

Analysis of Senate Ways & Means FY2021 Budget Proposal

November 12th, 2020

This document includes an analysis of affordable housing, homelessness prevention, and community development programs in the [Senate Ways and Means \(SWM\) FY2021 budget proposal](#).

A table is included showing appropriations proposed for each budget program. After the table, a detailed analysis of budget language is included if the SWM budget proposed substantive language changes to the program.

Contents

Massachusetts Rental Voucher Program (7004-9024).....	3
Alternative Housing Voucher Program (7004-9030).....	5
Residential Assistance for Families in Transition (7004-9316).....	6
Housing Consumer Education Centers (7004-3036).....	8
Public Housing Authority Operating Subsidy (7004-9005).....	8
HomeBASE (7004-0108).....	9
Foreclosure Prevention Counseling (7006-0011).....	12

Line Item	Program	FY21 Request	SWM Budget Proposal	HWM Budget Proposal	Gov Revised FY21 Budget
7004-9024	Mass. Rental Voucher Program	\$135,000,000	\$135,000,000*	\$134,998,706*	\$120,000,000
7004-9030	Alternative Housing Voucher Program	\$12,000,000	\$12,526,596**	\$8,129,770**	\$7,500,000
7004-9316	Residential Assistance for Families in Transition	\$50,000,000	\$54,700,000†	\$54,700,000†	\$21,000,000
7004-3036	Housing Consumer Education Centers	\$4,000,000	\$4,750,000	\$4,000,000	\$3,750,000
7004-9005	Public Housing Operating	\$78,000,000	\$75,000,000	\$80,000,000	\$72,000,000
7004-9007	Public Housing Reform	\$2,000,000	\$1,000,000	\$1,000,000	\$1,000,000
7004-0104	Home & Healthy for Good	\$3,890,000	\$3,890,000	\$3,890,000	\$2,890,000
7004-0108	HomeBASE	\$45,000,000	\$29,058,618^	\$27,725,440^	\$24,070,172
7006-0011	Foreclosure Prevention & Housing Counseling	\$3,500,000	\$1,500,000	\$2,850,000	\$1,500,000
7004-3045	Tenancy Preservation Program	\$1,300,000	\$1,300,000	\$1,500,000	\$1,300,000
4120-4001	MassAccess Registry	\$80,000	\$80,000	\$80,000	\$80,000
4000-0007	Unaccompanied Homeless Youth	\$8,000,000	\$8,000,000	\$8,000,000	\$5,000,000
7004-0106	New Lease for Homeless Families	\$250,000	\$250,000	\$250,000	\$250,000
7004-9033	Department of Mental Health Rental Subsidy Program	\$10,548,000	\$10,548,125	\$10,548,125	\$7,548,125

* Includes \$9,498,706 in funding authorized to carry over from unspent MRVP funds in the FY2020 budget.

** Include \$1,904,995 in funding authorized to carry over from unspent AHVP funds in the FY2020 budget.

^ Includes \$1,900,440 in funding authorized to carry over from unspent HomeBASE funds in the FY2020 budget.

† Includes \$4,700,000 transfer from Housing Preservation & Stabilization Trust Fund.

Massachusetts Rental Voucher Program (7004-9024)

SWM FY21	\$ 135,000,000*
HWM FY21:	\$ 134,489,706*
Gov's Oct FY21:	\$ 120,000,000**
FY2020:	\$ 116,000,000

Building Blocks Request: \$ 135,000,000

** Includes FY2021 budget appropriation and \$9,498,706 in unexpended funds from FY2020 to be carried over into FY2021.*

*** Although Governor Baker's revised H.2 budget proposes \$113 million for MRVP, the Governor has said he would make \$120 million available for the program by including unexpended MRVP funds from FY2020 in the FY2021 budget.*

Description of Changes:

- Increases the monthly administrative fee to \$50/month. This reflects the increase to the fee that DHCD made in December 2019.
- Adds language for unexpended funds from FY2020 to roll over into FY2021
- Removes homelessness prevention program language

Language:

For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that such assistance shall only be paid under the Massachusetts rental voucher program; provided further, that the income of eligible households shall not exceed 80 per cent of the area median income; provided further, that the department ~~may of housing and community development may~~ require that not less than 75 per cent of vouchers be targeted to households whose income at initial eligibility does not exceed 30 per cent of the area median income; provided further, that the department ~~of housing and community development~~ may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the non-renewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of a participant's household in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that if a participant or member of a participant's household fails to provide a social security number for use in verifying the household's income and eligibility, then that household shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the monthly dollar amount of each voucher shall be the department-approved monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that any household that is proven to have caused intentional damage to its rental unit in an amount exceeding 2 months of rent during any 1-year period shall be terminated from the program; provided further, that if the use of a mobile voucher is or has been discontinued, then the mobile voucher shall be reassigned;

provided further, that the department shall pay regional administering agencies not less than \$50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced due to the cost of inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a voucher shall pay at least 30 per cent, but not more than 40 per cent, of its income as rent; provided further, that the department shall establish the amounts of the mobile and project-based vouchers so that the appropriation in this item shall not be exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments ~~which~~that shall cause it to exceed the appropriation set forth in this item; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations shall include, but shall not be limited to, job training, counseling, household budgeting and education, as defined under regulations promulgated by the department and to the extent said programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in said program; provided further, that for continued eligibility, each participant shall execute such 12-month contract not later than September ~~2, 2019~~, 2020 if said participant's annual eligibility recertification date occurs between June 30, ~~2019~~2020 and September ~~2, 2019~~, 2020 and otherwise not later than the annual eligibility recertification date; provided further, that any participant who is over ~~the age of~~ 60 years of age or who is disabled may be exempt from any obligations unsuitable under particular circumstances; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; provided further, that the department's approved monthly rent limits for mobile vouchers issued or leased after August 1, ~~2019~~2020 shall not be less than the current area-wide fair market rent based on unit size as established annually by the United States Department of Housing and Urban Development; provided further, that the requested rent level for mobile vouchers shall be determined reasonable by the administering agency; provided further, that for mobile vouchers currently leased, the new rent limit shall not begin until the anniversary date of the lease; provided further, that ~~the department may assist housing authorities at their written request in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that not later than December 13, 2019~~not later than March 1, 2021 the department shall report to the house and senate committees on ways and means and joint committee on housing on the utilization of rental vouchers during the last 3 fiscal years under this item and item 7004-9030; provided further, that the report shall include, but not be limited to, the: (i) number and average value of rental vouchers distributed in the commonwealth in each county and in each municipality; (ii) average number of days that it takes for a family household to utilize a voucher after receiving it from the administering agency; ~~and~~ (iii) number of households that reach the date by which they must lease up their voucher without having found an available unit; (iv) number of households that apply for an extension by the deadline to lease up their voucher and the number of extensions granted;

(v) any actions taken by the department to reduce the wait time for households to lease up their voucher; (vi) number of distributed vouchers available to be utilized; (vii) number and type of new vouchers issued after July 1, 2020; and (viii) number of families ~~waiting for on~~ a waitlist for an available rental voucher; provided further, that the report shall comply with state and federal privacy standards; provided further, that the department shall expend funds from this item for costs related to the completion of the voucher management system; and provided further, that up to \$~~6,000,000~~9,498,706 appropriated for this item in fiscal year ~~2019~~2020 shall not revert but shall be made available for the purposes of this item in fiscal year ~~2020~~2021.

Alternative Housing Voucher Program (7004-9030)

SWM FY21:	\$ 12,526,596*
HWM FY21:	\$ 8,129,770*
Gov's Oct FY21:	\$ 7,500,000
FY2020:	\$ 8,000,000

Building Blocks Request: \$12,000,000

* Includes FY2021 budget appropriation and \$1,904,995 in unexpended funds from FY2020 to be carried over into FY2021.

** Although Governor Baker's revised H.2 budget proposes \$5.6 million for AHVP, the Governor has said he would make \$7.5 million available for the program by including unexpended AHVP funds from FY2020 in the FY2021 budget.

Description of Changes:

- Adds language for using unexpended funds to roll over to FY2021

Language:

For the rental assistance program established under section 16 of chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to the contrary, the rental assistance program shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department of housing and community development based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household that is proven to have caused intentional damage to its rental unit in an amount exceeding 2 months of rent during any 1-year period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher; provided further, that each household shall be required to pay not less than 25 per cent of its net income as defined under regulations promulgated by the department for units if payment of utilities is not provided by the unit owner or not less than 30 per cent of its income for units if payment of utilities is provided by the unit owner; provided further, that payments for the rental assistance program may be provided in advance; provided further, that the department

shall establish the amounts of the mobile vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that not later than ~~December 19, 2019~~ March 1, 2021, the department shall submit a report to the secretary of administration and finance and the house and senate committees on ways and means detailing: (i) expenditures; (ii) the number of outstanding rental vouchers; and (iii) the number and types of units leased; ~~and~~ provided further, that the word "rent", as used in this item, shall mean payments to the landlord or owner of a dwelling unit under a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel or electricity; and provided further, that up to \$1,904,995 appropriated for this item in fiscal year 2020 shall not revert but shall be made available for the purposes of this item in fiscal year 2021

Residential Assistance for Families in Transition (7004-9316)

SWM FY21:	\$ 54,700,000*
HWM FY21:	\$ 54,700,000*
Gov's Oct FY21:	\$ 21,000,000
FY2020:	\$ 21,000,000

Building Blocks Request: \$ 50,000,000

** Includes \$4.7 million transfer from Housing Preservation & Stabilization Trust Fund.*

Description of Changes:

- Increase RAFT amount to \$10,000
- Allows for change in program requirements until the declaration of emergency is in place, related to the \$10,000 maximum benefit and de-coupling RAFT and HomeBASE

Language:

For a program to provide assistance in addressing obstacles to maintaining or securing housing for families with a household income: (i) not greater than 30 per cent of area median income who are homeless and moving into subsidized or private housing or are at risk of becoming homeless; or (ii) greater than 30 per cent but not more than 50 per cent of area median income who are homeless and moving into subsidized or private housing or are at risk of becoming homeless due to a significant reduction of income or increased expenses; provided, that assistance shall be administered by the department of housing and community development through contracts with the regional HomeBASE agencies; provided further, that not less than 50 per cent of the funds shall be provided to households with an income not greater than 30 per cent of area median income, subject to the department's discretion based on data reflecting program demand and usage;

provided further, that in distributing 50 per cent of the funds, the department shall prioritize those families most likely to otherwise require shelter services under item 7004-0101; provided further, that, from the passage of this act until the termination of the state of emergency concerning the outbreak of the 2019 novel coronavirus disease declared by the governor on March 10, 2020, the amount of financial assistance shall not exceed \$~~410~~,000 in any 12-month period; provided further, that the combined sum of benefits received by a family in a 12-month period from this item and item 7004-0108 shall not be more than the maximum level of short-term housing assistance in said item 7004-0108; provided further, that from the passage of this act until the termination of the state of emergency concerning the outbreak of the 2019 novel coronavirus disease declared by the governor on March 10, 2020, the preceding proviso shall not apply; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments, who the agencies determine would benefit from these services, to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further, that the program shall be administered under guidelines established by the department; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing the: (a) number of families who applied for assistance; (b) number of families approved for assistance; (c) minimum, median and average amount of financial assistance awarded; (d) total amount of assistance awarded to date, delineated by income category; and (e) number of families falling into each-income category; provided further, that the department shall track a family's reason for assistance by the same categories used in item 7004-0101; provided further, that not less than \$3,000,000 shall be expended to provide assistance to households of all sizes and configurations including, but not limited to, elders, persons with disabilities and unaccompanied youths; provided further, that in addition to the amount appropriated in this item, \$~~4,725,768~~700,000 from the Housing Preservation and Stabilization Trust Fund established under section 60 of chapter 121B of the General Laws shall be made available to this item; provided further, that household assistance funds shall be advanced to the administering agencies at the end of each month and ~~before~~prior to the next month's disbursement, the amount of which shall be estimated based on the prior month's expenditure with a reconciliation not less than annually; provided further, that, notwithstanding clauses (i) and (ii), ~~not less than \$500,000~~funds shall be expended to families and individuals who are at risk of injury or harm due to domestic violence in their current housing situation and whose household income is not greater than 60 per cent of the area median income; and provided further, that families and individuals that are at risk of injury or harm from domestic violence who meet the qualifications of enrollment in the address confidentiality program shall be afforded the opportunity to register with and become enrolled in the address confidentiality program as offered by the ~~state~~ secretary of the commonwealth

Housing Consumer Education Centers (7004-3036)

SWM FY21:	\$ 4,750,000
HWM FY21:	\$ 4,000,000
Gov's Oct FY21:	\$ 3,750,000
FY2020:	\$ 3,750,000

Building Blocks Request: \$ 6,000,000

Description of Changes:

- Removes reporting requirement

Language:

For housing services and counseling; provided, that funds shall be expended as grants to 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be awarded through a competitive application process under criteria established by the department; ~~provided further, that the department shall submit annual reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of the program, including each regional housing consumer education center, the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; and provided further, that the department shall report to the house and senate committees on ways and means not later than January 3, 2020 on possible savings and efficiencies that may be realized through the consolidation of said services~~

Public Housing Authority Operating Subsidy (7004-9005)

SWM FY2021:	\$ 75,000,000
HWM FY21:	\$ 80,000,000
Gov's Oct FY21:	\$ 72,000,000

Building Blocks Request: \$ 78,000,000

Description of Changes:

- Removes the elderly preference for public housing

Language:

For subsidies to housing authorities and nonprofit organizations, including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that ~~notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units that are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2019 receiving rental assistance from the Massachusetts rental voucher program; provided further, that the~~

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~~department~~ [the department of housing and economic development](#) may expend funds appropriated under this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no funds shall be expended from this item to reimburse the debt service reserve included in the budgets of housing authorities; provided further, that ~~no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that~~ the amount appropriated in this item shall be considered to meet all obligations under said sections 32 and 40 of said chapter 121B; provided further, that new reduced rental units developed in fiscal year ~~2020~~ [2021](#) eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs; and provided further, that the administration shall make every attempt to direct efforts toward rehabilitating local housing authority family units requiring \$10,000 or less in repairs

HomeBASE (7004-0108)

SWM FY21:	\$ 29,058,618*
HWM FY21:	\$ 27,158,178*
Governor's FY21:	\$ 24,070,172
FY2020:	\$ 25,825,000

Building Blocks Request: \$ 45,000,000

** Includes FY2021 budget appropriation and \$1,900,440 in unexpended funds from FY2020 to be carried over into FY2021.*

Description of Changes:

- Removes the 12-month cap for the period of declaration of emergency
- Allows unexpended funds from FY2020 to be used in FY2021

Language:

For a program of short-term housing assistance to help families eligible for temporary emergency shelter under item 7004-0101 in addressing obstacles to maintaining or securing housing; provided, that the assistance ~~provided under this item~~ shall include not less than 12 months of housing stabilization and economic self-sufficiency case management services for each family receiving benefits under this item; provided further, that a family shall not receive more than a combined sum of \$10,000 in a 12-month period from this item and item 7004-9316; provided further, that [from the passage of this act until the termination of the state of emergency concerning the outbreak of the 2019 novel coronavirus disease declared by the governor on March 10, 2020, the preceding proviso shall not apply; provided further, that](#) so long as they meet the requirements of their housing stabilization plan, a family that received household assistance under this item

whose income exceeds 50 per cent of area median income shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 50 per cent level was exceeded; provided further, that a family shall not be deemed ineligible as a result of any single violation of a self-sufficiency plan; provided further, that the department [of housing and community development](#) shall take all steps necessary to enforce regulations to prevent abuse in the short-term housing transition program, including a wage match agreement with the department of revenue; provided further, that a family that was terminated from the program or did not make a good faith effort to follow its housing stabilization plan during the term of its assistance shall be ineligible for benefits under said item 7004-0101 and this item for 12 months from the last date the family received [financial](#) assistance under said item 7004-0101 and this item, ~~including housing stabilization and economic self-sufficiency case management services~~; provided further, that a family's housing stabilization plan shall adequately accommodate the ages and disabilities of the family members; provided further, that families receiving benefits under this program who are found ineligible for continuing benefits shall be eligible for aid pending a timely appeal under chapter 23B of the General Laws; provided further, that families who are denied assistance under this item may appeal that denial under said chapter 23B, including subsection (F) of section 30 of said chapter 23B and regulations adopted to implement said chapter 23B; provided further, that benefits under this item shall only be provided to residents of the commonwealth who are citizens of the United States or persons lawfully admitted for permanent residence or otherwise permanently residing under the color of law in the United States; provided further, that the department, as a condition of continued eligibility for assistance under this program, may require disclosure of social security numbers by all members of a family receiving assistance under this item for use in ~~verification~~ verification of income with other agencies, departments and executive offices; provided further, that if a family member fails to provide a social security number for use in verifying the family's income and eligibility, then the family shall no longer be eligible to receive benefits from this program; provided further, that the department shall administer this program through the following agencies, unless administering agencies are otherwise procured by the department: the Berkshire Housing Development Corporation, Central Massachusetts Housing Alliance, Inc., Community Teamwork Inc., the Housing Assistance Corporation; the Franklin County Regional Housing and Redevelopment Authority; Way Finders, Inc.; Metro Housing Boston; the Lynn Housing Authority and Neighborhood Development; the South Middlesex Opportunity Council, Inc.; [NeighborWorks](#) Housing Solutions ~~for Southeastern Massachusetts, Inc.~~; and RCAP Solutions, Inc.; provided further, that the department shall reallocate financing based on performance-based statistics from ~~underperforming~~ [underperforming](#) service providers to above average service providers in order to move as many families from hotels, motels or shelters into more sustainable housing; provided further, that the department shall use funds provided under this program for stabilization workers to focus efforts on housing retention and to link households to supports, including job training, education, job search and child care opportunities available, and may enter into agreements with other public and private agencies for the provision of these services; provided further, that a stabilization worker shall be assigned to each household; provided further, that funds shall be used to more rapidly transition families served by the program into temporary or permanent sustainable housing; provided further, that notwithstanding any general or special law to the contrary, not less

than 90 days ~~before~~prior to promulgating or amending any regulation, administrative practice or policy that would alter eligibility for or the level of benefits under this program to less than the benefit level available on June 30, ~~2019~~2020, the department shall file a report with the house and senate committees on ways and means and the clerks of the senate and house of representatives ~~and senate a report~~ setting forth the justification for such changes including, but not limited to, any determination by the secretary of housing and economic development that available appropriations will be insufficient to meet projected expenses; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means, which shall include, but not be limited to, the: (i) number of families served, including available demographic information, as well as the number of families with dependents 0 to 17 years of age, the number of families with dependents 18 to 20 years of age and non-dependent adult household members 18 years of age and older served; (ii) type of assistance given; (iii) average, minimum and maximum cost per family of the assistance; ~~(iv) number of families assisted through this program; and (v) and (iv)~~ total number of families receiving benefits under 7004-0101 that have received assistance under ~~7004-0108~~7004-0108 during the previous 1, 2, and 3 years, including available demographic information; provided further, that the department shall expend funds under item 7004-0108 on families residing in temporary emergency shelters and family residential treatment or sober living programs under items 4512-.0200 and 4513-1130 if the families otherwise meet all eligibility requirements applicable to emergency shelter under item 7004-.0101, except that, solely for the purpose of this item, the fact that a family is residing in a temporary emergency domestic violence shelter under item 4513-1130 or in a family residential treatment or sober living program under item 4512-0200 shall not preclude the family from receiving assistance; provided further, that this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to, or shall be construed as giving rise to, any enforceable right or entitlement to services in excess of the amounts appropriated in this item; ~~and~~ provided further, that household assistance funds shall be advanced to the administering agencies at the end of each month and ~~before~~prior to the next month's disbursement, the amount of which shall be estimated based on the prior month's expenditure with a reconciliation not less than annually; and provided further, that up to \$1,900,440 appropriated for this item in fiscal year 2020 shall not revert but shall be made available for the purposes of this item in fiscal year 2021

Foreclosure Prevention Counseling (7006-0011)

SWM FY21:	\$ 1,500,000
HWM FY21:	\$ 2,250,000
Gov's Oct FY21:	\$ 2,250,000
FY2020:	\$ 2,850,000

Building Blocks Request: \$ 2,050,000

Description of Changes:

- Increases ch. 206 grant amounts to \$1.5 million

Language:

For the costs incurred by the division of banks associated with licensure of loan originators under chapter 255F of the General Laws; provided, that the division may expend revenues of not more than ~~\$2,850~~1,500,000 from the revenue received from administrative fees associated with the licensure fees and from civil administrative penalties collected under said chapter 255F; provided further, that not less than ~~\$1,300~~500,000 shall be expended by the commissioner of banks as grants for the operation of a program for best lending practices, first-time homeowner counseling for nontraditional loans and at least 10 foreclosure education centers under section 16 of chapter 206 of the acts of 2007 and that the grants shall be awarded through a competitive application process using criteria established by the division; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system