

AGREEMENT

(Coverage of State and Local Employees under
the Old Age and Survivors Insurance Provisions
of Title II of the Social Security Act.)

The Federal Security Administrator, hereinafter called Administrator, and the State of Missouri, hereby agree, in accordance with the terms and conditions stated in this agreement, to extend, in conformity with Section 218 of the Social Security Act and Senate Committee Substitute for Senate Bill No. 3, of the Sixty Sixth General Assembly of the State of Missouri, the insurance system established by Title II of the Social Security Act, to services performed by individuals as employees of the State and as employees of the political subdivisions and instrumentalities listed in the appendix attached hereto and made a part hereof, except services expressly excluded from this agreement.

(A) DEFINITIONS

For the purpose of this agreement --

- (1) The term "political subdivision" means any county, township, municipal corporation, school district, or other governmental entity of the State of equal rank, but does not include a joint instrumentality of the State and any other state or states.
- (2) The term "employee" means an employee as defined in Section 210(k) of the Social Security Act and shall include elective and appointive officers of the State, including members of the General Assembly and elective and appointive officers of any political subdivision of the State or any

instrumentality of either the State or such political subdivision.

- (3) The term "instrumentality" means an instrumentality of the State or of one or more of its political subdivisions but only if such instrumentality is a juristic entity which is legally separate and distinct from the State or such political subdivision and whose employees are not by virtue of their relation to such juristic entity employees of the State or such subdivision.
- (4) The term "retirement system" means a pension, annuity, retirement, or similar fund or system established by the State or any instrumentality or political subdivision.
- (5) A "coverage group" means a coverage group as defined in Section 218(b) (5) of the Social Security Act.

(B) SERVICES COVERED

This agreement includes all services performed by individuals as employees of the State and as employees of those political subdivisions and instrumentalities listed in the appendix attached hereto, except:

- (1) Any service performed by an employee in a position which is covered by a retirement system on the date of this agreement.
- (2) Service performed by an individual who is employed to relieve him from unemployment.
- (3) Service performed in a hospital, home, or other institution by a patient or inmate thereof.
- (4) Covered transportation service (as defined in Section 210 (1) of the Social Security Act), and

(5) Service (other than agricultural labor or service performed by a student) excluded from employment by any provisions of Section 210 (a) of the Social Security Act, other than paragraph (8) of such Section.

(C) CONTRIBUTIONS OF THE STATE

The State will pay to the Secretary of the Treasury, at such time or times as the Administrator may by regulation prescribe, amounts equivalent to the sum of the taxes which would be imposed by Sections 1400 and 1410 of the Internal Revenue Code if the services of employees covered by this agreement constituted employment as defined in Section 1426 of such code.

(D) COMPLIANCE WITH REGULATIONS

The State will comply with such regulations as the Administrator may prescribe to carry out the purposes of Section 218 of the Social Security Act.

(E) MODIFICATION

This agreement will be modified at the request of the State to include political subdivisions or coverage groups, or both, in addition to those listed in the appendix, or to include additional services not now included in this agreement, such modification to be consistent with the provisions of Section 218 of the Social Security Act.

(F) TERMINATION

This agreement may be terminated in accordance with the provisions of Section 218(g) of the Social Security Act.

(G) ADJUSTMENTS, REFUNDS, AND INTEREST ON DELINQUENT PAYMENTS

- (1) If more or less than the correct amount due under part (C) of this agreement is paid with respect to any payment of remuneration, proper adjustments with respect to the amounts due under part (C) shall be made, without interest, upon such conditions, in such manner, and at such times, as may be prescribed by regulation of the Administrator. If an overpayment cannot be adjusted under this subpart, refund shall be made in accordance with Section 218(h) (3) of the Social Security Act.
- (2) If the State does not make, at the time or times due, the payments provided for under this agreement, there shall be added, as part of the amounts due (except in the case of adjustments made in accordance with the provisions of subpart (1) of this part), interest at the rate of six per centum per annum from the date due until paid, and without prejudice to other available methods of collection, the Administrator, in his discretion, may deduct such amounts plus interest from any amounts, now or hereafter provided, which he may certify to the Secretary of the Treasury for payment to the State under any provision of the Social Security Act. Amounts so deducted shall be deemed to have been paid to the State under such provision of the Social Security Act.

(H) EFFECTIVE DATE

This agreement shall be effective as of January 1, 1951.

THIS AGREEMENT is entered into this 13 day of July, 1951,
by Oscar R. Ewing, Federal Security Administrator, pursuant to Section 218

of the Social Security Act, by James W. Doarn, Regional Director, acting herein by virtue of authority vested in him by said Administrator, and the State of Missouri acting herein through Elmer L. Pigg, Director of Budget and Comptroller, by virtue of the authority granted by Senate Committee Substitute for Senate Bill 3, of the Sixty-Sixth General Assembly of the State of Missouri.

Oscar R. Ewing
Federal Security Administrator

by James W. Doarn
James W. Doarn
Regional Director

Elmer L. Pigg
Elmer L. Pigg
Comptroller and Director of the
Budget

Approved: July 13 - 1951
(Date)

Forrest Smith
Forrest Smith
Governor of Missouri

J. E. Taylor
J. E. Taylor
Attorney General of Missouri