

Presented to the governor May 7, 1993

Signed by the governor May 10, 1993, 3:02 p.m.

CHAPTER 120—H.F.No. 157

An act relating to retirement; authorizing the purchase of prior service credit in the public employees police and fire fund by two employees of the city of Minneapolis.

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

Section 1. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION POLICE AND FIRE FUND; PURCHASE OF PRIOR SERVICE CREDIT.

Subdivision 1. ELIGIBILITY. (a) Notwithstanding any provision of Minnesota Statutes, section 353.27, subdivision 12, to the contrary, eligible individuals described in paragraph (b), clause (1) or (2), are entitled to purchase allowable service credit in the public employees retirement association police and fire fund for the period described in paragraph (c).

(b) An eligible person is a person who:

(1) was born on May 28, 1941, is a current member of the public employees police and fire fund, is employed by the Minneapolis park board beginning in 1967, became eligible for public employees retirement association police and fire fund membership on January 1, 1981, but who did not become a member at that time because no employee or employer contribution was made;

(2) was born on April 19, 1928, is a current member of the public employees police and fire fund, is employed by the Minneapolis park board beginning in 1960, became eligible for public employees retirement association police and fire fund membership on January 1, 1980, but who did not become a member at that time because no employee or employer contribution was made.

(c) The period for service credit purchase is the period of eligible service between January 1981 and January 1988, for the individual described in paragraph (b), clause (1), and the period of eligible service between January 1980 and January 1987 for the individual described in paragraph (b), clause (2), as determined by the executive director of the public employees retirement association based on satisfactory evidence of the eligible person's employment status.

Subd. 2. PURCHASE PAYMENT AMOUNT. (a) To purchase credit for prior eligible service under subdivision 1, there must be paid to the public employees retirement association police and fire fund an amount equal to the present value on the date of payment, of the amount of the additional retirement annuity obtained by purchase of the additional service credit.

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(b) Calculation of this amount must be made by the executive director of the public employees retirement association using the applicable preretirement interest rate specified in Minnesota Statutes, section 356.215, subdivision 4d, and the mortality table adopted for the public employees retirement association police and fire fund. The calculation must assume continuous future service in the association until, and retirement at, the age at which the minimum requirements of the retirement association for normal retirement or retirement with an annuity unreduced for retirement at an early age, including Minnesota Statutes, section 356.30, are met with the additional service credit purchased. The calculation must also assume a future salary history that includes annual salary increases at the salary increase rate specified in Minnesota Statutes, section 356.215, subdivision 4d.

(c) The eligible persons must establish in the records of the association proof of the service for which the purchase of prior service is requested. The manner of the proof of service must be in accordance with procedures prescribed by the executive director of the retirement association.

(d) The portion of the total cost of the purchase payable by the eligible persons is specified in subdivision 3. The remaining portion of total cost is to be paid by the applicable employing unit as specified in subdivision 4.

Subd. 3. ELIGIBLE PERSON PAYMENT. (a) To receive credit for the period of service credit purchase specified in subdivision 1, paragraph (c), the eligible persons specified in subdivision 1, paragraph (b), clause (1) or (2), must pay a member contribution equivalent amount.

(b) The member contribution equivalent amount is an amount equal to the employee contribution rate or rates in effect during the period of prior eligible noncredited service, applied to the actual salary rate or rates in effect during those periods of service, plus six percent annually compounded interest from the date on which a member contribution should have been made if membership during the period of service credit purchase had been properly determined to the date on which payment is made. Payment must be made in a lump sum on or before September 1, 1993.

Subd. 4. MANDATORY EMPLOYING UNIT PAYMENT. Within 60 days of the receipt by the executive director of the public employees retirement association of the payment from the eligible person or persons under subdivision 3, the Minneapolis park board shall pay in a lump sum the difference between the amounts for that person as specified in subdivisions 2 and 3.

Subd. 5. SERVICE CREDIT GRANT. Service credit for the purchase period must be granted to the account of the eligible person upon receipt of the purchase payment amount specified in subdivision 2.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective upon approval by the Minneapolis park and recreation board and compliance with Minnesota Statutes, section 645.021.

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

Presented to the governor May 10, 1993

Signed by the governor May 11, 1993, 5:45 p.m.

CHAPTER 121—H.F.No. 134

An act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring health professionals to report occurrences of adverse reactions resulting from optometrist's prescription of topical legend drugs; requiring reports; modifying the definition of practice of medicine; amending Minnesota Statutes 1992, sections 147.081, subdivision 3; 147.111, subdivision 4; 148.57, subdivision 3; 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Section 1. Minnesota Statutes 1992, section 147.081, subdivision 3, is amended to read:

Subd. 3. **PRACTICE OF MEDICINE DEFINED.** For purposes of this chapter, a person not exempted under section 147.09 is "practicing medicine" or engaged in the "practice of medicine" if the person does any of the following:

(1) advertises, holds out to the public, or represents in any manner that the person is authorized to practice medicine in this state;

(2) offers or undertakes to prescribe, give, or administer any drug or medicine for the use of another;

(3) offers or undertakes to prevent or to diagnose, correct, or treat in any manner or by any means, methods, devices, or instrumentalities, any disease, illness, pain, wound, fracture, infirmity, deformity or defect of any person;

(4) offers or undertakes to perform any surgical operation including any invasive or noninvasive procedures involving the use of a laser or laser assisted device, upon any person;

(5) offers to undertake to use hypnosis for the treatment or relief of any wound, fracture, or bodily injury, infirmity, or disease; or

(6) uses in the conduct of any occupation or profession pertaining to the diagnosis of human disease or conditions, the designation "doctor of medicine," "medical doctor," "doctor of osteopathy," "osteopath," "osteopathic physician," "physician," "surgeon," "M.D.," "D.O.," or any combination of these designations.

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