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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1460

02/20/2017 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 administrative
1.3 provisions; clarifying coverage for employees of the Perpich Center for Arts
1.4 Education; clarifying coverage eligibility for University of Minnesota part-time
1.5 and temporary employees; modifying certain disability and disability application
1.6 deadline provisions; clarifying unclassified program transfer to general plan
1.7 provisions; making other administrative changes; amending Minnesota Statutes
1.8 2016, sections 352.01, subdivisions 2a, 2b; 352.113, subdivisions 4, 14; 352D.02,
1.9 subdivisions 1, 3.

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

1.11 Section 1. Minnesota Statutes 2016, section 352.01, subdivision 2a, is amended to read:

1.12 Subd. 2a. **Included employees.** (a) "State employee" includes:

1.13 (1) employees of the Minnesota Historical Society;

1.14 (2) employees of the State Horticultural Society;

1.15 (3) employees of the Minnesota Crop Improvement Association;

1.16 (4) employees of the adjutant general whose salaries are paid from federal funds and
1.17 who are not covered by any federal civilian employees retirement system;

1.18 (5) employees of the Minnesota State Colleges and Universities who are employed under
1.19 the university or college activities program;

1.20 (6) currently contributing employees covered by the system who are temporarily
1.21 employed by the legislature during a legislative session or any currently contributing
1.22 employee employed for any special service as defined in subdivision 2b, clause (6);

2.1 (7) employees of the legislature who are appointed without a limit on the duration of
2.2 their employment;

2.3 (8) trainees who are employed on a full-time established training program performing
2.4 the duties of the classified position for which they will be eligible to receive immediate
2.5 appointment at the completion of the training period;

2.6 (9) employees of the Minnesota Safety Council;

2.7 (10) any employees who are on authorized leave of absence from the Transit Operating
2.8 Division of the former Metropolitan Transit Commission and who are employed by the
2.9 labor organization which is the exclusive bargaining agent representing employees of the
2.10 Transit Operating Division;

2.11 (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space
2.12 Commission, Metropolitan Sports Facilities Commission, or Metropolitan Mosquito Control
2.13 Commission unless excluded under subdivision 2b or are covered by another public pension
2.14 fund or plan under section 473.415, subdivision 3;

2.15 (12) judges of the Tax Court;

2.16 (13) personnel who were employed on June 30, 1992, by the University of Minnesota
2.17 in the management, operation, or maintenance of its heating plant facilities, whose
2.18 employment transfers to an employer assuming operation of the heating plant facilities, so
2.19 long as the person is employed at the University of Minnesota heating plant by that employer
2.20 or by its successor organization;

2.21 (14) personnel who are employed as seasonal employees in the classified or unclassified
2.22 service;

2.23 (15) persons who are employed by the Department of Commerce as a peace officer in
2.24 the Commerce Fraud Bureau under section 45.0135 who have attained the mandatory
2.25 retirement age specified in section 43A.34, subdivision 4;

2.26 (16) employees of the University of Minnesota unless excluded under subdivision 2b,
2.27 clause (3);

2.28 (17) employees of the Middle Management Association whose employment began after
2.29 July 1, 2007, and to whom section 352.029 does not apply;

2.30 (18) employees of the Minnesota Government Engineers Council to whom section
2.31 352.029 does not apply;

2.32 (19) employees of the Minnesota Sports Facilities Authority;

- 3.1 (20) employees of the Minnesota Association of Professional Employees;
- 3.2 (21) employees of the Minnesota State Retirement System;
- 3.3 (22) employees of the State Agricultural Society;
- 3.4 (23) employees of the Gillette Children's Hospital Board who were employed in the
3.5 state unclassified service at the former Gillette Children's Hospital on March 28, 1974; ~~and~~
- 3.6 (24) if approved for coverage by the Board of Directors of Conservation Corps Minnesota,
3.7 employees of Conservation Corps Minnesota so employed on June 30, 2003; and
- 3.8 (25) employees of the Perpich Center for Arts Education who are covered by the general
3.9 state employees retirement plan of the Minnesota State Retirement System as of July 1,
3.10 2016.

3.11 (b) Employees specified in paragraph (a), clause (13), are included employees under
3.12 paragraph (a) if employer and employee contributions are made in a timely manner in the
3.13 amounts required by section 352.04. Employee contributions must be deducted from salary.
3.14 Employer contributions are the sole obligation of the employer assuming operation of the
3.15 University of Minnesota heating plant facilities or any successor organizations to that
3.16 employer.

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2017.

3.18 Sec. 2. Minnesota Statutes 2016, section 352.01, subdivision 2b, is amended to read:

3.19 Subd. 2b. **Excluded employees.** "State employee" does not include:

3.20 (1) persons who are:

3.21 (i) students employed by the University of Minnesota, or within the Minnesota State
3.22 Colleges and Universities system, unless approved for coverage by the Board of Regents
3.23 of the University of Minnesota or the Board of Trustees of the Minnesota State Colleges
3.24 and Universities, whichever applies;

3.25 (ii) employed as interns for a period not to exceed six months unless included under
3.26 subdivision 2a, paragraph (a), clause (8);

3.27 (iii) employed as trainee employees unless included under subdivision 2a, paragraph
3.28 (a), clause (8); or

3.29 (iv) employed in the student worker classification as designated by Minnesota
3.30 Management and Budget;

3.31 (2) employees who are:

4.1 (i) eligible for membership in the state Teachers Retirement Association, unless the
4.2 person is an employee of the Department of Education who elected to be covered by the
4.3 general state employees retirement plan of the Minnesota State Retirement System instead
4.4 of the Teachers Retirement Association;

4.5 (ii) employees of the state who, in any year, were credited with 12 months of allowable
4.6 service as a public school teacher and, as such, are members of a retirement plan governed
4.7 by chapter 354 or 354A unless the employment is incidental employment as a state employee
4.8 that is not covered by a retirement plan governed by chapter 354 or 354A;

4.9 (iii) employees of the state who are employed by the Board of Trustees of the Minnesota
4.10 State Colleges and Universities in an unclassified position that is listed in section 43A.08,
4.11 subdivision 1, clause (9);

4.12 (iv) persons employed by the Board of Trustees of the Minnesota State Colleges and
4.13 Universities who elected retirement coverage other than by the general state employees
4.14 retirement plan of the Minnesota State Retirement System under Minnesota Statutes 1994,
4.15 section 136C.75;

4.16 (v) officers or enlisted personnel in the National Guard or in the naval militia who are
4.17 assigned to permanent peacetime duty and who are or are required to be members of a
4.18 federal retirement system under federal law;

4.19 (vi) persons employed by the Department of Military Affairs as full-time firefighters
4.20 and who, as such, are members of the public employees police and fire retirement plan;

4.21 (vii) members of the State Patrol retirement plan under section 352B.011, subdivision
4.22 10;

4.23 (viii) off-duty police officers while employed by the Metropolitan Council and persons
4.24 employed as full-time police officers by the Metropolitan Council and who, as such, are
4.25 members of the public employees police and fire retirement plan; and

4.26 (ix) employees of the state who have elected to transfer account balances derived from
4.27 state service to the unclassified state employees retirement program under section 352D.02,
4.28 subdivision 1d;

4.29 (3) employees of the University of Minnesota who are:

4.30 (i) excluded from coverage by action of the Board of Regents;

5.1 (ii) employed in a part-time position and whose service does not exceed the lesser of 14
5.2 hours per week or 35 percent of the normal workweek in the employee's appropriate unit
5.3 as defined in section 179A.03, subdivision 2; or

5.4 (iii) employed in a position that is temporary or seasonal in character and:

5.5 (A) for a period not to exceed 67 working days in any calendar year; or

5.6 (B) for a period not to exceed 100 working days in any calendar year and the employee
5.7 is under age 22, was a full-time student enrolled in a nonprofit or public educational
5.8 institution before being hired by the employer, and has indicated, either in an application
5.9 for employment or by being enrolled at an educational institution for the next academic
5.10 year or term, an intention to continue as a student during or after the temporary employment;

5.11 (4) election judges and persons who are employed solely to administer elections;

5.12 (5) persons who are:

5.13 (i) engaged in public work for the state but who are employed by contractors when the
5.14 performance of the contract is authorized by the legislature or other competent authority;

5.15 (ii) employed to perform professional services where the service is incidental to the
5.16 person's regular professional duties and where compensation is paid on a per diem basis;

5.17 or

5.18 (iii) compensated on a fee payment basis or as an independent contractor;

5.19 (6) persons who are employed:

5.20 (i) on a temporary basis by the house of representatives, the senate, or a legislative
5.21 commission or agency under the jurisdiction of the Legislative Coordinating Commission;

5.22 (ii) as a temporary employee on or after July 1 for a period ending on or before October
5.23 15 of that calendar year for the Minnesota State Agricultural Society or the Minnesota State
5.24 Fair, or as an employee at any time for a special event held on the fairgrounds;

5.25 (iii) by the executive branch as a temporary employee in the classified service or as an
5.26 executive branch temporary employee in the unclassified service if appointed for a definite
5.27 period not to exceed six months, and if employment is less than six months, then in any
5.28 12-month period;

5.29 (iv) by the adjutant general if employed on an unlimited intermittent or temporary basis
5.30 in the classified service or in the unclassified service for the support of Army or Air National
5.31 Guard training facilities;

6.1 (v) by a state or federal program for training or rehabilitation as a temporary employee
6.2 if employed for a limited period from an area of economic distress and if other than a skilled
6.3 or supervisory personnel position or other than a position that has civil service status covered
6.4 by the retirement system; and

6.5 (vi) by the Metropolitan Council or a statutory board of the Metropolitan Council where
6.6 the members of the board are appointed by the Metropolitan Council as a temporary employee
6.7 if the appointment does not exceed six months;

6.8 (7) receivers, jurors, notaries public, and court employees who are not in the judicial
6.9 branch as defined in section 43A.02, subdivision 25, except referees and adjusters employed
6.10 by the Department of Labor and Industry;

6.11 (8) patient and inmate help who perform services in state charitable, penal, and
6.12 correctional institutions, including a Minnesota Veterans Home;

6.13 (9) employees of the Sibley House Association;

6.14 (10) persons who are:

6.15 (i) members of any state board or commission who serve the state intermittently and are
6.16 paid on a per diem basis, the secretary, secretary-treasurer, and treasurer of those boards if
6.17 their compensation is \$5,000 or less per year, or, if they are legally prohibited from serving
6.18 more than three years, and the board of managers of the State Agricultural Society and its
6.19 treasurer unless the treasurer is also its full-time secretary;

6.20 (ii) examination monitors employed by a department, agency, commission, or board of
6.21 the state to conduct examinations that are required by law; or

6.22 (iii) appointees serving as a member of a fact-finding commission or an adjustment
6.23 panel, an arbitrator, or a labor referee under chapter 179;

6.24 (11) emergency employees who are in the classified service, but if an emergency
6.25 employee, within the same pay period, becomes a provisional or probationary employee on
6.26 other than a temporary basis, the employee must be considered a "state employee"
6.27 retroactively to the beginning of the pay period;

6.28 (12) persons who are members of a religious order who are excluded from coverage
6.29 under the federal Old Age, Survivors, Disability, and Health Insurance Program for the
6.30 performance of service as specified in United States Code, title 42, section 410(a)(8)(A),
6.31 as amended, if no irrevocable election of coverage has been made under section 3121(r) of
6.32 the Internal Revenue Code of 1986, as amended;

7.1 (13) members of trades who are employed by the successor to the Metropolitan Waste
 7.2 Control Commission, who have trade union pension plan coverage under a collective
 7.3 bargaining agreement, and who are first employed after June 1, 1977;

7.4 (14) foreign citizens who are employed under a work permit of less than three years or
 7.5 under an H-1b visa or a J-1 visa that is initially valid for less than three years of employment,
 7.6 unless notice of a visa extension which allows them to work for three or more years as of
 7.7 the date that the extension is granted and is supplied to the retirement plan, in which case
 7.8 the person is eligible for coverage from the date of the extension; and

7.9 (15) reemployed annuitants of the general state employees retirement plan, the military
 7.10 affairs personnel retirement plan, the transportation department pilots retirement plan, the
 7.11 state fire marshal employees retirement plan, or the correctional state employees retirement
 7.12 plan during the course of that reemployment.

7.13 **EFFECTIVE DATE.** This section is effective July 1, 2017.

7.14 Sec. 3. Minnesota Statutes 2016, section 352.113, subdivision 4, is amended to read:

7.15 Subd. 4. **Medical or psychological examinations; authorization for payment of**
 7.16 **benefit.** (a) Any physician, psychologist, chiropractor, ~~or physician assistant,~~ or nurse
 7.17 practitioner providing any service specified in this section must be licensed.

7.18 (b) An applicant shall provide a detailed report signed by a physician, and at least one
 7.19 additional report signed by a physician, ~~chiropractor,~~ psychologist, ~~or chiropractor,~~ physician
 7.20 assistant, or nurse practitioner with evidence to support an application for total and permanent
 7.21 disability. The reports must include an expert opinion regarding whether the employee is
 7.22 permanently and totally disabled within the meaning of section 352.01, subdivision 17, and
 7.23 that the disability arose before the employee was placed on any paid or unpaid leave of
 7.24 absence or terminated public service.

7.25 (c) If there is medical evidence that supports the expectation that at some point the person
 7.26 applying for the disability benefit will no longer be disabled, the decision granting the
 7.27 disability benefit may provide for a termination date upon which the total and permanent
 7.28 disability can be expected to no longer exist. When a termination date is part of the decision
 7.29 granting benefits, prior to the benefit termination the executive director shall review any
 7.30 evidence provided by the disabled employee to show that the disabling condition for which
 7.31 benefits were initially granted continues. If the benefits cease, the disabled employee may
 7.32 follow the appeal procedures described in section 356.96 or may reapply for disability
 7.33 benefits using the process described in this subdivision.

8.1 (d) Any claim to disability must be supported by a report from the employer indicating
8.2 that there is no available work that the employee can perform with the disabling condition
8.3 and that all reasonable accommodations have been considered. Upon request of the executive
8.4 director, an employer shall provide evidence of the steps the employer has taken to attempt
8.5 to provide reasonable accommodations and continued employment to the claimant.

8.6 (e) The director shall also obtain written certification from the employer stating whether
8.7 the employment has ceased or whether the employee is on sick leave of absence because
8.8 of a disability that will prevent further service to the employer and that the employee is not
8.9 entitled to compensation from the employer.

8.10 (f) The medical adviser shall consider the reports of the ~~physicians, physician assistants,~~
8.11 ~~psychologists, and chiropractors~~ physician, psychologist, chiropractor, physician assistant,
8.12 or nurse practitioner and any other evidence supplied by the employee or other interested
8.13 parties. If the medical adviser finds the employee totally and permanently disabled, the
8.14 adviser shall make appropriate recommendation to the director in writing together with the
8.15 date from which the employee has been totally disabled. The director shall then determine
8.16 if the disability occurred ~~within 18 months of filing the application,~~ while still in the
8.17 employment of the state, ~~and the propriety of authorizing payment of a disability benefit as~~
8.18 ~~provided in this section~~ and constitutes a total and permanent disability as defined in section
8.19 352.01, subdivision 17.

8.20 (g) A terminated employee may apply for a disability benefit within 18 months of
8.21 termination as long as the disability occurred while in the employment of the state. The fact
8.22 that an employee is placed on leave of absence without compensation because of disability
8.23 does not bar that employee from receiving a disability benefit.

8.24 (h) Upon appeal, the board of directors may extend the disability benefit application
8.25 deadline in paragraph (g) by an additional 18 months if the terminated employee is
8.26 determined by the board of directors to have a cognitive impairment that made it unlikely
8.27 that the terminated employee understood that there was an application deadline or that the
8.28 terminated employee was able to meet the application deadline.

8.29 ~~(h)~~ (i) Unless the payment of a disability benefit has terminated because the employee
8.30 is no longer totally disabled, or because the employee has reached normal retirement age
8.31 as provided in this section, the disability benefit must cease with the last payment received
8.32 by the disabled employee or which had accrued during the lifetime of the employee unless
8.33 there is a spouse surviving. In that event, the surviving spouse is entitled to the disability
8.34 benefit for the calendar month in which the disabled employee died.

9.1 **EFFECTIVE DATE.** This section is effective July 1, 2017.

9.2 Sec. 4. Minnesota Statutes 2016, section 352.113, subdivision 14, is amended to read:

9.3 Subd. 14. **Disabilitant earnings reports.** Disability benefit recipients must report all
9.4 earnings from reemployment and income from workers' compensation to the system annually
9.5 by May 15 in a format prescribed by the executive director. The executive director may
9.6 waive the earnings report requirement for any disabled employee who is not required to
9.7 undergo regular medical or psychological examinations under subdivision 6. If the form is
9.8 not submitted by June 15, benefits must be suspended effective July 1. If the form deemed
9.9 acceptable by the executive director is received after the June 15 deadline, benefits shall be
9.10 reinstated retroactive to July 1.

9.11 **EFFECTIVE DATE.** This section is effective July 1, 2017.

9.12 Sec. 5. Minnesota Statutes 2016, section 352D.02, subdivision 1, is amended to read:

9.13 Subdivision 1. **Coverage.** (a) Employees enumerated in paragraph (c), clauses (2), (3),
9.14 (4), (6) to (14), and (16) to (18), if they are in the unclassified service of the state or
9.15 Metropolitan Council and are eligible for coverage under the general state employees
9.16 retirement plan under chapter 352, are participants in the unclassified program under this
9.17 chapter ~~unless the employee gives notice to the executive director of the Minnesota State~~
9.18 ~~Retirement System within one year following the commencement of employment in the~~
9.19 ~~unclassified service that the employee desires coverage under the general state employees~~
9.20 ~~retirement plan. For the purposes of this chapter, an employee who does not file notice with~~
9.21 ~~the executive director is deemed to have exercised the option to participate in the unclassified~~
9.22 ~~program.~~

9.23 (b) Persons referenced in paragraph (c), clause (5), are participants in the unclassified
9.24 program under this chapter unless the person was eligible to elect different coverage under
9.25 section 3A.07 and elected retirement coverage by the applicable alternative retirement plan.
9.26 Persons referenced in paragraph (c), clause (15), are participants in the unclassified program
9.27 under this chapter for judicial employment in excess of the service credit limit in section
9.28 490.121, subdivision 22.

9.29 (c) Enumerated employees and referenced persons are:

9.30 (1) the governor, the lieutenant governor, the secretary of state, the state auditor, and
9.31 the attorney general;

- 10.1 (2) an employee in the Office of the Governor, Lieutenant Governor, Secretary of State,
10.2 State Auditor, Attorney General;
- 10.3 (3) an employee of the State Board of Investment;
- 10.4 (4) the head of a department, division, or agency created by statute in the unclassified
10.5 service, an acting department head subsequently appointed to the position, or an employee
10.6 enumerated in section 15A.0815 or 15A.083, subdivision 4;
- 10.7 (5) a member of the legislature;
- 10.8 (6) an unclassified employee of the legislature or a commission or agency of the
10.9 legislature who is appointed without a limit on the duration of the employment or a temporary
10.10 legislative employee having shares in the supplemental retirement fund as a result of former
10.11 employment covered by this chapter, whether or not eligible for coverage under the
10.12 Minnesota State Retirement System;
- 10.13 (7) a person who is employed in a position established under section 43A.08, subdivision
10.14 1, clause (3), or in a position authorized under a statute creating or establishing a department
10.15 or agency of the state, which is at the deputy or assistant head of department or agency or
10.16 director level;
- 10.17 (8) the regional administrator, or executive director of the Metropolitan Council, general
10.18 counsel, division directors, operations managers, and other positions as designated by the
10.19 council, all of which may not exceed 27 positions at the council and the chair;
- 10.20 (9) the commissioner, deputy commissioner, and not to exceed nine positions of the
10.21 Minnesota Office of Higher Education in the unclassified service, as designated by the
10.22 Minnesota Office of Higher Education before January 1, 1992, or subsequently redesignated
10.23 with the approval of the board of directors of the Minnesota State Retirement System, unless
10.24 the person has elected coverage by the individual retirement account plan under chapter
10.25 354B;
- 10.26 (10) the clerk of the appellate courts appointed under article VI, section 2, of the
10.27 Constitution of the state of Minnesota, the state court administrator and judicial district
10.28 administrators;
- 10.29 (11) the chief executive officers of correctional facilities operated by the Department of
10.30 Corrections and of hospitals and nursing homes operated by the Department of Human
10.31 Services;
- 10.32 (12) an employee whose principal employment is at the state ceremonial house;

11.1 (13) an employee of the Agricultural Utilization Research Institute;

11.2 (14) an employee of the State Lottery who is covered by the managerial plan established
11.3 under section 43A.18, subdivision 3;

11.4 (15) a judge who has exceeded the service credit limit in section 490.121, subdivision
11.5 22;

11.6 (16) an employee of Enterprise Minnesota, Inc.;

11.7 (17) a person employed by the Minnesota State Colleges and Universities as faculty or
11.8 in an eligible unclassified administrative position as defined in section 354B.20, subdivision
11.9 6, who was employed by the former state university or the former community college system
11.10 before May 1, 1995, and elected unclassified program coverage prior to May 1, 1995; and

11.11 (18) a person employed by the Minnesota State Colleges and Universities who was
11.12 employed in state service before July 1, 1995, who subsequently is employed in an eligible
11.13 unclassified administrative position as defined in section 354B.20, subdivision 6, and who
11.14 elects coverage by the unclassified program.

11.15 **EFFECTIVE DATE.** This section is effective July 1, 2017.

11.16 Sec. 6. Minnesota Statutes 2016, section 352D.02, subdivision 3, is amended to read:

11.17 Subd. 3. **Transfer to general employees retirement plan.** (a) ~~If permitted under~~
11.18 ~~paragraph (b), an employee~~ A person in the unclassified program and referred to in
11.19 subdivision 1, paragraph (c), clauses (2) to (4), (6) to (14), and (16) to (18), who is credited
11.20 ~~with shares in the unclassified program and has credit for allowable service~~ may elect to
11.21 terminate participation in the unclassified program and be covered by the general state
11.22 employees retirement plan. ~~(b) An employee specified in paragraph (a) is permitted to~~
11.23 ~~terminate participation in the unclassified program and be covered by~~ if the person files an
11.24 election to transfer to the general state employees retirement plan if the employee with the
11.25 executive director of the Minnesota State Retirement System as provided in paragraph (b)
11.26 and the person's current employment or appointment:

11.27 (1) ~~was employed~~ began before July 1, 2010, and the person has at least ten years of
11.28 ~~allowable service~~ covered employment; or

11.29 (2) ~~was first employed~~ began after June 30, 2010, and the person has no more than seven
11.30 years of allowable service in the unclassified program.

12.1 ~~The (b) An election to transfer~~ must be in writing, on a form provided by the executive
12.2 director, and ~~can be made no later than one month following the termination of covered~~
12.3 ~~employment.~~ delivered to the executive director:

12.4 (1) for persons described in paragraph (a), clause (1), no later than one month following
12.5 the termination of covered employment; or

12.6 (2) for persons described in paragraph (a), clause (2), no later than one month following
12.7 the termination of employment in a position covered by the unclassified program.

12.8 For purposes of this chapter, an employee who does not file an election to transfer with
12.9 the executive director is deemed to have exercised the option to participate in the unclassified
12.10 program.

12.11 (c) If the transfer election is made, the executive director shall redeem the employee's
12.12 total shares and credit to the employee's account in the general employees retirement plan
12.13 the amount of contributions that would have been credited had the employee been covered
12.14 by the general employees retirement plan during the employee's entire covered employment.
12.15 The balance of money redeemed and not credited to the employee's account must be
12.16 transferred to the general employees retirement plan, except that the executive director must
12.17 determine:

12.18 (1) the employee contributions paid to the unclassified program; and

12.19 (2) the employee contributions that would have been paid to the general employees
12.20 retirement plan for the comparable period, if the individual had been covered by that plan.

12.21 If clause (1) is greater than clause (2), the difference must be refunded to the employee
12.22 as provided in section 352.22. If clause (2) is greater than clause (1), the difference must
12.23 be paid by the employee within six months of electing general employees retirement plan
12.24 coverage or before the effective date of the annuity, whichever is sooner.

12.25 (d) An election under paragraph (b) to transfer coverage to the general employees
12.26 retirement plan is irrevocable during any period of covered employment.

12.27 (e) A person referenced in subdivision 1, paragraph (c), clause (1), (5), or (15), who is
12.28 credited with employee shares in the unclassified program is not permitted to terminate
12.29 participation in the unclassified program and be covered by the general employees retirement
12.30 plan.

12.31 **EFFECTIVE DATE.** This section is effective July 1, 2017.