
The Rosenberg Report

Vol. XLIII
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Hello!

The 184th session of the Massachusetts Legislature has come to a close, at least for now, and it was one of the most active and productive sessions in recent memory. Thanks to a rebounding economy, we were able to make many important investments in virtually all areas where government is involved -- education, human services, the environment, etc. In addition, we enacted some landmark legislation, most notably the health care reform law and the Commonwealth Investment Plan, that will help improve the lives and livelihoods of our citizens.

The following is a summary of the past session's highlights.

Thanks again to everyone who has wished me well during my recovery. Everything is going according to plan and my doctors have cleared me for light duty.

I hope everybody is having a wonderful summer!

Yours,



Stan's hits

Here are some of the session highlights that I played an especially prominent role in passing. Items that were approved over the governor's veto are labeled "over veto."

Integrated Sciences Building — The Commonwealth Investment Plan includes \$20 million in bonding for the Integrated Science Building at UMass-Amherst.

Cultural Facilities Fund—invests \$13 million in the state's second largest industry (Tourism) to strengthen cultural resources across the state. (over veto)

Food Science -- \$200,000 for a public/private program of matching funds between the food science department

of UMass-Amherst and private food industry businesses. The purpose of this program will be to establish research, scientific and regulatory frameworks to help create jobs and high-value products in the state's food producing industries.

2006 Deficiency Budget--\$218.5 supplemental appropriation to fund retroactive pay raises for higher education and UMASS employees. (over certain vetoes)

Equal Choice/Long Term Care- allows senior citizens and the disabled to choose where they receive long-term care.

The bill promotes at-home care when appropriate, and would save the state \$134 million during the first five years of implementation.

Higher Education Investment & Restructuring—invests \$430 million over seven years to increase affordability, caps tuition and fees to the inflation rate and increases financial aid for students. (Passed the Senate, currently in House Ways & Means)

H.E.A.T.— because citizens faced soaring utility costs, legislators enacted this \$80 million bill to provide homeowners with a tax deduction of up to \$800 in home heating oil and natural gas expenses, credit residents with up to \$600 in costs to make homes more energy efficient and boost the federal low income heating energy assistance program by \$20 million.

Senior Property Tax Relief--expands tax cuts for senior homeowners by increasing property assessment limits eligible for tax credits. This builds on my successful Circuit Breaker legislation and will help increase the number of seniors who are eligible and the amount they can receive.

Increase Minimum Wage—increases minimum wage from \$6.75 to \$8.00 over two years. Impacts 315,000 low-income workers giving Massachusetts the third highest minimum wage in the country. (re-enacted) (over veto)

Ed Connolly Bill— formally known as the Massachusetts Military Enhanced Relief Individual Tax (MERIT), this law is named after the late Representative Ed Connolly, extends a variety of tax exemptions to disabled veterans and the families of soldiers killed in action since Sept. 11, 2001. For example, for disabled veterans, the property tax exemptions will rise from a range of \$250 to \$950 to a range of \$400 to \$1,500 annually. Under the new law, the municipalities would see state reimbursements for such exemptions also rise, with the lowest spiking from \$75 to \$400 and the highest rising from \$775 to \$1,325. Surviving spouses of soldiers killed or missing in action since the 2001 terrorist attacks will be fully exempted from property taxes for five years, after which they will receive \$2,500 annual breaks. The bill also allows all disabled veterans qualifying for a special license plate to receive sales and vehicle tax exemptions.

Long-Term Care Insurance Standards—provides tax exemption of up to \$5000 of the annual premiums paid for long-term care policies and establishes long term care insurance plan for state employees with premiums to be paid by employees.

Voting Fraud Protections—provides public safeguards for people who sign state initiative and referendum petitions and imposes regulations on paid signature gathering campaigns. (Passed Senate, currently in House Ways & Means)

Agricultural Procurement Program -- The Commonwealth Investment Plan includes this program, something I've been working on for several years with colleagues like State Representative Stephen Kulik (D-Worthington) and State Senator Stephen Brewer (D-Barre). This program will help ensure the continued availability of fresh local food, and the stewardship of some 570,000 acres of open space, by improving market connections between farmers and consumers, helping farmers succeed in the marketplace, providing incentives to preserve farmland for future generations and making Massachusetts a leader in family farm-oriented agricultural economic development.

Massachusetts Senate 184th Session Major Legislation

Health Care

- **Health Care Reform**—lowers costs on insurance coverage by promoting market reforms and investments in Medicaid reimbursement and preventative care. The bill also recognizes employer responsibility with a fair share assessment and individual duty by mandating coverage. (over certain vetoes)
- **Stem Cell and Life Sciences**—Legalizes and promotes stem cell research in an effort to save lives and safeguard one of the driving sectors of our economy. The bill sets up a multi-stage oversight process, forbids experimentation on human fetuses and requires informed consent for egg donors. (re-enacted; over veto)
- **Emergency Contraception**--allows pharmacists to dispense emergency contraception and requires hospitals to provide the “morning after” pill to rape victims. (over veto)
- **Pharmacy Access Initiative**--allows consumers over the age of 18 to purchase hypodermic needles without a prescription at pharmacies in an effort to reduce the risk of spreading diseases such as HIV and AIDS. (over veto)

Taxes

- **Sales Tax Holiday 05-06**—with over \$500 million in sales during last summer’s sales tax holiday, the legislature again designated two days this year, August 12-13, to give shoppers a tax free weekend.
- **Alternative Fuels Efficiency**--encourages alternative fuels and alternative-fuel vehicles with tax credits for consumers and mandating the use of alternative fuel vehicles by state agencies. (Passed Senate, currently in House Rules Committee)
- **Senior Property Tax Relief**--expands tax cuts for senior homeowners by increasing property assessment limits eligible for tax credits. This builds on my successful Circuit Breaker legislation and will help increase the number of seniors who are eligible and the amount they can receive.

- **Ed Connolly Bill**—formally known as the Massachusetts Military Enhanced Relief Individual Tax (MERIT), this law is named after the late Representative Ed Connolly, extends a variety of tax exemptions to disabled veterans and the families of soldiers killed in action since Sept. 11, 2001. For example, for disabled veterans, the property tax exemptions will rise from a range of \$250 to \$950 to a range of \$400 to \$1,500 annually. Under the new law, the municipalities would see state reimbursements for such exemptions also rise, with the lowest spiking from \$75 to \$400 and the highest rising from \$775 to \$1,325. Surviving spouses of soldiers killed or missing in action since the 2001 terrorist attacks will be fully exempted from property taxes for five years, after which they will receive \$2,500 annual breaks. The bill also allows all disabled veterans qualifying for a special license plate to receive sales and vehicle tax exemptions.

Local Aid to Cities and Towns

- **2007 Budget**---the \$25.7 billion general appropriation bill for fiscal year 2007 builds on the municipal investments of the previous budget with a 21% increase in local aid and 7% more for local school districts. This bill also includes more funds for sewer rate relief, community policing and pilot payments.
- **PILOT** -- the Legislature increased funding for the Payment In Lieu of Taxes program, but we are still short of full funding. I am continuing to work with my western Mass. colleagues to fully fund the program.
- **Regional School Transportation** --the Legislature increased funding for regional school transportation, but we are still short of full funding. I am continuing to work with my western Mass. colleagues to fully fund the program.

Public Safety

- **Anti-gang initiative**--with Boston's homicide rate at a ten-year high, the Legislature, in emergency action, appropriated \$11 million for community intervention and prevention programs targeting gang violence. A comprehensive anti-gang initiative followed that provided \$750,000 for witness protection and tougher court penalties to combat witness intimidation.
- **Melanie's Bill**—provides additional penalties and remedies for repeat drunk driving.
- **Child Sex Crime Statute**—increases the statute of limitations for prosecuting child sex crimes from 15 to 27 years and stops clock from ticking for any victim who doesn't come forward because of physical threats or psychological injuries suffered in the attack. The bill also mandates the use of GPS monitoring devices for all probationers convicted of sex offenses. (awaiting House action)
- **Sex-Offender Registry**—authorizes Commonwealth to join Interstate Compact for Adult Offender Supervision
- **Nicole's Law**—joins ten other states in requiring carbon monoxide detectors in oil or gas-heated homes to aid in the prevention of poisonings stemming from thousands of leaks reported every year.

- **Fire-Safe Cigarettes**— Massachusetts is the second state to require “fire-safe” cigarettes that self-extinguish when not smoked because of the paper they are wrapped in. Cigarettes are the leading cause of fire deaths, so it’s estimated the requirement will save hundreds of lives and millions of dollars in property damage.
- **Public Defender Pay**--increases compensation for bar advocates from \$30 to \$60 an hour and adds public defender staff.
- **Volunteer Firefighter Benefits**--requires municipalities to provide death benefits for firefighters’ survivors to encourage more participation in volunteer forces.

Environment

- **Regulate Mercury Use**—bans the sale of products containing mercury such as button cell batteries, cell phones, thermometers and mercury switches in automobiles. It also sets up mechanisms to exchange products to reduce mercury waste. Regulated use of mercury will protect the public health.
- **Toxics Reduction Act**- directs state environmental agencies to initiate programs and regulations to reduce toxins in the environment.
- **Energy Efficiency Ratings**-- imposes stricter standards for energy-efficient appliances.

Economic Development & Job Creation

- **Commonwealth Investment Plan**--\$457 million investment in five sectors to bolster the Commonwealth’s economy—development and public infrastructure, life sciences and technology, workforce development and training and tourism and cultural initiatives using tax incentives, credits and start up funds. Creates Life Sciences Center to attract private funding and coordinate all life science activities. (over certain vetoes)
- **2006 Capitol Supplemental Appropriation**--\$302 million of investments in historic buildings, parks, beaches, pools, streets and town centers, roads and bridges.
- **Streamlining Permitting**—allows Massachusetts to compete with other states by encouraging communities to expedite the permitting process to 180 days, streamlines the appeals process and creates new Land Court session for speedier hearings on land-use issues.
- **Film Tax Credit**—grants film producers a 20% tax credit on payrolls for Massachusetts hires and a 25% credit for production costs and equipment on films largely shot in-state. One of the most aggressive tax incentives in the nation.

Education

- **Early Education and Care**—complements the \$3 million continuing early childhood education pilot program in the FY07 budget. This bill creates a database of early child care professionals to facilitate professional development and calls for studying the potential capacity of exiting child care networks. (H. 4755) (Gov vetoed)
- **Chapter 70** -- increased aid to local school districts by 7 % for fiscal '07.

- **Higher Education Investment & Restructuring**—invests \$430 million over seven years to increase affordability, caps tuition and fees to the inflation rate and increases financial aid for students. (Passed the Senate, currently in House Ways & Means)
- **Endowment Incentive Program** -- \$13 million for the endowment incentive program to help the state's colleges and universities improve private fundraising and for capital outlays.
- **Reserve Fund** -- \$50 million for a reserve to fund capital projects at state and community colleges.
- **UMass Capital Improvements** -- \$50 million for capital costs at University of Massachusetts campuses.
- **Educational Rewards Grant Program** -- a program that will provide grants to part-time students in accredited post-secondary certificate or vocational technology programs or associate degree programs in targeted high-demand occupations.

Human Services

- **Salary reserve** -- both the 2006 and 2007 budgets included salary reserves for human services and childcare workers.
- **Substance Abuse**—these appropriations in the FY07 Budget and FY06 Supplemental budget provide \$90 million for a variety of substance abuse programs and beds, treatment coordinators, recovery homes and programs, House of Correction-based substance abuse programs, residential women's programs and educational awareness programs.
- **General rebuilding** -- as the state has emerged from the fiscal crisis, the Legislature has worked steadily to rebuild the operating budgets for a range of human services programs, especially programs for the mentally retarded and the disabled.

Consumer Initiatives

- **Interstate Wine Shipments**—allows for direct shipping of wine to consumers with certain restrictions for large size wineries, allows consumers to take re-corked wine bottles home from restaurants. (over veto)
- **Child Labor Laws**—strengthens protections for teenage workers in the first comprehensive overhaul of child labor laws in 70 years. Includes provisions to clarify protections for minors employed in entertainment productions. (awaiting House action)

Veterans

- **Welcome Home Bill**—provides awards between \$500 and \$1,000 for returning Massachusetts veterans and free tuition and fees for National Guardsmen as well as additional benefits for service members and their families.

- **Public Employees in Service**-extends salary benefits for public employees in armed forces in Afghanistan and Iraq.

Noteworthy

Earlier this month I joined major municipal organizations, public employee unions, and municipal retiree groups in support of creating a local option for municipalities to join the Group Insurance Commission (GIC). The coalition of organizations is asking the Legislature to consider and pass this critical reform in the next several months, during the current legislative session.

I'm pleased to be working with this outstanding coalition of dedicated public servants. It is my hope that a spirit of partnership will continue to guide this process toward our mutual goal.

The organizations supporting the proposal include the Metro Mayors Coalition, Massachusetts Municipal Association, Metropolitan Area Planning Council (MAPC), Massachusetts Teachers Association, AFT-Massachusetts, AFSCME Council 93, the Retired State, County & Municipal Employees of Massachusetts, and the Essex County Retirement Board. MAPC, the regional planning agency for Greater Boston, provided staff support for the coalition.

Highlights of the proposal:

- It would create a local option for cities and towns to purchase health insurance through the GIC. Analysis shows that the GIC's high quality plans are generally significantly less expensive and provide more choices to employees and retirees than typical municipal options. Under the proposal, no community would be mandated to join the GIC.
- A decision to join the GIC would be made collectively among municipal leaders, public employee labor representatives, and retiree representatives. The proposal uses the existing mechanism called "coalition bargaining" to bring stakeholders together to make health care decisions.
- All decisions about contribution ratios – i.e., the percentage of health insurance costs that are borne by employees or retirees – would continue to be made at the local level. The GIC, however, would have responsibility for contracting with health care insurers and making plan design decisions. Municipal employees would be in the same insurance pool as all state employees, which currently covers more than 265,000 people in the Commonwealth.
- Municipalities would pay all costs associated with purchasing health insurance through the GIC, including a small administrative fee to the Commission. The proposal is structured to be self-financing and start-up costs for the Commonwealth would be nominal.
- As part of the proposal, the coalition seeks to expand the Commission by adding representatives of municipal management and public employee unions. These new additions would not change the balance of the Commission

For a complete copy of the recommendations, see

http://www.mapc.org/Municipal_Finance_Task_Force.html

Round-up

Home rule petitions

Here are the local home rule petitions that were approved during the last 18 months

Chapter 1

An Act authorizing the late filing of a certain application for classification of land in the town of Wendell (see [Senate, No. 2155](#)). Approved by the Governor, January 12, 2006

Chapter 24

An Act establishing a sick leave bank for Samuel Russell, an employee of the Trial Court (see [House, No. 4569](#)). Approved by the Governor, February 15, 2006

Chapter 30

An Act authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the town of Erving (see [House, No. 1433](#)). Approved by the Governor, February 24, 2006

Chapter 52

An Act relative to the membership of the Hampshire County Housing Authority (see [Senate, No. 2283](#)). Approved by the Governor, March 31, 2006

Chapter 61

An Act releasing certain land in the city of Northampton from the operation of an agricultural preservation restriction (see [House, No. 1270](#)). Approved by the Governor, April 13, 2006

Chapter 121

An Act relative to the historic Lucius Crain Tavern in the town of Hadley (see [Senate, No. 2127](#)). Approved by the Governor, June 21, 2006

Chapter 181

An Act providing for a partial release of certain land in the town of Hatfield from the operation of an agricultural preservation restriction (see [House, No. 4472](#)). Approved by the Governor, July 27, 2006

Chapter 263

An Act further regulating voting hours in the town of Amherst (see [Senate, No. 2154](#)). Approved by the Governor, August 16, 2006

[Chapter 48](#)

An Act authorizing the town of Greenfield to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see [House, No. 3843](#)). Approved by the Governor, July 7, 2005

[Chapter 67](#)

An Act exempting certain positions in the police department in the city of Northampton from the civil service law (see [Senate, No. 2074, amended](#)). Approved by the Governor, August 11, 2005

[Chapter 68](#)

An Act exempting certain positions in the fire department in the city of Northampton from the civil service law (see [Senate, No. 2069, amended](#)). Approved by the Governor, August 11, 2005

[Chapter 166](#)

An Act establishing the office of finance director in the city of Northampton (see [House, No. 4186, changed](#)). Approved by the Governor, December 15, 2005

Broadband Update

For the past several years, Representative Steve Kulik (D-Worthington) and I have been working to bring broadband access to rural western Mass. communities. Recently, we had the opportunity to write an update for the town newsletters in Shutesbury and Leverett. This is a version of that article.

We often hear from constituents who are concerned about the lack of high-speed broadband internet service in some of the smaller communities that we represent. This is especially true of Leverett and Shutesbury, thanks in part to the interest generated by the work of the two-town Broadband Committee during the past few years. We are pleased that Wendell has also joined this effort, as we believe that the solution to this problem will require the active involvement of citizens, along with state, regional, and local governments. In our opinion, the need to deliver high speed telecommunications service to every community in Massachusetts is analogous to the efforts more than a century ago to bring electricity to rural America. Now, as then, the private sector cannot be relied upon to make the investment in infrastructure that is needed to serve people living in more sparsely populated towns. In today's economy, our homes and businesses require modern telecommunications technology as a basic necessity. It is frustrating to see utilities such as Verizon market DSL in communities where it has no intention of providing that service in the foreseeable future. That is why it is why we are working in a number of ways to develop and support a public/private partnership approach to achieving technological equity for each and every community.

In 2003, when the Massachusetts Senate finished and released its report on the impact that the lack of broadband internet services was having on underserved communities, like Shutesbury and Leverett, we began working on specific legislation to implement the solutions outlined in the report. We had been working for many years with the Franklin

Regional Council of Governments, and its efforts to organize Pioneer Valley Connect, and with other local broadband advocacy groups like the Leverett-Shutesbury Broadband Committee, so we were well versed in the basic problem facing rural western Massachusetts communities: No reliable, affordable broadband access meant no chance to compete in the high-tech economy. With the 2003 Senate report outlining the statewide scope of the problem of underserved communities, Senator Rosenberg filed a bill to create a Broadband Development Council to bring broadband to all corners of the state.

So for us, one of the highlights of the 2006 legislative session was contained in the so-called Economic Stimulus Bill (H.5057), a \$457 million package designed to create jobs and help make Massachusetts more competitive in the global, high-tech economy. This new law addresses several important elements of our economy, including making affordable and reliable broadband service available to all Massachusetts communities.

To achieve this goal, we have created the Wireless and Broadband Development Council within the Executive Office of Economic Development. The Council will consist of 13 members, including a member selected by Franklin-Hampshire Connect, and will be charged with developing strategies for achieving universal wireless internet, cellular and broadband coverage to every community in the Commonwealth. To start with, the Council will have at its disposal a \$1 million Wireless and Broadband Development Fund for investments designed to increase broadband services.

We expect that the Council will build on the work of Pioneer Valley Connect, and further develop the findings of the Underserved Communities Pilot Project that was completed earlier this year. This project, overseen by the Franklin Regional Council of Governments and funded by a state Regional Competitiveness grant, studied three rural communities in western Massachusetts (Egremont, Leverett and Worthington) to determine the best way to build a high speed system with universal access in different types of rural communities. The results of the study provide a promising, though very challenging, guide for the next steps. As a follow up, Pioneer Valley Connect has just been awarded a two-year \$300,000 grant from the state's John Adams Innovation Institute to build on the recommendations of the Underserved Communities study. This will include some technology testing, and further exploration of the enormous infrastructure and financing needs to build and sustain the service we envision. This fall, we will be working with Pioneer Valley Connect to sponsor a forum or series of workshops to lay the groundwork for this next phase. While this is going on, we will be exploring other legislative initiatives to advance the cause.

This is where we are today, and it is a long way from where we were a mere three years ago when the Senate study laid out the problem that economic prosperity was being jeopardized, especially in rural western Massachusetts towns like Shutesbury, Leverett, and Wendell by the lack of broadband access. The Legislature took that information seriously, and by working in partnership with such local groups as Franklin-Hampshire Connect and Berkshire Connect, we now have a state agency dedicated to the sole purpose of making broadband access universal.

There is no doubt that many obstacles remain. But with this commitment by the state government, and with the ongoing partnership between legislators and local broadband advocacy groups, we are confident that we will continue to make steady progress toward our

mutual goal. We encourage you to follow the progress already made (including the Underserved Communities report), and the upcoming developments, by checking in with pioneervalleyconnect.org

State Grants

The following state grants came our way during the last couple of months.

Community Development Block Grants

Amherst	--	\$600,000
Greenfield	--	\$600,000
Leyden	--	\$659,804
Montague/Ashfield	--	\$1 million
Northfield	--	\$800,000
Shelburne/Buckland	--	\$950,000

Department of Housing and Community Development HOME low-interest loan

Greenfield	--	\$451,523, for The Arbors
South Hadley	--	\$300,000, for Western Mass Elder Care

Department of Housing and Community Development Housing Innovations Fund Program low-interest loan

South Hadley	--	\$500,000, for Western Mass Elder Care
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Trivia

Now for the answer to our previous question:

Who is the state's official heroine?

The answer is: Deborah Samson, who fought in the Revolutionary War dressed as a man.

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

Now to this month's question and another chance to win lunch and a State House tour:

Who was the first person killed in the American Revolution?

Submit your answer to 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>

Click here tumitch@sprynet.com if you want to be removed from our list.

Click here for our on-line feedback form www.stanrosenberg.com/form.html

Forward this link to a friend 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 (June, 2006, edition) --
<http://www.stanrosenberg.com/issues/june2006.html>