

HOUSE No. 3560

Section 21 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 3566). July 12, 2013.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing a public employee retirement administration commission.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith establish a public employee retirement commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 49 of chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is
2 hereby amended by striking out subsection (a) and inserting in place thereof the following
3 subsection:-

4 (a) There shall be within the executive office of administration and finance, but not
5 subject to its control, a public employee retirement administration commission which shall
6 consist of 9 members, 3 including the governor or a designee; 2 persons to be appointed by the
7 governor; 1 of whom shall be a representative of a public safety union and 1 of whom shall be
8 qualified by training and experience in the investment of funds as a result of having been
9 principally employed in such occupation for at least 10 years; the state auditor or a designee; 1
10 person to be appointed by the state auditor who shall be a representative of the Massachusetts
11 Municipal Association; 1 person to be appointed by the speaker of the house of representatives
12 who shall be a representative of a county, city or town contributory retirement system with assets
13 above \$500,000,000 at the time of appointment; 1 person to be appointed by the senate president
14 who shall be a representative of a county, city or town contributory retirement system with assets
15 above \$500,000,000 at the time of appointment; the president of the Massachusetts AFL-CIO or
16 a designee; and 1 person to be appointed by the first 8 members who shall be the chairperson.
17 Each member of the commission shall serve for a term of 5 years; provided, however, that in

18 making initial appointments, the governor and the state auditor shall each appoint 1 member for a
19 term of 3 years and 1 member for a term of 4 years. The members shall serve without
20 compensation but shall receive their necessary expenses incurred in the discharge of their official
21 duties. Upon the expiration of the term of an appointed member, including the chairperson, or
22 upon a vacancy otherwise created in those positions, the successor for that position shall be
23 appointed in the manner aforesaid or for the remainder of said term, whichever is applicable. In
24 the event the representative of a public safety union or the designee of the president of the
25 Massachusetts AFL-CIO is a public employee, he or she shall be granted leave, without loss of
26 pay or benefits and without being required to make up lost time, if on duty, for regularly
27 scheduled work hours while in the performance of responsibilities of the commission. The public
28 employee retirement administration commission shall select an executive director and enter into
29 an employment contract with said director. The provisions of sections 9A, 45, 46, and 46C of
30 chapter 30, chapter 31, and chapter 150E shall not apply to the executive director or any other
31 employee of the commission.