

Section 1. Minnesota Statutes 1974, Section 197.971, Subdivision 4, is amended to read:

Subd. 4. **VETERANS; APPORTIONMENT OF VIETNAM BONUS.** Except as otherwise provided in this subdivision "beneficiary" means in relation to a deceased veteran the surviving spouse if not remarried, the children of the veteran if no surviving spouse or if surviving spouse has remarried, the remarried surviving spouse if veteran left no children surviving, the surviving mother, the surviving father, a surviving person standing in loco parentis, in the order named. If the parents of a deceased veteran are divorced or separated from each other at the time of the veteran's death and custody of the veteran was actually or legally vested in only one parent after the divorce or separation, the bonus review board may equitably apportion between the surviving parents the adjusted compensation otherwise payable to either parent as beneficiary of the deceased veteran, giving due regard to the care and support furnished to the veteran by each parent, and where one or both parents survive but a surviving person in loco parentis had actual or legal custody of the deceased veteran the bonus review board may equitably apportion among the surviving parents and the surviving person in loco parentis the adjusted compensation.

Sec. 2. This act is effective the day following its final enactment.

Approved June 4, 1975.

#### CHAPTER 408—H.F.No.1133

[Not Coded]

*An act relating to police pensions in the city of Duluth; amending Laws 1953, Chapter 91, Section 1, Subdivisions 7; and 8, as amended; Section 7; and Section 11, Subdivisions 1, as amended; and 2.*

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:**

Section 1. Laws 1953, Chapter 91, Section 1, Subdivision 7, is amended to read:

Subd. 7. **DULUTH, CITY OF; POLICE PENSIONS.** "Widow" "Spouse" means a person who was the legal husband or wife of a member at the time of his the member's death, and includes a person who was the legal husband or wife of any pensioner or deferred service pensioner at the time of his the member's death who was married to him the member at least one year a total of three years prior to his the member's retirement from the department.

Sec. 2. Laws 1953, Chapter 91, Section 1, Subdivision 8, as amended by Laws 1959, Chapter 191, Section 1, is amended to read:

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Subd. 8. "Child" means a minor under the age of 18 years person who is a legitimate issue of a deceased member or pensioner and whose ~~mother~~ other parent qualifies as a "~~widow~~" spouse under subdivision 7 of this section.

Sec. 3. Laws 1953, Chapter 91, Section 7, is amended to read:

Sec. 7. **FUND ESTABLISHED.** The association shall establish, administer, and maintain a police pension fund or continue to maintain the police pension fund now existing in the city, for the benefit of its members, their ~~widows~~ spouses, children, and beneficiaries. The governing board shall manage and control any such fund.

Sec. 4. Laws 1953, Chapter 91, Section 11, Subdivision 1, as amended by Laws 1955, Chapter 187, Section 6, and by Laws 1959, Chapter 191, Section 5, is amended to read:

Sec. 11. **PENSIONS, PAYMENT.** Subdivision 1. The association shall grant pensions payable from the police pension fund in monthly installments in the manner and for the following purposes:

(1) To any member of the age of 50 years or more who performs duty as a member of the police department of the city for 20 years or more, upon ~~his~~ the member's written application after retiring from such duty there shall be paid monthly during ~~his~~ the member's lifetime a pension not to exceed 31 units and one additional unit for ~~each of the first three years~~ year of such service in excess of 20 years and ~~one and one half~~ two additional units for each year of such service in excess of ~~23~~ 21 years, but not to exceed 40 units.

(2) To any member who performs duty as a member of the police department of the city for 20 years or more who retires from such duty before ~~he~~ the member attains the age of 50 years, upon ~~his~~ the member's written application after reaching the age of 50 years, there shall be paid monthly during ~~his~~ the member's lifetime a pension not to exceed 31 units and one additional unit for ~~each of the first three years~~ year of such service in excess of 20 years and ~~one and one half~~ two additional units for each year of such service in excess of ~~23~~ 21 years, but not to exceed 40 units.

(3) To any member who, while a member of the police department of the city, becomes diseased or sustains an injury which permanently unfits ~~him~~ the member from the performance of police duties there shall be paid monthly during ~~his~~ the member's lifetime a pension, as provided in the bylaws of the association but not to exceed 40 units, while so disabled; but no member shall be awarded, granted, or paid a pension pursuant to this clause, except upon the certificate of two or more physicians or surgeons chosen by the governing board. This certificate shall set forth the cause, nature, and extent of the disability, disease, or injury of the member. No member shall be awarded, granted, or paid a pension pursuant to this clause unless the certificate

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states that the disability, disease, or injury was incurred or sustained by ~~him~~ the member while a member of the police department. Each such certificate shall be filed with the association; and at its discretion the governing board may require any such person to submit to a re-examination by a competent physician chosen by the board. If found by this re-examination to be physically fit such person shall be reinstated to the position held immediately prior to the commencement of ~~his~~ the member's disability.

(4) To the ~~widow~~ spouse or to a surviving child of a member who dies while in the service of the police department of the city or to the ~~widow~~ spouse or to a surviving child of any pensioner or any deferred service pensioner during the period of ~~his~~ the member's deferment there shall be paid monthly a benefit as follows:

(a) Not to exceed 20 units to the ~~widow~~, ~~while she remains such~~ spouse ;

(b) Not to exceed 8 units to a surviving child until such child becomes 18 years of age , except that such benefits shall continue until the surviving child becomes 22 years of age if that child continues living with the surviving spouse, remains unmarried, and is enrolled as a full time student in an accredited college or vocational school .

In the event the ~~widow~~ spouse and such surviving children reside together, the benefits to be paid to such children shall be paid to the ~~widow~~ spouse for the support of the children, but such ~~widow~~ spouse shall not receive more than 40 units per month in any event. If a ~~widow spouse remarry, her remarries, the spouse's benefit shall cease~~ as of the date of the remarriage. Upon the death of a ~~widow~~ spouse , each surviving child shall receive a pension as provided in the bylaws of the association of not to exceed 40 units.

Sec. 5. Laws 1953, Chapter 91, Section 11, Subdivision 2, is amended to read:

Subd. 2. In the case of any applicant for a pension who, following admission to membership in the association, has served in the military forces of the United States in any war or national defense emergency subsequent to January 1, 1940, and thereafter returned honorably discharged from such service and resumed membership in the association, the period that the applicant spent in such military service shall be counted in computing periods of service required for benefits under this section. During such period of military service or defense emergency service, such person is not considered as an active member of the association. If such person dies while in such military service or defense emergency service before he ~~such person~~ qualifies for any pension under this section, his ~~widow~~ such person's spouse or any surviving child under 18 years of age shall not be entitled to receive any pension.

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Sec. 6. This act is effective upon approval by the city council of the city of Duluth, and upon compliance with Minnesota Statutes, Section 645.021.

Approved June 4, 1975.

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**CHAPTER 409—H.F.No.1140**

[Coded]

*An act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Chapter 144, is amended by adding a section to read:

**[144.146] HEALTH; CYSTIC FIBROSIS; TREATMENT.** [Subdivision 1.] **PROGRAM.** The board of health shall develop and conduct a program including medical care and hospital treatment for persons aged 21 or over who are suffering from cystic fibrosis.

Sec. 2. **[144.146] [Subd. 2.] APPROPRIATION.** There is appropriated annually from the general fund in the state treasury the sum of \$40,000 or as much of that amount as is necessary for the year to the department of health for the development of the program of treatment for cystic fibrosis.

Approved June 4, 1975.

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**CHAPTER 410—H.F.No.1146**

[Coded in Part]

*An act relating to landlords and tenants; providing additional remedies for landlords and tenants; security deposits; withholding rent for last payment period; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 504.20, by adding a subdivision; Chapter 504, by adding sections; Chapter 566, by adding a section.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Chapter 504, is amended by adding a section to read:

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