

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3761

(SENATE AUTHORS: FRENTZ)

DATE
02/15/2024

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OFFICIAL STATUS
Introduction and first reading
Referred to State and Local Government and Veterans

1.1 A bill for an act
1.2 relating to retirement; Minnesota State Retirement System correctional state
1.3 employees retirement plan; adding a new position 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) behavior analyst 2;
- 1.18 (2) behavior analyst 3;
- 1.19 (3) certified occupational therapy assistant 1;
- 1.20 (4) certified occupational therapy assistant 2;
- 1.21 (5) client advocate;
- 1.22 (6) clinical program therapist 2;

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

- 3.1 ~~(33)~~ (34) social worker specialist, senior;
- 3.2 ~~(34)~~ (35) special education program assistant;
- 3.3 ~~(35)~~ (36) speech pathology clinician;
- 3.4 ~~(36)~~ (37) substance use disorder counselor senior;
- 3.5 ~~(37)~~ (38) work therapy assistant; and
- 3.6 ~~(38)~~ (39) work therapy program coordinator.

3.7 **EFFECTIVE DATE.** This section is effective on the first day of the first payroll period

3.8 occurring after the date of enactment.

3.9 **Sec. 2. MUSIC THERAPIST PERMITTED TO TRANSFER PAST SERVICE**

3.10 **CREDIT FROM THE MSRS GENERAL PLAN.**

3.11 For each employee whose employment position is music therapist and who enters the

3.12 correctional state employees retirement plan on the effective date of section 1, the executive

3.13 director must consider the employee an eligible employee under Minnesota Statutes, section

3.14 352.955, subdivision 1, paragraph (b), for purposes of Minnesota Statutes, section 352.955.

3.15 The executive director must transfer, from the general state employees retirement plan to

3.16 the correctional state employees retirement plan, any eligible prior correctional employment

3.17 as defined under Minnesota Statutes, section 352.955, subdivision 1, paragraph (c), if elected

3.18 by the eligible employee, subject to all other requirements of Minnesota Statutes, section

3.19 352.955, including payment by the eligible employee of the additional member contribution

3.20 as defined under Minnesota Statutes, section 352.955, subdivision 3, paragraph (a).

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