

within one year after its creation. The task force shall report to the state board before its expiration or upon the completion of its task, whichever occurs first.

Sec. 2. This act shall be effective the day following final enactment.

Approved May 19, 1977.

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CHAPTER 164—S.F.No.1369

[Not Coded]

*An act relating to the cities of St. Paul, Minneapolis, and Duluth; firefighter's survivor benefits; amending Laws 1955, Chapter 375, Section 25, as amended; Laws 1965, Chapter 519, Section 1, as amended; and Laws 1975, Chapter 127, Section 2, as amended.*

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

Section 1. Laws 1955, Chapter 375, Section 25, as amended by Laws 1961, Chapter 376, Section 6, Laws 1965, Chapter 790, Section 1, and Laws 1975, Chapter 423, Section 1, is amended to read:

Sec. 25. **ST. PAUL, MINNEAPOLIS AND DULUTH, CITIES OF; FIREFIGHTERS RELIEF ASSOCIATION.** When a service pensioner, disability pensioner, or deferred pensioner, or an active member of such relief association dies, leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on a payroll of the fire department; and who, in case the deceased member was a service or deferred pensioner, was legally married to the member at least three years one year before his retirement from the fire department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within ten months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, a pension of not less than 15 units and not to exceed the sum of 22 units per month, as the bylaws of the association provide, for her natural life; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage; provided further that if her remarriage terminates for any reason, she shall again be entitled to a pension as the bylaws of the association provide;

(b) To the child or children, if their mother be living, a pension of not to exceed 8 units per month for each child up to the time each child reaches the age of not less than 16 years and not to exceed an age of 18 years; provided, however, upon approval by the board of trustees, such a child who is a full-time student, upon proof of compliance with

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the provisions of this act, may be entitled to such pension so long as he is a full-time student and has not reached 22 years of age, all in conformity with the bylaws of the association; provided, further, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of 46 units per month;

(c) A child or children of a deceased member shall, after the death of their mother, or in the event their mother predeceases the member, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of not less than 16 and not more than 18 years; however, upon approval by the board of trustees, such a child who is a full-time student, upon proof of compliance with the provisions of this act, may be entitled to such pension so long as he is a full-time student and has not reached 22 years of age, as the bylaws of the association may provide; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of 40 units per month;

(d) For the purposes of this act, a full-time student is defined as an individual who is in full-time attendance as a student at an educational institution; whether or not the student was in full-time attendance would be determined by the board of trustees of the relief association in the light of the standards and practices of the school involved. Specifically excluded is a person who is paid by his employer while attending school at the request of his employer. Benefits may continue during any period of four calendar months or less in any 12 month period in which a person does not attend school if the person shows to the satisfaction of the board of trustees that he intends to continue in full-time school attendance immediately after the end of the period. An educational institution is defined so as to permit the payment of benefits to students taking vocational or academic courses in all approved, accredited or licensed schools, colleges, and universities. The board of trustees shall make the final determination of eligibility for benefits if any question arises concerning the approved status of the educational institution which the student attends or proposes to attend.

(e) In the event that a person who is receiving a pension as provided above shall marry before the age of 22, the pension shall cease as of the date of the marriage.

Sec. 2. Laws 1965, Chapter 519, Section 1, as amended by Laws 1967, Chapter 819, Section 1, Laws 1969, Chapter 123, Section 1, and Laws 1975, Chapter 57, Section 1, is amended to read:

**Section 1. MINNEAPOLIS, CITY OF; FIREFIGHTER'S RELIEF ASSOCIATION; WIDOW'S ENTITLEMENT.** Notwithstanding the provisions of Minnesota Statutes 1965, Section 69.48, to the contrary, when a service pensioner, disability pensioner, or deferred pensioner, or an active member of a relief association dies, leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service or deferred pensioner was legally married to the member at least three years one year before his retirement from the fire

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department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within nine months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, a pension of not less than 17 units, and not to exceed the total of 21 units per month, as the bylaws of the association provide, for her natural life; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage; provided, further, if her remarriage terminates for any reason, she shall again be entitled to a pension as the bylaws of the association provide;

(b) To the child or children, if their mother be living, a pension of not to exceed eight units per month for each child up to the time each child reaches the age of not less than 16 years and not to exceed an age of 18 years; provided, however, upon approval by the board of trustees, such a child who is a full-time student, upon proof of compliance with the provisions of this act, may be entitled to such pension so long as he is a full-time student and has not reached 22 years of age, all in conformity with the bylaws of the association; provided, further, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of 40 units per month;

(c) A child or children of a deceased member after the death of their mother, or in the event their mother predeceases the member, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of not less than 16 and not more than 18 years; provided, however, upon approval by the board of trustees, such a child who is a full-time student, upon proof of compliance with the provisions of this act, may be entitled to such pension so long as he is a full-time student and has not reached 22 years of age, as the bylaws of the association may provide; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of 40 units per month;

(d) For the purposes of this act, a full-time student is defined as an individual who is in full-time attendance as a student at an educational institution. Whether or not the student was in full-time attendance would be determined by the board of trustees of the association in the light of the standards and practices of the school involved. Specifically excluded is a person who is paid by his employer while attending school at the request of his employer. Benefits may continue during any period of four calendar months or less in any 12 month period in which a person does not attend school if the person shows to the satisfaction of the board of trustees that he intends to continue in full-time school attendance immediately after the end of the period. An educational institution is defined so as to permit the payment of benefits to students taking vocational or academic courses in all approved, accredited or licensed schools, colleges, and universities. The board of trustees shall make the final determination of eligibility for benefits if any question arises concerning the approved status of the educational institution which the student attends or proposes to attend;

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(e) In the event that a child who is receiving a pension as provided above shall marry before the age of 22 years, the pension shall cease as of the date of the marriage.

Sec. 3. Laws 1975, Chapter 127, Section 2, as amended by Laws 1976, Chapter 78, Section 4, is amended to read:

Sec. 2. **DULUTH, FIREFIGHTER'S SURVIVOR BENEFITS.** When a service pensioner thereof, disability pensioner thereof, deferred pensioner thereof, or an active member of the ~~firemen's~~ firefighter's relief association in the city of Duluth dies, leaving

(a) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service or deferred pensioner was legally married to said member at least ~~three years~~ one year before his retirement from said fire department; or

(b) A child or children who were living while the deceased was on the payroll of the fire department, or who were born within nine months after said decedent was withdrawn from the payroll of said fire department, such widow and said child or children shall be entitled to a pension or pensions as follows:

(1) To such a widow a pension of not less than 15 units and not to exceed the sum of 20 units per month, as the bylaws of said association provide, for her natural life; provided, however, that if she shall remarry, she shall not be entitled to such pension during the continuance of her remarriage. The pension shall however, resume upon termination of remarriage.

(2) To such child or children, if their mother be living, a pension of not to exceed eight units per month for each child up to the time each child reaches the age of not less than 18 years and not to exceed an age of 22 years, as may be provided by the bylaws of the association. Provided, the total pensions hereunder for the widow and children of said deceased member shall not exceed the sum of 40 units per month.

(3) A child or children of a deceased member receiving a pension or pensions hereunder shall after the death of their mother, be entitled to receive a pension or pensions in such amount or amounts as the board of trustees of such association shall deem necessary to properly support such child or children until they reach the age of not less than 18 and not more than 22 years, as the bylaws of such association may provide; but the total amount of such pension or pensions hereunder for any such child or children shall not exceed the sum of 40 units per month.

This section shall apply to the ~~firemen's~~ firefighter's relief association in the city of Duluth in lieu of the provisions of Minnesota Statutes, Section 69.48.

Benefits shall be payable to a surviving spouse whose remarriage has terminated prior to the effective date of this act, from and after the effective date of this act.

Sec. 4. This act is effective with respect to Duluth upon approval by the Duluth  
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city council, with respect to Minneapolis upon approval by the Minneapolis city council, and with respect to St. Paul upon approval by the St. Paul city council, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 19, 1977.

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CHAPTER 165—S.F.No.1382

[Not Coded]

*An act relating to the city of St. Paul; providing that the employees of the housing and redevelopment authority of the city of St. Paul may remain employees of the authority or become employees of the city as the governing body of the city may determine; amending Laws 1976, Chapter 234, Section 4, Subdivision 4, and by adding a subdivision.*

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

Section 1. Laws 1976, Chapter 234, Section 4, Subdivision 4, is amended to read:

Subd. 4. **ST. PAUL, CITY OF; HOUSING AND REDEVELOPMENT.** Except as specifically provided herein, the establishment of the St. Paul city council as the commissioners of the St. Paul housing and redevelopment authority or placement of any employees under the direction, supervision or control of the mayor or any department of the city, shall not affect rights of any employees of the housing and redevelopment authority, including but not limited to any rights pursuant to an existing collective bargaining agreement or fringe benefit plan, nor shall such action affect any collective bargaining right or contract provision of present city employees. The employees ~~shall~~ may remain as employees of the housing and redevelopment authority ~~and shall not be, or any successor agency thereof, or may become~~ employees of the city of St. Paul by resolution of the governing body of the city and by concurrent approval of the respective housing and redevelopment authority bargaining units affected. Such approval will be determined by majority vote of those employees in each unit who are actually affected by such council action. All employees of the housing and redevelopment authority who are affected by such council action, and who are not members of a specific bargaining unit, for the purpose of this provision shall be considered as one unit. Any employee who becomes an employee of the city of St. Paul by such action shall become a member of the proper city bargaining unit, if one exists, and shall be governed by the bargaining agreement of that city unit beginning July 1, 1978, and until that date such employees shall remain in any bargaining units that they were in at the effective date of this act and shall be governed by the collective bargaining agreements of those units.

Sec. 2. Laws 1976, Chapter 234, Section 4, is amended by adding a subdivision to read:

Subd. 4a. **TRANSFER OF EMPLOYEES.** All employees of the housing and redevelopment authority who become employees of the city of St. Paul in accordance with the provisions of subdivision 4, hereinafter called transfer employees, shall be employees

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