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Public Personnel & Military Affairs 99-109

House 5333

Senate 3402

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JOINT STANDING COMMITTEE HEARINGS

PUBLIC PERSONNEL AND MILITARY AFFAIRS

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PUBLIC PERSONNEL AND MILITARY AFFAIRS

THURSDAY MARCH 11, 1971

Representative Richard Duda presiding.

Members present: Representatives: Duda, Flynn, Tiffany, Sherer, Miller, Chagnon

Chairman Duda, There is only one bill to be heard before us today. HB-7960 AN ACT CONCERNING FUNDING THE STATE EMPLOYEES' RETIREMENT SYSTEM. Our first speaker of the hearing will be Mr. Bitzer.

Mr. Bitzer, Fred Bitzer from Bloomfield and I am representing the Retirement Commission. The Retirement Commission has voted to file this bill. It has been developed over several years on a non-partisan basis when Mr. Conklin was Finance Commissioner, and he recommended an item in the budget for hiring a consultant firm which turned out to be the Martin Segal Co. to give a report on the Retirement Plan. When the first draft of the report came in Mr. Gladstone and I worked on it, suggested some changes and the final report was delivered in December. Since Mr. Agostinelli has been Comptroller, he has been very concerned with this and he recommends the passage of the bill, and has recommended to the Governor that this be passed.

The cost of the bill is so planned that it won't raise the budget in the first two years and then gradually over a period of years we will work up to a funding basis. This means that the administration in the future, no matter which party, will only receive a small part of the increase and the heavy load will not fall on any particular administration. I understand that the state employees are supporting this bill, and I thank Mr. Moore for his statement at one of your previous hearings. I think the support that it has is bi-partisan in nature and that it willl do more than anything else to strengthen the Retirement Plan and strengthen the respect for the handling of the Retirement Plan which they, the general public and the employees have.

Dr, John Mackin is here from the Segal Co. and he will go into the plan in detail and the reasons for the funding. I hope your committee will see fit to favor it because right now Connecticut ranks 50th among all the states in the amount of funding they are doing for their Retirement Plan and it is not becoming to Connecticut and if we pass this bill we'll be doing something which in the future will be a credit to our state. Thank you.

Chairman Duda, Any questions from the Committee? Thank you Mr. Bitzer. Dr. Mackin.

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Dr. Mackin, Yes sir. I am John Mackin from the Martin-Segal Co. and we have privileged to have worked with the Comptroller and prepared an actuarial study of the State Employees' Retirement System and in cooperation with the Retirement Commission and particularly of Fred Bitzer's work we have come up here with a bill which I think is realistic in terms of taking account of the financial situation in the State of Connecticut, in that it is a very gradual transition from the present practice of financing the pension system on what we call a pay-as-you-go basis where the Legislature or General Assembly has been appropriating only the amount needed to pay the pensions that are due in a given fiscal year, and in many years that amount has not even been appropriated so that the situation now is that there is not enough money in the Retirement Funds to even return all of the employees' contributions in the event that they terminated service at once which is unrealistic. But in terms of funding status Connecticut is the only state that does not maintain these reserves at least equal to the amount that the employees have contributed to the Retirement System.

If this might be helpful I might just cover a few of the major reasons for funding a Retirement System, and perhaps have a few comments on the bill itself and answer any questions you may have. The practice now in Connecticut is to finance the Retirement System on a pay-as-you-go basis. It might be well to look at what the effects of financing a system on this basis are. In the first place the cost of the Retirement System increases rapidly for many years into the future. Every year as more pensionders are added to the pension rolls, the appropriation requirement increases very dramatically because the pension rolls increase and you have a growing number of active employees so this process continues indefinately into the future. Some people have argued that since the state or municipality has the taxing power it can tax the public to meet the cost of pension payments, however, as you well know, it may prove very difficult to obtain adequate funds through taxation to meet the cost of pensions and as the appropriations required continued to increase dramatically. Another major reason in addition to thr rapidly increasing cost resulting from pay-as-you-go financing is that under the present method of future generations of tax payers is required to finance the pensions that are being earned today by the present employees rendering services. It may look to be an attractive short term policy to finance a Retirement System on this basis but I would think that the Legislature may want to seriously consider the results of shifting pension costs to a future generation in connection with this bill that is now under consideration.

Another factor in funding is that under the pay-as-you-go practice now being followed pension costs will be much greater over the long run than they will be under a funded retirement

program. This is because there are no funds accumulated on which investment earnings will be available to help meet future pension payments. So that in effect it represents a policy decision of having a rapidly increasing appropriation or adopting a program now to set as an objective a level contribution requirement as a percentage of salary to recognize pension cost earned by current employees on a current basis and to fund accruing liabilities accordingly.

Another consideration that I can touch on briefly is that the absence of funding tends to eliminate a realistic price tag from proposed changes in benefits. I think that you are all aware of many bills that have introduced in the past, where because the system is not funded in Connecticut, the price tag that is usually accompanying the bill merely indicates that the pension pay out may increase a few thousand dollars or let's say fifty thousand dollars in the next two fiscal years. Whereas, in enacting this legislation, legislators base their decision on that type of a cost figure, when they may be committing the state to an actuarial liability of perhaps as much as a million dollars, even though the impact may not be felt for several years. With the Funding Plan an actuary can make a real list against them at a long term cost of any proposed changes in benefits and experience indicates that this is an excellent stabilizer in assuring that decisions are made with respect to improvements in benefits intelligently and that the cost is taken into consideration before amendments are enacted. So in short, a policy of funding the Retirement System as is incorporated in this bill would have the following objectives; it would level the required contributions over a prolonged period of years, it would build up over a transitional period to a situation where the contribution would be stable as a percent of payroll. You would be financing pensions earned by present employees on a current basis. Assets and reserves would be accumulated to fulfill benefit committments if future contributions were to be discontinued. Now on the public sector, which is not as important of a factor perhaps as in the private sector, but given the financial condition of states and municipalities, at least in the current period, I would think that this need to accumulate assets and reserves on which you will have investment earnings to help pay future pensions is certainly a concern that everyone must share. Another advantage of funding is as I mentioned, that it makes it possible to realistically estimate the cost of proposed changes in the plan. Perhaps then to comment on the specifics of the bill, the bill is a modification that was prepared by Fred Bitzer and Retirement Commission with discussions with us and it is based in part on recommendations included in the report we submitted to the Comptroller in December. The bill provides that the contributions for the fiscal years ending June 30, 1972 and June 30, 1973 will be determined on the same basis as has been the practice in the past, so that the state's appropriation requirement

will not increase at all for two years..Based on discussions this morning, it appears that it might be helpful to clarify the bill by eliminating on page 2, lines 62 and 63, to eliminate those two lines which have a 30% and a 35% figures there, because on a quick reading of the bill it would appear that the contribution for the fiscal year ending June 30, 72 would be 30% of the normal cost, which is essentially the current service cost plus the amount needed to amortize the unfunded liability of about 700,000,000 dollars over a 40 year period, whereas, the proviso on page 4 of the bill specifically indicates that the contribution for the fiscal years ending June 30, 72 and June 30, 73 would be 70% of the total retirement income payments which is the same basis on which the state is now, would now contribute to the Plan if this bill was not enacted. So that one suggestion your committee may want to consider for the bill would then provide for the fiscal years ending June 30, 1972 and June 30, 1973, the appropriation would be 70% as indicated on page 4 of the bill now, perhaps move this up in front of the schedule and than commence the funding program in the fiscal year ending June 30, 1974 with a 40% contribution that year or 40% of the full actuarial contribution which will first be contributed in the fiscal year ending in June 30, 1986, as indicated on page 3. There will be a gradual transition to build up to what we would call a full funding Actuarial Reserve System where in that year the State would contribute to the system an amount equal to the normal cost which essentially in non-actuarial terms is the cost of the benefits earned this year, based on current service and in terms of the transitional pattern we feel that this is realistic in that it takes account of the fact that to jump immediately from a pay-as-you-go to a funded would represent a very significant impact on State finances and we feel that this is a very gradual transitional program and represents a consensus of opinion as to something that is realistic and we would feel would at least change Connecticut's current standing among Retirement Systems as being in fact, the only state that is not now funded on an Actuarial basis with the exception of Massachusetts. And this similar type of program was implemented in the State of Delaware last year where they're building up to a Funding Program there, they were also on a pay-as-you-go basis. The Federal Civil Service System or the U.S. Congress has just enacted legislation to begin Funding the Federal Civil Service Retirement System on a somewhat different and more complicated basis, but essentially they are going to meet the normal cost of their system and pay interest on the unfunded liability, but fund any benefit improvements more rapidly than this Funding Program amortizing the cost of the additional liability over a 35 year period, So, I've tried to just touch on the major issues involved on why fund a System, we've also discussed with the Comptroller and the Retirement Commission some of the reasons why we feel that adopting as an objective a full Funding Program where the intent is to amortize the liability is in our opinion a desirable policy because it would

enable the actuary to put a more realistic price tag on proposed changes and benefits that involve accumulative past service credits. If you have an interest only funding schedule at times your costs are under-stated if the benefit improvement relates only to past service. So, I would hope that this would be in effect a first step to treat the financing of the Retirement System more systematically and concurrently to look at legislative proposal for changes with an eye on the actuarial cost implications of various changes and also the Funding of the Retirement System will in our opinion also play a role in necessitating a significant improvement in the data collection process that is now in practice and will require improved data, so that actuarial evaluations can be performed periodically as provided in the bill, at least every three years.

Rep. Chagnon, Did I hear you right that you are recommending we do nothing for two years?

Dr. Mackin, Well no. I was not speaking from a point of view of our recommendations in that respect. I was merely suggesting that the bill provides on page4. It provides specifically that on lines 80, 83. It says for each of the fiscal years ending June 30, 72 and June 30, 73. respectively shall be 70% of the total Retirement Income Payments. This if I am right, is the same pereentage that is now appropriated in the Statutes, so this bill really provides that for two fiscal years, the appropriation requirement will be no different as a result of enactment of this bill. So to clarify the bill, I was suggesting that you may find it helpful and if this Committee does decide to report the bill out and endorse it that the 30 and 35% figured on lines 62 and 63 on page two of the bill be deleted to merely clarify the intent of the bill.

You would then commence your Funding Program with a contribution in the fiscal year ending in June 30, 1974 equal to 40% of the normal cost plus the payment required to amortize the liability over 40 years. You would do that now under this bill. Our suggestion merely is if you delete these, the intent of the bill will be clear, that is not to increase appropriations for two years in light of the current financial and general fiscal situation in the State of Connecticut.

Rep. Chagnon, If it does not accomplish anything, what is the sense of it?

Dr. Mackin, I think the bill has several important considerations. One is that the bill represents a commitment, if enacted, on the part of the Legislature to do several things; one to commence funding the Retirement System on a systematic basis in the fiscal year ending June 30, 1974. Secondly,

it represents your recognition as members of the General Assembly. The unfunded liability of the State Employees' Retirement System is a matter which should be considered systematically with respect to financing and you set up a schedule which to point to a specific objective that we agree will not be reached for several years, but to have known that this is your objective is very helpful. Third, I would think the bill would have the added advantage that any proposals for benefit changes that come along would then be calculated, based on the actuarial cost of these changes because you have committed yourself to funding the Retirement Program. Now whether it is actually funded, you're the policy makers

Rep. Sherer, Commitments can be turned off. For instance, we have made an agreement with State Employees that they could have a thirty-five hour week. Things begin to get a little tough then somebody says let's go back on forty.

Dr. Mackin, Well, I would think that the importance here---

Rep..Sherer, Of course, that is not your problem.

Dr. Mackin, No. I'm saying the importance of making the commitment is very helpful. If there is a bill introduced to substancially improve retirement benefits, lets say for example, this session or next session the bill under former procedures there probably would have been a cost estimate developed by the Retirement Commission that would have been an Actuarial cost estimate, the thing had no kind of Actuarial basis on which to tie the cost to. This bill would sayin effect, there is a systematic funding objective established here, If two years from now, the Legislature says we can't start off with that 40% contribution, it would then, in our opinion, represent a back tracking of this commitment and I know you're in a position as policy makers to do this, but if we were asked to come to a hearing again at that point we would suggest that this commitment did have some meaning, it was based on a study, at least in our opinion, it was a serious study to try to explain in the text of the study some of the important reasons for funding. This kind of a commitment, I think, has some merit.

Rep. Chagnon, We wonder at this moment whether we should start this thing or not.

Dr. Mackin, Yes, if we were the ones who could write the check for a couple a hundred million we would suggest that perhaps a couple of hundred million be put into the Retirement System and be invested at the nice rates of Retirement are available

on fixed income investments with a good portinn going in the commom stocks so that it could participate in the growth of the economy that someone be given more flexibility in terms of investment policy with respect to this two hundred million that I'm going to write you the check for and that this Funding Program be commenced in the very dramatic way. Of course, we would suggest that this would be desirable, but I would think we're in full agreement that this represents a serious attempt at at least, pointing toward what we feel is a very excellent and sound objective with respect to funding the System on an Actuarial Reserve Basis. You are pointing toward a forty year amortization schedule and that represents, at least a commitment. Perhaps you'll never amortize the liability and many states have had forty year schedules, they go along for ten years and they improve benefits and they start the forty years over again. But at least, and there are many ways in which the Actuarial assumptions perhaps can be modified to reflect changes in rates of return and other factors, so that over the years this is a dynamic program although when you look at it for legislation it looks like it is 30% of the fixed figure. Course all these figures are contingent of what happens to salaries, how rapidly people retire, what you do in terms of improving benefits on the legislative side and other factors.

Rep. Duda, Do you have an estimate of the dollar amount necessary to be appropriated at the end of fiscal year 1974?

Dr. Mackin, No, we do not have that today. Our problem is that in doing the study we based that on Dec. 31, 1969 salary data, but we do hope to develop some figures to get an estimate of the third and fourth year cost of this bill, and hope to get more updated salary figures and we do hope to do that relatively soon.

Rep. Duda, Could you make that available to the Committee?

Dr. Mackin, Yes, we would intend to.

Rep. Duda, On behalf of the Committee, Dr. Mackin we thank you for testifying here this afternoon. Your testimony will be most useful.

Dr. Mackin, Thank you very much, it was a pleasure being here.

Rep. Duda, We will now hear from Dr. Moore.

Dr. Moore, I waited till last to speak because I thought that several questions might be answered by Dr. Mackin. I think maybe

he did touch upon these. I'm James Moore, Legislative Chairman for CSEA. For many many years the CSEA has put into the General Assembly bills asking for some plan to put the Retirement System on a sound Actuarial Basis, and of course, they went no where because the General Assembly never did feel that it was imperative enough at that timebecause they'd been getting along for years and noone seemed to be without a Retirement salary and it was just a case of putting off the inevitable and now it seems as if the Retirement Commission has come to the floor here and feel very strongly about doing something about this and this of course, is a plan to place it on a sound Actuarial basis and I'm not sure that Dr. Mackin said that in today's testimony but as I understand it this plan will actually take about forty years before they consider that the thing is home proof. Now I know that according to the tables that were suggested here it would take until 1985 that the State would actually get to a point where it was contributing 100% on thisccost of the current Retirements of that year. There are some questions in my mind about the bill and perhaps they could be answered here today but the thing that concerned me was, there were several things. I'll mention something that has to do with the bill as it is now written. On page 4, lines 96 to 100, Dr. Mackin mentioned those, no, I am not sure he did that either, but at least these things have been eliminated. Now this portion which determined, this is already on the Statute books, and this determined the amount of money that could be used from the contributions of the employees for paying the current retirement and the State would have to get up the rest. For instance, the State could only take by 1969 40% of the contributions could be used for retirement, then only 35 and then 30 and by 1975, it was planned that State would have to get up 75% of those. Now, this thing had two effects actually for state employees and maybe, maybe these were, these effects would still operate because of what was said either on the top of the page four in the first four lines, 80 through 83, perhaps that does the same thing or perhaps your plan starting on page two, percentage plan for here, maybe this effect will do the same thing for state employees. What I am referring to is this, that the survivor benefits for the survivor in case a man's wife is surviving him, if he dies, say that he had put in 20,000 dollars in the Retirement System and before he died he had received $10,000 from his Retirement System over the period he had lived following his retirement, now there is still $10,000 left in the system which would go to his survivor, but in reality his survivor receives more than that because the State had only provided about 55 or 65 or 70% and etc of the amount of moneythat was in that Retirement for him so therefor the state did'nt deduct the 65% that they had provided, that the state could only deduct instead of $10,000

$6500.00 and that made a difference in what his surviving spouse would get, it would amount to about $13,500 cause the State could'nt deduct the part that the employee had put in and this also has an effect in your income tax in computing your income tax. Now in completing your Retirement salary the the retired employee pays the tax only on the part of his salary he has contributed by the State because his contributions are not, the amount that he received back that percentage is equal to the percentage that he put in is not taxable. I know I am not being very clear on this. There are benefits from the fact that the State did not contribute all of the money, in other words, if the State did'nt contribute 100% of the Retirement System. Perhaps the attempt has been made, I did'nt get this bill till today so I did'nt have the time to look through it, these features may still be built into the bill either through this table on page 2 and 3 or else on what has been said here on lines 80 to 83. Perhaps they are there, who ever drew the bill could give us this information today. The second point that I want to bring out about this is that you will hear tomorrow, the Committee has a hearing on Teacher's Retirement in which I think one of the major bills is to ask for the cost of living adjustment to make it annual, on an annual basis. Would it be possible to put that feature, which we have also asked for, as you know, we have a bill for that, would it be possible to amend that section of the Retirement System to put that in, if you are going to do anything about this, and I heartily endorse this idea of starting it now instead of waiting until 1973, because this bill calls for going into effect July 1, 1971 and what Dr. Mackin said was you put it into effect but the actual monies expended for the next two years will not be any different from it would be under normal conditions. You do nothing about it the State is still going to it is still going to cost the State the same amount of money, so I would urge that you do this and if possible to, at the same time amend that part of the Retirement System that says that the cost of living adjustment will be judged or studied each biennium and appropriate changes made, if necessary. That probably should be done at the same time. I hoped it would urge the Committee to consider Rep. Duda's bill 5585 which calls for the revision of the option plan which has been my pet, you understand, and of course, I spoke in favor of such a thing. I think it deserves consideration but you might see whether thought of a change in Retirement System has to be made if we are going to do this let's get started in the right foot because the bill cautions against doing anything radical after if the thing has been in operation. Certainly it does not preclude any , that is shutting any changes in the Retirement System, but it means that we have to consider the cost of this and the Retirement Commission would have a great dealto say about that, rather than the General Assembly, but all in all we are in favor of doing this and doing it now. Any questions?

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Rep. Sherer, Yes, I guess maybe I did'nt hear you right. I hope I did'nt. You stated that you would not like to see 100% funding by the State because of the ---

DR.Moore, Oh no,I did'nt say that. What I said was that under the present plan the State does not fund it entirely, but the State has been taking the contributions from the employees that is the State has been taking the amount of money necessary for pay retirement salaries from the state employees contributions and this was done in the early days at a rather reckless rate. I'm not sure just when we did pass this legislation. Perhaps Mr. Hoskins could enlighten us on this setting the amount that the State could take out. That amount was gradually decreasing anyway and certainly no, what I am saying is that under the present plan, we have taken advantage of the fact that this, if you want to call it an advantage, is'nt the right word, the point is the State has only been able to deduct from a survival benefit here the amount that they have contributed, you see. A percentage of what they have contributed from whatever is left and state employees pay their income tax only on the amount of retirement salary that the State contributes. Thank you.

Rep. Duda, Thank you, does any one else care to speak before the Committee this afternoon?

Mr. Bitzer, I have a rebuttal, if I may.

Rep. Duda, Yes, certainly. Why don't you step up here so we will have it on the record, Mr. Bitzer.

Mr. Bitzer, Yes, just to clear it up so that before we break up there won't be quite as much confusion. Mr. Moore referred to the lines 96 to 100 that are being eliminated but at the very top of the page in lines 80 and 81, it says the State payment shall not be less than 75% of the total Retirement Income, so that in effect does the same thing as saying that the employees will not pay more than 25%. The other point about the death benefit after retirement is covered in section 4, and we need a different language because now all the money, the employees mpney and the State's money goes through the Fund. These words provide that the employee does not get any less death benefit after retirement. We changed the percentages so that the death benefit is reduced only by the portion which the employee's contributions themselves furnished. The same as it is now. It is not taking anything away. The 30% and 35% were chosen so as to give cost the first two years which was substancially the same as under the present basis. It was made part of a long term system which was gradually brought

up to normal funding. It took us a long time to get into this hole and it's going to take us a long time to get out. This is the way we're planning it. Now, there's one additional factor and that is at the present time the State finances are in worse shape, if I can believe it what I read in the papers, than they have been any time for many years, so we put this additional provision in that it would not cost more these two years to give a chance for all of us to get things straightened out and then go on. Thank you.

Rep. Duda, Thank you, Mr. Bitzer. This hearing of the Public Personnel and Military Affairs Committee is ended.

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MR. MISCIKOSKI (174th):

Mr. Speaker, I would like to congratulate everyone who has voted for this bill. This is the people's bill. They have been waiting for years and years and years and it reminds me that the vote went just the opposite as it did in 1961. Happy Birthday to you all!

THE SPEAKER:

I think you all know that was a point of personal privilege for the gentleman from the 174th.

MR. AJELLO (118th):

Mr. Speaker, I move suspension of the rules for immediate transmittal of the people's bill to the Senate.

THE SPEAKER:

Is there objection? Hearing none, the rules are suspended and this bill as amended is transmitted to the Senate.

THE SPEAKER:

The gentleman from the 52nd. Would you call these items by--

MR. O'NEILL (52nd):

Mr. Speaker, at this time, I move the adoption of the following Joint Committee favorable reports and passage of the following bills. If there is any objection, I would hope that the members would hold it until the complete list has been read and then we will strike it from this particular list.

If I may, Mr. Speaker, on page 5, Calendar No. 583, H.B. No. 8464, File 520; on page 8, Calendar No. 1165, H.B. No. 6687, File 1290; page 8, Calendar No. 1184, H.B. No. 7960, File 1306; page 10, Calendar No. 1304, H.B. No. 5578, File 1444; page 12, Calendar No. 1339, H.B. No. 7907, File 1446;

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