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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4539

03/04/2024 Authored by Frederick; Dotseth; Brand; Nelson, M.; Edelson and others
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to retirement; Minnesota State Retirement System; correctional state
1.3 employees retirement plan; adding new positions to the list of positions that are
1.4 covered correctional service for employees of the Department of Human Services;
1.5 permitting the purchase of past service credit; amending Minnesota Statutes 2023
1.6 Supplement, section 352.91, subdivision 3f.

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

1.8 Section 1. Minnesota Statutes 2023 Supplement, section 352.91, subdivision 3f, is amended
1.9 to read:

1.10 Subd. 3f. Additional Department of Human Services personnel. (a) "Covered
1.11 correctional service" means service by a state employee in one of the employment positions
1.12 specified in paragraph (b) in the state-operated forensic services program or the Minnesota
1.13 Sex Offender Program if at least 75 percent of the employee's working time is spent in direct
1.14 contact with patients and the determination of this direct contact is certified to the executive
1.15 director by the commissioner of human services.

1.16 (b) The employment positions are:

1.17 (1) baker;

1.18 (1) (2) behavior analyst 2;

1.19 (2) (3) behavior analyst 3;

1.20 (3) (4) certified occupational therapy assistant 1;

1.21 (4) (5) certified occupational therapy assistant 2;

1.22 (5) (6) client advocate;

- 2.1 ~~(6)~~ (7) clinical program therapist 2;
- 2.2 ~~(7)~~ (8) clinical program therapist 3;
- 2.3 ~~(8)~~ (9) clinical program therapist 4;
- 2.4 (10) cook;
- 2.5 (11) culinary supervisor;
- 2.6 ~~(9)~~ (12) customer services specialist principal;
- 2.7 ~~(10)~~ (13) dental assistant registered;
- 2.8 ~~(11)~~ (14) dental hygienist;
- 2.9 ~~(12)~~ (15) group supervisor;
- 2.10 ~~(13)~~ (16) group supervisor assistant;
- 2.11 ~~(14)~~ (17) human services support specialist;
- 2.12 (18) kitchen supervisor;
- 2.13 ~~(15)~~ (19) licensed alcohol and drug counselor;
- 2.14 ~~(16)~~ (20) licensed practical nurse;
- 2.15 ~~(17)~~ (21) management analyst 3;
- 2.16 ~~(18)~~ (22) occupational therapist;
- 2.17 ~~(19)~~ (23) occupational therapist, senior;
- 2.18 ~~(20)~~ (24) physical therapist;
- 2.19 ~~(21)~~ (25) psychologist 1;
- 2.20 ~~(22)~~ (26) psychologist 2;
- 2.21 ~~(23)~~ (27) psychologist 3;
- 2.22 ~~(24)~~ (28) recreation program assistant;
- 2.23 ~~(25)~~ (29) recreation therapist lead;
- 2.24 ~~(26)~~ (30) recreation therapist senior;
- 2.25 ~~(27)~~ (31) rehabilitation counselor senior;
- 2.26 ~~(28)~~ (32) residential program lead;
- 2.27 ~~(29)~~ (33) security supervisor;

- 3.1 ~~(30)~~ (34) skills development specialist;
- 3.2 ~~(31)~~ (35) social worker senior;
- 3.3 ~~(32)~~ (36) social worker specialist;
- 3.4 ~~(33)~~ (37) social worker specialist, senior;
- 3.5 ~~(34)~~ (38) special education program assistant;
- 3.6 ~~(35)~~ (39) speech pathology clinician;
- 3.7 ~~(36)~~ (40) substance use disorder counselor senior;
- 3.8 ~~(37)~~ (41) work therapy assistant; and
- 3.9 ~~(38)~~ (42) work therapy program coordinator.

3.10 **EFFECTIVE DATE.** This section is effective on the first day of the first payroll period  
 3.11 occurring after the day of enactment.

3.12 **Sec. 2. NEW POSITIONS PERMITTED TO TRANSFER PAST SERVICE CREDIT**  
 3.13 **FROM THE MSRS GENERAL PLAN.**

3.14 For each employee whose employment position is baker, cook, culinary supervisor, or  
 3.15 kitchen supervisor and who enters the correctional state employees retirement plan on the  
 3.16 effective date of section 1, the executive director must consider the employee an eligible  
 3.17 employee under Minnesota Statutes, section 352.955, subdivision 1, paragraph (b), for  
 3.18 purposes of Minnesota Statutes, section 352.955. The executive director must transfer, from  
 3.19 the general state employees retirement plan to the correctional state employees retirement  
 3.20 plan, any eligible prior correctional employment as defined under Minnesota Statutes,  
 3.21 section 352.955, subdivision 1, paragraph (c), if elected by the eligible employee, subject  
 3.22 to all other requirements of Minnesota Statutes, section 352.955, including payment by the  
 3.23 eligible employee of the additional member contribution as defined under Minnesota Statutes,  
 3.24 section 352.955, subdivision 3, paragraph (a).

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