

HOUSE No. 4787

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO QUASI PUBLIC AGENCIES.

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

1 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL
2 COMMISSION RELATIVE TO QUASI PUBLIC AGENCIES.

3 Resolved, That there shall be established a special commission, to consist of 11
4 members, 3 of whom shall be members of the senate, 3 of whom shall be members of the house
5 of representatives, 1 of whom shall be the secretary of state or his designee, 1 of whom shall be
6 the state auditor or his designee, 1 of whom shall be the inspector general or his designee, 1 of
7 whom shall be the secretary of the executive off for administration and finance or his designee
8 and 1 of whom shall be the attorney general or her designee, for the purpose of making an
9 investigation and study of authorities and other quasi-public agencies, and their management,
10 organization, operation, administration, regulation, governance and finances, in the
11 commonwealth, to make formal recommendations regarding such authorities or quasi-public
12 agencies, their management, organization, operation, administration, regulation, governance and
13 finances, and to file proposed legislation, if any, to effectuate such recommendations relating to

the management, organization, operation, administration, regulation, governance and finances of authorities and quasi-public agencies in the commonwealth.. The chairman of said commission shall be selected by the members thereof. Section 2A of chapter 4 of the General Laws shall not apply to said commission. No member of said commission shall be found in violation of section 6, 7 or 23 of chapter 268A of the General Laws for conduct which involves his participation as a member of said commission, if he discloses any financial interest described in said section 6 or 7 or other interest described in said section 23 to the state ethics commission in writing before his participation as a member of said commission. Six members of the commission shall constitute a quorum and a majority of all members present and voting shall be required for any action voted by said commission including, but not limited to, voting on formal recommendations or proposed legislation.

Said commission, as part of its review, analysis and study, in making such recommendations regarding the management, organization, operation, administration, regulation, governance and finances of authorities and other quasi-public agencies, shall focus on and consider the following issues, proposals and impacts:

the administrative, managerial and fiscal systems and the accountability of such authorities or agencies;

quasi-public agency governance, financial management practices, accounting and controls;

whether policies and procedures are in place to assure the integrity of authority or quasi-public agency operations;

35 accountability of authorities and quasi-public agencies to the commonwealth, including
36 the executive and legislative branches, and to the public;

37 laws and regulations applicable to authorities and quasi-public agencies;

38 accounting and management standards and principles applicable to quasi-public agencies;

39 and

40 the consideration of any other issues, studies, proposals or impacts that, in the judgment
41 of the commission, may be relevant, pertinent or material to the study, analysis and review of the
42 commission.

43 The commission shall submit a copy of a final report of its findings resulting from its
44 study, review, analysis and consideration, including legislative recommendations, if any, to the
45 governor, president of the senate, speaker of the house of representatives, the chairmen of the
46 house and senate committees on ways and means and the chairmen of the joint committee on
47 state administration and regulatory oversight and shall file the report with the clerk of the house
48 of representatives on or before June 30, 2011. Any department, division, commission, public
49 body, authority, board, bureau or agency of the commonwealth shall cooperate with the
50 commission for the purpose of providing information or professional expertise and skill relevant
51 to the responsibilities of the commission.