

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

Minutes of the Legislative Committee Meeting  
held September 22, 2008

The meeting was called to order at 9:00 a.m.

Committee Members Present: Thomas Fischer  
W. Martin Morics  
William C. Carey, Chair

Committee Members Not Present: Michael J. Murphy (arrived later in meeting)

Board Members Present: John Barmore

Retirement System Staff Present: Bernard J. Allen, Executive Director  
Martin Matson, Deputy Director  
Suzanne Fortier, Board Stenographer

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

**Discussion regarding Amendment to Board Rule II. C.1. – Membership on the Board – Duties and Responsibilities of Officers and Employees.** As a matter of information, Committee members received a copy of the current Board rule. Mr. Matson indicated that over the past year there have been issues from time to time with quorum requirements for several committees of the Board. He stated that research was done on how the Milwaukee Common Council deals with quorum issues. The Common Council President is not on every committee. In order to conduct business, the Common Council President can appoint additional members on an ad hoc basis should a quorum not be present. Mr. Matson said that ERS staff asked the City Attorney to review the Board rules and take into consideration what the City does. ERS has a rule where the Chair is a member of every committee of the Board; therefore, the Chair counts towards the quorum of the committee. Mr. Matson indicated that what is expected to come out of this Committee after discussion is that the Board will ask the City Attorney to look into this further and amend Rule II. C. 1. to handle the quorum requirements. His recommendation is to handle this the same way the Common Council does, meaning instead of having the Chair of the Board sit on every single committee, give the Chair the authority to assign himself or any other person of the Board to a committee on an ad hoc basis to meet quorum requirements. Mr. Morics stated he would favor this change. Ms. Cleary stated it would be a practical move to follow the Common Council's model. Mr. Barmore asked Mr. Morics how it worked for him to occasionally delegate someone from his office to fill in. Mr. Morics said in his absence Mr. Daun, as his Deputy, is the City Comptroller, so he would carry out the responsibilities of the office, which would include sitting on the Pension Board. It was moved by Mr. Morics, seconded by Mr. Fischer, and unanimously carried, that this matter be referred to the City Attorney for drafting a new Board Rule, which will be brought back to this Committee.

**Discussion regarding State Legislation Request regarding Unclaimed Property.** As a matter of information, Committee members received a copy of the Department of Administration Intergovernmental Relations Division State Legislation Request 2009-10 Legislative Session due August 15, 2008. Mr. Carey briefly talked about this legislation. Mr. Matson indicated that for the regular Board meeting this month, we will be amending the July Board meeting minutes. He

said the Board actually authorized staff to carry this forward as the due date for the Legislative arm of the city to receive the paperwork was August 15, 2008. The paperwork in front of the Committee today is ERS' legislation request. Mr. Matson stated that essentially what ERS is asking is for the State to change the law so that if ERS has unclaimed property, we can keep it in our own fund instead of escheating it to the State of WI. He indicated that people would then come to ERS to claim that in the future instead of going to the state. He said one reason ERS is doing this is because the ETF for the State of WI has a similar law on the state books where they keep their own money instead of turning it over to the state, of which they are a part of. It was moved by Mr. Fischer, seconded by Mr. Morics, and unanimously carried, to approve this legislative request.

There being no further business, Mr. Carey adjourned the meeting at 9:10 a.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.)