
The Rosenberg Report

Vol. VIII
September 6, 2002

Hello!

You've probably heard the old saying "laws are like sausages, it's better not to see them being made."* Well, I'm devoting the bulk of this edition to the laws (302 of them so far) that were made during the 2002 session. Below you'll find links to all those laws, summaries of a few I thought might be especially interesting to folks in western Massachusetts, and a few bills that are among the 4,000-6,000 still in committee.

The Legislature is out of session now, but Senators and Representatives are preparing bills to be filed for the 2003 session. All new bills must be filed with the clerk's office in the State House by the close of business on Wednesday, December 4th. Once formal sessions resume in January, 2003, you can watch the Senate sessions live over your internet connection, if you are interested in seeing the sausages being made. You can click here <http://www.state.ma.us/legis/senate/live/live.htm> for more details about watching the Senate Live, or you can read the Guide to Lawmaking in Massachusetts by clicking here <http://www.state.ma.us/legis/lawmkng.htm> or you can contact my Boston office about attending the 53rd Citizens Legislative Seminar, which begins in October. (see below for more information)

I hope everybody had a great summer and a safe and happy Labor Day weekend.

Yours,



53rd Citizens' Legislative Seminar

I'm looking for constituents who are interested in being nominated to attend the 53rd Citizens' Legislative Seminar in Boston.

The six week program, sponsored by the Senate Legislative Education Office, is designed to familiarize citizens with the Legislature and the lawmaking process through seminars conducted by state senators and representatives.

Seminar sessions will be held in the State House and are scheduled from 9:30 a.m. to 12:30 p.m. on the following Wednesdays:

October 30 -- The Formal Legislative Process

November 6	--	The Informal Legislative Process
November 13	--	The Budget
November 20	--	Outside Influences on the Legislature and a Simulated Hearing
December 4	--	Presentation by the Office of the Senate Clerk and a Simulated Senate Session
December 11	--	The Future of the Legislature

I can nominate up to five constituents and I'll take requests on a first-come-first-served basis. The only requirements are that you must be able to attend all the sessions and provide your own transportation and parking. I must submit names to the Senate Legislative Education Office by Friday, September 13th. Once my nominations are submitted, the Senate Legislative Education Office will send out invitations and more information.

If you're interested, please contact Brian in my State House office, 617-722-1532, or e-mail him at BNoyes@senate.state.ma.us .

September Focus

Legislative Year in Review

Below is a list of a few new laws and bills that I thought might be especially interesting for folks in western Mass. For the entire list of laws passed in 2002, click here:

Acts of 2002 (Session Laws)

<http://www.state.ma.us/legis/laws/seslaw02/index.htm>

1) Education

Bilingual Education -- Chapter 218 of the Acts of 2002 allows local school committees to choose an appropriate bilingual education program from a list of approved options and requires that school districts with more than 50 bilingual students provide more than one option. The bill also improves accountability (through alignment with education reform and annual assessments), teacher qualifications (by requiring all teachers to be certified in five years) and parent involvement. (Text of law)

<http://www.state.ma.us/legis/laws/seslaw02/sl020218.htm>

(To see all bills currently before the Education Committee, click here)

<http://www.state.ma.us/legis/comm/j14.htm>

2) Environment

Energy Efficiency -- Chapter 45 of the Acts of 2002 continues the financing of the Energy Efficiency Fund. This fund collects approximately \$150 million every year through a \$.003 surcharge on every kilowatt of energy and finances energy conservation measures for

low-income individuals and provides rebates to builders when they use energy efficient materials in their construction. (Text of law)

<http://www.state.ma.us/legis/laws/seslaw02/sl020045.htm>

Environmental Justice -- This bill, Senate #2243, would require the Executive Office of Environmental Affairs to develop statewide policies to promote the concept of "environmental justice." That term is defined as the equal protection of all people with respect to the development, implementation and enforcement of environmental laws and regulations and policies. This bill has received initial approval in the Senate and if it is not acted on by the House this fall it must be refiled when the Legislature resumes formal sessions in January, 2003.

(Text of bill) <http://www.state.ma.us/legis/bills/st02243.htm>

Medical waste -- Chapter 282 of the Acts of 2002 creates a special task force to explore ways to reduce prescription medication waste. Currently, state law requires that all unused prescriptions must be thrown away, a practice which some analysts say costs private and state-run facilities anywhere from \$15-\$30 million a year, not to mention what these medications might be doing to the environment and water supply. It is estimated that 20 percent of all medications are disposed of before their expiration dates. The bill calls for the Legislature to convene a task force made up of representatives from the Department of Public Health, Board of Pharmacy Registration and the Division of Medical Assistance, and to issue a report focusing on implementing safe and cost-effective ways to recycle unused medications. (Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020282.htm>

(To see all the bills currently before the Natural Resources Committee, click here)

<http://www.state.ma.us/legis/comm/j21.htm>

(To see all the bills currently before the Energy Committee, click here)

<http://www.state.ma.us/legis/comm/j37.htm>

3) Housing and Economic Development

Tax Title Properties -- Chapter 2 of the Acts of 2002 streamlines the process of converting abandoned properties into affordable housing. It shortens foreclosure periods for abandoned properties, forgives some back taxes and tax penalties on properties being converted to affordable housing and limits the amount of time the court has to vacate a foreclosure proceeding. (Text of law)

<http://www.state.ma.us/legis/laws/seslaw02/sl020002.htm>

(To see all the bills currently before the Housing and Urban Development Committee, click here)

<http://www.state.ma.us/legis/comm/j28.htm>

4) Public Safety

Aggravated Assault -- Chapter 35 of the Acts of 2002 created a heightened penalty for assaults that cause serious bodily injury, that are perpetrated against a pregnant woman or against someone who has already gained a restraining order against the assailant. It also increases the penalty for simple assault with a dangerous weapon.

(Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020035.htm>

Wireless 911 -- Chapter 61 of the Acts of 2002 enhances wireless 911 services, allowing emergency personnel to determine the exact geographic location of an emergency call from a wireless phone.

(Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020061.htm>

Victims of Drunk Driving Trust Fund -- Chapter 52 of the Acts of 2002 requires all drivers found guilty of driving under the influence of drugs or alcohol to pay an extra \$50 fee directly to the Victims of Drunk Driving Trust Fund. The money will finance grants to organizations and community-based programs that provide counseling and support services to victims of drunk-driving accidents.

(Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020052.htm>

Fire Safe Cigarettes -- This bill, Senate #1916, would give the Department of Public Health 18 months to draft regulations for self-extinguishing cigarettes and cigarette manufacturers six months to comply with those regulations after they are established. This bill has received initial approval in the Senate and if it is not acted on by the House this fall it must be refiled when the Legislature resumes formal sessions in January, 2003.

(Text of bill) <http://www.state.ma.us/legis/bills/st01916.htm>

Terroristic threats -- This bill, Senate #2122, which was sent to the governor on Sept. 3rd, would impose penalties of up to 20 years in prison and fines of up to \$50,000 for anyone convicted of causing the evacuation or serious disruption of a place where people assemble, like a school or airport. Current state law makes threatening to commit a crime a misdemeanor punishable by up to six months in prison.

(Text of bill) <http://www.state.ma.us/legis/bills/st02122.htm>

Reporting Child Abuse -- Chapter 107 of the Acts of 2002 makes members of the clergy mandated reporters of child abuse. The new law requires any priest, rabbi, clergy, ordained or licensed minister, accredited Christian Science practitioner, or anyone employed by a church or religious body to supervise, coach or counsel children, to report incidences of child abuse to the Department of Social Services. Under the previous law, the only professions mandated to report child abuse were: physicians and medical professionals; teachers, including guidance counselors and day care workers; social workers; foster parents; police officers and firefighters; drug abuse counselors; clinical social workers; and psychiatrists. (Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020107.htm>

(To see all the bills currently before the Public Safety Committee, click here)<http://www.state.ma.us/legis/comm/j22.htm>

5) *Consumer Affairs*

Telemarketing regulations -- Chapter 265 of the Acts of 2002 creates a "Do Not Call" list, establishes a code of conduct that telemarketers must follow and imposes fines of up to \$5,000 for each knowing violation. The law takes effect January 1st, 2003, and does not apply to tax-exempt non-profit organizations and non-commercial organizations that conduct surveys and polls. (Text of law)

<http://www.state.ma.us/legis/laws/seslaw02/sl020265.htm>

(To see all the bills currently before the Commerce and Labor Committee, click here)
<http://www.state.ma.us/legis/comm/j12.htm>

6) *Elder Affairs*

Privacy for Elders -- Chapter 41 of the Acts of 2002 mandates that the names, addresses and phone numbers in the possession of Councils on Aging shall not be public information.

(Text of law) <http://www.state.ma.us/legis/laws/seslaw02/sl020041.htm>

Elder Abuse -- This bill, Senate #2350, would rewrite the statute defining criminal negligence for nursing homes and other caretakers of elderly citizens. It would create definitions of abuse, neglect and mistreatment, enhance the penalties for indecent assault on an elderly citizen and enhance the civil penalties for nursing home negligence. This bill has received initial approval in the Senate and if it is not acted on by the House this fall it must be refiled when the Legislature resumes formal sessions in January, 2003. (Text of bill)

<http://www.state.ma.us/legis/bills/st02350.htm>

(To see all the bills currently before the Human Services and Elderly Affairs Committee, click here)

<http://www.state.ma.us/legis/comm/j44.htm>

7) *Health Care*

Women's health -- Chapter 49 of the Acts of 2002 requires health insurance plans to cover prescription contraceptives and hormone replacement therapy to the same extent other prescription drugs and devices are covered. This was a major victory for women's health care advocates who, rightly, maintained that failing to provide this type of coverage was unfair and inequitable. (Text of law)

<http://www.state.ma.us/legis/laws/seslaw02/sl020049.htm>

(To see all the bills currently before the Health Care Committee, click here)

<http://www.state.ma.us/legis/comm/j24.htm>

(To see all the bills currently before the Insurance Committee, click here)

<http://www.state.ma.us/legis/comm/j18.htm>

Noteworthy

The 24/7 Tour

This month and next I will be on the road visiting all the Selectboard/City Council meetings in my district, covering 24 towns in 7 weeks. I'm looking forward to saying hello and giving an update on what's happening on Beacon Hill, but mostly I'm anxious to hear what's on the minds of the residents in the communities I represent. We'll kick off the tour in Gill on Sept. 9th and won't stop until we get to Deerfield on Oct. 23rd. Click here <http://www.stanrosenberg.com/247tour.html> for a complete schedule of the tour and an on-line feedback form.

If I don't see you out on the road, let me hear from you on-line!

Pioneer Valley Life Sciences

On August 22nd, the Legislature approved a \$52 million supplemental budget for fiscal '02 that included \$5 million for the Pioneer Valley Life Sciences facility, a joint project between UMass-Amherst and Baystate Medical Center in Springfield that will expand the University's research in biotechnology. The supplemental budget also includes \$719,000 for the Massachusetts Emergency Management Agency to help communities offset damage caused by Tropical Storm Floyd in 1999.

Emergency Management Grants

The Capital Facilities Bond approved at the end of the session contains \$1.5 million for the Massachusetts Emergency Management Agency to provide a grant program for cities and towns developing Local Emergency Management Plans. This is a program I initiated 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.

Environmental Bond

The Environmental Bond approved at the end of the session contains the following items:

- \$200,000 for Bernardston to repair damage to the bank of the Falls River caused by Tropical Storm Floyd;
- \$300,000 for New Salem for the Nielson Road Watershed Improvement Project to stabilize the road and mitigate runoff into the Swift River;

- \$2 million for Greenfield for repairs and renovations to the Collins-Moylan Skating Rink;
- Representative Nancy Flavin's initiative for \$178,000 for Hadley to make emergency repairs to the Connecticut River dike;
- a \$25,000 matching grant for Hatfield for Brook Hollow Road on the Mill River for a project to improve stream flow for migratory species and reduce erosion.

Housing Bond

The Housing Bond approved at the end of the session contains the following items:

- \$25 million for the Community Development Action Grant (CDAG) program, which provides grants to municipalities for infrastructure improvements and housing needs;
- \$35 million for the Housing Innovations Fund, which provides funding for non-profit organizations to develop housing strategies for a communities' lowest income residents;
- \$50 million for the Housing Stabilization Fund, which provides grants or loans to non-profit organizations or for-profit developers for the renovation of private housing and the renovation of distressed or abandoned properties;
- \$35 million for the Capital Improvement Preservation Fund, which provides grants or loans to preserve the long-term affordability of rental housing.

Roundup

Sept. 17th Primary

Just a reminder -- Primary Election Day is Tuesday, September 17th.

Medicaid hearing testimony

The Division of Health Care Finance and Policy held a regulatory hearing in Boston on Sept. 5th concerning the cost of prescription medication. I was not able to be there in person, but I did submit written testimony. [Click here for the full text.](#)

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

Erving area code

The Erving area code issue has been resolved. The Federal Communications Commission (FCC) on Aug. 23rd decided to place the entire town under the "413" area code. This decision overturns a previous ruling that would have split the town between the "978" and "413" area codes.

Local artist

I am pleased to host the works of world-renowned South Hadley artist Michihiro Yoshida, also known as Yoshi, in my State House office from now until Oct. 17th.

Known as the "Mythic Modernist," Yoshi combines vibrant colors and stunning mythic historical images from cultures around the world. Yoshi was born in Kyushu, Japan, in 1930. As a young man he fell in love with a painting by Cézanne and decided to become an artist. He moved to the United States in 1966 and moved to South Hadley in 2000 with his wife Gloria.

Now 72, Yoshi spends up to 16 hours a day painting, sculpting or writing. He has had solo exhibits at the Burnett Gallery in Amherst as well as several locations in the New York/New Jersey area and in Japan. Yoshi will be part of the 9/11 exhibit in September at GALLERY A³ (Amherst Art Alliance), 28 Amity St., Amherst, and will curate and exhibit in "Figure—Plus" in October at the same gallery.

More information about Yoshi, as well as samples of his work, can be found on his website.

<http://artbyyoshi.com/>

Stan's favorites

I know I said in a previous issue that I would wait until closer to the holidays to share another recipe, but after seeing all the wonderful fresh native grown vegetables and herbs in local markets I couldn't resist. So, here's a recipe that a friend and I have concocted. It's a variation on a meatless marinara sauce that's healthy and delicious.

Before I list the ingredients I have to tell you that there's no formula. Use as much or a little of a particular ingredient as you want. I make this sauce every year, every year it turns out different, but it's always a hit. OK, let's cook!

Ingredients:

Lots of Italian plum tomatoes
Crushed garlic
Finely diced onions
Quartered onions
Finely diced green, red or yellow peppers
Green, red or yellow peppers cut in half
Finely diced carrots
Carrots cut into big chunks
Extra Virgin olive oil
Lots of fresh herbs, starting with Italian parsley, basil and oregano, and others, if you choose, like marjoram and thyme
Salt and pepper

Here's how you do it:

Peel and seed the tomatoes. If you don't have a machine to do it, drop them in boiling water and in 20-30 seconds the skin will break. Take them out, remove the skin, cut them and remove the seeds. (Seeds make the sauce bitter. If you remove the seeds you don't have to add sugar). You can either leave the tomatoes as they are, chop them up or puree them. I usually puree them.

Sauté all the diced vegetables in olive oil, starting with the onions. Let them wilt a little. Then add the garlic, but be careful not to burn it because burned garlic is bitter. Next add the peppers and then the carrots.

While sautéing the diced vegetables, put all the chunk vegetables in the oven and roast them. (This is the big secret innovation of the recipe!) When the chunks are roasted, take them out of the oven, let them cool and puree them.

Now, if you want a completely smooth sauce, puree the diced vegetable as well. If you like bits and pieces, don't puree the diced vegetables.

Next, chop all the herbs and throw everything into one pot and simmer forever to make it thick. If you don't have time for that, throw in tomato paste. While simmering the sauce, stir frequently and be careful that it doesn't burn at the bottom, especially if you leave it chunky. Good sauce requires lots of stirring and tasting.

Add salt and pepper to taste. If you like a spicy sauce, add Pepperocino (red pepper flakes).

One last tip, make sure you make enough to can a little or put some in plastic containers in the freezer. When February comes, and when you can't stand one more minute of winter, take some out, pour it over fresh pasta with either Romano cheese (Percorito only, please!) or Parmesan cheese (Parmagianno, please!). And don't forget the crusty bread dipped in olive oil.

Then, after you've enjoyed this meal, let me know if it reminds you of late summer in western Mass.

Enjoy!

Trivia

The answer to last month's question -- Name the state's highest mountain -- is Mount Greylock. Here are a few links so you can learn more about our highest peak.

Massachusetts Department of Environmental Management
<http://www.state.ma.us/dem/parks/mgry.htm>

Massachusetts High Point Information
<http://highpointers.org/stateinfo/ma.shtml>

Mount Greylock State Reservation
<http://www.berkshireweb.com/mohawktrail/mtgreylock.html>

America's Roof: Mount Greylock
<http://www.americasroof.com/ma.html>

Thanks to everybody who played along. And now the winner of the lunch and State House tour, chosen at random from the thousands (just kidding!) of correct answers is Karen J. from somewhere in cyberspace. We'll send her information on who to contact in my Boston office and we'll look forward to seeing her at the State House. Congratulations Karen!

Now to this month's question and another chance to win lunch and a State House tour. As you know, Massachusetts is called a "Commonwealth." Name the three other states that are also "commonwealths."

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, happy surfing!

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

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 (August, 2002, edition) --
<http://www.stanrosenberg.com/issues/aug2002.html>

** Quote from Otto von Bismarck*