

The Commonwealth of Massachusetts



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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133

April 24, 1992

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Section 5 of Article 63 of the Amendments to the Constitution, I am today signing House 5464, "An Act Making Appropriations for the Fiscal Year Ending June Thirtieth, Nineteen Hundred and Ninety-Two to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

Among the provisions of this bill that I am pleased to sign into law are those that will protect our cities and towns from any potential shortfall in Lottery Aid from Fiscal Year 1991 levels. The potential cost of this action to the Commonwealth is minimal compared to the financial stability it provides our communities. I am also signing an item for the Asylum Representation Project to provide additional funding for its transition to non-public sources of financing; the Project's public funding was reduced by 85% in the Fiscal Year 1992 budget and it sought and obtained private funds for much of its 1992 operation. I would expect it to seek even greater private participation without public expense in Fiscal Year 1993.

I am also signing section 4 and sections 13 through 18 because I recognize the critical need to maintain our current hazardous waste storage and disposal facilities in Massachusetts. I also recognize the need for a comprehensive, long-term solution that balances the statewide need for hazardous waste disposal capacity with the needs of local government control and monitoring of facilities within their municipal boundaries. To that end, a review of the entire statutory framework of hazardous waste disposal and facility siting is now underway in the Executive Office of Environmental Affairs. I am signing these sections despite the fact that section 18 contains an incorrect citation of statute. I anticipate that a corrective change will be forthcoming from the Legislature to amend the citation in the last paragraph of section 18 to read "chapter twenty-one C" instead of "chapter twenty-two C".

I am, however, taking action to veto or reduce certain items in this bill, primarily because this spending is not currently included in our Fiscal Year 1992 budgetary forecast. These actions will save \$58.2 million from the net cost of this bill and include the following:

I am vetoing several items because they can be funded from existing appropriations and authorizations. These include a \$10,000 study of health care at MCI Framingham, because the Department of Correction will contract for an independent review of department-wide health care service delivery later this year with existing funding, and \$10,000 for the State Police union election, because the cost can be financed from the Labor Relations Commission's existing appropriation. I am also vetoing an item which would provide reimbursements for asbestos removal in public schools because capital funds already exist for these reimbursements. Administration and Finance Secretary Nessen has agreed to expedite the release of these capital monies early in Fiscal Year 1993.

I am reluctantly vetoing five items because they would have a significant unplanned negative impact on our current fiscal projection. These include a \$5 million grant program to demolish abandoned buildings and \$6.3 million for school building repairs. In addition, I am vetoing funds for new staff at the Bureau of Special Investigations because our Fiscal Year 1993 budget does not provide sufficient funding to maintain this staff next year. I am also vetoing \$50 million at this time for Medicaid prior year claims. After a full review of the projected obligations for the Medicaid program for the current year, I have filed a supplemental budget request to fund the Medicaid program through the end of the year. In addition, I am vetoing \$2.1 million for vocational rehabilitation services because this funding would have the effect of establishing an entitlement to these services at a time when many other worthy programs have implemented a waiting list for services.

I am vetoing several items because I do not think they are an appropriate use of limited state funding. These include reimbursement to the City of Salem for police overtime costs that are more appropriately the responsibility of the city itself, and a \$25,000 item that would negate the arrangements negotiated between the Department of Public Health and one of its providers. In addition, I am vetoing funding for Emergency Medical Services regional councils because I vetoed an identical item in the Fiscal Year 1992 general appropriation act, and see no reason to alter the judgement given at that time.

I am vetoing two items because we plan to settle all outstanding fiscal issues related to them at one time later in the fiscal year. The first item would provide funds for Hampshire County operations; I would prefer to address county fiscal needs comprehensively rather than in a piecemeal fashion. The second item would provide supplemental funds for foster care services. Our original request was based on erroneous accounting transactions at the Department of Social Services which artificially inflated Fiscal Year 1992 expenditures. After review, it has been determined that these supplemental funds are no longer necessary for Fiscal Year 1992 services. A complete set of new appropriations and correcting legislation for these and related items will be requested later this spring.

I am reducing several items because our current estimates indicate that these programs will have lower spending needs for the balance of the fiscal year. These include items for the Office of Quality Assurance, Group Insurance health and life insurance premiums, leasing costs of modular units at the Department of Correction, funding for new county corrections beds, and the Community Antenna Television Commission. I am also reducing the regional school aid item to provide only the amount necessary to fund the Pioneer Valley Regional School District; the remainder of this appropriation would have funded an inappropriate retroactive adjustment. In addition, I am reducing the item for a new police class because the amount appropriated exceeds the funding need for the class at this point in the fiscal year. The reduced amount is sufficient to fund the new class of 200 cadets, as intended in the bill. I am also striking language in this item that would establish a \$1,200 training fee because of doubts about its fairness.

I also find it necessary to veto the following sections included in this bill:

Section 8, which exempts certain retirees who retired due to disability from reporting their annual earned income. The reporting requirement was established to ensure that the Commonwealth does not needlessly incur disability pension costs, and should remain in effect.

Section 19, because it would prohibit the Welfare Department from considering an EAEDC recipient's living arrangement when determining benefit levels for those recipients who share living expenses. This prohibition would limit the Welfare Department's ability to manage the EAEDC program and would increase EAEDC spending by \$3 million annually.

Section 20, because it duplicates language in the current Medicaid statute as recently amended by Chapter 495 of the Acts of 1991.

Section 21, which would exempt the special police officers used by the MBTA as starters and inspectors from having to use the word "special" on their badges, because it is important that special police officers, lacking the training and responsibilities of regular police, be identified as such.

Section 42, which would impose a fee on all persons receiving training to be a police officer, because it is inconsistent with my recommendation in House 1.

Section 43, because the Massachusetts Emergency Management Agency is not prepared to take on the new responsibility of environmental radiological monitoring without adequate time for preparation and study.

Section 53, because the restrictions it imposes would cause fiscal chaos at the Department of Mental Health this late in the fiscal year.

Section 57, which requires that Massport establish roundtrip shuttle bus service from Logan Airport to both North and South Stations, because bus service is not the responsibility of Massport. In addition, this section conflicts with our efforts to coordinate the various activities of the transportation authorities and departments in the Commonwealth.

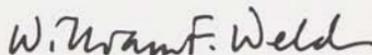
Section 60, because it would undermine the work and recommendations of the Special Commission on Facility Consolidation and impede our plans to privatize certain health services.

Section 61, because I do not feel that an additional study of the floating prison is needed at this time.

Section 73, because I am persuaded that any police training fee, no matter how structured, would have the undesirable effect of discouraging qualified applicants from seeking police work, and would discriminate against those lacking the means to pay the fee.

The remainder of this bill, which makes supplemental appropriations and minor technical changes to the general appropriation act and provides for certain new activities, I am hereby approving.

Sincerely,



William F. Weld

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