

Sec. 5. Notwithstanding the provisions of section 424.17, a volunteer having performed service in the department for more than ten years, but less than 20 years, when his position is eliminated, or by voluntary termination, may be paid a service pension when he reaches the age of 50 years, or five years after his termination whichever is later, such pension will be determined on a prorata basis proportionate to the ratio which his years of service bear to 20 years of service. Pension payable under sections 2, 3 and 4 of this act may also be paid on a prorata basis.

Sec. 6. If the city of Brooklyn Park shall convert the volunteer fire department to a full time paid fire department, and if any volunteer should become a full time fireman, his volunteer time shall apply toward his retirement under the terms of the existing bylaws of the association.

Sec. 7. The pension provided for herein shall be paid to all volunteers in addition to any other pension due them from other employment.

Sec. 8. This act is effective upon its approval by the governing body of the city of Brooklyn Park and upon compliance with Minnesota Statutes, Section 645.021.

Approved June 2, 1975.

CHAPTER 238—H.F.No.685

[Coded in Part]

An act relating to daytime activities centers; providing for the transportation of handicapped persons to licensed daytime activity centers attended by these persons; amending Minnesota Statutes 1974, Sections 123.39, by adding a subdivision; 252.24, Subdivision 4; and 252.26.

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

Section 1. Minnesota Statutes 1974, Section 123.39, is amended by adding a subdivision to read:

Subd. 13. EDUCATION; SCHOOL DISTRICTS; DAYTIME ACTIVITIES CENTERS; TRANSPORTATION. The board shall contract with any licensed daytime activity center attended by a resident handicapped person who fulfills the eligibility requirements of section 252.23, subdivision 1, to transport the resident handicapped person to the daytime activity center in return for payment by the daytime activity center of the cost of the transportation, if transportation by the board is in the best interest of the handicapped person and is not unreasonably burdensome to the district and if a less expensive, reason-

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able, alternative means of transporting the handicapped person does not exist. If the board and the daytime activity center are unable to agree to a contract, either the board or the daytime activity center may appeal to the commissioner of education to resolve the conflict. All decisions of the commissioner shall be final and binding upon the board and the daytime activity center.

Sec. 2. Minnesota Statutes 1974, Section 252.24, Subdivision 4, is amended to read:

Subd. 4. **LIMITATION ON GRANTS; FEES.** No grants of assistance to any center shall exceed 60 percent of all its expenditures for (a) salaries, (b) contract facilities and services, (c) operation, maintenance and service costs, (d) rent of an appropriate facility, (e) mortgage or other financial costs specifically approved and authorized by the commissioner of public welfare, (f) other expenditures specifically approved and authorized by the commissioner of public welfare ; provided, the grant of assistance to each center shall fund the center's total cost under its approved budget for the fiscal year for transportation to and from the center of persons who fulfill the eligibility requirements of section 252.23, subdivision 1, and who attend the center .

Where any county served by a program hereunder has an assessed valuation of real and personal property of less than \$13,000,000 and the required total mill levy for all costs, including administrative costs, for all forms of public assistance exceeds by 50 percent or more the average required mill levy for such costs in all counties of the state, grants hereunder, attributable to such county's proportionate share of the total expenditures based on the ratio of such county's population to the total population of the area served by the program, may exceed 50 percent of the total expenditures but shall not exceed 75 percent of the total expenditure for the daytime activity center program of such county. The board of directors of an activity center may, with the approval of the commissioner, charge a reasonable attendance fee, based on the ability of the mentally retarded or cerebral palsied person, his guardian or family to pay such a fee. No mentally retarded or cerebral palsied person shall be denied participation in the activities of such a center because of an inability to pay such a fee.

Sec. 3. Minnesota Statutes 1974, Section 252.26, is amended to read as follows:

252.26 DUTIES OF BOARD OF DIRECTORS. Subject to the provisions of sections 252.21 to 252.26 and the rules and regulations of the commissioner of public welfare, each board of directors of a daytime activity center shall:

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, and the general public;

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(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, which provide service to the mentally retarded and cerebral palsied;

(3) Advise the commissioner of public welfare on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the commissioner of public welfare, and when indicated to the public ;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23 (1) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist .

Approved June 2, 1975.

CHAPTER 238—H.F.No.739

An act relating to the department of administration; powers of the commissioner; air navigation facilities; amending Minnesota Statutes 1974, Section 16.02, Subdivision 2a.

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

Section 1. Minnesota Statutes 1974, Section 16.02, Subdivision 2a, is amended to read:

Subd. 2a. **ADMINISTRATION, DEPARTMENT OF; AIR NAVIGATION FACILITIES.** To supervise and control all state telecommunication facilities which shall include any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems. Nothing in this subdivision shall be construed as modifying, amending, or abridging any powers and duties presently vested in or imposed upon the commissioner of highways or the commissioner of public safety relating to telecommunications facilities or the commissioner of aeronautics relating only to radio air navigation facilities or other air navigation facilities .

Approved June 2, 1975.

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