

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
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MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

November 26, 2003.

ATTACHMENT C

To the Honorable Senate and House of Representatives:

Pursuant to Article 56, as amended by Article 90, Section 3 of the Amendments to the Constitution, I am returning to you for amendment section 76 of House Bill No. 4330, "An Act Making Appropriations for Fiscal Year 2004 to Provide for Supplementing Certain Existing Appropriations and for Certain Activities and Projects."

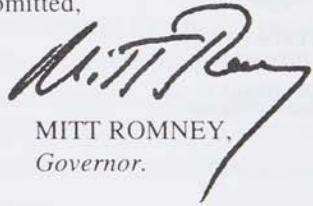
I am returning for amendment section 76 which allows the Boston municipal court department to participate in the retained revenues derived from probation service fees collected by the Boston municipal court and the district courts around the commonwealth. While I support the Boston municipal court department's participation in this program, I am returning the section for amendment to insure that the Boston municipal court department's participation is equitable. In the first quarter of this fiscal year, for example, the Boston municipal court central division collected fewer probation service fees than the Edgartown district court. It would be unfair to court divisions outside Boston if the Boston municipal court department were permitted to receive revenues from a fund into which it makes minimal contributions. My amendment requires that the Boston municipal court department be permitted to receive no more than the amount of revenues it contributes to the fund.

Therefore, I recommend striking section 76 in its entirety and replacing it as follows:

SECTION 76. Item 0330-3334 of said section 2 of chapter 26 is hereby amended by striking the words "of the trial court for the operation of said department" and inserting in its place the following:— or Boston municipal court department of the trial court for the operation of said departments; provided that expenditure or allocation to the Boston municipal court department shall not exceed the amount of probation service fee revenue collected by the Boston municipal court department.

Thank you for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Mitt Romney". The signature is stylized and fluid, with a long, sweeping underline that extends to the right and slightly downwards.

MITT ROMNEY,
Governor.