

PETITION -- HOUSE

CHIEF SPONSOR:

Representative Parente of Milford

*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 or resolve.

PETITIONERS: LEGISLATOR/CITIZEN	DISTRICT/FULL MAILING ADDRESS
Marie J. Parente	10 th Worcester
Richard T. Moore	Worcester and Norfolk
Joyce A. Spiliotis	12 th Essex
Bruce E. Tarr	1 st Essex and Middlesex
Lida E. Harkins	13 th Norfolk
Barbara A. L'Italien	18 th Essex
Christine E. Canavan	10 th Plymouth
Frank I. Smizik	15 th Norfolk
Dianne Wilkerson	2 nd Suffolk
Kathleen M. Teahan	7 th Plymouth District
Gale D. Candaras	12 th Hampden

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. Whereas, in recent years, a number of companies have replaced highly skilled workers in the commonwealth with lower-paid foreign workers, a practice commonly known as off-shore outsourcing; whereas, such off-shore outsourcing trends are occurring during a period of significant job loss in the commonwealth; whereas, white-collar occupations, including technology and computer specialists, financial analysts, accountants, office support workers, and call center employees are among those occupations most vulnerable to off-shore outsourcing; whereas, the preservation of jobs in the commonwealth is of the utmost importance to the economic health of the commonwealth; the economic dislocation caused by a company off-shore outsourcing jobs outside of the commonwealth and the United States poses a threat of harm to the health, safety and welfare of the residents of the commonwealth; therefore there is an immediate need to establish a special commission to study the effects of off-shore outsourcing on the commonwealth and its residents and possible legislation to address and mitigate the effects of off-shore outsourcing and to govern contracts between the commonwealth and its vendors.

SECTION 2. There shall be established a special commission to consist of four members of the senate, who shall be appointed by the president of the senate, four members of the house of representatives of the house, who shall be appointed by the speaker of the house of representatives, and five persons to be appointed by the governor, one of whom shall be the secretary of administration and finance or his designee, one of whom shall be the a representative of the operational services division of the executive office for administration and finance, one of whom shall be a

representative of the information technology division of the executive office for administration and finance or his designee, and one of whom shall be a person with special expertise in the subject of the off-shore outsourcing of jobs and the economic and other effects thereof, for the purpose of making an investigation and study relative to the offshore off-shore outsourcing of jobs by businesses entering into contracts to provide goods or services to the commonwealth, to make formal recommendations regarding said offshore outsourcing and to file proposed legislation, if any, to effectuate such recommendations relating to the administration and regulation of state contracts with such businesses. All appointments to said commission shall be made within 30 days of the effective date hereof. The commission shall hold its organizational meeting within 60 days of the effective date hereof. The chairman of said commission shall be selected by the members thereof. Section 2A of chapter 4 of the General Laws shall not apply to said commission. No member of said commission shall be found in violation of section 6, 7 or 23 of chapter 268A of the General Laws for conduct that involves his participation as a member of said commission, if he discloses any financial interest described in said section 6 or 7 or other interest described in said section 23 to the state ethics commission in writing before his participation as a member of said commission. Seven members of the commission shall constitute a quorum and a majority of all members present and voting shall be required for any action voted by the commission including, but not limited to, voting on formal recommendations or proposed legislation. The commission shall conduct not fewer than two public hearings.

Said commission, as part of its review, analysis and study, in making such recommendations regarding relating to the off-shore outsourcing of jobs in the commonwealth and the administration and regulation of state contracts with businesses that employ of use off shore labor, shall focus on and consider the

following issues, proposals and impacts:

- (1) the extent of the use, and the effects thereof, of off-shore labor by vendors under state contracts;
- (2) the extent of the use, and the effects thereof, of off-shore labor by private and public employers in the commonwealth;
- (3) the economic impact to the commonwealth of contracting with vendors using off-shore labor;
- (4) security issues associated with use of off-shore labor with access to personal information of residents of the commonwealth;
- (5) the economic impact and the extent of job loss in the commonwealth due to off-shore outsourcing of jobs;
- (6) the economic sectors most affected by off-shore outsourcing of jobs;
- (7) the potential economic effect on the commonwealth of taking measures to limit or eliminate the use of off-shore labor in carrying out contracts with the state;
- (8) identification of methods by which off-shore outsourcing of jobs may properly be addressed and governed by state law, including but not limited to the determination of appropriate and feasible methods of regulating state contracts with vendors using off-shore labor in the execution of state contracts;
- (9) recommendations as to specific state laws that may be properly used to address, regulate and reduce the off-shore outsourcing of jobs;
- (10) a survey of the extent of use and effects of the use of off-shore labor in the United States including, but not limited to, an analysis and review of the

issues addressed in clauses (1) through (9), inclusive, by said commission, as such are material and relevant to the survey; and

(11) consideration of any other issues, studies, proposals or impacts that, in the judgment of the commission, may be relevant, pertinent or material to the study, analysis and review of said commission.

Said commission shall submit, not later than 270 days after the effective date of this statute, a copy of a final report of its findings resulting from its study, review, analysis and consideration, including legislative recommendations, if any, to the clerks of the house of representatives and the senate, the governor, the president of the senate, the speaker of the house of representatives, the chairmen of the house and senate committees on ways and means, the house and senate committee on long term debt and capital expenditures, and the chairmen of the joint committee on commerce and labor. Any department, division, commission, public body, authority, board, bureau or agency of the commonwealth shall cooperate with the commission for the purpose of providing information or professional expertise and skill relevant to the use of off-shore outsourcing in the commonwealth.

SECTION 3. The commission shall dissolve upon the filing of its final report as provided herein.