

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300,  
2 Page 24, Section 94.579, Line 139, by inserting after said line the following:

3  
4 "104.403. 1. Any state employee or retiree, but not including a current or former member of  
5 the general assembly or statewide elected official, who retires pursuant to section 104.404, and who  
6 is also eligible for medical coverage as described in section 103.115, shall be eligible to apply for the  
7 following coverage:

8 (1) Such retiree may elect to continue coverage for himself or herself and any eligible  
9 dependents at the same cost as if such retiree was an active employee;

10 (2) Such retiree may continue to pay the applicable rate as if the retiree were an active  
11 employee for a maximum period of five years or upon becoming eligible for Medicare, whichever  
12 occurs first; and

13 (3) After five years or upon becoming eligible for Medicare, the cost for medical coverage  
14 for such retiree and any dependents shall revert to the applicable rate in place at that time.

15 2. Any employee [or retiree] of a participating member agency who retires pursuant to  
16 section 104.404 shall only be eligible to have the provisions of subsection 1 of this section applied to  
17 his or her coverage if the governing body of the participating member agency elects to provide such  
18 benefits.

19 3. The governing boards of Truman State University, Lincoln University, the educational  
20 institutions described in section 174.020, the highway commission that governs the health care plans  
21 of the Missouri department of transportation and the Missouri state highway patrol, and the  
22 conservation commission of the department of conservation may elect to provide its employees or  
23 retirees who retire pursuant to section 104.404 the same benefits as described in subsection 1 of this  
24 section under the respective medical plans of those institutions and departments. [If the highway  
25 commission elects to provide retirees the benefits of this section, any special consultant pursuant to  
26 section 104.515 who is a member of the Missouri department of transportation and Missouri state  
27 highway patrol medical and life insurance plan and who retired on or after February 1, 2003, but  
28 prior to July 1, 2003, shall be eligible to receive the benefits of this section.]

29 104.404. 1. An employee who has not been a retiree of the system in which such employee  
30 is currently receiving creditable or credited service, who is eligible to receive a normal annuity

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1 pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary  
 2 annuity pursuant to section 104.1024, and whose annuity commences no later than [September 1,  
 3 2003,] November 1, 2015, shall be eligible to receive the medical benefits described in section  
 4 104.403.

5 2. [An employee who would be eligible to receive a normal annuity pursuant to section  
 6 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to  
 7 section 104.1024, no later than January 1, 2004, shall be eligible to retire based on the employee's  
 8 creditable or credited service and the average compensation or final average pay on the employee's  
 9 date of termination of employment if the employee applies to retire and whose annuity commences  
 10 no later than September 1, 2003. Such employee who so retires shall be eligible to receive the  
 11 medical benefits described in subsection 1 of this section.

12 3. Any employee described in subsections 1 and 2 of this section who otherwise would be  
 13 eligible to elect to receive benefits under the provisions of sections 104.625 and 104.1024, by no  
 14 later than January 1, 2004, shall be eligible to elect to receive benefits pursuant to sections 104.625  
 15 and 104.1024; except that in no event shall a lump sum payment be made for any time period after  
 16 the employee's annuity starting date.

17 4.] A retiree whose retirement annuity commenced on or after [February 1, 2003] March 1,  
 18 2015, but no later than [September 1, 2003] November 1, 2015, shall be eligible to receive the  
 19 medical benefits described in section 104.403.

20 [5.] 3. The state may hire employees to replace those employees retiring pursuant to this  
 21 section and section 104.403, except that departments shall not fill more than twenty-five percent of  
 22 those positions vacated. Exceptions to the twenty-five percent restriction may be made for critical or  
 23 seasonal positions or positions which are entirely federally funded. Such determination shall be  
 24 made by rule and regulation promulgated by the office of administration. The provisions of this  
 25 subsection shall not apply to Truman University, Lincoln University or the educational institutions  
 26 described in section 174.020.

27 [6.] 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
 28 under the authority delegated in this section shall become effective only if it complies with and is  
 29 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
 30 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to  
 31 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
 32 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
 33 August 28, [2003] 2015, shall be invalid and void.

34 [7.] 5. The Missouri state employees' retirement system and the highways and transportation  
 35 employees' and highway patrol retirement system, if applicable, shall make a report in writing to the  
 36 governor[, and commissioner of administration[, and the general assembly by April 1, 2004,] by  
 37 December 1, 2015, and in addition shall provide [monthly tracking] a report of the effect of state  
 38 employee retirements pursuant to this section and section 104.403. [The report shall cover the time  
 39 period of February 1, 2003, to January 31, 2004.] The report shall include the number of such  
 40 retirements, the amount of payroll affected as a result of retirements, and the financial effect of such  
 41 retirements as expressed in a report by each system's actuary.

1           [8.] 6. The office of administration shall make a report in writing to the governor and the  
2 general assembly by [April 1, 2004,] March 1, 2016, and in addition shall provide [monthly  
3 tracking] a report of the budgetary effect of state employee retirements [pursuant] relative to the  
4 effect of this section and section 104.403. The report shall include the amount of payroll reduced as  
5 a result of such retirements, the number of positions that are core cut as a result of such retirements,  
6 the number of employees employed to replace those who retired pursuant to this section, and the  
7 financial effect on the budget, including any costs associated with payment of medical premiums by  
8 the state.

9           [9.] 7. The Missouri consolidated health care plan shall make a report in writing to the  
10 [governor and the general assembly by April 1, 2004, and in addition shall provide monthly  
11 tracking] office of administration by December 1, 2015, of the effect of state not be limited to, the  
12 amount of payroll reduced as a result of such retirements, the number of positions that are core cut as  
13 a result of such retirements, the number of employees employed to replace those who retired  
14 pursuant to this section, and the financial effect on the budget, including any costs associated with  
15 payment of medical premiums by the state."; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.