

O L A

OFFICE OF THE LEGISLATIVE AUDITOR
STATE OF MINNESOTA

Financial Audit Division Report

Minnesota State Retirement System
Year Ended June 30, 2006



May 24, 2007

07-12

Financial Audit Division

The Office of the Legislative Auditor (OLA) is a professional, nonpartisan office in the legislative branch of Minnesota state government. Its principal responsibility is to audit and evaluate the agencies and programs of state government (the State Auditor audits local governments).

OLA's Financial Audit Division annually audits the state's financial statements and, on a rotating schedule, audits agencies in the executive and judicial branches of state government, three metropolitan agencies, and several "semi-state" organizations. The division also investigates allegations that state resources have been used inappropriately.

The division has a staff of approximately forty auditors, most of whom are CPAs. The division conducts audits in accordance with standards established by the American Institute of Certified Public Accountants and the Comptroller General of the United States.

Consistent with OLA's mission, the Financial Audit Division works to:

- Promote Accountability,
- Strengthen Legislative Oversight, and
- Support Good Financial Management.

Through its Program Evaluation Division, OLA conducts several evaluations each year.

OLA is under the direction of the Legislative Auditor, who is appointed for a six-year term by the Legislative Audit Commission (LAC). The LAC is a bipartisan commission of representatives and senators. It annually selects topics for the Program Evaluation Division, but is generally not involved in scheduling financial audits.

All findings, conclusions, and recommendations in reports issued by the Office of the Legislative Auditor are solely the responsibility of the office and may not reflect the views of the LAC, its individual members, or other members of the Minnesota Legislature.

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If you have comments about our work, or you want to suggest an audit, investigation, or evaluation, please contact us at 651-296-4708 or by e-mail at auditor@state.mn.us



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Minnesota State Retirement System

Table of Contents

	Page
Report Summary	1
Report on Internal Control Over Financial Reporting and Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With <i>Government Auditing Standards</i>	2
Current Finding and Recommendations	4
Status of Prior Audit Issues	6
MSRS's Response	7

Audit Participation

The following members of the Office of the Legislative Auditor prepared this report:

Cecile Ferkul, CPA, CISA	Deputy Legislative Auditor
Tom Donahue, CPA	Audit Manager
Steve Johnson, CPA, CISA	Auditor-in-Charge
Tim Rekow	Auditor
Jerry Foty	Intern

Report Summary

Audit Conclusions/Finding

On December 22, 2006, we issued an unqualified opinion on the financial statements of the Minnesota State Retirement System (MSRS) as of and for the year ended June 30, 2006.

This is a related report on internal controls over financial reporting and compliance with certain legal requirements. It contains one finding concerning supplementary information in MSRS's 2006 financial report that was not presented in compliance with generally accepted accounting principles.

Background Information

MSRS administers six defined benefit retirement plans and four defined contribution plans:

- State Employees
- State Patrol
- Correctional Employees
- Judges
- Legislators
- Elected State Officials
- Unclassified Employees
- Health Care Savings
- Deferred Compensation
- Hennepin County Supplemental

The plans cover most state government and University of Minnesota employees and selected public-service organizations. The deferred compensation plan is available to state employees and other public employees throughout the state.

At June 30, 2006, MSRS's total net assets were approximately \$13.2 billion. For the year ended June 30, 2006, MSRS received contributions of about \$493 million and paid benefits and refunds of about \$650 million.



**Report on Internal Control Over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance With *Government Auditing Standards***

Representative Rick Hansen, Chair
Legislative Audit Commission

Members of the Legislative Audit Commission

Members of the Minnesota State Retirement System Board of Directors

Mr. David Bergstrom, Executive Director
Minnesota State Retirement System

We have audited the financial statements of the Minnesota State Retirement System as of and for the year ended June 30, 2006, and have issued our report thereon dated December 22, 2006. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Minnesota State Retirement System's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Minnesota State Retirement System's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements,

Minnesota State Retirement System

noncompliance with which could have a direct and material effect on the determination of the financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

However, we are reporting in Finding 1, an instance where MSRS did not fully comply with generally accepted government accounting principles concerning the presentation of required supplementary schedules in its comprehensive annual financial report. While this instance resulted in only an explanatory paragraph in our Independent Auditor's Report dated December 22, 2006, it should be noted that the Governmental Accounting Standards Board (GASB) is currently considering changes to the presentation of the required schedules, which, if implemented, could result in an audit qualification.

This report is intended solely for the information and use of the Legislative Audit Commission and the Minnesota State Retirement System's management and is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit the distribution of this report, which was released as a public document on May 24, 2007.

/s/ James R. Nobles

James R. Nobles
Legislative Auditor

/s/ Cecile M. Ferkul

Cecile M. Ferkul, CPA, CISA
Deputy Legislative Auditor

End of Fieldwork: December 22, 2006

Report Signed On: May 22, 2007

Minnesota State Retirement System

Current Finding and Recommendations

1. MSRS's required supplementary information as presented in its comprehensive annual financial report did not fully comply with generally accepted accounting principles.

MSRS presented certain required supplementary information according to actuarial valuations required by the Legislative Commission on Pensions and Retirement. Those actuarial valuations do not meet the requirements of the Governmental Accounting Standards Board (GASB). GASB establishes generally accepted accounting principles for government financial reporting. The schedules (the Schedule of Contributions From the Employer and Other Contributing Entities, and the Schedule of Funding Progress) included an actuarial asset valuation for part of the retirement plans' assets¹ that was not related to the market value of those assets, as required by GASB.²

GASB requires these schedules because they provide vital information about whether the plan is accumulating sufficient assets to meet its future pension obligations. A plan that is fully or over funded (a 100% funding ratio or greater) has sufficient funds to pay the retirement benefits promised to its retirees, provided that the expected investment returns are achieved. A plan that is under funded (a funding ratio less than 100%) may not have sufficient funds to meet its future pension obligations if expected investment returns are not achieved.

*Minnesota Statutes*³ state that the annual financial reports prepared by the retirement systems, including MSRS, “must conform with generally accepted governmental accounting principles, applied on a consistent basis.” Furthermore, *Minnesota Statutes*⁴ state that the “actuarial valuation must contain those actuarial calculations that are necessary to allow the retirement plan administration . . . to prepare the pension-related portions of its annual financial reports to meet generally accepted accounting principles for the public sector.” However, the statutes and the contract with the actuary require the actuary to provide the relevant calculations in accordance with the most recent *Standards for Actuarial Work* adopted by the Legislative Commission on Pensions and Retirement. Those standards require that the assets of the Post Retirement Investment Fund “must equal the actuarial present value of projected benefits.” This method of asset valuation is not in accordance with GASB requirements. Thus, the

¹ MSRS's retirement assets are invested in two pools – one pool invests the funds accumulating for current employees (the active funds) and the other pool invests the funds accumulating for retirees (the Post Retirement Investment Fund). The active funds' assets were valued based on a “smoothed” market value. The Post Retirement Fund's assets were valued equal to the valuation of the Post Retirement Fund's liabilities at year end, as required by *Minnesota Statutes*. When an employee retires, MSRS moves funds sufficient to fund the retirement obligation from the active funds to the Post Retirement Investment Fund. When investment returns in the Post Retirement Investment Fund are not sufficient to fund benefit obligations, a deficit in the fund occurs.

² GASB requires that the actuarial asset valuation be “market related,” meaning that it can vary from market values to “smooth” increases and decreases in market values over a period of years. Although the active funds' assets were valued based on a “smoothed” market value, the Post Retirement Investment Fund's assets were valued equal to the valuation of the Post Retirement Investment Fund's liabilities at year end.

³ *Minnesota Statutes* 2006, 356.20, subd. 4.

⁴ *Minnesota Statutes* 2006, 356.215, subd. 10.

Minnesota State Retirement System

actuary's asset valuation calculations did not provide the retirement systems with the information needed to present appropriate disclosure information.

The two required supplementary schedules are not a part of MSRS's basic financial statements and, therefore, we are not required to express and do not express an opinion on them.

Recommendations

- *MSRS should present its required supplementary schedules in compliance with generally accepted accounting principles.*
- *MSRS should work with the Public Employees Retirement Association, the Teachers Retirement Association, and its actuary to determine those actuarial valuation calculations that are necessary to prepare the pension-related portions of their annual financial reports that meet generally accepted accounting principles.*

Minnesota State Retirement System

Status of Prior Audit Issues As of December 22, 2006

Most Recent Audit

August 10, 2006, Legislative Audit Report 06-24 covered the fiscal year ended June 30, 2005. The audit scope included employer and employee contributions, annuity benefits, and refunds. We audit MSRS on an annual basis. There was one reportable issue in that report concerning the timeliness and accuracy of its financial reporting process. Substantial progress has been made during this audit period. Therefore, we consider the issue resolved.

State of Minnesota Audit Follow-Up Process

The Department of Finance, on behalf of the Governor, maintains a quarterly process for following up on issues cited in financial audit reports issued by the Legislative Auditor. The process consists of an exchange of written correspondence that documents the status of audit findings. The follow-up process continues until Finance is satisfied that the issues have been resolved. It covers entities headed by gubernatorial appointees, including most state agencies, boards, commissions, and Minnesota state colleges and universities. It is not applied to audits of the University of Minnesota, any quasi-state organizations, such as metropolitan agencies or the State Agricultural Society, the state constitutional officers, or the judicial branch.



May 21, 2007

Mr. James R. Nobles, Legislative Auditor
Office of the Legislative Auditor
Room 140 Centennial Building
658 Cedar Street
St. Paul, MN 55155-1603

Dear Mr. Nobles:

We are writing in response to your audit report for the period July 1, 2005, to June 30, 2006. We are pleased that your audit found no material weaknesses involving our internal controls or any instances of noncompliance that are required to be reported under Government Auditing Standards.

We agree with your explanatory paragraph in your December 22, 2006 Independent Auditor's Report, the audit report finding, and recommendations regarding the required supplementary information in our comprehensive annual financial report (CAFR) that shows one area where we did not fully comply with generally accepted accounting principles (GAAP). As you indicate in your report, we presented the supplementary schedules according to the Standards for Actuarial Work adopted by the Legislative Commission on Pensions and Retirement (LCPR), which conflict with GAAP.

We have taken steps to alleviate the current discrepancy between generally accepted accounting principles and the LCPR Standards for Actuarial Work. A provision in House File 1978 and Senate File 430, suggested by you and supported by the three statewide retirement plans, requires the LCPR to adopt standards that conform with GAAP applicable to government pension plans. In addition, the chair of the LCPR has indicated that she will hold a hearing before August to consider changes to its Actuarial Standards. This will provide an opportunity to get the LCPR Actuarial Standards to conform to GAAP. Subsequent to this meeting, our plan is to present the required schedules in accordance with GAAP in our fiscal year 2007 CAFR, provided that the LCPR modifies its standards accordingly and such changes take effect for the July 1, 2007 actuarial valuations.

The persons responsible for implementing the recommendations contained in the report are: Assistant Executive Director Judy Hunt (651-284-7890), and Accounting Director Dennis E. Jensen (651-284-7762). Our target completion date is December 31, 2007. However, this date is contingent upon the LCPR modifying the standards to conform to GAAP and when such changes will take effect.

James R. Nobles

May 21, 2007

Page 2 of 2

If you have any questions or would like additional information, please feel free to contact either of us regarding this important issue.

Sincerely,



David Bergstrom
Executive Director



Judy Hunt
Assistant Executive Director

cc: Mary Benner, Chair
MSRS Board of Directors