

HOUSE No. 6137

The Commonwealth of Massachusetts

SPECIAL REPORT

from the

SECRETARY OF THE EXECUTIVE OFFICE

FOR ADMINISTRATION AND FINANCE

Relative to

**AUTHORIZING AND DIRECTING THE COMPTROLLER
TO MAKE CERTAIN CORRECTIONS TO
PREVIOUS FISCAL LEGISLATION
AND TO TAKE CERTAIN ACTIONS NECESSARY
TO CLOSE THE FISCAL YEAR ENDING
JUNE THIRTIETH, NINETEEN HUNDRED AND NINETY
AND OPEN THE FISCAL YEAR ENDING JUNE THIRTIETH,
NINETEEN HUNDRED AND NINETY-ONE.**

**(under authority of Section 4 of
Chapter 7 of the General Laws)**

July 19, 1990.

The Commonwealth of Massachusetts



L. EDWARD LASHMAN, JR.
SECRETARY

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE FOR
ADMINISTRATION AND FINANCE
STATE HOUSE BOSTON 02133

July 19, 1990

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of section 4 of chapter 7 of the General Laws, I am herewith submitting legislation authorizing the comptroller to make necessary technical corrections to earlier fiscal legislation and to authorize routine actions necessary to close the fiscal year ending June thirtieth, nineteen hundred and ninety and open the fiscal year ending June thirtieth, nineteen hundred and ninety-one. This request does not recommend new appropriations or new revenues. It simply provides guidance to the comptroller in closing the books of the Commonwealth for fiscal year 1990 and opening the books of the Commonwealth for fiscal year 1991.

Corrections to Prior Authorizations:

- o language in previous legislation omitted fund designations of certain accounts in the Judiciary, the Executive Office of Administration and Finance, the Executive Office of Public Safety, and the Executive Office of Economic Affairs. This section allows the Comptroller to review fund designations in fiscal year 1990 and prior fiscal years and to charge these expenditures in accordance with his review
- o language clarifying a provision of the Budget Control and Reform Act of 1989, in order to allow timely recoupment of certain costs owed by the University of Massachusetts Medical Center.
- o language authorizing the transfer of any remaining balances in the Commonwealth Stabilization Fund to the General Fund.
- o language authorizing a transfer from the General Fund to the Purchasing Agent's Supply Fund and the Federal Surplus Property Fund, in order to eliminate deficits in those special purpose funds.
- o language providing an administrative mechanism for authorizing payments for certain contracted services.
- o language restricting cost of living increases commencing in Fiscal Year 1991 to those specifically authorized and funded in FY91.

o language authorizing the incurrence of certain FY91 expenses in retained revenue accounts, in anticipation of the subsequent receipt of retained revenue.

I request your careful consideration of these seven items , and urge your prompt and favorable action on them.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. E. Lashman Jr.", with a stylized, wavy flourish at the end.

L. Edward Lashman Jr.,
Secretary

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT AUTHORIZING AND DIRECTING THE COMPTROLLER TO MAKE CERTAIN CORRECTIONS TO PREVIOUS FISCAL LEGISLATION AND TO TAKE CERTAIN ACTIONS NECESSARY TO CLOSE THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND NINETY AND OPEN THE FISCAL YEAR ENDING JUNE THIRTIETH NINETEEN HUNDRED NINETY-ONE.

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. Notwithstanding the provisions of any general or
2 special law to the contrary, in order to consistently charge
3 expenditures to the various funds of the commonwealth, when
4 fiscal legislation enacted for fiscal year nineteen hundred and
5 ninety omitted language, by item, identifying the funds to which
6 expenditures were to be charged and said expenditures were
7 charged to funds other than the general fund in fiscal year nineteen
8 hundred and eighty-nine, the comptroller is authorized and
9 directed to review and consider the original designation of charges
10 to the various funds of the Commonwealth for fiscal year nineteen
11 hundred and ninety and allocate said charges in accordance with
12 those made in fiscal year nineteen hundred and eighty-nine with
13 due consideration for account restructurings in chapter six
14 hundred and fifty-three of the acts of nineteen hundred and eighty-
15 nine. All adjustments to charges to the various funds of the
16 commonwealth shall be implemented in accordance with
17 schedules filed in advance with the house and senate committees
18 on ways and means.

1 SECTION 2. Notwithstanding fiscal legislation for the fiscal
2 year ending June thirtieth, nineteen hundred and ninety to the
3 contrary, the comptroller shall not approve any new cost of living
4 adjustment to be commenced during the fiscal year ending June
5 thirtieth, nineteen hundred and ninety-one on the basis of the

6 provisions of such fiscal year nineteen hundred and ninety
7 legislation.

1 SECTION 3. Notwithstanding the provisions of section one
2 hundred and seventy-two of chapter six hundred and fifty-three
3 of the acts of nineteen hundred and eighty-nine or any other
4 general or special law to the contrary, the comptroller shall not
5 recover more than the following amounts for the commonwealth's
6 costs of fringe benefits provided to, or on behalf of, any individual
7 compensated by the University of Massachusetts through any
8 source other than a direct expenditure of an appropriation during
9 fiscal year nineteen hundred and ninety; for fringe benefits
10 associated with the Amherst campus, nine million forty-seven
11 thousand dollars; for fringe benefit costs associated with the
12 Boston campus, one million three hundred sixty-four thousand
13 dollars; and for fringe benefits associated with the University of
14 Massachusetts Medical School, seven million nine hundred thirty
15 thousand dollars; provided further, that in fiscal year nineteen
16 hundred ninety-one, the comptroller shall not recover more than
17 twelve million six hundred thousand dollars for fringe benefits
18 associated with the University of Massachusetts Medical School;
19 provided further, that the University of Massachusetts Medical
20 School, including the Group Practice Trust, shall reimburse the
21 General Fund for the full amount of costs associated with
22 providing fringe benefits to its employees beginning in fiscal year
23 nineteen hundred and ninety-two and each fiscal year thereafter.

24 Notwithstanding the provisions of any general or special law
25 to the contrary, the comptroller shall not recover the costs
26 associated with providing fringe benefits to employees of the
27 University of Massachusetts Teaching Hospital for fiscal years
28 nineteen hundred and ninety through nineteen hundred and
29 ninety-two; provided, however, that the comptroller shall collect
30 the following amounts from the University of Massachusetts
31 Teaching Hospital for services provided by the commonwealth:
32 fifteen million six hundred thousand dollars in fiscal year nineteen
33 hundred and ninety and seventeen million dollars in fiscal year
34 nineteen hundred and ninety-one; provided further, that in fiscal
35 year nineteen hundred and ninety-two, the comptroller shall
36 collect an amount that is equal to, but unrelated to, the
37 commonwealth's cost of providing fringe benefits to said

38 hospital's employees, interns, residents and other teaching
39 hospital staff.

40 Except as provided in the preceding paragraphs, nothing in this
41 section shall be construed as prohibiting the comptroller from
42 making charges to recover the commonwealth's cost of fringe
43 benefits provided to, or on behalf of, any individual compensated
44 by the University of Massachusetts at any of its campuses from
45 any source other than a direct appropriation during fiscal year
46 nineteen hundred and ninety-one or in any ensuing fiscal year.

1 SECTION 4. For the purpose of accommodating delayed
2 receipt of revenues in fiscal year nineteen hundred and ninety-one,
3 authorized to be retained during fiscal year nineteen hundred and
4 ninety-one, departments are hereby authorized to incur, and the
5 comptroller may certify for payment, expenses and liabilities
6 during fiscal year nineteen hundred and ninety-one, to be charged
7 to said items in accordance with schedules approved by the
8 secretary of administration and finance and filed with the house
9 and senate committees on ways and means.

1 SECTION 5. Notwithstanding the provisions of section
2 twenty-nine A of chapter twenty-nine of the General Laws or any
3 other general or special law to the contrary, the comptroller is
4 hereby authorized to approve payments for certain contracted
5 services rendered in fiscal year nineteen hundred and ninety for
6 which certain regulations and procedures adopted under the
7 authority of said section twenty-nine A or any other such general
8 or special law were not properly followed; provided, however, that
9 the secretary of the executive office overseeing the agency which
10 was a party to such a contract shall certify in writing that such
11 services were actually performed; provided further, that such
12 payments shall be based on schedules approved by the secretary
13 of administration and finance and provided to the house and
14 senate committees on ways and means; provided further, that
15 sufficient funds for such payments existed within the appropriate
16 items as of June thirtieth, nineteen hundred and ninety; provided
17 further, that said comptroller is hereby authorized to make
18 payments for certain contracted services rendered in prior fiscal
19 years for which certain regulations and procedures adopted as

20 aforesaid were not properly followed; provided further, that the
21 secretary of the executive office overseeing the agency which was
22 a party to such a contract shall certify in writing that such services
23 were actually performed; provided further, that such prior year
24 payments shall be based on schedules approved by said secretary
25 of administration and finance and provided to the house and
26 senate committees on ways and means, and shall be charged
27 according to the provisions of an account established for the
28 purpose of paying prior year deficiencies; provided further, that
29 such payments, where appropriate, may be paid from capital
30 appropriations, federal grants, or trust funds; and provided
31 further, that this section shall not apply to payments authorized
32 pursuant to section two for such purposes.

1 SECTION 6. Notwithstanding any general or special law to
2 the contrary, the comptroller shall, as of June thirtieth, nineteen
3 hundred and ninety, transfer from the commonwealth's
4 Stabilization Fund, to the extent that funds are available therein,
5 including any interest income that is credited to the Stabilization
6 Fund on account of said transferred amounts, to the General Fund
7 the amount of any negative undesignated fund balance in the
8 General Fund, if any, for the fiscal year nineteen hundred and
9 ninety.

1 SECTION 7. Notwithstanding any general or special law to
2 the contrary, the comptroller shall, as of June thirtieth, nineteen
3 hundred and ninety, transfer from the General Fund to the
4 purchasing agent's supply fund and federal surplus property
5 respectively, the amount of any negative undesignated fund
6 balance in said funds as of June thirtieth, nineteen hundred and
7 ninety.

1 SECTION 8. This act shall take effect as of June thirtieth,
2 nineteen hundred and ninety.

