

HOUSE No. 98

The Commonwealth of Massachusetts

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

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

14 office of the governor and the office of the lieutenant governor, shall be expended only in such
15 amounts as may be allotted as provided in this section.

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

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

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

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