

By Mr. Kollios of Millbury, petition of Paul Kollios for legislation to further regulate the setting of fees by the Commissioner of Administration. State Administration.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Nine.

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AN ACT FURTHER REGULATING THE SETTING OF FEES OF THE COMMONWEALTH.

*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. Section 3B of chapter 7 of the General Laws, as  
2 appearing in the 1986 Official Edition, is hereby amended by  
3 striking out the second and third paragraphs and inserting in place  
4 thereof the following two paragraphs: —

5 The secretary of administration shall, on or before January first  
6 nineteen hundred and seventy-six and from time to time  
7 thereafter, after notice and a hearing on the manner provided by  
8 chapter thirty A recommend to the general court the cost  
9 hereinbefore mentioned for their approval at least sixty days prior  
10 to the anticipated effective date of such cost. Upon approval of  
11 the general court, the cost determined by the secretary shall be  
12 collected by the proper department, agency or institution, but not  
13 otherwise.

14 The secretary shall, on or before January first, nineteen hundred  
15 and seventy-six and at least annually thereafter review the amount  
16 fixed by law for any service, license, permit or other public  
17 function and shall recommend to the general court for their  
18 approval any instance in which such amount is insufficient to  
19 defray the expense of the commonwealth of the administrative  
20 costs connected therewith at least sixty days prior to the  
21 anticipated effective date of any increase. Upon approval of the  
22 general court such increased costs shall be effective, but not  
23 otherwise.

1 SECTION 2. Chapter 236 of the acts of 1988 is hereby  
2 amended by striking out section 10 and inserting in place thereof  
3 the following section: —

4 Section 10. Notwithstanding the provisions of any general or  
5 special law to the contrary, for the period ending June thirtieth,  
6 nineteen hundred and eighty-nine, the secretary of administration  
7 and finance shall, with respect to any charges or fees which the  
8 secretary was heretofore authorized to establish under the  
9 provisions of section three B of chapter seven of the General Laws  
10 or under the provisions of any other general or special law, and  
11 with respect to any service, registration, regulation, license, fee,  
12 permit, or other public function which is not provided for in  
13 section three B of chapter seven of the General Laws other than  
14 services in hospitals, clinics or other health facilities and services  
15 rendered by a correctional institution for inmates therein, (1)  
16 determine the amount to be charged by the commonwealth for  
17 each service of any kind performed by any state personnel or  
18 agency which is primarily for the benefit of any individual person  
19 or corporation; (2) determine the charge to be made by the  
20 commonwealth for each use for private purposes or gain of state-  
21 owned buildings, houses, facilities, and equipment; (3) determine  
22 the charge to be made by the commonwealth for meals served in  
23 state institutions or facilities to employees thereof; and (4)  
24 determine the amount to be charged for any other service,  
25 registration, regulation, license, fee, permit or other public  
26 function; provided, however, that said secretary shall not  
27 determine the rates of tuition at state colleges, state community  
28 colleges, state universities, and the Massachusetts Maritime  
29 Academy or any fees or charges relative to the administration and  
30 operation of the trial court, appeals court, supreme judicial court  
31 and any other department of the judiciary of the commonwealth;  
32 and the secretary shall file such determinations with the general  
33 court for their approval at least sixty days prior to the anticipated  
34 date of any such changes. Upon approval of the general court such  
35 charges and fees shall be effective, but not otherwise.