

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, June 3, 2025, at 10:00 a.m., via Zoom, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present by Conference/Video Call: Kevin Kluge (Chair); Jennifer Fish; Mark Smalley; Scott Mabery

Board Members Absent: Jason Hathcock

Also Present by Conference/Video Call: Alexi Papalossi, Recorder; Yvonne Wong, AOC HR Officer; Liana Garcia, Government Affairs Director for the Administration of the Courts

Board Staff Absent: Kayla Adkins, Board Secretary

Call to Order:

Approval of Minutes:

May 6, 2025 – Public Meeting Minutes

May 6, 2025 – Executive Session Meeting Minutes

Discussion:

Mr. Smalley inquired about the executive meeting minutes missing from the action item. Ms. Fish amended the motion to include the executive meeting minutes.

MOTION: Jennifer Fish moved to approve the public and executive meeting minutes of the May 6, 2025, meeting. The motion was seconded by Mark Smalley and passed unanimously. The minutes stand approved. **CORP 2025-23**

Legislative Update

Liana Garcia, Government Affairs Director for the Administrative Office of the Courts, reported on CORP-related 2025 legislation and answered questions proposed to her by the Board. Ms. Garcia provided a status update on the following Bills:

House Bills:

- HB2013, HB2015, HB2034, HB2080, HB2689

Senate Bills:

- SB1148, SB1159, SB1287

Ms. Garcia informed the Board that the House and Senate are currently in an active legislative session, during which most bills have either been passed, stalled, or vetoed. She noted that some bills are awaiting negotiations regarding the state budget. Furthermore, she mentioned that the bills that have been signed into law will take effect 90 days after the end of the legislative session.

Ms. Garcia explained that HB2013 relates to adjustments in the amount that the Board of Trustees of PSPRS can utilize to manage the Public Safety Cancer Insurance Program. She then discussed HB2015, which involved the conditions under which employer and member contributions to retirement plans can be modified based on actuarial valuations. She added that HB2015 is still pending the final floor vote in the Senate. When the Chair inquired whether the bill was “dead” or tied to the budget, Ms. Garcia indicated that she believed it was indeed tied to the budget.

Ms. Garcia reported that HB2034 was stalled and unlikely to be voted on. She provided a summary of the bill, explaining that if a member works for an employer that opts into an ASRS-managed supplemental deferral plan, they cannot double-dip if they are already eligible for a supplemental deferral plan under their original plan. Mr. Mabery requested an example of a supplemental deferral plan. The Chair and Ms. Fish referenced the ASRS and the Nationwide plans that are administered or overseen by ASRS, as well as the 457B supplemental plans as examples.

Ms. Garcia then discussed HB2080, noting that it has been passed and signed by the Governor. She informed the Board about the expected changes related to HB2080. Members of the Elected Officials’ Retirement Plan who are active, inactive, or retired and have a disability are not eligible to receive benefits under the Elected Officials’ Defined Contribution Retirement System Disability Program. Additionally, state elected officials who are subject to term limits, as well as exempt state officers and employees who chose to participate in the defined contribution retirement plan option effective August 6, 1999, will now be added to the definition of the “eligible group” for the purposes of the supplemental defined contribution plan. The bill allows a retired member who is reemployed by the same employer in a designated position to resume pension payments after a waiting period of six months, provided they meet specific conditions. Ms. Garcia presented the bill for reference and explained that the PSPRS currently restricts pension payments for members who return to work with the same employer before six months following their retirement and for those returning to the same position at any time. Ms. Garcia highlighted section 9 of HB2080, which directly impacts CORP members. She detailed how the amendments to the bill remove the restriction stating that a member must be in a different position than the one they retired from, and instead add that, “if after six months from the date of retirement, a retired member becomes reemployed in any capacity, including as a contracted or leased employee.”

Ms. Garcia clarified for the Board that HB2689 has already been passed and signed by the Governor. She explained that the bill allows any person eligible for coverage under the cancer insurance policy program can choose to remain in the program by paying the premium. This applies not just to those who are eligible due to a cancer diagnosis. As a result, retirees can continue their coverage after standard eligibility expires if they opt to pay an actuarially determined premium. Additionally, the bill removes the repeal date of the requirement for the state and other

employers to offer a supplemental benefit plan for public safety employees who have sustained a duty-related injury.

Ms. Garcia moved on to discuss the Senate Bills, informing the Board that SB1148 was a “dead” bill. She noted that SB1159 increases the maximum amount an employee can file as a wage claim with the Industrial Commission from \$5,000 to \$12,000. Ms. Garcia then explained that SB1287 pertains to part-time employees. The Chair reminded the Board that, according to Arizona Statutes, CORP members cannot be part-time employees. He also mentioned that he would research the bill further and consult with the Board’s legal counsel. Ms. Garcia clarified that the bill would apply only to specific employers who have reached a written agreement with their employees. Those hired must be part of an eligible group, which includes certified municipal police officers, state highway patrol officers, and certified game and fish wardens.

The Chair reminded Ms. Garcia that the Board would like a correction made to A.R.S. § 38-891 (E) to include language allowing CORP members to fill ASRS positions while remaining in CORP. Ms. Garcia indicated that a form would need to be submitted for Arizona Judicial Council approval to be lobbied during the next legislative session.

Notice of Retiree Return to Work – Philip Morin

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Philip Morin, indicating that Mr. Morin retired from the Arizona Department of Corrections on August 6, 2010, with an effective CORP retirement date of September 1, 2010. He had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on April 14, 2025, in a non-CORP-designated position as a Security Officer.

Copies of A.R.S. § 38-884.N-O. and Mr. Morin’s current position description were provided to the Board.

Mr. Papalossi noted that Mr. Morin appeared eligible to continue receiving a CORP pension because he returned to work in a non-CORP-designated position after retirement.

MOTION: Mark Smalley moved that the Board received a Notice of Retiree Return to Work for Philip Morin and found that (1) Mr. Morin was eligible to continue receiving a CORP pension; (2) Mr. Morin’s employer, Maricopa County Judicial Branch, was not responsible for paying the CORP alternate contribution rate on his behalf because he returned to work in a non-CORP-designated position. The motion was seconded by Scott Mabery and passed unanimously. **CORP 2025-24**

Notice of Retiree Return to Work – Michael Kelsey

The Board received a Notice of Retiree Return to Work from the Maricopa County Judicial Branch for Michael Kelsey, indicating that Mr. Kelsey retired from the Maricopa County Sheriff’s Office on May 10, 2024, with an effective CORP retirement date of June 1, 2024. He had since accepted an employment offer with the Maricopa County Judicial Branch and returned to work on May 12, 2025, in a non-CORP-designated position as a Security Officer.

Copies of A.R.S. § 38-884.N-O. and Mr. Kelsey’s current position description were provided to the Board.

Mr. Papalossi noted that Mr. Kelsey appeared eligible to continue receiving a CORP pension because he returned to work in a non-CORP-designated position after retirement.

MOTION: Scott Mabery moved that the Board received a Notice of Retiree Return to Work for Michael Kelsey and found that (1) Mr. Kelsey was eligible to continue receiving a CORP pension; (2) Mr. Kelsey’s employer, Maricopa County Judicial Branch, was not responsible for paying the CORP alternate contribution rate on his behalf because he returned to work in a non-CORP-designated position. The motion was seconded by Mark Smalley and passed unanimously. **CORP 2025-25**

Approval of Membership:

The Board voted on the approval of the following requests for membership:

Name	County	Effective Enrollment Date
Donald Knoch	Cochise	5/4/2025
Maria Silva	Cochise	5/4/2025
Carlos Jaramillo	Coconino	5/19/2025
Taylor Rios	Coconino	5/19/2025
Michael Starks	Maricopa	5/4/2025
Matthew Wooley	Maricopa	5/19/2025
Marcie Seery	Pima	4/27/2025
David Leach	Pinal	5/4/2025
Matthew Vanderwerff	Pinal	5/4/2025
Mabel Espiritu	Pinal	5/4/2025
McCoy Havla	Pinal	2/3/2025
Alondra Valle	Santa Cruz	5/4/2025

MOTION: Jennifer Fish moved to approve the 12 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D. and to note for the record that the physical examinations for Donald Knoch, Michael Starks, Matthew Vanderwerff, and Mabel Espiritu identified a physical or mental condition or injury that existed or occurred before their dates of membership in the plan. The motion was seconded by Scott Mabery and passed unanimously. **CORP 2025-26**

2025 CORP Electronic Election Update

Board member Mark Smalley’s term will expire on June 30, 2025. Pursuant to A.R.S. § 38-893, the Board conducted an election to fill that position effective July 1, 2025.

The Board office received 432 total ballots by the specified deadline. Brandon Shimizu received 127 of 432, or 28.73% of the votes, and was elected to the Board for the upcoming term.

Future Agenda Items:

- Update on Accidental Disability Case #25-01
 - Mr. Papalossi advised the Board that Ms. Land's information was submitted to MCN, and Board staff are waiting for a list of medical providers who may be able to complete the Independent Medical Exam.

Call to the Public:

The meeting was adjourned at 10:43 a.m.

Transcribed June 5, 2025