Day on the Hill
2015
“A Vision for Massachusetts”

April 28, 2015
Massachusetts State House, Boston
9:30 am – noon
"The League of Women Voters is the gold standard in advocacy. I tell my staff that when they see the League's name among the supporters of something, pay attention."

--Nancy Pelosi, former Speaker, now minority leader, U.S. House of Representatives

Representative Pelosi commented on the significance of League advocacy when she met LWVMA board member Marlene O’Brien at the Radcliffe Institute’s celebration of the 50th anniversary of the first report on the Presidential Commission on the Status of Women.

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Dear Senators and Representatives:

Members of the League of Women Voters from across the state are gathering at the State House Tuesday, April 28, for our annual Day on the Hill lobby day. After the morning’s program, League members will be visiting their own Senators and Representatives to discuss legislation that is a priority for the League. Our theme this year is “A Vision for Massachusetts.”

Our keynote speaker will be Senator Stanley Rosenberg, President of the Senate, presenting his view of the new legislative session.

We hope that you can join us for all or part of the program. Registration will begin at 9:30 a.m. and the program starts at 10 a.m. in the Gardner Auditorium. After Sen. Rosenberg’s remarks, our legislative specialists will brief League members on some of the bills the League is emphasizing this legislative session.

As an organization devoted to encouraging informed and active participation in government, the League aims to ensure that the public’s voice is an important part of political dialogue. The League selects the legislation it advocates for on the basis of issue positions arrived at through study and consensus.

Nancy Pelosi, minority leader in the U.S. House of Representatives, told one of our directors: "The League of Women Voters is the gold standard in advocacy. I tell my staff that when they see the League's name among the supporters of something, pay attention."

We are enclosing information on some of the bills the League will be supporting this session. And we hope you can join us at the League’s Day on the Hill Tuesday, April 28.

Sincerely,

Marilyn Peters and Anne Borg
LWVMA Co-Presidents
Senator Stanley C. Rosenberg was unanimously elected by his colleagues to be the 93rd President of the Massachusetts Senate on January 7, 2015. He is the first Jewish and first openly gay man to lead the Massachusetts Senate.

Sen. Rosenberg has a reputation in the Senate and in his district as an advocate of affordable and world-class education, fair taxation, government transparency, and environmental protection. He was a key leader in the fight to preserve the newly-won right of equal marriage in 2003, and has been a consistent advocate for increasing access to government and participation in our democracy.

As chair of the Election Laws Committee, he coauthored the 1993 “Motor Voter” law, an overhaul of our election laws to modernize our system and boost voter turnout. He was twice tasked with redrawing the Commonwealth’s political boundaries as Senate Chair of the Joint Committee on Redistricting. Sen. Rosenberg won praise for the transparent redistricting process in 2010-11, which created new minority-majority districts that better reflect the changing demographics of the Commonwealth.

Sen. Rosenberg also focuses on economic policies and job creation, working on relief for municipalities during the recession, access to good-paying jobs and a living wage, and ensuring children receive the education and training they need to thrive in a global economy.

A Revere native and 1977 UMass Amherst graduate, Sen. Rosenberg was elected to the Massachusetts House of Representatives in 1987, then to the Senate in 1991, where he has held such leadership positions as Majority Leader, President Pro Tempore, and Chair of the Senate Committee on Ways and Means. He lives in Amherst with his partner Bryon Hefner.

Sen. Rosenberg is a member of the League of Women Voters of Amherst.
Featured Bills at Day on the Hill

Elder Affairs – Pat Costello, Specialist

H.2029/S.1159- An Act regarding notification of patient observation status

This bill makes it mandatory for all hospitals to inform, orally and in writing, each patient placed in inpatient or observation status of their status and the impact that an observation status may have on their Medicare, Medicaid or private insurance coverage.

- Observation status means that a patient is in the hospital, receiving medical care, tests, and treatments to determine if the patient needs care that can only be provided in the hospital – a practice that has become more and more popular with hospitals.
- Many patients are being placed on “observation status” without their knowledge, assuming that they have been admitted because they’ve been placed in a hospital bed. Since Medicare does not require beneficiaries to be notified, the patient may be shocked to learn that, because of being on observation status, they are responsible for much higher costs.
- Medications received while on observation status are not covered by Medicare Part B.
- Medicare requires three consecutive days of inpatient status to qualify for follow-up rehab and/or nursing home care. Time spent in observation is not included in that tally with seniors now subject to crippling medical care costs.
- A similar bill received support in the prior legislative session, and may have been the victim of end-of-session time constraints.

Elections and Voting—Linda Freedman, Specialist

H.553/S.377 - An Act to establish Election Day Registration
Chief sponsors: Reps. Gloria Fox and Jennifer E Benson and Sen. Cynthia Stone Creem

The bill will allow registered voters to correct errors on poll books and vote on Election Day without using provisional ballots. New voters can register on Election Day and vote at the proper polling place. They will need proof of residency and ID.

States with Election Day Registration (EDR) have higher voter turnout. The average voter participation in EDR states in 2014 was 12 points above states that lack this. States without EDR averaged a little less than 37% of eligible voters participating in the November 2014 election. There are now 13 states that have EDR, an increase of four since 2010.

Maine leads the nation in voter participation with 58.5% turnout among eligible voters. EDR is popular and the citizens were able to restore EDR in Maine after the governor and legislature overturned it.
Environment—Energy and Resource Conservation—Launa Zimmaro, Specialist

**S.1747- An Act Combatting Climate Change**

Chief sponsor: Sen. Michael Barrett

This bill would establish a system of carbon pricing as a means to reduce emissions and spur a transition to clean, renewable energy. The bill is based on the results of a recent Department of Energy Resources-commissioned study of the impact of carbon fees on Massachusetts residents and businesses.

This bill will establish a fee and rebate system that will reflect the true cost of carbon pollution by adding a low, initial fee on all fossil fuels based on how much carbon dioxide they emit to the air when burned, with fee increasing incrementally over time.

Revenue generated through the fee will be returned to people, businesses, and institutions to offset increased charges.

- Most economists, from conservative to liberal, agree that the most cost-effective and efficient way to cut carbon pollution is to add a pollution charge to fossil fuel prices
- Establishing a carbon pollution charge gives energy producers and consumers a strong incentive to shift to stronger energy conservation measures and move from fossil fuels to clean, renewable energy
- Modeled on the successful program in British Columbia since 2008. BC cut its greenhouse gas emissions substantially compared to the rest of Canada, while experiencing economic growth slightly higher than the rest of the nation
- Supports the state and local economy by keeping billions spent importing fossil fuels in Massachusetts
- Helps Massachusetts reach 2020 carbon emissions reduction targets mandated by the Global Warming Solutions Act of 2008
- Keeps Massachusetts at the forefront of efforts to address climate change
- Serves as a national model for other states

Environment—Natural Resources—Lynn Wolbarst, Specialist

These two bills are related.

**H.2119 - An Act to prohibit the distribution in commerce of children's products and upholstered furniture containing certain flame retardants, for other purposes (or "Children and Firefighters Protection Act of 2014")**

Chief Sponsor: Rep. Marjorie C. Decker

Under the provisions of the Consumer Product Safety Act [15 U.S.C. 2052(a)], this bill would prohibit the import or sale of children's products or furniture containing certain fire retardants, and establishes a Chronic Hazard Advisory Panel to examine all fire retardants in children's products and furniture for toxicity and effectiveness. These products have been shown to have adverse health effects, particularly in children.
S.1132 - An Act to protect children and families from harmful flame retardants
Chief Sponsor: Sen. Cynthia Stone Creem

Under the MA Department of Environmental Protection, this bill would prohibit the manufacture and sale within the Commonwealth of children’s products or furniture containing “chemicals of high concern” containing TRIS or PBDEs. These products have been shown to have adverse health effects, particularly in children.

Good Governance—Carolyn Lee, Specialist

H.2772/S.1676 - An Act to improve access to public records

This bill brings Massachusetts in line with 46 other states that mandate the actual availability of public records to citizens who request them, and that records be made available in timely and affordable fashion. The MassFOIA coalition is strongly supporting this bill which:

• Promotes access to records in electronic form.
• Directs agencies to assign a “records access officer” to streamline responses to public records requests.
• Lowers costs for requesters and limits charges for redacting documents to withhold information.
• Requires payment of attorney’s fees when access to public records is wrongly denied, creating an incentive for agencies to obey the law.
• Does not alter the scope of the public records law or make any changes to existing exemptions.

Health Care—Judy Deutsch, Specialist

These three bills are all related to single-payer health care.

H.1026/S.579 - An Act for Medicare for all

• This bill would establish a single-payer health care system to provide first-class health care to all Massachusetts residents.
• It would eliminate the high cost of private insurance and the high cost of pharmaceuticals and medical equipment not purchased in bulk.
• It would reduce health care costs to the state, municipalities, employers and individuals that are still wreaking havoc with government, business and personal budgets, with estimates it would save the Commonwealth more than $10 billion per year.
• It would be funded by a small tax (which will be significantly offset by eliminating health-insurance-premium expenditures) on employers, employees, the self-employed and unearned income (except Social Security and pensions and Medicare and Medicaid funds).
• Job training would be provided for additional jobs needed to provide actual health care.
• It is the same as the bill introduced in the last session except that it states that unearned income under $30,000 will not be taxed. (Last session's bill said the same for incomes for the self-employed, as does this session's.)

**H.1033/S.604 - An Act to establish a public health insurance option**


- This bill would create a public health insurance option that would compete with private insurance plans — providing consumers more choice and increased competition.
- It will initially be funded through a modest surcharge on insurance reserves that will cover starting costs which will be paid back with the revenues generated by the plan's premiums; it will be self-sustaining within one year.
- It would encourage private insurers to cooperate, share information and reduce costs.

**H.965/S.647- An Act to ensure effective cost control**


- This bill would require that, for three years, the cost of the present health care system would be compared with a projected “single-payer health care system,” and, if the single-payer system were found to be less costly, a “single-payer health care implementation plan” would be submitted to the Legislature for its consideration.
- It would be a test to see whether or not a single-payer health care system would provide quality health care while effecting financial savings to the Commonwealth, and a test to see if the legislature will pass such a program if it were shown that it would.

**Judiciary—Carolyn Lee, interim Specialist**

**H.1620/S.786 - An Act eliminating mandatory minimum sentences related to drug offenses.**


This bill will eliminate mandatory minimum sentences for minor, non-violent drug offenses. This is both improved justice and a major cost saving for the state.

- Lengthy sentences for minor drug offenses serve no one’s best interests, and disproportionately affect people of color.
- Sentences for minor drug offenses are now typically longer than those for violent crimes.
- Long sentences are extremely costly; passage of this bill is estimated to save the state $90 million annually.
- Over 80% of state citizens have opposed these mandatory sentences in polling.

**Meeting Basic Human Needs—Clare Gordon, Specialist**

**H.2479/S.1477 - An Act improving the earned income credit for working families**


We urge support for increasing the Massachusetts addition to the federal Earned Income Tax Credit from 15% to 50%, mandating outreach to eligible workers, and providing that victims of domestic violence and abandoned spouses receive the credit when filing taxes separately.
The Earned Income Tax Credit lifts more children and families out of poverty than any other program in the U.S.

- The high cost of living in Massachusetts, particularly the cost of housing, justifies our giving the biggest boost we can afford to eligible workers. Neighboring states New York and Connecticut match up to 30%.
- The administration of the EIC is extremely efficient because it “piggy-backs” on the federal program, avoids state battles over trivia and requires no local bureaucracy to check eligibility, all the while encouraging work.
- Workers can opt to receive the credit in regular paychecks or as a refund; by spending their extra dollars locally for necessary expenses they boost the Massachusetts economy.
- Extra income from work increases self-sufficiency and reduces the draw on other anti-poverty programs such as food pantries.

Transportation—Robin Roberge, Specialist

H.3100/S.1857- An Act directing the Board of the Massachusetts Department of Transportation to assess the current status of the Commonwealth's transportation system

This bill requires the Massachusetts Department of Transportation’s Board of Directors to report to the legislature and the public with an assessment of our statewide transportation system, considering such issues as safety, capacity and financial health.

- The MassDOT board would also be required to recommend to the legislature proposed operational and governance reforms, cost savings and potential new revenue sources for addressing any deficiencies identified in its assessment. The assessment and accompanying recommendations would be informed by a series of public engagement meetings.
- With the transition to a new administration and the beginning of a new legislative session, the time is ripe for the Commonwealth to assess where our transportation system is today and where it needs to go in order to meet the economic, safety and mobility needs of the Commonwealth.

Water Resources—Susan Abbott, Specialist

H.657/S.405- An Act to mitigate water resource impacts

This bill would allow local authorities created to manage water distribution and collection to voluntarily collect a reasonable fee to remedy increased water demands and to sustain the quantity and quality of their water supply, eliminating the need to use the legislative process for each individual project.

Sufficient, potable water, which is decreasing due to increased demand and construction, is necessary for sustaining any community and falls within the League's position to promote an environment beneficial to life.

Women's Issues—Cindy Nock, Specialist

H.1733/S.983 – An Act to establish pay equity

This bill would amend the current Massachusetts Equal Pay Act to permit employees to discuss their salaries with other employees and to require employers, when advertising jobs, to include the minimum salary the job pays and to prohibit paying less than that advertised minimum. It prohibits employers from seeking a salary history during the hiring process without written authorization.

Pay transparency, or permitting employees to discuss their salaries without penalty, is a key requirement for assuring equal pay for equal work.

Requiring an advertised minimum salary for a position and prohibiting requesting salary history prevents an employer from offering less than intended for the position if the employer finds that the applicant was making less at a previous job.

This bill also clarifies the comparable work standard by stating that the comparability of jobs is to be based solely on comparable skill, effort, responsibility and working conditions, and that compensation includes wages, benefits and other compensation.
Other Bills LWVMA Supports

Affordable Housing—Clare Gordon, Specialist

H.1111 - An Act relative to housing production

Urge Support for this bill which contains measures to increase the production of multi-unit rental housing in the Commonwealth. Market forces have skewed away from producing this kind of housing needed by lower and moderate income families, young workers establishing their own households, and elders who prefer to reduce their homeownership responsibilities.

- Resistance to density in housing drives up building costs and zoning changes ARE NEEDED in all communities, not just the largest cities.
- We cannot afford to subsidize homeless families and individuals without also increasing the supply of affordable rental housing for working people of modest means.
- The scarcity of apartments in most communities has kept rental rates high and is retarding the growth in Massachusetts of businesses that employ highly-educated young workers.
- As the number of elderly residents grows, many are seeking smaller dwellings closer to transportation and services and would turn over their larger homes to younger families in a natural transition.
- This is a bill that would affect every town and city so it is good to bring it to the attention of local officials and interested parties, as well as legislators, in order to evaluate where support and opposition are in specific districts.

Education—Terry Yoffie, Specialist

(Terry could not be at Day on the Hill, and the Education Committee is still analyzing bills, but she prepared this summary on education legislation.)

Governor Charlie Baker submitted his budget in early March with the following effects on education.

- The budget proposal includes a 2.4% increase or $105.3 million in funding for Chapter 70, the major state program that provides education aid to cities and towns.
- The budget also proposes a number of cuts, including the following:
  1. Funding K-12 grant programs at $64.4 million below the original state budget for FY 2015. A large portion of that reduction is the Governor’s proposal to eliminate grants which support free full-day kindergarten across the state.
  2. $18.7 million cut from the initial FY 2015 budget, level with current funding to Regional School Transportation, a form of local aid to districts.
  3. A $3.1 million cut to Charter School reimbursement from the initial FY 2015 budget, continuing at the level set by a mid-year cut.
  4. A reduction to the Special Ed circuit breaker by 2% or $4.1 million from the original FY 2015 budget.

In the Joint Committee on Education, the number of bills filed this session is lower than in the past, around 300. The themes that seem important for this session as of now are: early childhood education,
charter schools, creation of a new task force and completing the work of the Foundation Budget Review Commission. Civic education does not appear to be a legislative priority at this time. The Department of Elementary and Secondary Education convened the Civic Education and Engagement Working Group, meeting during 2014-2015, to identify opportunities for elevating civic education and engagement for students K-12.

We continue to follow these refiled bills – S.251 is Senator Chang-Diaz’ bill on dropout prevention, and H.448/S.265, sponsored by Representatives James O’Day and Paul Brodeur, and Senator SalDidominic concerns age appropriat sex education in schools.

**Environment—Energy and Resource Conservation—Launa Zimmaro, Specialist**

**H.756 - An Act to require producer responsibility for collection, reuse and recycling of discarded electronic products**
Chief sponsors: Rep. Frank Smizik
Referred to Joint Committee on Environment, Natural Resources and Agriculture: 3/10/15.

This bill would shift the burden of managing covered electronic products from local governments to producers and manufacturers of the products, and increase the reuse and recycling of the covered products to protect public health and the environment.

**Health Care—Judy Deutsch, Specialist**

**H.1958/S.1206 - An Act relative to patient safety**
Chief Sponsors: Rep. Denise C. Garlick and Sen Marc Pacheco

- This bill attempts to improve patient safety by establishing a maximum limit on the number of patients assigned to a nurse at one time, while also requiring hospitals to adjust nurses’ patient assignments based on the specific needs of the patients.
- It attempts to solve (or at least lessen) medical errors, serious complications, hospital acquired infections and preventable readmissions.
- Massachusetts ranks near the bottom in preventing some of the problems listed above.

**Judiciary—Carolyn Lee, interim Specialist**

**H.1270/S.810 - An Act relative to the expungement of records of persons falsely accused and juveniles.**

Currently, there is no mechanism to expunge the criminal record of people who, through no fault of their own, are charged with a crime (or “arraigned”) because of a mistake in the criminal process. This bill mandates the solution.

**H. 3039/S.1812 - An Act relative to motor vehicle license suspension**
Currently, anyone convicted on any drug offense gets a mandatory driver’s license suspension for up to 5 years and juveniles may be barred from getting a license until they are 21. This bill repeals that mandate and further mandates the expungement from the RMV records of all data regarding the suspension and the underlying offense.

Transportation—Robin Roberge, Specialist

H.2698/S.1474 - An Act relative to regional transportation ballot initiatives

Enables municipalities to place a question on the ballot to raise revenue for local and regional transportation projects. Enables two or more municipalities to form a regional district to coordinate the spending of revenue raised by a ballot question in each member municipality for regional transportation projects. Creates procedures for the adoption and implementation of the new tax and enables communities to define the types of projects or specific projects eligible for funding with the revenues raised. Authorizes communities to determine the type of tax to be raised (sales, property, payroll, vehicle excise, etc.), set the maximum amount of the new tax can raise, and set the term of the tax. Creates a lockbox to ensure that revenue raised for transportation is spent on transportation.

A list of all the bills LWVMA supports or opposes to date is on our website, www.lwvma.org, and will be updated as we research additional legislation.