

Summary of New Laws from the 2001 First Special Session

These pages provide a summary and detailed language of amendments made during the 2001 First Special Session to state statutes that relate to relief associations. The new provisions are 1 Sp. 2001, Chapter 10, Article 4, Article 10, Section 3, and Article 16.

The effective dates in Chapter 10, Articles 4 and 16 become part of the permanent laws of the state but do not appear in subsequent editions of the Minnesota Statutes. These dates are often integral to understanding the full effect of the language and any impact on codified law.

Open Meeting Law: Local Pension Plans

An amendment to the statewide open meeting law statute provides that the governing bodies of all state and local public pension plans, including volunteer fire plans, are now subject to the open meeting law. (Statewide plans are covered by the open meeting law under existing law). This provision amends Minn. Stat. § 13D.01, subd. 1. (Effective July 1, 2001.)

1 Sp. 2001, Chapter 10, Article 4

Spring Lake Park Fire Department

The Spring Lake Park fire department and the Dakota County Agricultural Society are both included in the list of governmental subdivisions covered by PERA. This change amends existing law found at Minn. Stat. § 353.01, subd. 6. (Effective July 1, 2001.)

1 Sp. 2001, Chapter 10, Article 10, Section 3

Volunteer Fire Relief Association Consultants

A legal or financial consultant for a volunteer firefighter relief association is required to provide the association with a copy of the consultant's certificate of insurance. For purposes of this requirement, a consultant is a person employed under contract to provide legal or financial advice and who is or represents to the association that the person is an actuary, accountant (LPA or CPA), attorney, investment advisor or manager, investment counselor, manager selection consultant, a pension benefit design advisor, or any other financial consultant. The new requirement amends Minn. Stat. § 424A.04, by adding subdivision 3. (Effective July 1, 2001.)

1 Sp. 2001, Chapter 10, Article 16

CHAPTER 10, ARTICLE 4

OPEN MEETING REQUIREMENT FOR LOCAL PUBLIC PENSION PLANS

Section 1. Minnesota Statutes 2000, section 13D.01, subdivision 1, is amended to read:

Subdivision 1. [IN EXECUTIVE BRANCH, LOCAL GOVERNMENT.] All meetings, including executive sessions, must be open to the public

(a) of a state

(1) agency,

(2) board,

(3) commission, or

(4) department,

when required or permitted by law to transact public business in a meeting; ~~and~~

(b) of the governing body of a

(1) school district however organized,

(2) unorganized territory,

(3) county,

(4) statutory or home rule charter city,

(5) town, or

(6) other public body; ~~and~~

(c) of any

(1) committee,

(2) subcommittee,

(3) board,

(4) department, or

(5) commission,

of a public body; and

(d) of the governing body or a committee of:

(1) a statewide public pension plan defined in section 356A.01, subdivision 24; or

(2) a local public pension plan governed by section 69.77, sections 69.771 to 69.775, or chapter 354A, 422A, or 423B.

Sec. 2. Minnesota Statutes 2000, section 356A.08, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC MEETINGS.] A meeting of the governing board of a covered ~~statewide~~ pension plan or of a committee of the governing board of the ~~statewide~~ covered pension plan is governed by chapter 13D.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment.

CHAPTER 10, ARTICLE 10, SECTION 3

Sec. 3. Minnesota Statutes 2000, section 353.01, subdivision 6, is amended to read:

Subd. 6. [GOVERNMENTAL SUBDIVISION.] (a) "Governmental subdivision" means a county, city, town, school district within this state, or a department or unit of state government, or any public body whose revenues are derived from taxation, fees, assessments or from other sources.

(b) Governmental subdivision also means the public employees retirement association, the league of Minnesota cities, the association of metropolitan municipalities, public hospitals owned or operated by, or an integral part of, a governmental subdivision or governmental subdivisions, the association of Minnesota counties, the metropolitan intercounty association, the Minnesota municipal utilities association, the metropolitan airports commission, the Minneapolis employees retirement fund for employment initially commenced after June 30, 1979, the range association of municipalities and schools, soil and water conservation districts, ~~and~~ economic development authorities created or operating under sections 469.090 to 469.108, the Spring Lake Park fire department, incorporated, and the Dakota county agricultural society.

(c) Governmental subdivision does not mean any municipal housing and redevelopment authority organized under the provisions of sections 469.001 to 469.047; or any port authority organized under sections 469.048 to 469.089; or any hospital district organized or reorganized prior to July 1, 1975, under sections 447.31 to 447.37 or the successor of the district, nor the Minneapolis community development agency.

CHAPTER 10, ARTICLE 16

VOLUNTEER FIREFIGHTER RELIEF ASSOCIATION PROVISIONS

Section 1. Minnesota Statutes 2000, section 424A.04, is amended by adding a subdivision to read:

Subd. 3. [CONDITIONS ON RELIEF ASSOCIATION CONSULTANTS.] (a) If a volunteer firefighter relief association hires or contracts with a consultant to provide legal or financial advice, the association shall obtain and the consultant shall provide a copy of the consultant's certificate of insurance.

(b) A consultant is any person who is employed under contract to provide legal or financial advice and who is or who represents to the volunteer firefighter relief association that the person is:

- (1) an actuary;
- (2) a licensed public accountant or a certified public accountant;
- (3) an attorney;
- (4) an investment advisor or manager, or an investment counselor;
- (5) an investment advisor or manager selection consultant;
- (6) a pension benefit design advisor or consultant; or
- (7) any other financial consultant.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 2001.

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<http://www.leg.state.mn.us/leg/statutes.htm>