



TO: Members of the Administrative Legislation Subcommittee

FROM: Lawrence A. Martin, Executive Director

RE: Summary of LCPR03-233; Work Product of the Subcommittee through August 12, 2003

DATE: August 25, 2003

Introduction

As the Subcommittee processes portions of the five administrative provisions bills, the Commission staff is engrossing any amendments approved by the Subcommittee and is reformatting the composite proposed administrative legislation in a single document. That composite document, LCPR03-233 (attached), representing the work of the Subcommittee through August 12, 2003, is summarized below.

Section-By-Section Summary of LCPR03-233

Sec.	Page, Lines	Retirement Plan	Source Bill	Stat. Provision	Summary
Article 1: Membership Issues					
1	Page 1, Lines 6-36; Page 2, Lines 1-36; Page 3, Lines 1-36; Page 4, Lines 1-36; Page 5, Lines 1-36; Page 6, Line 1	PERA-General; PERA-P&F	HF 890 (Smith); SF 676 (Betzold): Section 2	353.01, Subdivision 2b	Removes unnecessary language and moves “temporary position” definition.
2	Page 6, Lines 2-23	PERA-General; PERA-P&F	HF 890 (Smith); SF 676 (Betzold): Section 4	353.01, Subdivision 12a	Includes “temporary position” definition language from section 1.
3	Page 6, Lines 24-36; Page 7, Lines 1-3	PERA-General; PERA-P&F	HF 890 (Smith); SF 676 (Betzold): Section 5	353.01, Subdivision 12b	Eliminates reference to “business” year.
4	Page 7, Lines 4-36; Page 8, Lines 1-35	TRA	HF 1474 (Erickson); SF 1420 (Pogenmiller) Section 1	354.05, Subdivision 2	Removes obsolete license requirements, removes obsolete technical college references, and eliminates obsolete Comprehensive Employment and Training Act (CETA) exclusion.
5	Page 8, Line 36; Page 9, Lines 1-12	MnSCU IRAP	HF 1474 (Erickson); SF 1420 (Pogenmiller) Section 7	354B.20, Subdivision 4	Corrects an obsolete reference.
6	Page 9, Lines 13-26	MnSCU IRAP	HF 1474 (Erickson); SF 1420 (Pogenmiller) Section 8	354B.20, Subdivision 6	The eligible unclassified administrative position definition is amended to include MnSCU administrators in general rather than “excluded” administrators.
7	Page 9, Lines 27-36; Page 10, Lines 1-15	MnSCU Higher Education Supplemental Plan	HF 1474 (Erickson); SF 1420 (Pogenmiller) Section 11	354C.11, Subdivision 2	The eligibility provision is revised to include unclassified employees of the board, including employees who have confidential status.
8	Page 10, Lines 16-18	MSRS Unclassified Program	HF 1430 (Smith); SF 1460 (Betzold) Article 8, Section 4	Repealer; 352D.02, Subdivision 5	Repeals exclusion of TRA Basic members from MSRS Unclassified Program coverage.
9	Page 10, Lines 19-24	--	--	Effective Date	Generally effective on July 1, 2004. Section 6 is effective retroactive to the affected person’s date of hire and Section 7 is effective retroactively to July 1, 2001.

Sec.	Page, Lines	Retirement Plan	Source Bill	Stat. Provision	Summary
<u>Article 2: Covered Salary Definition</u>					
1	Page 10, Lines 27-36; Page 11, Lines 1-15	MSRS-General; MSRS-Correctional	HF 1430 (Smith); SF 1460 (Betzold) Article 2, Section 2	352.01, Subdivision 13	Includes grievance or legal settlement payments in covered salary definition if reviewed by the MSRS Executive Director and determined as consistent with the salary definition and with prior determinations.
2	Page 11, Lines 16-36; Page 12, Lines 1-11	State Patrol	HF 1430 (Smith); SF 1460 (Betzold) Article 2, Section 4	352B.01, Subdivision 11	Revises the average salary definitions to tie covered salary to salary on which member contributions were made or on which prior service credit purchases were made and defines "salary" in the same manner as applicable to MSRS-General.
3	Page 12, Lines 12-36; Page 13, Lines 1-32	PERA-General; PERA-P&F	HF 890 (Smith); SF 676 (Betzold); Section 3	353.01, Subdivision 10	Excludes from covered salary amounts in excess of Minnesota Statutes, Section 356.611 limitation.
4	Page 13, Lines 33-36; Page 14, Lines 1-12	Retirement Generally	HF 1086 (Smith); SF 806 (Betzold) Section 6	356.611, Subdivision 2	Revises maximum salary amount to conform with federal Internal Revenue Code.
5	Page 14, Lines 13-25	Retirement Generally	HF 1086 (Smith); SF 806 (Betzold) Section 7	356.611, New Subdivision 3	Requires reduction of benefit to comply with federal Internal Revenue Code.
6	Page 14, Lines 26-27	--	--	Effective Date	Effective July 1, 2004.
<u>Article 3: Allowable Service Credit</u>					
1	Page 14, Lines 30-36; Page 15, Lines 1-36; Page 16, Lines 1-3	TRA	HF 1474 (Erickson); SF 1420 (Pogemiller) Section 4	354.091	Sets full and fractional service credit rules for MnSCU employees based on full-time and part-time service definitions in the applicable collective bargaining agreements.
2	Page 16, Lines 4-10	TRA	HF 519 (Smith); SF 807 (Betzold) Article 1, Section 2	354.096	Removes a data certification deadline that conflicts with the general member data reporting provision.
3	Page 16, Lines 11-36; Page 17, Lines 1-36; Page 18, Lines 1-27	TRA	HF 1086 (Smith); SF 806 (Betzold) Section 2	354.53	Revises the on-leave military service credit purchase provision to comply with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).
4	Page 18, Lines 28-36; Page 19, Lines 1-36; Page 20, Lines 1-36; Page 21, Lines 1-7	First Class City Teachers	HF 1086 (Smith); SF 806 (Betzold) Section 4	354A.093	Revises the on-leave military service credit purchase provision to comply with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).
5	Page 21, Lines 8-9	--	--	Effective Date	Effective July 1, 2004.
<u>Article 4: Qualified Part-Time Teacher Provisions</u>					
1	Page 21, Lines 12-36; Page 22, Lines 1-9	TRA	HF 519 (Smith); SF 807 (Betzold) Article 2, Section 5	354.66, Subdivision 2	Modifies the date for executing a part-time teaching program agreement for teacher-legislators.
2	Page 22, Lines 10-11	--	--	Effective Date.	Effective July 1, 2004.
<u>Article 5: Retirement Plan Contributions</u>					
1	Page 22, Lines 14-24	MnSCU-IRAP	HF 1474 (Erickson); SF 1420 (Pogemiller) Section 9	354B.23, Subdivision 1	Eliminates alternative contribution rate for certain unclassified employees covered by the plan.
2	Page 22, Lines 25-26	--	--	Effective Date.	Effective July 1, 2004.

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<u>Article 6: Reporting and Information Provisions</u>					
1	Page 22, Lines 29-36; Page 23, Lines 1-3	TRA	HF 1474 (Erickson); SF 1420 (Pogemiller) Section 3	354.07, Subdivision 9	Corrects reference to MnSCU.
2	Page 23, Lines 4-36; Page 24, Lines 1-5	TRA	HF 519 (Smith); SF 807 (Betzold) Article 1, Section 8	354.52, Subdivision 4a	Updates various data reporting requirements.
3	Page 24, Lines 6-16	TRA	HF 1474 (Erickson); SF 1420 (Pogemiller) Section 6	354.52, New Subdivision 4c	Requires reporting by MnSCU of service credit information.
4	Page 24, Lines 17-23	TRA	HF 519 (Smith); SF 807 (Betzold) Article 1, Section 9	354.52, Subdivision 6	Revises the reporting requirements for which a fine may be charged.
5	Page 24, Lines 24-25	--	--	Effective Date	Effective July 1, 2004.
<u>Article 7: Retirement Annuity Provisions</u>					
1	Page 24, Lines 28-32	PERA	HF 890 (Smith); SF 676 (Betzold): Section 11	353.37, New Subdivision 1b	Defines retirement age for the reemployed annuitant earnings limit provision.
2	Page 24, Lines 33-36; Page 25, Lines 1-11	PERA	HF 890 (Smith); SF 676 (Betzold): Section 12	353.37, Subdivision 3	Updates the reemployed annuitant earnings limit provision for recent Social Security law changes.
3	Page 25, Lines 12-36; Page 26, Lines 1-5	TRA	HF 519 (Smith); SF 807 (Betzold) Article 1, Section 3	354.44, Subdivision 4	Removes the limit on the retroactive retirement annuity accrual date.
4	Page 26, Lines 6-7	--	--	Effective Date.	Effective July 1, 2004.