

HOUSE No. 4568

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>3/2/2022</i>
<i>Donald Davenport</i>	<i>Chair, Hampden Board of Selectmen</i>	<i>3/4/2022</i>
<i>Mark Gold</i>	<i>Member, Longmeadow Select Board</i>	<i>3/4/2022</i>
<i>Lyn Simmons</i>	<i>Longmeadow Town Manager</i>	<i>3/4/2022</i>
<i>Nick Breault</i>	<i>Wilbraham Town Administrator</i>	<i>3/4/2022</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>3/8/2022</i>
<i>Bob Markel</i>	<i>Hampden Town Administrator</i>	<i>3/8/2022</i>
<i>William Sapelli</i>	<i>Mayor of Agawam</i>	<i>3/8/2022</i>
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>3/8/2022</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>3/9/2022</i>

HOUSE No. 4568

By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe and others for legislation to establish an elected and appointed board for the Hampden County Regional Retirement System. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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. (a) Notwithstanding any general or special law to the contrary, the board of
2 the Hampden county regional retirement system, hereinafter referred to in this act as “the board”,
3 shall consist of 6 elected members and 1 appointed member. Except as provided by section 2,
4 each member shall serve a term of 3 years. The board shall be subject to the provisions of section
5 20 of chapter 32 of the General Laws.

6 (b) Six members of the board shall be elected as follows:

7 (i) Three members shall be elected at large by a majority of the members of the Hampden
8 county regional retirement system. Both active and retired members shall be eligible to vote for
9 these board members. Each of these 3 members' terms shall expire in a different year;

10 (ii) One member shall be elected to represent the community member agencies. This
11 representative shall be an elected or appointed town official. For example, a member of the select

12 board or a town council member, the town administrator or the town manager. Such member of
13 the board need not be a member of the Hampden county regional retirement system;

14 (iii) One member shall be elected to represent the housing authorities and fire and water
15 districts agencies. This representative shall be an elected, appointed, or full time employee
16 official of the agency. For example, the chair, treasurer, superintendent, director or executive
17 director of the agency. Such member of the board need not be a member of the Hampden county
18 regional retirement system; and

19 (iv) One member shall be elected to represent all other Hampden county regional
20 retirement member agencies including regional school districts, veteran's service districts,
21 emergency dispatch services, and regional retirement boards. This representative shall be an
22 elected or appointed official. For example, the school superintendent, school committee member
23 or executive director. Such member of the board need not be a member of the Hampden county
24 regional retirement system.

25 The public employee retirement administration commission shall have the right to
26 adjudicate any disputed eligibility of board members nominated or elected under the provisions
27 of this subsection.

28 (c) One member of the board shall be appointed by the treasurers of the system member
29 agencies. This member shall serve for a 3 year term.

30 (d) The terms of the 7 board members shall be staggered so that 2 members are elected in
31 2 consecutive years and 3 members are elected in the third year.

32 (e) Every 2 years, the board by majority vote shall elect 1 of its members to serve as
33 chair of the board.

34 (f) Board members shall be 7 distinct individuals and no more than 2 members of the
35 board shall be affiliated with the same member agency of the Hampden county regional
36 retirement system.

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

43 The by-laws of the Hampden county regional retirement board shall take effect when
44 ratified by 2/3 of the member agencies: each member agency having one vote. Subsequent
45 revisions to the by-laws shall also require a 2/3 vote of the member agencies. All such votes
46 require a publicly recorded vote of the agency governing body.

47 SECTION 3. (a) Elections of board members as described in section 1 shall be completed
48 within 120 days following the passage of this act, and shall be directed, organized and
49 administered by the board of the public employee retirement administration commission.

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

54 (c) For the 6 members initially elected to the board as described in section 1, 2 members
55 shall serve for 1 year, 2 members for 2 years and 2 members for 3 years. The board member
56 appointed by the treasurers of the system shall serve a 3 year term. All board terms shall expire
57 at the end of the state fiscal year so the first terms of all elected officials may be less than a full
58 1, 2 or 3 years.

59 (d) The initial draft of by-laws for the Hampden county regional retirement board shall be
60 presented to the member agencies for ratification within 180 days of the formation of the 7
61 member board of directors. Agency operations may be conducted under these by-laws on an
62 interim basis following their presentation to member agencies. Ratified by-laws shall be in place
63 within 270 days of the formation of the 7 member board of directors.

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