

House No. 96

Message from His Excellency the Governor recommending legislation relative to extending emergency powers to reduce allotments during the present fiscal year.

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133
(617) 725-4000

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

January 7, 2009

To the Honorable Senate and House of Representatives:

I am filing for your consideration a bill entitled “An Act Extending Emergency Powers to Reduce Allotments.”

For the remainder of fiscal year 2009 only, this legislation extends to all state appropriations the Governor’s emergency power under G.L. c. 29, §9C to reduce allotments when the Secretary of Administration and Finance determines that available revenues are insufficient to meet authorized expenditures. It does so by extending the present requirement that appropriated funds be allotted, to include all appropriations made by the Legislature.

This legislation is necessary to enable the Governor to distribute any additional 9C cuts needed for fiscal year 2009 equitably among governmental functions. It will provide the Governor with greater flexibility to avoid disproportionate impacts on essential programs and services, consistent with statutory goals. It will enable the Commonwealth to meet the constitutional and statutory requirements for a balanced budget.

To allow this important fiscal power to be exercised immediately to meet the pressing fiscal situation, I urge your prompt action to enact this bill.

Sincerely,
DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT EXTENDING EMERGENCY POWERS TO REDUCE ALLOTMENTS.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make to extend emergency powers to reduce allotments in order to resolve fiscal problems during the present fiscal year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 in the
2 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof
3 the following sentence:- Notwithstanding any general or special law to the contrary, any monies
4 appropriated by the general court and funds distributed in accordance with section 3 of the general
5 appropriation act, shall be expended only in such amounts as may be allotted as provided in this section.
- 6 SECTION 2. Said section 9B of said chapter 29, as amended by section 1 of this act, is hereby further
7 amended by striking out the first sentence and inserting in place thereof the following sentence:- Any
8 monies made available by appropriation or otherwise, to state agencies under the control of the governor
9 or a secretary, but not including the courts, the office of the governor and the office of the lieutenant
10 governor, shall be expended only in such amounts as may be allotted as provided in this section.
- 11 SECTION 3. Section 2 shall take effect on July 1, 2009.