

HOUSE No. 2429

The Commonwealth of Massachusetts

PRESENTED BY:

Brian M. Ashe

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an elected and appointed board for the Hampden County Regional Retirement System.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------|--------------------|------------------|
| <i>Brian M. Ashe</i> | <i>2nd Hampden</i> | <i>1/13/2023</i> |

HOUSE No. 2429

By Representative Ashe of Longmeadow, a petition (accompanied by bill, House, No. 2429) of Brian M. Ashe relative to establishing an elected and appointed board for the Hampden County Regional Retirement System. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act establishing an elected and appointed board for the Hampden County Regional Retirement System.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, the Hampden
2 County regional retirement system, hereinafter referred to in this act as “the system”, shall be
3 governed by administrators, hereinafter referred to in this act as “administrators”, and a board of
4 directors, hereinafter referred to in this act as “the board”.

5 (A) The administrators of the Hampden County regional retirement system shall be
6 comprised of one individual appointed by the chief elected official or governing body of each
7 member agency of the Hampden County regional retirement board (Mayor, Select Board, School
8 Committee, Board of Directors, Town Council). Administrators from communities must be
9 elected or appointed town officials. Administrators from fire and water districts must be a full-
10 time employee of that agency. Administrators from all other retirement member agencies
11 (including regional school districts, veteran’s service districts, emergency dispatch services and

12 regional retirement boards) shall be an elected or appointed official of that organization. None of
13 these administrators need be participants in the Hampden County regional retirement system.

14 (1) The administrators of the Hampden County regional retirement system shall meet
15 no less than two times per fiscal year. Their meeting shall be governed by the Open Meeting
16 Law requirements of the commonwealth of Massachusetts.

17 (2) It shall be the responsibility of the administrators to:

18 (a) Elect three of the seven members of the board as described in section B(2)(b),
19 B(2)(c) and B(2)(d)

20 (b) Approve by a 2/3 vote, changes to the bylaws of the Hampden County retirement
21 board as described in section 2.

22 (3) Administrators shall serve at the pleasure of their appointing authority and their
23 appointment shall be renewed annually. There is no limit to the terms for which
24 an administrator may serve.

25 (B) The board of the Hampden County regional retirement system shall consist of seven
26 members, six of whom are elected and one of whom is appointed.

27 (1) It shall be the responsibility of the board to:

28 (a) Hire and oversee the system administrator or director

29 (b) Approve the budget and operations of the system

30 (c) Oversee the operations and administration of the system

31 (2) Six members of the board shall be elected as follows:

32 (a) Three members of the board shall be elected at large by a majority of the
33 members of the Hampden County regional retirement system. Both active and retired members
34 shall be eligible to vote for these board members. Each of these 3 members' terms shall expire in
35 a different year; The election of these board members will be supervised by the board and staff
36 of the Hampden County regional retirement board with the vote totals posted on the system's
37 website.

38 (b) One member shall be elected from and by the administrators who represent
39 member community agencies. This representative shall be one of the community administrators.
40 This individual need not be a member of the Hampden County regional retirement system.

41 (c) One member shall be elected from and by the administrators who represent the
42 housing authorities and fire and water districts agencies. The elected individual need not be a
43 member of the Hampden County regional retirement system; and

44 (d) One member shall be elected from and by the administrators who represent all
45 other Hampden County regional retirement member agencies including regional school districts,
46 veteran's service districts, emergency dispatch services and regional retirement boards. The
47 elected individual need not be a member of the Hampden County regional retirement system.

48 (e) The election of each of the three administrators in sections (B)(2)(a), (B)(2)(b)
49 and (B)(2)(c) shall be conducted by roll-call vote, and the record of each election, including vote
50 totals, shall be reported back to the agencies' chief elected official or body.

51 (3) One member of the board shall be appointed by the treasurers of the system
52 member agencies. This member shall serve for a 3-year term. The selection of this board
53 member shall be supervised by the treasurers.

54 (4) A board member may serve no more than three consecutive terms.

55 (5) The terms of the 7 board members shall be staggered so that 2 members are elected
56 in 2 consecutive years and 3 members are elected in the third year.

57 (6) Every 2 years, the board by majority vote shall elect 1 of its members to serve as
58 chair of the board.

59 (7) Board members shall be 7 distinct individuals and no more than 2 members of the
60 board shall be affiliated with the same member agency of the Hampden County regional
61 retirement system.

62 SECTION 2. The board shall create, or direct to be created, by-laws of the organization.
63 The by-laws shall include, but not be limited to the organizational structure, voting and election
64 procedures, including a procedure for the filling of board vacancies, the role of the treasurers'
65 advisory board, investment policies, frequency and responsibility for agency financial reporting
66 and audits, committee and subcommittee structure as well as other policies and procedures of the
67 organization.

68 The by-laws of the Hampden County regional retirement board shall take effect when
69 ratified by a vote of 2/3 of the administrators. Subsequent revisions to the by-laws shall also
70 require a 2/3 approval vote of the administrators. All such votes require a publicly recorded vote
71 of the agency governing body.

72 SECTION 3. (a) Elections of board members as described in section 1B shall be
73 completed within 120 days following the passage of this act.

74 (b) The term of office for all persons serving as members of the board of the Hampden
75 county regional retirement system at the time of passage of this act shall end on the earlier date
76 of 120 days following the passage of this act or upon the election of the board as proscribed in
77 section 1.

78 (c) For the 6 members initially elected to the board as described in sections B(2)(a),
79 B(2)(b), B(2)(c) and B(2)(d), initial terms shall be staggered as follows:

80 (i) For the three members elected by the members (Section B(2)(a)) one member shall
81 serve for 1 year, one member for 2 years, and one member for 3 years.

82 (ii) The member elected through Section B(2)(b) shall serve an initial term of 1 year

83 (iii) The member elected through Section B(2)(c) shall serve an initial term of 2 years

84 (iv) The member elected through Section B(2)(d) shall serve an initial term of 3 years

85 (d) The board member appointed by the treasurers of the system shall serve a 3-year term.

86 (e) Subsequent terms for all elected board members shall be three years in duration.

87 (f) All board terms shall expire at the end of the state fiscal year so the first terms of all
88 elected officials may be less than a full 1, 2 or 3 years.

89 (g) The initial draft of by-laws for the Hampden county regional retirement board shall be
90 presented to the administrators for ratification within 180 days of the formation of the 7-member
91 board of directors. Agency operations may be conducted under these by-laws on an interim basis

92 following their presentation to the administrators. Ratified by-laws shall be in place within 270
93 days of the formation of the 7-member board of directors.

94 SECTION 4. This act shall take effect upon its passage.