



TO: Members of the Legislative Commission on Pensions and Retirement

FROM: Ed Burek *EB*

RE: Amendment LCPR01-165: Derived from S.F. 1439 (Johnson, Dean); H.F. 1482 (Murphy)

DATE: April 2, 2001

#### **A. General Summary**

S.F. 1439 (Johnson, Dean); H.F. 1482 (Murphy) are companion bills containing seven articles with provisions for various Minnesota State Retirement System (MSRS) plans, the Public Employees Retirement Association (PERA), and the Teachers Retirement Association (TRA). The provisions made current refund policy retroactive in all plans included in the bills and increased the refund interest rate in the MSRS Judges Plan, enhanced surviving child and surviving spouse benefits, revised early retirement policy in the Elected State Officer plans and Judges Plan, and made various changes of an administrative nature.

Amendment LCPR01-165: Derived from S.F. 1439 (Johnson, Dean); H.F. 1482 (Murphy) contains provisions from the bill which are least controversial. The provisions included in LCPR01-165 are not benefit related and are largely administrative in nature. The amendment is drawn as a blind amendment, with provisions which could be added in any vehicle that the Commission deemed appropriate.

For purposes of discussion, the sections summarized below are numbered in the order in which they appear in the amendment.

**Section 1** (page 1, line 2 to 21). Amends Section 3A.03, Subdivision 2, an MSRS Legislators Plan refund provision, by adding clarifying language indicating that only terminated members are eligible to apply for a refund.

**Section 2** (page 1, line 20 to 24, page 2, lines 1 to 23). Amends Section 11A.18, Subdivision 7, an SBI Post Fund participation provision, by adding language intended to specify how the fair market value of each fund's Post Fund participation is to be computed for financial reporting purposes.

**Section 3** (page 2 line 24 to 36, page 3, lines 1 to 36, page 4, lines 1 to 26). Amends Section 352.01, Subdivision 2a, the MSRS General included employees provision, by clarifying a reference for state college or university activities program employees; and by eliminating a clause which provided MSRS General coverage for all service provided by individuals who work part-time in state employment and part-time as teachers in the MnSCU system, if they are certified for MSRS General coverage by MnSCU, or if more than 50 percent of their employment would otherwise be applicable for MSRS General plan coverage.

**Section 4** (page 4, line 27 to 36, to page 8, line 29). Revises Section 352.01, Subdivision 2b, the MSRS General excluded employee provision, by removing elective state officers from the exclusion, and by adding an exclusion for MnSCU employees who are covered by other plans.

**Section 5** (page 8, lines 30 to 36, page 9, lines 1 to 36). Revises Section 352.113, Subdivision 4, the MSRS General disability medical examination provision, by clarifying that psychological evidence may be submitted in support of a disability request, and by permitting disability examinations to be conducted by psychologists and chiropractors, if applicable.

**Section 6** (page 10, lines 1 to 20). Revises Section 352.113, Subdivision 6, the MSRS medical examination provision for disability continuation, to clarify that the required examination may be a psychological examination.

**Section 7** (page 10, line 21 to 36, page 11, line 1). Amends Section 352.22, Subdivision 8, an MSRS minimal account provision by requiring that an account (and any related service credit) must be reestablished if the individual returns to public service and the prior total employee and employer contributions was at least \$25, rather than \$2.

**Section 8** (page 11, lines 2 to 14). Revises Section 352B.101, the MSRS State Patrol Plan disability application provision, by clarifying that the psychological evidence may be submitted to support a disability request.

**Section 9** (page 12 , lines 15 to 36, to page 13, line 11). Revises Section 354.05, Subdivision 2, the TRA definition of teacher, by clarifying that MnSCU teachers and various MnSCU administrators are covered by TRA if not covered by a first class city teacher plan, the higher education Individual Retirement Account Plan (IRAP), or the MSRS Unclassified Plan.

**Section 10** (page 13, lines 12 to 27). Amends Section 354.52, Subdivision 4, a TRA employer unit reporting and remittance provision, by requiring interest on contributions remitted to TRA after 14 days of the payroll warrant, rather than after 7 days of the payroll warrant.

**Section 7** (page 13, lines 28 to 31). EFFECTIVE DATE. All sections are effective on July 1, 2001.

1 M ..... moves to amend ....., as follows:

2 Page ....., after line ....., insert:

3 "Sec. .... . Minnesota Statutes 2000, section 3A.03,  
4 subdivision 2, is amended to read:

5 Subd. 2. [REFUND.] (1) Any ~~person~~ former member who has  
6 made contributions ~~pursuant-to~~ under subdivision 1 who is no  
7 longer a member of the legislature is entitled to receive upon  
8 application to the director a refund of all contributions  
9 credited to the member's account with interest at an annual rate  
10 of six percent compounded annually.

11 (2) The refund of contributions as provided in clause (1)  
12 terminates all rights of a former member of the legislature or  
13 survivors of the former member under this chapter. Should the  
14 former member of the legislature again be a member of the  
15 legislature after having taken a refund as provided above, the  
16 member shall be considered a new member. However, a new member  
17 may reinstate the rights and credit for service forfeited,  
18 provided the new member repays all refunds taken plus interest  
19 at an annual rate of 8.5 percent compounded annually.

20 (3) No person shall be required to apply for or accept a  
21 refund."

22 Page ....., after line ....., insert:

23 "Sec. .... . Minnesota Statutes 2000, section 11A.18,  
24 subdivision 7, is amended to read:

1 Subd. 7. [PARTICIPATION AND FINANCIAL REPORTING IN FUND.]

2 (a) Each participating public retirement fund or plan which has  
3 transferred money to the state board for investment in the  
4 postretirement investment fund shall have an undivided  
5 participation in the fund. The participation on any valuation  
6 date shall be determined by adding to the participation on the  
7 prior valuation date: ~~(a)~~ (1) funds transferred in accordance  
8 with subdivision 6, ~~(b)~~ (2) the amount of required investment  
9 income on its participation as defined in subdivision 9, ~~clause~~  
10 ~~(1)~~~~(e)~~ paragraph (c), clauses (1) and (e) (3) the reserves for  
11 any benefit adjustment made as of the current valuation date  
12 with the result adjusted for any mortality gains or losses  
13 determined ~~pursuant to~~ under subdivision 11.

14 (b) The total fair market value of the postretirement fund  
15 as of June 30 must be calculated in accordance with generally  
16 accepted accounting principles. The fair market value share of  
17 each fund participating in the postretirement investment fund  
18 shall be allocated by adding to the fair market value at the  
19 beginning of the fiscal year: (1) 100 percent of the funds  
20 transferred in accordance with subdivision 6; and (2) a pro rata  
21 distribution of unrealized gains or losses, based on a weighted  
22 percentage of participation at the end of each month of the  
23 fiscal year."

24 Page ....., after line ....., insert:

25 "Sec. .... . Minnesota Statutes 2000, section 352.01,  
26 subdivision 2a, is amended to read:

27 Subd. 2a. [INCLUDED EMPLOYEES.] (a) "State employee"  
28 includes:

- 29 (1) employees of the Minnesota historical society;
- 30 (2) employees of the state horticultural society;
- 31 (3) employees of the Disabled American Veterans, Department  
32 of Minnesota, Veterans of Foreign Wars, Department of Minnesota,  
33 if employed before July 1, 1963;
- 34 (4) employees of the Minnesota crop improvement  
35 association;
- 36 (5) employees of the adjutant general who are paid from

1 federal funds and who are not covered by any federal civilian  
2 employees retirement system;

3 (6) employees of the Minnesota state colleges and  
4 universities employed under the university or college activities  
5 program;

6 (7) currently contributing employees covered by the system  
7 who are temporarily employed by the legislature during a  
8 legislative session or any currently contributing employee  
9 employed for any special service as defined in subdivision 2b,  
10 clause (8);

11 (8) employees of the armory building commission;

12 (9) employees of the legislature appointed without a limit  
13 on the duration of their employment and persons employed or  
14 designated by the legislature or by a legislative committee or  
15 commission or other competent authority to conduct a special  
16 inquiry, investigation, examination, or installation;

17 (10) trainees who are employed on a full-time established  
18 training program performing the duties of the classified  
19 position for which they will be eligible to receive immediate  
20 appointment at the completion of the training period;

21 (11) employees of the Minnesota safety council;

22 (12) any employees on authorized leave of absence from the  
23 transit operating division of the former metropolitan transit  
24 commission who are employed by the labor organization which is  
25 the exclusive bargaining agent representing employees of the  
26 transit operating division;

27 (13) employees of the metropolitan council, metropolitan  
28 parks and open space commission, metropolitan sports facilities  
29 commission, metropolitan mosquito control commission, or  
30 metropolitan radio board unless excluded or covered by another  
31 public pension fund or plan under section 473.415, subdivision  
32 3;

33 (14) judges of the tax court;

34 (15) personnel employed on June 30, 1992, by the University  
35 of Minnesota in the management, operation, or maintenance of its  
36 heating plant facilities, whose employment transfers to an

1 employer assuming operation of the heating plant facilities, so  
2 long as the person is employed at the University of Minnesota  
3 heating plant by that employer or by its successor organization;  
4 and

5 (16) seasonal help in the classified service employed by  
6 the department of revenue; ~~and.~~

7 ~~{17} a person who renders teaching or other service for the  
8 Minnesota state colleges and universities system and who also  
9 renders service on a part-time basis for an employer with  
10 employees covered by the general state employees retirement plan  
11 of the Minnesota state retirement system, for all service with  
12 the Minnesota state colleges and universities system, if the  
13 person's nonteaching service comprises at least 50 percent of  
14 the combined total salary received by the person as determined  
15 by the chancellor of the Minnesota state colleges and  
16 universities system or if the person is certified for general  
17 state employees retirement plan coverage by the chancellor of  
18 the Minnesota state colleges and universities system.~~

19 (b) Employees specified in paragraph (a), clause (15), are  
20 included employees under paragraph (a) if employer and employee  
21 contributions are made in a timely manner in the amounts  
22 required by section 352.04. Employee contributions must be  
23 deducted from salary. Employer contributions are the sole  
24 obligation of the employer assuming operation of the University  
25 of Minnesota heating plant facilities or any successor  
26 organizations to that employer."

27 Page ....., after line ....., insert:

28 "Sec. .... . Minnesota Statutes 2000, section 352.01,  
29 subdivision 2b, is amended to read:

30 Subd. 2b. [EXCLUDED EMPLOYEES.] "State employee" does not  
31 include:

32 (1) ~~elective state officers;~~

33 ~~{2} students employed by the University of Minnesota, or~~  
34 ~~the state colleges and universities, and community colleges~~  
35 ~~unless approved for coverage by the board of regents or the~~  
36 ~~board of trustees of the Minnesota state colleges and~~

1 universities, as the case may be;

2 ~~(3)~~ (2) employees who are eligible for membership in the  
3 state teachers retirement association except employees of the  
4 department of children, families, and learning who have chosen  
5 or may choose to be covered by the Minnesota state retirement  
6 system instead of the teachers retirement association;

7 ~~(4)~~ (3) employees of the University of Minnesota who are  
8 excluded from coverage by action of the board of regents;

9 ~~(5)~~ (4) officers and enlisted personnel in the national  
10 guard and the naval militia who are assigned to permanent  
11 peacetime duty and who under federal law are or are required to  
12 be members of a federal retirement system;

13 ~~(6)~~ (5) election officers;

14 ~~(7)~~ (6) persons engaged in public work for the state but  
15 employed by contractors when the performance of the contract is  
16 authorized by the legislature or other competent authority;

17 ~~(8)~~ (7) officers and employees of the senate and house of  
18 representatives or a legislative committee or commission who are  
19 temporarily employed;

20 ~~(9)~~ (8) receivers, jurors, notaries public, and court  
21 employees who are not in the judicial branch as defined in  
22 section 43A.02, subdivision 25, except referees and adjusters  
23 employed by the department of labor and industry;

24 ~~(10)~~ (9) patient and inmate help in state charitable,  
25 penal, and correctional institutions including the Minnesota  
26 veterans home;

27 ~~(11)~~ (10) persons employed for professional services where  
28 the service is incidental to regular professional duties and  
29 whose compensation is paid on a per diem basis;

30 ~~(12)~~ (11) employees of the Sibley House Association;

31 ~~(13)~~ (12) the members of any state board or commission who  
32 serve the state intermittently and are paid on a per diem basis;  
33 the secretary, secretary-treasurer, and treasurer of those  
34 boards if their compensation is \$5,000 or less per year, or, if  
35 they are legally prohibited from serving more than three years;  
36 and the board of managers of the state agricultural society and

1 its treasurer unless the treasurer is also its full-time  
2 secretary;

3 ~~(14)~~ (13) state troopers;

4 ~~(15)~~ (14) temporary employees of the Minnesota state fair  
5 employed on or after July 1 for a period not to extend beyond  
6 October 15 of that year; and persons employed at any time by the  
7 state fair administration for special events held on the  
8 fairgrounds;

9 ~~(16)~~ (15) emergency employees in the classified service;  
10 except that if an emergency employee, within the same pay  
11 period, becomes a provisional or probationary employee on other  
12 than a temporary basis, the employee shall be considered a  
13 "state employee" retroactively to the beginning of the pay  
14 period;

15 ~~(17)~~ (16) persons described in section 352B.01, subdivision  
16 2, clauses (2) to (5);

17 ~~(18)~~ (17) temporary employees in the classified service,  
18 and temporary employees in the unclassified service appointed  
19 for a definite period of not more than six months and employed  
20 less than six months in any one-year period;

21 ~~(19)~~ (18) trainee employees, except those listed in  
22 subdivision 2a, clause (10);

23 ~~(20)~~ (19) persons whose compensation is paid on a fee  
24 basis;

25 ~~(21)~~ (20) state employees who are employed by the board of  
26 trustees of the Minnesota state colleges and universities in  
27 unclassified positions enumerated in section 43A.08, subdivision  
28 1, clause (9);

29 (21) state employees who in any year have credit for 12  
30 months service as teachers in the public schools of the state  
31 and as teachers are members of the teachers retirement  
32 association or a retirement system in St. Paul, Minneapolis, or  
33 Duluth;

34 (22) employees of the adjutant general employed on an  
35 unlimited intermittent or temporary basis in the classified and  
36 unclassified service for the support of army and air national



1 guard training facilities;

2 (23) chaplains and nuns who are excluded from coverage  
3 under the federal Old Age, Survivors, Disability, and Health  
4 Insurance Program for the performance of service as specified in  
5 United States Code, title 42, section 410(a)(8)(A), as amended,  
6 if no irrevocable election of coverage has been made under  
7 section 3121(r) of the Internal Revenue Code of 1986, as amended  
8 through December 31, 1992;

9 (24) examination monitors employed by departments,  
10 agencies, commissions, and boards to conduct examinations  
11 required by law;

12 (25) persons appointed to serve as members of fact-finding  
13 commissions or adjustment panels, arbitrators, or labor referees  
14 under chapter 179;

15 (26) temporary employees employed for limited periods under  
16 any state or federal program for training or rehabilitation  
17 including persons employed for limited periods from areas of  
18 economic distress except skilled and supervisory personnel and  
19 persons having civil service status covered by the system;

20 (27) full-time students employed by the Minnesota  
21 historical society intermittently during part of the year and  
22 full-time during the summer months;

23 (28) temporary employees, appointed for not more than six  
24 months, of the metropolitan council and of any of its statutory  
25 boards, if the board members are appointed by the metropolitan  
26 council;

27 (29) persons employed in positions designated by the  
28 department of employee relations as student workers;

29 (30) members of trades employed by the successor to the  
30 metropolitan waste control commission with trade union pension  
31 plan coverage under a collective bargaining agreement first  
32 employed after June 1, 1977;

33 (31) persons employed in subsidized on-the-job training,  
34 work experience, or public service employment as enrollees under  
35 the federal Comprehensive Employment and Training Act after  
36 March 30, 1978, unless the person has as of the later of March

1 30, 1978, or the date of employment sufficient service credit in  
2 the retirement system to meet the minimum vesting requirements  
3 for a deferred annuity, or the employer agrees in writing on  
4 forms prescribed by the director to make the required employer  
5 contributions, including any employer additional contributions,  
6 on account of that person from revenue sources other than funds  
7 provided under the federal Comprehensive Employment and Training  
8 Act, or the person agrees in writing on forms prescribed by the  
9 director to make the required employer contribution in addition  
10 to the required employee contribution;

11 (32) off-duty peace officers while employed by the  
12 metropolitan council;

13 (33) persons who are employed as full-time police officers  
14 by the metropolitan council and as police officers are members  
15 of the public employees police and fire fund;

16 (34) persons who are employed as full-time firefighters by  
17 the department of military affairs and as firefighters are  
18 members of the public employees police and fire fund;

19 (35) foreign citizens with a work permit of less than three  
20 years, or an H-1b/JV visa valid for less than three years of  
21 employment, unless notice of extension is supplied which allows  
22 them to work for three or more years as of the date the  
23 extension is granted, in which case they are eligible for  
24 coverage from the date extended; and

25 (36) persons who are employed by the board of trustees of  
26 the Minnesota state colleges and universities and who elect to  
27 remain members of the public employees retirement association or  
28 the Minneapolis employees retirement fund, whichever applies,  
29 under section 136C.75."

30 Page ....., after line ....., insert:

31 "Sec. .... . Minnesota Statutes 2000, section 352.113,  
32 subdivision 4, is amended to read:

33 Subd. 4. [MEDICAL OR PSYCHOLOGICAL EXAMINATIONS;  
34 AUTHORIZATION FOR PAYMENT OF BENEFIT.] An applicant shall  
35 provide medical or psychological evidence to support an  
36 application for total and permanent disability. The director

1 shall have the employee examined by at least one additional  
2 licensed chiropractor, physician, or psychologist designated by  
3 the medical adviser. The chiropractors, physicians, or  
4 psychologists shall make written reports to the director  
5 concerning the employee's disability including medical opinions  
6 as to whether the employee is permanently and totally disabled  
7 within the meaning of section 352.01, subdivision 17. The  
8 director shall also obtain written certification from the  
9 employer stating whether the employment has ceased or whether  
10 the employee is on sick leave of absence because of a disability  
11 that will prevent further service to the employer and as a  
12 consequence the employee is not entitled to compensation from  
13 the employer. The medical adviser shall consider the reports of  
14 the physicians, psychologists, and chiropractors and any other  
15 evidence supplied by the employee or other interested parties.  
16 If the medical adviser finds the employee totally and  
17 permanently disabled, the adviser shall make appropriate  
18 recommendation to the director in writing together with the date  
19 from which the employee has been totally disabled. The director  
20 shall then determine if the disability occurred within 180 days  
21 of filing the application, while still in the employment of the  
22 state, and the propriety of authorizing payment of a disability  
23 benefit as provided in this section. A terminated employee may  
24 apply for a disability benefit within 180 days of termination as  
25 long as the disability occurred while in the employment of the  
26 state. The fact that an employee is placed on leave of absence  
27 without compensation because of disability does not bar that  
28 employee from receiving a disability benefit. Unless payment of  
29 a disability benefit has terminated because the employee is no  
30 longer totally disabled, or because the employee has reached  
31 normal retirement age as provided in this section, the  
32 disability benefit shall cease with the last payment received by  
33 the disabled employee or which had accrued during the lifetime  
34 of the employee unless there is a spouse surviving; in that  
35 event the surviving spouse is entitled to the disability benefit  
36 for the calendar month in which the disabled employee died."

1 Page . . . . , after line . . . . , insert:

2 "Sec. . . . . Minnesota Statutes 2000, section 352.113,  
3 subdivision 6, is amended to read:

4 Subd. 6. [REGULAR MEDICAL OR PSYCHOLOGICAL EXAMINATIONS.]

5 At least once each year during the first five years following  
6 the allowance of a disability benefit to any employee, and at  
7 least once in every three-year period thereafter, the director  
8 may require any disabled employee to undergo a medical or  
9 psychological examination. The examination must be made at the  
10 place of residence of the employee, or at any place mutually  
11 agreed upon, by a physician or physicians designated by the  
12 medical adviser and engaged by the director. If any examination  
13 indicates to the medical adviser that the employee is no longer  
14 permanently and totally disabled, or is engaged in or can engage  
15 in a gainful occupation, payments of the disability benefit by  
16 the fund must be discontinued. The payments shall discontinue  
17 as soon as the employee is reinstated to the payroll following  
18 sick leave, but in no case shall payment be made for more than  
19 60 days after the medical adviser finds that the employee is no  
20 longer permanently and totally disabled."

21 Page . . . . , after line . . . . , insert:

22 "Sec. . . . . Minnesota Statutes 2000, section 352.22,  
23 subdivision 8, is amended to read:

24 Subd. 8. [REFUND SPECIFICALLY LIMITED.] If a former  
25 employee covered by the system does not apply for refund within  
26 five years after the last deduction was taken from salary for  
27 the retirement fund, and does not have enough service to qualify  
28 for a deferred annuity, accumulated contributions must be  
29 credited to and become a part of the retirement fund. If the  
30 former employee returns to state service and becomes a state  
31 employee covered by the system, the amount credited to the  
32 retirement fund, if more than ~~\$2~~ \$25, shall be restored to the  
33 individual account. If the amount credited to the fund is over  
34 ~~\$2~~ \$25 and the former employee applies for refund or an annuity  
35 under section 352.72, the amount must be restored to the former  
36 employee's individual account and refund made or annuity paid

1 whichever applies."

2 Page ....., after line ....., insert:

3 "Sec. .... . Minnesota Statutes 2000, section 352B.101, is  
4 amended to read:

5 352B.101 [APPLICATION FOR DISABILITY BENEFIT.]

6 A member claiming a disability benefit must file a written  
7 application for benefits in the office of the system in a form  
8 and manner prescribed by the executive director. The member  
9 shall provide medical or psychological evidence to support the  
10 application. The benefit begins to accrue the day following the  
11 start of disability or the day following the last day for which  
12 the member was paid, whichever is later, but not earlier than  
13 180 days before the date the application is filed with the  
14 executive director."

15 Page ....., after line ....., insert:

16 "Sec. .... . Minnesota Statutes 2000, section 354.05,  
17 subdivision 2, is amended to read:

18 Subd. 2. [TEACHER.] (a) "Teacher" means:

19 (1) a person who renders service as a teacher, supervisor,  
20 principal, superintendent, librarian, nurse, counselor, social  
21 worker, therapist, or psychologist in the public schools of the  
22 state located outside of the corporate limits of the cities of  
23 the first class ~~or-in-the-Minnesota-state-colleges-and~~  
24 ~~universities-system,~~ or in any charitable, penal, or  
25 correctional institutions of a governmental subdivision, or who  
26 is engaged in educational administration in connection with the  
27 state public school system, ~~including-the-Minnesota-state~~  
28 ~~colleges-and-universities-system,~~ but excluding the University  
29 of Minnesota, whether the position be a public office or an  
30 employment, not including members or officers of any general  
31 governing or managing board or body;

32 (2) an employee of the teachers retirement association  
33 ~~unless-the-employee-is-covered-by-the-Minnesota-state-retirement~~  
34 ~~system-due-to-prior-employment-by-that-system;~~

35 (3) a person who renders teaching service on a part-time  
36 basis and who also renders other services for a single employing

1 unit. A person whose teaching service comprises at least 50  
 2 percent of the combined employment salary is a member of the  
 3 association for all services with the single employing unit. If  
 4 the person's teaching service comprises less than 50 percent of  
 5 the combined employment salary, the executive director must  
 6 determine whether all or none of the combined service is covered  
 7 by the association; or

8 (4) a person not covered by the plans established under  
 9 chapter 352D, 354A, or 354B and who is employed by the board of  
 10 trustees of the Minnesota state colleges and universities system  
 11 in an unclassified position as a:

12 (i) president, vice-president, or dean;

13 (ii) other manager or professional in an academic or  
 14 academic support program;

15 (iii) administrative or service support faculty; or

16 (iv) teacher or research assistant.

17 (b) Teacher does not mean:

18 (1) a person who works for a school or institution as an  
 19 independent contractor as defined by the Internal Revenue  
 20 Service;

21 (2) a person employed in subsidized on-the-job training,  
 22 work experience or public service employment as an enrollee  
 23 under the federal Comprehensive Employment and Training Act from  
 24 and after March 30, 1978, unless the person has, as of the later  
 25 of March 30, 1978, or the date of employment, sufficient service  
 26 credit in the retirement association to meet the minimum vesting  
 27 requirements for a deferred retirement annuity, or the employer  
 28 agrees in writing on forms prescribed by the executive director  
 29 to make the required employer contributions, including any  
 30 employer additional contributions, on account of that person  
 31 from revenue sources other than funds provided under the federal  
 32 Comprehensive Training and Employment Act, or the person agrees  
 33 in writing on forms prescribed by the executive director to make  
 34 the required employer contribution in addition to the required  
 35 employee contribution;

36 (3) a person holding a part-time adult supplementary

1 technical college license who renders part-time teaching service  
2 or a customized trainer as defined by the Minnesota state  
3 colleges and universities system in a technical college if (i)  
4 the service is incidental to the regular nonteaching occupation  
5 of the person; and (ii) the applicable technical college  
6 stipulates annually in advance that the part-time teaching  
7 service or customized training service will not exceed 300 hours  
8 in a fiscal year and retains the stipulation in its records; and  
9 (iii) the part-time teaching service or customized training  
10 service actually does not exceed 300 hours in a fiscal year; or  
11 (4) a person exempt from licensure under section 122A.30."

12 Page ....., after line ....., insert:

13 "Sec. .... . Minnesota Statutes 2000, section 354.52,  
14 subdivision 4, is amended to read:

15 Subd. 4. [REPORTING AND REMITTANCE REQUIREMENTS.] An  
16 employer shall remit all amounts due to the association and  
17 furnish a statement indicating the amount due and transmitted  
18 with any other information required by the executive director.  
19 If an amount due is not received by the association within ~~seven~~  
20 14 calendar days of the payroll warrant, the amount accrues  
21 interest at an annual rate of 8.5 percent compounded annually  
22 from the due date until the amount is received by the  
23 association. All amounts due and other employer obligations not  
24 remitted within 60 days of notification by the association must  
25 be certified to the commissioner of finance who shall deduct the  
26 amount from any state aid or appropriation amount applicable to  
27 the employing unit."

28 Page ....., after line ....., insert:

29 "Sec. .... . [EFFECTIVE DATE.]

30 Sections .... to .... [all sections in LCPR01-165] are  
31 effective on July 1, 2001."

32 Renumber the sections

33 Correct internal cross-references

34 Amend the title accordingly