

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 854,
2 Page 17, Section 79.050, Line 41, by inserting after all of said line the following:

3
4 "86.207. 1. Except as provided in section 86.362, all persons who become policemen and all
5 policemen who enter or reenter the service of the city after the first day of October, 1957, become
6 members as a condition of their employment and shall receive no pensions or retirement allowance
7 from any other pension or retirement system supported wholly or in part by the city or the state of
8 Missouri, nor shall they be required to make contributions under any other pension or retirement
9 system of the city or the state of Missouri, anything to the contrary notwithstanding.

10 2. If any member ceases to be in service for more than one year unless the member has
11 attained the age of fifty-five or has twenty years or more of creditable service, or if the member
12 withdraws the member's accumulated contributions or if the member receives benefits under the
13 retirement system or dies, the member thereupon ceases to be a member; except in the case of a
14 member who has served in the Armed Forces of the United States and has subsequently been
15 reinstated as a policeman. A member who has terminated employment as a police officer, has
16 actually retired and is receiving retirement benefits under the system shall be considered a retired
17 member.

18 3. A reserve officer shall not be considered a member of the system for the purpose of
19 determining creditable service, nor shall any contributions be due. A reserve officer shall not be
20 entitled to any benefits from the system other than those awarded when the reserve officer originally
21 retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those
22 benefits.

23 86.362. 1. Notwithstanding any provision of law to the contrary, employees of the
24 employees retirement system of the city of St. Louis who are earning creditable service in the
25 employees retirement system of the city of St. Louis and who are transferred to the St. Louis
26 metropolitan police department as policemen shall elect within ninety days of the effective date of
27 this section to either remain a member of the employees retirement system of the city of St. Louis or
28 transfer membership and creditable service to the police retirement system of St. Louis. The election
29 shall be made in writing after the employee has received a detailed analysis comparing retirement,
30 life insurance, disability benefits, and medical benefits of a member of the employees retirement
31 system of the city of St. Louis with the corresponding benefits provided a member of the police
32 retirement system of St. Louis. The employees retirement system of the city of St. Louis and the
33 police retirement system of St. Louis shall work together to provide the detailed analysis under this
34 subsection, ensure that affected members receive such analysis, and design appropriate forms for
35 plan membership election. In electing plan membership, the employee shall acknowledge and agree
36 that an election made under this subsection is irrevocable and constitutes a waiver to receive

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1 retirement, life insurance, disability benefits, and medical benefits except as provided by the system
 2 elected by the employee. Furthermore, in connection with the election, the employee shall be
 3 required to acknowledge that the benefits provided by virtue of membership in either system, and
 4 any associated costs to the employee, may be different now or in the future as a result of the election
 5 and that the employee agrees to hold both systems harmless with regard to benefit differences
 6 resulting from the election.

7 2. The employees retirement system of the city of St. Louis shall pay to the police retirement
 8 system of St. Louis an amount actuarially determined to equal the liability at the time of the transfer
 9 for any employee who elects under subsection 1 of this section to transfer to the police retirement
 10 system of St. Louis, to the extent that liability is funded as of the most recent actuarial valuation and
 11 based on the actuarial value of assets not to exceed one hundred percent. Such transfer shall be made
 12 within sixty days of the employee's election.

13 3. In no event shall any employee receive service credit for the same period of service under
 14 more than one retirement system as a result of the provisions of this section.

15 4. The provisions of this section shall not be effective until a corresponding authorizing
 16 ordinance is passed by the board of aldermen with the city of St. Louis."; and

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 18 Further amend said bill, Page 19, Section 94.270, Line 63, by inserting after all of said line the
 19 following:

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 21 "95.540. 1. The following words and phrases as used in this section, unless a different
 22 meaning is plainly required by the context, shall mean:

23 (1) "Employee", any person regularly employed by any city, within the authorization of this
 24 section, who receives remuneration from the city for personal services rendered the city. The term
 25 "employee" shall not include any person:

26 (a) Who is included as an active member in any other pension plan similar in purpose by
 27 reason of his employment with the city, except the federal Social Security Old Age, Survivors, and
 28 Disability Insurance Program, as amended; or

29 (b) Who acts for the city under contracts or is paid wholly on a fee basis; or

30 (c) Who is a city officer or elected official of the city as defined in this section; or

31 (d) Who is employed by the city as a "fireman" or "policeman";

32 (2) "Officer", any officer or elected official of the city who has been delegated some
 33 substantial part of the sovereign power to be independently exercised with some continuity and
 34 without control of a superior power other than the law;

35
 36 except that any employee earning creditable service in the pension plan adopted under subsection 2
 37 of this section who is transferred to the St. Louis metropolitan police department as a policeman and
 38 elects to remain in the pension plan adopted under subsection 2 of this section as provided in section
 39 86.362 shall be considered an employee in the plan for purposes of retirement, life insurance,
 40 disability benefits, and medical benefits.

41 2. Any city of this state that now has or may hereafter have a population of more than four
 42 hundred and fifty thousand inhabitants is hereby authorized to provide by ordinance or otherwise for
 43 the pensioning of its employees and officers, in one or more plans, whether performing city or
 44 county functions, and the widows and minor children of deceased employees and officers and to
 45 appropriate and utilize its municipal revenues and other available funds for such purposes.

46 3. The employees and officers of any municipally owned public utility may be included
 47 within the provisions of any pension plan adopted in pursuance of subsection 2, but the cost of
 48 paying pensions to such employees and officers and the widows and minor children thereof, as well

1 as its pro rata share of the expenses of administration and the operation of the pension system, as a
2 whole, shall be borne by the funds or revenues of such municipally owned public utility.

3 4. The employees and officers of any administrative board or board of control organized and
4 existing under the general laws of the state of Missouri for the purpose of furnishing library services
5 or maintaining and operating an art museum or a zoological park or similar public service to the
6 inhabitants of such city may be included within the provisions of any pension plan adopted in
7 pursuance of subsection 2, but the cost of paying pensions to such employees and officers and
8 widows and minor children thereof, as well as their pro rata share of the expenses of administration
9 and the operation of the pension system, as a whole, shall be borne by the funds or revenues of such
10 administrative board or board of control; provided, however, that the employees and officers of any
11 such board or board of control shall not be included in any such pension plan unless the ordinance of
12 such city providing for the inclusion of such employees and officers shall be accepted by resolution
13 of such administrative board or board of control."; and

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15 Further amend said bill, Page 52, Section 300.320, Line 4, by inserting after all of said line the
16 following:

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18 "Section B. Because of the need to maintain continuity of retirement benefits, the repeal and
19 reenactment of sections 86.207 and 95.540 and the enactment of section 86.362 of section A of this
20 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and
21 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the
22 repeal and reenactment of sections 86.207 and 95.540 and the enactment of section 86.362 of section
23 A of this act shall be in full force and effect upon its passage and approval."; and

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25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.
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