

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor April 9, 1992

Signed by the governor April 10, 1992, 2:10 p.m.

CHAPTER 443—H.F.No. 1350

An act relating to retirement; major and statewide retirement plans; crediting service and salary when back pay is awarded in the event of a wrongful discharge; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1991 Supplement, section 353.27, subdivision 5a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [356.50] SERVICE AND SALARY CREDIT FROM BACK PAY AWARDS IN THE EVENT OF WRONGFUL DISCHARGE.

(a) A person who is wrongfully discharged from public employment that gave rise to coverage by a public employee pension plan listed in section 356.30, subdivision 3, is entitled to obtain allowable service credit from the applicable public employee pension plan for the applicable period caused by the wrongful discharge. A person is wrongfully discharged for purposes of this section if:

(1) the person has been determined by a court of competent jurisdiction or an arbitrator in binding arbitration to have been wrongfully discharged from public employment;

(2) the person received an award of back pay with respect to that discharge; and

(3) the award does not include any amount for any lost or interrupted public pension plan coverage.

(b) To obtain the public pension plan allowable service credit, the person shall pay the required member contribution amount. The required member contribution amount is the member contribution rate or rates in effect for the pension plan during the period of service covered by the back pay award, applied to the unpaid gross salary amounts of the back pay award including unemployment compensation, workers' compensation or wages from other sources which reduced the back award. No contributions shall be made under this clause for compensation covered by a public pension plan listed in section 356.30, subdivision 3, for employment during the removal period. The person shall pay the required member contribution amount within 60 days of the date of receipt of the back pay award, within 60 days of the effective date of this section, or within 60 days of a billing from the retirement fund, whichever is later.

New language is indicated by underline, deletions by ~~strikeout~~.

(c) The public employer who wrongfully discharged the public employee must pay an employer contribution on the back pay award. The employer contribution must be based on the employer contribution rate or rates in effect for the pension plan during the period of service covered by the back pay award, applied to the salary amount on which the member contribution amount was determined under paragraph (b). Interest on both the required member and employer contribution amount must be paid by the employer at the annual compound rate of 8.5 percent per year, expressed monthly, between the date the contribution amount would have been paid to the date of actual payment. The employer payment must be made within 30 days of the payment under paragraph (b).

Sec. 2. REPEALER.

Minnesota Statutes 1991 Supplement, section 353.27, subdivision 5a, is repealed.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective on the day following final enactment.

Presented to the governor April 10, 1992

Signed by the governor April 13, 1992, 1:20 p.m.

CHAPTER 444—H.F.No. 1978

An act relating to health; delaying the effective date of rules regulating ionizing radiation; requiring a study.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. IONIZING RADIATION QUALITY ASSURANCE PROGRAM AND PROCEDURES.

Subdivision 1. DELAY OF APPLICATION OF PARTS OF EXISTING RULES. Except as they relate to mammographic procedures, Minnesota Rules, parts 4730.1655; 4730.1670; 4730.1675, subpart 1; 4730.1688; 4730.1690, subpart 1; and 4730.1691, subparts 1 to 3, 4, items A to I and K, subparts 7, 9, and 11, items A to D and F, and subpart 12, are not effective before July 1, 1993. Unless amended pursuant to subdivision 2, all of the rules cited in this subdivision are effective July 1, 1993.

Subd. 2. RULEMAKING. The commissioner of health shall review the rules listed in subdivision 1 in order to determine their appropriateness for and application to medical, dental, chiropractic, podiatric, osteopathic, and veterinary medicine facilities. As part of this review the commissioner shall consult with those health-related licensing boards defined in section 214.01 which are subject to the provisions of the ionizing radiation rules, and the commissioner shall also consult with representatives of the affected health care professions.

New language is indicated by underline, deletions by ~~strikeout~~.