

PUBLIC EMPLOYEES' RETIREMENT BOARD
100 N Park, Rm 218
Helena MT 59620

Board Legislative Committee Minutes
Tuesday, January 4, 2011
10:30 am

Committee Members (present via telephone):

Dianna Porter, Chair
John Nielsen
Terrence Smith

Other Board Members (present via telephone):

Patrick McKittrick
Scott Moore
Timm Twardoski
Darcy Halpin

Staff:

Roxanne Minnehan
Patricia Davis
Dena Helman
Rena Justice
Mike O'Connor
Barbara Quinn
Flora Sebens
Melanie Symons
Jenny Weigand

I. Roll Call

II. Public/Member Comment – No public comment.

III. Approval of Legislative Committee Meeting Minutes

The minutes of the Board Legislative Committee meeting of December 28, 2010 were presented.

Motion: Mr. John Nielsen moved to approve the minutes of the December 28, 2010 Board Legislative Committee meeting.

Second: Ms. Dianna Porter

Vote: 3/0

IV. PERB Legislation

- A. HB 70 (LC0160)** – General Revisions Bill – Rep. Mike Menahan
- B. HB 119 (LC0161)** – VFCA Revision Bill – Rep. Gordon Hendrick
- C. HB 85 (LC0162)** – Working Retiree Bill – PERS, SRS, FURS – Rep. Franke Wilmer
- D. HB 134 (LC0405)** – GWPORS Funding Bill – Rep. Carolyn Squires
- E. HB 135 (LC0406)** – SRS Funding Bill – Rep. Carolyn Squires
- F. HB 122 (LC0407)** – PERS Funding Bill – Rep. Sue Malek
Executive Director, Ms. Roxanne Minnehan, reported that the fiscal note for this particular bill has been finalized on our end and our Fiscal Analyst is now in the process of reviewing it. Once that process has been completed it will be sent for final approval.

V. Other Retirement Legislation

Ms. Minnehan mentioned that there was a Legislative Orientation today, which is a new orientation and training session for new and returning legislators and is sponsored by the Montana Legislative Council and conducted by experienced legislators and legislative staff. This event is an opportunity to get to know your fellow legislators and learn more about the job they have been elected to do. Ms. Minnehan, Mr. Mike O'Connor and Ms. Melanie Symons are planning on going to the Capitol today to participate in this event.

Board Member, Mr. Terry Smith, mentioned that he had sent Ms. Minnehan and Mr. Mike O'Conner a link that contained an interesting article about retirements. After a brief discussion it was agreed that this information would make a good article for our newsletter and that we would also post the link on the MPERA Facebook profile. It was also decided that a copy would be included in the Board packet for review by the Board members.

MPERA Chief Legal Counsel, Ms. Melanie Symons, asked for clarification on what the Board was looking for in the *white paper* task that was assigned to her at the December 21st meeting. They indicated they wanted a document on contract rights that they could use as an information tool at the Legislature. After a brief discussion it was agreed that she would create two documents: 1) one document that contained detailed information on contract rights, which would be solely used by the Board and would be protected from dissemination by the attorney work product doctrine and 2) a brief outline/summary that could be handed out to the public and/or to Legislators.

Board President, Mr. John Nielson, asked Ms. Minnehan if she had responded to the list of questions from Representative Rosendale that had been recently submitted. Ms. Minnehan indicated that she plans on responding to those questions this week.

Update on Plan of Action (referring to page four in the December 28, 2010 minutes):

- Ms. Symons will gather information on contract rights and prepare a white paper.
- Mr. Twardoski has contacted AFSCME National to find out what legal research has been done in terms of contract rights. Gathering the information will take time and Mr. Twardoski will pass along any information he receives.
- Jenny Weigand and Ralph Pomnichowski will prepare a news article explaining the pitfalls of the constitutional amendment once Ms. Symons has completed her white paper. The white paper will give them direction on the Board's position.
- Ms. Porter contacted Rep. Sesso by email to alert him to the proposed constitutional amendment; she has not received a response. Ms. Porter would like MPERA's lobbyists to try and make contact with Rep. Sesso to reinforce the Board's position on this legislation.
- MPERA's lobbyists will try to talk with leadership in both parties beginning next week, to let them know how dissatisfied the Board is with the constitutional amendment referendum; Ms. Minnehan and Mr. O'Connor will speak with Rep. Mike Milburn, the Speaker of the House and Senator Jim Peterson, President of the Senate. They will also speak with Senator Carol Williams, the Minority Leader in the Senate.

VI. Meeting was adjourned at 10:30 am by Ms. Dianna Porter, Chair.