

DRAFT FOR DISCUSSION PURPOSES

Maine Retirement Savings Board Policy on Remote Participation

In accordance with Title 1, Section 403-B of the Maine Revised Statutes, it is the policy of the Maine Retirement Savings Board (“Board”) to allow Board members to participate remotely in Board meetings, including subcommittee meetings, under certain circumstances and using certain methods of remote participation.

1. Notice of Board Meetings

The Board will notify the public of the date, time and location of each meeting on the Board’s webpage, and/or the webpage of the Treasurer of State. If applicable, the notice will specify the means by which members of the public may access the meeting remotely. Notice of meetings will generally be provided at least one week before each meeting unless the Board is meeting due to an emergency or urgent issue.

2. Remote Participation by Board Members

Board members are expected to be physically present for Board meetings except when it is not practicable for a member to attend a meeting in person. Except as permitted by this Policy, only those Board members who are physically present at the physical location of a Board meeting may participate in the meeting.

3. Circumstances and Conditions Under Which Remote Participation is Permissible

A. Existence of an emergency or urgent issue.

- (1) If, as determined by the Board chair, an emergency or urgent issue arises that requires the Board to immediately schedule a meeting to address the emergency or urgent issue, one or more Board members may participate in the meeting from a remote location.
- (2) If, as determined by the Board chair, an emergency or urgent issue arises that requires the entire Board to meet remotely, the Board chair may authorize the Board to conduct a virtual meeting without a physical location. Board members would participate in such a virtual meeting from remote locations, and the public would be permitted to attend remotely.

B. Circumstances in which physical presence of Board member is not practicable. A Board member may participate in a Board meeting from a remote location under the following circumstances:

- (1) When the Board member has an illness or other physical or mental condition that causes the member to face significant difficulties traveling to and attending the Board meeting or that is contagious and would pose a substantial health risk to others if the Board member attended in person;
- (2) When there is a reasonable chance that the Board member’s health or safety will be compromised by attending the Board meeting in person;
- (3) When the Board member will be absent from the State at the time of a meeting and face significant difficulties traveling to and attending the Board meeting in person;
- (4) When the time for a Board member to travel to a meeting exceeds 60 minutes;
- (5) When the Board member’s residence is on an island that is not connected to the mainland by a bridge;

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(6) When events or occurrences out of the control of the Board member or the effects of such events or occurrences make travel by the Board member to the physical location not practicable; or

(7) When an emergency or urgent issue, as determined by the Board chair, requires the Board to meet remotely.

If a Board member determines it is not practicable for them to participate in a meeting in person, the member shall notify the Board staff as soon as possible. If the Board chair determines that an emergency or urgent issue requires the Board to meet remotely, the Chair shall notify Board staff as soon as possible.

4. Form of Remote Participation

When one or more Board members will be participating remotely or the Board will be conducting a virtual meeting, the Board will schedule a meeting using an internet-based virtual meeting platform (e.g., Zoom) that provides simultaneous audio and video reception for all participants. The Board will provide access to the virtual meeting to Board members and the public.

5. Responsibilities of Board Members Who Participate Remotely

Any Board member who participates remotely must:

A. Have the technology, including Internet access, in their remote location sufficient to be seen and heard during the meeting and participate in the same capacity as those members physically present and be responsible for any costs associated with obtaining and maintaining the technology and equipment necessary to participate remotely.

B. Maintain decorum to the same extent as those Board members physically present. The Board Chair, in consultation with the Board Administrator and after an oral or written warning, may deny a Board member the option to participate remotely pursuant to this Policy if the member has failed to comply with this subsection on more than one occasion.

Procedures Applicable When Board Members May Participate Remotely

A. A member of the Board who participates from a remote location in accordance with this Policy is present for purposes of a quorum and voting.

B. If any Board member is participating in a Board meeting from a remote location, all votes taken by the Board during the meeting must be taken by roll call vote that can be seen and heard by the other members of the Board and the public.

C. If any Board member is participating from a remote location, the Board shall make all non-confidential documents and other materials, electronic or otherwise, considered by it during the meeting available to the public who attend by remote means to the same extent customarily available to members of the public who attend Board meetings in person, so long as no additional costs are incurred by the Board.

7. Accessibility to the Public

It is the policy of the Board to make its meetings as accessible as possible to all members of the public. In addition to remote attendance as permitted under section 4, members of the public may appear at a location designated in the public notice to attend any Board meeting. When an emergency or urgent

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issue requires the Board to meet remotely and the Board chair determines that allowing any in-person attendance is not practicable, remote attendance by the public must be permitted.

The Board will provide reasonable accommodations as necessary to allow members of the public with disabilities to access its meetings. A member of the public seeking a particular accommodation for a disability should request this by contacting the Board staff at (207)287-1670.

This Policy was adopted by the Board on [DATE] following a public hearing held on [DATE]