

HOUSE No. 98

The Commonwealth of Massachusetts

By Mr. Scaccia of Boston, for the temporary committee on Rules, on House, No. 96, a Bill expanding the Governor's authority to address deficiencies in revenue (House, No. 98).

AN ACT EXPANDING THE GOVERNORS AUTHORITY TO ADDRESS DEFICIENCIES IN REVENUE

FOR THE COMMITTEE

NAME:	DISTRICT/ADDRESS:
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The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT EXPANDING THE GOVERNORS AUTHORITY TO ADDRESS DEFICIENCIES IN REVENUE.

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. The first paragraph of section 9B of chapter 29 of the General Laws, as appearing
2 in the 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place
3 thereof the following sentence:- Notwithstanding any general or special law to the contrary, except an
4 appropriation act or other law expressly citing and prohibiting the application of this section, any monies
5 appropriated by the general court, and funds distributed in accordance with section 3 of the general
6 appropriations act, but excluding monies otherwise appropriated to the general court, the courts, the office
7 of the comptroller, the office of inspector general or constitutional officers, shall be expended only in
8 such amounts as may be allotted as provided in this section.

9 SECTION 2. Said section 9B of said chapter 29 of the General Laws, as amended by section 1 of this act,
10 is hereby further amended by striking out the first sentence and inserting in place thereof the following
11 sentence:- Any monies made available by appropriation or otherwise, to state agencies under the control
12 of the governor or a secretary, but not including the courts, the office of the governor and the office of the
13 lieutenant governor, shall be expended only in such amounts as may be allotted as provided in this
14 section.

15 SECTION 3. Any allotment reduction in items 0611-5500, 7061-0008 or Lottery Distributions in sections
16 2 and 3, including the General Fund supplement to hold harmless lottery aid, of chapter 182 of the acts of
17 2008, shall be not more than 1/3 of the total reductions made by the governor in the current fiscal year.

18 SECTION 4. The governor shall not reduce the allocation to a city, town or regional school district of
19 state school aid funds appropriated in item 7061-0008 of section 2 of said chapter 182 of the acts of 2008,
20 as allocated by section 3 of said chapter 182, so as to reduce the sum of those allocated state school aid
21 funds and the minimum required local contribution below foundation budget for that city, town or
22 regional school district, as calculated pursuant to said section 3 of chapter 182 of the acts of 2008.

23 SECTION 5. In any reduction in payments to a municipality or regional school district pursuant to items
24 0611-5500, 7061-0008 or lottery distributions in sections 2 and 3, including the General Fund supplement
25 to hold harmless lottery aid, of chapter 182 of the acts of 2008, from the amounts appropriated in said
26 chapter 182, the governor shall consider the following: (1) the impact on the annual budget of each
27 municipality or regional school district; (2) the existence of any local reserve funds; (3) the percentage of
28 the municipality's or regional school district's budget that comes from the state; and (4) any other factor
29 that he considers important.

30 SECTION 6. Section 2 shall take effect on July 1, 2009