

54 THE BOSTON SUNDAY GLOBE JULY 17, 1988

Dukakis expected to pare state budget by \$150m

■ BUDGET

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code, a \$65 million corporate tax and fee package and additional fees totaling about \$10 million to \$15 million.

The governor also won the power to increase fees virtually at will after notifying the Legislature of his plans.

The Legislature passed the governor's plan to use \$51 million in lottery funds that normally would go to cities and towns and the recovery of an estimated \$24 million in unclaimed bonds and can deposits from the state's beverage industry.

Heavy lobbying by the beverage industry prevented the unclaimed deposits bill from coming to a vote in the Senate yesterday.

The bill already had passed the House and would have gradually shifted the deposit money into an environmental change fund.

Dukakis had to do some last-minute juggling of the state's books. He was faced with a \$361 million deficit, according to the administration's calculations.

The Legislature early yesterday morning gave the governor

ability to use the state's cash reserves and to issue bonds to pay for projects for which cash had previously been appropriated. The two budget measures together yielded \$250 million. The governor also could take \$24 million in cash to offset the deficit.

Dukakis had been planning to use \$25 million of a placed-out million surplus to make up the balance of the deficit, said the Legislature approved the payment of \$50 million to Medicare reimbursements to hospitals and changed the tab in the fiscal 1988 budget. The move brought the deficit to \$411 million.

Dukakis plans to respond by shifting the payment of a portion of a \$52 million court settlement with corporations from fiscal 1988 rather than fiscal 1989 as he previously had said he would do.

The move enables the administration to avoid tapping the \$74 million "rainy-day" stabilization fund, which Dukakis had said would not be used.

Wary lawmakers grumbled throughout their authorization session about how the Democratic majority regularly suspended rules to take up the budget balancing measures without the customary waiting periods. As the sun came up on Tuesday

many legislators had already left for Atlanta and before on legislation declined to almost nothing.

House Minority Leader Steven Pierce (D-Westfield) said one of the budget-balancing measures was moving through the Legislature so quickly that no one understood what they were voting on. He said that one provision of a budget measure would increase fees paid by students attending state colleges by \$200.

Rep. Kevin Blanebette (D-Lawrence) led a fight to block the administration's attempt to pay \$27 million in surplus pension funds. But despite overwhelming support in the House a week ago, the proposal passed yesterday morning as part of a much broader package that legislators were forced to approve or reject in its entirety.

Blanebette accused the administration of stealing from the state's pension funds. "If you allow this to go through, what I say next year this governor or somebody else will try to recover more of the funds," he said.

Pierce warned that the "slipshod" budget process would become a presidential campaign issue. "This is all a gambler for the Republican presidential candidate," he said.

Groups watching as Dukakis weighs Bulger's school bills

By Patricia Wen
Globe Staff

On the eve of the Democratic National Convention in Atlanta, teachers unions and civil rights groups are closely watching Gov. Michael S. Dukakis' decision on legislation establishing a Massachusetts "choice school" plan, which they say will measure his commitment to urban education.

"If he signs it, it means he's giving up on urban school systems," said Kathy Kelly, legislative representative for the Massachusetts Federation of Teachers.

Under the legislation, a student in Boston and Worcester would have the option of attending any other school district in Massachusetts that agrees to accept the transfer. The state would pay the tuition, estimated at \$5,000 a student, and deduct that amount from the state local aid allotment assigned to the district losing the student.

Critics, including State Education Commissioner Harold Rayo, said the plan could drain the Boston and Worcester public schools of their best students and much-needed state funds.

The "choice-school" plan is a delicate political issue for Dukakis. State Senate President William M. Bulger, the bill's sponsor, played a central role in pushing key initiatives needed in recent weeks to help balance the fiscal 1988 and 1989 state budgets, though he failed to shepherd through the Senate the governor's plan to recover millions of dollars in unclaimed bonds and can deposits for the state treasury.

Risks in either decision

Alarming Bulger would create problems for Dukakis here, but siding with him could cause trouble for Dukakis' presidential campaign. Critics of the school bill have said signing it would be a sign of weakness, of an inability to act on his convictions.

"He would be introducing his own victory in this campaign," said Donald Pohl, president of the Urban League of Eastern Massachusetts.

Bulger yesterday remained op-

'If we're going to be affected by all this late-night legislation, we should have someone to let us know.'

Laval S. Wilson,
school superintendent

attorney for the black plaintiffs in the Boston school desegregation case, who has objected to the bill.

Early yesterday, Bulger also won approval of another measure affecting the Boston public schools, one which, if signed by Dukakis, would enable Boston Latin Academy to be located in two buildings at the Massachusetts College of Art.

Under the legislation, an amendment to the higher education capital output bill, the state would convey two of the college's buildings to the administration and Kennedy buildings to the City of Boston, which would use the buildings for the Latin Academy and Boston Technical High School.

The bill would return to the Legislature the \$1.5 million that the city had paid to the academy's buildings to be used over the next two years by staff and students of Boston Latin, the nation's oldest public school, which is undergoing a \$25 million renovation and needs temporary classroom space.

Though Massachusetts College of Art would be going up two buildings, it would receive state funds to begin looking into building a new dormitory on a vacant parcel across the street. About \$2 million was set aside for the initial studies, Bulger said.

Brady said the bill gives Latin Academy, currently located in a renovated garage on the Fenway, the new home it needs.

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Members of the House of Representatives discuss the state budget early yesterday during an overnight session.

In the budget rush, other legislation gets fast action — or none

By Bruce Melt
Globe Staff

The Massachusetts Legislature, however tired and eager to head for the Democratic National Convention in Atlanta, yesterday showed a middle-of-the-night habit to block the measure from coming up for a vote.

"We shouldn't be taking this bill up at this time," said Sen. Paul J. Sherry (D-Lowell). "All of these bills are important, but we've designated to benefit consumers over benefit consumers."

The bill's sponsors said Gov. Michael S. Dukakis supported the legislation as drafted.

Other bills get quick action

In other legislative action from the round-the-clock session, the Legislature approved bills adding 41 new judges and requiring the state to take over operation of 11 courthouses.

The Legislature also whisked through an air pollution measure that Dukakis had filed as a favor in the mayor of Fall River, a long-time political supporter.

Dukakis acted quickly yesterday in signing into law a bill establishing the Burnstable County Commission, a 15-member elected body that would give lower rate to Cape Cod for the first time in 200 years. Former Sen. Paul S. Tamm had pushed the commission into to give the area more control over development.

The Fall River air pollution bill was an unusually fast track in the Legislature, despite strong opposition from environmental groups. It extends by two years the July 1989 deadline for Fall River to place filters costing \$28 million on its municipal incinerator.

Frank T. Keefe, the governor's secretary of administration and finance, filed the bill as the governor's environmental affairs secretary announced the bill and questioned Dukakis' commitment to air quality. The measure passed on voice votes with no debate in either branch of the Legislature.

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Representative's illness not serious

State Rep. John H. Flood (D-Cantoni), who suffered an ill return early yesterday at the State House, underwent tests last night he expected to be fully recovered within a day or two.

"Basically it was exhaustion," said the chairman of the House Committee on Taxation from his home. "I had had all my strength after long periods of sleep and no meals."

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