

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 4, by
2 inserting after said line the following:

3 "70.600. The following words and phrases as used in sections 70.600 to 70.755[, unless a
4 different meaning is plainly required by the context,] shall mean:

5 (1) "Accumulated contributions", the total of all amounts deducted from the compensations
6 of a member and standing to the member's credit in his or her individual account in the members
7 deposit fund, together with investment credits thereon;

8 (2) "Actuarial equivalent", a benefit of equal reserve value;

9 (3) "Allowance", the total of the annuity and the pension. All allowances shall be paid not
10 later than the tenth day of each calendar month;

11 (4) "Annuity", a monthly amount derived from the accumulated contributions of a member
12 and payable by the system throughout the life of a person or for a temporary period;

13 (5) "Beneficiary", any person who is receiving or designated to receive a system benefit,
14 except a retiree;

15 (6) "Benefit program", a schedule of benefits or benefit formulas from which the amounts of
16 system benefits can be determined;

17 (7) "Board of trustees" or "board", the board of trustees of the system;

18 (8) "Compensation", the remuneration paid an employee by a political subdivision or by an
19 elected fee official of the political subdivision for personal services rendered by the employee for the
20 political subdivision or for the elected fee official in the employee's public capacity; provided, that
21 for an elected fee official, "compensation" means that portion of his or her fees which is net after
22 deduction of (a) compensation paid by such elected fee official to his or her office employees, if any,
23 and (b) the ordinary and necessary expenses paid by such elected fee official and attributable to the
24 operation of his or her office. In cases where an employee's compensation is not all paid in money,
25 the political subdivision shall fix the reasonable value of the employee's compensation not paid in
26 money. In determining compensation no consideration shall be given to:

27 (a) Any nonrecurring single sum payment paid by an employer;

28 (b) Employer contributions to any employee benefit plan or trust;

29 (c) Any other unusual or nonrecurring remuneration; or

30 (d) Compensation in excess of the limitations set forth in Internal Revenue Code Section

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1 401(a)(17). The limitation on compensation for eligible employees shall not be less than the amount
2 which was allowed to be taken into account under the system as in effect on July 1, 1993. For
3 purposes of this paragraph, an "eligible employee" is an individual who was a member of the system
4 before the first plan year beginning after December 31, 1995;

5 (9) "Credited service", the total of a member's prior service and membership service, to the
6 extent such service is standing to the member's credit as provided in sections 70.600 to 70.755;

7 (10) "Employee", any person regularly employed by a political subdivision who receives
8 compensation from the political subdivision for personal services rendered the political subdivision,
9 including any elected official of the political subdivision whose position requires his or her regular
10 personal services and who is compensated wholly or in part on a fee basis, and including the
11 employees of such elected fee officials who may be compensated by such elected fee officials. The
12 term "employee" may include any elected county official. The term "employee" shall not include
13 any person:

14 (a) Who is not an elected official of the political subdivision and who is included as an active
15 member in any other plan similar in purpose to this system by reason of his or her employment with
16 his or her political subdivision, except the federal Social Security Old Age, Survivors, and Disability
17 Insurance Program, as amended; or

18 (b) Who acts for the political subdivision under contract; or

19 (c) Who is paid wholly on a fee basis, except elected officials and their employees; or

20 (d) Who holds the position of mayor, presiding judge, president or chairman of the political
21 subdivision or is a member of the governing body of the political subdivision; except that, such an
22 official of a political subdivision having ten or more other employees may become a member if the
23 official is covered under the federal Social Security Old Age, Survivors, and Disability Insurance
24 Program, as amended, by reason of such official's employment with his or her political subdivision,
25 by filing written application for membership with the board after the date the official qualifies for
26 such position or within thirty days after the date his or her political subdivision becomes an
27 employer, whichever date is later;

28 (11) "Employer", any political subdivision which has elected to have all its eligible
29 employees covered by the system;

30 (12) "Final average salary", the monthly average of the compensations paid an employee
31 during the period of sixty or, if an election has been made in accordance with section 70.656,
32 thirty-six consecutive months of credited service producing the highest monthly average, which
33 period is contained within the period of one hundred twenty consecutive months of credited service
34 immediately preceding his or her termination of membership. Should a member have less than sixty
35 or, if an election has been made in accordance with section 70.656, thirty-six months of credited
36 service, "final average salary" means the monthly average of compensation paid the member during
37 his or her total months of credited service;

38 (13) "Fireman", any regular or permanent employee of the fire department of a political
39 subdivision, including a probationary fireman. The term "fireman" shall not include:

40 (a) Any volunteer fireman; or

41 (b) Any civilian employee of a fire department, except as provided in section 70.631; or

- 1 (c) Any person temporarily employed as a fireman for an emergency;
 2 (14) "Member", any employee included in the membership of the system;
 3 (15) "Membership service", employment as an employee with the political subdivision from
 4 and after the date such political subdivision becomes an employer, which employment is creditable
 5 as service hereunder;
 6 (16) "Minimum service retirement age", age sixty for a member who is neither a policeman
 7 nor a fireman; "minimum service retirement age", age fifty-five for a member who is a policeman or
 8 a fireman;
 9 (17) "Pension", a monthly amount derived from contributions of an employer and payable by
 10 the system throughout the life of a person or for a temporary period;
 11 (18) "Policeman", any regular or permanent employee of the police department of a political
 12 subdivision, including a probationary policeman. The term "policeman" shall not include:
 13 (a) Any civilian employee of a police department; or
 14 (b) Any person temporarily employed as a policeman for an emergency;
 15 (19) "Political subdivision", any governmental subdivision of this state created pursuant to
 16 the laws of this state, and having the power to tax, except public school districts; a board of utilities
 17 or a board of public works which is required by charter or ordinance to establish the compensation of
 18 employees of the utility separate from the compensation of other employees of the city may be
 19 considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility
 20 commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;
 21 (20) "Prior service", employment as an employee with the political subdivision prior to the
 22 date such political subdivision becomes an employer, which employment is creditable as service
 23 hereunder;
 24 (21) "Regular interest" or "investment credits", such reasonable rate or rates per annum,
 25 compounded annually, as the board shall adopt annually;
 26 (22) "Reserve", the present value of all payments to be made on account of any system
 27 benefit based upon such tables of experience and regular interest as the board shall adopt from time
 28 to time;
 29 (23) "Retirant", a former member receiving a system allowance by reason of having been a
 30 member;
 31 (24) "Retirement system" or "system", the Missouri local government employees' retirement
 32 system."; and
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34 Further amend said bill, Page 5, Section 86.200, Line 114 by inserting after said line the following:

35 "86.207. 1. All persons who become policemen or policewomen and all policemen or
 36 policewomen who enter or reenter the service of the city after the first day of October, 1957, become
 37 members as a condition of their employment and shall receive no pensions or retirement allowance
 38 from any other pension or retirement system supported wholly or in part by the city or the state of
 39 Missouri, nor shall they be required to make contributions under any other pension or retirement
 40 system of the city or the state of Missouri, anything to the contrary notwithstanding.

41 2. If any member ceases to be in service for more than one year unless the member has
 42 attained the age of fifty-five or has twenty years or more of creditable service, or if the member

1 withdraws the member's accumulated contributions or if the member receives benefits under the
2 retirement system or dies, the member thereupon ceases to be a member; except in the case of a
3 member who has served in the Armed Forces of the United States and has subsequently been
4 reinstated as a policeman. A member who has terminated employment as a police officer, has
5 actually retired and is receiving retirement benefits under the system shall be considered a retired
6 member.

7 3. A reserve officer shall not be considered a member of the system for the purpose of
8 determining creditable service, nor shall any contributions be due. A reserve officer shall not be
9 entitled to any benefits from the system other than those awarded when the reserve officer originally
10 retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those
11 benefits."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.