

residing with him, and who was married 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 pensioner or a deferred pensioner, was legally married to the member at least one year before his retirement from the fire department, then to such widow a dependency pension of ~~18~~ 24 units per month for her natural life, but, if she remarries, the pension shall cease as of the date of the remarriage.

(b) When a service pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving 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living while the deceased was on the payroll of the fire department or born within ten months after the deceased was withdrawn from such payroll, then to each such child a dependency pension of ~~six~~ four units per month until the child reaches 18 years.

(c) The total dependency pensions payable under paragraphs (a) and (b) above for the widow and children of a deceased member shall not exceed 36 units per month. The pension due to any minor child or children shall be paid to the legal guardian of such child or children.

Sec. 2. This act shall apply to any person receiving a benefit under Laws 1974, Chapter 382, Section 5, Subdivision 2, as of or after the effective date of this act. Any increase in benefits granted under this act which are in effect as of the effective date of this act shall be payable commencing with the first pension payment made after the effective date of this act.

Sec. 3. This act is effective upon approval by the St. Cloud city council and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 26, 1977.

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CHAPTER 271—H.F.No.206

[Coded in Part]

*An act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1, and by adding subdivisions.*

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

Section 1. Minnesota Statutes 1976, Section 256B.35, Subdivision 1, is amended to read:

**256B.35 WELFARE; CARE FACILITIES; PERSONAL ALLOWANCE, PERSONS IN SKILLED NURSING HOMES OR INTERMEDIATE CARE FACILITIES.** Subdivision 1. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for individuals receiving medical assistance while ~~confined~~ residing in any skilled nursing home or intermediate care facility, including

Changes or additions indicated by underline deletions by ~~strikeout~~

recipients of supplemental security income, in this state shall not be less than ~~\$25~~ \$30 per month from all sources.

Provided that this personal needs allowance may be paid as part of the Minnesota supplemental aid program, notwithstanding the provisions of section 256D.37, subdivision 2, and payments to the recipients from Minnesota supplemental aid funds may be made once each three months beginning in October, 1977 covering liabilities that accrued during the preceding three months.

Sec. 2. Minnesota Statutes 1976, Section 256B.35, is amended by adding subdivisions to read:

Subd. 3. The nursing home may not commingle the patient's funds with nursing home funds or in any way use the funds for nursing home purposes.

Subd. 4. The department of public welfare is authorized to conduct field audits without notice to determine whether this section was complied with and that the funds provided residents for their personal needs were actually expended for that purpose.

The nursing home may transfer the personal allowance to someone other than the recipient only when that person certifies that the allowance is spent for the well being of the recipient.

Approved May 26, 1977.

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CHAPTER 272—H.F.No.257

[Coded in Part]

*An act relating to banks, trust companies and savings banks; rule making authority; fees for special investigations; accounts maintained by banking division employees; fees; banks minimum organizational capital, surplus and undivided profits; providing for certified deposit of capital funds in a custodial bank; providing for banks annual audit systems, approval and reports; state banks minimum capital requirements, establishing investigatory fee for application to acquire trust authority; trust company minimum capital requirements; relating to boards of directors of financial institutions; clarification of certain language; amending Minnesota Statutes 1976, Sections 46.01; 46.04; 46.05; 46.09; 46.131, Subdivision 2, and by adding a subdivision; 48.02; 48.10; 48.36; 48.37; 48.44; 48.67; 48.69; 300.025 and 300.20.*

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

Section 1. Minnesota Statutes 1976, Section 46.01, is amended to read:

**46.01 BANKS, TRUST COMPANIES AND SAVINGS BANKS; REGULATION; POWERS.** Subdivision 1. The banking division shall have charge of the execution of all laws relating to state banks, savings banks, trust companies, ~~building and loan savings associations, and other financial corporations chartered institutions organized under the~~

**Changes or additions indicated by underline deletions by ~~strikeout~~**