

MONTANA PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION



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GOVERNOR

DORE SCHWINDEN
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STATE OF MONTANA



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April xx, 2016

Retiree <First Name> <Last Name>
<Retiree Address>
<City> <State> < Zip Code>

Subject: Release of retirement benefit information

Dear <First Name of Retiree>:

A reporter with the Helena Independent Record and Lee Newspapers State Bureau has filed a public records request for information regarding persons who have retired from the retirement systems administered by the Montana Public Employee Retirement Administration (MPERA). The request includes the retiree's name, employer, retirement system, years of service, year of retirement, and the amount of the retirement benefit paid in January of 2013, 2014, 2015 and 2016.

Several years ago a similar request was made by Montana Watchdog. The Teachers' Retirement System asked the Attorney General for an opinion on whether the public's right to know exceeded the retiree's right of privacy with respect to the requested information. The Attorney General reached the following conclusion:

Retirees of the Teachers' Retirement System of the State of Montana do not have individual rights of privacy in the amounts of their retirement benefits that clearly exceed the public's right to know.

Based on this opinion, MPERA believes it must release the requested information. However, we further believe that our responsibilities to our members and retirees dictate that we inform you of this request prior to providing the requested information so that you may consider and take any action you believe necessary.

Sincerely,

Dore Schwinden
MPERA Executive Director