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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3716

03/30/2016 Authored by O'Driscoll

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act  
1.2 relating to retirement; Minnesota State Retirement System; revising augmentation  
1.3 interest rates for certain terminated privatized employees; amending Minnesota  
1.4 Statutes 2014, section 352F.04, subdivisions 1, 2, by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2014, section 352F.04, subdivision 1, is amended to read:

1.7 Subdivision 1. **Enhanced augmentation rates.** ~~(a)~~ The deferred annuity of a  
1.8 terminated hospital employee ~~who attained that status before June 2, 2006,~~ is subject to  
1.9 augmentation under Minnesota Statutes 1994, section 352.72, subdivision 2, except that  
1.10 the rate of augmentation is 5.5 percent compounded annually until the earlier of January 1  
1.11 following the year in which the person attains age 55 or December 31, 2016. ~~From that date~~  
1.12 ~~to the effective date of retirement~~ January 1 following the year in which the person attains  
1.13 age 55 to December 31, 2016, the augmentation rate is 7.5 percent compounded annually.

1.14 ~~(b) If a terminated hospital employee attained that status on or after June 2, 2006, the~~  
1.15 ~~augmentation rate is four percent compounded annually until January 1, following the~~  
1.16 ~~year in which the person attains age 55. From that date to the effective date of retirement,~~  
1.17 ~~the augmentation rate is six percent compounded annually.~~

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

1.19 Sec. 2. Minnesota Statutes 2014, section 352F.04, is amended by adding a subdivision  
1.20 to read:

1.21 Subd. 1a. **Regular augmentation rates.** From January 1, 2017, to the effective date  
1.22 of retirement, the augmentation rate applicable to the deferred annuity of a terminated  
1.23 hospital employee is the applicable rate as set forth in section 352.72, subdivision 2.

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

2.2 Sec. 3. Minnesota Statutes 2014, section 352F.04, subdivision 2, is amended to read:

2.3 Subd. 2. ~~**Exceptions**~~ **Exception.** The ~~increased~~ enhanced augmentation rates  
2.4 specified in subdivision 1 do not apply if the terminated hospital employee:

2.5 ~~(1) becomes covered again by a retirement plan enumerated in section 356.30,~~  
2.6 ~~subdivision 3; or~~

2.7 (2) begins receipt of a retirement annuity under chapter 352 while employed by the  
2.8 employer which assumed operations of the medical facility or other public employing unit  
2.9 or purchased the medical facility or other public employing unit.

2.10 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2015.

2.11 Sec. 4. Minnesota Statutes 2014, section 352F.04, is amended by adding a subdivision  
2.12 to read:

2.13 Subd. 3. **Return to covered employment.** (a) If a terminated hospital employee  
2.14 becomes covered by a retirement plan enumerated in section 356.30, subdivision 3, the  
2.15 employee shall be entitled to whichever of the following annuities produces the highest  
2.16 monthly payment:

2.17 (1) a deferred annuity and augmentation to which the employee would have been  
2.18 entitled under subdivision 1 reduced by the dollar amount of any additional benefit  
2.19 earned under any enumerated retirement plan after the effective date as defined in section  
2.20 352F.02, subdivision 3;

2.21 (2) a combined service annuity calculated under section 356.30; or

2.22 (3) an annuity calculated under section 352.72 for coverage by more than one  
2.23 retirement system using the augmentation rates set forth in section 352.72, subdivision 2,  
2.24 paragraph (a).

2.25 (b) This subdivision applies to any terminated hospital employee who begins to  
2.26 receive a retirement annuity under chapter 352 on or after July 1, 2015.

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

2.28 Sec. 5. **ANNUITY ADJUSTMENT.**

2.29 Under Minnesota Statutes, section 352F.04, subdivision 3, if any terminated hospital  
2.30 employee began to receive a retirement annuity under Minnesota Statutes, chapter 352,  
2.31 as adjusted under Minnesota Statutes, chapter 352F, on or after July 1, 2015, but prior  
2.32 to the effective date of this section, the terminated hospital employee's annuity must be

3.1 recalculated under Minnesota Statutes, section 352F.04, subdivision 3, and, if the monthly  
3.2 amount as recalculated exceeds the monthly amount being received by the terminated  
3.3 hospital employee, the Minnesota State Retirement System shall:

3.4 (1) begin paying the recalculated monthly amount as of the first payment date after  
3.5 the effective date of this section; and

3.6 (2) pay the sum of the difference between the amount the terminated hospital  
3.7 employee received each month since commencement of the annuity and the amount the  
3.8 terminated hospital employee would have received under Minnesota Statutes, section  
3.9 352F.04, subdivision 3, for that month. The sum of the difference each month shall be  
3.10 paid in a lump sum to the terminated hospital employee along with the first payment of  
3.11 the recalculated amount under clause (1).

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