

Sec. 4. Minnesota Statutes 1994, section 211B.15, is amended by adding a subdivision to read:

Subd. 17. **NONPROFIT CORPORATION POLITICAL ACTIVITY.** It is not a violation of this section for a nonprofit corporation to provide administrative assistance to one political committee or political fund that is associated with the nonprofit corporation and registered with the ethical practices board under section 10A.14. Such assistance must be limited to accounting, clerical or legal services, bank charges, utilities, office space, and supplies. The records of the political committee or political fund may be kept on the premises of the nonprofit corporation.

The administrative assistance provided by the nonprofit corporation to the political committee or political fund is limited annually to the lesser of \$5,000 or 7-1/2 percent of the expenditures of the political committee or political fund.

Sec. 5. **REPEALER.**

Minnesota Statutes 1994, section 10A.324, subdivision 5, is repealed.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor April 4, 1996

Signed by the governor April 11, 1996, 12:10 p.m.

CHAPTER 460—S.F.No. 2175

An act relating to retirement and public employment; modifying benefits for certain former participants in the Minnesota state retirement system; authorizing additional service credits for certain University of Minnesota hospital and clinics employees; authorizing additional augmentation for employees of the University of Minnesota hospital and clinics who terminate participation in the Minnesota state retirement system; imposing conditions protecting the rights of employees on any integration of the University of Minnesota hospital and clinics and Fairview hospital and healthcare services; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 352F; repealing Minnesota Statutes 1994, section 268.9783, subdivision 8.

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

ARTICLE 1

RETIREMENT BENEFITS

Section 1. **[352F.01] PURPOSE.**

The purpose of this chapter is to assure, to the extent possible, that persons employed at the University of Minnesota hospital and clinics will be entitled to receive

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future retirement benefits under the general state employees retirement plan of the Minnesota state retirement system commensurate with the prior contributions made by them or on their behalf upon the integration of the University of Minnesota hospital and clinics and Fairview hospital and healthcare services.

Sec. 2. [352F.02] DEFINITIONS.

Subdivision 1. DEFINITIONS. As used in this chapter, unless the context or subject matter indicates otherwise, the following terms have the meanings given in this section.

Subd. 2. ALLOWABLE SERVICE. "Allowable service" has the meaning provided in Minnesota Statutes 1994, section 352.01, subdivision 11.

Subd. 3. EFFECTIVE DATE. "Effective date" is the date terminated hospital employees transfer employment to Fairview under a definitive integration agreement between the University of Minnesota and Fairview.

Subd. 4. FAIRVIEW. "Fairview" means Fairview hospital and healthcare services, a Minnesota nonprofit corporation, and its successors.

Subd. 5. SECTION. "Section" means the designated section of Minnesota Statutes.

Subd. 6. TERMINATED HOSPITAL EMPLOYEE. "Terminated hospital employee" means a person who:

(1) was employed on the day before the effective date by the University of Minnesota at the University of Minnesota hospital and clinics and was paid on a biweekly payroll;

(2) terminated employment with the University of Minnesota on the day before the effective date; and

(3) was a participant in the general state employees retirement plan of the Minnesota state retirement system at the time of termination of employment with the University of Minnesota.

Subd. 7. UNIVERSITY OF MINNESOTA. "University of Minnesota" means University of Minnesota hospital and clinics, the hospitals and clinics operated by the regents of the University of Minnesota.

Subd. 8. YEARS OF ALLOWABLE SERVICE. "Years of allowable service" has the meaning provided in Minnesota Statutes 1994, section 352.01, subdivision 16.

Sec. 3. [352F.03] VESTING RULE FOR CERTAIN EMPLOYEES.

Notwithstanding any provision of chapter 352 to the contrary, a terminated hospital employee is eligible to receive a retirement annuity under Minnesota Statutes 1994, section 352.115, without regard to the requirement for three years of allowable service.

Sec. 4. [352F.04] AUGMENTATION INTEREST RATE FOR TERMINATED UNIVERSITY HOSPITAL EMPLOYEES.

The deferred annuity of a terminated hospital employee is subject to augmentation in accordance with Minnesota Statutes 1994, section 352.72, subdivision 2, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1

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following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated hospital employee becomes covered again by a retirement fund enumerated in section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred hospital employee who begins receipt of a retirement annuity while employed by Fairview.

Sec. 5. [352F.05] AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.

For purpose of determining eligibility for early retirement benefits provided under Minnesota Statutes 1994, section 352.116, subdivision 1, paragraphs (a) and (b), and notwithstanding any provision of chapter 352 to the contrary, the years of allowable service for a terminated hospital employee who transfers to employment at Fairview on the effective date and does not apply for a refund of contributions under Minnesota Statutes 1994, section 352.22, subdivision 2, or any similar provision in future Minnesota Statutes, includes service with Fairview following the effective date. Fairview shall provide any reports that the executive director of the Minnesota state retirement system may reasonably request to permit calculation of benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with Fairview. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following application procedures under section 352.115, subdivision 7.

Sec. 6. [352F.06] APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.

The reemployed annuitant earnings limitations of section 352.115, subdivision 10, apply to any service by a terminated hospital employee as an employee of Fairview.

Sec. 7. [352F.07] EFFECT ON REFUND.

Notwithstanding any provision of chapter 352 to the contrary, terminated hospital employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with Minnesota Statutes 1994, section 352.22, subdivision 2, at any time after the transfer of employment to Fairview. If a terminated hospital employee has received a refund from a pension plan enumerated in section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with section 356.30, subdivision 2.

Sec. 8. [352F.08] COUNSELING SERVICES.

The University of Minnesota hospital and clinics and the Minnesota state retirement system shall provide terminated hospital employees with counseling on their benefits available under the general state employees retirement plan of the Minnesota state retirement system.

Sec. 9. EFFECTIVE DATE.

Sections 1 to 8 are effective as of the date employees of the University of Minnesota cease to be members of the Minnesota state retirement system as a result of an integration agreement between the University of Minnesota and Fairview.

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ARTICLE 2

CONDITIONS FOR INTEGRATION AGREEMENT

Section 1. **DISLOCATED WORKERS AND WORKERS AT RISK.**

Fairview and the appropriate exclusive representatives shall apply for a grant or grants under Minnesota Statutes, chapter 268, and shall follow prescribed guidelines in administering the grant or grants in order to provide training or retraining for permanent or regular represented and unrepresented employees of the University of Minnesota hospital and clinics and Fairview hospital and healthcare services who become or are at risk of becoming dislocated workers as a result of an integration agreement between the university and Fairview. Implementation of this section must be assigned to a committee comprising:

(1) one representative of each bargaining unit of employees at the University of Minnesota hospital and clinics and Fairview hospital and healthcare services, selected by the exclusive representatives of those employees under collective bargaining agreements in force the day before the effective date of this section; and

(2) an equal number of employer representatives appointed by Fairview.

Subsequent changes in bargaining unit representation on the committee, if any, are subject to national labor relations board procedures.

The committee shall apply for grants under Minnesota Statutes, chapter 268. Instead, or in addition, it may apply for any available federal money for dislocated workers. The committee shall select the vendor or vendors to provide training or retraining under this section.

University of Minnesota hospital and clinic employees who are laid off as a result of the integration agreement and do not become Fairview employees may be given access to the University of Minnesota dislocated worker program. The university is requested to apply for an additional grant or for additional grants under Minnesota Statutes, chapter 268, for University of Minnesota hospital and clinics employees who are at risk of becoming dislocated workers as a result of the integration agreement.

Sec. 2. **APPROPRIATION.**

(a) \$1,800,000 is appropriated to the commissioner of finance, to be held for the board of regents of the University of Minnesota for its use in providing transitional funding for University of Minnesota hospital and clinics employees who become employees of Fairview hospital and healthcare services or a new entity as a result of an integration agreement between the university and Fairview. Transitional funding must be used exclusively for university employees' transitional needs, such as, but not limited to, health benefits and educational opportunities. The commissioner shall release the money appropriated by this section to the regents:

(1) upon the board's adoption of a transitional funding plan agreed to by the exclusive representatives; and

(2) after the board has matched this appropriation dollar-for-dollar.

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(b) If the board of regents has not reached an agreement on a transitional funding plan with the exclusive representatives by October 1, 1996, the commissioner may release half of the appropriated money, and the regents may use half of the university's matching amount, for unrepresented employees. If no agreement with the exclusive representatives is reached by October 1, 1998, the rest of the money may be released and used for purposes of this section.

(c) This appropriation is available until June 30, 1999.

Sec. 3. REPEALER.

Minnesota Statutes 1994, section 268.9783, subdivision 8, is repealed.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective the day following final enactment.

Presented to the governor April 4, 1996

Signed by the governor April 11, 1996, 11:48 a.m.

CHAPTER 461—S.F.No. 2886

An act relating to state finance; setting the amount of the budget reserve; reducing the property tax recognition shift; providing for adjustments to appropriations following forecasts of general fund revenues and expenditures; appropriating money; amending Minnesota Statutes 1995 Supplement, sections 16A.152, subdivision 2; and 121.904, subdivision 4a; repealing 1996 House File No. 2156, article 14, section 4.

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

Section 1. Minnesota Statutes 1995 Supplement, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **ADDITIONAL REVENUES; PRIORITY.** If on the basis of a forecast of general fund revenues and expenditures the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money to the budget reserve until the total amount in the account is ~~\$220,000,000~~ \$270,000,000. An amount equal to any additional biennial unrestricted budgetary general fund balances balance made available after November 1 of every as the result of a forecast in an odd-numbered calendar year are after November 1 is appropriated in January of the following year to reduce the property tax levy recognition percent under section 121.904, subdivision 4a, to zero before additional money beyond \$220,000,000 \$270,000,000 is allocated to the budget reserve account. The amount appropriated is the full amount forecast to be available at the end of the biennium and is not limited to the amount forecast to be available at the end of the current fiscal year.

The amounts necessary to meet the requirements of this section are appropriated from the general fund.

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