

FIRST REGULAR SESSION

HOUSE BILL NO. 669

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LAMPE (Sponsor), AULL, WRIGHT-JONES (63), LeVOTA,
FRASER, BOYKINS, WALLACE, BAKER (25) AND PEARCE (Co-sponsors).

Read 1st time March 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1707L.02I

AN ACT

To repeal sections 169.030 and 169.070, RSMo, and to enact in lieu thereof two new sections relating to teacher retirement, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 169.030 and 169.070, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 169.030 and 169.070, RSMo, to read as follows:

2 169.030. 1. The funds required for the operation of the retirement system created by
2 sections 169.010 to 169.141 shall come from contributions made in equal amounts by members
3 of the system and their employers, except as provided for certain members and employers by
4 section 104.342, RSMo, and from such interest as may be derived from the investment of any
5 part of such contributions. All contributions shall be transmitted to the board of trustees by
6 employers in such manner and at such time as the board by rule shall require.

7 2. For each school year following the date on which the system becomes operative, each
8 and every employer of one or more persons who are members of the system shall transmit to the
9 board of trustees, in the manner and accompanied by such supporting data as the board shall
10 prescribe, twice the amount that is deductible from the pay of such employee or employees
11 during the school year. Failure or refusal to transmit such amount as required shall render the
12 person or persons responsible therefor individually liable for twice the amount so withheld. Suits
13 for the recovery of amounts for which individuals are thus rendered liable shall be instituted and
14 prosecuted by the board of trustees in the name of the retirement system. In addition to such civil
15 penalty, and not in lieu thereof, any person or persons made responsible for the payment of

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 contributions who shall willfully and knowingly fail or refuse to transmit such contributions or
17 any part thereof to the board of trustees shall be deemed guilty of a misdemeanor and upon
18 conviction thereof shall be punished by a fine of not less than twenty-five dollars and not more
19 than two hundred dollars, and each day such person or persons shall so fail or refuse to transmit
20 such contributions shall be deemed a separate offense.

21 3. The contributions of members of the retirement system shall be collected by their
22 employers through appropriate deductions from paychecks, except as provided for certain
23 members and employers by section 104.342, RSMo. The total amount deducted from the
24 paychecks of members during any school year shall equal such a percent of their salary rates as
25 may be required by the contribution rate then in effect. Contributions transmitted to the
26 retirement system before February 20, 1996, based on salary rates which either included or
27 excluded employer-paid medical benefits for members, shall be deemed to have been in
28 compliance with this section. The retirement system shall not refund or adjust contributions or
29 adjust benefit determinations with respect to any period before February 20, 1996, solely because
30 of the treatment of employer-paid medical benefits for members. Effective December 31, 1995,
31 compensation in excess of the limitations set forth in Section 401(a)(17) of Title 26 of the United
32 States Code shall be disregarded for purposes of determining contributions under this section and
33 calculating benefits paid by the public school retirement system of Missouri. The limitation on
34 compensation for eligible employees shall not be less than the amount which was allowed to be
35 taken into account under the system as in effect on July 1, 1993. For this purpose, an "eligible
36 employee" is an individual who was a member of the system before July 1, 1996.

37 4. The board of trustees shall fix and certify to the employers the level rate of
38 contribution subject to the following:

39 (1) The level rate of contribution for a fiscal year shall not exceed the level rate of
40 contribution for the prior fiscal year by more than one- half percent;

41 (2) The board shall fix and certify to the employers the rate of contribution for a fiscal
42 year no later than six months prior to the date such rate is to be effective;

43 (3) The board shall fix and certify to the employers the rate of contribution for a fiscal
44 year based on an actuarial valuation of the system as of a date not earlier than the last day of the
45 second prior fiscal year. Such actuarial valuation of the system shall be performed using
46 processes and actuarial assumptions that are in accordance with actuarial standards of practice
47 in effect at the time the valuation is performed, as promulgated by the actuarial standards board
48 or its successor; provided that such actuarial valuation shall be based on the entry age normal
49 actuarial cost method and an asset valuation method based on the market value of system assets
50 that may provide for smoothing of investment gains and losses, and, further, that the level rate
51 of contribution shall be the total of the normal cost rate and a rate which shall amortize the

52 unfunded actuarial accrued liability over a period that shall not exceed thirty years from the date
53 of the valuation, subject to the limitations of this subsection; and

54 (4) Not less than once every ten years the board shall have an actuary, other than the
55 actuary performing the actuarial valuation pursuant to this section, review such actuarial
56 valuation and perform an additional valuation of the system.

57 5. Regardless of the provisions of any law governing compensation and contracts, every
58 teacher or employee shall be deemed to consent and agree to the deductions provided herein.
59 Payment of salary or compensation less such deduction shall be a full and complete discharge
60 of all salary or compensation claims and demands during the period covered by such payment,
61 except as to the benefits provided under sections 169.010 to 169.141.

62 [6. Notwithstanding any other provision of sections 169.010 to 169.141 to the contrary,
63 no legislation shall be enacted after July 1, 2003, that increases benefits provided to members
64 or retirees of the public school retirement system of Missouri above that which may be funded
65 using a rate of contribution of ten and one-half percent as determined using an actuarial valuation
66 as provided in subsection 4 of this section; provided that, notwithstanding the provision of this
67 subsection, legislation may be enacted after July 1, 2003, that provides for an extension of time
68 within which a member may make an election pursuant to subdivisions (3) to (8) of subsection
69 1 of section 169.070.]

169.070. 1. The retirement allowance of a member whose age at retirement is sixty years
2 or more and whose creditable service is five years or more, or whose sum of age and creditable
3 service equals eighty years or more, or who has attained age fifty-five and whose creditable
4 service is twenty-five years or more or whose creditable service is thirty years or more regardless
5 of age, may be the sum of the following items, not to exceed one hundred percent of the
6 member's final average salary:

7 (1) Two and five-tenths percent of the member's final average salary for each year of
8 membership service;

9 (2) Six-tenths of the amount payable for a year of membership service for each year of
10 prior service not exceeding thirty years.

11

12 In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this
13 subsection, a member may elect to receive a retirement allowance of:

14 (3) Between July 1, 1998, and July 1, 2008, two and four-tenths percent of the member's
15 final average salary for each year of membership service, if the member's creditable service is
16 twenty-nine years or more but less than thirty years, and the member has not attained age
17 fifty-five;

18 (4) Between July 1, 1998, and July 1, 2008, two and thirty-five-hundredths percent of

19 the member's final average salary for each year of membership service, if the member's creditable
20 service is twenty-eight years or more but less than twenty-nine years, and the member has not
21 attained age fifty-five;

22 (5) Between July 1, 1998, and July 1, 2008, two and three-tenths percent of the member's
23 final average salary for each year of membership service, if the member's creditable service is
24 twenty-seven years or more but less than twenty-eight years, and the member has not attained
25 age fifty-five;

26 (6) Between July 1, 1998, and July 1, 2008, two and twenty-five-hundredths percent of
27 the member's final average salary for each year of membership service, if the member's creditable
28 service is twenty-six years or more but less than twenty-seven years, and the member has not
29 attained age fifty-five;

30 (7) Between July 1, 1998, and July 1, 2008, two and two-tenths percent of the member's
31 final average salary for each year of membership service, if the member's creditable service is
32 twenty-five years or more but less than twenty-six years, and the member has not attained age
33 fifty-five;

34 (8) Between July 1, 2001, and June 30, 2008, two and fifty-five hundredths percent of
35 the member's final average salary for each year of membership service, if the member's creditable
36 service is thirty-one years or more regardless of age.

37 2. In lieu of the retirement allowance provided in subsection 1 of this section, a member
38 whose age is sixty years or more on September 28, 1975, may elect to have the member's
39 retirement allowance calculated as a sum of the following items:

40 (1) Sixty cents plus one and five-tenths percent of the member's final average salary for
41 each year of membership service;

42 (2) Six-tenths of the amount payable for a year of membership service for each year of
43 prior service not exceeding thirty years;

44 (3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection
45 for each month of attained age in excess of sixty years but not in excess of age sixty-five.

46 3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this
47 section, collectively called "option 1", a member whose creditable service is twenty-five years
48 or more or who has attained the age of fifty-five with five or more years of creditable service may
49 elect in the member's application for retirement to receive the actuarial equivalent of the
50 member's retirement allowance in reduced monthly payments for life during retirement with the
51 provision that:

52 Option 2. Upon the member's death the reduced retirement allowance shall be continued
53 throughout the life of and paid to such person as has an insurable interest in the life of the
54 member as the member shall have nominated in the member's election of the option, and

55 provided further that if the person so nominated dies before the retired member, the retirement
56 allowance will be increased to the amount the retired member would be receiving had the retired
57 member elected option 1;

58 OR

59 Option 3. Upon the death of the member three-fourths of the reduced retirement
60 allowance shall be continued throughout the life of and paid to such person as has an insurable
61 interest in the life of the member and as the member shall have nominated in an election of the
62 option, and provided further that if the person so nominated dies before the retired member, the
63 retirement allowance will be increased to the amount the retired member would be receiving had
64 the member elected option 1;

65 OR

66 Option 4. Upon the death of the member one-half of the reduced retirement allowance
67 shall be continued throughout the life of, and paid to, such person as has an insurable interest in
68 the life of the member and as the member shall have nominated in an election of the option, and
69 provided further that if the person so nominated dies before the retired member, the retirement
70 allowance shall be increased to the amount the retired member would be receiving had the
71 member elected option 1;

72 OR

73 Option 5. Upon the death of the member prior to the member having received one
74 hundred twenty monthly payments of the member's reduced allowance, the remainder of the one
75 hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as
76 the member shall have nominated in the member's election of the option or in a subsequent
77 nomination. If there is no beneficiary so nominated who survives the member for the remainder
78 of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred
79 twenty monthly payments shall be paid to the estate of the last person to receive a monthly
80 allowance;

81 OR

82 Option 6. Upon the death of the member prior to the member having received sixty
83 monthly payments of the member's reduced allowance, the remainder of the sixty monthly
84 payments of the reduced allowance shall be paid to such beneficiary as the member shall have
85 nominated in the member's election of the option or in a subsequent nomination. If there is no
86 beneficiary so nominated who survives the member for the remainder of the sixty monthly
87 payments, the reserve of the remainder of such sixty monthly payments shall be paid to the estate
88 of the last person to receive a monthly allowance.

89 (2) The election of an option may be made only in the application for retirement and such
90 application must be filed prior to the date on which the retirement of the member is to be

91 effective. If either the member or the person nominated to receive the survivorship payments
92 dies before the effective date of retirement, the option shall not be effective, provided that:

93 (a) If the member or a person retired on disability retirement dies after acquiring
94 twenty-five or more years of creditable service or after attaining the age of fifty-five years and
95 acquiring five or more years of creditable service and before retirement, except retirement with
96 disability benefits, and the person named by the member as the member's primary beneficiary
97 has an insurable interest in the life of the deceased member, the designated beneficiary may elect
98 to receive either survivorship benefits under option 2 or a payment of the accumulated
99 contributions of the member. If survivorship benefits under option 2 are elected and the member
100 at the time of death would have been eligible to receive an actuarial equivalent of the member's
101 retirement allowance, the designated beneficiary may further elect to defer the option 2 payments
102 until the date the member would have been eligible to receive the retirement allowance provided
103 in subsection 1 or 2 of this section;

104 (b) If the member or a person retired on disability retirement dies before attaining age
105 fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the
106 person named as the member's primary beneficiary has an insurable interest in the life of the
107 deceased member, the designated beneficiary may elect to receive either a payment of the
108 member's accumulated contributions, or survivorship benefits under option 2 to begin on the date
109 the member would first have been eligible to receive an actuarial equivalent of the member's
110 retirement allowance, or to begin on the date the member would first have been eligible to
111 receive the retirement allowance provided in subsection 1 or 2 of this section.

112 4. If the total of the retirement allowance paid to an individual before the death of the
113 individual is less than the accumulated contributions at the time of retirement, the difference
114 shall be paid to the beneficiary of the individual, or to the estate of the individual, if there be no
115 beneficiary. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section
116 had been elected, and the beneficiary dies after receiving the optional benefit, and if the total
117 retirement allowance paid to the retired individual and the beneficiary of the retired individual
118 is less than the total of the contributions, the difference shall be paid to the estate of the
119 beneficiary unless the retired individual designates a different recipient with the board at or after
120 retirement.

121 5. If a member dies before receiving a retirement allowance, the member's accumulated
122 contributions at the time of the death of the member shall be paid to the beneficiary of the
123 member or to the estate of the member, if there be no beneficiary; except that, no such payment
124 shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the
125 beneficiary dies before having received benefits pursuant to that subsection equal to the
126 accumulated contributions of the member, in which case the amount of accumulated

127 contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the
128 estate of the beneficiary.

129 6. If a member ceases to be a public school employee as herein defined and certifies to
130 the board of trustees that such cessation is permanent, or if the membership of the person is
131 otherwise terminated, the member shall be paid the member's accumulated contributions with
132 interest.

133 7. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a
134 member ceases to be a public school employee after acquiring five or more years of membership
135 service in Missouri, the member may at the option of the member leave the member's
136 contributions with the retirement system and claim a retirement allowance any time after
137 reaching the minimum age for voluntary retirement. When the member's claim is presented to
138 the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141
139 on the basis of the member's age, years of service, and the provisions of the law in effect at the
140 time the member requests the member's retirement to become effective.

141 8. The retirement allowance of a member retired because of disability shall be
142 nine-tenths of the allowance to which the member's creditable service would entitle the member
143 if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in
144 determining the member's contributions during the last school year for which the member
145 received a year of creditable service immediately prior to the member's disability, whichever is
146 greater, except that no such allowance shall exceed the retirement allowance to which the
147 member would have been entitled upon retirement at age sixty if the member had continued to
148 teach from the date of disability until age sixty at the same salary rate.

149 9. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from
150 October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be
151 multiplied by the factor of two-thirds for any member of the system for whom federal Old Age
152 and Survivors Insurance tax is paid from state or local tax funds on account of the member's
153 employment entitling the person to membership in the system. The monetary benefits for a
154 member who elected not to exercise an option to pay into the system a retroactive contribution
155 of four percent on that part of the member's annual salary rate which was in excess of four
156 thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each
157 year of employment in a position covered by this system between July 1, 1957, and July 1, 1961,
158 as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

159 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for
160 years of membership service;

161 (2) For years of membership service after July 1, 1946, in which the full contribution rate
162 was paid, full benefits under the formula in effect at the time of the member's retirement;

163 (3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the
164 benefits provided in this section as it appears in RSMo, 1959; except that if the member has at
165 least thirty years of creditable service at retirement the member shall receive the benefit payable
166 pursuant to that section as though the member's age were sixty-five at retirement;

167 (4) For years of membership service after July 1, 1961, in which the two-thirds
168 contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of
169 the member's retirement.

170 10. The monetary benefits for each other member for whom federal Old Age and
171 Survivors Insurance tax is or was paid at any time from state or local funds on account of the
172 member's employment entitling the member to membership in the system shall be the sum of:

173 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for
174 years of membership service;

175 (2) For years of membership service after July 1, 1946, in which the full contribution rate
176 was paid, full benefits under the formula in effect at the time of the member's retirement;

177 (3) For years of membership service after July 1, 1957, in which the two-thirds
178 contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of
179 the member's retirement.

180 11. Any retired member of the system who was retired prior to September 1, 1972, or
181 beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such
182 option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement
183 allowance of the member of two percent for each year, or major fraction of more than one-half
184 of a year, which the retired member has been retired prior to July 1, 1975. This increased amount
185 shall be payable commencing with January, 1976, and shall thereafter be referred to as the
186 member's retirement allowance. The increase provided for in this subsection shall not affect the
187 retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor
188 shall the amount being paid pursuant to these sections be reduced because of any increases
189 provided for in this section.

190 12. If the board of trustees determines that the cost of living, as measured by generally
191 accepted standards, increases two percent or more in the preceding fiscal year, the board shall
192 increase the retirement allowances which the retired members or beneficiaries are receiving by
193 two percent of the amount being received by the retired member or the beneficiary at the time
194 the annual increase is granted by the board with the provision that the increases provided for in
195 this subsection shall not become effective until the fourth January first following the member's
196 retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on
197 or after July 1, 2000, the increase provided for in this subsection shall not become effective until
198 the third January first following the member's retirement, or in the case of any member retiring

199 on or after July 1, 2001, the increase provided for in this subsection shall not become effective
200 until the second January first following the member's retirement. Commencing with January 1,
201 1992, if the board of trustees determines that the cost of living has increased five percent or more
202 in the preceding fiscal year, the board shall increase the retirement allowances by five percent.
203 The total of the increases granted to a retired member or the beneficiary after December 31,
204 1976, may not exceed [eighty] **ninety** percent of the retirement allowance established at
205 retirement or as previously adjusted by other subsections. If the cost of living increases less than
206 five percent, the board of trustees may determine the percentage of increase to be made in
207 retirement allowances, but at no time can the increase exceed five percent per year. If the cost
208 of living decreases in a fiscal year, there will be no increase in allowances for retired members
209 on the following January first.

210 13. The board of trustees may reduce the amounts which have been granted as increases
211 to a member pursuant to subsection 12 of this section if the cost of living, as determined by the
212 board and as measured by generally accepted standards, is less than the cost of living was at the
213 time of the first increase granted to the member; except that, the reductions shall not exceed the
214 amount of increases which have been made to the member's allowance after December 31, 1976.

215 14. Any application for retirement shall include a sworn statement by the member
216 certifying that the spouse of the member at the time the application was completed was aware
217 of the application and the plan of retirement elected in the application.

218 15. Notwithstanding any other provision of law, any person retired prior to September
219 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of
220 subsection 3 of this section, as such option existed prior to September 28, 1983, and whose
221 beneficiary nominated to receive continued retirement allowance payments under the elected
222 option dies or has died, shall upon application to the board of trustees have his or her retirement
223 allowance increased to the amount he or she would have been receiving had the option not been
224 elected, actuarially adjusted to recognize any excessive benefits which would have been paid to
225 him or her up to the time of application.

226 16. Benefits paid pursuant to the provisions of the public school retirement system of
227 Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code
228 except as provided pursuant to this subsection. Notwithstanding any other law to the contrary,
229 the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the
230 United States Code. Such plan shall be created solely for the purpose described in Section
231 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate
232 regulations necessary to implement the provisions of this subsection and to create and administer
233 such benefit plan.

234 17. Notwithstanding any other provision of law to the contrary, any person retired before,

235 on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as
236 a special consultant on the matters of education, retirement and aging, and upon request shall
237 give written or oral opinions to the board in response to such requests. As compensation for such
238 duties the person shall receive an amount based on the person's years of service so that the total
239 amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts
240 specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to
241 be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in
242 accordance with the actuarial adjustment, if any, that was applied to the person's retirement
243 allowance. In determining the minimum amount to be received, beginning September 1, 1996,
244 the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with
245 the actuarial adjustment, if any, that was applied to the person's retirement allowance due to
246 election of an optional form of retirement having a continued monthly payment after the person's
247 death. Notwithstanding any other provision of law to the contrary, no person retired before, on,
248 or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit
249 pursuant to sections 169.010 to 169.141 based on the person's years of service less than the
250 following amounts:

- 251 (1) Thirty or more years of service, one thousand two hundred dollars;
- 252 (2) At least twenty-five years but less than thirty years, one thousand dollars;
- 253 (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- 254 (4) At least fifteen years but less than twenty years, six hundred dollars.

255 18. Notwithstanding any other provisions of law to the contrary, any person retired prior
256 to May 26, 1994, and any designated beneficiary of such a retired member who was deceased
257 prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a
258 special consultant on the matters of education, retirement or aging and upon request shall give
259 written or oral opinions to the board in response to such requests. Beginning September 1, 1996,
260 as compensation for such service, the member shall have added, pursuant to this subsection, to
261 the member's monthly annuity as provided by this section a dollar amount equal to the lesser of
262 sixty dollars or the product of two dollars multiplied by the member's number of years of
263 creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased
264 member shall as compensation for such service have added, pursuant to this subsection, to the
265 monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars
266 or the product of two dollars multiplied by the member's number of years of creditable service.
267 The total compensation provided by this section including the compensation provided by this
268 subsection shall be used in calculating any future cost-of-living adjustments provided by
269 subsection 12 of this section.

270 19. Any member who has retired prior to July 1, 1998, and the designated beneficiary

271 of a deceased retired member shall be made, constituted, appointed and employed by the board
272 as a special consultant on the matters of education, retirement and aging, and upon request shall
273 give written or oral opinions to the board in response to such requests. As compensation for such
274 duties the person shall receive a payment equivalent to eight and seven-tenths percent of the
275 previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity
276 and which shall not be subject to the provisions of subsections 12 and 13 of this section for the
277 purposes of the limit on the total amount of increases which may be received.

278 20. Any member who has retired shall be made, constituted, appointed and employed
279 by the board as a special consultant on the matters of education, retirement and aging, and upon
280 request shall give written or oral opinions to the board in response to such request. As
281 compensation for such duties, the person shall receive as a part of compensation for these duties
282 a death benefit of five thousand dollars. **Notwithstanding any provision of law, the five**
283 **thousand dollars received under this subsection shall not be subject to taxation.**

284 21. Any member who has retired prior to July 1, 1999, and the designated beneficiary
285 of a retired member who was deceased prior to July 1, 1999, shall be made, constituted,
286 appointed and employed by the board as a special consultant on the matters of education,
287 retirement and aging, and upon request shall give written or oral opinions to the board in
288 response to such requests. As compensation for such duties, the person shall have added,
289 pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount
290 equal to five dollars times the member's number of years of creditable service.

291 22. Any member who has retired prior to July 1, 2000, and the designated beneficiary
292 of a deceased retired member shall be made, constituted, appointed and employed by the board
293 as a special consultant on the matters of education, retirement and aging, and upon request shall
294 give written or oral opinions to the board in response to such requests. As compensation for such
295 duties, the person shall receive a payment equivalent to three and five-tenths percent of the
296 previous month's benefit, which shall be added to the member or beneficiary's monthly annuity
297 and which shall not be subject to the provisions of subsections 12 and 13 of this section for the
298 purposes of the limit on the total amount of increases which may be received.

299 23. Any member who has retired prior to July 1, 2001, and the designated beneficiary
300 of a deceased retired member shall be made, constituted, appointed and employed by the board
301 as a special consultant on the matters of education, retirement and aging, and upon request shall
302 give written or oral opinions to the board in response to such requests. As compensation for such
303 duties, the person shall receive a dollar amount equal to three dollars times the member's number
304 of years of creditable service, which shall be added to the member's or beneficiary's monthly
305 annuity and which shall not be subject to the provisions of subsections 12 and 13 of this section
306 for the purposes of the limit on the total amount of increases which may be received.