



**STATE OF NEW MEXICO**  
**Educational Retirement Board**  
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**PUBLIC COMMENT PERIOD**  
**ERB RULE 2 – MEMBERSHIP (2.82.3 NMAC)**

The Educational Retirement Board (the “Board”) is asking for comment on the attached draft revision to ERB Rule 2, which addresses membership in the Educational Retirement Fund. The proposed changes are underlined. Comments received on the proposed amendment will be evaluated to determine whether further changes should be recommended to the Board for consideration and adoption.

The proposed changes are a limited amendment of the existing Rule 2. A new section would be added at the end of Rule 2 addressing membership enrollment and changes in contact information. The new section sets out what has been ERB practice regarding enrollment forms and would require members to provide the ERB mail and email addresses and to update those addresses when they change. The proposed amendment also would require LAUs to provide the ERB the email addresses that those units assign to members (employees) upon the ERB’s request to facilitate communicating information about the pension fund directly to members. At recent public meetings on the proposed changes to the defined benefit pension plan, a number of members suggested that the ERB should email materials about the pension fund to their work email addresses.

The draft also makes several technical changes to the existing Rule 2. The word “local” is added before the phrase “administrative unit” throughout so that the rule uses the statutorily defined term and for consistence. Several other minor changes are included as well, rather than delaying them pending a complete version of the rule.

This amendment is proposed as one means to aid the ERB’s efforts to communicate with members and retirees, particularly about matters such as proposals to redesign the pension plan, and to provide members information about their pension fund. In the future, the ERB will propose a complete revision of Rule 2.

The ERB looks forward to receiving your comments on the revised Rule 3. Comments should be e-mailed to [Rulechange2@nmerb.org](mailto:Rulechange2@nmerb.org) by close of business on February 13, 2012.

Sincerely,  
Jan Goodwin  
Executive Director