

**EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF MILWAUKEE
ANNUITY AND PENSION BOARD**

Minutes of the Legislative Committee Meeting
held June 17, 2009

The meeting was called to order at 12:05 p.m.

Committee Members Present: William C. Carey, Chair
Thomas Fischer
Angela Henschel

Committee Members Not Present: Michael J. Murphy (excused)

Retirement System Staff Present: Bernard J. Allen, Executive Director
Martin Matson, Deputy Director
Tom Rick, Chief Investment Officer
Suzanne Fortier, Board Stenographer

Others Present: Beth Cleary, City Attorney's Office.

Approval to Amend Board Rule XVII. L. 1 and 2 – Retirement and Death Benefits. As a matter of information, Committee members received a copy of the City Attorney letter containing the amended Board Rule regarding Automatic Rollover Provisions, dated April 15, 2009. Mr. Allen stated that this has to do with a rollover default for lump sum payments paid out that are over \$1,000. He said what this amendment will do is provide for a rollover instead of a cash payment if no election is made by the member. It was moved by Mr. Fischer, seconded by Ms. Henschel, and unanimously carried, to approve the amendment to Rule XVII. L. 1 and 2.

Approval to Amend Board Rule XV. A. 2 – Service Credit – Unpaid Service. As a matter of information, Committee members received a copy of the City Attorney letter containing the amended Board Rule. Ms. Cleary stated the City Attorney's Office had a discussion this morning with ERS staff. She indicated that there was a recent charter ordinance file that was approved yesterday by the Common Council in regard to mandatory furloughs. Ms. Monteagudo from DER had asked for the Board to make a Board Rule change to allow for service credit to be provided for mandatory furloughs. She stated that after talking with staff it is now understood that the charter ordinance took care of that issue, so this amendment is not needed. Mr. Konrad stated the change to Chapter 36 addresses both service credit and final average salary; therefore, the City Attorney's Office is withdrawing the rule change. After discussion, it was moved by Mr. Fischer, seconded by Ms. Henschel, and unanimously carried, to receive and place on file.

There being no further business, Mr. Carey adjourned the meeting at 12:10 p.m.

Bernard J. Allen
Secretary and Executive Director

(NOTE: All proceedings of the Annuity and Pension Board Meetings and related Committee Meetings are recorded. All recordings and material mentioned herein are on file in the office of the Employees' Retirement System, 789 N. Water Street, Suite 300.)