## MINUTES

## MONTANA HOUSE OF REPRESENTATIVES <br> 54 th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

## Call to Order: By Chairman Richard Simpkins, on January 31, 1995, at 10:15 a.m.

## ROLL CALL

## Members Present:

Rep. Richard D. Simpkins, Chairman (R)
Rep. Matt Denny, Vice Chairman (Majority) (R)
Rep. Dore Schwinden, Vice Chairman (Minority) (D)
Rep. Patrick G. Galvin (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Harriet Hayne (R)
Rep. Sam Kitzenberg (R)
Rep. Bonnie Martinez (R)
Rep. Gay Ann Masolo (R)
Rep. William Rehbein, Jr. (R)
Rep. George Heavy Runner (D)
Rep. Susan L. Smith (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Joe Tropila (D)
Members Excused: Rep. Matt Brainard (R)
Members Absent: none
Staff Present: Sheri Heffelfinger, Legislative Council Christen Vincent, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing: HB 268 (Joint hearing with the Senate State Administration Committee)
Executive Action: none
\{Tape: 1; Side: A.\}
HEARING ON HB 268
Opening statement by Sponsor:
REP. CHRIS AHNER, HD 51, stated this is not just another bill; it is a "brainstorm". At the request of the Governor, she urged the committees' favorable consideration of the bill. She stated this is a bill which would guarantee a two percent annual benefit
adjustment to state, local, and school district retirees in the most cost effective manner possible. The state costs for this proposal have been fully included in the Governor's Executive Budget. She said employer and employee contribution increases have been minimized and are phased in over four years. No state or local tax increases are anticipated with the passage of this bill. It would provide funding and benefits on an actuarily sound basis. The bill will provide protection from the extreme effects inflation has on fixed retirement income. GABA sets a minimum floor of two percent and places a cap on benefits to ensure that no annual adjustment will exceed the change in the consumer price index. She stated this bill is sound public policy because it saves state and local government tax dollars. Because of the unique design in the proposal, the cost to tax payers will be reduced to less than one percent of the cost of providing these benefits through tax practice of enacting individual ad hoc increases. Since ad hoc increases are only common to current retirees, active members cannot legally help to pay for any of the previous increases to retirees. Taxpayers had to foot the entire bill themselves. This bill has been reviewed by the interim legislative committee on Public Employee Retirement Systems and received their unanimous endorsement for action by the legislature. After careful review, that committee found the proposal to meet rules of sound public policy with funding provided on a contemporaneous basis. This bill had full support of the Public Employee Retirement Board and the Teacher's Retirement Board which have now constitutionally mandated judiciary responsibility for ensuring the actuarial soundness of the state's Public Retirement System. To make things simple, she considered this the difference between refinancing a person's home every year or taking out a twenty-five year mortgage and having it paid for in that time.

## Proponents' Testimony:

Lois Menzies, Director, Department of Administration, Governor Racicot's Public Employee Retirement Board, submitted written testimony. Exhibit 1. She also submitted Linda King's written testimony. Exhibit 2.

David Senn, Teacher's Employee Retirement System, submitted written testimony. Exhibit 3.

Tom Bilodeau, Montana Education Association,submitted written testimony. Exhibit 4.
\{Tape: 1; Side: B.\}

Tim Shanks, Montana Police Protection Association, stated they support the bill. He stated it was a good bill in the fact that it allows the officer to choose GABA or to use the current
system. He stated with this in mind, he urged the committee's support and passage of the bill.

Jim Oberhaffer, Past President, Police Association, urged the support of the bill. He stated this is the best bill of this sort that they have seen in the past three sessions.

Alec Hanson, Montana League of Cities and Town, stated they had a payroll of approximately $\$ 93$ million in cities and towns across the state. He stated there are some costs involved in increasing the pension rate during the year. He stated they believed this is an acceptable cost. Unfortunately, they can't pay the people enough while working for them. He stated they believed this bill is a reasonable way to provide assistance to these people after they retire.

Jack Cohm, President of Public Employee's Pension Security Coalition, stated they are made up of many state organizations and associations. He said they make up a wide scope of the Montana workers. He stated this group fully supports the Governor's bill, HB 268.

Tom Schneider, PERS, stated he had spent the last 29 years dealing with the state retirement systems. He stated he had been working both for them and working to improve them. He said this issue has been around for all the years he has worked with the retirement systems. He stated this is a difficult issue to deal with. They have ad hoc increases that date back into the 1950's because they held them in the earliest years. He said there are really two decisions to make with this bill. The first one is should a person give increases to retirees after they retire. He stated to put that in very simple terms; if a person retired in 1971 and received the average retirement for that time and they had not had an ad hoc increase since then, their entire pension would be used to pay for their health insurance. He stated that was the single most difficult issue that is faced by retirees today. He stated they probably had a premium of ten dollars in 1971. Currently they have a premium of over $\$ 260$. He stated this number keeps increasing. Once they have made that decision, the next decision is what is the best way to do this. He stated they have done it with ad hocs. He stated they have spent money they didn't need to spend and they now have a bill which would allow it to be done the right way. He stated it just doesn't make sense to do it the way they have done it in the past. If they are going to do it right, let the employees contribute to it. He stated they have approved the bill and hoped the committee would also approve the bill.

John Mallei, Montana Federation of Teachers, Montana Federation of State Employees, stated they rise in strong support of the bill. He stated this bill is a result of a number of organizations representing both active and retired members of the retirement system. They are pleased to stand with the Governor and support the improvement in the retirement systems. He stated
this is the biggest improvement in the retirement system that the state has ever made. He said it is a bipartisan employer and employee supported bill. He urged the committee to give the bill a do pass recommendation.

Don Waldren, Montana Rural Education Association, stated this association is made up of school board members, and administrators in more than 150 school districts within the state. He stated they endorsed the bill and hoped the committee would do the same.

Bill Holder, Retired Teacher's Association, stated he was a retired teacher. He stated in the past 11.5 years he has received $\$ 42.52$ increase total. He stated that comes out to a one third of one percent for a year. He stated he had received an increase in his social security that has been as large as all eleven years of his retirement.

Melissa Case, Hotel and Restaurant Employees Union, encouraged a favorable recommendation from the committee on the bill.

Larry Zimmermann stated for many years he had been an advocate for Montana retirees. He stated retirees contribute as much or more than any other single group. He stated retirees seldom compete with Montana's work force for jobs. They usually have a dependable income. They share in all taxes. They provide volunteer services in their communities. Practically none are residents of jails or correctional facilities. He stated in 1994 the Montana State Income Tax represented $\$ 200-\$ 300$ for many retired Montana citizens. As a result of a federal mandate, the taxes on social security now cover $85 \%$ of the amount. He stated this is a rather big increase in taxes. He stated this means that anyone on a fixed income will always have a problem trying to keep up with things. He stated in the past he had the opportunity to work with many state employees. He thought they were all deserving of something that guarantees them that their income is not going to be a problem. He stated he was in favor of this bill because it favors retirees in Montana and they make a great contribution to the state.

Loren Frasier, School Administrators of Montana Association, stated they would like to go on record in support of this bill. He stated they felt that this is a responsible means for Montana to address the impact that inflation has on retirement income. He asked the committee to give the bill a do pass.

REP. SIMPKINS TURNED THE CHAIR OVER TO SEN. ETHEL HARDING.
Natalie Fitzpatrick stated that she had been a teacher for many years. She stated they are totally in support of the bill. $40 \%$ of their retired teachers receive a total $\$ 425$ a month. She stated if there was a $2 \%$ increase will assist their members with their increase in their Medicare supplement insurance. It will pay for an increase in their power bills and other such bills.

She stated these retired people are struggling to maintain a decent standard of living. She stated they were in support of the bill and asked the committee for a do pass recommendation.

Ed Sheehy stated he simply wanted to be on record as supporting this bill. He stated he was a retired federal employee.

Bill Whitman, National Association of Retired Federal Employees, stated they were in support of the bill. He stated they were aware of the reduction in their earning power. He stated this bill will at least give some relief to the declining earning power of the state retirees. He stated all retirees combined contribute an income to the state that is several times larger than the mining and manufacturing industries combined. He stated the retirees also contribute services to the communities in which they reside. He hoped the committee would give this bill a do pass recommendation.

Jack Johnson, MEAR, MRTA, stated that most of the people in the meetings don't expect they will ever receive an annual benefit adjustment on their benefits. He asked for a do pass recommendation and strongly urged the support of the committee. He stated this bill is fair, reasonable, and it is workable.

Pat Clinch, Montana State Fireman's Association, stated the members are in support of the bill and they encouraged the committee's support.

Tom Spensor, Retired Highway Patrolman, stated he had talked to many retired Highway Patrolmen and they were in support of the bill. He said a few years ago they didn't have to pay income tax on their retirement benefits. He stated this bill would benefit everyone and he asked the committee to give a do pass.

Edwin Johnson, Retired State Employee, Pearl Harbor Survivor, hoped the committee would support the bill.

Tony Shoden, Retired Administrator, Butte, stated he supported the bill because he had looked at the cost of medical increases. He stated they needed all the help they could get to compete with those.

Art Whitney, President, Montana Retired Public Employees, PEPSCO, submitted written testimony. Exhibit 5.

## Opponents' Testimony:

Bob Anderson, Montana School Boards Association, stated their association does support the retirees in the state and the people that testified on this bill. He stated there is a flaw in this bill. He stated they needed to be reminded that they live under HB 667 and HB 22 which have capped educational funding in this state. In the Governor's budget proposal for this session basically school districts that don't receive additional students
are frozen. In those districts, unless they pass a voted levy, there will be no increase in funding. School districts are not capped with regard to the permissive levy for retirement. He stated this would increase property tax. He stated they believe the public has supported public education and are now concerned with the increases in property taxes and they don't want to further erode that trust with those taxpayers. He stated they listened carefully to the messages in CI66 and CI67. He stated they are still concerned about further messages to come such as the one on the constitutional cap of two percent on property taxes. He stated again that this bill would be an increase in property taxes. He referred to the fiscal note and walked the committee through it. He stated he didn't know where this would place the people as far as the two percent cap. He asked the committee to consider the flaws in this bill and not to pass it. He stated he agreed with the people that have testified as proponents to this bill that they deserve this kind of increase. He stated if they wanted to do this with the general fund of the state he thought that would be appropriate. He stated if they wanted to pass this back on to the school districts and the property taxpayers, he stated it would pit them against one another.

## Informational Testimony:

none

## Questions From Committee Members and Responses:

SEN. FOSTER asked what the concerns were about the funding. He stated he understood the state responsibility in funding this bill is built into the Governor's budget. He asked if that was correct.

Ms. Menzies stated that was correct. She stated employer contributions for state agencies, whether they be from the general fund or non-general fund sources, are included in the executive budget.

SEN. FOSTER stated on page two of the fiscal note and there are increases for $\$ 7$ million in 1997 and over $\$ 17$ million in 1999 and nearly $\$ 22$ million in 2001. He asked if that was going to come from the taxpayer.
\{Tape: 2; Side: A.\}
Ms. Menzies stated generally speaking the cost would not be a great amount of money. She referred the question to Tom Bilodeau.

Mr. Bilodeau stated the cost is admittedly there. He stated it is important to keep in mind that the cost is shared between employee and employer and there is system savings built into this bill. Currently they have in place a guaranteed tax base support
system for the state to drive some state dollars to low wealth counties to help them pay for the costs for retirement for school employees. He said nothing in this bill would change how they would fund that system of state support for low wealth counties. He stated these low wealth counties will continue to receive additional guaranteed tax base monies that are in the Governor's budget as well. He stated in respect to the county monies, those monies that will have to be raised after receipt of the state monies, employee contributions, and after the system savings, for those additional contribution costs will be imposed though county retirement levies. He said the average mill impact will be approximately two mills per county. He stated the counties that will experience the largest impact as far as mills are the counties that currently have the highest tax base and do not receive guaranteed tax base support. He stated those are the counties that have the lowest mill rates in place. He stated as they phase in the additional employee and employer contribution over the four year period of time and they take in to account projected increases in payroll, they will see increases necessary to pay for GABA. He stated they will also see increases in state GTB monies going to the low wealth counties. He stated in the end they will see an increase in county retirement levies in the neighborhood of ten to twelve mills by the end of this decade. He stated two things to keep in mind about that is that they are buying an guaranteed annual adjustment and paying for it on an equitable basis for both the currently retired and as well as the active employees. He stated they will also be breaking the cycle of ad hoc increases. They will impose as much additional tax burden as they are seeing in this bill. With this bill they are getting more "bang for the buck" and they are providing a means for employees to share that cost.

SEN. FOSTER stated he would like a breakdown by county and school district of the detail for this line on the fiscal note.

Mr . Bilodeau stated OPI has run those numbers county by county. He stated he could turn those over to him. He stated it gets complicated and is sometimes misleading to do it on a district-by-district basis.

SEN. FOSTER stated he could do the best he can on the school districts. He asked by taking this approach rather than trying to fund this through the general fund if they were proposing a mandated property tax increase.

Mr. Bilodeau stated they admit upfront there is a cost to implementing this plan. He stated this is a cost that will be shared by the state and local governments. He stated in the first year of operation in most counties across the state, there will be a two mill or less impact compared to literally hundreds of mills that are already in place in each of the counties.

SEN. VIVIAN BROOKE asked if this bill would interfere with other retirement bills in the system if it were to pass.

Ms. Menzies stated it was her understanding that this bill would stand alone as a post retirement adjustment. She stated it is the only bill that is coming from the Governor, PERS, and TRS. She stated they didn't expect to see competing legislation.

SEN. BROOKE stated that she thought the public still thought that lottery dollars go to Teacher's Retirement. She asked for an explanation for the increases SEN. FOSTER had brought up and why didn't lottery dollars solve the problem. She also asked how many lottery dollars actually went toward Teacher's Retirement.

Ms. Menzies stated she couldn't have direct responsibility even though that is connected to the Department of Administration. She stated she should tell her constituents that this bill is a good deal because it breaks the costly cycle of ad hoc adjustments. She stated to rely on gambling revenues to fund pension plans is a risky business.

SEN. BROOKE asked to refer the question to someone who could answer it more in depthly.

Mr. Senn stated when the lottery dollars first came in, they didn't go directly to the Teacher's Retirement System. He stated the Teacher's Retirement'system didn't receive any money from the lottery. He said the money initially went into the fund and that fund paid for a seven percent contribution to the teachers, a seven percent to social security, PERS, Workman's Comp., and anything that was paid out of that fund was what those dollars were initially used for. Since then, the legislature has changed the direction of the money and it goes into the statewide equalization. He said the Teacher's Retirement System didn't receive any additional money. He said the idea was that they would pay for the already existing costs for retirement and then that would reduce the required property tax or mill levy that would be required.

SEN. COLE asked what the expenses have been for the ad hoc increases.

Mr. Bilodeau stated those numbers had not been generated yet but they could be put together. He stated they are not done on a county-to-county basis.

SEN. COLE asked if they could get some kind of idea of the expenses for the counties. He stated he wanted to see some kind of correlation between the counties.

Mr. Bilodeau stated they were looking for the cost advantages of GABA as opposed to the ad hoc increases that they have done in the past. He stated they would be able to put those numbers together.

REP. SUSAN SMITH stated they are trying to balance between doing what is right and thinking ahead. She asked if there was a
possibility that there could be an increase funded by the employee. She stated it looked as though about half of this is coming from state agencies and local governments, and half from the employees.

Ms. Menzies stated that is always an option. She stated the beauty of this proposal is that it is a contemporaneous expense. She stated what they are trying to do is ask for current active employees to pay for benefits they will receive. There will be an unfunded liability associated with retirees who currently left the system and will be asked to contribute. The way it is funded currently employees will pay for it during their careers. She stated this is a nice arrangement. She stated they are not trying to create a burden that will go on and strap future generations. Currently employers under this proposal will only pay $38 \%$ and employees $27 \%$. She stated the system savings that she spoke about is the feature she felt is a saving grace. They would be able to absorb $35 \%$ of the cost through that. She suggested that it would be difficult to provide an additional burden on employees given the fact there have been pay increase and they are only paying a modest increase in their benefit.

SEN. HARGROVE asked to explain the added expenses with the ad hoc increases.

Ms. Menzies stated the reason it is more expensive is because with ad hoc adjustments they can't take advantage of the interest earnings. There isn't the prefunding coming into the system. She said that it a tremendous contribution to the cost of this. If they can get current employees to start kicking in for benefits they will receive upon retirement, it will help the system.

REP. DORE SCHWINDEN stated the $2 \%$ constitutes the floor for the annual benefit. He asked for an explanation for the consumer price index or other mechanism that will provide for the ceiling for annual benefits.

Mr. Senn stated the $2 \%$ floor is the guarantee. There are other systems that already exist that provide increases on different time periods. He stated it depends on the money that comes in that they are able to distribute to the retirees. It would depend on the inflation for the year. This is another example of the savings in this proposal.

REP. SCHWINDEN asked if in each system the ceiling would be different.

Mr. Senn stated no. The ceiling would always be the CPI.
SEN. MESAROS asked if there would be anything in this bill that would allow for future adjustments to respond to this sometime down the road.

Mr . Bilodeau stated nothing in this bill changes how they fund the employer's cost for the county retirement fund for the schools. It would leave current law in place. That runs by formula based on taxable value in the counties and drives some of the additional state monies to low wealth counties. He stated this would remain in place. He stated that would only partially subsidize the additional cost down the road. He stated it does direct the money toward those that are the least property wealthy. He stated they could come back in future legislative sessions and address funding for retirement transportation and building along with other issues. He stated within the association it has been their sense that the legislature has undertaken school finance reform at least every other special or regular session. He stated some confused the situation and some think that it is best to let the system function for a few years and see how it plays out.

REP. SMITH asked if she understood what he had said about the $2 \%$ being the floor and if the consumer price index were to go to $5 \%$ that would be the ceiling.

Mr. Senn stated that is not exactly true. He stated that would be the ceiling on any other available sources. He stated this bill would only provide the floor of $2 \%$. He stated if there are other sources available to pay for the cost of living adjustment, those other sources would be capped at what ever CPI would be.

## Closing by Sponsor:

REP. AHNER closed by thanking the committee for the attention they had given the bill. She added that it is good public policy to save taxpayer dollars. She said GABA would save a significant amount of taxpayer dollars compared to the past ad hoc increases. She stated this would save $70-90 \%$ over the past ad hoc increases and the way they were granted. She stated the longer they wait to enact GABA, the more taxpayer money is wasted. She urged the committee's support of this bill.

## ADJOURNMENT

Adjournment: 12:00 p.m.


RS/Cdv

## HOUSE OF REPRESENTATIVES

State Administration

| NAME | PRESENT | ABSENT | EXCUSED |
| :---: | :---: | :---: | :---: |
| Rep. Dick Simpkin, Chairman | $\checkmark$ |  |  |
| Rep. Matt Denny, Vice Chairman, Majority | $r$ |  |  |
| Rep. Dore Schwinden, Vice Chair, Minority | $\checkmark$ |  |  |
| Rep. Matt Brainard |  |  | $\checkmark$ |
| Rep. Pat Galvin | $\checkmark$ |  |  |
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| Rep. Toni Hagener | $\sim$ |  |  |
| Rep. Harriet Hayne | $\checkmark$ |  |  |
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## BILL ANALYSIS

Bill Title: "An Act to provide for a guaranteed annual benefit adjustment for certain retired public employees; increasing contribution rates and modifying certain benefits in order to fund the adjustments..."

Purpose: The bill provides for permanent, pre-funded benefit increases for retirees of all public retirement systems in the most cost-efficient manner possible.

The bill will provide a $2 \%$ guaranteed floor for post-retirement benefit increases in each of the state's public retirement systems for retirees (and their survivors) after benefits have been paid for at least 36 months. The GABA will not replace any currently existing benefit adjustment mechanisms; instead, it will guarantee the total of all annual adjustments will be at least $2 \%$ per year.

Employer and employee contribution rate increases, in conjunction with "funding swaps" (wherein existing benefits within the various systems can be "traded" for the GABA when the GABA is of equal or greater value than the existing benefit), reduce the cost of this bill significantly over previous attempts to provide this necessary adjustment.

## Pros and Cons

Pros: Eliminates the necessity of implementing costly, ad hoc increases each session.
Guaranteeing the benefit increases to future retirees allows employees to help pay for the benefit increases; thereby reducing costs to employers (taxpayers).

Pre-funding the increases allows funds to be invested for many years before benefits must be paid out, thereby providing significant funding through investment earnings.
"Swapping" existing benefits (and their funding) within certain systems for the GABA not only reduces the additional funding necessary for the GABA, but serves to eliminate benefit windfalls in some systems. This will further equalize benefits between the various state retirement systems.

Prefunding post retirement benefit increases reduces the actual dollars required to provide $\$ 1$ of permanent benefit increase. Depending on costs of borrowing money at any given time, it can cost from 7 to 10 times as much to fund an ad hoc benefit increase that it would to fund the same increase in the manner described in this bill.

Cons: Once enacted, this benefit increase is permanent. However, given the current history of legislative enactments, benefit increases would be enacted anyway.

Alternatives to Legislation: The alternative would be to remain with the current system of ad hoc benefit increases, which will be from 7 to 10 times more expensive than this proposal. The ad hoc increases must be funded totally through increased employer (taxpayer) contributions; employees may not help to pay for increases for retirees that they, the active members, will not receive.


Financial Impact: Because of phased-in employer/employee contribution rate increases, the following fiscal impacts are projected over the next 3 biennia:

| Payer | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| State Gov't |  |  |  |  |  |  |
| General Fund | \$1,973,248 | \$3,030,524 | \$4,605,775 | \$6,324,822 | \$6,620,845 | \$6,932,471 |
| Non-Gen. Fund | 833,394 | 847,678 | 1,217,062 | 1,597,050 | 1,622,644 | 1,648,681 |
| Univ/Off Budget | 164,638 | 233,078 | 365,262 | 509,248 | 532,971 | 557,868 |
| Local Governments | 1,465,169 | 1,511,313 | 2,050,121 | 2,622,945 | 2,707,200 | 2,794,172 |
| School Districts | 2,254,392 | 4,347,304 | 6,863,313 | 9,644,422 | 10,178,097 | 10,741,724 |
| Sub-Total Employer: | 6,690,842 | 9,969,897 | 15,101,533 | 20,698,488 | 21,661,758 | 22,674,917 |
| Employees | 3,881,157 | 7,366,655 | 11,148,585 | 14,867,418 | 15,516,635 | 16,198,210 |
| "Savings" | 17.668.031 | 18.232.112 | 18,818,027 | 19.426,741 | 20,059,266 | 20.716.665 |
| Total Cost: | 28,240,030 | 35,568,664 | 45,068,144 | 54,992,647 | 57,237,659 | 59,589,791 |

Prior Legislative History: Ad Hoc COLA's have been granted by the Legislature in the past:
1971 First TRS ad hoc COLA
1973 TRS ad hoc COLA

1975 First PERS ad hoc COLA
TRS ad hoc COLA
1977 PERS ad hoc COLA

TRS ad hoc COLA

1979
PERS ad hoc COLA

1981 ad hoc COLA -- all systems
$\$ 1 / \mathrm{mo} / \mathrm{yrs}$ of service $+\$ 2 / \mathrm{mo} / \mathrm{yrs}$ retired (paid for by increasing employer contribution rates)
$\therefore$.
$75 \%$ of CPI index change (paid for by increasing employer contribution rates)

Monthly retiree benefits increased by $\$ 1 / \mathrm{mo} / \mathrm{yrs}$ of service $+\$ 2 / \mathrm{mo} / \mathrm{yrs}$ retired (paid for by increasing employer and employee contribution rates; a later challenge and decision by the Montana Supreme Court latew repealed the employee contribution rate increase. Employee contributions can not be increased to pay for an ad hoc COLA since the employee wil never receive a benefit increase from an ad hoc COLA)

Retiree monthly benefits increased by $.45 \%$ for each month the benefi was payable between $1 / 1 / 77$ and $12 / 31 / 78$. (No increase in employel contributions was provided; therefore, the period for amortizing the system's unfunded liabilities was extended.)

Retirees monthly benefits increased by 50 cents/year of service, adjusted for early retirement or optional benefits chosen (paid bu increasing employer contribution rates)

| 1983 | PERS ad hoc COLA | Monthly retiree benefits increased by $\$ 1 /$ year of service credit (up to a maximum of $\$ 30$ ) for members retired before $7 / 1 / 81$; or by $\$ .50 /$ year of service credit (up to a maximum of $\$ 15$ ) for members retired on of after 7/1/81 but before $1 / 1 / 83$ ). |
| :---: | :---: | :---: |
|  | FURS | Minimum Supplemental Benefit extended to retired members hired prior to $7 / 1 / 81$ |
| 1985 | TRS ad hoc COLA | Monthly retiree benefits between $\$ 500$ and $\$ 1000$ were increased by $\$ .50 /$ year of service; benefits less than $\$ 500$ were increased $\$ 1 /$ year o service. Minimum monthly benefit of $\$ 400 / \mathrm{month}$ for persons retired before $7 / 1 / 71$ with at least 30 years of service and was at least 60 at time of retirement. (actuarially funded) |
|  | PERS ad hoc COLA | Monthly retiree benefits increased by a formula, up to a maximum increase of $\$ 3 /$ month. Monthly benefits of $\$ 1,000$ per month or more did not receive an increase. (actuarially funded by increased employer contributions) |
|  | SRS ad hoc COLA | Monthly benefits increased 5\% for retirements on or before 7/1/85 |
|  | HPORS Minimum Benefit | Established a minimum level of benefits payable to retirees (actuarially funded through system with increased employer contribution rates) |
|  | MPORS Minimum Benefit | Provided for minimum benefit adjustments for post $7 / 1 / 85$ retirees (to be funded directly from state's insurance premium tax fund, which is a direct offset to general fund revenues) |
| 1987 | PERS Ad Hoc COLA | Provided for $5.5 \%$ permanent increases for persons retired prior to 7/1/86 |
| 1989 | Post Retirement Adjustment (PERS, TRS, GWRS and SRS) | Automatic permanent increases tied to investment eamings above $8 \%$ actuarially required yield. |
|  |  | * |
|  | GWRS Ad Hoc Minimum Benefit Adjustment | One-time increase for all retirees to a minimum equal to $60 \%$ of the current pay of newly hired game warden. (Paid for by extending amortization period of the system's unfunded liabilities) |
|  | FURS Supplemental Benefit Adjustment | Supplemental Benefit fund established for members hired on or after 7/1/81 (Funding from state insurance premium tax fund as a direct offset to general fund revenues) |
| 1991 | Annual Lump Sum Adjustment for in-state retirees -- All Systems | Once/year payments to resident retirees to offset newly taxable status of benefits (this adjustment ended in 1993 when MT Supreme Court ruled this benefit an unconstitutional tax-offset measure) (Payments made directly from general fund to retirement boards for distribution to eligible retirees) |
|  | HPORS Annual Lump Sum | Additional payments made once per year to pre-7/1/91 retirees funded through 25 cent increase in drivers license fees |
| 1993 | PERS Ad Hoc COLA | 5\% permanent benefit increase |

## Additional FTE's Required: None.

Examples of Harm: Without legislation, the legislature will have to continue to enact and fund ad hoc benefit adjustments in order to meet the real needs for retirement income security of public retirees. Funding these ad hoc adjustments will cost taxpayers at least 10 times more than the current mechanism and employee dollars may not be used to help fund those ad hoc increases.

## Interested Persons and Their Position

The following organizations are on record as supporting this proposal:
Governor Marc Racicot
Public Employees' Retirement Board
Teachers' Retirement Board
Interim Legislative Committee on Public Employee Retirement
PEPSCo (Public Employee Pension Security Coalition)
MPEA (Montana Public Employees' Association)
MEA (Montana Education Association)
AMRPE (Association of Montana Retired Public Employees)
Sheriffs' and Peace Officers Association
Retired Highway Patrol Officers
Montana Police Protective Association
Retired Municipal Police Officers
Retired Teachers' Association
No organizations or individuals have been found who oppose this legislation.

## Problems with October 1. Effective Date

Plan years begin on July 1 ; because of the fiscal impact of this bill, it is necessary that changes be implemented at the beginning of the fiscal year. - .

# "GABA" -- HB268 <br> GUARANTEED ANNUAL BENEFIT ADJUSTMENTS MONTANA PUBLIC PENSIONERS 

Representative Chris Ahner ( $R$-Helena)
A Background Paper Prepared by: Tom Bilodeau -- MEA Research Director

January 19, 1995

Even with occasionally enacted ("ad hoc") pension benefit adjustments, the "average" Montana Public Employee Retirement System (PERS) employee who retired in 1975 with 20+ years of public service, will this year receive only a little more than $\$ 300$ per month in PERS benefits. During the same twenty year period, inflation reduced the buying-power of a typical Teacher Retirement System (TRS) retiree`s pension in half. Indeed, for TRS since 1975, occasionally enacted ad-hoc pension adjustments to TRS benefits have provided benefit adjustments in only seven of twenty years; and in only one of these years (FY86) did the adhoc adjustment provide a benefit increase that matched or exceeded that single year's annual cost of inflation. (See: graph below and the data table attached at the back of this report.)

TRS \& PERS PENSIONS FOR TYPICAL 1975 RETIREES ADJUSTED FOR AD HOC INCREASES \& FOR INFLATION


In simple fact, after a carcer's worth of service to the people of Montana, a public retiree's first pension check has been his/her largest; thereafter every pension dollar has been devalued (almost without check) by the ravages of inflation. It's a serious, obvious and continuing problem with the basic structure of Vontana's PERS and TRS retireme programs. The "real-life" impact on Montana public retirees is devastating.

## HB268: GABA -- Guaranteed Annual Benefit Adjustments

HB268, providing "guaranteed annual benefit adjustments" (GABA's) for public pensions is sponsored by Representative Chris Ahner on behalf of the Governor. The bill is an integral part of the Governor's 1997 biennial budget. The bill responds to pension benefit adjustment and funding deficiencies long-recognized by retirees, pension administrators, and employee representatives. The failure of Montana's public pension programs to provide minimal benefit inflation protection for retirees has also been long-acknowledged by Montana policymakers. See, for example: Coping with Inflation: Cost of Living Adjustments for Public Retirement Plans, Interim Study Committee on Public Retirement Systems, Legislative Council, December1980.) Enactment of HB268 is long overdue.

HB268 has the full support of the Governor, by active and retired public employees represented by PEPSCO and by the governing boards of the Teachers' Retirement System and Public Employee Retirement System. Additionally, this GABA proposal is the product of five year's of development and refinement -- it has been fully analyzed by the Legislative Council, the Governor's Budget Office and by the boards and actuaries of the TRS and PERS, and it has been reviewed and unanimously endorsed with a "do pass" by the 1993-1995 Legislative Committee on Public Employee Retirement Systems.

## GABA's Pension Benefit Adjustment

HB268's GABA would increase the pension benefit received by Montana's public pension retirees by no less than $2 \%$ per year. Additionally, the bill "marries" the GABA increase to any other already existing benefit adjustment provided by some of Montana's pension programs. By so doing, GABA establishes a $+2 \%$ "floor" and a "ceiling" that limits the maximum increase in pension level (from any pre-existing adjustment mechanism) to no more than the change in the Consumer Price Index (CPI) for the previous year. Enhanced benefit adjustments provided by HB268 would begin to be paid to retirees whose benefit initiation date was at least 36 months previous to January 1, of the year in which the GABA adjustment is to be made. The permanent monthly benefit adjustment would become available on January 1,1996 -- thus allowing current retirees who have been retired three years or more to immediately begin receiving the GABA adjustment.

GABA does not provide a true "cost of living adjustment" (COLA) for pensions; indeed, it might best be described as a "diet COLA." Over the last 50 years, annual inflation increases have averaged about $4.3 \%$, and even over the last ten years inflation has cut the buying-power of the dollar by $3.7 \%$ annually. While GABA will not fully insulate retirees from inflation, it will provide assurance of a pension floor through which the weight of inflation will not force retirees into the basement of living standards.

## GABA Promotes Uniformity \& Consistency Among Montana's Public Pension Plans

HB268's pension benefit increases will be available to all current and future retirees in all eight public retirement plans administered by the State of Montana. These Montana administered plans include: Public Employees' Retirement System (PERS); Teachers' Retirement System (TRS); Game Wardens' Retirement System (GWRS); Sheriffs' Retirement System (SRS); Judges' Retirement System (JRS); Highway Patrol Officers' Retirement System (HPORS); Municipal Police Officers' Retirement System (MPORS); and the Firefighters' Unified Retirement Systems (FURS).

The GABA benefit increases experienced by retirees would vary depending on the retirement system but adjustments for all systems and retirees would function under one general set of rules. For systems for which all retirees would gain benefits, such as PERS and TRS, all retired members would be required to participate in GABA. For other systems in which some retirees might receive lower benefits under GABA compared to previously enacted benefit adjustments or have benefits capped due to HB268's CPI limitation, GABA is optional for any retirees who became members before July 1, 1995.

## GABA is Fully Funded \& Actuarially Sound

Representative Ahner, the Governor and PEPSCo recognize that there is "no free lunch." Unlike most previous PERS or TRS ad hoc pension adjustments -- HB268 is fully funded. Indeed, H3268's funding structure actually generates nearly $\$ 20$ million in annual savings for Montana's pension programs.

Funding for HB268 varies by retirement system. In general, funding would come from one or more of the following sources:

- Current "Post-Retirement Adjustment's" (PRA's). When investments earnings for a retirement fund exceed the rate of return projected by fund's actuary, the excess is added to the retiree's benefit. This is as under current law and would not change under GABA.
"Funding swaps." Under current law, retirees from one system may buy into another system, or may buy additional years of service in a system. GABA would require that these purchases be made at full actuarial cost. For some systems, adopting full actuarial cost for purchase will cost more than current purchase rates and result in a higher level of deposits to the retirement funds. Purchasing at full actuarial cost also reduces the need for future employer/employee contribution increases and therefore result in significant "cost savings" for the funds.
- Extended amortization periods. Some systems currently have fund amortization periods that are significantly less than the maximum period required by law, or otherwise considered financially necessary by the fund's actuaries. The actuaries have confirmed that HB268's extended amortization periods -- when coupled by GABA's PRA/funding swap savings and contribution changes --are actuarially sound and in full compliance with the mandates of C25 -- Montana Constitution's Public Pension Security provision.
- Utilize existing system funding. By July 1,1995 two of the retirement systems contribution rates will exceed the amounts actuarially required to fund current benefit levels. This excess in contribution amounts would be used to fund GABA increases for these systems.
- Employer contributions - employers in all systems would be required to increase contribution rates. For the largest systems (PERS and TRS) these increases would be phased-in until rate stabilization occurred in fiscal 1999. State employer contribution dollars would come from a combination of accounts including general fund, state special, the School Equalization Account (for county "guaranteed tax base" or GTB), and foregone insurance tax premiums to the general fund. Local government and county school district contribution dollars would come from a combination of marginally increased mill levies, state county retirement GTB, and increases in the share of insurance premium taxes to retirement funds.
- Employee contributions - employees would be required to contribute at increased contribution rates. For PERS and TRS, these increases would be phased in until rate stabilization occurred in fiscal 1999.

GABA's increased employer and employee contribution rates for TRS are generally distributed on a 2 to 1 cost-sharing basis between employer and employee. The 2 tol, employer/employee ratio is proper in that the retirement funds always retain a greater pension asset value from employer contributions than employee contributions, this is the result of employer-paid contributions never being withdrawn when an employee retires early. Additionally, as a matter of public policy, a higher employer share of GABA costs appropriately distributes the cost of adjustments for currem retirees' on the state (through GTB), schools and local governments rather than shift the cost for current retirees to active employees.

HB268's funding structure for all funds and all employers, overall costs and "savings" ( $\$ 17.6$ million annually in FY96, rising to more than $\$ 20$ million in FY2000 and thereafter) are provided by the bill's fiscal note and supporting data prepared by the Governor's Budget Office, PERD and TRS. A summary of GABA costs (and savings!) for $k-12$ school district employers, the state's GTB in support of the county school retirement fund and for $k-12$ employees through higher payroll deduction contributions is presented on the following page.

TEACHERS' RETIREMENT SYSTEM (TRS)

| Total GABA Costs As \% of TRS Payroll: | $4.340 \%$ |  |
| :--- | :--- | :--- |
| Increased Employer Contributions | $2.290 \%$ | (phased in over 4 years) |
| Increased Employee Contributions | $1.406 \%$ | (phased in over 4 years) |
| Extended Amortization \& PRA Savings | $0.650 \%$ |  |


| TRS (all employer sources) | FY96 | FY97 | FY98 | FY99 | FYOO | FY01 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| PROJECTED TRS PAYROLL | \$491,407,994 | \$519,663,954 | \$549,544,631 | \$581,143,447 | \$614,559,195 | \$649,896,349 |
| PROJECTED K-12 TRS PAYROLL | \$459,466,474 | \$485,885,797 | \$513,824,230 | \$543,369,123 | \$574,612,848 | \$607,653,087 |
| CURRENT TRS CONTRIBUTIONS |  |  |  |  |  |  |
| Employee Contributions (7.044\%) | \$34,614,779 | \$36,605,129 | \$38,709,924 | \$40,935,744 | \$43,289,550 | \$45,778,699 |
| K-12 Employee Contributions (7.044\%) | \$32,364,818 | \$34,225,796 | \$36,193,779 | \$38,274,921 | \$40,475,729 | \$42,803,083 |
| Employer Contributions (7.47\%) | \$36,708,177 | \$38,818,897 | \$41,050,984 | \$43,411,416 | \$45,907,572 | \$48,547,257 |
| K-12 Employer Contributions (7.47\%) | \$34,322,146 | \$36,295,669 | \$38,382,670 | \$40,589,674 | \$42,923,580 | \$45,391,686 |
| EMPLOYEE GABA CONTRIBUTIONS |  |  |  | * | - | * |
| increase Per Payroll (\%) | 0.356\% | 0.706\% | 1.056\% | 1.406\% | 1.406\% | 1.406\% |
| increase Per Payroll (\$) | \$1,749,412 | \$3,668,828 | \$5,803,191 | \$8,170,877 | \$8,640,702 | \$9,137,543 |
| increase Per K-12 Payroll (\$) | \$1,635,701 | \$3,430,354 | \$5,425,984 | \$7,639,770 | \$8,079,057 | \$8,543,602 |
| EMPLOYER GABA CONTRIBUTIONS |  |  |  | * | - |  |
| Increase Per Payroll (\%) | 0.570\% | 1.150\% | 1.720\% | 2.290\% | 2.290\% | 2.290\% |
| Increase Per K-12 School Payroll \# | 2,618,959 | 5,587,687 | 8,837,777 | 12.443,153 | 13,158,634 | 13,915,256 |
| Increase Per U' Payroll | 142,852 | 304,783 | 482,061 | 678,717 | 717,744 | 759,014 |
| Increase Per State Payroll | 39.214 | 83.666 | 132,330 | 186,315 | 197.028 | 208,357 |
| Total Increase: | \$2.801.026 | \$5,976,135 | \$9,452,168 | \$13,308,185 | \$14,073,406 | \$14,882,626 |

## PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)

| Total GABA Costs As \% of PERS Payroll: | $4.29 \%$ |  |
| :--- | :--- | :--- |
| Increased Employer Contributions | $1.00 \%$ | (phased in over 4 years) |
| Increased Employee Contributions | $0.94 \%$ | (phased in over 4 years) |
| Post Retirement Adjustment Savings | $1.19 \%$ |  |
| Service Purchase Funding Swap Savings | $0.31 \%$ |  |
| Extended Amortization Period Savings | $0.85 \%$ |  |


| PERS (for K-12 employers only) | FY96 | FY97 | FY98 | FY99 | FYOO | FY01 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| PROJECTED K-12 PERS PAYROLL | 120,320,334 | 124,549,594 | 128,927,512 | 133,459,314 | 138,150,409 | 143,006,396 |
| CURRENT TRS CONTRIBUTIONS |  |  |  |  |  |  |
| K-12 Er.ployee Contributions ; $6.7 \%$ ) | \$8,061,462 | \$8,344,823 | \$8,638,143 | \$8,941,774 | \$9,256,077 | \$9,581,429 |
| K-12 Employer Contributions (6.7\%) | \$8,061,462 | \$8,344,823 | \$8,638,143 | \$8,941,774 | \$9.256,077 | \$9,581,429 |
| EMPLOYEE GABA CONTRIBUTIONS |  |  |  | * | - |  |
| Increase Per Payroll (\%) | 0.25\% | 0.50\% | 0.75\% | 1.00\% | 1.00\% | 1.00\% |
| Increase Per K-12 Payroll (\$) | \$300,801 | \$622,748 | \$966.956 | \$1,334.593 | \$1,381,504 | \$1,430,064 |
| EMPLOYER GABA CONTRIBUTIONS |  |  |  | * | * | * |
| Increase Per Payroll (\%) | 0.50\% | 0.50\% | 0.75\% | 1.00\% | 1.00\% | 1.00\% |
| Increase Per K-12 School Payroil \# | \$601,602 | \$622,748 | \$966,956 | \$1,334,593 | \$1,381,504 | \$1,430,064 |

## TOTAL K-12 TRS \& PERS EMPLOYEE \& EMPLOYER GABA CONTRIBUTIONS COSTS

| K-12 EMPLOYEE GABA CONTRIBUTIONS | $\$ 1,936,501$ | $\$ 4,053,102$ | $\$ 6,392,940$ | $\$ 8,974,363$ | $\$ 9,460,561$ | $\$ 9,973,666$ |
| :--- | ---: | ---: | ---: | ---: | ---: | ---: | ---: |
| K-12 EMPLOYER GABA CONTRIBUTIONS $\#$ | $\$ 3,220,561$ | $\$ 6,210,435$ | $\$ 9,804,733$ | $\$ 13,777,746$ | $\$ 14,540,138$ | $\$ 15,345,320$ |
| TOTAL K-12 CONTRIBUTION COST | $\$ 5,157,062$ | $\$ 10,263,536$ | $\$ 16,197,673$ | $\$ 22,752,109$ | $\$ 24,000,699$ | $\$ 25,318,986$ |
| K-12 RETIREMENT GTB \$ FOR GABA \# | $\$ 966,168$ | $\$ 1,863,130$ | $\$ 2,941,420$ | $\$ 4,133,324$ | $\$ 4,362,041$ | $\$ 4,603,596$ |

\# State Guaranteed Tax Base (GTB) monies subsidize (offset) k-12 county school retirement fund "employer costs" for both TRS and PERS.

As graphically shown below, HB268 equitably distributes the costs of GABA for Montana school employees between employee's themselves, the state through GTB payments and public school employers.

TOTAL ANNUAL K-12 TRS \& PERS GABA COSTS FOR EMPLOYEES, STATE GTB \& EMPLOYERS


FISCAL YEAR
Additionally, as it impacts the schools and county school retirement funds, HB 268 's commitment of additional state GTB monies mitigates GABA's county mill cost and promotes the "equalization" of school funding as mandated by Montana's Constitution. This is accomplished without modification of current school funding law or of the funding formula by which state GTB monies are made available to low wealth counties.

## GABA's "Fund Savings" Help the Funds \& Stabilize Government Cost in the Future

Implementation of HB268 also reduces both the future likelihood and magnitude of "fiscal shocks" resulting from ad hoc pension adjustments and permits many of the retirement systems to realize significant fund "savings." These "savings" favorably impact the funds bottom-lines (both now and in the future) even as they are partially used to hold down the tax and employee payroll deduction cost of GABA. Indeed, HB208's k-12 and total fund "savings" are nearly as large as projected state and local employer GABA costs


In practical effect, HB268's funding structure allows GABA to be accomplished with much of the cost being paid for with savings that otherwise would be spent (as fund costs, unfunded liability or additional taxes) for no or very limited improvement in pension benefits.

## GABA Brings Montana Into the National Mainstream of Pension Adljustment Practice

HB268's proposed guaranteed annual benefit adjustment of $+2 \%$ is not unprecedented in Montana, nor out of step with practices in federal government or by other states. GABA would parallel and be consistent with Montana income tax indexing policy and with federal government practice in respect to Social Security/SSI, and pension adjustment practice for federal civil service pension systems. Greater uniformity among Montana's eight public pension programs would result from adoption of HB268 and Montana would be put into line and made more competitive with the clear majority of other states' public and school employee pension programs

PUBLIC SCHOOL EMPLOYEE PENSION PROGRAMS SUMMARY OF AUTOMATIC BENEFIT ADJUSTMENT PROVISIONS

| Type of Provision | Number of Plans | Percent Amount |
| :---: | :---: | :---: |
| Fived \$ Per Year | 1 |  |
| \% Equal to CPI | 1 |  |
| \% Based on CPI. with Cap | 39 |  |
| Median Cap |  | 3. $0 \%$ |
| Mcan Cap |  | 3.4\% |
| Fixed \% | 17 |  |
| Mcdian Cap |  | 3. $10 \%$ |
| Mcan Cap |  | 2.4\% |
| Contingent on Fund Earnings | 5 |  |
| Number \% \% of Automatic-Adjust Plans | 62 (or of 85 p respond |  |
| Wisconsin Legislative Comucil Survey ( 1 ( $9 \downarrow$ ). NEA-Rescarch Reliremem Plan Suricy (1993) |  |  |

## GABA IS A GOOD INVESTMENT FOR ACTIVE EMPLOYEES

The additional out-of-pocket, employee payroll deduction cost of GABA is of considerable concern to MEA. For most Montana school employees, total compensation levels have been stagnant for nearly three years. The prospect -- by FY99, when GABA contribution costs are fully assessed -- of an additional employee payroll pension deduction ( $+1.4 \%$ for TRS employees and $+.94 \%$ more for PERS) will only make it more difficult for workers to meet the financial needs of their families, or for Montana school salary levels to regain national competitiveness.

Ultimately however, MEA's endorsement of the Governor's GABA proposal is based on the need to accomplish a measure of pension protection for our members and our conviction that GABA's long-term "payoff" is far greater than it's cost. By utilizing fund savings to holddown overall contribution costs and by front-funding GABA so that the full value of future investment earnings (the "miracle of the market and componnd interest") are available, most individual employee GABA contributions (the employee's investment) will be returned many times over by GABA benefits received (the employee's return on inve.siment). This is true regardless of whether the employee will retire in 1999 (having made five years of GABA contributions and expecting 22 years of GABA benefit receipts), or in 2018 (having made 25 years of GABA contributions and receiving 22 years of GABA benefits.)


Left:
GABA Costs \& Benefits for a 1999 Retiree
Five years of GABA Contributions

Below:
GABA Costs \& Benefits
for a 2018 Retiree
25 years of GABA contributions


Tom Bilodeau
MEA-R Staff Liaison


MEA \& all members of PEPSCo believe HB268's GABA is a realistic and prudently funded means to provide minimal pension security for people who have committed a career of service to the needs of our citizens, our children and our future. GABA is fully-funded, actuarially sound, carefully drafted and can be readily administered by PERS and TRS. It constitutes sound government finance policy and responsible treatment of public employees.

On behalf of both active and retired employees of the State of Montana, local governments, the universities and the schools, MEA and PEPSCo urge the 1995 Legislature to support the Governor's proposal and enact GABA/HB268 now!
Montana Edlucation Association (MEA)
Montana Retired Teachers \& School Personnel Association (MRTSPA)
Association of Retired Montana Public Employees (AMRPE)
American Fed of State, County \& Municipal Employees (AFSCME)
Montan! Public Employees' Association (MPEA)
Montana Federation of Teachers/State Employees (MFT-MFSE)


SOURCE DATA: TRS FILES \& US-DOLBLS (JUNE-1975 \$ BASE) CPI-U.

* PURCHASE POWER DIMINISHED BY 3\% FOR $1994 \& 1995$ (CPI-U PROJECTED AT +3\% PER YEAR).
* IMPUTED ADOITIONAL TAX LIABILITY RESULTING FROM TAXING PUBLIC PENSION MONIES.
-MEA
PERS BENEFITS, AD-HOC ADJUSTMENTS \& INFLATION
IMPACT ON AN "AVERAGE" 1975 PERS RETIREE WITH 20 YRS SERVICE

| YEAR | AVERAGE |  | ANNUAL \% |  | \|| ---. Inflation -- |  |  | INFLATION |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | FY75 | AD HOC | BENEFIT | CHANGE | II | 1975 \$ |  | ADJUSTED | ANNUAL $\$$ | TOTAL \$ |
|  | RETIREE | BENEFIT | WITH | ANNUAL | 11 | \% | PURCHASE | BENEFIT \$ | LOST TO | LOST TO |
|  | BENEFIT \$ | ADJUSTMENT | AD HOC \$ | BENEFIT | II | CPI-U | POWER | \| 1975 \$ | INFLATION | INFLATION |
| 1974-75 | \$1,993 | BASE | \$1,993 | BASE | II | BASE | BASE | \$1,993 | BASE |  |
| 1975-76 | II | 0 | \$1,993 | 0.00\% | H | 5.8 | 0.947 | \$1,887 | (\$106) | 1 |
| 1976-77 | 11 | 0 | \$1,993 | 0.00\% | II | 6.5 | 0.886 | \$1,766 | (\$227) | 1 |
| 1977-78 | II | FLAT \% (+\$331) | \$2,224 | 11.57\% | 11 | 7.6 | 0.825 | \$1,834 | (\$159) | 1 |
| 1978-79 | II | 0 | \$2,224 | 0.00\% | II | 11.3 | 0.744 | \$1,654 | (\$339) | 1 |
| 1979-80 | 11 | FLAT \% ( $+\$ 240)$ | \$2.464 | 10.80\% | II | 13.5 | 0.651 | \$1,604 | (\$389) | 1 |
| 1980-81 | II | 0 | \$2.464 | 0.00\% | 11 | 10.3 | 0.594 | \$1,463 | (\$530) | 1 |
| 1981-82 | II | FORMULA $(+\$ 120)$ | \$2.584 | 4.87\% | 11 | 6.2 | 0.555 | \$1,434 | (\$559) | 1 |
| 1982-83 | II | 0 | \$2,584 | 0.00\% | II | 3.2 | 0.541 | \$1,398 | (\$595) |  |
| 1983-84 | 11 | FORMULA (+\$240) | \$2,824 | 9.29\% | II | 4.3 | 0.519 | \$1,466 | (\$527) | $(\$ 9,832)$ |
| 1984-85 | 11 | 0 | \$2,824 | 0.00\% | 11 | 3.6 | 0.501 | \$1,415 | (\$578) |  |
| 1985-86 | II | FORMULA (+\$324) | \$3,163 | 12.00\% | 11 | 1.9 | 0.491 | \$1,553 | (\$440) | , |
| 1986-87 | 11 | 0 | \$3.163 | 0.00\% | 11 | 3.6 | 0.473 | \$1,496 | (\$497) | I |
| 1987-88 | II | FORMULA $(+\$ 174)$ | \$3,337 | 5.50\% | 1 | 4.1 | 0.456 | \$1,521 | (\$472) | 1 |
| 1988-89 | 11 | 0 | \$3,337 | 0.00\% | 11 | 4.8 | 0.434 | \$1,448 | (\$545) | 1 |
| 1989-90 | 11 | "PRBA" ( $+\$ 71$ ) | \$3,408 | 2.13\% | 11 | 5.4 | 0.414 | \$1,411 | (\$582) | 1 |
| 1990-91 | II | "PRSA" ( + \$77) | \$3,485 | 2.26\% | 11 | 4.2 | 0.396 | \$1,380 | (\$613) | 1 |
| 1991-92 | 11 | "PRBA" (+\$58) | \$3.543 | 1.67\% | 11 | 3.1 | 0.384 | \$1,360 | (\$633) | 1 |
| 1992-93\# | TAX $\mathbf{\$ 1 0 0}$ | "PRBA" (+\$46) | \$3,489 | -1.52\% | 1 | 3.2 | 0.372 | \$1,298 | (\$695) | 1 |
| 1993-94* | +5\% AD HOC | "PRBA" (+\$50) | \$3.713 | 6.42\% | 11 | 3 | 0.361 | \$1,340 | (\$653) | 1 |
| 1994-95* | 11 | "PRBA" (+\$0) | \$3.713 | 0.00\% | II | 3 | 0.350 | \$1,300 | (\$693) | - |

SOURCE DATA: PERS FILES \& US-DOL/BLS (JUNE-1975 \$ BASE) CPI-U.

## GUARANTEED ANNUAL BENEFIT ADJUSTMENT

Q. What is guaranteed by the GABA?
A. The GABA is designed to interrelate with any other of the various benefit adjustment mechanisms provided in current law for the state's 8 public retirement systems. The GABA will provide a "floor" increase of $2 \%$ in the adjustments retirees will receive each year. It will also install a "Cap" (based on CPI changes) where none exist for certain benefit adjustments.

For example, if a PERS member would be eligible to receive a Post Retirement Adjustment (PRA) (under current law) which equals $1.5 \%$ in January, 1996, the GABA would add another $.5 \%$ to the benefit so that the retiree received a total of a $2 \%$ increase in benefits since January, 1995. If another PERS retiree was eligible to receive a PRA equal to $2.3 \%$, then the GABA would be unnecessary. Finally, if yet another PERS retiree were eligible to receive a PRA equal to $5.3 \%$ (but the change in CPI over the previous year were only $3 \%$, then the last retiree's PRA would be reduced to a $3 \%$ permanent increase in benefits.

Another example would be for members of the Firefighters' Unified Retirement System (FURS) who are guaranteed minimum benefits equal $1 / 2$ the salary of a newly confirmed firefighter. If a FURS retiree who had been retired for at least 36 months was not affected by the minimum benefit provision, the GABA would provide that retiree with a $2 \%$ increase in benefits. Another retiree who received a $1 \%$ increase in retirement benefits due to the current minimum benefit provisions, would receive an additional $1 \%$ increase due to the GABA. A third retiree who received a $2.5 \%$ increase due to the current minimum benefit provisions would not receive anything from the GABA. And, finally a retiree who would ordinarily receive a $6 \%$ increase through the minimum benefit provisions would be limited to an increase which equalled the actual change in CPI over the past year.

## Q. How is the GABA funded?

A. Through a combination of four sources:

1. Systems Savings ( $35 \%$ of total cost)
2. Employer/State Contributions ( $38 \%$ of total cost)
3. Employee Contributions ( $27 \%$ of total cost)
4. Investment earnings (which reduces the out-of-pocket expense when benefits are paid)


## Q. What are "System Savings"?

A. Funding Swaps. There are benefits currently provided in most of the systems which are not found in other systems or which accrue only to a small portion of the membership of any system. These benefits cost a portion of the current funding of each retirement system. These benefits can be "swapped" for a portion of the GABA, thus reducing the additional funding required for the GABA.

Excess System Funding. By July 1, 1995, 2 of the 8 retirement systems will be collecting contributions in excess of the amounts actuarially required to fund the current benefit structures of those systems. The excess contributions already collected will reduce the additional contributions necessary to fund the GABA.

Extending Amortization Periods. In well-funded systems, a portion of the contribution increases actuarially required to fund the GABA can be foregone. This will have the effect of extending the overall amortization period of the system's unfunded past service liabilities, but to periods well within accepted standards for public systems.

Combining GABA with Existing Increases. Since most systems have some minimal types of automatic benefit increases, combining them with the GABA (as a guaranteed "floor", in conjunction with instituting a CPI cap on current benefits) will further reduce the additional funding necessary toum guarantee everyone a $2 \%$ annual increase.

Replacing Benefits for New Members. In the case of one system where the $2 \%$ GABA is expectea to be less (on the average) than the current benefit adjustment mechanism, this proposal will replace the former mechanism with the GABA for all persons who become members of the system after ths effective date of the legislation. Current members and retirees could elect to be covered by GABA, bu would not be required to give up higher promised benefit adjustments. Such a change will reduce the state's obligation to provide additional funding for this system which is currently not funded on al actuarially sound basis.
Q. Will any person lose benefits because of this bill?
A. No current members or retirees will lose benefits. In one system which has significantly higher benefits than any other system and which is currently not actuarially funded, new members (after July 1, 199: will have the $2 \%$ GABA instead of the current higher benefit increases.
Q. What are the advantages of utilizing funding swaps?
A. Besides the savings which can be realized and applied toward funding the GABA, swapping benefit which accrue only to a small number of public employees helps to level the playing field and redu the unnecessary differences between the retirement systems which not only cost money now, but cause friction between the members of the various systems and result in legislation to add additional benef 4 to the systems which do not already have them.

Such "windfall" benefits may not be eliminated unless a benefit of equal or higher value (such as $t$ " GABA) can be substituted for all or a portion of the benefit being repealed. The GABA presents opportunity to eliminate unnecessary benefit differences between the systems.
Q. Isn't it "bad" to create or increase unfunded liabilities?
A. Unfunded pension liabilities are not amounts which we actually have to go out and borrow money to pay. In a retirement system, unfunded liabilities represent the difference between the total liabilities and the total assets of a trust fund on a given day. Unfunded liabilities are the amounts which would have to be borrowed on a given day should a pension system be terminated on that day. Unlike private plans, public pension systems will not be terminated. The important consideration is whether the amounts required to pay off currently unfunded liabilities are reasonable and whether the time period over which this will be accomplished is reasonable and prudent.

The issue is very similar to the question of whether a family should purchase a home with cash, up front -- or whether it would be more prudent to put up a reasonable down payment and pay off the loan balance at a reasonable interest rate over a reasonable period of time. While it would not be reasonable for a family to spend every dollar they had to purchase a house, outright; it would be equally unreasonable for the family to pay their same monthly income to rent a home that they could be using to build equity in a home.

Unfunded liabilities of a public pension trust fund are quite similar. If the state had enough money to pay off the entire "mortgage" up front without needing to borrow funds at a higher rate in order to meet our other operating expenses -- it would be a great to pay a bigger "down payment" so we could reduce our monthly payments. Like most families, Montana doesn't have that kind of cash!

The GABA proposal provides that all the unfunded liabilities created (not paid up in full on July 1, 1995) will be paid off in no more than 30 years. In the pension world (as in the mortgage world), this is a very reasonable period of time.
Q. What happens if we don't pass the GABA?
A. "Ad Hoc" benefit increases will continue to be enacted. Since 1971 every Legislature has understood the necessity of increasing fixed pension benefits for retirees and has passed "ad hoc" (one-time, permanent) benefit increases for retirees. It is unrealistic to believe that the legislature will simply refuse to grant these same retirees and future retirees any further increases.
Q. So, what's wrong with continuing to enact "ad hoc" increases?
A. "Ad Hoc" increases are the most expensive way to fund benefit increases. Not only are there not investment earnings to pay a large portion of the costs, but you can't do "funding swaps" in exchange for one-time benefits for current retirees.

Since "Ad Hoc" increases can only be funded by employer/state contributions; active employees may not be asked to help pay for benefits which they will never receive. Since any individual "ad hoc" increase is made only for current retirees, active members will never take part in that particular increase and may not help pay for it.
"Ad Hoc" benefits are ALL unfunded liabilities. Not one penny paid out was saved ahead of time and must be "borrowed" from the trust fund and paid back with interest. Continuing to enact "ad hoc" increases would be like charging a home on a credit card! Not only are there no investment earnings to reduce out-of-pocket costs -- we have to pay interest on the loan for 30 years (the average retiree who will get the increase is only expected to live 15 of those years!) After enacting ad hoc increases for almost 25 years, we've spent up to our credit limit and have no room to "charge" another "ad hoc" increase!
Q. What makes GABA better?
A. Because the GABA is both promised and prefunded, it dramatically reduces costs to employers (which means taxpayers). It is estimated that this bill will save taxpayers $90 \%$ of the amount which would have been spent if these same increases were provided on an "ad hoc" basis.

Because it is guaranteed to all future retirees, active members can pay a portion of the increased contributions required to fund the GABA. (Employees will pay $27 \%$ of the out-of-pocket expenses of the bill).

Because it provides increased benefits, it can be swapped for other benefits in the system. These swaps and other "systems savings" pay for a portion of the contributions required to fund the GABA. (Swaps and other systems savings will pay $35 \%$ of the out-of-pocket expenses of the bill.)

Because it is pre-funded, investment earnings on employer and employee contributions will fund a large portion of the actual benefits promised.
Q. What will be the impact on various state and local government employers?

| Anticipated payments by specific government entities/fund types |  |  |  |  |  |  |  |  |  |  |
| :--- | ---: | ---: | ---: | ---: | :---: | :---: | :---: | :---: | :---: | :---: |
| State Government | FY 1996 | FY 1997 | FY 1998 | FY 1999 |  |  |  |  |  |  |
| General Fund | $\$ 1,973,248$ | $\$ 3,030,524$ | $\$ 4,605,775$ | $\$ 6,324,822$ |  |  |  |  |  |  |
| Non-General Fund | 833,394 | 847,678 | $1,217,062$ | $1,597,050$ |  |  |  |  |  |  |
| Univ System/Off Budget | 164,638 | 233,078 | 365,262 | 509,248 |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| Local Govermments | $1,465,169$ | $1,511,313$ | $2,050,121$ | $2,622,945$ |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| School Districts | $2,254,392$ | $4,347,304$ | $6,863,313$ | $9,644,422$ |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |
| Total Gov’t Cost | $\$ 6,690,842$ | $\$ 9,969,897$ | $\$ 15,101,533$ | $\$ 20,698,488$ |  |  |  |  |  |  |

By 2001, the total covered public payroll in the state (state, university, local government and schon district employees) is projected to be $\$ 1.38$ Billion/year. The total GABA employer/state costs will only $1.64 \%$ of this payroll.

The state general fund will pay $30.5 \%$ of the total increased contributions, other state funds will $\mathrm{p}_{\mathrm{m}}$ $7.3 \%$ of the total, off-budget university funds will pay $2.4 \%$ of the total, local governments will pay $12.2 \%$ of the total, and school districts will pay $47.6 \%$ of total costs. Because the state contributes local school districts (through school retirement GTB), the average increase for school districts will only an additional $1.43 \%$ of their TRS and PERS-covered employees.

## Q. What is school retirement GTB and how does the GABA bill affect school retirement funds?

A. GTB (Guaranteed Tax Base) Aid is part of the money the state provides to local school districts to help pay for general school operations (the school general fund) and the county school retirement fund. As part of the state's Constitutionally mandated obligation to equitably fund (or "equalize") a system of K12 schools throughout Montana, GTB monies subsidize county school retirement levies in counties with a county mill value less than the statewide mill value. In practical effect, the state's GTB subsidies assist property-poor school districts and counties to hold down the property mill rate and to generate the same revenue from local levies as wealthier districts and counties.

Since FY 91, state GTB monies are made available to counties for support of the school retirement fund by a formula. This formula has not been significantly changed since it was first applied and nothing in the GABA bill affects the GTB formula.

As part of the funding for GABA will come from a small amount of additional employee and employer PERS and TRS contributions, the county school retirement fund will increase slightly ( $\mathrm{K}-12$ employer contributions rising $+\$ 3.2$ million in FY 96) as a result of GABA. Pursuant to the existing GTB formula, lower wealth counties will, in FY 96, receive approximately $\$ 1$ million in additional GTB subsidies to help pay for the employer's GABA contributions. During FY 97, counties will receive approximately $\$ 1.8$ million in additional GTB subsidies. In FY 98, additional subsidies are estimated to be $\$ 2.9$ million and in $F Y 99$, those subsidies will increase to about $\$ 4.1$ million.

These additional GTB subsidies are budgeted as a General Fund Expense of the GABA and are included in the Governor's executive budget proposal.

## TESTIMONY ON HOUSE BILL NO. 268

Submitted by Lois Menzies, Director, Department of Administration On Behalf of Governor Racicot and the Public Employees' Retirement Board January 31, 1995

During the 1993 special legislative session, Governor Racicot pledged to work with retirees, retirement boards, and others to develop an affordable guaranteed annual benefit adjustment for public retirees. Today we present for your consideration the results of that effort.

The Governor believes that the guaranteed annual benefit adjustment presented in this bill is essential to protect our retirees from inflationary factors that erode their benefits. Likewise, the Public Employees' Retirement Board endorses this proposal because it guarantees adjustments needed to ensure a stable standard of living in a way that is cost-effective while maintaining the actuarial soundness of the retirement plans.

The Legislature has long understood the need for adjusting pension benefits after retirement. In fact, the Legislature has enacted a post-retirement adjustment every session since 1969. Each of these adjustments has been ad hoc in nature; in other words, these adjustments were one-time, permanent increases to current retirees.

Ad hoc adjustments are the most expensive way to fund benefit increases. They involve no prefunding, so interest earnings are not available to pay a large portion of the costs. Additionally, they are funded solely through employer and state contributions or are simply absorbed by the pension funds. Because ad hoc adjustments apply only to current retirees, active employees cannot be asked to help pay for a benefit they will never receive.

The Governor and the Public Employees' Retirement Board ask you to abandon this costly ad hoc approach and replace it with a guaranteed adjustment that we can begin to prefund for future retirees. This approach is less costly because both employees and employers can contribute. The interest earnings on these contributions can then be used to pay a large portion of the costs. Furthermore, a guaranteed adjustment offers retirees financial predictability. Finally, this approach eliminates the need for the Legislature to revisit this issue session after session after session.


TESTIMONY IN SUPPORT OF HB 268<br>TEACHERS' RETIREMENT BOARD<br>Presented by David L. Senn, Executive Director<br>January 31, 1995

Members of the Teachers' Retirement System retired on a fixed monthly benefit face unknown increases in both health insurance premiums and inflation. Even a "mild" annual increase in the Consumer Price Index over several years will substantially reduce the purchasing power of pension benefits. For example, under a $3 \%$ annual inflation assumption, purchasing power is cut $13.7 \%$ after 5 years and $25.6 \%$ after 10 years.

The key to maintaining the purchasing power of retirement benefits, while controlling the cost, is an automatic annual benefit adjustment, or in other words, HOUSE BILL 268. Automatic adjustments must be pre-funded and as such are less expensive in the long run than the accumulated costs of several ad hoc adjustments.

Historically we have funded ad hoc adjustments with future employer contributions. Over the past 25 years we have seen 9 ad hoc postretirement adjustments. If an ad hoc adjustment resulted in a $\$ 1,000$ commitment over the remaining lifetime of the retiree, the employer contribution was increased so that over time, employers paid the full cost, plus interest.

House Bill 268 provides that benefits will be funded during the working lifetime of active members. Employers and employees will share in the cost, which together with investment earnings, will pay for future benefits. By pre-funding post retirement adjustments, as little as $\$ 150$, invested today at $8 \%$, over a member's normal 25 year career, is needed to fund the same $\$ 1,000$ commitment.

The first ad hoc cost of living adjustment under the Teachers' Retirement System occurred in 1969. The first adjustment increased benefits $2 \%$ for each year members had been retired, retroactive to July 1, 1937. It's ironic that 25 years later, we are once again proposing legislation for a $2 \%$ annual increase. Only this time, the proposal is for a fully funded Guaranteed Annual Benefit Adjustment (GABA).

If the legislature would have had the foresight in 1969 to enact a 2\% GABA, today, the employee and employer contributions contributed to pay for the GABA would be only a fraction of the total cost, with investment earnings picking up the vast majority of the required funding.


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Testimony in Support of HB }26
Teachers' Retirement Board
Page 2
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If hind sight is $20 / 20$, we are fortunate to have such clear direction as we look back over the past 25 years. The legislature has consistently passed needed and necessary ad hoc cost of living adjustments. Each time employer contributions have been increased to pay for the adjustments, or the cost was passed on to future taxpayers by extending the amortization period of the systems. We can't afford to let another 25 years go by with more expensive ad hoc proposals considered by each legislature. We urge you to pass HB 268.

# TESTIMONY IN SUPPORT OF <br> HB 268 <br> $2 \%$ GUARANTEED ANNUAL BENEFIT ADJUSTMENT PROPOSAL <br> on behalf of the <br> PUBLIC EMPLOYEES' RETIREMENT BOARD 

Presented by
Linda King, Administrator
Public Employees' Retirement Division
During the 1993 session, the Legislature enacted SB 192 which required the Public Employees' Retirement Board to:
"review the sufficiency of benefits paid by the system and recommend to the legislature those changes in benefits that may be necessary for retired members and their beneficiaries to maintain a stable standard of living." (19-2-404(9), MCA)

The GABA proposal submitted for your consideration by the Governor is the Board's recommendation required by that law. The Board fully supports and recommends enactment of this particular proposal because it will guarantee those changes in benefits necessary to maintain a stable standard of living, in a manner which will maintain the actuarial soundness of all the systems and in the most cost-effective manner possible. If the Governor had not proposed this legislation to you, the Board would have.

Because the effects of inflation (especially rapidly rising medical costs) are most devastating on retirees with fixed incomes, the Legislature has long understood the need for adjusting benefits after retirement. However, since the current mechanisms in place in our public systems are woefully inadequate to meet the need, the Legislature has often relied on ad hoc COLA's as stop gap measures against inflation.

Those ad hoc adjustments can no longer continue, because they are the MOST expensive method of funding limited benefit increases. (Similar to charging one's monthly living expenses on a high-interest credit card, one pays for each dollar actually spent several times over and has no funds left for the next necessary expenditure.)

We know the least expensive way to fund each $\$ 1$ of benefit increase is through an actuarially funded guaranteed benefit because
-- both employees and employers can contribute the additional out-of-pocket expenses ahead of time,
-- which are then invested with earnings on those investments paying a large portion of the actual benefit increases.

This method dramatically reduces the tax dollars necessary to fund the benefits promised.

In the past, even this mechanism was found to be too expensive. For example, a 1993 $2 \%$ GABA proposal covering only PERS and TRS would have resulted in a $\$ 16$ Million state general fund impact in the coming biennium. This GABA proposal is different because it utilizes still another funding source to help fund the guaranteed benefit adjustments -- for all 8 systems at only a fraction of the cost of the previous proposal.

This "new" funding source is called "SAVINGS." By savings, we mean:
-- Funding Swaps. There are currently particular benefits provided in most of the systems which are not found in the other systems and which cost a portion of the current funding of the system to provide. Such particular benefits can be "swapped" for a portion of the GABA, thus reducing the additional funding required for the GABA.
-- Excess System Funding. By July 1, 1995, two of the retirement systems will actually be collecting contributions in excess of the amounts actuarially required to fund their current benefits. The excess amounts currently collected reduce the additional contributions required to fund GABA for those systems.
-- Extending Amortization Periods. A portion of the contribution increases required to fund GABA can be reduced in certain systems which are wellfunded and have amortization periods well within accepted actuarial funding standards. This will have the effect of extending the amortization period of the system's unfunded past service liabilities, but to periods still well within the accepted standards.
-- Combining GABA with Existing Increases. Most systems have some minimal types of automatic benefit increases which, in combination with the GABA used as a "floor" guarantee for those benefits and instituting a CPI cap on current benefits, will reduce the additional funding necessary to guarantee a $2 \%$ annual increase.
-- Replacing Benefits for New Members. In the case of one system where the GABA is expected to be lower than the current benefit adjustment mechanism, the proposal is to replace the former mechanism with the GABA for all new members of the system (current members and retirees could elect to be covered by GABA). Covering all new members will reduce the funding shortfall currently in this system and reduce the state's obligation to provide additional funding for this system.

The bottom line savings resulting from these mechanisms will "pay" for $35 \%$ of the out-of-pocket costs of GABA, which would otherwise fall on taxpayers and members. The remaining $65 \%$ of the total costs will be divided among employers and their employees -- with increases phased-in over 4 years for the two largest systems.

The total state General Fund obligation for state, university, local government and school district employees is projected at $\$ 5$ Million for the coming biennium and under $\$ 11$ Million for the next following biennium. This level of state General Fund commitment is still less than the amount which would have been paid for the $2.5 \%$ benefit adjustment formerly provided public retirees by SB 226 when the 1991 Legislature began taxing public retirement benefits.

I apologize that a family emergency prevents me from being here today to directly answer your specific questions about this important proposal. I hope to be available when you consider HB 268 in executive session in order to answer any questions which may not be able to be answered by others today.

In closing, I can assure you that, while the cost savings may seem to be too good to be true,
-- This particular proposal has been carefully crafted to take advantage of real savings which can only occur when a benefit of equal or greater value can be substituted.
-- We have replaced only those particular benefits which have increased the differences between the various systems, with the GABA as one uniform benefit which is needed by members of all the systems.

The benefits of this proposal, therefore, are not only the provision of necessary benefit increases in the most cost-effective manner possible. The added benefit of this particular proposal is that it also serves to level the playing field and reduce the current disparities between the systems.

On behalf of the Public Employees' Retirement Board, I urge your favorable consideration of this proposal which meets the Board's tests as an actuarially funded, equitable, and necessary benefit for the members of all public retirement systems. Given the past 25 years' precedent of enacting much more expensive ad hoc increases, we really can't afford to say no.

Association of Montana Retired Public Employees

Post Office Box 4721<br>Helena, Montana

A non-profit corporation of P.E.R.S. Retirees for P.E.R.S. Retirees

IN SUPPORT OF HB 268, JANJARY 28, 1995

By name is Art Whitney. I am president of the Association of Zontana Setired Public Fmployees, a group wiich was incorporated in 1982 for the purpose of trjing to protect and inmorove our retirement benefits. Most of our 3,300 members are from the ?ublic Enplcyees Retirement System with a few from several of the smaller systems also supervised by the Public Employees Retirement Eoard. We strongly support :HB 268 for the following reasons:

1. It is needed. PERS and TRS retirees have experienced a steady decrease in their pension's buying power, which has been interrupted onl:" occasionally by an ad hoc increase granted by the legislature. Also, in recent years, most of us hare seen the actual dollar amount of our monthly checks recuced by having our pensions subjected to state incoma tax for the first time and by steadily increasing deductions for health insurance.
2. The GABA HB 268 sets up for everyone will cost the state less and give retirees more than does the present system of granting ad hoc increases to a small portion of the retiree groups each session.
3. HB 268 will eliminate most of the differences between the various retirement systems.
4. HB 268 is fully funded in the Governor's budget.

Thus HB 268 is needed and represents good government. We strongly urge you recommend it do pass.


## Past Ad Hoc COLA's granted by the Legislature

1969

PERS ad hoc COLA
ad hoc COLA
-- all systems

Monthly retiree benefits increased by $\$ 1 /$ year of service credit (up to a maximum of $\$ 30$ ) for members retired before $7 / 1 / 81$; or by $\$ .50 /$ year of service credit (up to a maximum of \$15) for-members 8 tired on of after $7 / 1 / 81$ but before $1 / 1 / 83$ ).

Ad Hoc COLA's granted by the Legislature page 2
(continued)

FURS

1985 TRS ad hoc COLA

PERS ad hoc COLA

SRS ad hoc COLA
HPORS Minimum Benefit

MPORS Minimum Benefit

1987 PERS Ad Hoc COLA

1989 Post Retirement Adjustment (PERS, TRS, GWRS, and SRS)

GWRS Ad Hoc Minimum Benefit Adjustment

FURS Supplemental
Benefit Adjustment

1991 Annual Lump Sum Adjustment for in-state - All Systems

## HPORS Annual <br> Lump Sum

Minimum Supplemental Benefit extended to retired members hired pric to $7 / 1 / 81$

Monthly retiree benefits between $\$ 500$ and $\$ 1000$ were increased $\$ .50 /$ year of service; benefits less than $\$ 500$ were increased $\$ 1 /$ yar service. Minimum monthly benefit of $\$ 400$ /month for persons before $7 / 1 / 71$ with at least 30 years of service and was at least 60 ti: of retirement. (actuarially funded)

Monthly retiree benefits increased by a formula, up to a maximu increase of $\$ 3$ /month. Monthly benefits of $\$ 1,000$ per month or $m$ ed not receive an increase. (actuarially funded by increased entloy contributions)

Monthly benefits increased $5 \%$ for retirements on or before $7 / 1 / 8$
Established a minimum level of benefits payable to retirees (act friz funded through system with increased employer contribution rates ${ }^{\prime \prime}$ |

Provided for minimum benefit adjustments for post $7 / 1 / 85$ retirees funded directly from state's insurance premium tax fund, which is offset to general fund revenues)

Provided for $5.5 \%$ permanent increases for persons retired prior to

Automatic permanent increases tied to investment earnings above $8 \%$ actuarially required yield.

One-time increase for all retirees to a minimum equal to $60 \%$ of the current pay of newly hired game warden. by extending amortization period of the system's unfunded liabilit:

Supplemental Benefit fund established for members hired on or after 7/1/81 (Funding from state insurance premium tax fund as a dioffset to general fund revenues)

Once/year payments to resident retirees to offset newly $t a x a j$ status of benefits (this adjustment ended in 1993 when MT Supreme Court ruled this benefit an unconstitutional tax-offset rew. (Payments made directly from general fund to retirement boarcis distribution to eligible retirees)

Additional payments made once per year to pre-7/1/91 retirees fune through 25 cent increase in drivers license fees
$5 \%$ permanent benefit increase
－ $\mathrm{CS}=$ current salary $=$ current salary paid to the position from which the member retired． ${ }^{2} \mathrm{FAC}=$ final average compensation $=$ average salary over the last 36 consecutive months of service.
${ }^{3} \mathrm{FMC}=$ final monthly compensation $=$ monthly salary last received by member．


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${ }^{5}$ Based on the system＇s basic service retirement formula．
${ }^{2} \mathrm{FAC}=$ final average compensation $=$ average salary over the last 36 consecutive months of service．
${ }^{3} \mathrm{FMC}=$ final monthly compensation $=$ monthly salary last received by member．
${ }^{2} \mathrm{CS}=$ current salary $=$ current salary paid to the position from which the member retired．


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the unfunded liability． This is $14.21 \%$ of payroll less than the $48.01 \%$ required to pay for the normal cost of benefits and to amortize the debt as shown on Table 4.
Because total actual contributions（ $33.8 \%$ ）do not cover even the normal cost of the system（ $41.15 \%$ ，no funds are left to make payments on This is $14.21 \%$ of payroll less than the $\mathbf{3 4 . 7 1 \%}$ District Court fee contribution required by statute．

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TABLE 6
VOLUNTEER FIREFIGHTERS' COMPENSATION ACT
(As of July 1, 1992)

| PENSION PLAN FEATURES | VOLUNTEER FIREFIGHTERS' PENSION FUND |
| :---: | :---: |
| Minimum service and age for normal (unreduced) retirement | 20 years of service and age 55 |
| Vested | After 10 years of service |
| Basic benefit formula | $\$ 120$ per month for 20 years of service (prorated for 10 years through 19 years of service) |
| Disability | If injured in line of duty, fund pays for necessary and reasonable medical expenses, not to exceed $\$ 25,000$ within 36 months of injury |
| Death benefit | Actual funeral expenses (only if killed in the line of duty), not to exceed $\$ 1,500$, are paid to funeral provider; member's entitlement, not to exceed a total of $\$ 4,000$, is paid to surviving spouse or children until spouse remarries or children reach 18 years of age |
| Membership | 517 retirees; 4 survivors |
| Contributions | Funded entirely by insurance premium taxes |
| FY 1991 through FY 1993 benefit | \$120 per month for 20 years of service |
| Total benefits paid in FY 1992 | \$699,557 |

TABLE 7
UNIVERSITY SYSTEM OPTIONAL RETIREMENT PLAN (As of July 1, 1992)

| PLAN FEATURES | UNIVERSITY SYSTEM OPTIONAL RETIREMENT PLAN |
| :--- | :--- |
| Minimum service and <br> age for normal <br> retirement | None. Member may begin receiving benefits at any <br> time based on the full current value of the member's <br> accumulated annuity. |
| Benefit formula | As a defined contribution plan, a member's monthly <br> annuity depends on total contributions plus investment <br> earnings and on the income option a member selects. |
| Disability benefits | None, except for the member's annuity income, which <br> can begin at any time. |
| Death and survivor <br> benefits | The full current value in a member's annuity account is <br> payable to the beneficiary before retirement. The <br> benefit can be paid in a single sum, as an annuity |
| income to the beneficiary for life, or as an annuity |  |
| income for a fixed period of years. The annuity may |  |
| also be deferred as federal law permits. |  |$|$| Social security <br> coverage | Yes. |
| :--- | :--- |
| Total active members | 1,115 |
| Total payroll covered | $\$ 31,475,709$ |
| Employer contribution <br> as a percentage of <br> payroll | $6.00 \%$ |
| Employee contribution <br> as a percentage of <br> salary | $6.00 \%$ |
| University System's <br> unfunded liability | $2.503 \%$ |
| Total contributions | $14.503 \%$ |

## TABLE 8

## POSTRETIREMENT ADJUSTMENTS TO MONTANA'S PUBLIC RETIREMENT SYSTEMS

## METHOD GIVEN

(1) Retirees are paid an additional monthly retirement adjustment based on the system's investment earnings.
Retirees are paid a portion of the investment earnings above $8 \%$, which is the average yield assumed by the actuary.
(2) Retirees are paid a minimum benefit that is equal to $1 / 2$ the salary of a newly confirmed member. This adjustment is funded by annual payments from the state's insurance premium tax fund.
(3) Retirees are paid a minimum benefit by changing the basic formula to reflect the current salary of a probationary patrol officer. Also, pre7/1/91 retirees receive an annual lump-sum supplement funded by an additional 25 -cent vehicle registration fee.
(4) Retiree benefit allowances are increased based on the current salary paid to the office from which the member retired.

## SYSTEM(S) COVERED

PERS
TRS
Sheriffs'
Game Wardens'

AVERAGE INCREASE PAID 1/1/94
$\$ 6.75 /$ month ( $1.42 \%$ )
$\$ 5.63 /$ month ( $0.78 \%$ )
$\$ 8.24 /$ month ( $1.19 \%$ )
\$7.63/month ( $0.68 \%$ )

Municipal Police Officers'
Firefighters' Unified

Highway Patrol Officers'

Minimum benefit varies by individual retiree; avg. benefit grew at rate of $7.35 \%$ per year

Average lump sum supplemental benefit for pre-7/1/91 retirees in FY 94 was $\$ 1,996$

Received an average increase of $7.56 \% /$ year in 1994

Maximum benefit varies by city and individual retiree Average increases during FY 94 were:

Police: $4.32 \% / \mathrm{yr}$
Fire: $2.53 \% / \mathrm{yr}$

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