

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2383, Page 3, Section 70.600, Lines 68 through 88, by deleting all of said
2 lines and inserting in lieu thereof the following:

3 "(13) "[Fireman] Firefighter", any regular or permanent employee of the fire department of
4 a political subdivision, including a probationary [fireman] firefighter. The term "[fireman]
5 firefighter" shall not include:

6 (a) Any volunteer [fireman] firefighter; [or]

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

8 (c) Any person temporarily employed as a [fireman] firefighter for an emergency;

9 (14) "Member", any employee included in the membership of the system;

10 (15) "Membership service", employment as an employee with the political subdivision from
11 and after the date such political subdivision becomes an employer, which employment is creditable
12 as service hereunder;

13 (16) "Minimum service retirement age", age sixty for a member who is neither a
14 [policeman] police officer nor a [fireman] firefighter; "minimum service retirement age", age fifty-
15 five for a member who is a [policeman] police officer or a [fireman] firefighter;

16 (17) "Pension", a monthly amount derived from contributions of an employer and payable
17 by the system throughout the life of a person or for a temporary period;

18 (18) "[Policeman] Police officer", any regular or permanent employee of the police
19 department of a political subdivision, including a probationary policeman. The term "[policeman]
20 police officer" shall not include:

21 (a) Any civilian employee of a police department, except as provided in section 70.631; or

22 (b) Any person temporarily employed as a [policeman] police officer for an emergency;";

23 and

24
25 Further amend said bill, Page 4, Section 70.600, Line 107, by inserting after all of said line the
26 following:

27
28 "70.605. 1. For the purpose of providing for the retirement or pensioning of the officers
29 and employees and the widows and children of deceased officers and employees of any political
30 subdivision of the state, there is hereby created and established a retirement system which shall be a
31 body corporate, which shall be under the management of a board of trustees herein described, and
32 shall be known as the "Missouri Local Government Employees' Retirement System". Such system
33 may sue and be sued, transact business, invest funds, and hold cash, securities, and other property.
34 All suits or proceedings directly or indirectly against the system shall be brought in Cole County.
35 The system shall begin operations on the first day of the calendar month next following sixty days
36 after the date the board of trustees has received certification from ten political subdivisions that they

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1 have elected to become employers.

2 2. The general administration and the responsibility for the proper operation of the system is
3 vested in a board of trustees of seven persons: three persons to be elected as trustees by the members
4 of the system; three persons to be elected trustees by the governing bodies of employers; and one
5 person, to be appointed by the governor, who is not a member, retirant, or beneficiary of the system
6 and who is not a member of the governing body of any political subdivision.

7 3. Trustees shall be chosen for terms of four years from the first day of January next
8 following their election or appointment, except that of the first board shall all be appointed by the
9 governor by and with the consent of the senate, as follows:

10 (1) Three persons who are officers or officials of political subdivisions, one for a term of
11 three years, one for a term of two years, and one for a term of one year; and

12 (2) Three persons who are employees of political subdivisions and who would, if the
13 subdivision by which they are employed becomes an employer, be eligible as members, one for a
14 term of three years, one for a term of two years, and one for a term of one year; and

15 (3) That person appointed by the governor under the provisions of subsection 2 of this
16 section. All the members of the first board shall take office as soon as appointed by the governor,
17 but their terms shall be computed from the first day of January next following their appointment,
18 and only one member may be from any political subdivision or be a [policeman] police officer or
19 [fireman] firefighter.

20 4. Successor trustees elected or appointed as member trustees shall be members of the
21 retirement system; provided, that not more than one member trustee shall be employed by any one
22 employer, and not more than one member trustee shall be a [policeman] police officer, and not more
23 than one member trustee shall be a [fireman] firefighter.

24 5. Successor trustees elected as employer trustees shall be elected or appointed officials of
25 employers and shall not be members of the retirement system; provided, that not more than one
26 employer trustee shall be from any one employer.

27 6. An annual meeting of the retirement system shall be called by the board in the last
28 calendar quarter of each year in Jefferson City, or at such place as the board shall determine, for the
29 purpose of electing trustees and to transact such other business as may be required for the proper
30 operation of the system. Notice of such meeting shall be sent by registered mail to the clerk or
31 secretary of each employer not less than thirty days prior to the date of such meeting. The
32 governing body of each employer shall certify to the board the name of one delegate who shall be
33 an officer of the employer, and the members of the employer shall certify to the board a member of
34 the employer to represent such employer at such meeting. The delegate certified as member
35 delegate shall be elected by secret ballot by the members of such employer, and the clerk or
36 secretary of each employer shall be charged with the duty of conducting such election in a manner
37 which will permit each member to vote in such election. Under such rules and regulations as the
38 board shall adopt, approved by the delegates, the member delegates shall elect a member trustee for
39 each such position on the board to be filled, and the officer delegates shall elect an employer trustee
40 for each such position on the board to be filled.

41 7. In the event any member trustee ceases to be a member of the retirement system, or any
42 employer trustee ceases to be an appointed or elected official of an employer, or becomes a member
43 of the retirement system, or if the trustee appointed by the governor becomes a member of the
44 retirement system or an elected or appointed official of a political subdivision, or if any trustee fails
45 to attend three consecutive meetings of the board, unless in each case excused for cause by the
46 remaining trustees attending such meeting or meetings, he or she shall be considered as having
47 resigned from the board and the board shall, by resolution, declare his or her office of trustee
48 vacated. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the unexpired

1 term in the same manner as the office was previously filled; provided, however, that the remaining
2 trustees may fill employer and member trustee vacancies on the board until the next annual meeting.

3 8. Each trustee shall be commissioned by the governor, and before entering upon the duties
4 of his or her office, shall take and subscribe to an oath or affirmation to support the Constitution of
5 the United States, and of the state of Missouri, and to demean himself or herself faithfully in his or
6 her office. Such oath as subscribed to shall be filed in the office of the secretary of state of this
7 state.

8 9. Each trustee shall be entitled to one vote in the board of trustees. Four votes shall be
9 necessary for a decision by the trustees at any meeting of the board of trustees. Four trustees, of
10 whom at least two shall be member trustees and at least two shall be employer trustees, shall
11 constitute a quorum at any meeting of the board. Unless otherwise expressly provided herein, a
12 meeting need not be called or held to make any decision on a matter before the board. Each
13 member must be sent by the executive secretary a copy of the matter to be decided with full
14 information from the files of the board. The concurring decisions of four trustees may decide the
15 issue by signing a document declaring their decision and sending the written instrument to the
16 executive secretary, provided that no other trustee shall send a dissenting decision to the executive
17 secretary within fifteen days after the document and information was mailed to him or her. If any
18 trustee is not in agreement with the four trustees, the matter is to be passed on at a regular board
19 meeting or a special meeting called for that purpose. The board shall hold regular meetings at least
20 once each quarter, the dates of these meetings to be designated in the rules and regulations adopted
21 by the board. Other meetings as deemed necessary may be called by the chairman or by any four
22 trustees acting jointly.

23 10. The board of trustees shall elect one of their number as chairman, and one of their
24 number as vice chairman, and shall employ an executive secretary, not one of their number, who
25 shall be the executive officer of the board. Other employees of the board shall be chosen only upon
26 the recommendation of the executive secretary.

27 11. The board shall appoint an actuary or a firm of actuaries as technical advisor to the
28 board on matters regarding the operation of the system on an actuarial basis. The actuary or
29 actuaries shall perform such duties as are required of him or her under sections 70.600 to 70.755,
30 and as are from time to time required by the board.

31 12. The board may appoint an attorney-at-law or firm of attorneys-at-law to be the legal
32 advisor of the board and to represent the board in all legal proceedings.

33 13. The board may appoint an investment counselor to be the investment advisor of the
34 board.

35 14. The board shall from time to time, after receiving the advice of its actuary, adopt such
36 mortality and other tables of experience, and a rate or rates of regular interest, as shall be necessary
37 for the actuarial requirements of the system, and shall require its executive secretary to keep in
38 convenient form such data as shall be necessary for actuarial investigations of the experience of the
39 system, and such data as shall be necessary for the annual actuarial valuations of the system.

40 15. The board shall keep a record of its proceedings, which shall be open to public
41 inspection. It shall prepare annually and render to each employer a report showing the financial
42 condition of the system as of the preceding June thirtieth. The report shall contain, but shall not be
43 limited to, a financial balance sheet; a statement of income and disbursements; a detailed statement
44 of investments acquired and disposed of during the year, together with a detailed statement of the
45 annual rates of investment income from all assets and from each type of investment; an actuarial
46 balance sheet prepared by means of the last valuation of the system, and such other data as the board
47 shall deem necessary or desirable for a proper understanding of the condition of the system.

48 16. The board of trustees shall, after reasonable notice to all interested parties, conduct

1 administrative hearings to hear and decide questions arising from the administration of sections
2 70.600 to 70.755; except, that such hearings may be conducted by a hearing officer who shall be
3 appointed by the board. The hearing officer shall preside at the hearing and hear all evidence and
4 rule on the admissibility of evidence. The hearing officer shall make recommended findings of fact
5 and may make recommended conclusions of law to the board. All final orders or determinations or
6 other final actions by the board shall be approved in writing by at least four members of the board.
7 Any board member approving in writing any final order, determination or other final action, who
8 did not attend the hearing, shall do so only after certifying that he or she reviewed all exhibits and
9 read the entire transcript of the hearing. Within thirty days after a decision or order or final action
10 of the board, any member, retirant, beneficiary or political subdivision adversely affected by that
11 determination or order or final action may take an appeal under the provisions of chapter 536.
12 Jurisdiction over any dispute regarding the interpretation of sections 70.600 to 70.755 and the
13 determinations required thereunder shall lie in the circuit court of Cole County.

14 17. The board shall arrange for adequate surety bonds covering the executive secretary and
15 any other custodian of the funds or investments of the board. When approved by the board, said
16 bonds shall be deposited in the office of the secretary of state.

17 18. The board shall arrange for annual audits of the records and accounts of the system by a
18 certified public accountant or by a firm of certified public accountants.

19 19. The headquarters of the retirement system shall be in Jefferson City.

20 20. The board of trustees shall serve as trustees without compensation for their services as
21 such; except that each trustee shall be paid for any necessary expenses incurred in attending
22 meetings of the board or in the performance of other duties authorized by the board.

23 21. Subject to the limitations of sections 70.600 to 70.755, the board shall formulate and
24 adopt rules and regulations for the government of its own proceedings and for the administration of
25 the retirement system.

26 70.610. Each political subdivision, by a majority vote of its governing body, may elect to
27 become an employer and cover its employees under the system, as follows:

28 (1) The clerk or secretary of the political subdivision shall certify the election to be an
29 employer to the board within ten days after the vote of the governing body. The effective date of
30 the political subdivision's coverage is the first day of the calendar month next following receipt by
31 the board of the election to be an employer, or the operative date of the system, whichever is the
32 later.

33 (2) An employer must cover all its employees who are neither [policemen] police officers
34 nor [firemen] firefighters and may cover its [policemen] police officers or [firemen] firefighters or
35 both.

36 70.615. After October 13, 1967, a political subdivision shall not commence coverage of its
37 employees who are neither [policemen] police officers nor [firemen] firefighters under another plan
38 similar in purpose to this system, other than under this system, except the federal Social Security
39 Old Age, Survivors, and Disability Insurance Program, as amended; except that, any political
40 corporation or subdivision of this state, now having or which may hereafter have an assessed
41 valuation of one hundred million dollars or more, which does not now have a pension system for its
42 officers and employees adopted pursuant to state law, may provide by proper legislative action of its
43 governing body for the pensioning of its officers and employees and the widows and minor children
44 of deceased officers and employees under a plan separate and apart from that provided in sections
45 70.600 to 70.670 and appropriate and utilize its revenues and other available funds for such
46 purposes, and except that the board of hospital trustees of any hospital which is owned by any
47 political corporation or subdivision of this state, may provide for the pensioning of its employees
48 and the widows and minor children of deceased employees under a plan separate and apart from that

1 provided in sections 70.600 to 70.670, and utilize its revenues and other funds for such purposes.

2 70.630. 1. The membership of the system shall include the following persons:

3 (1) All employees who are neither [policemen] police officers nor [firemen] firefighters
4 who are in the employ of a political subdivision the day preceding the date such political
5 subdivision becomes an employer and who continue in such employ on and after such date shall
6 become members of the system.

7 (2) All persons who become employed by a political subdivision as neither [policemen]
8 police officers nor [firemen] firefighters on or after the date such political subdivision becomes an
9 employer shall become members of the system.

10 (3) If his or her employing political subdivision has elected to cover present and future
11 [policemen] police officers, all [policemen] police officers who are in the employ of a political
12 subdivision the day preceding the date such political subdivision covers [policemen] police officers
13 hereunder and who continue in such employ as a [policeman] police officer on and after such date,
14 and all persons who become employed by a political subdivision as a [policeman] police officer on
15 or after the date the political subdivision covers [policemen] police officers shall become members
16 of the system.

17 (4) If his or her employing political subdivision has elected to cover only future [policemen]
18 police officers, all persons who become employed by a political subdivision as a [policeman] police
19 officer on or after the date such political subdivision covers [policemen] police officers hereunder
20 shall become members of the system.

21 (5) If his or her employing political subdivision has elected to cover present and future
22 [firemen] firefighters, all [firemen] firefighters who are in the employ of a political subdivision the
23 day preceding the date such political subdivision covers [firemen] firefighters hereunder and who
24 continue in such employ as a [fireman] firefighter on and after such date, and all persons who
25 become employed by a political subdivision as a [fireman] firefighter on or after the date the
26 political subdivision covers [firemen] firefighters hereunder shall become members of the system.

27 (6) If his or her employing political subdivision has elected to cover only future [firemen]
28 firefighters, all persons who become employed by a political subdivision as a [fireman] firefighter
29 on or after the date such political subdivision covers [firemen] firefighters hereunder shall become
30 members of the system.

31 2. In no event shall an employee become a member if continuous employment to time of
32 retirement will leave the employee with less than minimum number of years of credited service
33 specified in section 70.645.

34 3. In any case of question as to the system membership status of any person, the board shall
35 decide the question."; and

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37 Further amend said bill, Page 4, Section 70.631, Lines 2, 4 and 14, by deleting the word,
38 "policemen" and inserting in lieu thereof the words, "police officer"; and

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40 Further amend said bill, Page 4, Section 70.631, Lines 3, 5 and 15, by deleting the word, "firemen"
41 and inserting in lieu thereof the word, "firefighter"; and

42
43 Further amend said bill, Page 5, Section 70.631, Line 20, by inserting after all of said line the
44 following:

45 "70.730. 1. Each employer's contributions to the system shall be the total of the
46 contribution amounts provided for in subsections 2 through 5 of this section; provided, that such
47 contributions shall be subject to the provisions of subsection 6 of this section.

48 2. An employer's normal cost contributions shall be determined as follows: using the

1 financial assumptions adopted by the board from time to time, the actuary shall annually compute
2 the rate of contributions which, if paid annually by each employer during the total service of its
3 members, will be sufficient to provide the pension reserves required at the time of their retirements
4 to cover the pensions to which they might be entitled or which might be payable on their behalf.
5 The board shall annually certify to the governing body of each employer the amount of membership
6 service contribution so determined, and each employer shall pay such amount to the system during
7 the employer's next fiscal year which begins six months or more after the date of such board
8 certification. Such payments shall be made in such manner and form and in such frequency and
9 shall be accompanied by such supporting data as the board shall from time to time determine.
10 When received, such payments shall be credited to the employer's account in the employer
11 accumulation fund.

12 3. An employer's accrued service contributions shall be determined as follows: using the
13 financial assumptions adopted by the board from time to time, the actuary shall annually compute
14 for each employer the portions of pension reserves for pensions which will not be provided by
15 future normal cost contributions. The accrued service pension reserves so determined for each
16 employer less the employer's applicable balance in the employer accumulation fund shall be
17 amortized over a period of years, as determined by the board. Such period of years shall not extend
18 beyond the latest of (1) forty years from the date the political subdivision became an employer, or
19 (2) thirty years from the date the employer last elected to increase its optional benefit program, or
20 (3) fifteen years from the date of the annual actuarial computation. The board shall annually certify
21 to the governing body of each employer the amount of accrued service contribution so determined
22 for the employer, and each employer shall pay such amount to the system during the employer's
23 next fiscal year which begins six months or more after the date of such board certification. Such
24 payments shall be made in such manner and form and in such frequency and shall be accompanied
25 by such supporting data as the board shall from time to time determine. When received, such
26 payments shall be credited to the employer's account in the employer accumulation fund.

27 4. The employer's contributions for the portions of disability pensions or pensions that result
28 from a member's death that was the natural and proximate result of a personal injury or disease
29 arising out of and in the course of his or her actual performance of duty as an employee not covered
30 by accrued service pension reserves shall be determined on a one-year term basis. The board may
31 determine different rates of contributions for employers having [policeman] police officer members
32 or having [fireman] firefighter members or having neither [policeman] police officer members nor
33 [fireman] firefighter members. The board shall annually certify to the governing body of each
34 employer the amount of contribution so ascertained for the employer, and each employer shall pay
35 such amount to the system during the employer's next fiscal year which begins six months or more
36 after the date of such board certification. Such payments shall be made in such manner and form
37 and in such frequency and shall be accompanied by such supporting data as the board shall from
38 time to time ascertain. When received, such payments shall be credited to the casualty reserve fund.

39 5. Each employer shall provide its share, as determined by the board, of the administrative
40 expenses of the system and shall pay the same to the system to be credited to the income-expense
41 fund.

42 6. The employer's total contribution to the system, expressed as a percent of active member
43 compensations, in any employer fiscal year, beginning with the second fiscal year that the political
44 subdivision is an employer, shall not exceed its total contributions for the immediately preceding
45 fiscal year, expressed as a percent of active member compensations, by more than one percent.

46 86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a
47 different meaning is plainly required by the context, shall have the following meanings:

48 (1) "Accumulated contributions", the sum of all mandatory contributions deducted from the

1 compensation of a member and credited to the member's individual account, together with members'
2 interest thereon;

3 (2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of
4 mortality tables and interest assumptions adopted by the board of trustees;

5 (3) "Average final compensation":

6 (a) With respect to a member who earns no creditable service on or after October 1, 2001,
7 the average earnable compensation of the member during the member's last three years of creditable
8 service as a police officer, or if the member has had less than three years of creditable service, the
9 average earnable compensation of the member's entire period of creditable service;

10 (b) With respect to a member who is not participating in the DROP pursuant to section
11 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and
12 who earns any creditable service on or after October 1, 2001, the average earnable compensation of
13 the member during the member's last two years of creditable service as a [policeman] police officer,
14 or if the member has had less than two years of creditable service, then the average earnable
15 compensation of the member's entire period of creditable service;

16 (c) With respect to a member who is participating in the DROP pursuant to section 86.251
17 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active
18 participation in the system pursuant to section 86.251, and who terminates employment as a police
19 officer for reasons other than death or disability before earning at least two years of creditable
20 service after such return, the portion of the member's benefit attributable to creditable service earned
21 before DROP entry shall be determined using average final compensation as defined in paragraph
22 (a) of this subdivision; and the portion of the member's benefit attributable to creditable service
23 earned after return to active participation in the system shall be determined using average final
24 compensation as defined in paragraph (b) of this subdivision;

25 (d) With respect to a member who is participating in the DROP pursuant to section 86.251
26 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to
27 active participation in the system pursuant to section 86.251, and who terminates employment as a
28 police officer after earning at least two years of creditable service after such return, the member's
29 benefit attributable to all of such member's creditable service shall be determined using the
30 member's average final compensation as defined in paragraph (b) of this subdivision;

31 (e) With respect to a member who is participating in the DROP pursuant to section 86.251
32 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active
33 participation in the system pursuant to section 86.251, and whose employment as a police officer
34 terminates due to death or disability after such return, the member's benefit attributable to all of
35 such member's creditable service shall be determined using the member's average final
36 compensation as defined in paragraph (b) of this subdivision; and

37 (f) With respect to the surviving spouse or surviving dependent child of a member who
38 earns any creditable service on or after October 1, 2001, the average earnable compensation of the
39 member during the member's last two years of creditable service as a police officer or, if the
40 member has had less than two years of creditable service, the average earnable compensation of the
41 member's entire period of creditable service;

42 (4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

43 (5) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the
44 retirement system;

45 (6) "Creditable service", prior service plus membership service as provided in sections
46 86.200 to 86.366;

47 (7) "DROP", the deferred retirement option plan provided for in section 86.251;

48 (8) "Earnable compensation", the annual salary established under section 84.160 which a

1 member would earn during one year on the basis of the member's rank or position plus any
2 additional compensation for academic work and shift differential that may be provided by any
3 official or board now or hereafter authorized by law to employ and manage a permanent police
4 force in such cities. Such amount shall include the member's deferrals to a deferred compensation
5 plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section
6 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit
7 program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall
8 not include a member's additional compensation for overtime, standby time, court time, nonuniform
9 time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into
10 account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member
11 who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or
12 after October 1, 1996, shall not exceed the amount of compensation that may be taken into account
13 under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of
14 living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an
15 individual who first becomes a member on or after the first day of the first plan year beginning after
16 the earlier of:

17 (a) The last day of the plan year that includes August 28, 1995; or

18 (b) December 31, 1995;

19 (9) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

20 (10) "Mandatory contributions", the contributions required to be deducted from the salary of
21 each member who is not participating in DROP in accordance with section 86.320;

22 (11) "Medical board", the health care organization appointed by the trustees of the police
23 retirement board and responsible for arranging and passing upon all medical examinations required
24 under the provisions of sections 86.200 to 86.366, which shall investigate all essential statements
25 and certificates made by or on behalf of a member in connection with an application for disability
26 retirement and shall report in writing to the board of trustees its conclusions and recommendations;

27 (12) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

28 (13) "Members' interest", interest on accumulated contributions at such rate as may be set
29 from time to time by the board of trustees;

30 (14) "Membership service", service as a [policeman] police officer rendered since last
31 becoming a member, except in the case of a member who has served in the Armed Forces of the
32 United States and has subsequently been reinstated as a [policeman] police officer, in which case
33 "membership service" means service as a [policeman] police officer rendered since last becoming a
34 member prior to entering such armed service;

35 (15) "Plan year" or "limitation year", the twelve consecutive-month period beginning each
36 October first and ending each September thirtieth;

37 (16) "Policeman" or "police officer", any member of the police force of such cities who
38 holds a rank in such police force;

39 (17) "Prior service", all service as a [policeman] police officer rendered prior to the date the
40 system becomes operative or prior to membership service which is creditable in accordance with the
41 provisions of sections 86.200 to 86.366;

42 (18) "Reserve officer", any member of the police reserve force of such cities, armed or
43 unarmed, who works less than full time, without compensation, and who, by his or her assigned
44 function or as implied by his or her uniform, performs duties associated with those of a police
45 officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

46 (19) "Retirement allowance", annual payments for life as provided by sections 86.200 to
47 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted
48 to a member upon termination of employment as a police officer and actual retirement;

1 (20) "Retirement system", the police retirement system of the cities as defined in sections
2 86.200 to 86.366;

3 (21) "Surviving spouse", the surviving spouse of a member who was the member's spouse at
4 the time of the member's death."; and

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6 Further amend said bill, Page 5, Section 86.207, Lines 21 and 22, by deleting the word, "policemen"
7 and inserting in lieu thereof the word, "[policemen] police officers"; and

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9 Further amend said bill, Page 5, Section 86.207, Lines 29, 33 and 48, by deleting the word,
10 "policeman" and inserting in lieu thereof the word, "[policeman] police officer"; and

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12 Further amend said bill, Page 6, Section 86.207, Line 55, by inserting after all of said line the
13 following:

14 "86.210. 1. Under such rules and regulations as the board of trustees shall adopt, each
15 member who was a [policeman] police officer on and prior to the date the retirement system
16 becomes operative and who becomes a member within one year from such date and each member
17 who was a [policeman] police officer prior to reentering the service of the city as a [policeman]
18 police officer, shall file a detailed statement of all service as a [policeman] police officer rendered
19 by the member prior to the date the retirement system becomes operative or prior to the date of last
20 becoming a member, for which the member claims credit. If such member has withdrawn the
21 member's accumulated contributions prior to reentering said service, then the member shall repay all
22 such accumulated contributions plus the applicable members' interest thereon from the date of
23 withdrawal to the date of repayment in order to receive credit for such prior service.

24 2. The board of trustees shall fix and determine by proper rules and regulations how much
25 service in any year is equivalent to one year of service, but in no case shall more than one year of
26 service be creditable for all service in one calendar year, nor shall the board of trustees allow credit
27 as service for any period of more than one month's duration during which the member was absent
28 without pay.

29 3. Subject to the above restrictions and to such other rules and regulations as the board of
30 trustees may adopt, the board of trustees shall verify the service claims as soon as practicable after
31 the filing of such statement of service.

32 4. Upon verification of the statements of service the board of trustees shall issue prior
33 service certificates, certifying to each member the length of prior service with which the member is
34 credited on the basis of such member's statement of service. So long as the holder of such a
35 certificate continues to be a member, a prior service certificate shall be final and conclusive for
36 retirement purposes as to such service; provided, however, that any member may, within one year
37 from the date of issuance or modification of such certificate, request the board of trustees to modify
38 or correct such prior service certificate. When any [policeman] police officer ceases to be a
39 member, the former member's prior service certificate shall become void. Should the former
40 member again become a member, the former member shall enter the retirement system as a member
41 not entitled to prior service credit except as provided in sections 86.200 to 86.366.

42 5. Creditable service at retirement on which the retirement allowance of a member shall be
43 based shall consist of the membership service rendered by the member since last becoming a
44 member and also if the member has a prior service certificate which is in full force and effect, the
45 amount of the service certified on such prior service certificate.

46 86.253. 1. Upon termination of employment as a police officer and actual retirement for
47 service, a member shall receive a service retirement allowance which shall be an amount equal to
48 two percent of the member's average final compensation multiplied by the number of years of the

1 member's creditable service, up to twenty-five years, plus an amount equal to four percent of the
2 member's average final compensation for each year of creditable service in excess of twenty-five
3 years but not in excess of thirty years; plus an additional five percent of the member's average final
4 compensation for any creditable service in excess of thirty years. Notwithstanding the foregoing,
5 the service retirement allowance of a member who does not earn any creditable service after August
6 11, 1999, shall not exceed an amount equal to seventy percent of the member's average final
7 compensation, and the service retirement allowance of a member who earns creditable service on or
8 after August 12, 1999, shall not exceed an amount equal to seventy-five percent of the member's
9 average final compensation; provided, however, that the service retirement allowance of a member
10 who is participating in the DROP pursuant to section 86.251 on August 12, 1999, who returns to
11 active participation in the system pursuant to section 86.251, and who terminates employment as a
12 police officer and actually retires for reasons other than death or disability before earning at least
13 two years of creditable service after such return shall be the sum of (1) the member's service
14 retirement allowance as of the date the member entered DROP and (2) an additional service
15 retirement allowance based solely on the creditable service earned by the member following the
16 member's return to active participation. The member's total years of creditable service shall be
17 taken into account for the purpose of determining whether the additional allowance attributable to
18 such additional creditable service is two percent, four percent or five percent of the member's
19 average final compensation.

20 2. If, at any time since first becoming a member of the retirement system, the member has
21 served in the Armed Forces of the United States, and has subsequently been reinstated as a
22 [policeman] police officer within ninety days after the member's discharge, the member shall be
23 granted credit for such service as if the member's service in the police department of such city had
24 not been interrupted by the member's induction into the Armed Forces of the United States. If
25 earnable compensation is needed for such period in computation of benefits it shall be calculated on
26 the basis of the compensation payable to the officers of the member's rank during the period of the
27 member's absence. Notwithstanding any provision of sections 86.200 to 86.366 to the contrary, the
28 retirement system governed by sections 86.200 to 86.366 shall be operated and administered in
29 accordance with the applicable provisions of the Uniformed Services Employment and
30 Reemployment Rights Act of 1994, as amended.

31 3. The service retirement allowance of each present and future retired member who
32 terminated employment as a police officer and actually retired from service after attaining age fifty-
33 five or after completing twenty years of creditable service shall be increased annually at a rate not to
34 exceed three percent as approved by the board of trustees beginning with the first increase in the
35 second October following the member's retirement and subsequent increases in each October
36 thereafter, provided that each increase is subject to a determination by the board of trustees that the
37 consumer price index (United States City Average Index) as published by the United States
38 Department of Labor shows an increase of not less than the approved rate during the latest twelve-
39 month period for which the index is available at the date of determination; and provided further, that
40 if the increase is in excess of the approved rate for any year, such excess shall be accumulated as to
41 any retired member and increases may be granted in subsequent years subject to a maximum of
42 three percent for each full year from October following the member's retirement but not to exceed a
43 total percentage increase of thirty percent. In no event shall the increase described under this
44 subsection be applied to the amount, if any, paid to a member or surviving spouse of a deceased
45 member for services as a special consultant under subsection 5 of this section or, if applicable,
46 subsection 6 of this section. If the board of trustees determines that the index has decreased for any
47 year, the benefits of any retired member that have been increased shall be decreased but not below
48 the member's initial benefit. No annual increase shall be made of less than one percent and no

1 decrease of less than three percent except that any decrease may be limited in amount by the initial
2 benefit.

3 4. In addition to any other retirement allowance payable under this section and section
4 86.250, a member, upon termination of employment as police officer and actual service retirement,
5 may request payment of the total amount of the member's mandatory contributions to the retirement
6 system without interest. Upon receipt of such request, the board shall pay the retired member such
7 total amount of the member's mandatory contributions to the retirement system to be paid pursuant
8 to this subsection within sixty days after such retired member's date of termination of employment
9 as a police officer and actual retirement.

10 5. Any person who is receiving retirement benefits from the retirement system, upon
11 application to the board of trustees, shall be made, constituted, appointed and employed by the
12 board of trustees as a special consultant on the problems of retirement, aging and other matters, for
13 the remainder of the person's life or, in the case of a deceased member's surviving spouse, until the
14 earlier of the person's death or remarriage, and upon request of the board of trustees shall give
15 opinions and be available to give opinions in writing or orally, in response to such requests, as may
16 be required. For such services the special consultant shall be compensated monthly, in an amount
17 which, when added to any monthly retirement benefits being received from the retirement system,
18 including any cost-of-living increases under subsection 3 of this section, shall total six hundred fifty
19 dollars a month. This employment shall in no way affect any person's eligibility for retirement
20 benefits under this chapter, or in any way have the effect of reducing retirement benefits,
21 notwithstanding any provisions of law to the contrary.

22 86.267. 1. Upon termination of employment as a police officer and actual retirement for
23 accidental disability, other than permanent total disability as defined in subsection 2, a member shall
24 receive a retirement allowance of seventy-five percent of the member's average final compensation.

25 2. Any member who, as the natural and proximate result of an accident occurring at some
26 definite time and place in the actual performance of the member's duty through no negligence on the
27 member's part, is permanently and totally incapacitated from performing any work, occupation or
28 vocation of any kind whatsoever shall receive a retirement allowance as under subsection 1 or, in
29 the discretion of the board of trustees, may receive a larger retirement allowance in an amount not
30 exceeding the member's rate of compensation as a [policeman] police officer in effect as of the date
31 the allowance begins.

32 3. The board of trustees, in its discretion, may, in addition to the allowance granted in
33 accordance with the provisions of subsections 1 and 2, grant an allowance in an amount to be
34 determined by the board of trustees, to provide such member with surgical, medical and hospital
35 care reasonably required after retirement, which are the result and in consequence of the accident
36 causing such disability.

37 4. Any person who is receiving benefits pursuant to subsection 2 of this section on or after
38 August 28, 1997, and any person who is receiving benefits pursuant to subsection 1 of this section
39 on or after October 1, 2001, and who made mandatory contributions to the retirement system, upon
40 application to the board of trustees, shall be made, constituted, appointed and employed by the
41 board of trustees as a special consultant on the problems of retirement, aging and other matters, and
42 upon request of the board of trustees shall give opinions and be available to give opinions in writing
43 or orally, in response to such requests, as may be required. For such services the retired member
44 shall be paid a lump sum payment in an amount equal to the total amount of the member's
45 mandatory contributions to the retirement system, without interest, within sixty days after approval
46 of the retired member's application by the board of trustees.

47 86.290. Should a member cease to be a [policeman] police officer except by death or actual
48 retirement, the member may request payment of the amount of the accumulated contributions

1 standing to the credit of the member's individual account, including members' interest, in which
2 event such amount shall be paid to the member not later than one year after the member ceases to be
3 a [policeman] police officer. If the former member is reemployed as a [policeman] police officer
4 before any portion of such former member's accumulated contributions is distributed, no
5 distribution shall be made. If the former member is reemployed as a [policeman] police officer after
6 a portion of the former member's accumulated contributions is distributed, the amount remaining
7 shall also be distributed.

8 86.360. The board of trustees provided for by section 86.213 is hereby authorized to
9 consolidate, combine and transfer funds provided by sections 86.010 to 86.193 with the funds
10 provided by sections 86.200 to 86.366 in such a manner as will simplify the operations of the two
11 systems. Separate records shall be maintained only to the extent necessary to determine and pay the
12 benefits provided by sections 86.010 to 86.193 for those [policemen] police officers electing not to
13 become members of the retirement system provided by sections 86.200 to 86.366. The board of
14 trustees may accept the membership records of the older system in lieu of the requirements in
15 section 86.210. The board of trustees may authorize the use of the same actuarial assumptions and
16 interest rate in the calculation of the contributions by the cities for both systems and the accrued
17 liability rate may be a combined rate for both systems."; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.
21