

***HOUSE . . . . . No. 03346***

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The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven.  
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April 11, 2011

To the Honorable Senate and House of Representatives:

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution, I am today signing House Bill 3318, “An Act Making Appropriations for the Fiscal Year 2011 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects”, while disapproving one item and returning one section for amendment.

This legislation is necessary to maintain critical services through the remainder of this fiscal year for core safety net programs and to provide for unavoidable and unanticipated costs, particularly for the safe removal of snow and ice on the state’s highways and bridges this winter season. We have identified sufficient resources to support this necessary spending.

Although I am approving additional fiscal year 2012 funds for the Department of Correction, I am concerned about the sufficiency of funding for the future operations of that Department. I have proposed substantial sentencing reforms, and the closing of two correctional facilities that they would enable, thus allowing the Department to operate within my proposed fiscal year 2012 budget. To be clear, closing prison facilities is not my first choice; but it reflects the fiscal reality faced by the Commonwealth and the need to operate the state’s programs and facilities next year within the resources available to the Commonwealth. The Legislature has not yet informed me of its own funding plan; when I receive the general appropriation bill, I will carefully review the overall

sufficiency of the fiscal year 2012 budget for the Department, including the funding provided in the present bill.

While I am approving Section 40, which increases authorized payments to certain hospitals and the corresponding amount transferred to the Medical Assistance Trust Fund, I note that it authorizes the Secretary of Health and Human Services to make transitional relief payments to privately owned acute hospitals in a total amount "not to exceed" \$245,500,000.

I disapprove item 8910-8200 in Section 2, because appropriating these additional funds for the Barnstable Sheriff's Department is inconsistent with my recommendation and unnecessary for that Department's operations.

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am also returning for amendment Section 4A, for reasons set forth in my accompanying letter today.

I approve the remainder of this Act.

Respectfully submitted,

DEVAL PATRICK,

Governor.