

7190.1025 ELIGIBLE ALLOWANCES FOR PRESUMED DEPENDENTS.

Subpart 1. **Spouse, no dependent children.** If the claimant leaves a spouse and no dependent children, the Pollution Control Agency shall pay to the spouse for ten years one-half of the claimant's wage and one-half the value of the claimant's household labor.

Subp. 2. **Spouse, one dependent child.** If the claimant leaves a spouse and one dependent child, the agency shall pay to the spouse for ten years, for the benefit of the spouse and child, three-fifths of the claimant's wage and three-fifths the value of the claimant's household labor. If the child is not dependent for ten years, the agency shall pay to the spouse one-half the claimant's wage and one-half the value of the claimant's household labor in the years remaining after the child is no longer dependent. If the child is dependent for more than ten years, the agency shall pay to the spouse for the child one-half of the claimant's wage and one-half the value of the claimant's household labor until the child is no longer dependent.

Subp. 3. **Spouse, two or more dependent children.** If the claimant leaves a spouse and two or more dependent children, the agency shall pay to the spouse for ten years, for the benefit of the spouse and children, two-thirds of the claimant's wage and two-thirds the value of the claimant's household labor. If no child remains dependent for ten years, the agency shall pay to the spouse one-half the claimant's wage and one-half the value of the claimant's household labor in the years remaining after the last child is no longer dependent. If a child is dependent for more than ten years, the agency shall pay to the spouse, for the benefit of the child, one-half of the claimant's wage and one-half the value of the claimant's household labor.

Subp. 4. **Dependent children, no spouse.** If the claimant leaves a dependent child and no spouse, the agency shall pay to the guardian of the child 55 percent of the claimant's wage and 55 percent of the value of the claimant's household labor; and for two or more children, the agency shall pay to the guardian of the children two-thirds of the claimant's wage and two-thirds the value of the claimant's household labor until the last child is no longer dependent.

Statutory Authority: *MS s 115B.34*

History: *12 SR 1710; L 2002 c 379 art 2 s 23*

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