

# SENATE NO. 1882

## **AN ACT** TO REFORM OR ELIMINATE WASTEFUL GOVERNMENT PROGRAMS

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

1 SECTION 1. Chapter 4 of the General Laws as most recently appearing in the 2004 Official Edition  
2 is hereby amended by inserting after section 1A, the following new section:

3 Section 1B. Bureaucracy Realignment and Closure Commission.

4 Section 1. Title. This act shall be known and may be cited as the Bureaucracy Realignment and  
5 Closure Commission..

6 Section 2. Establishment. There is hereby established within the office of the Governor a  
7 Bureaucracy Realignment and Closure Commission, hereinafter, “the Commission,” for the purpose  
8 of developing and implementing a timely, independent, and fair process for realigning or closing  
9 outdated or ineffective and inefficient governmental agencies, bureaucracies, boards, and  
10 commissions.

11 Section 3. Definitions.

12 “Commission” means the Bureaucracy Realignment and Closure Commission established  
13 pursuant to this act.

14 “Management experience” means a person who possesses a master of arts degree, and equivalent  
15 degree, or a more advanced degree in the field of business management or public administration or  
16 related fields.

17 “State bureaucracy” means every state agency, office, officer, department, division, bureau,  
18 board, or commission, including the public system of higher education.

19 Section 4. Membership.

20 (a) The Bureaucracy Realignment and Closure Commission established pursuant to this act  
21 shall be composed of the following members, who shall not hold any official position within  
22 the executive, legislative or judicial branches of state government:

23 One member who shall be designated by the Speaker of the House of Representatives;

24 One member who shall be designated by the Minority Leader of the House of  
25 Representatives;

26 One member who shall be designated by the President of the Senate;

27 One member who shall be designated by the Minority Leader of the Senate;

28 Four members who shall be designated by the Governor, at least one of whom shall not be  
29 of the same political party as the Governor;

30 One member who shall be the State Auditor, or his designee;

31 One member who shall be the Inspector General, or his designee; and

32 One member who shall serve as chair, who shall be appointed by the Chief Administrative  
33 Justice of the Trial Court of the Commonwealth.

34 Each member of the Commission shall be a resident of the Commonwealth.

35 (b) Each member shall, without compensation, for a term of three years, and may be eligible for  
36 re-appointment once, but shall be entitled to reimbursement for necessary expenses incurred  
37 in the performance of his or her official duties.

38 (c) Each member of the commission shall have substantial management experience in either  
39 public, private non-profit, or private sectors prior to his or her appointment to the  
40 commission.

41 (d) The commission may employ, subject to appropriation, an executive director, general  
42 counsel, and any clerical, professional, and technical assistants or consultants as may appear  
43 necessary.

#### 44 Section 5. Conflict of Interest.

45 (a) No member of the commission shall have held a paid position with a federal, state, or local  
46 governmental agency within five years of the effective date of his appointment.

47 (b) No member of the commission shall be any of the following:

- 48 1. A party to an ongoing contract with a federal, state, or local government agency.
- 49 2. Employed by an entity that is a party to an ongoing contract with a federal, state, or  
50 local agency.
- 51 3. Employed by a federal, state, or local government agency.
- 52 4. A person who, at the time of his appointment or during his or her term of service,  
53 qualifies as a legislative agent or executive agent or employee of a lobbyist entity as  
54 defined in section 39 of chapter 3 of the general laws.

#### 55 Section 6. Duties.

56 The commission shall do all of the following:

- 57 (a) Examine state bureaucracies in the Commonwealth primarily to determine if the  
58 jurisdiction of various agencies overlap or if an agency's mission has become obsolete.
- 59 (b) Submit a report to the Governor and the General Court that sets forth findings that  
60 recommend needed reforms and establishes a list of bureaucracies proposed to be re-  
61 aligned or abolished.
- 62 (c) Propose realignment or closure of state bureaucracies within the Commonwealth in order  
63 to reduce duplication of services, increase productivity, and re-establish the proper role of  
64 government.
- 65 (d) Examine the current configuration of state bureaucracies and investigate their duties and  
66 responsibilities.

67 Section 7. Powers.

68 The commission may do any of the following:

- 69 (a) Meet at times and places that it may deem proper pursuant to the provisions of M.G.L.  
70 chapters 30A and 66.
- 71 (b) Administer oaths
- 72 (c) Contract, as it deems necessary for the rendition of services, facilities, studies, and reports  
73 that will best assist the commission in carrying out its duties and responsibilities.