

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Charles A. Murphy

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 a Special Commission to Update the Public Records Law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Charles A. Murphy</i>	<i>21st Middlesex</i>	<i>3/28/2012</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>3/29/2012</i>

HOUSE No.

By Mr. Murphy of Burlington, a petition (subject to Joint Rule 12) of Charles A. Murphy and Geoff Diehl for legislation to establish a special commission to review and make recommendations relative to updating public records laws. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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In the Year Two Thousand Twelve
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An Act Establishing a Special Commission to Update the Public Records Law.

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

1 There shall be a special commission to review and make recommendations to update the
2 public
3 records law. The commission shall consist of the governor or a designee; the secretary of
4 state
5 or a designee; the attorney general or a designee; 3 members of the senate, 2 of whom
6 shall
7 be appointed by the senate president and 1 of whom shall be appointed by the senate
8 minority
9 leader; and 3 members of the house of representatives, 2 of whom shall be appointed by
10 the

11 speaker of the house and 1 of whom shall be appointed by the minority leader of the
12 house. The

13 commission shall review the definition of public records in section 7 of chapter 4 of the
14 General

15 Laws and chapter 66 of the General Laws to determine what amendments need to be
16 made to

17 increase transparency in state government; provided, that the commission shall: (i)
18 recommend

19 that the public records exemption for the general court in section 18 of said chapter 66 be

20 removed; (ii) clarify that the executive and judicial branches are subject to the public
21 records

22 law; and (iii) recommend reasonable fees for the duplication of records by the public.

23 The commission shall hold a minimum of 3 public hearings and shall invite testimony
24 from

25 experts and the public.

26 The commission shall report to the general court the results of its investigation and

27 study and its recommendations together with drafts of legislation necessary to carry out

28 such recommendations, by filing the same with the clerks of the senate and the house of

29 representatives who shall forward the same to the chairs of the senate and house
30 committees on
31 post audit and oversight on or before September 1, 2012.