

3125 Tecumseh River Rd  
Lansing, MI 48906

December 3, 2015

Representative Andy Schor  
P.O. Box 30014  
Lansing, MI 48909-7514

Dear Andy,

I'd like you to introduce a piece of legislation for me. It is an amendment to MCL 38.1140, the Public Employee Retirement System Investment Act. I would like to remove Section 20h (3):

Except as otherwise provided in this subsection, information regarding the calculation of actual or estimated retirement benefits for members of the system is exempt from disclosure by the system or the political subdivision sponsoring the system pursuant to section 13(1)(d) of the Freedom of Information Act, 1976 PA 442, MCL 15.243. Upon a majority vote of the governing body of the political subdivision sponsoring the system, the system shall provide the designated representative of the political subdivision with a reasonable opportunity to inspect, copy, or receive copies of all information regarding the calculation of actual or estimated retirement benefits for members of the system. The system may require that information provided by the system under this subsection be provided only upon a promise of confidentiality by the political subdivision sponsoring the system. a system may make reasonable rules to ensure the confidentiality of records exempt from disclosure under applicable state and federal law. The system may charge a fee under this subsection in accordance with section 4 of the Freedom of Information Act, 1976 PA 442, MCL 15.234. All fees and expenses incurred by the political subdivision sponsoring the system that are related to this subsection shall be borne by the political subdivision and shall not be deducted from or offset against the political subdivision's required pension contributions to the system.

Section 20h (3), which exempts public employee pension details from the Freedom of Information Act, was added by Senate Bill 797, which became Public Act 347 of 2012.

Pensions are simply a form of compensation, and should no more be exempt from the Freedom of Information Act than the salaries of public employees. The exemption appears to have been slipped into an unrelated bill - one dealing with

the investment of pension funds - so that it would go unnoticed by legislators, the media and the public.

A bill whose sole purpose is to remove Section 20h (3) will force legislators to stand up and be counted as being either for or against allowing the people of Michigan to know how public employees are compensated.

Please let me know if you are willing to introduce this legislation.

Sincerely,

Steven R. Harry

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