

Sec. 23. **Effective date.** *The municipal court act is in effect on January 1, 1960.*

Approved April 24, 1959.

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CHAPTER 661—S. F. No. 1075

*An act relating to the South Dakota-Minnesota boundary waters commission; amending Minnesota Statutes 1957, Section 114.03.*

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

Section 1. Minnesota Statutes 1957, Section 114.03 is amended to read:

114.03 **Hearings; publications.** Hearings shall be held at such time and place as may be designated by the commission, in either state, in any county affected by the subject matter. At least two weeks' *published* notice of the hearings shall be given by publication of the notice in a legal newspaper in each county bordering on the boundary waters which may be affected by the subject matter of the hearing. All final orders of the commission shall be published once each week for two consecutive weeks in a legal newspaper in each county bordering on the boundary waters which may be affected thereby. *The printer's affidavit of publication of all notices and orders shall be filed with the commission.*

Sec. 2. *This act shall become effective immediately after the passage of an act in substantial conformance herewith by the legislature of South Dakota.*

Approved April 24, 1959.

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CHAPTER 662—S. F. No. 1641

[Coded in Part]

*An act relating to the policemen's pension association and policemen's pension fund in certain cities, amending Minnesota Statutes 1957, Section 423.71, Subdivision 2 and 3, Section 423.715, Section 423.75, Subdivision 3.*

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

Section 1. Minnesota Statutes 1957, Section 423.71, Subdivision 2, is amended to read:

Subd. 2. **Members.** "Members" means policemen, policewomen, police matrons, assistant police matrons, police stenographers, police clerks, police telephone operators, police radio operators, and police mechanics duly appointed, regularly entered on the payroll of the police department, and on active duty. *Effective May 1, 1959, only policemen, policewomen, police matrons and assistant police matrons shall be accepted as new members.*

Sec. 2. Minnesota Statutes 1957, Section 423.71, Subdivision 3, is amended to read:

Subd. 3. **Unit.** "Unit" means one-eightieth of the average monthly salary of a first grade patrolman for a 12-month period beginning *January* first in any year and ending on the following *December thirty-first*.

Sec. 3. Minnesota Statutes 1957, Section 423.715, is amended by adding thereto Subdivision 3, as follows:

*Subd. 3. Membership. All members as herein defined shall automatically be members in the Minneapolis Police Relief Association.*

Sec. 4. Minnesota Statutes 1957, Section 423.75, Subdivision 3, is amended to read:

Subd. 3. **Disabled members.** Any member who becomes disabled from performing his duties as a member of the police department of the city by reason of sickness or accident, if off the payroll of the police department, having exhausted all *accumulated vacation, overtime and sick leave credits* due him, is entitled to receive from the association during his disability such benefits as the by-laws of the association provide, but such benefits shall not extend beyond a six-month period *except when a member is disabled because of an injury sustained while on duty such benefits may extend for an indefinite time*, during disability. The by-laws may provide that such a member shall have completed a minimum number of years of service in order to be entitled to such benefits. Before any such benefits shall be paid or allowed, notice of the disability and application for benefits on account thereof shall be made to the secretary of the association within 90 days *from the date of his separation from the payroll of the department.*

Sec. 5. [423.78] **Employment by other governmental subdivision; waiver of benefits.** *Any employee in any City of which this act applies shall waive the pension benefits under this act while holding non-elective employment in any other governmental subdivision within the county containing such*

*city or adjoining county for which they receive compensation, provided that this provision shall not apply to any person so employed at the time this act takes effect.*

Approved April 24, 1959.

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CHAPTER 663—H. F. No. 1414

[Coded]

*An act relating to certain claims against cities and villages; providing that the provisions of Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto are applicable to all cities and villages notwithstanding charter or ordinance provisions; providing that a charter provision which prescribes the form, manner, or duration of actual or constructive notice of a defect in a village street, sidewalk, or other property is prohibited.*

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

Section 1. [465.121] **Charter and ordinance provisions relating to claims; notice of defect.** Subdivision 1. The provisions of Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto, shall apply to all cities and villages notwithstanding the provisions of any charter or ordinance on the same subject matter and regardless of whether such charter or ordinance was adopted before or after the enactment of this section.

Subd. 2. When a claim or action is brought against a municipality pursuant to Minnesota Statutes 1957, Sections 465.09 to 465.12, and acts amendatory thereof and supplementary thereto, the municipality shall not be liable for failure to repair any defect mentioned in Minnesota Statutes 1957, Section 465.09, and giving rise to such claim unless the municipality has had actual or constructive notice of such defect and also has had a sufficient time prior to any accident arising because of such defect to have repaired such defect or otherwise guarded the public therefrom. Any charter provision which now or hereafter prescribes the form, manner, or duration of such actual or constructive notice of defect is void.

Subd. 3. This act shall not apply to cities of the first