Maine State
Retirement News
for Members, Retirees and Employers

The newsletter of the Maine State Retirement System April 2001

Understanding the Unfunded Liability of the State Employee and Teacher Plan

Recent discussion in the Legislature and the press about lengthening the time to pay off the unfunded liability (UAL) of the State employee and teacher plan is an opportunity to give some information about the UAL and its payment. Clearly, there is interest in the topic. Probably no group is more interested than those System members and retirees who are covered under the plan. They ask whether lengthening the time period over which the UAL is to be paid off would affect the amount of their retirement benefits being paid now or to be paid in the future. The answer is no. Just as shortening the payoff period in 1998 and again in 2000 didn't increase benefits, lengthening it, as has now been proposed, would not decrease them.

There are many other things to know about the UAL and paying it off. First, why does the State employee and teacher plan have a UAL? There are two principal reasons. One is that at several times in the plan's over-50-year history, the State, through the legislative process, made the decision to pay less than the amount of employer contributions required to adequately fund the plan. Second, many times in the plan's history the Legislature enacted new or improved retirement benefits but did not provide adequate, or in some instances any, funding for them through employer contributions or employee contributions or the combination of the two.

Thus, as members worked and earned the new or improved benefits, the funding to pay those benefits as they would come due in future did not keep pace; contributions were lacking or too small to begin with, and that meant that there were less funds to be invested and therefore smaller investment earnings. The plan's obligation to pay benefits (its liabilities) grew larger than its contributions and investment earnings (its assets). That is, a portion of its liabilities was unfunded; there were no assets behind them. In essence, a debt had been created. Again, this has not meant that benefits have not been paid. Nor does it mean that they will not be paid in the future, so long as there is steady, real progress in paying off the debt.

A very large unfunded liability would be difficult for any state to pay off all at once. Current revenues from taxes and other payments have to pay for many things, e.g., schools, roads, all of the other responsibilities of state government. Paying off a large UAL is therefore spread over a number of years. There are standards and outer limits as to the number of years over which the payoff of a UAL can be spread. One standard common to all pension plans is "actuarial soundness." In Maine, both State statutes and the Maine Constitution charge the Trustees of the Retirement System to ensure that the State employee

Continued on page 7

John S. Eldridge, III
Newest Member of the MSRS Board of Trustees

John S. Eldridge, III was recently appointed by Governor Angus King as the Maine Municipal Association's representative to the MSRS Board of Trustees.

Mr. Eldridge joined the board in September 2000 after his appointment was approved by the Labor Committee of the Legislature and by the Maine State Senate. He has been the Finance Director for the Town of Brunswick for the past 12 years.

Mr. Eldridge, who graduated from the University of Maine at Orono, previously held the position of town manager of the towns of Bradley and South Berwick. He succeeds Charles Jackson, who had served as a Trustee for eleven years.

What's Inside Retirement News

Notes from the Executive Director

The current stock market: its effects on retirement benefits

When the stock market is down, as it currently is, we at the System know that many retirees and not-yet-retired members worry about their retirement benefits. Retirees worry that their monthly checks will get smaller. Members worry that the funds to pay their benefits will be less and therefore their benefits will be less. Interestingly, when the market is doing well, we don't hear from people that they're expecting their benefits to increase. And, when the market is down, no one need worry that their benefits will be decreased. The downs and ups of the stock market do not affect the amount of the retirement benefit due a member.

Because the System's retirement plans are Defined Benefit (DB) plans, benefits are steady in the face of market movements. In a DB plan, the amount of a retirement benefit depends on three things: average final compensation at retirement, the amount of creditable service at retirement, and the value of each year of service. This last item is called the "accrual rate"; it is 2% per year for all members except those in some PLD special plans and judges. The first two of these reflect a member's work history; the third is set in the law by the Maine Legislature. None of them is related to the movements of the stock market. For a retiree, the calculation done at time of retirement sets the amount at which the benefit will remain, save for the annual cost-of-living adjustment. A not-yet-retired member wanting a sense of what her/his retirement benefit will be needs to estimate how much creditable service she/he will have at retirement and what her/his average final compensation (that is, the average of the three highest years of compensation) will be, multiply these and then multiply the result by the accrual rate. The member does not need to include a factor for how the stock market may do. The benefit amount is defined (hence the name Defined Benefit) by service, compensation and accrual rate.

Retirees and members who, in addition to their coverage under the System's DB plan, also have a Defined Contribution (DC) plan (for example, a 401(a) or 457 plan) know that their DC plan is affected by the market's movements. For example, when the stock market is up, the value of their DC plan investments is up if they have invested in stocks; when the stock market is down, the value of their DC plan investments is down. This does not mean that participation in a DC plan is a bad idea. On the contrary, it is a good idea to be contributing to a DC plan in addition to having DB plan coverage. The Defined Benefit plan benefit is a steady, dependable flow of income in retirement. Participation in a DC plan means that there are additional savings and investment for retirement and that these can grow when the market in which they're interested does well, providing additional income in retirement.

Kay R. H. Evans
Executive Director

Two revised member handbooks now available

A handbook entitled *An Overview of Disability Benefits* and another on the *MSRS Benefits for State Employees* have been revised to reflect changes that the Legislature has instituted over the past few years.

In April, a revised handbook entitled *MSRS Benefits for Teachers* will be available, followed soon after by the revised edition of *MSRS Benefits for Members in the PLD Consolidated Plan.*

To obtain copies of the revised handbooks, please call the MSRS.

Benefit Recipients: Do we know where to reach you?

If you are spending time in a locale other than where you normally receive your mail and want to receive your monthly check or advice of direct deposit at another address, please be sure that we have that address. For your protection, the MSRS requires your written and signed authorization to change the address for delivery of your check or advice of deposit. To help assure that you are the only person directing where your check should be sent, the MSRS does not accept authorizations by phone. To assist us in making the change you want, please include both your old and new address in your authorization, as well as your name and Social Security number.

Coming in March: Purchase of Service Credit by Payroll Deduction

Beginning in March 2001, all MSRS members who are eligible to purchase service credit may once again do so through payroll deduction.

Until July 1990, members had the opportunity to purchase service credit by having some amount deducted from their paychecks, but this opportunity was legislatively eliminated in 1990 except for those grandparented members who were actively purchasing creditable service by payroll deduction at the time the law changed. Since 1990, payments toward the purchase of service credit could only be made by either a one-time full payment or a partial payment once a year in the month of May for all but the few grandparented members. New legislation establishes the ability to make payments through payroll deduction, and members may find it easier to maintain a steady, incremental approach to the purchase of additional service credit.

There are specific guidelines, including minimum payment requirements, that must be followed by all members involved in purchasing or repurchasing creditable service by payroll deduction or any other methodology. The new legislation calls for members to be fully informed about how much creditable service their payments are purchasing and to be making large enough payments that some reduction in principal in fact results. These requirements apply not only to members who for the first time begin a payroll deduction program but also to grandparented payroll deductors and those making partial payments in May.

For details please contact the MSRS Retirement Services Program.

Year End Statistics

Active MSRS Members as of June 30, 2000:

State Employees	14,520
Teachers	27,503
PLD Employees	8,754
Legislative Members	169
Judicial Members	57
Total Active Members	**51,003**

Recipients of MSRS Benefits as of June 30, 2000:

Service Retirees	22,873
Retiree Beneficiaries	3,097
Disability Retirees	1,967
Death Beneficiaries	1,007
Total Benefit Recipients	**28,944**

Q&A

What happens to my contributions if I terminate MSRS employment?

If you stop working in an MSRS-covered position you have a choice of two different courses of action:

- You may leave your contributions on account at the MSRS where they will continue to earn interest until you withdraw them or until you qualify for and receive a retirement benefit.

- You may take a refund of your contributions and interest immediately or at any time while you are an inactive member. If you decide to take a refund you have to withdraw *all* of your contributions and interest; the law does not allow you to take a partial refund or borrow against the funds. You receive a refund of only your own contributions plus accrued interest and are not entitled to a refund of the contributions paid by your employer on your behalf. You may roll over all or a portion of your refund to another qualified employer plan that accepts rollovers and/or to an Individual Retirement Account/Annuity (IRA), with certain restrictions set by federal law and rules. If you take a refund and do not roll it over into another qualified plan, all or a portion of your refund may be subject to state and/or federal taxes at the time of the refund.

If you return to MSRS membership at a later date having withdrawn your contributions, after you have accumulated two continuous years of service credit, you may pay back to the MSRS the amount of your refund, plus applicable interest. If you pay back this amount, you will once again receive service credit for the time covered by your refund. When you take a refund, you give up your rights to all MSRS benefits.

The Importance of the Annual Statement of Compensation

Every January the MSRS Disability staff mails a form entitled *Annual Statement of Compensation (ASC),* to each disability retirement benefit recipient. It is accompanied by a companion form on which to request an extension of time to file the ASC. This annual reporting of income, if you are an MSRS disability retirement benefit recipient, is required under Maine Statutes because the MSRS is required under these same laws to determine whether the amount of wages that you have earned, if any, requires you to pay back to the MSRS any of these earnings. The Annual Statement of Compensation (ASC) form is the means by which you, if you are a disability retirement benefit recipient, report to the MSRS how much income you have earned in the past calendar year.

Regardless of whether or not you had income other than your MSRS disability retirement benefit in 2000, it is mandatory that you complete and return the ASC.

If your only income in 2000 was your MSRS disability retirement income, simply fill out the ASC and return the ASC to the MSRS. (Please note that if you are a section 1122 disability retirement benefit recipient, the law requires that the amount of your earnings both decreases the amount of your benefit permanently and allows a determination of what you must pay back to the retirement fund.)

If your only income in 2000 was your MSRS disability retirement income, you should have already filled out the ASC and returned it to the MSRS by the February 16, 2001 deadline (unless you requested an extension of time).

The following table highlights all the dates you need to remember.

By February 16, 2001:
- Complete and return *ASC;*
- **or**
- Complete and return *ASC Extension Form,* which gives you until April 16 to file *ASC.*

By April 16, 2001:
- Complete and return *ASC* and Federal 1040 tax return, with all attachments;
- **or**
- Send a copy of your *2000 Application for Extension of Time to File U.S. Income Tax Return* that you filed with the IRS, which gives you until August 16, 2001 to file ASC and 1040 with MSRS.

August 16, 2001:
- Final deadline for filing with MSRS.

Meeting these deadlines can protect your disability retirement benefit. It is important that you know that not returning a completed ASC to the MSRS in a timely manner can result in the loss of your benefit.

You may be asking, "Why are disability recipients required to pay earnings back to the MSRS?" Maine law allows MSRS disability benefit recipients to earn income in addition to receiving a disability benefit without having to pay anything back to the MSRS but only under certain guidelines and limitations. The amount you are permitted to earn while receiving an MSRS disability benefit without triggering a payback depends on which disability plan you are under. Based on the information you report on your ASC, along with any other income verification that the MSRS may request, the disability staff will first determine if you had excess earnings during the previous year and, if so, whether the law governing the disability plan under which you are covered requires you to pay back these earnings to the MSRS during the next calendar year.

The majority of MSRS members are covered under the so-called Article 3-A Non-Age Restricted Disability Plan. (There are differences in the guidelines for section 1122 and Article 3 disability plans that are not discussed in this article.) Under this Article 3-A plan, if you receive an MSRS disability benefit and return to work in an **MSRS-covered position**, you are allowed to earn the difference between your Average Final Compensation (AFC) and the amount of your annual disability benefit (both adjusted annually for COLAs, except under PLD Article 3-A plans that do not have a COLA provision).

Example: Your AFC is $30,000 and your disability benefit in a given year is $17,700 (based on 59% of your AFC). This means that your earnings can be up to $12,300 annually ($30,000-$17,700=$12,300) before you will have to pay back "excess" earnings to the MSRS.

If these excess earnings are greater than the amount of your disability retirement benefit in the next calendar year, you must again become a contributing member of MSRS and your disability benefit will cease. You must also repay the Retirement System for your excess earnings in the prior year.

If you return to work in a **non-MSRS covered** position**,** you are permitted to earn the difference between your AFC and the amount of your annual disability benefit (both adjusted annually for COLAs, if applicable) **or** $10,000, whichever is greater. Any earnings in excess of that determined amount must be repaid to the Retirement System in the next calendar year.

Additionally, if your excess earnings exceed the amount of your annual disability benefit, you will be deemed to no longer have a disability, your disability benefit will cease and you will also still be required to repay to the MSRS the remaining amount by which you overearned in the previous year.

***ASC* continued on page 7**

Employer's Corner

The **Employer's Corner** of the *Retirement News* is intended to provide employers with helpful information and timely reminders. We welcome your suggestions for areas of interest that you would like to see addressed in this column.

To assure we have the most accurate and complete membership information on file, we remind you to use the most current version of our membership forms to submit employee information. The newest forms allow us to make maximum use of our growing automated member recordkeeping system and better serve our members, your employees. The form numbers and revision dates are located in the lower right-hand corner of each form. The most current version of each membership form is identified below. If you believe that your supply of forms is outdated, please contact the MSRS to verify that and to order the newest version. Be sure to discard the outdated forms. We will gladly send you a new supply of our current forms, whether you need to replace outdated forms or simply wish to replenish your supply of forms.

* Application for Membership
  Form # CL-0102, Rev. 01/99

* Designation of Beneficiary Pre-Retirement Death Benefits
  Form # CL-0722, Rev. 09/99

* New Hire or Personnel Status Change Form
  Form # MM-0001, Rev. 08/98 (*Teacher & PLD employers only*)

* Employee/Retiree Data Update Form
  Form # MM-0002, Rev. 02/99

It is also very important for your employees that completed membership forms be sent to us within seven days of an employee's first date of employment, or within seven days of any change in the employee's personnel status. If you have questions or concerns about how to complete the membership forms, the time frame for reporting membership information or other aspects of membership eligibility and reporting, please call Deanna Doyle, MSRS Membership Eligibility Specialist.

NEW RULE MAILED IN JANUARY

You should have recently received a copy of MSRS Rule Chapter 303, entitled Actuarial Factors Tables. This new rule, adopted by the MSRS Board in November 2000, specifies the actuarial factors tables for use in various determinations and calculations required in the administration of the State employee/teacher and particpating local district plans of the MSRS, and in the plans of the Maine Legislative Retirement System and the Maine Judicial Retirement System. Attached to the rule were copies of all of the relevant tables. Included in the mailing also was a revised Table of Contents for your rule book.

If you did not receive this information, please contact the Retirement System and request Chapter 303 and a revised Table of Contents. If you find that you are missing any rules included in the most recent Table of Contents, please contact the MSRS Communications Unit so any rules you may be missing can be sent to you.

PART III – MEET THE MSRS STAFF

Survivor Services Unit

The Survivor Services staff assist members and retirees with questions about pre-retirement death benefits and group life insurance, and process benefits for beneficiaries. They also maintain and update all of the information needed to process benefits as soon as possible in the event of a member's death. When notice of a member's death is received, the designated beneficiary(ies) are contacted by the Survivor Services Staff.

The question that staff in the Survivor Services Program would like to ask every MSRS member is: **"Do you know who your beneficiaries are?"** To Survivor Services staff, the answer to this question is one of the most important things that you as an MSRS member should be meticulous about.

If your answer is "I don't know" or "I'm not sure," the Survivor Services staff advise that you check your copy of the beneficiary form(s) you last completed and filed with the MSRS. If you are unable to locate your copy(ies), contact your payroll clerk or the MSRS to obtain new copy(ies). You should have on file at MSRS an up-to-date beneficiary form for your Pre-Retirement Death Benefits *and* another up-to-date beneficiary form for your Group Life Insurance, assuming that you are covered by the Group Life Insurance Program. Many members and retirees do not keep their designations of beneficiary(ies) for both of these benefits up to date. Others mistakenly think that one designation of beneficiary covers both programs.

You should have filed beneficiary form(s) when you were hired into an MSRS-covered position. This may have been a long time ago. In order for the MSRS to carry out your wishes in the event of your death, you need to be sure you have put those wishes in writing and submitted these designation forms to the MSRS. Under Maine law benefits can only be paid to the person(s) designated in writing and filed at the MSRS as your beneficiary(ies) under both programs. If you have been married, divorced, widowed, become a parent, or experienced some other major life event since your beneficiary forms were filed with the MSRS, you may want to file updated versions. You are entitled to change beneficiaries for these two benefits as often as you like.

Two types of death benefits are available to eligible beneficiary(ies) of a member who dies prior to service retirement:

- so-called "ordinary" death benefits, and
- "accidental" death benefits.

Claims under both are processed through the Survivor Services Program. Ordinary death benefits come in several optional payment forms depending on the member's specific circumstances and whether and if multiple beneficiaries are named. Survivor Services staff figure out the specific options available to one or more designated death beneficiary(ies) and assist these beneficiary(ies) in understanding the forms of payment for which each particular beneficiary is eligible. If the death occurs before the member retires and is the result of an injury suffered in the course of employment, the member's beneficiary(ies) may be entitled to an "accidental" death benefit. The Survivor Services staff make all determinations of accidental death and assist beneficiaries in claiming these benefits as well.

The Group Life Insurance benefit administered by the Survivor Services Program is available to all State employees, public school teachers, and the employees of those Participating Local Districts that elect to provide the coverage for their employees, as well as to members of the Legislative and Judicial Retirement Systems. Benefits are paid as outlined in the group life insurance certificate of coverage. Once the needed information to support a claim has been completed and processed by the staff, the MSRS forwards the life insurance information to MSRS' life insurance carrier, who processes and pays the benefit.

Staff of the Survivor Services Program feel *strongly* about reminding members to keep beneficiary designation forms up to date and reflective of their true wishes for distribution of benefits they leave to their survivors. The staff has seen first hand the difficulties that ensue for loved ones who are affected by out-of-date designations. That's why Survivor Services staff keep asking, "Do you know who your beneficiaries are?" **Do you?**

Seated (left to right): Technician Jane Ricker, Clerk Sandra-Campbell York. *Standing(left to right):* Clerk Donna Glover, Supervisor Lynn Pease and Clerk Susan Merrill.

Paying Off the Unfunded Liability continued from page 1

and teacher plan is funded on an actuarially sound basis. In general, "actuarial soundness" means that the measurement of a plan's actuarial liabilities is based on accurate data and reasonable actuarial assumptions. It means that assets, including projected future contributions to fund both normal costs and any heretofore unfunded liabilities, are sufficient to establish or re-establish the basic funding principle: payment of the costs of retirement benefits is to be related to the period during which benefits are earned, not to the period of their payout. With respect to paying off an unfunded liability, actuarial soundness means that the payoff cannot be spread over an indefinite or excessive number of years, such that the basic funding principle is in effect ignored.

Another even more absolute standard was established in the Maine Constitution by a Constitutional amendment enacted at referendum in 1995. It requires that the UAL of the State employee and teacher plan be paid off in 31 years or less from July 1, 1997. The System's actuary does not regard the 31-year schedule as actuarially unsound. But, when that schedule was established by the Legislature as part of the 1993 changes to the Retirement System laws (it began then as a 35-year schedule), the actuary warned that any schedule longer than 35 years would raise questions of actuarial soundness.

If the Constitutional payoff schedule were now in place, there would be 27 years of it left as of July 1, 2001 until full payoff. But the payoff schedule has twice been shortened by the Legislature: effective July 1, 1998, it was shortened to 25 years, effective July 1, 2000, it was shortened to 19 years.

Recently, in light of concerns about not having enough revenue to fund all State government needs, the Governor proposed and the Legislature has considered re-lengthening the schedule. To do so would lower the amount of the UAL payment required each year, thus freeing up State moneys for other uses. So long as a re-lengthened schedule does not exceed the constitutional limit of 31 years from July 1, 1997, there is no legal obstacle to re-lengthening. Thus, the decision is purely a matter of public policy. It is the Legislature's governmental role to make such policy decisions, by weighing the public policy interests serviced by retaining a shortened amortization schedule and those served by re-lengthening the schedule. The policy interests at stake include retirement matters, health care and its funding, education policy and funding, and cost equity between different generations of taxpayers. These are significant interests; the decisions are difficult and complex.

ASC continued from page 4

Example: Your AFC is $30,000 and your disability benefit is $17,700 (based on 59% of your AFC). This means your earnings could be up to $12,300 ($30,000-$17,000=$12,300) before you would have to pay back excess earnings to the MSRS. However, your earnings in 2000 (not including your disability benefit) were $22,400. You have overearned by $10,100 ($22,400 minus $12,300 = $10,100) and will have to pay that amount back to the MSRS during 2001.

There is an advantage to you in returning your Annual Statement of Compensation form as early as you can. You are permitted to pay any overearnings back only in one lump sum or by equal monthly deductions from your disability benefit in the year after you have overearned. The total amount due to be repaid is spread as a deduction from each month of disability retirement benefit that still remains in the next calendar year. This means that the sooner a determination can be made as to whether and what you must repay, the greater the period of time you will have to spread out payments by deduction from your disability retirement benefit. If you are paying through monthly deductions from your benefit or even through a 100% reduction in your benefit and you have not completed payment of your excess earnings during the designated calendar year, the balance will be due in a lump sum at the end of that calendar year.

If you are receiving an MSRS disability benefit and are working again or are considering returning to work, you should contact the MSRS Disability Program for information concerning how much you can earn and be sure that you meet all the ASC guidelines. Also, if you have any questions about the Annual Statement of Compensation process, contact the MSRS Disability Program.

WE WANT TO KNOW....

Ö Is this newsletter being sent to the correct address?

Ö Is it being sent to the correct person or office?

Ö Are you receiving enough newsletters to distribute to each of your employees?

If you answered "no" to any of these questions, please contact the MSRS at 800-451-9800 or (207) 287-3461so we can update our records.

Retirees: Questions about your medical insurance and/or dental insurance?

Despite the fact that you may have authorized your health and/or dental insurance carrier to have premiums deducted for these insurances from your MSRS benefit check each month, the MSRS does not administer either of these programs. MSRS simply makes the deductions and transfers funds to the appropriate insurance carrier as a service to retirees. Still, the MSRS is the organization most retirees call with questions and concerns about health or dental insurance. In response to these calls we provide telephone numbers for the correct organization to contact. For your convenience, here are the phone numbers to call to find those who can answer questions or provide assistance.

Medical Insurance

All questions regarding medical insurance should be directed to the following programs:

State Retirees:
State Employee Health Office: 1-800-422-4503

Teacher Retirees:
MEA coverage: 1-800-322-9808
MSMA coverage: 1-800-660-8484

Participating Local District (PLD) Retirees:
Check with your former employer's payroll department to find out what insurance carrier has been chosen by your employer.

Dental Insurance

All questions regarding dental insurance should be directed to whichever of the following organizations manages your insurance:

Maine State Employees Association (MSEA):	1-800-452-8794
Maine Education Association (MEA):	1-888-942-2907
Maine Association of Retirees Inc. (MAR):	1-800-535-6555
Maine School Management Association (MSMA):	1-800-660-8484
Anthem Blue Cross Blue Shield of Maine:	1-800-322-9808

MSRS Holiday Schedule

The Retirement System offices will be closed on the following dates in 2001:

Monday, April 16	Patriots Day
Monday, May 28	Memorial Day
Wednesday, July 4	Independence Day
Monday, September 3	Labor Day
Monday, October 8	Columbus Day
Monday, November 12	Veterans Day
Thursday, November 22	Thanksgiving holiday
Friday, November 23	Thanksgiving holiday
Tuesday, December 25	Christmas

Mailing Dates for Benefit Checks and Advices of Deposit for the remainder of 2001

As a general rule, the MSRS delivers benefit checks and advices of deposit to the U. S. Post Office in Augusta on the next to the last day of the month. When the next to the last day is either a Saturday or Sunday, they will be delivered on the Friday preceding. For the remainder of 2001, checks and advices of deposit will be delivered to the U.S. Post Office on the following dates:

March 30	August 30
April 27	September 28
May 30	October 30
June 29	November 29
July 30	December 28

Retirement News

Published by: Maine State Retirement System
46 State House Station
Augusta, ME 04333-0046

Executive Director: Kay R. H. Evans
Chief Deputy: Gail Drake Wright
Editor: Jane O. Torres
Editorial Assistants: Deborah A. Fish, Nancy W. Ward

Retirement News is intended to provide timely information about the MSRS to members, employers and retirees. For the most complete and up-to-date information, please contact an MSRS representative. The contents should not be considered the basis of any contractual rights between the MSRS and its members. The official wording of the laws of Maine will govern.

Retirement News can be made available in alternative formats. If you have such a request, please contact the Communications Unit.

You can reach the MSRS at 207-287-3461 or 800-451-9800 or (TTY only) 207-287-8446