

Beacon Hill Roll Call

By Bob Katzen

Beacon Hill Roll Call
Volume 37-Report No. 4
Monday, January 25 through
Friday, January 29, 2009
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THE HOUSE AND SENATE. Beacon Hill Roll Call records local representatives' votes on three roll calls from the week of January 25-29. There were no roll calls in the Senate last week.

MORE NUTRITIOUS FOOD IN SCHOOLS (H 4441)

The House, 152-4, approved and sent to the Senate a bill that would ban junk food in schools and require new and healthy nutritional standards to be developed for food sold in all school cafeterias and vending machines.

The proposal would require that schools offer nutritional food including fruits or vegetables, whole-grain products, no-fat and low-fat dairy products, water without additives or carbonation, and 100 percent fruit juice.

Other provisions would create a special commission to coordinate a strategy to reduce childhood obesity and would require that all schools include nutrition and exercise in their curriculums.

Supporters said that schools should not promote the sale of junk food and drinks that are unhealthy and have contributed to a child obesity problem. They noted that one in three Massachusetts middle school students and one in four high school students is overweight or obese.

Opponents said that many companies are already implementing some of these same changes on their own and argued that the government should not micro-manage what students eat. They expressed support for broader nutrition education and physical activity programs that would provide comprehensive solutions to the child obesity problem.

(A "Yes" vote is for the nutrition bill. A No" vote is against the bill.)

Representative
Richard Ross **Yes**

USE LOCAL FARM FOOD IN SCHOOLS (H 4441)

House 153-0, approved an amendment requiring that the state's education and agriculture departments work with each other to maximize the number of schools that get their food from local farmers. The amendment also requires state colleges to buy local farm products and fish from Bay State vendors to the "extent feasible."

Supporters said that this is a "win-win" amendment that would help local farmers by increasing business and boosting their sales. They noted that it would also ensure that many schools are serving fresher, more nutritious and tastier local food that has not traveled thousands of miles.

(A "Yes" vote is for the amendment).

Representative
Richard Ross **Yes**

RESTRAINING ORDERS (H 4443)

The House, 154-0, approved a bill that would allow victims to take out restraining orders against abusers and stalkers with whom they have had no prior relationship. Current law allows victims of abuse to petition for protection orders only if the perpetrator of the abuse is a family or household member.

Supporters called the law long overdue and said it will save countless lives and reduce injuries inflicted on innocent women. They pointed to the case of Sandra Berfield, a waitress from Everett who was repeatedly stalked by a customer and then killed by a small bomb delivered by him. Sandy sought but failed to qualify for protection because she had no prior relationship with the attacker.



The Senate in July approved a different version of the bill. The House version now goes back to the Senate for consideration.

(A "Yes" vote is for the bill.)

Representative
Richard Ross **Yes**

ALSO UP ON BEACON HILL

BAN TEXT MESSAGING WHILE DRIVING — The Transportation Committee approved a bill that would ban texting while driving for all drivers and banning cell phone use for drivers under 18.

The measure fines adult texters 18 and over \$100 for the first offense, \$250 for the second offense, and \$500 for all subsequent violations. Junior operators under 18 who text or use a cell phone would be subject to a \$100 fine and 180-day loss of license. A second offense would yield a \$250 fine and one-year loss of license and subsequent offenses would result in a \$500 fine and one-year loss of license.

PATRICK PROPOSES \$28.2 BILLION FISCAL YEAR 2011 STATE BUDGET

— Governor Deval Patrick took center stage on Beacon Hill last week when he fired the first shot in the long battle over the state budget for fiscal year 2011 that begins on July 1, 2010. He proposed a \$28.2 billion state budget that would raise overall state spending by 3 percent and would fund local aid and Chapter 70 education aid to cities and towns at the same level as the current fiscal year. The proposal includes \$800 million in spending reductions and would impose the state's 6.25 percent sales tax on previously exempt aircraft sales, candy, soda, smokeless tobacco, and cigars. It also relies on \$600 million in federal funds that have not yet been approved by Congress.

Cuts include \$56 million from adult dental services covered by MassHealth; \$9 million from the Department of Transitional Assistance Employment Services program; and \$5 million from the Quinn Bill program that provides police officers with increased salaries for furthering their education.

The House will hold hearings on the governor's package and then draft its own version that will be debated and amended on the House floor. The Senate will follow suit with its own draft and a House-Senate conference committee will eventually craft a plan that will be presented to the House and Senate for consideration and sent to the governor.

LOWER TUITION FOR ILLEGAL IMMIGRANTS (H 1175)

— The Higher Education Committee heard testimony from both sides of a proposal that would allow illegal-immigrant students to pay the in-state tuition rates and fees at Massachusetts colleges and universities if they have attended a high school in Massachusetts for at least three years and have graduated or received the equivalent of a diploma. The measure would require these students to provide the college with an affidavit stating that he or she has filed or will in the future file an application to become a citizen or permanent resident. It also includes a provision prohibiting these illegal immigrants from receiving the in-state rate if doing so would deny

the in-state rate to a Massachusetts citizen or to a legal immigrant resident. The House in 2006 defeated a similar bill on a 57-97 vote.

Supporters said that many of these students were babies when they were brought here by their parents and had no choice about entering the country illegally. They said that these hardworking students are currently required to pay out-of-state tuition rates that are up to five times higher than the in-state rate. Some argued that many students are unable to afford the higher tuition and end up skipping college and working in low-pay, low-skilled jobs rather than contributing to the economy in a more meaningful fashion.

Opponents said that the state should not offer financial rewards to anyone who has broken the law and is in this country illegally. They noted that it is important to point out that these students would not even be able to legally obtain a job in Massachusetts following their graduation from college. Some argued that it is outrageous to offer low tuition rates to these students while legal citizens from outside Massachusetts, including war veterans, are required to pay higher rates if they attend a Massachusetts college.

PAY COLLEGE TUITION BY CREDIT CARD (H 1173) — The committee is also considering a proposal that would prohibit colleges from imposing a surcharge on a student who chooses to use a credit card to pay his or her tuition.

PUNISH BUSINESSES THAT HIRE ILLEGAL WORKERS (H 1793) — The Labor and Workforce Development Committee held a hearing on a measure that would require that any business facility that employs illegal immigrants be closed and padlocked by the state for 30 days.

POST STATE JOBS/PROHIBIT DISCRIMINATION BASED ON HEIGHT AND WEIGHT — The committee's agenda also includes a measure that would prohibit discrimination on the basis of a person's height or weight (H 1850). Supporters of the bill say that short people are often not hired or not promoted because of their height and that discrimination against overweight people is on the rise.

Another bill being considered by the committee would centralize the posting of all state job openings before they are filled by requiring that they be available on a single state web site (H 1854). Supporters said that this would ensure that all citizens have an equal opportunity to apply for state jobs. Opponents said that the bill is unnecessary because the state already posts all jobs at https://jobs.hrd.state.ma.us/recruit/public/3111/job/job_search_results.do?search.public=Jobs

KEEP FIREARMS DURING EMERGENCIES (H 2259) — The committee on Public Safety and Homeland Security held a hearing on a bill that would prohibit police and other law enforcement officers from confiscating any lawfully owned firearm, rifle, or shotgun during a declared state of emergency. Supporters say that following Hurricane Katrina, Louisiana police officers illegally seized, without warrant or probable cause, hundreds of privately-owned firearms — many of which still have not been returned to owners.

QUOTABLE QUOTES

"Criminal behavior, back-room deals, and lack of true accountability have disenfranchised the voters and left them with a destructive and cynical view toward government. Well-funded special interest groups have taken over the agenda, serving only themselves, not the greater good."

— Democratic Senator Steven Baddour (Democrat from Methuen) on how the Democratic Party has lost touch with the concerns of the majority of voters in Massachusetts.

"That's a sandwich name, by the way."

— Defeated United States Senate candidate Martha Coakley responding to NECN's Jim Braude asking "How do you react personally to this drumbeat of horrible campaign, Martha Chokely, all this stuff?" Coakley was referring to a report that an Amherst restaurant is planning to put the new Martha Chokely sandwich on its menu.

"I think it had more to do with the facts of some of what's gone on in the state in the last year or two, particularly in the [State House] building. Sal [DiMasi] being under indictment. Dianne Wilkerson stuffing cash in her bra. Jim Marzilli molesting women. Anthony Galluccio now in a county lockup. Those events combined with the poor economy I think have created great discontent within the electorate."

— Phil Johnston, former state Democratic Party chairman, explaining to State House News Service why Martha Coakley lost to Scott Brown in the United States Senate race.

HOW LONG WAS LAST WEEK'S SESSION? Beacon Hill Roll Call tracks the length of time that the House and Senate were in session each week.

Many legislators say that legislative sessions are only one aspect of the Legislature's job and that a lot of important work is done outside of the House and Senate chambers. They note that their jobs also involve committee work, research, constituent work, and other matters that are important to their districts.

Critics say that the Legislature does not meet regularly or long enough to debate and vote in public view on the thousands of pieces of legislation that have been filed. They contend that the infrequency and brief length of sessions are misguided and lead to irresponsible late-night sessions and a mad rush to act on dozens of bills in the days immediately preceding the end of an annual session.

During the week of January 25-29, the House met for a total of eight hours and five minutes while the Senate met for a total of four hours and 10 minutes.

Monday, January 25
 House 11:01 a.m. to 12:30 p.m.
 Senate 11:00 a.m. to 12:32 p.m.

Tuesday, January 26
 No House session
 No Senate session

Wednesday, January 27
 House 11:05 a.m. to 11:22 a.m.
 Senate 11:00 a.m. to 11:25 a.m.

Thursday, January 28
 House 11:05 a.m. to 5:24 p.m.
 Senate 1:00 p.m. to 3:13 p.m.

Friday, January 29

No House session
 No Senate session

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