

SENATE No. 1457

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 relative to the reform of the Executive Council.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bruce E. Tarr	First Essex and Middlesex
Joyce A. Spiliotis	12th Essex
Susan C. Tucker	Second Essex and Middlesex
Linda Dean Campbell	15th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE REFORM OF THE EXECUTIVE COUNCIL.

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.** Section 11A of Chapter 30A of the General Laws is hereby amended in
2 the first paragraph by inserting after the phrase “any part thereof,” the phrase “or the Executive
3 Council”.

4 **SECTION 2.** Chapter 30A of the General Laws is hereby amended by inserting after
5 Section 18 the following new section:-

6 “Section 19. Executive Council; Annual Reports; Website

7 Section 19. (a) The Executive Council shall issue an "Annual Report" to the Governor and to the
8 Joint Committee on the Judiciary not prior to December 1 but not later than December 31 of each
9 year. The Annual Report shall include, without limitation, a synopsis of each vote taken by each
10 of the members of the Executive Council, a study of its organization, rules and methods of
11 procedure and practice, the work accomplished and the results produced by that system and those
12 processes as adopted by the Executive Council from time to time and a plan for implementation
13 of recommendations by the Executive Council it intends to undertake to improve such
14 organization, rules and methods of procedure and practice.

15 The Governor shall have 45 days from the date of submission to review the Annual Report and
16 may require that the Annual Report be supplemented with additional and pertinent information

17 germane to the subject matter of the Annual Report and the Constitutional charge of the
18 Executive Council. If no comments are received by the Executive Counsel from the Governor
19 within 45 days, then the Annual Report shall become final. If, within 45 days, the Governor
20 submits comments to the Executive Council requiring revisions to the Annual Report, then the
21 Executive Council shall have an additional 30 days to revise the Annual Report and re-submit
22 such revised Annual Report to the Governor and the Joint Committee on the Judiciary, after
23 which the Annual Report shall become final.

24 (b) The Executive Council shall establish and maintain its own official website. The content of
25 the Executive Council's website shall contain, at minimum, such information including, without
26 limitation, biographical information of each of its members to be updated no less frequently than
27 immediately after the administration of the oath of office of each Executive Counsel member
28 following each biannual election of its members and further, the website shall contain each
29 Executive Council member's respective voting record to be published and updated on a monthly
30 basis. The Executive Council shall also cause all records of its meetings, including, without
31 limitation, all transcripts, questionnaires and other documentation used by the Executive Council
32 in carrying out its duties along with a record of all votes taken and such other documents and
33 records as required under the Open Meeting Law to be published on its official website no later
34 than a date which is 30 days after the date of such meeting or vote is taken unless such date is a
35 Saturday, Sunday or federal or state holiday and, in that case, the next day following on the date
36 when official business of the state is conducted in the Commonwealth of Massachusetts.

37 Additionally, the Executive Council shall publish on its website its final Annual Report within
38 30 days after its submission or resubmission to the Governor and the Joint Committee on the
39 Judiciary.”

40 **SECTION 3.** Section 2(b) of this act shall take effect twelve months after this passage of
41 this act.