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Bill Text for SB1486 (SD446) of 2013-2014 Session

An Act to strengthen impact, efficiency and accountability in the government-nonprofit partnership

Prime sponsor: **Senator Jennifer L. Flanagan (D)**

SENATE DOCKET, NO. 446 FILED ON: 1/16/2013

SENATE No. 1486

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer L. Flanagan

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 passage of the accompanying bill:

An Act to Strengthen Impact, Efficiency and Accountability in the Government-Nonprofit Partnership.

PETITION OF:

Name:	District/Address:
Jennifer L. Flanagan	Worcester and Middlesex
Elizabeth A. Malia	11th Suffolk
Anne M. Gobi	5th Worcester
Jennifer E. Benson	37th Middlesex
William N. Brownsberger	Second Suffolk and Middlesex
Martin J. Walsh	13th Suffolk
Aaron Vega	5th Hampden
William Smitty Pignatelli	4th Berkshire
Thomas P. Conroy	13th Middlesex
Sal N. DiDomenico	Middlesex and Suffolk
James B. Eldridge	Middlesex and Worcester
Jonathan Hecht	29th Middlesex
Gale D. Candaras	First Hampden and Hampshire
Denise Provost	27th Middlesex
Chris Walsh	6th Middlesex
Michael R. Knapik	Second Hampden and Hampshire
Michael O. Moore	Second Worcester
Tom Sannicandro	7th Middlesex
Bruce E. Tarr	First Essex and Middlesex

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SENATE No. 1486

By Ms. Flanagan, a 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. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to Strengthen Impact, Efficiency and Accountability in the Government-Nonprofit Partnership.

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

SECTION 1. [Chapter 7](#) of the General Laws is hereby amended by inserting after section 61 the following sections:-

Section 62. (a) There shall be hereby established a permanent interagency coordinating group on the government-nonprofit partnership ("coordinating group") within, but not subject to control of, the executive office of administration and finance. The coordinating group shall have the goals of: (i) increasing the impact of state funds granted or contracted to nonprofits; (ii) improving efficiency in the grant and contracting systems and processes between state government and nonprofits; and (iii) strengthening accountability in the government-nonprofit partnership by improving the use of data and technology to inform decision-making and oversight. Further, the coordinating group shall: (i) identify and develop on-going opportunities to improve the impact, efficiency, and accountability of the government-nonprofit partnership; and (ii) make recommendations as to the need for legislation, ad hoc Commissions, or task forces.

(b) The coordinating group shall consist of at least 13 members, 1 of whom shall be appointed by the governor, who shall serve as the chair; 1 of whom shall be appointed by the executive office of administration and finance; 1 of whom shall be appointed by the attorney general; 1 of whom shall be appointed by the auditor; 1 of whom shall be appointed by the executive office of education; 1 of whom shall be appointed by the executive office of elder affairs; 1 of whom shall be appointed by the executive office of energy and environmental affairs; 1 of whom shall be appointed by the executive office of health and human services; 1 of whom shall be appointed by the executive office of housing and economic development; 1 of whom shall be appointed by the executive office of labor and workforce development; 1 of whom shall be appointed by the executive office of public safety and security; 1 of whom shall be appointed by the secretary of state; and 1 of whom shall be appointed by the state treasurer. Additional members may be appointed from state agencies as deemed necessary by the governor. Appointment of all members of the coordinating group shall be completed no later than 90 days following the enactment of this act. The chair and vice chair of the special commission on government-nonprofit impact, effectiveness and efficiency in [Chapter 7 Section 62a](#), shall serve as non-voting ex-officio members of the coordinating group.

(c) The coordinating group shall hold its first meeting no more than 150 days following the enactment of this act. The coordinating group shall meet at least 5 times each calendar year.

(d) The coordinating group shall receive staff assistance from the executive office of administration and finance and may employ additional staff or contract with consultants, including independent research organizations.

(e) The coordinating group shall file biennial reports to the governor's office, office of the speaker of the house of representatives, and the office of the senate president no later than October 1 of the year of the end of session. The reports shall include, but not be limited to: (i) the activities of the coordinating group; (ii) the ways in which these activities have improved impact, efficiency, and accountability in the government-nonprofit partnership; (iii) the impact of the government-nonprofit partnership on important social issues; (iv) the impact of the government-nonprofit partnership on the economy of the commonwealth; and (v) any recommendations for legislation, policy changes, ad hoc commissions, or task forces focused on further improving the impact, efficiency, and accountability in the government-nonprofit partnership.

Section 62a. (a) There shall be hereby established a special commission on government-nonprofit impact, effectiveness and efficiency (commission) under the auspices of the interagency coordinating group on the government-nonprofit partnership in [Chapter 7 Section 62](#) ("coordinating group") to conduct a comprehensive review and evaluation of how the commonwealth partners with nonprofit organizations. The commission shall, but not be limited to: (i) examine how to increase the impact of the commonwealth's funds that are granted or contracted to nonprofits; (ii) examine how to improve efficiency in the grant and contracting systems between the commonwealth and nonprofits; and (iii) examine how to strengthen accountability in the government-nonprofit partnership by improving the use of data and technology to inform decision-making and oversight. The Commission shall: (i) conduct a review of research and best practices; (ii) conduct a statewide survey of nonprofits; and (iii) hold three public hearings and collect public testimony.

(b) The commission shall consist of 17 members, 1 of whom shall be appointed by the Speaker of the House of Representatives; 1 of whom shall be appointed by the minority leader of the House of Representatives; 1 of whom shall be appointed by the President of the Senate; 1 of whom shall be appointed by the minority leader of the Senate; 1 of whom shall be

appointed by the Governor; 1 of whom shall be an executive of a non-profit organization with annual revenues of \$1 million or less; 1 of whom shall be an executive of a non-profit organization with annual revenues of greater than \$1 million and less than \$5 million; 1 of whom shall be an executive of a non-profit organization with annual revenues of greater than \$5 million and less than \$25 million; 1 of whom shall be an executive of a non-profit organization with annual revenues of \$25 million or greater; 1 of whom shall be a representative of the Massachusetts Nonprofit Network; 1 of whom shall be a member of the [Chapter 257](#) Provider and Consumer Advisory Council; 1 of whom shall be a representative of the volunteerism and national service community; 1 of whom shall be a representative of the funding and grant making community; 1 of whom shall be a representative of the social innovation, entrepreneurship, and enterprise community; 1 of whom shall be a representative of the faith-based community; 1 of whom shall be a representative of a college or university; and 1 of whom shall be a representative of the private sector. The governor shall select, from among the members of the commission, a chairperson and a vice chairperson. Each individual appointed to the Council shall possess extensive experience or expertise with respect to one more of the following areas: (i) the management and operations of nonprofit organizations; (ii) the management and operations of state government; (iii) the relationship between nonprofits and state government; (iv) social innovation, entrepreneurship and enterprise; (v) qualitative and quantitative research and analysis; or (vi) the management and operation of businesses. Appointment of all members of the commission shall be completed no later than 90 days following the enactment of this act.

(c) The commission shall file a report of their findings, together with specific recommendations, to the coordinating group no later than one year following the commission's first meeting. . The coordinating group shall file a report to the governor, the speaker of the house, and the senate president, within 180 days of receipt of the report regarding how the coordinating groups intends to implement the recommendations of the commission. The coordinating group shall also hold a public summit within 180 days of receipt of the report that will inform the nonprofit community, government leaders, and the public on the findings and recommendations within the commission and coordinating group reports.