

APERS Spective

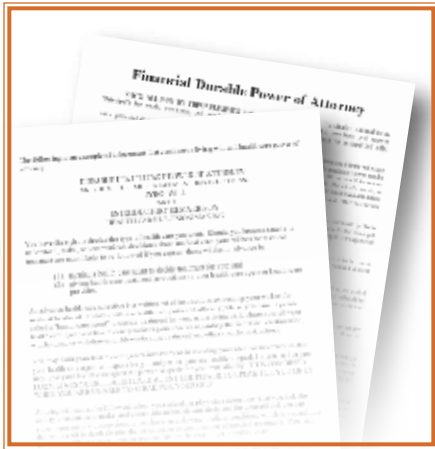
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A Newsletter for Retired Members of the Arkansas Public Employees Retirement System

The Importance of A Power Of Attorney

We all know that as we get older sometimes we need a little help from our loved ones to get things accomplished. The range of help we may need could be something as simple as helping us make financial decisions, to helping with our medical needs, to day to day living. Often times we may also need a family member to act as a go between with doctors, lawyers, and other professional services. A Power of Attorney is an authorization to act on someone else's behalf in legal, medical and or business matters.



person as the “agent” of your affairs. An attorney can advise you on what specific responsibilities or limits on authority you wish to delegate to the holder of your Power of Attorney. It would also be good to seek the attorney’s advice on appointing an alternate to serve if the original designee is unavailable.

If you already have a Power of Attorney, it is in your best interest to see that APERS has a copy of it for your files. Occasionally we receive calls from children of

incapacitated parents, telling us they have a Power of Attorney for their parent. But we must have a copy of this document in our files, to ensure we are dealing with the person who is legally authorized to handle the retiree’s affairs, before we can assist them.

To mail APERS a copy of the Power of Attorney, please send it to the following address:

Arkansas Public Employees Retirement System,
Attn: Benefit Accounting,
124 W. Capitol Avenue, Suite 400,
Little Rock, AR 72201.

At APERS, like most other professional services, we wish only to help you and the people who may be trying to assist you. While APERS will always try to do our best to meet the requests of our members, be it a change of address, a change of direct deposit, or some other action you need us to perform, we cannot always be as helpful to others who may be only trying to help you. In short, unless we have a Power of Attorney on file for you there is not much we can do for someone calling on your behalf.

For example, before we can handle a request from your son or daughter to change your mailing address, we need to have in our possession a copy of the Power of Attorney designating that

Director's Corner

Is it safe to come out yet? Is it time to get back to normal? Since earlier this year the capital markets seem to be saying “yes”, with the S&P 500 Stock Index rallying over 21 percent since February. Does this mean we all can resume our carefree ways again? No! All of us, individual and institutional investors alike, must keep our feet planted firmly in reality when putting our hard-earned money into the market.

I recently had occasion to review the APERS board meeting minutes going all the way back to the beginning in 1957. About the time this fund had some truly meaningful sums to invest, the OPEC oil embargo of the early 1970’s occurred. Still in the middle of the resulting market turmoil, the board was told by its investment advisor that the recessionary effects of the embargo were a one-time event and that investors would not likely see such an event again in their lifetimes. Well, 14 years later the stock market crashed. Then, 14 years after *that*, the market crashed again following the awful shock of 9/11.

The fact of the matter is, markets can and will fall dramatically after becoming over-valued at various points in time. During these periods of rising prices the savvy investor can move quickly recognize investment gains and so grow a strong savings nest egg. When the markets finally revert, or decline sharply, the investor must be more selective, or defensive in how he puts his money to work. Sometimes it takes nerves of steel to step into a falling market and say, “this price is so low, I have to buy the stock”. He must keep reminding himself, “buy low and sell high”. It’s the only way to make a profit.

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Nutrition, Its Not Just For Kids Anymore

As we settle into our “golden” years we have a lot of lifestyle changes to adjust to. It is often easy to forget that as we grow older we may not consistently receive adequate nutrition. In fact, it is estimated that 85 percent of older Americans are at risk for malnutrition. If you don’t adequately address your nutritional needs, you run the risk of becoming seriously ill or making an existing condition worse.

As we grow older we are at higher risk of malnutrition because of changes in our bodies, lifestyles and finances. If hearing this concerns you, take a few moments to consider the following checklist. You might want to tally up the number of points listed after each consideration; this simple quiz will help determine your nutritional risk.

Consider the following: Do you...

Yes	Question	Points
<input type="checkbox"/>	Lack money for certain foods?	4
<input type="checkbox"/>	Eat fewer than two meals a day?	3
<input type="checkbox"/>	Have an illness that changes the way you eat?	2
<input type="checkbox"/>	Have trouble shopping, cooking, or feeding yourself?	2
<input type="checkbox"/>	Eat few fruits, vegetables, or milk products?	2
<input type="checkbox"/>	Drink three or more drinks with alcohol a day?	2
<input type="checkbox"/>	Have lost or gained 10 or more pounds (without trying) in the past six months?	2
<input type="checkbox"/>	Take three or more medications a day?	1
<input type="checkbox"/>	Eat alone?	1
	Total	

According to the Nutrition Screening Initiative (the organization that developed this checklist), only 0 to 2 is a good score. While a score of 3 to 5 indicates moderate risk, greater than 5 indicates nutritional risk worthy of intervention. If your appetite is waning, you may want to try small frequent meals and snacks that include spicy and appetite-tempting foods. Remember to drink plenty of fluids throughout the day, as fluid needs increase with age. Most of all, if you suspect that health problems may be interfering with your nutritional status, speak to a health professional and/or dietitian for tips to deal specifically with your dietary needs. Many common health problems exist in the elderly population, and likewise, many helpful nutrition intervention strategies are available. Remember there are programs that provide balanced meals, such as senior citizen centers and the Meals on Wheels program. --*Article courtesy of www.thecabin.net, via the Log Cabin Democrat.*

Who Do I Call About Insurance?

Health Insurance - If you have questions about your health insurance coverage, call Employee Benefit Division at (501) 682-9656, or at 1-877-815-1017. Or visit the EBD website at: www.ARBenefits.org.

Life Insurance - Questions about your life insurance should be directed to **Minnesota Life** service center at **1-888-826-2734**.

APERS Filing Letter With the IRS

This is a notice required by law, it does not affect your benefits or your APERS account.

Notice of APERS Cycle C Determination Letter Filing with the Internal Revenue Service

This Notice is addressed to all APERS members, former members, retirees and their beneficiaries who participate in APERS or who derive benefits from APERS. This is to notify you that the Arkansas Public Employees Retirement System (APERS), TIN #71-0385993, which is administered by the APERS Board of Trustees, is applying for an initial determination letter from the Internal Revenue Service (“IRS”) at P.O. Box 192, Covington, KY 41012-0192, as to its qualified status under the Internal Revenue Code. Those public employees described in Ark. Code Ann. 24-4-301, et seq., as amended, are eligible to participate in APERS. The IRS has not previously issued a determination letter with respect to the qualification of this plan.

Any person or persons described above is entitled to submit individually or jointly with other interested parties, or is entitled to request the U.S. Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW, Washington, DCC 20210, Attn: 3001 Comment Request, to submit on the applicants’ behalf, comments on whether APERS meets the requirements of Sections 401 or 403(a) of the Internal Revenue Code (“IRC”) to the IRS, EP Determinations Section at the above address. If the Department of Labor declines to submit comments, the individuals requesting such action are still entitled to submit those comments declined by the Department of Labor to the IRS, EP Determinations Section. The Department of Labor may not comment unless requested to do so by ten (10) or more interested parties.

Such comments or requests must be submitted to the IRS in writing no later than forty-five (45) days following first publication of this notice. Requests for the Department of Labor to submit comments must be submitted to it in writing no later than twenty-five (25) days following first publication of this notice. Those individuals to whom this notice is directed may examine APERS application at its main offices, One Union National Plaza, 124 West Capital Avenue, Suite 400, Little Rock, Arkansas 72201, upon reasonable notice and during normal business hours (7:30 a.m. to 4:30 p.m.). APERS retirement plan itself is described in Ark. Code Ann. 24-4-101, et seq., as amended.

Director's Corner

(Continued from page 1)

The past eleven months of APERS' fiscal year have seen us in that same defensive posture, seeking small gains where they can be found. It is almost certain that we will finish the year with double-digit losses. Fortunately, the fund commenced the year in very healthy financial shape such that we can weather a year like we've had without devastation.

With the falling stock market as a backdrop, the recent legislative session saw only modest changes to the APERS benefit program. Most prominently were two bills that encourage APERS members to work longer. Act 1200 (SB164 – Sen. G. Jeffress, Rep. Overbey) increases the multiplier applied to service above 28 years by ½%. Prospective with the effective date of the act, members of the system will be credited with an additional 0.5% of salary for each year worked beyond the 28th. Meanwhile, Act 657 (SB140 – Sen. Faris) extends the period of separation

from employment for retirement purposes from thirty days to 180 days. Effective July 1, 2009 those that retire from APERS cannot return to covered employment in less than six months without risking forfeiture of benefits. The only exceptions are for those enrolled in the Deferred Retirement Option Plan (DROP) on January 1, 2009, and those who actually retired between January and June, 2009.

Other acts of note include Act 295 (SB128 – Sen. Faris) which makes it easier for members to buy their military time, including Armed Forces Reserve and National Guard service. Those active members who have retired from the military with benefits may now purchase up to five years of that time into the system. Also, those members who have Reserve or Guard time other than active duty may buy one year for each year served, up to a maximum of five years.

Act 616 (HB1110 – Rep. Kerr) allows bonuses and lump sums paid to city and county employees to be counted for retirement purposes, much the

same way that bonuses to state employees were recognized in the 2007 legislative session.

Finally, Act 742 (SB163 – Sen. G. Jeffress), among other things, opens the “window” for non-contributory members to become contributory. Non-contributory members can elect at any time between July 1st and December 31st, 2009 to become contributory with an effective date of January 1, 2010. At that time, you will pay 5% of your gross salary (pre-tax) to the system. Employee contribution balances will earn 4% annually. In exchange, the multiplier for this contributory service will be credited at a rate of 2.00% rather than the non-contributory rate of just 1.72%.

We encourage members to attend one of the many retirement seminars we hold around the state so that you can learn how the new laws apply to you. A schedule showing when and where these seminars will be held can be found at our website www.apers.org.

Moving?

APERS PROFILE

Employee Profile of Jay Wills



Licensed to practice law since 1980, Jay Wills joined APERS in December 2007 as general counsel for the agency. He is responsible for dealing with legal issues that APERS must deal with from time to time. Jay has worked

in both private and public practice in Little Rock throughout his career.

In his public service, he has worked as an assistant attorney general, general counsel for the Arkansas Health Department, head of Legal Operations for the Department of Human Services, and most recently as deputy director of the Arkansas Judicial Discipline & Disability Commission.

In Mr. Wills own words, before he decided to “quit working for a living and to practice law,” he worked as a tankerman on oil tows on the Mississippi and Illinois rivers; a machine operator and welder in Colorado; a furnace operator; a steelworker, and for awhile as a garbage man for the city of Little Rock.

A 1971 graduate of Hall High School, Mr. Wills graduated from Southwestern at Memphis (now "Rhodes College") in 1975 and from Vanderbilt Law School in 1980. Wills and his wife Elana (Cunningham) were married in 1992 and have a daughter, Grace. Mr. Wills said his hobbies include enjoying the outdoors and reading.

Let
Us
Know!

In this issue...

Why you need a Power of Attorney! The Director's Corner! COLA approved! How's your nutritional health? Who do I call about insurance? Direct deposit dates! And more!

2009-2010 APERS Direct Deposit Dates

August 3, 2009

September 1, 2009 October 1, 2009

November 2, 2009 December 1, 2009

January 4, 2010 February 1, 2010

March 1, 2010

Deposits are made on the first workday of each month that doesn't fall on a holiday.

Retirees get COLA increase July 1st

If you have been retired from APERS for at least 12 months as of July 1st, you will receive a 3.0% cost of living adjustment to your monthly benefits.

3%

www.ABERS.org

APERSpective is a publication of the Arkansas Public Employees Retirement System and is distributed for the information of APERS annuitants, beneficiaries and survivors.

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