

(5) Who is receiving aid to the blind, aid to dependent children or aid to the permanently and totally disabled.

Approved May 23, 1973.

CHAPTER 594—S.F.No.2275

[Not Coded]

An act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Subdivision 3.

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

Section 1. Laws 1969, Chapter 594, Section 1, is amended to read:

Section 1. **FRIDLEY, CITY OF; FIREMEN'S RELIEF; TRANSFER TO PUBLIC EMPLOYEES RETIREMENT ASSOCIATION.** Notwithstanding any provision of law to the contrary, ~~the bylaws of the firemen's relief association in the city of Fridley may provide that the service pension payable to a retired full time fireman, after age 55 years or more, pursuant to Minnesota Statutes, Sections 424.21 and 424.22, shall equal not more than 50 percent of the average salary of a first class fire fighter as measured by the previous five calendar years~~ full time firemen for the city of Fridley shall be members of the public employees retirement association and be required to make contributions as provided for under the public employees retirement act, sections 353.63 to 353.68, and not otherwise. This section shall be effective from and after July 1, 1973.

Sec. 2. Laws 1969, Chapter 594, Section 2, is amended to read:

Sec. 2. Notwithstanding any provision of law to the contrary, ~~the bylaws of the firemen's relief association in the city of Fridley may provide that the pension payable pursuant to Minnesota Statutes, Section 424.24, to the widow of a full time fireman who dies prior to his retirement shall equal not more than 25 percent of the average annual salary of the deceased fireman during the term of his full time employment~~ full time firemen who are employed on July 1, 1973, shall receive service credit in the public employees

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retirement association for 100 percent of their full time employment and 50 percent of their volunteer employment with the fire department of the city of Fridley.

Sec. 3. Laws 1969, Chapter 594, Section 3, is amended to read:

~~Sec. 3. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the pension payable pursuant to Minnesota Statutes, Section 424.24, to the widow of a full time fireman who dies after his retirement shall equal not more than 50 percent of the pension received by the deceased fireman prior to his death~~ full time employees who are hired after July 1, 1973 shall receive service credit in the public employees retirement association from and after the date of their hire as a full time employee.

Sec. 4. Laws 1969, Chapter 594, Section 4, is amended to read:

~~Sec. 4. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that pensions payable pursuant to Minnesota Statutes, Section 424.24, to each surviving child of a deceased full time fireman shall equal not more than eight percent of the average annual salary of the deceased fireman during the term of his employment as a full time fireman~~ the city of Fridley as employer, employees of the fire department of the city of Fridley, the board of trustees of the Fridley firemen's relief association and the board of the public employees retirement association shall perform all things necessary to carry out the purposes of sections one through six of this act and all the requirements of sections 353.63 to 353.68.

Sec. 5. Laws 1969, Chapter 594, Section 5, is amended to read:

~~Sec. 5. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that if a full time fireman is permanently disabled from performing the duties of his position the disability benefit payable to him pursuant to Minnesota Statutes, Sections 424.19 and 424.20, shall equal not more than 45 percent of his average annual salary during the term of his employment as a full time fireman, where such disability is causally related to his employment as a fireman. Where such disability is not causally related to his employment as a fireman, and where he has at least ten years of service, the disability benefit shall equal not more than 22½ percent of his average annual salary during the term of his employment as a full time fireman together with an additional 2¼ percent for each year of service beyond ten years, but not to exceed a total of 45 percent~~ the city of Fridley shall provide the employer's contribution required by sections 363.63 to 363.68. For the purpose of providing the financial requirements of this act, the city may levy taxes for

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the payment thereof without limitation as to rate or amount, notwithstanding any law to the contrary. The levy of such taxes shall not cause the amount of other tax levies of the city to be reduced in any amount. The city shall provide in its annual budget for the financial requirements of this act.

Sec. 6. Laws 1969, Chapter 594, Section 6, is amended to read:

Sec. 6. The bylaws of the firemen's relief association in the city of Fridley may provide that each year of service as a volunteer fireman in the fire department of the city of Fridley shall be deemed the equivalent of one half year of full time service for the purpose of determining the period of full time service of any person who subsequently serves as a full time fireman in connection with the payment of pensions or other benefits to or in respect of such person under Minnesota Statutes, Chapter 424, or this act. The period of service as a volunteer fireman shall not be considered in determining average annual salary received during the term of full time employment. There shall be paid out of the special fund of the Fridley firemen's relief association on July 1, 1973, to the public employees police and fire fund a sum equal to the past service obligations for the full time employees of the fire department of the city of Fridley who are so employed on July 1, 1973.

Sec. 7. Laws 1969, Chapter 594, Section 7, is amended to read:

Sec. 7. Subdivision 1. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the service pension payable to a retired volunteer fireman age 55 ~~50~~ years or more pursuant to Minnesota Statutes, Sections 424.21 and 424.22 with 20 years of service shall be in the amount of \$100 not more than \$200 per month, hereinafter referred to as the "base service pension", plus an additional \$3 per month for each year of service in excess of 20 years, and subject to a maximum pension of \$130 ~~\$260~~ per month. The base service pension as of July 1, 1973 shall be in the amount of \$100 per month.

Subd. 2. Notwithstanding any provision of law to the contrary, relief association members employed as full time firemen on July 1, 1973 shall receive 100 percent credit for each year of full time service and 50 percent credit for each year of volunteer service as a fireman for the city of Fridley prior to July 1, 1973 and a total of 100 percent credit for all such service thereafter in the firemen's relief association.

Subd. 3. Notwithstanding any provision of law to the contrary, relief association members employed as full time firemen subsequent to July 1, 1973 shall receive 100 percent credit for each prior year of volunteer service as a fireman for the city of Fridley, and a total of 100 percent credit for all such service thereafter.

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Subd. 4. Upon the approval of the application therefor, any active volunteer member who has performed service in the fire department of the city of Fridley for more than ten years but less than 20 years, and who has been a member of this association for a period of at least ten years, and who has reached the age of 50 years, and who elects to resign, in good standing, from the department shall be eligible for an early retirement service pension.

Such early retirement service pension shall be a lump sum in the amount of 50 percent of the basic service pension times 12, times the number of years of service. Provided further, that upon application such retiree may receive said lump sum payment on a deferred annual installment basis over a period of not to exceed four years.

In the event such member has not reached the age of 50 years or more at the time he elects early retirement service pension, such pension shall be payable at the time the member does reach the age of 50.

Sec. 8. Laws 1969, Chapter 594, Section 8, is amended to read:

Sec. 8. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the pension payable pursuant to Minnesota Statutes, Section 424.24, to the widow of a volunteer fireman who dies prior to his retirement shall be not less than \$45 54 percent of the base service pension nor more than \$54 65 percent of the base service pension per month.

Sec. 9. Laws 1969, Chapter 594, Section 9, is amended to read:

Sec. 9. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the pension payable pursuant to Minnesota Statutes, Section 424.24, to the widow of a volunteer fireman who dies after his retirement shall be not less than \$45 54 percent of the base service pension nor more than \$54 65 percent of the base service pension per month.

Sec. 10. Laws 1969, Chapter 594, Section 10, is amended to read:

Sec. 10. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the pension payable pursuant to Minnesota Statutes, Section 424.24, to each surviving child of a deceased volunteer fireman shall be \$18 22 percent of the base service pension per month.

Sec. 11. Laws 1969, Chapter 594, Section 11, is amended to read:

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Sec. 11. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that if a volunteer fireman is permanently disabled from performing duties of his position the disability benefit payable to him pursuant to Minnesota Statutes, Sections 424.19 and 424.20, shall be in the amount of ~~\$100 per month~~ the base service pension, where such disability is causally related to his employment as a fireman. Where such disability is not causally related to his employment as a fireman, and where he has at least ten years of service, the disability benefit shall be \$45 54 percent of the base service pension per month, plus ~~\$5.50~~ 4.6 percent of the base service pension per month for each year of service in excess of 10 ~~and subject to a maximum of \$100 per month.~~

Sec. 12. Laws 1969, Chapter 594, Section 12, Subdivision 3, is repealed.

Sec. 13. This act shall be in effect upon its approval by the governing body of the city of Fridley and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 23, 1973.

CHAPTER 595—S.F.No.1364

[Not Coded]

An act relating to the Dover, Eyota and St. Charles sanitary district; permitting the advance of moneys in the general fund of the state treasury to the sanitary sewer board for said district; providing for repayment thereof; and appropriating money therefor.

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

Section 1. **DOVER, EYOTA AND ST. CHARLES AREA SANITARY DISTRICT; ADVANCE OF STATE FUNDS.** At any time after the organization of the sanitary sewer board of the Dover, Eyota and St. Charles area sanitary district as may be provided for by law, the state auditor, at the request of the board, shall advance to the board for its use in accordance with the purposes specified in section 2, the sum of \$100,000 from moneys on hand in the general fund of the state and not needed for use on or before January 1, 1975, and such amount is appropriated for this purpose.

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