

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 155, Page 1, Section A, Line 3, by
2 inserting after all of said section and line the following:

3
4 "104.160. The board of trustees shall consist of three members of the state highways and
5 transportation commission elected by the members of the commission. The superintendent of the
6 highway patrol and the director of the department of transportation shall serve as members by virtue
7 of their respective offices, and their successors shall succeed them as members of the board of
8 trustees. In addition, one member of the senate appointed by the president pro tem of the senate and
9 one member of the house of representatives, appointed by the speaker of the house shall serve as
10 members of the board of trustees. In addition to the appointed legislators, two active employee
11 members of the system shall be elected by a plurality vote of the active employee members of the
12 system, herein designated for four-year terms to commence July 1, 1982, and every four years
13 thereafter. One elected member shall be elected from the active employees of the department of
14 transportation and one elected member shall be elected from the active employees of the civilian or
15 uniformed highway patrol. The terms of the active employee representatives serving on the board
16 on August 28, 2026, shall continue until June 30, 2028. All terms of elected active employee
17 representatives shall be for four years after June 30, 2028. In addition to the two active employee
18 members, two retirees of the system shall be elected to serve on the board by a plurality vote of the
19 retirees of the system. One retiree shall be elected by the retired employees of the transportation
20 department and one retiree shall be elected by the retired employees of the civilian or uniformed
21 highway patrol. The retiree serving on the board on August 28, 2007, shall continue to serve on the
22 board as the representative of the retired employees of the transportation department until June 30,
23 2010. An election shall be held prior to January 1, 2008, for the retiree to be elected by the retired
24 employees of the civilian or uniformed highway patrol with said term to commence on January 1,
25 2008, and expire on June 30, 2010. All terms of elected retired employees shall be for four years
26 after June 30, 2010. The board shall determine the procedures for nomination and election of the
27 elective board members. Nominations may be entered by any member of the system, provided
28 members of the system have a reasonable opportunity to vote.

29 104.380. 1. If a retired member is elected to any state office or is appointed to any state
30 office or is employed by a department in a position normally requiring the performance by the

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1 person of duties during not less than one thousand forty hours per year, the member shall not receive
2 an annuity for any month or part of a month for which the member serves as an officer or
3 employee[~~, but~~] except, notwithstanding the provisions of section 105.684 to the contrary, those
4 retired members serving as a member of the general assembly under section 104.370 or an elected
5 state official under section 104.371.

6 2. Upon reemployment under subsection 1 of this section, the member shall be considered to
7 be a new employee with no previous creditable service and must accrue creditable service
8 continuously for at least one year in order to receive any additional annuity. Any retired member
9 who again becomes an employee and who accrues additional creditable service and later retires shall
10 receive an additional amount of monthly annuity calculated to include only the creditable service
11 and the average compensation earned by the member since such employment or creditable service
12 earned as a member of the general assembly. Years of membership service and twelfths of a year
13 are to be used in calculating any additional annuity except for creditable service earned as a member
14 of the general assembly, and such additional annuity shall be based on the type of service accrued.
15 In either event, the original annuity and the additional annuity, if any, shall be paid commencing
16 with the end of the first month after the month during which the member's term of office has been
17 completed, or the member's employment terminated. If a retired member is employed by a
18 department in a position that does not normally require the person to perform duties during at least
19 one thousand forty hours per year, the member shall not be considered an employee as defined
20 pursuant to section 104.010. A retired member who becomes reemployed as an employee on or
21 after August 28, 2001, in a position covered by the Missouri department of transportation and
22 highway patrol employees' retirement system shall not be eligible to receive retirement benefits or
23 additional creditable service from the state employees' retirement system. Annual benefit increases
24 paid under section 104.415 shall not accrue while a retired member is employed as described in this
25 section except, notwithstanding the provisions of section 105.684 to the contrary, those retired
26 members serving as a member of the general assembly under section 104.370 or an elected state
27 official under section 104.371. Any future annual benefit increases paid after the member
28 terminates such employment will be paid in the same month as the member's original annual benefit
29 increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any
30 additional annuity paid under this section.

31 104.1039. If a retiree is employed as an employee by a department, the retiree shall not
32 receive an annuity payment for any calendar month in which the retiree is so employed except,
33 notwithstanding the provisions of section 105.684 to the contrary, those retirees serving as a member
34 of the general assembly or as a statewide elected official under section 104.1084. While
35 reemployed the retiree shall be considered to be a new employee with no previous credited service
36 and must accrue credited service continuously for at least one year in order to receive any additional
37 annuity. Such retiree shall receive an additional annuity in addition to the original annuity,
38 calculated based only on the credited service and the pay earned by such retiree during
39 reemployment and paid in accordance with the annuity option originally elected; provided such

1 retiree who ceases to receive an annuity pursuant to this section shall not receive such additional
2 annuity if such retiree is employed by a department in a position that is covered by a state-sponsored
3 defined benefit retirement plan not created pursuant to this chapter. The original annuity and any
4 additional annuity shall be paid commencing as of the end of the first month after the month during
5 which the retiree's reemployment terminates. Cost-of-living adjustments paid under section
6 104.1045 shall not accrue while a retiree is employed as described in this section except,
7 notwithstanding the provisions of section 105.684 to the contrary, those retirees serving as a member
8 of the general assembly or as a statewide elected official under section 104.1084. Any future cost-
9 of-living adjustments paid after the retiree terminates such employment will be paid in the same
10 month as the retiree's original annual benefit increases were paid."; and
11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.