

Beacon Hill Roll Call

Beacon Hill Roll Call
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by **Bob Katzen**

THE HOUSE AND SENATE. Beacon Hill Roll Call records the votes of local representatives on three roll calls from the week of February 1-5. There were no roll calls in the Senate last week.

BAN HAND-HELD CELL PHONES AND TEXT MESSAGING (H 4466)

The House, 146-9, approved and sent to the Senate a bill that would prohibit all drivers from texting and using a hand-held cell phone but allow drivers over 18 to use a hands-free cell phone with voice-activated dialing.

The measure also would also require drivers 75 and older to take a vision test every five years when renewing their license. A vision screening certificate from a doctor or optometrist could be provided by the driver in place of taking the vision exam at the registry. Drivers under 75 would still fall under current law that requires license renewal every five years but only requires in-person renewal and a vision test every 10 years.

Supporters said that the bill would save lives and prevent accidents. They noted that the measure would not ban cell phone use by adults but simply would require the use of hands-free cell phones. They pointed to accidents, deaths, and injuries involving texting and cell phones and reckless driving by some elderly drivers.

Some opponents said that the restriction is another example of government intrusion into people's cars and lives. Others noted that there are already laws on the books prohibiting driving while distracted and that the bill is a bonanza for insurance companies that will collect millions of dollars in surcharges. Some said that they opposed the bill because it arbitrarily discriminates against senior citizens over 75.

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

Representative
Richard Ross **Yes**

BAN HAND-HELD CELL PHONES (H 4466)

The House 92-66, approved an amendment that would ban the use of hand-held cell phones for all drivers but allow drivers over 18 to use a hands-free cell phone with voice-activated dialing.

Amendment supporters said that it is just as dangerous to dial while driving as it is to text. They argued that the amendment would save lives, prevent injuries, and make the roads safer.

Amendment opponents said that the amendment goes too far and is the same old unnecessary government intrusion into people's lives. They noted that there are already many existing laws that prohibit distracted driving.

(A "Yes" vote is for the amendment banning the use of hand-held cell phones for all drivers. A "No" vote is against the ban.)

Representative
Richard Ross **No**

FREEZE UNEMPLOYMENT TAX (H 4470)

The House, 152-0, approved and sent to the Senate a bill that would freeze the unemployment insurance tax paid by employers at the current 2009 level through 2010 instead of allowing a scheduled increase to take effect. The payments go into a fund that provides benefits to laid-off workers.



The contribution that employers pay into the fund was scheduled to rise dramatically because of the increasing number of laid-off workers collecting unemployment benefits.

The average 2009 employer contribution into the fund was \$584 per employee. Without this proposed freeze, the 2010 per-employee assessment would jump to an estimated \$852.

Supporters said that the freeze would allow the state to borrow money from a federal loan pool that is funded by federal unemployment taxes paid by employers. They argued that it would save businesses \$300 million during this economic downturn and that it is an appropriate balance between helping the jobless and the employers struggling to keep workers employed.

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

Representative
Richard Ross **Yes**

ALSO UP ON BEACON HILL

LOGAN'S LAW WOULD BAN CUTTING THE VOCAL CORDS OF DOGS AND CATS (H 344) — The bill that would prohibit the cutting of vocal cords of dogs and cats was given initial approval by the House in November but has now been stuck in a House committee for three months.

Dubbed "Logan's Law," in memory of a show dog devocalized and then abandoned by his breeder, the bill would prohibit vocal cord surgery except to treat disease, injury, or congenital abnormality.

Supporters of allowing devocalization under any circumstance say that it helps manage the animal's behavior. They argue that devocalization may save animals' lives by allowing them to stay in their homes rather than being dropped off at an animal shelter where they could be euthanized.

Advocates for Logan's Law point to veterinarians who describe vocal cord surgery as cruel and unnecessary and say it poses serious, even life-threatening, risks and does not change the distress, improper care, or lack of training that often underlies persistent barking. Shelter executives maintain devocalized animals are surrendered to them just like those who still have their natural voice, and that barking is not cause for euthanasia.

Advocates also point to a recent poll that indicated 84 percent of Massachusetts adults oppose vocal cord surgery to suppress a dog or cat's voice. They say responsible selection, housing, and care of a companion animal, not vocal cord surgery, is the solution.

BAN TOBACCO SALES IN DRUG STORES (S 813)

The Public Health Committee approved legislation that would ban the sale of cigarettes in all pharmacies and gift shops in hospitals and other health care institutions. Supporters say that it is immoral for these health entities to peddle dangerous tobacco products. Opponents argue that the measure is unfair to these retailers

who depend on tobacco sales to generate revenue.

MAKE ANTIFREEZE TASTE BITTER (H 4285)

The House approved and sent to the Senate a proposal requiring that any antifreeze which contains sweet-tasting ethylene glycol also include denatonium benzoate — a substance that makes the antifreeze taste bitter. Supporters say that the sweet taste of antifreeze is a major reason for its fatal ingestion by young children, pets, and wildlife.

SICK LEAVE TIME FOR STATE WORKERS WITH RELATIVES IN HAITI

Governor Deval Patrick signed an executive order allowing executive branch employees to donate earned vacation and personal leave time to fellow workers with relatives in Haiti.

ASSAULT WITH BODILY FLUIDS (S 997)

The House approved a bill imposing up to a 10-year additional prison sentence on inmates who commit "assault with bodily substance" upon a prison worker. Under the proposal, these fluids include blood, saliva, mucous, semen, urine, or feces.

Supporters said that creating this new category of crime would deter inmates who participate in this dangerous and outrageous practice that can spread disease and harm workers. They noted that many workers who are victims of this crime either contract a disease or at the least are required to go through a series of tests and treatments to protect themselves and their families.

The Senate has already approved the bill. The measure needs only final approval in each branch before it would go to Governor Patrick.

GIVE CITIES AND TOWNS MORE POWER TO COLLECT FINES (H 3588)

The House and Senate gave final approval to and sent to Governor Patrick a bill that would increase the power of cities and towns to collect fines for violations of local sanitary, housing, and snow and ice removal laws. The measure is aimed at collecting fines for improper trash disposal by absentee landlords.

The local-option measure, effective only in municipalities that adopt it, would allow communities to add unpaid fines to the offender's property tax bill. If the fine is still not paid, the community would be allowed to place a lien on the property.

ALLOW RESTRAINING ORDERS (H 4443)

The House and Senate gave final approval to and sent to the governor a bill allowing 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.

WIND ENERGY (S 2206) — The Senate approved and sent to the House a bill that would establish a new Division of Wind Energy Facility Siting aimed at ensuring timely and predictable siting stan-

dards for land-based wind energy projects. Proponents said that the measure would streamline the current overcomplicated permit process and still give local communities the final power to reject a project. They argued that the bill would create many construction jobs and help the economy and the environment.

QUOTABLE QUOTES

"I discovered, when just a boy, how emotionally difficult it was to say the words 'good bye.' So, I learned to use two other words that come much easier at times like these and that more appropriately express what I wish to say to those who may be listening. Those two words are 'thank you'."

— *Former United States Senator Paul Kirk during his farewell speech on the floor of the United States Senate prior to the swearing-in of United States Senator Scott Brown.*

"My daughter Ayla has a basketball game in about an hour and a half against Duke and then my youngest daughter has a test up at Syracuse. She's a pre-med student. And while they would have liked to have been here, we've always taught them if they have commitments they need to finish them."

— *United States Senator Scott Brown on why his daughters did not attend his swearing-in ceremony last week.*

"I am pleased that we were able to draft such a comprehensive piece of legislation that will go a long way in restricting these obnoxious phone calls."

— *Senator William "Smitty" Pignatelli (Democrat from Lenox) commenting on his proposed legislation that would allow consumers the option of registering for a Do Not Call List that would prevent them from receiving robo calls. The measure was filed in response to the millions of robo calls placed by the Coakley and Brown campaigns in the recent special election.*

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 February 1-5, the House met for a total of seven hours and 18 minutes while the Senate met for a total of two hours and 34 minutes.

Monday, February 1
 House 11:03 a.m. to 11:18 a.m.
 Senate 11:05 a.m. to 11:20 a.m.

Tuesday, February 2
 No House session
 No Senate session

Wednesday, February 3
 No House session
 Senate 11:06 a.m. to 11:16 a.m.

Thursday, February 4
 House 11:03 a.m. to 6:06 p.m.
 Senate 1:00 p.m. to 3:19 p.m.

Friday, February 5
 No House session
 No Senate session

Bob Katzen welcomes feedback at
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