

---

## *The Rosenberg Report*

Vol. II  
March 4, 2002

---

Hello!

Another month has flown by, and between Clean Elections, legislative rules reform, the on-going budget crisis, and a capital facilities bond package, there's been a lot happening on Beacon Hill.

But before we get into all that, I want to say that I really appreciate all the feedback I received on last month's edition. I hope these newsletters continue to be informative and don't clog up your e-mail. Please feel free to forward this to anyone you think might be interested, and ask them to contact us at [tumitch@sprynet.com](mailto:tumitch@sprynet.com) if they want to be added to our list.

But if you want to be removed from our list, just click here [tumitch@sprynet.com](mailto:tumitch@sprynet.com) and tell us.

Yours,



### March Focus

#### *Clean Elections*

As of March 4<sup>th</sup>, 2002, the Clean Elections law is very much in limbo. I don't have a clear idea what's going to happen, but I can provide a quick re-cap of what has happened in the last few weeks.

On February 14<sup>th</sup>, the Senate voted 19-18 to approve financing for only two state-wide candidates who had met the January 25<sup>th</sup> deadline for qualifying for public funds under the present law. As part of that vote, the Senate also approved placing a non-binding referendum question on the November 2002 ballot that will ask voters if they support taxpayer funded elections. If the majority of voters say "yes," the Senate has pledged to work to improve the 1998 law or craft a new public financing system.

I want you to know that I was among the 18 senators who voted to implement the law as it is presently written, including the provision that calls for legislative candidates, as well as candidates for state-wide office, to fall under its guidelines.

Following the Senate vote, the House of Representatives passed a similar compromise, by a similarly narrow margin. But since then, the Supreme Judicial Court has stepped in again and has ruled that the Legislature cannot limit public funding to two candidates and must appropriate money for state-wide and legislative races. Further, the SJC said that it will allow candidates who believe their candidacies have been harmed by the Legislature's actions to sue for monetary damages. The money for these damages, the SJC said, would come from the sale of state assets.

Now that the SJC has re-entered the fray, the Legislature will have another opportunity to fund or repeal the law.

I believe that we are on the brink of a Constitutional crisis over this issue. We're not in one yet, but we are staring into the abyss. We will be in such a crisis when the SJC starts seizing state assets and/or reaching into budget accounts to pay for public financing.

I can't resist quoting Bob Dylan here: "Don't speak too soon for the wheel's still in spin."

Stay tuned!

### *Capital Facilities Bond*

The Senate, on February 28<sup>th</sup>, approved a \$628,451,000 capital facilities bond package that includes several projects important to western Massachusetts.

This bond bill holds the potential for millions of dollars for capital projects in my district. In spite of the state's difficult fiscal situation, we cannot ignore our infrastructure.

Those projects include:

- \$10 million for demolition, construction and renovation work at state-owned and former county facilities. This program could benefit Northampton and Belchertown as those communities work to reuse the Northampton State Hospital and Belchertown State School sites.
- \$32 million for correctional facilities, including an additional \$9 million for the new Franklin County House of Correction, which is currently under design.
- \$10.6 million for local community development projects, including \$2.5 million for the Amherst Cinema. I have won legislative support for the Amherst Cinema project several times, but each time the line item has been vetoed by the governor.
- \$100 million for state and community college capital facility improvements.

- \$77 million for capital facility improvements for the UMass system. In spite of recent investments of tens of millions of dollars in the last few years, the deferred maintenance needs in certain University buildings are at a critical stage.
- \$10 million for the Pioneer Valley Life Sciences Initiative. This is the second installment on \$90-plus million project linking Baystate Medical Center and UMass-Amherst in the area of biotechnology. Last year the initiative was approved for its first \$5 million appropriation.
- \$25 million for local communities to buy public safety equipment.
- \$1.5 million for the Massachusetts Emergency Management Agency to provide a grant program for cities and towns developing Local Emergency Management Plans. I initiated this program after meeting with local officials from the Hampshire and Franklin Councils of Governments who are working to help local governments formulate local emergency response strategies.
- \$75 million for library construction grants. Given the state of development of the various projects in his district, this amount would ensure funding for the Montague library project.

*Budget snapshot*

Last November, I wrote an op-ed piece outlining the state's budget situation, as it was then, and calling for a freeze of the income tax rollback as one way of addressing potential shortfalls.

(Click here for the text: <http://www.stanrosenberg.com/statefinances2001.html>)

Well, the size of the potential shortfalls has grown since then and momentum has been building to freeze the income tax rollback. In addition, many members from both the House and Senate have recently started looking seriously at a variety of tax increases – including hikes in the cigarette tax to finance health care programs and increases in the capital gains tax to augment the general fund – at improved tax collection methods, and at my tax amnesty proposal (<http://www.stanrosenberg.com/issues/feb2002.html>) to help close what is expected to be a \$2-\$3 billion budget gap.

The situation is serious. It would be dishonest to say otherwise. The last time we experienced such a budget crisis was in 1988-92. One of the biggest differences between then and now is the attitude toward raising taxes. Back then, we did the unpopular thing and raised taxes, pulled ourselves out of the recession and then experienced 10 years of unprecedented economic growth. But now, while support for tax increases is building in the Legislature, there is not, not at the moment anyway, in either the House or Senate, the two-thirds majority necessary to override promised gubernatorial vetoes.

Once again, this is a serious situation and I will attempt to keep you up to date. In the meantime, I would be interested in knowing your thoughts. Please feel free to drop me a

note at [Sen.StanRosenberg@senate.state.ma.us](mailto:Sen.StanRosenberg@senate.state.ma.us) anytime. I always enjoy hearing from you, especially on matters like this.

## Noteworthy

### *Rules Reform*

Last month, the Senate approved a number of rules reforms, including the proposals I had made. These reforms will help speed the flow of legislation, codify the time frame for setting special elections and provide more public access to the Senate's budget deliberations.

The Senate also adopted rules to expand the use of the Internet and approved my proposal to create a special task force to develop a plan to broaden the use of computer technology in the daily workings of the Senate.

#### 1) Special Elections

The Senate adopted my proposal to set the date for special elections within 14 days after a House or Senate member vacates the seat either because of death or resignation. This proposal was highlighted in the Boston newspapers as being especially appropriate given what happened with the special election to replace State Representative Bill Nagle (D-Northampton).

#### 2) Joint Committee System

The Senate adopted my proposal that any bill referred to a Joint Committee for study must be sent to the branch where the bill originated. For example, Senate bills would be sent back to the Senate for study, and House bills back to the House. This would allow the Senate to move legislation independent of the Joint Committee and enable the Senate to move more legislation faster.

This proposal addresses the imbalance inherent in the joint committee structure. Currently, the number of members on House-Senate Joint Committees is determined by the number of members in the respective chambers. Consequently, there are more House members than Senate members on each Joint Committee. This imbalance can frustrate Senators and their constituents because bills filed by Senators can languish in committee without getting the attention they deserve.

This plan will help distribute legislative power more even throughout the Senate, especially among committee chairs and will create a better balance between the two branches.

#### 3) Technology Task Force

The Senate also agreed with a my proposal to create a special task force on technology to prepare a plan for improving the Senate's use of technology so that members and their constituents will have greater access to the legislative process.

But the Senate delayed temporarily another one of my proposals concerning amendments to existing laws. This proposal called for the text of amendments to be printed alongside the original law that is to be changed. Such side-by-side printing doesn't occur now, and, consequently, new bills are read out of context. This change would help legislators and the general public better understand what the proposed changes would mean.

This proposal won wide support in the Senate, but the delay was approved to give the task force time to work out the technical aspects of the plan.

Ten years ago, I chaired a similar technology task force for the Senate and prepared a plan that has resulted in each Senator having e-mail and Internet access; the Senate having its own website with bill tracking and bill text features; and Senate sessions being broadcast live over the Internet.

It's time to look at the next generation of technology to see what can be done to continue providing the most open and accessible Legislature possible. I'm pleased the Senate is pursuing this opportunity.

#### 4) Other Rules Reforms

The Senate also approved the following rules changes:

- If the state budget is going to be late, the Legislature must issue a resolution outlining the minimum Chapter 70, lottery aid and additional assistance amounts each community would receive. This will help local officials better prepare their own budgets.
- Use the General Court's website to publish public hearing schedules and public testimony.
- All conference committee meetings where recommendations will be acted on must be open to the public, including budget meetings.

All of these matters now await action by the House of Representatives.

### Roundup

*100 percent from Audubon Society*

In late January I learned that I had earned perfect marks on the Massachusetts Audubon Society's 2001 Legislative Report Card.

Twenty-five other senators earned the same mark and the average score among the 40 senators was 93.4 percent.

I'm pleased with my personal rating and with the overall rating of the Senate. I think it's indicative of the Senate's commitment to environmental issues.

#### *Conference for Municipal Officials*

I am happy to report that this year's Conference for Municipal Officials is shaping up nicely and that the invitations are in the mail. If you want to check out the line up of this year's conference and register on-line, click here:

<http://www.stanrosenberg.com/info/muncon2002.html>

Once again, the conference will be Saturday, April 13<sup>th</sup> at The Clarion Hotel and Conference Center (formerly The Inn at Northampton).

For more information, contact Tom in my district office at 413-587-6289, or by e-mail at [tumitch@sprynet.com](mailto:tumitch@sprynet.com).

#### *State Grant Awards*

Here are a few of the state grants that were awarded to the district in February:  
Community Development Block Grants

\$674,900 – Chesterfield, Cummington, Plainfield, Williamsburg, Goshen and Worthington for a variety of housing and social services programs;

\$1 million – Montague, Leverett and Greenfield for a 33-unit housing rehabilitation program;

\$620,000 – Shelburne for Maple Street Neighborhood Road and Sidewalk Reconstruction project;

\$600,000 – Shutesbury, for housing rehabilitation and a handicap accessibility project at Town Hall;

\$500,667 – Williamsburg, for removal a handicap accessibility project at Town Office building;

\$1.5 million – Chester, Huntington, Blandford and Russell for a variety of housing rehabilitation and social services projects;

\$300,000 – Colle Opera House, Montague;

\$2.6 million – I-91 resurfacing between D'field, G'field and Whately. Resurfacing will begin in the spring;

#### *Public Hearing*

I will host a public hearing on black bear population management with the members of the Legislature's Joint Committee on Natural Resources. The hearing is scheduled for Thursday, March 14<sup>th</sup>, from 7-9 p.m. in Court Room One, Hampshire County Court House, Northampton.

State Senator Stephen Brewer (D-Barre) and State Representative Robert Koczera (D-New Bedford), co-chairs of the Natural Resources Committee, will attend. The hearing is being conducted at my request as a follow-up to a meeting held late last year with Northampton and state Division of Fisheries and Wildlife officials where problems with the regional black bear population were discussed.

I have heard from many constituents about the black bear situation in western Massachusetts and I'm grateful that my colleagues are willing to come out and hear from them, too.

### *Redistricting*

On February 11<sup>th</sup>, the acting governor allowed the Congressional redistricting map, that I worked on with State Representative Thomas Petrolati (D-Ludlow), to become law without her signature.

So, barring any court challenges, this signals the beginning of our Congressional election season.

Nearly 90 percent of Massachusetts residents will maintain their current Congressional districts.

For western Massachusetts, that means that Representative Richard Neal of the 2<sup>nd</sup> Congressional District, will keep Northampton, Hadley and South Hadley, while picking up North Brookfield, West Brookfield in central Massachusetts, and several communities further east; Representative John Olver of the 1<sup>st</sup> Congressional District, will pick up Ware in central Massachusetts and several communities further east.

Click here to take a look at the map:

<http://www.state.ma.us/legis/redistricting/congress/conmap.htm>

### Trivia

Here's the answer to last month's question -- Can you name the towns that were lost in order to create the Quabbin Reservoir? **Enfield, Greenwich, Dana, and Prescott were the towns that were flooded to create the reservoir.**

If you're interested in finding out more about the Quabbin, follow these links:

<http://www.state.ma.us/film/feefree/quabbinres.htm>

<http://www.mwra.state.ma.us/water/html/hist5.htm>

<http://centralquabbinarea.org/quabbin/>

Thanks to everybody who played along, but an extra special thanks has to go to Jay DiPucchio of Turners Falls, who set his answer to music – “Downtown” by Petula Clark to be exact.

So, with apologies to Ms. Clark – <http://www.petulaclark.net/> – here, without further ado, is “Drowned Towns” by Jay DiPucchio.

*Drowned Towns*

*When you've got dough, but resources are low  
You can always go—drown towns.  
When you've got power to make people cower  
Seems to help, I know—drown towns.  
Just listen to the gurgle of the Swift River Valley  
Not so many people there, so they won't hold a rally.  
How can you lose?*

*Enfield and Prescott's there,  
Dana and Greenwich, forget all their cares.  
So go drown towns, things'll be great when you  
Drown towns--not much to waste for sure.  
Drown towns—everything's wading for you.*

*Don't hang around and let the water surround you,  
There are graves to move—drown towns.  
Maybe you know some little schoolhouse to blow-  
Up before it flows—drown towns.  
Just listen to the rhythm of the water rising higher  
Who's going to miss four little towns in the western shires?  
Happy again.*

*And you may know you need more flow as your city's growing bigger.  
Not so many votes out there, so go grab another river!  
Divert the flow!*

*So maybe we'll see you there--  
Forget all their troubles, forget all their cares.  
Things'll be great when there's*

*Drowned towns, Drowned towns, Drowned towns, Drowned towns.*

Thanks again, Jay!

Now, here's this month's question: Name the last vice president of the United States who held elective office in Massachusetts?

Submit your answers to [tumitch@sprynet.com](mailto:tumitch@sprynet.com) and watch this space for the correct answer.

### Links

Here are a few links. Until next time, happy surfing!

Massachusetts State Government Home Page – <http://mass.gov/>

The Legislature's web page – <http://www.state.ma.us/legis/>

Senate's Bill Text System – <http://www.state.ma.us/legis/billsrch.htm>

Legislative Tracking System – <http://www.state.ma.us/legis/ltsform.htm>

My personal website – <http://www.stanrosenberg.com/>

The Rosenberg Report (Feb. 2002 edition) –  
<http://www.stanrosenberg.com/issues/feb2002.html>