

1.1 moves to amend S.F. No. 272; H.F. No. 403, as follows:

1.2 Page 1, after line 9, insert:

1.3 "Section 1. Minnesota Statutes 2012, section 352B.011, subdivision 4, is amended to
1.4 read:

1.5 Subd. 4. **Average monthly salary.** (a) Subject to the limitations of section 356.611,
1.6 "average monthly salary" means the average of the highest monthly salaries for five years
1.7 of service as a member upon which contributions were deducted from pay under section
1.8 352B.02, or upon which appropriate contributions or payments were made to the fund to
1.9 receive allowable service and salary credit as specified under the applicable law. Average
1.10 monthly salary must be based upon all allowable service if this service is less than five years.

1.11 (b) The salary used for the calculation of "average monthly salary" means the salary
1.12 of the member as defined in section 352.01, subdivision 13. "Average monthly salary"
1.13 includes the salary of the member during the period of covered employment rendered after
1.14 reaching the allowable service credit limit of section 352B.08, subdivision 2, paragraph
1.15 (b). The salary used for the calculation of "average monthly salary" does not include any
1.16 lump-sum annual leave payments and overtime payments made at the time of separation
1.17 from state service, any amounts of severance pay, or any reduced salary paid during the
1.18 period the person is entitled to workers' compensation benefit payments for temporary
1.19 disability.

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment."

1.21 Page 3, after line 24, insert:

1.22 "Sec. 8. Minnesota Statutes 2012, section 352B.11, subdivision 1, is amended to read:

1.23 Subdivision 1. **Refund of payments.** (a) A member who has not received other
1.24 benefits under this chapter is entitled to a refund of payments made by salary deduction,
1.25 plus interest, if the member is separated, either voluntarily or involuntarily, from the state
1.26 service that entitled the member to membership.

1.27 (b) A refund under section 352B.08, subdivision 2, paragraph (c), does not result in
1.28 a forfeiture of salary credit for the allowable service credit covered by the refund.

1.29 ~~(b)~~ (c) In the event of the member's death, if there are no survivor benefits payable
1.30 under this chapter, a refund plus interest is payable to the last designated beneficiary on
1.31 a form filed with the director before death, or if no designation is filed, is payable to
1.32 the member's estate. Interest under this subdivision must be calculated as provided in
1.33 section 352.22, subdivision 2. To receive a refund, the application must be made on a
1.34 form prescribed by the executive director.

- 2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 2.2 Renumber the sections in sequence
- 2.3 Amend the title accordingly