

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1757) of Richard T. Moore and Edward G. Connolly for legislation to reform the oversight of state finances. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO REFORM THE OVERSIGHT OF STATE FINANCES.

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 1 of Chapter 7A of the General Laws, as
2 most recently appearing in the 2002 Official Edition, is hereby
3 amended by striking out said section 1, and inserting in place
4 thereof the following:
5 There shall be a state agency within, but not subject to, the
6 executive office for administration and finance, called the office
7 of the comptroller general. The comptroller general shall be the
8 administrative and executive head of said office and shall be
9 appointed by majority vote of the Comptroller General Advisory
10 Board for a term of seven years. The Comptroller shall be eligible
11 for re-appointment for one additional seven year term, but shall
12 not serve beyond a total of fourteen consecutive years. The person
13 so appointed shall be selected without regard to political affilia-
14 tion and solely on the basis of integrity and demonstrated ability
15 and shall hold an advanced degree in accounting, auditing, finan-
16 cial management, business administration, or public administra-
17 tion.
18 At the time of his appointment as comptroller general; the
19 person so appointed shall give bond in the amount of twenty-five
20 thousand dollars or such higher amount as the advisory board to
21 the comptroller general shall fix for the faithful performance of
22 his duties. Notwithstanding the provisions of chapter thirty the

23 comptroller general shall receive a salary as determined by the
24 advisory board to the comptroller general that is no less than the
25 salary provided to the inspector general; provided, however, that
26 the salary of the comptroller general shall not be adjusted to
27 reflect bond premiums nor shall such premiums be paid by or
28 reimbursed by the office of the comptroller general or with any
29 state monies.

30 The person so appointed may be removed from said office, for
31 cause, by majority vote of the comptroller general advisory board
32 after a hearing if one is requested by the comptroller general.
33 Such cause shall include neglect of duty, misconduct, or convic-
34 tion of a crime.

35 In the case of a vacancy in the position of comptroller general,
36 his successor shall be appointed in the same manner.

1 SECTION 2. Section 1 of Chapter 7A of the General Laws, as
2 most recently appearing in the 2004 Official Edition, is hereby
3 further amended by striking out, in the last sentence, the word
4 “four,” and inserting in place thereof, the word “seven.”

1 SECTION 3. Section 2 of Chapter 7A of the General Laws, as
2 most recently appearing in the 2002 Official Edition, is hereby
3 amended by striking out the section, and inserting in place
4 thereof, the following new section 2:

5 Section 2. There shall be a Comptroller General Advisory
6 Board which shall consist of the auditor, who shall be chair, the
7 attorney general, the treasurer, the secretary of administration and
8 finance, the inspector-general, and two persons who have experi-
9 ence in government accounting, management, or public finance
10 who shall be elected by the initial five members, and who shall
11 not both be members of the same political party. The two
12 appointed members shall serve for three-year terms, but may not
13 be reappointed more than once on a consecutive basis. The
14 appointed members may be removed for cause, and their succes-
15 sors shall be appointed in the same manner as the original
16 appointment. The members of the comptroller general advisory
17 board shall be reimbursed for necessary and reasonable expenses
18 incurred in the performance of their advisory board duties, but
19 shall not be otherwise compensated for their services.

20 The comptroller general advisory board shall meet at least four
21 times a year. Said advisory board shall provide advice and counsel
22 to the comptroller general in the performance of his or her duties.
23 The advisory board shall be responsible for reviewing any rules or
24 regulations promulgated by the comptroller general prior to their
25 implementation. The advisory board shall also review prior to
26 publication the annual financial report of the commonwealth pub-
27 lished by the comptroller general.

28 Any action of the advisory board shall be taken with the
29 approval of no less than four members of the advisory board.

1 SECTION 4. Chapter 7A of the General Laws, as most recently
2 appearing in the 2002 Official Edition, is hereby amended by
3 striking out the word “comptroller,” wherever it appears in said
4 chapter, and inserting in place thereof, the words “comptroller-
5 general.”

1 SECTION 5. The incumbent comptroller holding office on the
2 date of the passage of this act shall be eligible for appointment to
3 a full term under the provisions of this act, provided, however,
4 that he shall not be eligible for re-appointment to a second full
5 term.

1 SECTION 6. This act shall take effect on July 1, 2006.

