

**MINUTES OF MEETING
KENTUCKY PUBLIC PENSIONS AUTHORITY
AD HOC REGULATION COMMITTEE
SPECIAL CALLED MEETING
AUGUST 15, 2023, AT 10:00 AM
VIA LIVE VIDEO TELECONFERENCE**

At the Special Called Meeting of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee held on August 15, 2023, the following members were present: Keith Percy (Chair), Betty Pendergrass, and Jerry Powell. Staff members present were CERS CEO Ed Owens, III, KRS CEO John Chilton, David Eager, Erin Surratt, Michael Board, Victoria Hale, Carrie Bass, Jessica Beaubien, Jillian Hall, Mike Lamb, Glenna Frasher, Katie Park, and Sherry Rankin.

Mr. Percy called the meeting to order.

Mr. Board read the Opening Statement.

Ms. Rankin called roll.

There being no *Public Comment* submitted, Mr. Percy introduced agenda item *Approval of Minutes – June 13, 2023 (Video 00:06:12 to 00:06:29)*. Mr. Powell made a motion to approve the minutes as presented. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Mr. Percy introduced agenda item *Administrative Regulations 105 KAR 1:270 & 105 KAR 1:215 (Video 00:06:30 to 00:19:56)*. Ms. Jessica Beaubien presented 105 KAR 1:270 which establishes the procedure for informing affected members, beneficiaries, and alternate payees of their rights regarding federal taxation rules and provides forms for members, beneficiaries, and alternate payees to indicate their preference for federal tax withholding or direct rollover of eligible distributions. This administrative regulation also establishes a procedure to issue a check to an alternate payee of a qualified domestic relations order if the alternate payee does not file the form required for federal income tax purposes within a reasonable time, and a procedure in the event that an alternate payee cannot be located.

Ms. Beaubien reviewed the proposed amendments to 105 KAR 1:270 and opened the floor for comments. Ms. Pendergrass requested that the language, '*indicating the option for payment elected*', be amended to '*indicating the option selected for payment*' throughout the regulation. The Committee Members and Staff agreed with the request. Mr. Powell advised that the date on Form 4527 was incorrect and should read September 2023 as indicated in the regulation. Ms. Bass stated that the Office of Legal Services would make the amendment.

Mr. Powell made a motion to accept administrative regulation 105 KAR 1:270 as amended, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

Next, Ms. Jessica Beaubien presented 105 KAR 1:215 which provides the administrative appeals procedures for an affected person aggrieved by a decision of the agency, or an employer required to pay additional actuarial costs pursuant to KRS 61.598 and 78.545.

Ms. Beaubien reviewed the proposed amendments to 105 KAR 1:215 and gave an informational presentation further discussing 105 KAR 1:215 and the Agency Portal (Box.com).

Mr. Powell made a motion to accept administrative regulation 105 KAR 1:215 as presented, and to forward it to the KPPA for approval to file the regulation with the Office of the Regulations Compiler at LRC. Ms. Pendergrass seconded the motion and the motion passed unanimously.

There being no further business, Mr. Peercy *adjourned* the meeting.

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CERTIFICATION

I do certify that I was present at this meeting, and I have recorded the above actions of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee on the various items considered by it at this meeting. Further, I certify that all requirements of KRS 61.805-61.850 were met in conjunction with this meeting.


Recording Secretary

We, the Chair of the Kentucky Public Pensions Authority Ad Hoc Regulation Committee and Executive Director, do certify that the Minutes of Meeting held on August 15, 2023, were approved on November 15, 2023.


KPPA Ad Hoc Regulation Committee Chair


Executive Director

I have reviewed the Minutes of the August 15, 2023, Kentucky Public Pensions Authority Ad Hoc Regulation Committee Meeting for content, form, and legality.


Executive Director, Office of Legal Services