

**SENATE . . . . . No. 1410**

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Cynthia Stone Creem**

*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 transparency in state revenues and expenditures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia Stone Creem	First Middlesex and Norfolk
Patricia D. Jehlen	Second Middlesex
Susan C. Tucker	Second Essex and Middlesex
Bruce E. Tarr	First Essex and Middlesex
James B. Eldridge	Middlesex and Worcester
Scott P. Brown	Norfolk, Bristol and Middlesex
Marc R. Pacheco	First Plymouth and Bristol
Richard T. Moore	Worcester and Norfolk
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Kenneth J. Donnelly	Fourth Middlesex
Susan C. Fargo	Third Middlesex
Mark C. Montigny	Second Bristol and Plymouth
Antonio F.D. Cabral	13th Bristol
Martha M. Walz	8th Suffolk
Kate Hogan	3rd Middlesex
Frank I. Smizik	15th Norfolk
Lori Ehrlich	8th Essex
Jennifer M. Callahan	18th Worcester
Carl M. Sciortino, Jr.	34th Middlesex

Harriett L. Stanley	2nd Essex
Kay Khan	11th Middlesex
Richard J. Ross	9th Norfolk
Alice Hanlon Peisch	14th Norfolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO TRANSPARENCY IN STATE REVENUES AND EXPENDITURES.

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

1 (1) As used in this section the following terms shall have the following meanings:

2 “Secretary”, the Secretary of the Executive Office for Administration and Finance.

3 "Searchable budget database website" means a website that allows the public at no cost to search  
4 for, obtain, and aggregate the information identified in subsection (2).

5 "Entity/and or recipients" means: any corporation, association, limited liability company, limited  
6 liability partnership, or any other legal business entity. It shall also include any grantee or  
7 subgrantee, contractor or subcontractor, county, city or other local government entity. It shall  
8 not include any individual recipient of state assistance.

9 "Agency" means any state department, office, board commission, bureau, division, institution, or  
10 institution of higher education. "Agency" specifically includes any authority created by an act of  
11 the Massachusetts Legislature, including those authorities not receiving state tax revenue. This  
12 includes individual state agencies and programs, as well as those programs and activities that

13 cross agency lines, and also includes all elective offices in the Executive Branch of government  
14 and the Legislature

15 "Funding source" means the state account the expenditure is appropriated from.

16 "Funding action or expenditure" shall include details on the type of spending, both appropriated  
17 expenditures including but not limited to grants, contracts, and appropriations, and tax  
18 expenditures, including but not limited to tax exemptions, waivers, and credits. This shall include  
19 but not be limited to all tax exemptions, credits, direct grants, or infrastructure assistance  
20 provided to any corporate or other business entity. Where possible, a hyperlink to the actual  
21 grants or contracts shall be provided.

22 "Expected outcome" includes, in relation to any tax exemption, tax credit, direct grant or  
23 infrastructure assistance provided to a corporate or other business entity, the number and quality  
24 of jobs to be created or retained, including wages and benefits, the date the job goals will be  
25 reached, the estimated increase to the state tax base, and whether the funded project involves the  
26 relocation of jobs and if so how many and from where.

27 "Final outcomes" includes, in relation to any tax exemption, tax credit, direct grant or  
28 infrastructure assistance provided to a corporate or other business entity, the number and quality  
29 of jobs actually created or retained, including wages and benefits, and the actual increase to the  
30 state tax base for the fiscal year in which benefit was given; the outcomes achieved shall also  
31 include any money recaptured from corporate subsidy recipients for failure to meet expected  
32 performance outcomes.

33 "State audit or report" shall include any audit or report issued by the Inspector General, State  
34 Auditor, legislative auditor, legislative committee, or executive body relating to the past or  
35 current performance of the entity or recipient of funds or the budget program/activity or agency  
36 which the Secretary deems as relevant.

37 (2) Not later than January 1, 2011 the Secretary shall develop and operate a single searchable  
38 budget database website, accessible by the public at no cost that includes:

39 (a) Annual state expenditures or funding actions provided to any entity, recipient or agency, as  
40 determined by the Secretary including the name and location of any such entity, recipient or agency, the  
41 funding source, the amount of funds appropriated including tax expenditures or other subsidies, the  
42 funding agency or authority, and a description of the purpose of the funding action or expenditure. If the  
43 funding action or expenditure is a tax expenditure, information about the expected outcome of such tax  
44 expenditure shall be included and information concerning the final outcome shall be provided within 30  
45 days from when it is reported to the appropriate state agency;

46 (b) Bond debt payments and debt service including, but not limited to, amounts of bond interest paid and  
47 sources of funds paid for individual bond issues;

48 (c ) Local aid to cities and towns including, but not limited to, amounts paid to  
49 individual units of government for individually identifiable aid programs;

50 (d) Annual revenues, as determined by the Secretary which shall include,  
51 but not be limited to:

52 (i) receipts or deposits by any agency into funds established  
53 within the state treasury;

54 (ii) tax revenue received ;

55 (iii) agency earnings including, but not limited to, amounts collected  
56 by each agency for merchandise sold, services performed, licenses and

57 permits issued, or regulation;  
58 (iv) revenue for the use of money and property including, but not  
59 limited to, amounts received for compensation for the use of state-owned  
60 money and property;  
61 (v) gifts, donations and federal grants including, but not limited to,  
62 amounts received from public and private entities to aid in support of a  
63 specific function or other governmental activity;  
64 (vi) other revenue including, but not limited to, receipts not classified  
65 elsewhere; and

66 (e) Annual bonded indebtedness which shall include, but not be limited  
67 to, the amount of the total original obligation stated in terms of principal  
68 and interest, the term of the obligation, the source of funding for repay-  
69 ment of the obligation, the amounts of principal and interest previously  
70 paid to reduce the obligation, the balance remaining of the obligation,  
71 any refinancing of the obligation, and the cited statutory authority to issue  
72 such bonds.

73 (f) A link to any state audit or report.

74 (g) Any other relevant information specified by the secretary.

75 (3) The searchable budget database website shall retain information for each fiscal year on the single  
76 website for not less than 10 years and shall include data for the most recent fiscal years.

77 (4) The Secretary shall update the searchable budget database website as new data becomes available. All  
78 agencies shall provide to the Secretary all data that is required to be included in the searchable budget  
79 database website not later than 30 days after the data becomes available to the agency. The Secretary shall  
80 provide guidance to agency heads to ensure compliance with this section.

81 (5) Nothing in this act shall permit or require the listing of individual businesses' tax liability, profits,  
82 sales or losses.

83 (6) The Secretary shall not be considered in compliance with this act if the data required for the  
84 searchable budget database website is not available in a searchable and aggregate manner or if the public  
85 is redirected by the searchable budget database website to other government websites, unless each of  
86 those websites complies with the requirements of this Act.