

CHAPTER 425

BUREAU OF HEALTH PENSIONS

Sec. 425.01 Bureau of health pension fund and board 425.02 Pension system for disabled or retired employees 425.03 May increase or reduce amounts 425.04 When not to be paid	Sec. 425.05 Pensions not subject to garnishment 425.06 Association to have charge of funds; tax levy 425.07 Powers of board 425.08 Members of board 425.09 Report of board
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**425.01 BUREAU OF HEALTH PENSION FUND AND BOARD.** In every city of the first class in this state there may be created a department or bureau of health pension fund which shall be governed and managed by a department or bureau of health pension board in accordance with the provisions of this chapter.

[1919 c. 430 s. 1] (1442-1)

**425.02 PENSION SYSTEM FOR DISABLED OR RETIRED EMPLOYEES.** Every such municipal department or bureau of health now existing or which may hereafter be organized may and hereby is authorized to become incorporated pursuant to the provisions of the general statutes of Minnesota, and to adopt articles of incorporation and by-laws as a relief association to provide and permit the department or bureau of health relief association so incorporated or so organized to pay out of and from any fund that it may have received from the state, or from any other source, a service or disability pension in such sum and under such limitations and conditions as its articles of incorporation and by-laws shall provide and permit, to each of its pensioned members who shall have reached the age of 50 years or more and who shall have done active duty as a member of such health department or bureau for a period of 20 years or more in the city in which such relief association shall be so organized, or who having been disabled physically or mentally because of any injury or disability received or suffered while so employed as such member of such health department or bureau so as to render necessary his retirement from active service, and in addition thereto to pay out of and from any such fund funeral benefits for deceased members not exceeding the sum of \$100.00 and general administration expenses, in such sum and under such limitations and conditions as the articles of incorporation and by-laws shall provide and permit. The member entitled to pension under these provisions may be placed upon the pension list and shall receive such pension, in such sum and under such limitations and conditions as the articles of incorporation and by-laws shall provide and permit; provided that these funds shall not be used for any other purpose than for the payment of service and disability pensions as herein provided, funeral benefits for deceased members, and general administration expenses. Such service or disability pension shall be a sum equal to one-half of the monthly compensation allowed to such member as salary at the date of his retirement when such member shall have arrived at the age of 50 years or more and served a period of 20 years or more in such health department or bureau in the city in which such relief association shall be so organized, or shall have been disabled physically or mentally because of any injury or disability received or suffered while in the employ of such health department or bureau so as to render necessary his retirement from active service. No retired member shall receive a service or disability pension in an amount less than \$70.00, nor more than \$75.00, per month. When it shall appear that any applicant for a service pension was a member of such relief association for a period of less than 20 years at the time of retirement the amounts herein provided shall be reduced in such sum and under such limitations and conditions as its articles of incorporation and by-laws shall provide and permit.

[1919 c. 430 ss. 2, 3; 1929 c. 224 s. 1; 1937 c. 414 s. 1] (1442-2)

**425.03 MAY INCREASE OR REDUCE AMOUNTS.** Every such association shall at all times have and retain the right to increase or reduce the amount of such pension when, because of the amount of funds on hand or for other good reasons, such increase or reduction may seem advisable or proper to the board

of management of the relief association; provided the pension herein authorized shall never exceed \$75.00 per month for each person pensioned.

[1919 c. 430 s. 3; 1929 c. 224 s. 1] (1442-3)

**425.04 WHEN NOT TO BE PAID.** The pension authorized by this chapter shall not be paid to any person who is only part time employed or while drawing salary in any amount from the municipality or who shall have been convicted of a felony for which he shall be adjudged to be imprisoned or who is an habitual drunkard; and any person receiving the pension herein mentioned shall not receive or be entitled to receive any other or further pension or relief from the association.

[1919 c. 430 s. 4; 1929 c. 224 s. 1; 1937 c. 414 s. 2] (1442-4)

**425.05 PENSIONS NOT SUBJECT TO GARNISHMENT.** No payments made or to be made by the board to any member of the department or bureau of health shall be subject to judgment, garnishment, execution, or other legal processes and no person entitled to such payment shall have the right to assign the same, nor shall the association have the authority to recognize or pay over any sum which has been assigned, except that nothing herein contained shall be construed as prohibiting payment of such pension to the duly appointed guardian of the person to whom it has been awarded.

[1919 c. 430 s. 5] (1442-5)

**425.06 ASSOCIATION TO HAVE CHARGE OF FUNDS; TAX LEVY.** The association, through its officers, shall have full charge, management, and control of the health department or bureau pension fund herein provided for, which fund shall be derived from the following sources: (1) dues of its members and from the gifts of real estate or personal property, rents or money, or other sources; (2) the commissioner of finance or department of finance of any city affected by this chapter shall deduct each month from the monthly pay of each member of such department or bureau of health a sum equal to one per cent of such monthly pay and place the same to the credit of the health department or bureau pension fund; (3) an amount or sum equal to one-twentieth of one mill shall be annually assessed, levied, and collected by the proper officers of the city where a health relief association exists, upon each dollar of taxable property in the city as the same appears on the tax records of the city, which sum shall by the proper officers of the city be placed to the credit of the health department or bureau pension funds and not used or devoted to any other purpose than for the purpose of the health department or bureau pension fund.

[1919 c. 430 s. 6; 1929 c. 224 s. 1] (1442-6)

**425.07 POWERS OF BOARD.** The governing board shall have full power to hold, transfer, and sell real estate and personal property and invest the funds for the betterment of the association.

[1919 c. 430 s. 7] (1442-7)

**425.08 MEMBERS OF BOARD.** The governing board of the association shall consist of five members to be elected annually, the members of the first board shall hold their offices for one, two, three, four, and five years, respectively, and until their successors are duly elected and qualified, and the commissioner of public safety or other department head, and chief health officer and city treasurer or commissioner of finance or other similar officer, shall be ex officio treasurer of the board and organization. All vacancies occurring in the elective membership of the board shall be filled by a special election called for that purpose.

[1919 c. 430 s. 8] (1442-8)

**425.09 REPORT OF BOARD.** The governing board of each association shall file annually on or before the 10th day of September with the comptroller of the municipality a detailed report of the amount of money so received, expended, and remaining on hand to the credit of the association.

[1919 c. 430 s. 9] (1442-9)