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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 539

02/13/2013 Authored by Nelson; Murphy, M.; Kahn; Hilstrom and Lesch
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to retirement; modifying laws governing voluntary membership dues
1.3 deductions from retirement annuities; amending Minnesota Statutes 2012,
1.4 section 356.91.

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

1.6 Section 1. Minnesota Statutes 2012, section 356.91, is amended to read:

1.7 **356.91 VOLUNTARY MEMBERSHIP DUES DEDUCTION.**

1.8 (a) Upon written authorization of a person receiving an annuity from a public
1.9 pension fund administered by the Minnesota State Retirement System or the Public
1.10 Employees Retirement Association, the executive director of the public pension fund ~~may~~
1.11 shall deduct from the retirement annuity an amount requested by the annuitant to be paid
1.12 as membership dues or other payments to any labor organization that is an exclusive
1.13 bargaining agent representing public employees or an organization representing retired
1.14 public employees of which the annuitant is a member and shall, on a monthly basis, pay
1.15 the amount to the organization so designated by the annuitant.

1.16 (b) A pension fund and the plan fiduciaries which authorize or administer deductions
1.17 of dues payments under paragraph (a) are not liable for failure to properly deduct or transmit
1.18 the dues amounts, provided that the fund and the fiduciaries have acted in good faith.

1.19 ~~(c) The deductions under paragraph (a) may occur no more frequently than two times~~
1.20 ~~per year and may not be used for political purposes.~~ Any labor organization that is an
1.21 exclusive bargaining agent representing public employees or an organization representing
1.22 retired public employees may conduct blind mailings to the annuitants of a retirement
1.23 system specified in paragraph (a) by requesting that the retirement system mail voluntary
1.24 membership information and dues deduction cards to annuitants. Such mailings shall not

2.1 be for the purpose of supporting or opposing any candidate, political party, or ballot
2.2 measure. The organization requesting the blind mailing shall pay all costs associated
2.3 with these mailings, including but not limited to copying, labeling, mailing, postage, and
2.4 record keeping. In lieu of administering a blind mailing in-house, a retirement system
2.5 may transmit annuitant data necessary for conducting a blind mailing to a mail center
2.6 pursuant to a secure data share agreement with the mail center which provides that neither
2.7 the organization nor any other entity shall have direct access to the data transmitted by
2.8 the retirement system. The retirement system shall have no obligation to approve or
2.9 disapprove, or otherwise be responsible for, the content of the mailings. No organization
2.10 shall conduct more than two blind mailings per calendar year.

2.11 ~~(d) Any labor organization specified in paragraph (a) shall reimburse the public~~
2.12 ~~pension fund for the administrative expense of withholding premium amounts.~~