

# **HOUSE . . . . . No. 4143**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 4, 2014.

The committee on State Administration and Regulatory Oversight to whom were referred so much of the recommendations of the State Auditor (House, No. 3) as relates to enhancing the ability of the Bureau of Special Investigations to address fraud (House, No. 4); and the petition (accompanied by bill, Senate, No. 1459) of William N. Brownsberger for legislation relative to expanding the definition of public records to include subordinate entities of public entities; petition (accompanied by bill, Senate, No. 1461) of Harriette L. Chandler, Ruth B. Balser, Gale D. Candaras, Martha M. Walz and others for legislation to provide for a study of the commonwealths job classification system by the Human Resources Division; petition (accompanied by bill, Senate, No. 1462) of Sonia Chang-Diaz, Daniel A. Wolf and James B. Eldridge for legislation relative to jobs, workforce development, and main street fairness; petition (accompanied by bill, Senate, No. 1467) of Sal N. DiDomenico, William N. Brownsberger, Benjamin Swan and Michael J. Moran for legislation relative to the lease of Northeastern University Henderson boat house; petition (accompanied by bill, Senate, No. 1468) of Sal N. DiDomenico, William N. Brownsberger, Michael F. Rush, Sonia Chang-Diaz and other members of the General Court for legislation relative to a boat house land lease in the city of Boston; petition (accompanied by bill, Senate, No. 1482) of James B. Eldridge, James Arciero and Mark C. Montigny for legislation to restore public confidence in government by eliminating pay-to-play opportunities ; petition (accompanied by bill, Senate, No. 1483) of James B. Eldridge, Cory Atkins, Jennifer E. Benson and Denise Provost

for legislation to designate certain buildings in the town of Acton; petition (accompanied by bill, Senate, No. 1486) of Jennifer L. Flanagan, Elizabeth A. Malia, Anne M. Gobi, Jennifer E. Benson and other members of the General Court for legislation to strengthen impact, efficiency and accountability in the government-nonprofit partnership; petition (accompanied by bill, Senate, No. 1487) of Jennifer L. Flanagan and Thomas J. Calter for legislation relative to timely decisions by awarding authorities; petition (accompanied by bill, Senate, No. 1489) of John Hart, Jr. for legislation to recognize the flag of the former Republic of Vietnam; petition (accompanied by bill, Senate, No. 1490) of Robert L. Hedlund for legislation relative to the representation of governmental entities; petition (accompanied by bill, Senate, No. 1491) of Patricia D. Jehlen, Benjamin Swan, Robert M. Koczera, Ruth B. Balsler and other members of the General Court for legislation to require the disclosure of public funding; petition (accompanied by bill, Senate, No. 1493) of Brian A. Joyce for legislation to provide the Commonwealth with greater flexibility in public contracting; petition (accompanied by bill, Senate, No. 1496) of Brian A. Joyce for legislation to create a performance management system for the Commonwealth; petition (accompanied by bill, Senate, No. 1497) of Thomas P. Kennedy for legislation to expand the authority of the bureau of special investigations; petition (accompanied by bill, Senate, No. 1500) of Mark C. Montigny for legislation relative to the prohibition of the use of state funds; petition (accompanied by bill, Senate, No. 1501) of Mark C. Montigny for legislation relative to annual reports; petition (accompanied by bill, Senate, No. 1503) of Mark C. Montigny for legislation relative to Oversight of Capital Expenditures in the Commonwealth; petition (accompanied by bill, Senate, No. 1504) of Mark C. Montigny for legislation relative to equitable pay at quasi-public agencies; petition (accompanied by bill, Senate, No. 1505) of Mark C. Montigny for legislation relative to former state employees and elected officials; petition (accompanied by bill, Senate, No. 1506) of Michael O. Moore and Geoff Diehl for legislation to promote safety in transportation projects through public inspections; petition (accompanied by bill, Senate, No. 1509) of Richard T. Moore, Angelo L. D'Emilia, Michael O. Moore, John V. Fernandes and other members of the General Court for legislation to establish the commission on government accountability, economy, and efficiency; petition (accompanied by bill, Senate, No. 1510) of Richard T. Moore, Angelo L. D'Emilia, Michael O. Moore, Randy Hunt and other members of the General Court for legislation to established the Sunset Review Commission; petition (accompanied by bill, Senate, No. 1512) of Richard T. Moore and Randy Hunt for legislation relative to the Inspector General Council; petition (accompanied by bill, Senate, No. 1513) of Richard T. Moore, Jason M. Lewis, Angelo L. D'Emilia, Michael O. Moore and other members of the General Court for legislation to eliminate waste and improve public oversight of state agencies; petition (accompanied by bill, Senate, No. 1515) of Richard T. Moore, Jason M.

Lewis, Angelo L. D'Emilia, Randy Hunt and other members of the General Court for legislation to promote value and efficiency in the delivery of state services; petition (accompanied by bill, Senate, No. 1516) of Richard T. Moore, Michael F. Rush, Michael O. Moore and Tom Sannicandro for legislation to provide for efficient use of leased or rented property and prevent waste in use of leased or rented facilities; petition (accompanied by bill, Senate, No. 1518) of Richard T. Moore for legislation relative to the human resources division; petition (accompanied by bill, Senate, No. 1524) of Marc R. Pacheco for legislation relative to protecting the taxpayers of the Commonwealth; petition (accompanied by bill, Senate, No. 1525) of Marc R. Pacheco for legislation to debar employers who violate federal immigration laws from contracting with the Commonwealth; petition (accompanied by bill, Senate, No. 1528) of Michael J. Rodrigues for legislation relative to energy burdens; petition (accompanied by bill, Senate, No. 1529) of Michael J. Rodrigues and Antonio F. D. Cabral for legislation to increase the transparency of the Massachusetts Historical Commission; petition (accompanied by bill, Senate, No. 1530) of Theodore Mieczkowski for legislation to make certain changes in the bidding of public construction contracts; petition (accompanied by bill, Senate, No. 1534) of Michael F. Rush, Mayor Thomas M. Menino, William N. Brownsberger, Carlo Basile and other members of the General Court for legislation to allow for municipal innovation through procurement reform; petition (accompanied by bill, Senate, No. 1536) of Bruce E. Tarr and Michael R. Knapik for legislation to procure contracts for the design, construction, financing and operation of wastewater and water treatment facilities; petition (accompanied by bill, Senate, No. 1537) of Bruce E. Tarr, Richard J. Ross and Geoff Diehl for legislation relative to human contact with state agencies; petition (accompanied by bill, Senate, No. 1538) of Bruce E. Tarr and Richard J. Ross for legislation relative to the accountability of the governor's council; petition (accompanied by bill, Senate, No. 1539) of Bruce E. Tarr and Richard J. Ross for legislation to create the Commonwealth Competition Council; petition (accompanied by bill, Senate, No. 1540) of Bruce E. Tarr, Richard J. Ross, Geoff Diehl and Carolyn C. Dykema for legislation to require fiscal responsibility; petition (accompanied by bill, Senate, No. 1541) of Bruce E. Tarr and Angelo L. D'Emilia for legislation to require government neutrality in all public construction projects; petition (accompanied by bill, Senate, No. 1542) of Bruce E. Tarr, Richard J. Ross, Geoff Diehl and Michael R. Knapik for legislation relative to a worker documentation certification program; petition (accompanied by bill, Senate, No. 1543) of Bruce E. Tarr and Michael R. Knapik for legislation to increase efficiencies in state government; petition (accompanied by bill, Senate, No. 1544) of Bruce E. Tarr, Richard J. Ross, Geoff Diehl and Carolyn C. Dykema for legislation relative to zero-based budgeting and budget transparency; petition (accompanied by bill, Senate, No. 1545) of Bruce E. Tarr and Michael R. Knapik for legislation relative to state

spending control; petition (accompanied by bill, Senate, No. 1546) of Bruce E. Tarr and Michael R. Knapik for legislation relative to the Commonwealth's direct debt; petition (accompanied by bill, Senate, No. 1547) of Bruce E. Tarr and Bradley H. Jones, Jr. for legislation relative to the use of project labor agreements; petition (accompanied by bill, Senate, No. 1548) of Bruce E. Tarr for legislation relative to the confidentiality of employee settlements; petition (accompanied by bill, Senate, No. 1549) of Bruce E. Tarr and Robert L. Hedlund for legislation to create accountability for legislative reports; petition (accompanied by bill, Senate, No. 1550) of Bruce E. Tarr, Geoff Diehl, Michael R. Knapik and Robert L. Hedlund for legislation to establish the Commonwealth Competition Council; petition (accompanied by bill, Senate, No. 1551) of Bruce E. Tarr, Michael R. Knapik, Richard J. Ross, Robert L. Hedlund and others for legislation to promote private sector job growth and reduce state spending; petition (accompanied by bill, Senate, No. 1552) of Bruce E. Tarr, Robert L. Hedlund and Bradley H. Jones, Jr. for legislation to reform the regulatory process; petition (accompanied by bill, Senate, No. 1553) of Bruce E. Tarr and Leonard Mirra for legislation to promote contract efficiency; petition (accompanied by bill, Senate, No. 1554) of James E. Timilty for legislation relative to the electrical oversight of the convention center; petition (accompanied by bill, Senate, No. 1555) of James E. Timilty for legislation relative to the electrical oversight of the Saltonstall Building; petition (accompanied by bill, Senate, No. 1556) of James E. Timilty for legislation relative to price adjustment; petition (accompanied by bill, Senate, No. 1558) of James E. Timilty for legislation relative to public construction reform; petition (accompanied by bill, Senate, No. 1559) of James E. Timilty for legislation relative to public records; petition (accompanied by bill, Senate, No. 1562) of James T. Welch for legislation relative to the appointment of executive secretaries; petition (accompanied by bill, House, No. 769) of Michael J. Moran relative to the lease of Boston University Sailing Pavilion and youth programs; petition (accompanied by bill, House, No. 770) of Michael J. Moran relative to the lease of Northeastern University Henderson boat house and youth access; petition (accompanied by bill, House, No. 771) of Michael J. Moran relative to the lease of Northeastern University Henderson boat house and youth programs; petition (accompanied by bill, House, No. 2772) of Denise Andrews, Scott Hyman and Gloria L. Fox for legislation to change the official tree and tree emblem of the Commonwealth from the American elm to the northern red oak; petition (accompanied by bill, House, No. 2773) of James Arciero relative to prohibiting the use of personal names on state property; petition (accompanied by bill, House, No. 2776) of Bruce J. Ayers relative to providing for an investigation by the Inspector General of leasing practices of the Massachusetts Water Resources Authority; petition (accompanied by bill, House, No. 2777) of Ruth B. Balsler and others for legislation to exempt public, educational and governmental community television

contracts from the Uniform Procurement Act; petition (accompanied by bill, House, No. 2780) of Garrett J. Bradley and others relative to the collection of certain fees; petition (accompanied by bill, House, No. 2782) of Antonio F. D. Cabral for legislation to include a price adjustment clause in state awarded contracts; petition (accompanied by bill, House, No. 2785) of Antonio F. D. Cabral relative to proprietary specifications in public construction; petition (accompanied by bill, House, No. 2786) of Antonio F. D. Cabral and Denise Provost relative to the open meeting law; petition (accompanied by bill, House, No. 2788) of Antonio F. D. Cabral and others relative to bidding for public construction contracts; petition (accompanied by bill, House, No. 2789) of Tackey Chan and Raymond McGrath relative to executive and legislative agents; petition (accompanied by bill, House, No. 2790) of Tackey Chan and Raymond McGrath for legislation to regulate the use of global positioning technology for the tracking of public employees; petition (accompanied by bill, House, No. 2791) of Nick Collins to establish a commission relative to the suitable placement of a memorial to Raymond L. Flynn; petition (accompanied by bill, House, No. 2795) of Michael A. Costello and Thomas J. Calter for legislation relative to the Massachusetts Commission Against Discrimination; petition (accompanied by bill, House, No. 2796) of Michael A. Costello for legislation to create a health policy commission; petition (accompanied by bill, House, No. 2798) of Peter J. Durant and others establishing the Rose Fitzgerald Kennedy Greenway division of the Department of Conservation and Recreation; petition (accompanied by bill, House, No. 2799) of Peter J. Durant and Paul K. Frost to the procurement of supplies or services under the uniform procurement law; petition (accompanied by bill, House, No. 2801) of Ryan C. Fattman for legislation to require a project labor agreement; petition (accompanied by bill, House, No. 2802) of Ryan C. Fattman for legislation to eliminate privatization contracts; petition (accompanied by bill, House, No. 2803) of Ryan C. Fattman relative to the organization of limited liability companies; petition (accompanied by bill, House, No. 2809) of Paul M. Leary relative to languages used in documents published by the Commonwealth; petition (accompanied by bill, House, No. 2810) of William C. Galvin that the Secretary for Administration and Finance be directed to designate the use of certain land abutting Route 95 or Dedham Street in the town of Canton for civic, recreational or social purposes; petition (accompanied by bill, House, No. 2811) of Sean Garballey for legislation to regulate the purchasing of state services by the Massachusetts Water Resource Authority; petition (accompanied by bill, House, No. 2815) of Thomas A. Golden, Jr. for legislation to create a health policy commission; joint petition (accompanied by bill, House, No. 2817) of Bradford Hill, Bruce E. Tarr and others for legislation to make the General Court subject to the open meeting law; petition (accompanied by bill, House, No. 2818) of Bradford Hill relative to accessible electronic information technology for persons with disabilities; petition

(accompanied by bill, House, No. 2820) of Kevin G. Honan and others for legislation to designate certain law enforcement records as public records; petition (accompanied by bill, House, No. 2821) of Steven S. Howitt and Donald F. Humason, Jr. relative to the employment of former members of the General Court; petition (accompanied by bill, House, No. 2823) of Bradley H. Jones, Jr. and others for legislation to prohibits the use of “union-only” requirements in public construction; petition (accompanied by bill, House, No. 2824) of Bradley H. Jones, Jr. and others that awarding authorities deciding to require a project labor agreement report to the House and Senate committees on Ways and Means; petition (accompanied by bill, House, No. 2825) of Bradley H. Jones, Jr. and others relative to political contributions; petition (accompanied by bill, House, No. 2826) of Bradley H. Jones, Jr. and others relative to increasing government efficiency through the use of electronic paperwork; petition (accompanied by bill, House, No. 2827) of Bradley H. Jones, Jr. and others for legislation to repeal the law restricting the privatization of certain governmental functions; petition (accompanied by bill, House, No. 2828) of Bradley H. Jones, Jr. and others that the State Auditor conduct annual audits of credit cards issued on behalf of state agencies; petition (accompanied by bill, House, No. 2829) of Bradley H. Jones, Jr. and others for legislation to provide regulatory reform to promote job growth; petition (accompanied by bill, House, No. 2833) of Jay R. Kaufman and Denise Andrews relative to fees for the use of State House facilities; petition (accompanied by bill, House, No. 2840) of Kay Khan relative to the accurate publication of the current debt and the current debt service costs; petition (accompanied by bill, House, No. 2848) of Kevin J. Kuros and others for legislation to exempt purchases of photography services by public schools from the Uniform Procurement Act; petition (accompanied by bill, House, No. 2849) of Kevin J. Kuros and others for legislation to establish a sunset commission to periodically review government agencies and authorities; petition (accompanied by bill, House, No. 2850) of Jason M. Lewis and others for an investigation by a special commission (including members of the General Court) to identify opportunities to improve the efficiency and effectiveness of state agencies, programs and services; petition (accompanied by bill, House, No. 2851) of Marc T. Lombardo relative to the protection of parents and children; petition (accompanied by bill, House, No. 2852) of Timothy R. Madden and Brian R. Mannel for legislation to further regulate the investigation of cases filed with the Massachusetts Commission Against Discrimination; petition (accompanied by bill, House, No. 2854) of Paul McMurtry for legislation to require the filing of affidavits of truthful and complete information in all bids or offers for public works projects; petition (accompanied by bill, House, No. 2855) of Paul McMurtry for legislation to exempt senior citizens from Board of Building Regulations and Standard licensing requirements; petition (accompanied by bill, House, No. 2860) of Kevin J. Murphy for legislation to place the Department of Youth Services under

the jurisdiction of the Department of Public Safety; petition (accompanied by bill, House, No. 2866) of George N. Peterson, Jr. relative to the interaction of state agencies with Native-American tribes; petition (accompanied by bill, House, No. 2867) of Denise Provost relative to the use of audio or video recordings as minutes of public bodies; petition (accompanied by bill, House, No. 2872) of Byron Rushing, Kay Khan and Denise Provost for legislation to require companies entering into contracts with the Commonwealth to disclosure information of their participation in the historic slave trade; petition (accompanied by resolve, House, No. 2873) of Byron Rushing and others for an investigation by a special commission (including members of the General Court) relative to the seal and motto of the Commonwealth; petition (accompanied by bill, House, No. 2875) of Tom Sannicandro and others for legislation to prohibit the use of state funds to purchase bottled water; petition (accompanied by bill, House, No. 2885) of Todd M. Smola relative to the powers of the Secretary of the Commonwealth regarding certain ethics laws; petition (accompanied by bill, House, No. 2887) of Thomas M. Stanley and John J. Lawn, Jr. relative to the disposition of certain surplus state property; petition (accompanied by bill, House, No. 2888) of Ellen Story for legislation to prohibit the imposition of parking fees upon employees of the Commonwealth at institutions of higher education; petition (accompanied by bill, House, No. 2893) of David T. Vieira and Chris Walsh relative to local option approval of building code amendments; petition (accompanied by bill, House, No. 2894) of David T. Vieira relative to local approvals of home rule petitions; petition (accompanied by bill, House, No. 2896) of Chris Walsh relative to publications provided by the State Ethics Commission to county and municipal employees concerning conduct of public officials and employees; petition (accompanied by bill, House, No. 2897) of Martin J. Walsh and others relative to prohibiting alcohol advertising on property owned by the Commonwealth; petition (accompanied by bill, House, No. 2900) of Martin J. Walsh and Thomas J. Calter for legislation to further regulate the length of term of public contracts; petition (accompanied by bill, House, No. 2903) of Steven M. Walsh establishing a paperwork reduction program for agencies of the Commonwealth; petition (accompanied by bill, House, No. 2906) of Daniel B. Winslow and others for legislation to authorize the Suggestions Awards Board within the Executive Office for Administration and Finance to offer certain financial awards to citizens for suggestions reducing the cost of government; petition (accompanied by bill, House, No. 2907) of Daniel B. Winslow relative to encouraging cost savings by crediting state departments and agencies a percentage of annual unexpended appropriations for employee incentives; petition (accompanied by bill, House, No. 2908) of Daniel B. Winslow and others for legislation to enhance technology in civic engagement; petition (accompanied by bill, House, No. 2909) of Daniel B. Winslow relative to financial disclosures by certain public officials, employees and candidates

for public office; petition (accompanied by bill, House, No. 3322) of Peter J. Durant relative to authorizing the release of certain land in the town of Dudley from the operation of an agricultural preservation restriction; petition (accompanied by bill, House, No. 3365) of Thomas A. Golden, Jr., Kevin J. Murphy and Colleen M. Garry relative to further regulating the issuance of certificates of organization to corporations and limited liability companies; petition (accompanied by bill, House, No. 3366) of John H. Rogers, Christine E. Canavan and Cory Atkins relative to contracts for the construction of public school safety projects; petition (accompanied by bill, House, No. 3404) of Matthew A. Beaton relative to amendments to the State Building Code which impose additional costs; petition (accompanied by bill, House, No. 3405) of Paul McMurtry and others for legislation to provide public access to local, state and federally issued operating licenses issued to certain businesses; petition (accompanied by bill, House, No. 3435) of Aaron Vega, Paul R. Heroux and Benjamin Swan for legislation to provide incentives for the employment of residents of the Commonwealth in public construction contracts; petition (accompanied by bill, House, No. 3497) of Jennifer E. Benson and James B. Eldridge (by vote of the town) that the town of Harvard be exempt from laws governing certain improvements on public properties in said town; and petition (accompanied by bill, House, No. 3597) of James M. Cantwell and Josh S. Cutler for legislation to designate the song "Dream On" by Aerosmith as the official rock song of the Commonwealth, reports recommending that the accompanying order (House, No. 4143) ought to be adopted.

For the committee,

PETER V. KOCOT.



# HOUSE . . . . . No. 4143

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## The Commonwealth of Massachusetts

House of Representatives, June 344, 2014.



1           *Ordered*, That the committee on State Administration and Regulatory Oversight be  
2 authorized to sit during a recess of the General Court to make an investigation and study of  
3 Senate documents numbered 1459, 1461, 1462, 1467, 1468, 1482, 1483, 1486, 1487, 1489, 1490,  
4 1491, 1493, 1496, 1497, 1500, 1501, 1503, 1504, 1505, 1506, 1509, 1510, 1512, 1513, 1515,  
5 1516, 1518, 1524, 1525, 1528, 1529, 1530, 1534, 1536, 1537, 1538, 1539, 1540, 1541, 1542,  
6 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1558,  
7 1559, and 1562 and House documents numbered 4, 769, 770, 771, 2772, 2773, 2776, 2777,  
8 2780, 2782, 2785, 2786, 2788, 2789, 2790, 2791, 2795, 2796, 2798, 2799, 2801, 2802, 2803,  
9 2809, 2810, 2811, 2815, 2817, 2818, 2820, 2821, 2823, 2824, 2825, 2826, 2827, 2828, 2829,  
10 2833, 2840, 2848, 2849, 2850, 2851, 2852, 2854, 2855, 2860, 2866, 2867, 2872, 2873, 2875,  
11 2885, 2887, 2888, 2893, 2894, 2896, 2897, 2900, 2903, 2906, 2907, 2908, 2909, 3322, 3365,  
12 3366, 3404, 3405, 3435, 3497, and 3597, relative to State Administration.

13           Said committee shall report to the General Court the results of its investigation and study  
14 and its recommendations, if any, together with drafts of legislation necessary to carry such  
15 recommendations into effect, by filing the same with the Clerk of the House of Representatives  
16 on or before December 31, 2014.