

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 4070

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DATE
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Introduction and first reading

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to retirement; termination and dissolution of the Maplewood Firefighters
1.3 Relief Association.

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

1.5 Section 1. **MAPLEWOOD FIREFIGHTERS RELIEF ASSOCIATION;**
1.6 **TERMINATION AND DISSOLUTION.**

1.7 (a) Notwithstanding any provision of Minnesota Statutes, chapters 424A, 424B, or any
1.8 other law to the contrary, the Maplewood Firefighters Relief Association will be dissolved
1.9 and its pension plan terminated in accordance with the provisions of this section following
1.10 the payment by the relief association of all benefit obligations to all members and deferred
1.11 members, the discharge of any other legal obligations, and the distribution of all remaining
1.12 assets of the relief association.

1.13 (b) Each member of the Maplewood Firefighters Relief Association who was employed
1.14 as a volunteer firefighter by the Maplewood Fire Department on February 27, 2018, shall
1.15 become 100 percent vested in the member's retirement benefit determined by taking into
1.16 account each full year of service and fractional year of service, as defined in the bylaws of
1.17 the relief association, until the member's separation from service as a volunteer firefighter.
1.18 The member will be considered a retired member of the relief association.

1.19 (c) Each of the members specified in paragraph (b) is entitled to a lump sum benefit in
1.20 an amount equal to \$11,000 multiplied by the number of full and fractional years of service
1.21 earned by the member.

2.1 (d) Prior to the distribution of benefits under this section, the Maplewood Firefighters
2.2 Relief Association shall amend its bylaws to reestablish a defined benefit lump sum service
2.3 pension plan that provides the benefits described in this section and shall rescind any bylaws
2.4 inconsistent with this section. The relief association may amend its bylaws to incorporate
2.5 any provisions necessary to satisfy tax qualification requirements under the Internal Revenue
2.6 Code and make any other changes necessary to permit members to elect a direct rollover
2.7 of their benefit into a retirement account. Any bylaws amendment shall be approved by a
2.8 majority of the members of the relief association in attendance at a meeting of the
2.9 membership held to consider the bylaws amendment.

2.10 (e) Prior to dissolution, the Maplewood Firefighters Relief Association shall:

2.11 (1) distribute the retirement benefits of all members and deferred members in the form
2.12 of a lump sum payment or direct rollover, regardless of the age of the member or deferred
2.13 member, and otherwise in accordance with this section and the bylaws of the relief association
2.14 discharge all pension benefit obligations;

2.15 (2) to the extent authorized under Minnesota Statutes, section 424A.05, subdivision 3,
2.16 discharge any other legal obligation the relief association owes to any other party; and

2.17 (3) pay a supplemental lump sum benefit to each member and survivor who satisfies the
2.18 requirements of Minnesota Statutes, section 424A.10, subdivision 2, except that,
2.19 notwithstanding any requirements in Minnesota Statutes, section 424A.10, subdivision 2,
2.20 to the contrary, the benefit shall be paid to a member only if the member had attained at
2.21 least age 50 as of the date the member received a distribution of the member's retirement
2.22 benefit under clause (1).

2.23 (f) The city of Maplewood shall file for and receive reimbursement pursuant to Minnesota
2.24 Statutes, section 424A.10, subdivision 3, of supplemental benefits paid to any member who
2.25 had attained at least age 50 as of the date the member received a distribution of the member's
2.26 retirement benefit under paragraph (e) and to any survivor and deposit the reimbursement
2.27 in the city's general fund.

2.28 (g) Upon completion of paragraphs (b) to (e), the Maplewood Firefighters Relief
2.29 Association shall be dissolved and its affairs wound up in accordance with Minnesota
2.30 Statutes, section 424B.20, subdivision 5.

2.31 (h) Upon dissolution of the Maplewood Firefighters Relief Association:

2.32 (1) the remaining balance in the relief association special fund shall be transferred to
2.33 the city of Maplewood general fund;

3.1 (2) the remaining balance in the relief association general fund shall be distributed in
3.2 equal shares to all members; and

3.3 (3) if the relief association files the financial report and audit required under Minnesota
3.4 Statutes, section 69.051, subdivision 1, and the state auditor files the certification regarding
3.5 the relief association with the commissioner of revenue pursuant to Minnesota Statutes,
3.6 section 6.495, subdivision 3, the Department of Revenue shall pay the fire state aid under
3.7 Minnesota Statutes, chapter 69, for calendar year 2017 to the city of Maplewood.

3.8 **EFFECTIVE DATE; LOCAL APPROVAL.** The provisions of this section shall take
3.9 effect only if approved within 45 days of the enactment of this section by:

3.10 (1) the board of trustees of the Maplewood Firefighters Relief Association;

3.11 (2) a majority of the members of the relief association in attendance at a meeting of the
3.12 membership to consider this section; and

3.13 (3) the Maplewood City Council.