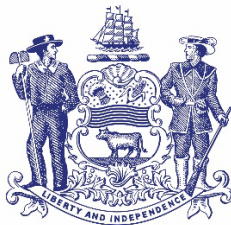


David Taylor, Co-Chair
Delaware Retired School Personnel Association

Karen Crouse, Co-Chair
Delaware State Education Association

Janice Vander Decker, Vice Chair
Delaware School Nutrition Service Association

International Assoc. of Local 1590 City of Wilmington Firefighters
Delaware Association of School Administrators
Delaware School Nutrition Service Association
Delaware Fraternal Order of Police
Delaware State Troopers Association
Two at-Large Members



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**PENSION ADVISORY COUNCIL
MEETING MINUTES FROM JUNE 13, 2023**

Members present:

David Taylor	DRSPA
Kevin Carson	DASA
Janice Vander Decker	DSNA
Joseph Malloy	WFD IAFF 1590
Charlotte Lister	At Large

Member's absent:

Karen Crouse	DSEA
Mark Ryde	DSTA
Jim Testerman	At Large

Others present:

Joanna Adams	Pension Administrator
Vicki Schultes	Executive Assistant to Pension Administrator
William O'Brien	Deputy Attorney General

1. CALL TO ORDER

D. Taylor called the meeting to order at 1:36 p.m. A quorum was present.

2. PUBLIC COMMENT

No public comments were presented.

3. OPENING COMMENTS

D. Taylor opened discussion regarding the guidelines of Executive Session pursuant to the Delaware Code. W. O'Brien clarified that entities only go into Executive Session for certain specific reasons. Executive Session is seldom needed for standard Pension Advisory Council (Council) business and meetings.

4. ADDITIONS TO THE AGENDA

There were no additions to the agenda.

5. APPROVAL OF THE MAY 9, 2023 MEETING MINUTES

The minutes of the May 9, 2023 meeting were reviewed; technical corrections were suggested. Motion to approve the minutes with changes as noted was made by J. Malloy and seconded by K. Carson. The motion was adopted unanimously.

6. CO-CHAIRMEN'S REPORT

D. Taylor provided an overview of J. Testerman's retirement dinner, hosted by the Delaware State Education Association - Retired (DSEA-R). D. Taylor, members of the DSEA and DSEA-R, N. Shevock from the Board of Pension Trustees, and several members of the General Assembly attended the celebration. A plaque was presented by D. Taylor to J. Testerman, to commemorate his induction as an honorary member of Delaware Retired School Personnel Association (DRSPA). Guest speakers shared that J. Testerman is also a retired colonel from the National Guard. Sixty guests enjoyed a memorable evening, which was made even more special given J. Testerman's recent challenges.

7. OLD AND NEW BUSINESS

INCREASING COUNCIL MEMBERSHIP:

29 Del. C., Sec. 8308A(e) states:

The State Pension Advisory Council shall be composed of representatives of (13) organizations or their successors:

A suggestion was made to consider adding the International Association of Firefighters, Local 1590 (IAFF) as the 14th entity. Offering Council membership to the IAFF is beneficial because members can join from all over the State, not just Wilmington. K. Crouse has previously mentioned she has some contacts and will be reaching out to hopefully recruit members. If IAFF is interested in Council membership, this could be accomplished via an Executive Order.

LAPSED/INACTIVE MEMBERSHIP:

A two-part strategy was considered, pursuant to *29 Del. C., Sec. 8308A(j)* which states:

When a member group or organization fails to send a representative to meetings of the State Pension Advisory Council for a period of 1 year, the group or organization shall automatically lose its representation on the Advisory Council.

Discussion continued focusing on how to amend the Delaware Code to include language that covers how the entities (not the former members) can be reinstated with Council membership. Suggestions included developing a way to get the organizations or former/inactive members to return to active status and participating in Council business.

Suggestions to draft amendments to subparagraph *(j)* included:

- Add a sentence regarding reinstatement to full membership based on certain criteria that include the submission of an application, which will then be voted on during a regularly scheduled Council meeting. This will result in an official procedure to be developed for reinstatement.

- Strike and replace subparagraph (j) with language giving the Council the authority to reinstate someone upon receipt of a written request from the organization including identifying who the initial representative will be.
- Keep the existing language of subparagraph (j) but add a new language regarding the reinstatement process that involves the approval of Council membership at a regularly scheduled meeting.
 - When considering drafting legislation that withdraws the phrase referencing removal from membership in (29 Del. C.,) Sec. 8308A(j), the deleted text should be replaced with reinstatement language. The Council needs to develop amendment language that eliminates Council requiring legislative action (moving forward).
- Drop the existing language that removes people from membership due to lack of attendance. One risk is losing the motivation to keep people actively involved.
- Additional options that were discussed included drafting legislation to eliminate the loss of Council membership after one year of inactivity and offering membership/representation from municipalities.

D, Taylor reported that he spoke with someone at DSEA who suggested a legislator who may be interested in sponsoring the bill; the goal is to draft legislation that will be placed on the Consent Calendar before June 30th (to reinstate members).

After considering the suggestions, Council members decided to move forward with finding a senator/legislator to sponsor the legislation to amend 29 Del. C., Sec. 8308A(j).

Further, the University of Delaware used to have representation at Council meetings from the American Association of University Professors. Salaried staff members are covered under the State pension, while University professors are not. This should be revisited at the November Council meeting.

8. LEGISLATION

ENTITY CORRESPONDENCE AND COMMUNICATION:

Comments included the suggestion of requesting an entity provide a written request for reinstatement/reactivation of their membership, instead of submitting a formal application. If this option is pursued, the Council would request a specific entity representative to be named in their request to activate the membership.

Members present favored a request over the submission of an application.

Promoting the existence of the Council and what it represents was also strongly encouraged.

BYLAWS:

W. O'Brien reported that the Office of Pensions could not locate any Council by-laws and believes that none exist.

- A goal is to develop a draft set of bylaws to present at the November 8, 2023 Council meeting.
- The bylaws should include:
 - The minimal number of meetings members need to attend annually to be considered active.
 - Further discussion involved adhoc and/or at large membership and how/why they would be added to Council membership. These would also need to be voted on for participation.

LEGISLATION:

Senate Substitute 2 for Senate Bill 42: D. Taylor reported that this Act, which increases the burial benefit for individuals eligible to receive a pension under the State Employees' Pension Plan from \$7,000 to \$10,000, may not move forward for Governor's signature due to revenue constraints.

Enactment of this legislation would cost the state \$40 million amortized over 5 years. \$100 million has been set aside in the State Budget in the last two fiscal years for retirees. The Council needs to be mindful of other populations that have been doing without. If it doesn't pass this year, the Council can fight for it next year.

The next Council meeting is scheduled for November 8th at 1:30 pm.

9. PENSION ADMINISTRATOR'S REPORT

J. Adams provided a broad overview of the Volunteer Firemen's Pension Plan. A firefighter's pension benefit amount is static; it doesn't change. A retired firefighter does not receive a burial benefit from the Office of Pensions. However, firefighters do receive a length of service award (LOSAP), which is \$10 per month for every year of service, up to 25 years. The maximum annual service award is \$250. The IAFF (as a potential 14th entity) may not be as strong an advocate as other organizations because firefighters are not reaping as many benefits as members of other pension plans.

10. ADJOURNMENT

At 2:29 p.m., there being no further business, a motion was made by C. Lister and seconded by J. Malloy to adjourn the meeting. The motion was adopted unanimously.

Respectfully submitted

David Taylor, Co-Chair
Pension Advisory Council

DT/vls