

SENATE No. 1645

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>

SENATE No. 1645

By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 1645) of Jennifer L. Flanagan, Jennifer E. Benson and Elizabeth A. Malia for legislation to strengthen impact, efficiency and accountability in the government-nonprofit partnership. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1486 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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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:

1 SECTION 1. Chapter 7 of the General Laws is hereby amended by inserting after section
2 61 the following sections:—

3 Section 62. (a) There shall be hereby established a permanent interagency coordinating
4 group on the government-nonprofit partnership (“coordinating group”) within, but not subject to
5 control of, the executive office of administration and finance. The coordinating group shall have
6 the goals of: (i) increasing the impact of state funds granted or contracted to nonprofits; (ii)
7 improving efficiency in the grant and contracting systems and processes between state
8 government and nonprofits; and (iii) strengthening accountability in the government-nonprofit
9 partnership by improving the use of data and technology to inform decision-making and

10 oversight. Further, the coordinating group shall: (i) identify and develop on-going opportunities
11 to improve the impact, efficiency, and accountability of the government-nonprofit partnership;
12 and (ii) make recommendations as to the need for legislation, ad hoc Commissions, or task
13 forces.

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

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

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

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

45 Section 62a. (a) There shall be hereby established a special commission on government-
46 nonprofit impact, effectiveness and efficiency (commission) under the auspices of the
47 interagency coordinating group on the government-nonprofit partnership in Chapter 7 Section 62
48 ("coordinating group") to conduct a comprehensive review and evaluation of how the
49 commonwealth partners with nonprofit organizations. The commission shall, but not be limited
50 to: (i) examine how to increase the impact of the commonwealth's funds that are granted or
51 contracted to nonprofits; (ii) examine how to improve efficiency in the grant and contracting
52 systems between the commonwealth and nonprofits; and (iii) examine how to strengthen
53 accountability in the government- nonprofit partnership by improving the use of data and
54 technology to inform decision-making and oversight. The Commission shall: (i) conduct a

55 review of research and best practices; (ii) conduct a statewide survey of nonprofits; and (iii) hold
56 three public hearings and collect public testimony.

57 (b) The commission shall consist of 17 members, 1 of whom shall be appointed by the
58 Speaker of the House of Representatives; 1 of whom shall be appointed by the minority leader of
59 the House of Representatives; 1 of whom shall be appointed by the President of the Senate; 1 of
60 whom shall be appointed by the minority leader of the Senate; 1 of whom shall be appointed by
61 the Governor; 1 of whom shall be an executive of a non-profit organization with annual revenues
62 of \$1 million or less; 1 of whom shall be an executive of a non-profit organization with annual
63 revenues of greater than \$1 million and less than \$5 million; 1 of whom shall be an executive of
64 a non-profit organization with annual revenues of greater than \$5 million and less than \$25
65 million; 1 of whom shall be an executive of a non-profit organization with annual revenues of
66 \$25 million or greater; 1 of whom shall be a representative of the Massachusetts Nonprofit
67 Network; 1 of whom shall be a member of the Chapter 257 Provider and Consumer Advisory
68 Council; 1 of whom shall be a representative of the volunteerism and national service
69 community; 1 of whom shall be a representative of the funding and grant making community; 1
70 of whom shall be a representative of the social innovation, entrepreneurship, and enterprise
71 community; 1 of whom shall be a representative of the faith-based community; 1 of whom shall
72 be a representative of a college or university; and 1 of whom shall be a representative of the
73 private sector. The governor shall select, from among the members of the commission, a
74 chairperson and a vice chairperson. Each individual appointed to the Council shall possess
75 extensive experience or expertise with respect to one more of the following areas: (i) the
76 management and operations of nonprofit organizations; (ii) the management and operations of
77 state government; (iii) the relationship between nonprofits and state government; (iv) social

78 innovation, entrepreneurship and enterprise; (v) qualitative and quantitative research and
79 analysis; or (vi) the management and operation of businesses. Appointment of all members of
80 the commission shall be completed no later than 90 days following the enactment of this act.

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