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Legislative Session 2015

During the recent legislative session, the following bills were passed by the Montana legislature that will affect TRS, its members, benefit recipients, and employers.

- ◆ **HB 85:** This was the TRS 'housekeeping' bill which was intended to comply with federal standards for defined benefit plans and to clarify certain aspects of the current law with more concise definitions and language. Some of the changes that may be of interest are:
 - ◆ *Provides* a specific statute of limitations applicable to TRS actions to recover overpaid benefits and unpaid contributions.
 - ◆ *Clarifies* that the aggregate number of years of creditable service that may be purchased under all elective service purchase provisions is five years. (The USERRA program is the only exception to this aggregate limit.)
 - ◆ *Clarifies* that after retirement benefit payments have started, a member may not (1) redeposit amounts previously withdrawn or (2) purchase creditable service — even if the member returns to active member status.
 - ◆ *Provides* Tier Two members with the same survivor benefit as Tier One members allowing beneficiaries of a deceased, vested member to elect monthly benefits in lieu of refunded contributions.
- ◆ **SB 124:** This bill requires certain boards, including TRS, to record their public meetings and make the recording available within one business day. The bill goes into effect on July 1, 2015 and the TRS Board meeting on August 12, 2015 will be recorded and posted online. You will find a link to the audio recording of each subsequent Board meeting on the Board page of the TRS website.
- ◆ **SB 141:** Certain retired members have been permitted via §19-20-732 to be employed on a full-time basis for no more than 3 years without loss or interruption of their monthly retirement benefits. This law was scheduled to sunset on June 30, 2015; however, SB 141 removes the sunset date so that the law will remain in effect. **All** limitations in this provision will also remain in effect:
 1. The *employer* must certify to both TRS and OPI, *each year*, that they have advertised the position and have been unable to fill it with a qualified individual.
 2. The *retired member* must
 - have received at least 2 monthly benefit payments.
 - have 30 or more years of creditable service.
 - have a valid teacher certificate issued by OPI.

Original text for all bills can be found in the [Bills section](#)
of the [Montana Legislature website](#).

Beneficiary Designations

TRS is currently in the process of revising the BENEFICIARY DESIGNATION form for active members. Along with your annual statement, sent out in the fall, you will receive a copy of the new form. We recommend that you review both the instructions and the form, and return a new beneficiary designation form to us, **if necessary**, to ensure your designation of beneficiary(ies) on file with TRS accurately reflects your wishes.

Coming Soon

TRS Online Services: New Account Access for Members and Benefit Recipients

In the Spring of 2013, TRS began a multi-year project of updating our pension administration software system. The Montana Teachers' Retirement Upgraded System Technology (M-Trust) Project is progressing on a module by module basis. We have implemented 11 modules for TRS staff and TRS employers since September 2013; the response to each module has been favorable. The module for active members, retirees, and other benefit recipients will be released in April 2016. You will receive notification from TRS on how to sign up for a new account and how to login. In addition, we will have an Online Manual to assist you with your account access and use.

TRS Advisor Videos

The TRS Board is in the process of reviewing and updating the TRS Strategic Plan. Effective communication with our members and employers is a priority that has emerged from the planning discussions.

One new communication initiative is the **TRS ADVISOR**, a series of very short videos with focused information on topics of interest. The videos will be available on the [Resources](#) page of the website. Our first videos will cover the following topics: 150 Day Break in Service, Termination of Employment, and Post-Retirement Employment.

TRS Board Meetings: Audio Recordings

TRS Board meetings will be available on the [Board](#) page of the TRS website as audio (mp3) files. Links to audio recordings for each meeting will be available within one business day of the meeting. The first audio recording will be for the August 12, 2015 meeting. We will continue to post written minutes after they have been approved by the TRS Board.

TRS Staff Recognition

Marjorie O'Rourke, who joined the TRS staff in January 2013 as the Executive Secretary, moved to the Active Member team as a Benefits Specialist in March 2015.

Brynn Dennehy is the new TRS Executive Secretary. Brynn moved to Helena, Montana from Seattle, Washington four years ago. Before taking this position with TRS, Brynn worked for the Shodair Children's Hospital Foundation.

Chris Fish returned to TRS in November 2014 and her role as a Retired Member Benefit Technician on the Retired Members and Benefit Recipients Team. We're delighted to have her back with us.



150 Calendar Day Break In Service

Guaranteed Annual Benefit Adjustment: Lawsuit Update

In 2013, the Montana legislature reduced the GABA, for active members and current retirees, from a flat rate of 1.5% to a minimum of 0.5% depending on the funded status of the system.

The lawsuit filed on October 11, 2013, *Byrne v. State of Montana*, is pending before Judge Mike Menahan in the First Judicial District Court. Both the plaintiff and the State filed motions for summary judgment which were heard by Judge Menahan on March 5, 2015. If all the issues raised in the case are resolved by the court through summary judgment, no trial will be necessary. Otherwise, the case will proceed to trial.

Once Judge Menahan's final decision has been issued, the losing party has the right to appeal to the Montana Supreme Court.

You can find more information on the [GABA Lawsuit](#) page of the TRS website.

Now that the end of the school year is approaching (or already here for some of you) approximately 500 TRS members from all around Montana will be retiring. In order to attain retired member status with TRS, you must **file** an application for retirement allowance with all the necessary supporting documentation, **terminate** employment in *all* positions reportable to TRS, and **receive** your first benefit payment from TRS via electronic deposit or check.

Some retirees may be considering returning to work in a TRS reportable position. **You must wait 150 calendar days before you may return to work in any position that would be reportable to TRS.** This includes returning as a volunteer, an independent contractor, an employee of a third party, or an employee of that employer. Those returning to work must also stay within their TRS earnings limitations.

Information on the *process* of retirement as well as the *requirements for* and *limitations of* returning to work is available on the [Preparing for Retirement](#) page of the TRS website.

If you have any questions at all, please contact the TRS office at (406) 444-3134 or (866) 600-4045.

TRS Board Members

Member	Term Expires	Contact
Lisa Cordingley Public Member	July 1, 2015	lcordingley@mt.gov
Janice Muller Active Member	July 1, 2016	jmuller@mt.gov
Marilyn Ryan Retired Member	July 1, 2016	mryan2@mt.gov
Kari Peiffer, Chair Active Member	July 1, 2017	kpeiffer@mt.gov
Scott Dubbs, Vice Chair Active Member	July 1, 2018	sdubbs@mt.gov
Daniel Trost Public Member	July 1, 2019	dtrost@mt.gov

In compliance with the Americans with Disabilities Act of 1992, alternative accessible formats of this newsletter will be provided upon **request**.

**Keep your information
up-to-date!**

Have you moved? *Changed your name?* Want to add or change your beneficiary?

Login to your online account to make sure your records are accurate and submit the correct form to update any outdated information.

Account login links can be found on the [Active Member](#) and [Benefit Recipient](#) pages of the TRS website.



Snow Birds

Reminder: Each time you change residence from summer to winter and again from winter to summer, you **must** provide an update to TRS, in writing, of your new address. Please use **TRS Form 116: Change of Mailing Address.**

Working Retirees

Remember to complete and submit a new **Notice of Postretirement Employment (TRS Form 146)** along with supporting documentation:

1. For each new position,
2. Annually, or
3. Any time there is a *change* to the terms of your employment, duties, functions of your position, compensation and/or when a supporting document is created or amended.

TRS forms are available on the [website](#) or by calling (406) 444-3134 or (866) 600-4045

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