *July*, publish in some newspaper, daily if there be one, published in the place where his warehouse is situated, a schedule of storage rates for the ensuing year, which shall not be increased during such year, and no discrimination in rates shall be made by any such warehouseman. The charge for receiving, handling and delivering grain at such warehouse shall not exceed one and one-half cents per bushel. *The charge for storing grain in such warehouse shall not exceed one-twenty-fifth of a cent per bushel for each day or part thereof.*

Approved April 2, 1949.

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CHAPTER 235—H. F. No. 643

[Not Coded]

*An act relating to police pensions in certain cities of the third class; amending Laws 1935, Chapter 92, Section 4, as amended, and Section 6.*

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

Section 1. Laws 1935, Chapter 92, Section 4, as amended by Laws 1937, Chapter 197, Section 4, is amended to read :

**Sec. 4. Pensions.** When any member of said association shall have reached the age of 55 years he may retire and shall thereupon be entitled to a pension as long as he shall live, at the following rates :

(1) \$75 per month when such member shall have served as a member of said police department for a period of 20 years or more, excluding temporary employment or probationary periods, as hereinbefore defined.

(2) An additional \$5.00 per month for each year of service over 20 that said person may have served as a member of such police department after the age of 55 years. The total amount of pension hereunder shall in no event exceed \$100 per month.

(3) In the event such member shall retire after reaching the age of 55 years or more and after having been a member of said department for at least ten years, but before having served 20 years in said department, the amount of pension which he shall receive shall be that proportion of \$75 per month which the years of service in said department prior to retirement bear to 20 years, major fractions of years of service to be treated as one year and minor fractions to be disregarded.

*In the event any member shall retire after reaching the age of 55 years or more and after having been a member of said department for 35 years or more, he shall receive the maximum pension of \$100 per month.*

(4) In no event shall temporary employment or employment for probationary period, as hereinbefore defined, be considered in computing pension allowances hereunder.

*In the event any member shall have served 20 years or more as a member of said department but has not reached the age of 55 years, he may retire in good faith and when such member has reached the age of 55 years, he shall be entitled to a pension at the rate of \$75 a month.*

(5) In the event any member shall be discharged from the service of said police department after having served 20 years or more and before such member has reached the age of 55, he may, upon a vote of a majority of the members of the relief association, be permitted to continue as a member of such association, notwithstanding that he is no longer a member of said police department, and upon reaching the age of 55 years, he shall be entitled to a pension at the rate of \$75 per month; provided that in such event such member shall make application to said association for such privilege within six months

from the time he is discharged and shall contribute each month after said discharge, and until reaching the age of 55 years, to the pension fund of said relief association a sum of money equal to  $3\frac{1}{2}\%$  of the then average monthly pay of members of said department holding the rank held by said member at the time of discharge. In the event such association approves such application, such member shall within 60 days thereafter pay into said association for the pension fund the monthly installments herein provided for the period between his discharge and the time of said first payment. Thereafter, in the event said member shall default in the payment of such monthly assessment and such default shall continue for a period of 60 days, all rights hereunder shall cease. That in the event that any member of said police department and of said relief association, regardless of his age, shall become totally disabled from performing any kind of work, labor or services whatsoever, after he has served as a member of said police department for at least ten years and shall have been discharged or shall have resigned from said police department by reason of said disability, he shall be entitled to and paid a pension from the pension fund of said association, the amount of which pension shall be that proportion of \$100 per month, which the years of service in said department prior to retirement bear to 25 years, major fractions of years of service to be treated as one year and minor fractions to be disregarded.

No such pension for disability shall commence until the association shall have been furnished with satisfactory proof as to the applicant's age, his years of service in the department and of his disability and the causes thereof, and to that end the applicant must submit himself to examination by the official physician of the association and to such other doctor or doctors as the association may direct, and submit to such examinations as often as requested by the association, the cost of which examination shall be paid by the association out of the pension fund; provided further that the applicant may submit reports as to his disability from other doctors at his own expense to the association for its consideration. But the report of the official physician of the association shall be the basis upon which the association shall decide upon the allowance of said disability pension and compute the amounts due thereunder. No such pension shall be paid to any person who is receiving compensation under the Workmen's Compensation Act for the injury causing such disability.

Sec. 2. Laws 1935, Chapter 92, Section 6, is amended to read:

Sec. 6. **Tax levy.** For the support of the fund from which such pensions are paid 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 limits then permitted by law, a tax on all taxable property of such city in the sum of \$10,000 per annum, which levy shall be transmitted to the county auditor of the county in which the city is located at the time the other tax levies are transmitted and shall be collected and the payment enforced in the same manner as other taxes of such city. In addition thereto, each member of said association shall be required to contribute to such fund each month one per cent of his monthly pay, such sum to be deducted at the time of the payment of his salary or wages by the city and transferred to such fund. In addition thereto, such relief association may transfer to such fund moneys raised from other sources and under the control of such associations.

Approved April 2, 1949.

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CHAPTER 236—H. F. No. 761

*An act relating to the use and distribution of moneys accruing to the state road and bridge fund by county boards; amending Minnesota Statutes 1945, Section 296.40.*

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

Section 1. Minnesota Statutes 1945, Section 296.40, is amended to read as follows:

296.40. **Distribution of gasoline tax by county boards to towns.** The remainder of the moneys so apportioned to each county may be distributed to the towns of the county, other than unorganized townships, in the manner hereinafter set forth but subject to the provisions of section 163.01, if such distribution be made by direction of the county board, then, on or before February first and August first of each year, the county board in each county shall meet for the purpose of apportioning 50 per cent of the amount of such moneys as shall be represented to the state warrant issued by the state auditor to such county and apportion the amount to the several towns throughout the county, basing such apportionment upon the mileage of the county and town roads, the traffic needs and