

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 723, Page 1, Section A, Line 2, by inserting after all of said section and
2 line the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

Action Taken _____ Date _____

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
15 active member in any other plan similar in purpose to this system by reason of his or her
16 employment with his or her political subdivision, except the federal Social Security Old Age,
17 Survivors, and Disability 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, thirty-
32 six consecutive months of credited service producing the highest monthly average, which period is
33 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; 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 public safety
7 personnel as defined in section 70.631, a policeman, nor a fireman; "minimum service retirement
8 age", age fifty-five for a member who is public safety personnel as defined in section 70.631, a
9 policeman, or a fireman;

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

12 (18) "Policeman", any regular or permanent employee of the police department of a political
13 subdivision, including a probationary policeman. The term "policeman" shall not include:

14 (a) Any civilian employee of a police department; or

15 (b) Any person temporarily employed as a policeman for an emergency;

16 (19) "Political subdivision", any governmental subdivision of this state created pursuant to
17 the laws of this state, and having the power to tax, except public school districts; a board of utilities
18 or a board of public works which is required by charter or ordinance to establish the compensation
19 of employees of the utility separate from the compensation of other employees of the city may be
20 considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility
21 commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;

22 (20) "Prior service", employment as an employee with the political subdivision prior to the
23 date such political subdivision becomes an employer, which employment is creditable as service
24 hereunder;

25 (21) "Regular interest" or "investment credits", such reasonable rate or rates per annum,
26 compounded annually, as the board shall adopt annually;

27 (22) "Reserve", the present value of all payments to be made on account of any system
28 benefit based upon such tables of experience and regular interest as the board shall adopt from time
29 to time;

30 (23) "Retirant", a former member receiving a system allowance by reason of having been a
31 member;

32 (24) "Retirement system" or "system", the Missouri local government employees' retirement
33 system.

34 70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to
35 cover emergency telecommunicators, jailors, and emergency medical service personnel as public
36 safety personnel members of the system. The clerk or secretary of the political subdivision shall
37 certify an election concerning the coverage of emergency telecommunicators, jailors, and
38 emergency medical service personnel as public safety personnel members of the system to the board
39 within ten days after such vote. The date in which the political subdivision's election becomes
40 effective shall be the first day of the calendar month specified by such governing body, the first day
41 of the calendar month next following receipt by the board of the certification of the election, or the

1 effective date of the political subdivision's becoming an employer, whichever is the latest date.
2 Such election shall not be changed after the effective date. If the election is made, the coverage
3 provisions shall be applicable to all past and future employment with the employer by present and
4 future employees. If a political subdivision makes no election under this section, no emergency
5 telecommunicator, jailor, or emergency medical service personnel of the political subdivision shall
6 be considered public safety personnel for purposes determining a minimum service retirement age
7 as defined in section 70.600.

8 2. If an employer elects to cover emergency telecommunicators, jailors, and emergency
9 medical service personnel as public safety personnel members of the system, the employer's
10 contributions shall be correspondingly changed effective the same date as the effective date of the
11 political subdivision's election.

12 3. The limitation on increases in an employer's contributions provided by subsection 6 of
13 section 70.730 shall not apply to any contribution increase resulting from an employer making an
14 election under the provisions of this section."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.