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# *The Rosenberg Report*

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Hello!

On Dec. 1st, we celebrated the 50th anniversary of Rosa Parks' great gift, her demonstration that good can ultimately come when ordinary people, in the face of unrelenting injustice, simply say "*enough.*" Our country is better because of Rosa Parks, and all those ordinary, but extraordinarily brave, people who took up her cause.

Over the last few months I have been talking about this type of theme with various groups around my district and I'm happy to share the text of my remarks (<http://www.stanrosenberg.com/issues/handbasket.html>). The coming year will present us with numerous challenges, each one an opportunity to make a positive contribution. I appreciate the opportunity you've given me to serve you on Beacon Hill and I'm looking forward to our continued partnership.

Let's see what we can do in 2006!



## December Focus

### 2005 Session Wrap-up

#### *Retroactive tax hike nixed*

I am pleased to report that House and Senate leaders announced on Dec. 1st a plan to cancel a retroactive tax hike that was precipitated by Supreme Judicial Court rulings that limited tax policy decisions. I firmly believe that government should not impose taxes retroactively and I worked hard to see that it did not take effect. The retroactive tax hike would have affected 48,000 taxpayers who earned profits on assets sold early in 2002.

Instead, the Legislature plans to adopt an amendment that would cancel tax hikes on gains realized between January and May of 2002 and rebate taxes paid on capital gains realized between May and December 2002. About 157,000 taxpayers will receive rebates.

The plans are a response to court rulings striking down the mid-year tax increase and a second attempt to deliver tax amnesty to certain taxpayers affected by the capital gains tax hike, which was originally approved to help state government balance its books during the

most recent fiscal crisis.

The agreement moves the tax increase effective date up to Jan. 1, 2003, preventing the retroactive tax and satisfying a court mandate that taxpayers be assessed equally in the same calendar year. It will require the state to forego the collection of \$150 million and to rebate between \$56 million and \$69 million per year over the next four years.

The accord will require the unanimous consent of the Legislature, which is meeting until January in informal sessions, where the objections of a single member can stop the progress of any bill.

This decision was fueled by several factors and developments. The state's improved fiscal condition is helping. Lawmakers have received a stream of calls from taxpayers furious about being taxed retroactively. And the idea of delivering rebates over years, rather than a lump sum, appeared to be a deal maker.

### ***Commonwealth Investment Plan (in conference committee)***

#### Higher education

Included in the \$473 million Commonwealth Investment Plan is my proposal to invest \$20 million toward a planned \$90 million life sciences building at UMass-Amherst. This building is vital to the plan of invigorating biotechnology in western Mass. and would work in conjunction with a biotechnology research center, which the state helped finance, currently operating at Baystate Medical Center.

The bill also includes \$50 million for deferred maintenance at state and community colleges, and \$20 million for deferred maintenance at the UMass campuses.

Also included is \$2 million for the Commonwealth Information Technology Initiative (CITI) Fund, a fund for competitive grants for K-20 educational institutions in the areas of: 1) Educator Development -- to ensure that K-20 faculty in all public higher education institutions and elementary and secondary schools have the skills to teach course that meet industry's current and future information technology needs; 2) Curriculum Enhancement -- to update existing courses and programs of computer science, management information systems and computer engineering in public higher education, and to update academic discipline courses to facilitate the acquisition of knowledge through understanding and application of information technology in the K-12 level; 3) IT Across the Curriculum -- to implement the integration of information technology education into all aspects of non-technical disciplines and areas of study; and 4) Regional Cooperation -- create geographically based alliances among schools and industry to leverage faculty, courses and other resources for information technology education.

#### Cultural Facilities

The Commonwealth Investment Plan also includes \$250 million, with another \$250 million to be matched by private donations, over 10 years for grants and loans to improve the state's cultural and regional tourism facilities. This program is based on legislation I

created and it is an issue I have long championed because such investment, I believe, is justified by the enormous contributions the arts make to the state's economy.

There's no question that arts and cultural facilities feed our economy. They are tools for economic development and community revitalization. But the arts also encourage creative thinking and free expression. And that feeds the soul and, ultimately, helps strengthen our democracy.

#### Agriculture Innovation Center

The Commonwealth Investment Plan also includes \$1 million to establish the Agriculture Innovation Center at UMass-Amherst to provide a broad range of technical and business development services to the Commonwealth's agricultural producers. The Agriculture Innovation Center, working in consultation with the UMass Center for Agriculture, will be charged with developing an outreach program to identify new approaches to adding value to the state's agricultural economy.

I also worked to include \$200,000 for a public/private program of matching funds between the Food Science Department at UMass-Amherst and private food industry businesses. This program is designed to help establish the research, scientific and regulatory frameworks to expand the creation and production of high value, high growth and high profitability functional foods and to stimulate growth and profitability in the food producing industries in Massachusetts.

#### Food supplies, farmland and farm viability protection

State Representative Stephen Kulik (D-Worthington) deserves a lot of credit for getting his food supplies, farmland and farm viability protection bill included in the House version of the Commonwealth Investment Plan. The bill defines food products and produce as manufacturing so local farmers are eligible for and have enhanced access to technical and financial assistance that is currently available for businesses defined as manufacturing. The bill also encourages the purchase of local agricultural products by public institutions such as the UMass system to promote agricultural produce.

#### ***Energy Assistance (signed into law, amendment pending)***

I have joined an effort to amend the recently signed energy assistance law to make its tax credits available to residents who heat with wood and electricity. As it is currently written, the law provides tax credits of up to \$600 toward purchases of residential energy efficient heating items that help households use less gas and oil. The amendment would expand that credit to include purchases that help households use less wood and electricity.

#### ***Anti-Fraud Bill (already passed Senate, currently in House Ways and Means)***

I filed this bill to safeguard citizens from initiative and referendum petition fraud. The initiative and referendum processes, like all elements of our democracy, need to be as transparent as possible. I want our citizens to know what they're getting when they sign a petition and when they cast their vote.

The bill provides further public information about state initiative and referendum campaigns:

- Requires disclosure of last-minute contributions to these campaigns.
- Requires the name of an initiative or referendum question committee to identify the question the committee is supporting or opposing.
- Requires state election officials to post on the Internet detailed information about large contributors to these campaigns.

The bill also strengthens anti-fraud safeguards for initiative and referendum petitions:

- Makes it a crime to commit “bait and switch” fraud by deception about which petition is being signed.\*
- Clarifies that the present criminal law against petition forgery and fraud applies to petition circulators and organizers (as well as signers and filers).\*

□□□□□□• Requires the Secretary of State to print petition forms using distinctive letters or other identifiers.

- Requires the payment sources and terms for paid petition circulators to be filed in advance with the Secretary.
- Requires the Secretary to adopt regulations allowing petition signers who assert that their names were forged or obtained illegally to withdraw their names from the petition.\*
- Makes it a crime to contact a person who signed a nomination paper or petition, for the purpose of threatening, harassing or intimidating that person.\*
- Gives objectors more time to file (45 rather than 30 days), and the State Ballot Law Commission more time to hear (30 rather than 21 days), challenges to signatures on initiative or referendum petitions.\*
- Requires the Secretary to propose a method for voters to learn that their names appear as signers of a state nomination paper or state initiative or referendum petition, and to be informed of the procedure for withdrawing that signature if the voter asserts that the signature was forged or obtained by fraud or otherwise in violation of law.

(\* These provisions would apply to ongoing 2005 initiative petitioning, for conduct that occurs after this bill becomes law. The remaining provisions would be effective January 1, 2006.)

I launched this referendum reform effort after research by the National Conference of State Legislatures, and The Center for Public Policy at UMass-Amherst, conducted at my request, indicated that Massachusetts was vulnerable to fraud, in part because the state lacked the means to regulate paid signature gatherers.

Other states were having problems and those problems were emerging here. I think it's a good idea to step back, take a look at what we're doing, what other states are doing and try to solve problems when they occur and prevent them whenever possible.

[Noteworthy](#)

## ***Regional Transportation Reform (in Transportation Committee)***

My regional transportation reform package that would save the state millions in interest payments while improving and expanding transportation services in western Massachusetts has won the support of 24 Senators and 49 Representatives, including the entire western Mass. delegation. It is currently in the Transportation Committee and I expect quick action on it in 2006.

I especially want to thank Senate Minority Leader Brian Lees (R-East Longmeadow) and State Representatives Steve Kulik (D-Worthington) and Daniel Bosely (D-North Adams) for the significant role each played in gathering support for the bill.

The proposal calls for placing regional transportation authorities (RTAs) on a “forward funding” system similar to what was done with the Massachusetts Bay Transit Authority (MBTA) in the 1990s. Forward funding would eliminate the borrowing that the current “lag funding” system requires and save the state an estimated \$2-\$3 million in interest payments that can be reallocated for services. It would cost approximately \$75 million to move regional transportation authorities to forward funding and is recommending that the state bond for that amount, as it did when the MBTA was moved to forward funding.

The proposal also calls for a multi-year plan to increase funding to regional transportation authorities to \$90 million to restore services to pre-fiscal crisis level and to expand services. The plan goes on to require expansion of services to meet unmet public transportation statewide. The proposal targets existing excess Registry of Motor Vehicles fees as the funding source.

Public transportation is very important to people in western Massachusetts, whether it's getting to work every day or for seniors getting to the doctor. These reforms will help improve services while placing the state and RTAs on a more secure financial footing. We expect the bill to be heard by the Transportation Committee in early 2006. I'm hoping for legislative action during the remainder of that session. It's great to be working with my western Mass. colleagues to make this happen.

## ***More property tax relief for seniors***

We've improved two tax relief programs for senior citizens. Both are now law.

### The Circuit Breaker

There's great news regarding “The Circuit Breaker,” a tax credit that has helped tens of thousands of Massachusetts senior citizens age 65 and older save millions on their property taxes without impacting local services.

In mid-November, the Legislature approved, and the governor signed, a new law that raises the property value threshold to \$600,000, based on statewide property value increases, not inflation, making more seniors eligible for this tax credit now and in the future if property values continue to rise faster than inflation.

The program works the same as always. The Circuit Breaker Tax Credit is “triggered,” like an electrical circuit breaker, when property tax payments exceed 10 percent of a senior’s annual income.

Those who qualify will still be required to pay property taxes to their local communities. But they will receive a dollar credit for every dollar their property tax, and certain water and sewer bills, exceed 10 percent of their income, up to the \$840 maximum.

Senior citizens who rent their homes can also take advantage of the same dollar for dollar credit, up to the same \$840 maximum, if 25 percent of their annual rent exceeds 10 percent of their annual income.

No special application is required. If you are qualified, you can receive this credit by filling out a 2005 Massachusetts state income tax return. You must fill out a tax return even if you do not owe taxes if you wish to qualify for the Circuit Breaker. Official information packets from the state Department of Revenue for 2005 state income tax returns will include Circuit Breaker schedules, or you can download and print the form from the Department of Revenue website at [www.massdor.com](http://www.massdor.com) .

Here are the basic requirements for eligibility:

- ✓ Must be a Massachusetts resident, age 65 or older;
- ✓ Must own or rent residential property in Massachusetts as your primary residence;
- ✓ Must have an annual income of \$40,000 or less for a single filer; \$60,000 or less for joint filers.

You are ineligible for this tax credit if:

- ✓ You are married and do not file a joint a return;
- ✓ You are a dependent of another tax filer;
- ✓ You receive a federal or state rent subsidy directly, or live in a property tax exempt facility;
- ✓ Your property is assessed at a value of \$600,000 or more.

This is the fifth year of this program, which is based on legislation I first field as a state representative, and I am committed to continuing to expand it so that more and more seniors can qualify.

If you need more information, please don’t hesitate to contact my district office at 413-587-6365, or the state Department of Revenue Customer Service Bureau at 617-887-MDOR, or toll-free at 800-392-6089, or visit their website, [www.massdor.com](http://www.massdor.com) .

### Tax deferment

There's a revised law that allows cities and towns the option of charging seniors a lower rate of interest on property tax bills they have deferred. Previously, people 65 or older with gross receipts up to \$20,000 can defer property tax payments but must pay 8 percent

annual interest on the amount deferred. Now, cities and towns have the option of lowering that interest rate to as low as zero percent.

I hope that these changes will increase the number of seniors who can take advantage of this program.

## Round-up

### ***Volunteer Firefighters Benefits***

There's a new law that provides death benefits for volunteer firefighters and other volunteer public safety personnel. This law is the right thing to do, especially for western Mass. where many of our small towns are protected by volunteers. A few of the highlights include:

- The law states that any city, town or district that has volunteer emergency service providers must provide one of the following three accidental death benefits for surviving spouses: 1) an annuity payment of between two-thirds and 100 percent of the annual rate of regular compensation payable to a regular or permanent member of the police or fire department in the first year of service; 2) an insurance policy that provides a one-time accidental death benefit of \$500,000; or 3) an insurance policy that provides an annuity payment of between two-thirds and 100 percent of the annual rate of regular compensation payable to a regular or permanent member of the police or fire department in the first year of service.
- The law states that if there is no surviving spouse or if the spouse later dies the benefit will be paid to the surviving minor children and to any adult children who are physically or mentally incapacitated from earning.
- The law defines volunteer emergency service provider as: a call, volunteer, auxiliary, intermittent or reserve firefighter; or a call, volunteer, auxiliary, intermittent or reserve emergency medical services provider who is a member of a police or fire department; or an auxiliary, intermittent, special, part-time or reserve police officer.

### ***Senate-House Health Care Proposals***

I know many of you are interested in the major health care bills currently being debated on Beacon Hill. Here is a link that will give you a side-by-side comparison of the House and Senate versions.

<http://www.stanrosenberg.com/issues/proposals.html>

A conference committee is currently working out the differences.

### ***Energy Efficiency (signed into law)***

A bill that would broaden the current Massachusetts Appliance Efficiency Standards Act and establish minimum efficiency requirements for various appliances was signed into law on Nov. 22nd. Among the appliances added are: central furnaces, boilers, commercial clothes washers, commercial refrigerator-freezers, high-intensity discharge lamps, torchiere

lamps and certain types of transformers. This places Massachusetts at a higher level than federal standards on energy efficiency for appliances and other products.

### *Storm repair*

I worked to include in the Senate's version of the \$240 million supplemental budget the following appropriations for storm repair: \$125,000 for damage caused in Leyden by the July 2nd storm; and \$125,000 for damage caused in Bernardston, and \$70,000 for damage caused in Whately, by the July 18th storm. The supplemental budget is currently in a conference committee.

In addition, I worked to include in both the Commonwealth Investment Plan and the supplemental budget a request to make funding previously set aside for victims of Hurricane Katrina available for those affected by the flooding that occurred in western Massachusetts during the heavy rains in early October.

In September, the Legislature approved a \$25 million relief package to assist Hurricane Katrina victims being re-located to Camp Edwards at Otis Air Force Base on Cape Cod. Fewer evacuees have arrived than expected, and I believe that fund should be tapped to help our own people.

### *State grants*

In early October, the Department of Housing and Community Development awarded the City of Northampton a \$2.5 million grant for development of The Village at Hospital Hill.

On Oct. 28th, the Executive Office of Environmental Affairs' Division of Conservation Services awarded the Town of Northfield a \$70,400 Self-Help Grant. This grant will allow local officials to acquire 46 acres for the Brush Mt. Conservation Area project, in order to purchase Metacomet-Monadnock Trail basalt ridgeline to summit.

In late October, the Department of Revenue awarded Erving Elementary School a \$35,000 Foundation Reserve Program grant.

In early October, the state Aeronautics Commission awarded the Turners Falls Airport Commission a \$6,255 grant for its stormwater pollution prevention plan.

The Executive Office of Environmental Affairs awarded the following Smart Growth grants:

- Deerfield -- \$13,000
- Gill -- \$12,400
- Shelburne -- \$24,000
- Whately -- \$13,000
- Franklin COG -- \$39,500

The Department of Housing and Community Development awarded Northampton \$50,000 and Leverett \$10,000 in Priority Development Funding.

On Nov. 23rd, the Department of Education awarded the following schools Pothole grants:

- Mohawk Trail -- \$50,000
- New Salem/Wendell -- \$20,000
- Smith Voke -- \$50,000
- Franklin County Tech -- \$22,000

On Nov. 21st, the state Department of Environmental Protection awarded a \$4,400 technical assistance grant to the Franklin County Solid Waste Management District.

On Nov. 22nd, the state Department of Environmental Protection awarded a \$5,900 municipal waste reduction grant to South Hadley.

### *Home Rule petitions*

There are several home rule petitions currently making their way through the Legislature:

- Hadley -- a bill to help preserve the Historic Lucius Crain Tavern
- Amherst -- a bill to establish uniform voting hours, between 7 a.m. and 8 p.m., for all precincts and for all elections
- Northampton -- a bill to establish the office of Financial Director under the city's charter

### Trivia

Now for the answer to our previous question:

Morgan. The game of Volleyball was invented in Holyoke in 1895 by William G.

the game But Volleyball was not the original name. What was the original name of the game invented by Mr. Morgan?

The answer is: Mintonette

And our winner is Kat B. from somewhere in cyberspace. We'll send Kat information on who to contact in my Boston office and we'll look forward to seeing her at the State House. Congratulations! And thanks to everybody who played along!

Now to this month's question, submitted by our former district aide and current TriviaMaster Barry Federman, and another chance to win lunch and a State House tour:

Who was the last Massachusetts governor to serve in a cabinet level position?

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

### Links

Here are a few links. Until next time . . .

Join TeamRosenberg! <http://www.stanrosenberg.com/teamrosenberg.php>

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Click here for our on-line feedback form [www.stanrosenberg.com/form.html](http://www.stanrosenberg.com/form.html)

Forward this link to a friend [www.stanrosenberg.com/issues/rosenreportreg.html](http://www.stanrosenberg.com/issues/rosenreportreg.html)

Guide to Lawmaking -- <http://www.state.ma.us/legis/lawmkng.htm>

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 (October, 2005, edition) --  
<http://www.stanrosenberg.com/issues/oct2005.html>