

An act limiting nonprofit corporation and public charity salaries

Representatives Durant of Spencer, Orrall of Lakeville, Lyons of Andover, Smola of Palmer, Winslow of Norfolk, Beaton of Shrewsbury, Fattman of Sutton, Kuros of Uxbridge, Webster of Pembroke, Adams of Andover, Ross of Attleboro, Diehl of Whitman and Levy of Marlborough move to amend the bill by inserting the following outside section:

"Section XX Limiting nonprofit corporation and public charity salaries.

SECTION 1. Chapter 180 of the General Laws is hereby amended by adding the following section:

Section 30. (a) A nonprofit corporation incorporated under the laws of the commonwealth and subject to this chapter or a public charity holding funds subject to the provisions of section 8 of chapter 12 that receives any public funds from the commonwealth equal to or greater than 30 percent of such nonprofit or public charity's yearly budget shall be subject to the provisions of this section; provided, however that a non-profit hospital corporation organized under chapter 176A shall not be subject to this section.

(b) The annual compensation of the executive staff of a nonprofit corporation or public charity governed by this section shall be limited based on the annual budget size of the organization and executive positions as follows:

<i>(1) Position</i>	<i>Budget Size (dollars)</i>	<i>Salary</i>
Executive Director/CEO	< \$249,999	\$48,744
	250,000 – 999,999	73,391
	1,000,000 - 2,499,999	93,153
	2,500,000 – 9,999,999	128,117
	10,000,000 – 24,999,999	136,013
	25,000,000 <	208,985
Associate Director / COO	< \$999,999	\$50,520
	1,000,000 - 2,499,999	73,374
	2,500,000 – 9,999,999	90,908
	10,000,000 – 24,999,999	109,361
	25,000,000 <	136,253

Programming Director	< \$999,999	\$58,406
	1,000,000 – 2,499,999	69,688
	2,500,000 – 9,999,999	87,728
	10,000,000 – 24,999,999	88,877
	25,000,000 <	110,490
Administrative Director	< \$2,499,999	\$67,965
	2,500,000 – 24,999,999	77,386
	25,000,000 <	86,385

For the purposes of this section, compensation shall include salary, bonus and incentive pay, deferred compensation and nontaxable level benefits.

(c) Annual compensation increases, beginning in FY' 14, for any such employee under this section shall be limited to the per cent change in inflation as measured by the annual per cent change in the consumer price index for all urban consumers for the Boston metropolitan area as determined by the Bureau of Labor Statistics of the United States Department of Labor.

SECTION 2. Notwithstanding any general or special law to the contrary, a nonprofit corporation incorporated under the laws of the commonwealth and subject to chapter 180 of the General Laws or a public charity holding funds subject to the provisions of section 8 of chapter 12 of the General Laws receiving any public funds from the commonwealth which are equal to or greater than 30 per cent of such nonprofit or public charity's yearly budget shall file with the state secretary the amount of the annual compensation of its employees listed in sections 30 (b) for each calendar year on or before March 31, of the following year. For the purposes of this section, compensation shall include salary, bonus and incentive pay, deferred compensation and nontaxable level benefits.

SECTION 3. A nonprofit corporation incorporated under the laws of the commonwealth and subject to this chapter or a public charity holding funds subject to the provisions of section 8 of chapter 12 found in violation of Section 30 (b) of this chapter shall lose its status as a non-profit as it is organized and operates under the general laws.

SECTION 4. Subsection (b) of section 30 of chapter 180 of the General Laws shall take effect January 1, 2013.