

# Mass. lawmakers to pick and choose some do-overs

By John J. Monahan TELEGRAM & GAZETTE STAFF  
[jmonahan@telegram.com](mailto:jmonahan@telegram.com)

**BOSTON** — House Speaker Robert A. DeLeo said yesterday he expects lawmakers will soon take up budget veto overrides to prevent Taunton State Hospital from closing, restore prohibitions on the use of welfare benefits and increase pay hikes for human service workers.

Meanwhile, some lawmakers from northern Worcester County are also hoping to overturn the governor's veto of budget riders that would have put Gardner and as many as six other communities in line for development and job creation incentives through the state's Gateway Cities program.

On Sunday, Gov. Deval L. Patrick signed the new \$32.5 billion budget, but vetoed \$34 million in spending along with a legislative plan to prevent the closing of Taunton State Hospital. He also rejected a set of welfare reforms approved by lawmakers and attached to the budget. He sent them back with recommended changes.

Mr. Patrick proposed leaving in place bans on the use of welfare benefit cards to pay for tobacco, alcohol and lottery tickets, already prohibited by law. But the governor's proposal would strike out specific bans on using cards to buy such things as guns, pornography and manicure services and instead would prohibit using the cards altogether in liquor stores, gun and ammo shops, strip clubs, tattoo shops, bars and drinking establishments, cruise ships and spas.

The governor cited conclusions of a state commission that last year said bans on specific items for purchase would be costly, hard to enforce and could cause harm to some households dependent on welfare. The commission, he said, instead recommended bans on use in specific types of stores and businesses.

"I see no reason other than political grandstanding, to deviate from that basic conclusion," Mr. Patrick said in a letter to lawmakers.

Mr. DeLeo, D-Winthrop, told reporters at the Statehouse yesterday that he expects the governor's welfare amendment to be taken up by the House tomorrow. If rejected by the House and then the Senate, it would set up a possible full veto on the measure by the governor and an override vote later

this month.

The speaker defended the Legislature's approach to those reforms as “the right thing to do. When you are talking about saving taxpayers money from fraud, I don't think that is political grandstanding,” Mr. DeLeo said.

Senate Ways and Means Chairman Stephen M. Brewer, D-Barre, said overall the governor's decision to veto \$34 million out of a \$32.5 billion budget amounts to “a very good review” of the budget and reflects agreement on expanded local aid and provisions to promote more job-oriented schooling at the state's community colleges.

But Mr. Brewer said he expects lawmakers to consider taking up votes to overturn the Taunton State Hospital veto and a \$10 million cut from a \$20 million appropriation for pay increases for as many as 35,000 human service workers.

The Legislature had approved the higher figure to provide an annual pay increase to those workers for the first time in four years. The governor's cut, if it stands, would only allow a one-time payment instead of an annual pay increase that would amount to about 15 cents per hour, according to the Providers Council, which advocates for mental health services.

Mr. Brewer said the human services workers are among the lowest paid employees providing direct care for needy people and he would like to see the pay increases go through. “I think we have the resources to pay them,” Mr. Brewer said.

He said he also expects override votes will come on the Taunton hospital question.

The administration has proposed closing the hospital and sending its 169 patients to community residential programs, or to the Worcester hospital or other state facilities. The House and Senate, however, objected to that plan and voted to leave the hospital open for 45 inpatient mental health beds while patient needs are studied further.

Mr. Patrick said he favored greater use of community-based services and less institutionalization. He cut \$5.1 million that would have been used to keep the Taunton hospital open and left intact a \$10 million increase in funding for community-based programs.

Senate President Therese Murray said she plans to talk to Senate members about the issue and consider a veto override. She maintains that closing the Taunton hospital will leave that part of the state without enough beds in locked facilities.

State Rep. Richard Bastien, R-Gardner, said he will seek support from other legislators to overcome the governor's veto of a budget rider to allow Gardner and six other communities to participate in the state's Gateway Cities program.

The budget provisions that passed the Legislature would have lowered the minimum population of eligible cities from 35,000 to 20,000, which would have allowed Gardner, Agawam and West Springfield to get grants, tax credits and school funding allocated in the program.

Mr. Bastien said he complained about that decision to Lt. Gov. Timothy P. Murray who was in Gardner yesterday to tour the veterans homestead and rehabilitation center. "I told him obviously we are unhappy with the governor's veto," Mr. Bastien said. He said the city, as a former industrial center with low incomes, meets all the criteria of the Gateway Cities program that serves 24 larger communities, except for population.

"We are at 10 percent unemployment right now. A lot of people who live in Gardner worked in factories and either never went to high school or finished high school, and went right to work in the factories," Mr. Bastien said. He said three of the cities that would be affected, including Gardner, are represented by Republican legislators or mayors and he suspected a partisan political reason behind the governor's veto.

Mr. Patrick said expansion of the program would dilute its impact in other cities that use the program. He also vetoed \$100,000 to reopen Gardner's Heritage Park museum, which has been closed because of a lack of funding for seven years.

State Sen. Jennifer Flanagan, D-Leominster, dismissed any partisan basis for the Gateway Cities veto, but said it was upsetting that Gardner would not be allowed into the program. "When you talk about industrial mill cities, places like Gardner, Gloucester and Agawam fit into exactly what the Gateway Cities program is supposed to help," Ms. Flanagan said, referring to two other cities that would have been included.

Mr. Patrick also signed new legislation closing a loophole that would have allowed repeat drunk driving offenders who refused to take a Breathalyzer test to receive less serious penalties.

It was attached to the Legislature's budget proposal for the new fiscal year

The new law would allow refusing a Breathalyzer test to be treated as a conviction if an individual receives a ruling of "continuance without a finding" in court. The law previously allowed individuals to avoid having their refusal of the test counted against them in future decisions on license revocation.

Attorney General Martha Coakley praised the legislation Monday, saying it is an "important public safety measure."

Mr. Patrick is also asking for changes in a state budget provision that would require anyone seeking to register a car in Massachusetts to provide proof of legal U.S. residency. He sent a revised version of the measure back to lawmakers for consideration Sunday, saying he would not accept efforts to compel

state authorities to enforce federal immigration laws.

The original provision required applicants for a motor vehicle registration to provide the Registry of Motor Vehicles with a driver's license, identification card, Social Security number or "other proof of legal residence."

Under the change sought by Mr. Patrick, the requirements would be largely the same, except for proof of legal residency.

He did approve another budget provision that establishes a new crime for trafficking in counterfeit licenses or identification cards.

Material from The Associated Press was used in this report.