

**MINUTES OF MEETING**  
**STATE OF WISCONSIN**  
**WISCONSIN RETIREMENT BOARD**

**Thursday, June 17, 2004**

**Sheraton Madison Hotel**  
**706 John Nolen Drive**  
**Madison, Wisconsin**

**BOARD PRESENT:**

Marilyn Wigdahl, Chair  
Ted Bauer  
John Brown, Vice Chair  
Barbara Ermeling  
Rick Gale  
Wayne Koessler

DRAFT

**BOARD NOT PRESENT:**

Jefferson Davis, Secretary  
Jorge Gomez

**PARTICIPATING ETF STAFF:**

Eric Stanchfield, Secretary  
Dave Stella, Deputy Secretary  
Julie Reneau, Administrator, Division of Retirement Services  
Audrey Koehn, Director, Disability Programs Bureau  
Christina Licari, Board Liaison  
Robert Weber, Chief Legal Counsel

**OTHERS PRESENT:**

None

Marilyn Wigdahl, Chair, called the meeting to order at 1:00 p.m.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

***Motion: Mr. Bauer moved approval of the minutes of the March 25, 2004, meeting.  
Mr. Brown seconded the motion, which passed without objection on a voice vote.***

**MISCELLANEOUS**

**Pending Appeals Status Report.** An update on pending appeals was provided for the Board's information. The Wisconsin Retirement Board currently has 30 appeals pending.

**§ 40.65 Duty Disability Program Annual Review.** Ms. Reneau noted that the § 40.65 Duty Disability Program Annual Review has been provided for the Board's information. The Employee Trust Funds Board will be asked to approve this report during their meeting on Friday, June 18, 2004.

**DISABILITY STATISTICS SUMMARY REPORT**

Ms. Koehn reviewed the *WRS Disability Benefit Annuity Statistical Report*.

## SCOPE STATEMENT

**Acceptance of Documents via Facsimile.** Mr. Weber presented a scope statement for amending the rule regarding the acceptance by the Department of documents received via facsimile. The scope statement proposed that electronic documents are functionally the same as original documents and that electronic documents should be accepted with no requirement of also submitting an original.

Mr. Weber noted that the draft rule that is brought forward for the Board's approval will also address documents received electronically via email or the Department's internet site as well as address contingencies for documents that are received but are illegible or indecipherable.

***Motion: Mr. Koessler moved approval of the scope statement amending the rule regarding the acceptance of documents received via facsimile. Mr. Gale seconded the motion, which passed without objection on a voice vote.***

## MOTION TO CONVENE IN CLOSED SESSION

Ms. Wigdahl announced that the Wisconsin Retirement Board would convene in closed session, pursuant to the exemptions contained in Wis. Stat. § 19.85(a) for quasi-judicial deliberations. Ms. Licari was invited to remain during the closed session.

***Motion: Mr. Koessler moved to convene in closed session, pursuant to the exemptions contained in Wis. Stat. § 19.85(a) for quasi-judicial deliberations. Ms. Ermeling seconded the motion, which passed on the following roll call vote:***

***Members voting aye: T. Bauer, J. Brown, B. Ermeling, R. Gale, W. Koessler, M. Wigdahl***

***Members voting nay: none***

The Wisconsin Retirement Board convened in closed session at 1:10 p.m. and reconvened in open session at 1:45 p.m.

## ANNOUNCEMENT OF ACTION TAKEN ON BUSINESS DELIBERATED DURING CLOSED SESSION

Ms. Wigdahl announced that the Board took the following action during the closed session:

- **Appeal 99-087-WR.** The Board remanded the appeal to the hearing examiner in regard to issue #1 for briefing to the Board on the issue of whether the assumed rate or the assumed benefit rate is applicable under the statutes AND adopted the hearing examiner's proposed decision in regard to issue #2.
- **Appeal 99-027-WR.** The Board adopted the hearing examiner's proposed decision with amendments as recommended by counsel.
- **Appeal 99-082-WR.** The Board rejected the hearing examiner's proposed decision and adopted an alternate decision affirming the Department's determination.
- **Appeal 99-032-WR.** The Board adopted the hearing examiner's proposed decision with amendments as recommended by counsel.

**ADJOURNMENT**

***Motion: Mr. Koessl moved adjournment. Mr. Brown seconded the motion, which passed without objection on a voice vote.***

The meeting of the Wisconsin Retirement Board adjourned at 1:47 p.m.

Date Approved: \_\_\_\_\_

Signed: \_\_\_\_\_

Jefferson Davis, Secretary  
Wisconsin Retirement Board