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# *The Rosenberg Report*

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Hello!

One of the reasons I started this newsletter was to provide you with information about the state's financial situation. This is the ninth edition, and, unfortunately, none of the financial news has been very good. The latest figures that came out September 30th seem to indicate that our budget situation is not improving as rapidly as we had hoped. As you probably know, the Swift Administration is preparing to make \$200 million in emergency cuts in the next few days and may put on the table a couple of proposals to raise new revenues, all in an effort to close what is expected to be a \$350 million deficit in the current fiscal budget.

According to the administration, revenues for September 2002 were up \$24 million over last year's levels. That's good news, but the bad news is that revenues for the quarter, which ended September 30th, were down \$39 million. The problem is further compounded by the fact that the current fiscal budget anticipates roughly 2 percent economic growth in the next quarter (October, November and December) and growth of slightly more than 4 percent during the remainder of the fiscal year.

All those growth estimates have now been revised downward, with revenues expected to remain flat over the next quarter, and grow by only 1-2 percent during the rest of the fiscal year. That is why the administration believes this latest round of cuts is necessary.

I wish it were better, but that's the latest fiscal news. There is more to talk about, however -- like ballot questions to ponder for the November election, foliage to enjoy and, of course, Halloween is not far off. So, let's get started!

Yours,



October Focus

*2003 Ballot Questions*

Voters will be faced with three ballot questions this November and some communities in my district will see one or two more. Most of you should have received the

Secretary of State's Voter's Guide in the mail by now, but if you didn't (or if you lost it!) here's a link to the electronic version.

Secretary of State's website on 2002 Ballot Questions  
<http://www.state.ma.us/sec/ele/elebq02/bq02idx.htm>

Below are some of my thoughts on the ballot questions. I won't offer an opinion on the non-binding questions because they are intended to be advisory in nature, so it doesn't seem appropriate for me to try and influence the advice I'm getting.

*Question 1 -- Repeal of the State Income Tax*

I am emphatically urging a "No" vote on Question 1.

One of the problems of governing by referenda is that the process does not allow for the kind of thoughtful debate and reasonable compromise that are so essential to democracy. Many ballot questions offer a cleverly phrased "take-it-or-leave-it" choice without providing the kind of post-election day detail that would help voters cast a more informed vote. Such is the case with Question 1, the so-called "Small Government Act to End the Income Tax."

No one likes paying taxes and everybody would like to have more money in their pockets – few people would dispute that statement. The proponents of Question 1 – primarily the members of the Libertarian Party – are preying on those sentiments without addressing the real, fundamental and radical impact of eliminating the income tax.

I believe that Question 1 is inconsistent with how the overwhelming majority of us want our state government to operate. Unfortunately, that inconsistency will be hidden under a lot of vague and inflammatory rhetoric about the "beauty" of "small government" versus the flaws of "big government." The few active proponents of this question have made little effort to define these concepts, nor have they offered any serious discussion about how eliminating the income tax would relate to property taxes, sales taxes, other fees and Proposition 2 ½.

In fact, I haven't heard much talk at all about Question 1 during my travels around the state and my district this fall. Those who have thought about it tend to dismiss it as being too "out there" to ever pass, while the majority of people I've encountered haven't given it much thought at all. But we should think about it, we should talk about it, and we should soundly reject it as a reckless, even dangerous, proposition that Michael Widmer of the independent Massachusetts Taxpayers Foundation has said would "repeal the 20<sup>th</sup> century."

It's time to break the silence on Question 1, so here are a few important numbers to keep in mind:

- The Massachusetts state budget is approximately \$23 billion – approximately \$16 billion of that comes from state taxes and fees, with most of the rest coming from the federal government.

- Two-thirds of that \$23 billion, approximately \$15 billion, is considered non-discretionary. That means these accounts either cannot be cut at all – debt service and pensions, for example – or cannot be cut very much, like Medicaid.
- The remaining third of the budget, approximately \$7-\$8 billion, finances the so-called discretionary accounts – education, social and environmental programs, public health and safety – the programs that protect and enhance our quality of life. When budget cuts have to be made, this is mostly where they occur.
- Question 1, if approved, will remove approximately \$9 billion from the state's revenue stream. That's anywhere from *\$1-\$2 billion more than what we spend on the entire discretionary budget.*

Last year, the governor and the Legislature agreed to a very painful budget that cut about \$1 billion with most of it coming from the discretionary accounts. These cuts fell heavily on the following areas:

- The University of Massachusetts cut 12 percent; Community colleges cut almost 10 percent;
- Public health programs cut almost 20 percent;
- Housing assistance programs cut 23 percent;
- Conservation and recreation programs cut 23 percent;
- Environmental protection programs cut 15 percent;
- Economic development and tourism programs cut 42 percent;
- Payment in Lieu of Taxes program cut 33 percent;
- Non Chapter 70 school aid, including such programs as regional school transportation, cut 28 percent.

This is just a sampling of the impact that \$1 billion in cuts had on the discretionary portion of the state budget.

As the current fiscal crisis lingers, the state is very likely going to be faced with *another* billion-dollar deficit next year. It is impossible to talk about the impact of \$9 billion in additional cuts without using language and imagery more appropriate to "B" science fiction movies than to rational discussions of how to manage our state government. The sun would still rise every morning if Question 1 passes, but what exactly it would shine on is anybody's guess.

I hope you will join me in voting "No" on Question 1.

#### *Question 2 -- Eliminating Bi-Lingual Education*

I am also encouraging a "No" vote on Question 2.

This question also presents voters with a stark "take-it-or-leave-it" choice. During the past year, the Legislature, led by my colleagues Senator Robert Antonioni (D-Leominster) and Representative Peter Larkin (D-Pittsfield), co-chairs of the Joint Committee on Education, examined the current state of bi-lingual education and created a plan that: a) gives local school districts flexibility over bi-lingual programs; b) strengthens accountability requirements for school districts; and c) sets a limit -- 2 years, with the possibility of another year -- on the amount of time a student can remain in bi-lingual programs. This bill was overwhelmingly approved by the Legislature and signed into law. (For text, click here <http://www.state.ma.us/legis/laws/seslaw02/sl020218.htm> )

Major social policies like bi-lingual education should be reviewed from time to time to evaluate how they are working and to determine how they might be improved. Proponents of this question are calling for dramatic change while the Legislature has opted for a more incremental approach. I believe that the Legislature's approach will work better for more children who are not native English speakers.

*Question 3 -- Taxpayer Funding of Political Campaigns (a non-binding advisory question)*

This ballot question asks voters the following question: "Do you support taxpayer money being used to fund political campaigns for public office in the Commonwealth of Massachusetts?"

*Non-binding Advisory Question -- Instant Runoff Voting*

Voters in the 3rd Hampshire House District (Amherst and Granby) and the 1st Hampshire House District (Hatfield, Northampton, Southampton and Westhampton) will see the following non-binding question:

"Shall the Representative from this District be instructed to vote in favor of legislation or a constitutional amendment that would establish Instant Runoff Voting (a voting system that allows voters, in contests with 3 or more candidates, to rank the candidates in order of preference so as to ensure that the winner is the candidate who has more than 50 percent of the votes) for elections to the offices of Governor, Lieutenant Governor, Secretary of the Commonwealth, Attorney General, State Treasurer and State Auditor?"

For voters in the 3rd Hampshire District, this will be Question 4; for those in the 1st Hampshire, it will be Question 5.

*Non-binding Advisory Question -- Growing Cannabis Hemp*

Voters in 2nd Franklin House District (Greenfield, Erving, Athol, Gill, Orange and Warwick) will see the following non-binding question:

"Shall the state representative from this district be instructed to vote in favor of legislation that would allow licensed farmers in Massachusetts to grow cannabis hemp (a crop containing 1 percent or less THC, the active ingredient in marijuana) for legitimate agricultural and industrial purposes?"

This will be Question 4 for voters in the 2nd Franklin District.

### Noteworthy

#### *Tax amnesty program*

Last February, I filed a bill with State Senator Marian Walsh (D-West Roxbury), Senate chair of the Joint Committee on Taxation, and State Representative Cory Atkins (D-Concord) that called for a tax amnesty period to encourage the payment of delinquent taxes as a way of helping the state weather the current fiscal crisis. The concepts put forward in the bill were adopted as part of the fiscal '03 budget (Section 182 of Chapter 184 of the Acts of 2002) and now the Swift administration is implementing a program -- the first major amnesty program since 1984 -- that is expected to raise about \$43 million.

The program will be administered by the Department of Revenue and will run from October 1st through November 30th. After the program ends, the Department of Revenue will launch an intensive effort to identify people and businesses that have not fulfilled their tax obligations.

As I've said before, tax revenue equals services. And when people don't pay what they legitimately owe then programs that benefit us all, like health care and education, suffer.

For more detailed information on the amnesty program, click here:

Department of Revenue home page

<http://www.dor.state.ma.us/>

Tax Amnesty Program

<http://www.dor.state.ma.us/Amnesty/welcome.asp>

### Roundup

#### *State Grants - Vans*

Several towns and non-profit organizations in my district received state grants last month that will help them provide transportation services to seniors and people with disabilities. The Executive Office of Transportation and Construction, through its Mobile Assistance Program (MAP), will buy 15 vans and mini-buses for Greenfield, Montague, Amherst and Belchertown.

- Franklin Regional Transit Authority -- four vans;
- Greenfield-Montague Transit Authority -- three vans and five mini-buses;
- Amherst Senior Center/Council on Aging -- one mini-bus;
- Stavros Center for Independent Living (in Amherst) -- one van;
- Belchertown -- one van.

The vans are 8-11 passenger vehicles with raised roofs and wheelchair lifts; the mini-buses also have wheelchair lifts and can carry 16-20 passengers. The state will pay for 80

percent of the cost of each vehicle – except in the case of regional transit authorities where the state pays the full cost – and the new equipment is expected to be in use by next year.

These vehicles will help improve the quality of life for hundreds of people in western Mass. and I'm pleased the EOTC recognized our need. It was a pleasure working with my colleagues -- State Senators Steve Brewer (D-Barre) and Brian Lees (R-East Longmeadow) and State Representatives Tom Petrolati (R-Ludlow), Steve Kulik (D-Worthington), Ellen Story (D-Amherst) and Reed Hillman (R-Sturbridge) -- to help secure these grants.

#### *State Grants - Underground Storage Tanks*

Three communities in my district were awarded grants from the Underground Storage Tank Review Board. This grant money is part of a program I created many years ago to help communities deal with the costs of removing and replacing underground storage tanks:

- \$12, 641 for the Amherst Wastewater Treatment Plant;
- \$2,287.50 for Cushman Hall in Bernardston; and
- \$960.23 for the Shea Theater in Montague.

#### *Just for fun*

Halloween is just around the corner, so here are a couple sites that might give you some jack o'lantern ideas.

<http://www.spookmaster.com/>

<http://www.jack-o-lantern.com/>

<http://www.pumpkin-carving.com/>

#### Trivia

The answer to last month's question -- Name the three other states besides Massachusetts that are also "commonwealths" -- is Kentucky, Virginia and Pennsylvania. Here are a few links so you can learn more about our fellow Commonwealths.

Commonwealth of Kentucky website

<http://www.kydirect.net/>

Commonwealth of Virginia website

<http://www.vipnet.org/cmsportal/>

Commonwealth of Pennsylvania website

<http://www.state.pa.us/PAPower/site/default.asp>

And here's an excerpt from the "Massachusetts Facts" booklet published by the Secretary of State's office that explains why Massachusetts is a Commonwealth:

"Massachusetts, like Pennsylvania, Virginia, and Kentucky, is called a "Commonwealth". Commonwealths are states, but the reverse is not true. Legally, Massachusetts is a commonwealth because the term is contained in the Constitution. In the era leading to 1780, when the state Constitution was ratified, a popular term for a whole body of people constituting a nation or state was the word 'Commonwealth.' This term was the preferred usage of some political writers. There also may have been some anti-monarchic sentiment in using the word 'Commonwealth.' The name, which in the eighteenth century was used to mean 'republic', can be traced to the second draft of the state Constitution, written by John Adams and accepted by the people in 1780. In this second draft, Part Two of the Constitution, under the heading 'Frame of Government', states, 'that the people...form themselves into a free, sovereign, and independent body politic, or state by the name of 'The Commonwealth of Massachusetts.' The people had overwhelmingly rejected the first draft of the Constitution in 1778, and in that draft and all acts and resolves up to the time between 1776 and 1780, the name 'State of Massachusetts Bay' had been used.

"John Adams utilized this term when framing the Massachusetts Constitution, therefore. In his 'Life and Works', Adams, wrote: "There is, however, a peculiar sense in which the words republic, commonwealth, popular state, are used by English and French writers, who mean by them a democracy, a government in one centre, and that centre a single assembly, chosen at stated periods by the people and invested with the whole sovereignty, the whole legislative, executive and judicial power to be included in a body or by committees as they shall think proper." "

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 Mary F. 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 Mary!

Now to this month's question and another chance to win lunch and a State House tour. Fall foliage is at or near peak in most places in western Mass., so this month's question is: Name the state tree.

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

Click here for more information about fall foliage in New England  
<http://gonewengland.about.com/library/blfoliagecentral.htm?once=true&>

Foliage e-postcards  
<http://travel.boston.com/postcard?cmd=browse&kiosk=Travel&category=photogallery/foliage2>

### Links

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

Click here [tumitch@sprynet.com](mailto: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](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)

Senate Live -- <http://www.state.ma.us/legis/senate/live/live.htm>

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 (September, 2002, edition) --  
<http://www.stanrosenberg.com/issues/sept2002.html>