

SENATE No. 1185

By Mr. Kirby, a petition (accompanied by bill, Senate, No. 1185) of Edward P. Kirby, Peter Forman, Peter C. Webber and Robert Kraus for legislation to prohibit the Executive Office for Administration and Finance to freeze, impound or encumber previously appropriated funds. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT PROHIBITING THE FREEZING OF APPROPRIATED FUNDS.

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. Chapter 7 of the General Laws, is hereby amended
2 by striking out section 3 and inserting in place thereof the
3 following section: —

4 Section 3. A. The executive office for administration and
5 finance shall serve as the principal agency of the executive
6 department of the government of the commonwealth for the
7 following purposes:

8 (1) Developing, co-ordinating, administering and controlling
9 the financial policies and programs of the commonwealth;

10 (2) Supervising the organization and conduct of the business
11 affairs of the departments, commissions, offices, boards,
12 divisions, institutions and other agencies within the executive
13 department of the government of the commonwealth;

14 (3) Developing new policies and programs which will improve
15 the organization, structure, functions, economy, efficiency,
16 procedures, services and administrative practices of all such
17 departments, commissions, offices, boards, divisions, institutions
18 and other agencies.

19 B. In carrying out the duties under the provisions of this section
20 said agency shall not freeze, impound or encumber funds
21 previously appropriated without the approval of the legislature.

1 SECTION 2. Chapter 7 of the General Laws, is hereby
2 amended by adding the following new section: —

3 Section 3A½. Notwithstanding the provisions of any general
4 or special law to the contrary, the Governor shall not freeze,
5 impound or otherwise encumber funds previously appropriated
6 except with the approval of the legislature.