

1.1 moves to amend H.F. No. 2266; S.F. No. 1891, as follows:

1.2 Page 6, after line 31, insert:

1.3 "Sec. 3. Minnesota Statutes 2010, section 353.656, subdivision 2, is amended to read:

1.4 Subd. 2. **Benefits paid under workers' compensation law.** (a) If a member, ~~as~~
1.5 ~~described in subdivision 1, is injured under circumstances which entitle the member to~~
1.6 ~~receive benefits under the~~ becomes disabled and receives a disability benefit as specified
1.7 in this section and is also entitled to receive lump sum or periodic benefits under workers'
1.8 compensation law, the member shall receive the same benefits as provided in subdivision
1.9 1, with disability benefits paid reimbursed and future benefits reduced by all periodic or
1.10 lump-sum amounts, other than those amounts excluded under paragraph (b), paid to the
1.11 member under the workers' compensation law, after deduction of amount of attorney fees,
1.12 authorized under applicable workers' compensation laws, paid by a disablitant if the total
1.13 of laws, the single life annuity actuarial equivalent disability benefit amount and the
1.14 workers' compensation benefit exceeds: amount must be added. The computation must
1.15 exclude any attorney fees paid by the disablitant as authorized under applicable workers'
1.16 compensation laws. The computation must also exclude permanent partial disability
1.17 payments provided under section 176.101, subdivision 2a, and retraining payments under
1.18 section 176.102, subdivision 11, if the permanent partial disability or retraining payments
1.19 are reported to the executive director in a manner specified by the executive director.

1.20 (b) The equivalent salary is the amount determined under clause (1) or (2),
1.21 whichever is greater:

1.22 (1) the salary the disabled member received as of the date of the disability; or

1.23 (2) the salary currently payable for the same employment position or ~~an employment~~
1.24 ~~position~~ substantially similar to the one the person held as of the date of the disability,
1.25 ~~whichever is greater. The disability benefit must be reduced to that amount which, when~~
1.26 ~~added to the workers' compensation benefits, does not exceed the greater of the salaries~~
1.27 ~~described in clauses (1) and (2) positions in the applicable government subdivision.~~

2.1 ~~(b) Permanent partial disability payments provided for in section 176.101,~~
2.2 ~~subdivision 2a, and retraining payments provided for in section 176.102, subdivision 11,~~
2.3 ~~must not be offset from disability payments due under paragraph (a) if the amounts of~~
2.4 ~~the permanent partial or retraining payments are reported to the executive director in a~~
2.5 ~~manner specified by the executive director.~~

2.6 (c) If the amount determined under paragraph (a) exceeds the equivalent salary
2.7 determined under paragraph (b), the disability benefit amount must be reduced to that
2.8 amount which, when added to the workers' compensation benefits, equals the equivalent
2.9 salary.

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

2.11 Renumber the sections in sequence

2.12 Amend the title accordingly