

**State Representative Alice Hanlon Peisch  
14th Norfolk District  
Wellesley Weston Natick**

# THE PEISCH POST

**WELLESLEY EDITION**

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## A Message From Your Representative



Dear Friends,

I would like to take this opportunity to bring you up-to-date on what has been happening in the Legislature since I last published a newsletter in the early spring. The following pages contain brief summaries of the highlights of the legislative session which has just ended.

I am very pleased to report that we passed three significant bills of particular interest to the residents of this district. Legislation which addresses the concerns raised with the school building assistance program, public construction laws and the state's transportation system were all signed into law during the recent session. Details of these bills can be found on page two of this newsletter.

Additionally, local aid remained level funded and reimbursement to cities and towns for special education was dramatically increased for this fiscal year, as opposed to the decrease experienced last year. The Legislature also insured that the state's prescription drug program for senior citizens and day programs for the mentally retarded adults remain adequately funded.

As a member of the Early Education Task Force, I am especially pleased that the Commonwealth has started the process of insuring that all children, regardless of their socio-economic circumstances, will be eligible for high quality pre-school in the coming years.

Although formal sessions of the legislature have ended for this year, much work remains to be done. I hope to see additional legislation benefiting this district pass during informal sessions in the coming months and look forward to tackling the many complex issues, such as court and pension reform, that we were not able to address comprehensively during this term.

I continue to feel honored to represent the 14<sup>th</sup> Norfolk District in the General Court, and look forward to many more years of service. Please do not hesitate to contact me, if I can be of any assistance to you, at the numbers and e-mail address listed on this page.

Sincerely,

**Alice Hanlon Peisch**

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# The Road to Reform

The year 2004 could easily be called "The Year of Reform", given the number of significant reform measures that Rep. Peisch and her colleagues approved this year.

While similar reform measures which had been attempted in prior years had been unsuccessful, but the current Legislature made reforming the state's transportation system, public construction laws, and school building assistance a priority. These measures illustrate the real reform that can happen by working together and putting the public's interest first.

## School Building Assistance

Earlier this summer, the School Building Assistance Reform (SBA) was signed into law. The SBA reform will allow for the creation of a School Modernization and Reconstruction Trust, which will fund all projects currently on the SBA wait list. This reform plan will dedicate one cent from the sales tax to the Modernization and Reconstruction Trust.

Representative Alice Peisch, who joined fellow legislators in voting for the Trust, applauded the law. "My support for this legislation was not difficult," she said. "This plan fully meets existing obligations and provides a dedicated funding stream far into the future."

The SBA backlog has grown to 420 projects and represents \$5.7 billion of capital construction. At present funding levels, it would take at least ten to twelve years before all proposed projects could be funded.

The Trust will provide communities with funds for the state's share of reimbursable school construction costs, eliminating the need for an entire project to be financed at the local level. The Trust also provides for payments on existing SBA obligations.

"This plan represents a multibillion-dollar reform and is the most sweeping change made to the SBA since its inception in 1948," Peisch said. "I am proud to have worked with my colleagues in the Legislature and with the Treasurer on this reform package.

It is the only solution guaranteeing funds now and in the future for my district's schools and, in turn, for the children who attend these schools." Additionally in Wellesley, the Bates and Sprague Elementary Schools will receive funding under this plan in FY05, instead of FY08 and FY09.

## Construction

The Commonwealth's most significant public construction reform package in nearly 25 years became law this summer, with Rep. Peisch's support. This legislation will save taxpayer dollars, prevent unnecessary delays in construction projects, and improve the quality of work.



Under the new law, all large public construction projects costing at least \$5 million are eligible to utilize the "construction manager at risk" approach. This method directs the construction manager to guarantee a maximum price for the project and assures that contractors, *not* taxpayers, bear the brunt of any cost overrun. Massachusetts would see a reduction in construction costs statewide and a continuation of projects that have been stalled. Moreover, with annual public construction spending at more than \$3 billion in Massachusetts, reform would save as much as 10% on building costs across the state.

The House and Senate have worked hard for the last seven months to advance this legislation which is supported by both parties. While at-

tempts to produce new construction laws have failed for decades, this team's efforts resulted in a law that was agreeable on all sides.

## Transportation

Massachusetts now has a more coordinated transportation system, which will save taxpayers money.

A bipartisan success, the new law requires turnpike officials to create a plan by December to reduce traffic congestion, enroll more residents in the FastLane toll collection program, and reduce operating costs.

"We are making great strides in heeding what the people of Massachusetts are asking for," noted Rep. Peisch. "Consolidating the Commonwealth's transportation entities in this manner streamlines services, eliminates duplication, and makes the management of transportation services more effective and efficient."

The reforms were created based on a study by the non-partisan Massachusetts Business Roundtable which found that the state had the most disjointed transit system in the nation. To produce more coordination statewide, the law creates an Office of Transportation Planning headed by the Deputy Secretary of Transportation. Additionally, the Transportation Secretary will become the Chairman of the Massachusetts Turnpike Authority, a voting member of the Massachusetts Port Authority board, and continue to chair the board of the MBTA.

Under the new plan, the Massachusetts Turnpike Authority is not merged with the Highway Department. Rep Peisch explained, "This protects the fiscal integrity of the Commonwealth by not allowing the Turnpike's \$2.5 billion debt to be assumed by the taxpayers."

This legislation also transfers the Registry of Motor Vehicles from the Department of Public Safety to the Office of Transportation, thereby expanding the reorganization and creating greater efficiencies.

# ***PEISCH LEADS PENSION REFORM CHARGE!***

*Works to Protect Taxpayers  
by Closing Loophole for  
Elected Officials*

Representative Peisch worked to eliminate a loophole in the state pension law that allows elected officials to receive a full year's pension credit for only one day's work.

Currently, elected officials receive a full year's pension credit for any amount of time served during a calendar year. Peisch filed an amendment to the FY05 Budget Recommendations to close this loophole.

"This is common sense reform," said Peisch. "Elected officials should not be getting a year's credit for working only one day. The reform I proposed puts elected officials under the same pension regulations as other public employees."

Peisch's reform amendment was approved by the House and attracted bipartisan support, having been co-sponsored by legislators on both sides of the aisle. Although a similar provision existed in the Senate budget, the reform was not included in the final FY05 budget.

"I am pleased that my colleagues in both parties joined me in the effort to protect Massachusetts taxpayers from paying for extra benefits for legislators," commented Peisch. "I am disappointed that this was eliminated from the final budget, however. I look forward to working with the other reformers during the next legislative session on this issue."

## **Peisch Fights for Mentally Handicapped**

Alice Peisch led the fight to restore \$23.6 million cut from programs for mentally retarded adults in the FY05 budget. Peisch organized her colleagues whose districts are also serviced by the Charles River Arc to advocate for full restoration of funding.

Although much of the funding cut in the Governor's proposed budget was returned in the House budget recommendations, the initial House proposal contained some DMR reductions. To prevent those reductions, Peisch successfully authored a bi-partisan budget amendment, endorsed by over forty of her colleagues, that fully restored the funding for these programs.

"We owe it to the state's most vulnerable residents to restore some of the harshest cuts made during the past few years," said Peisch. "Although there are still economic difficulties ahead, I believe it is important to be a voice for those who are not always represented."

Thanks to Peisch's efforts, the \$23.6 million was fully restored.

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## ***PEISCH SUPPORTS "RAINY DAY" FUND***

By a landslide vote of 181-12, Rep. Peisch joined her colleagues in advancing a constitutional amendment establishing a permanent "Rainy Day" Fund. The amendment, which received bi-partisan support, requires the Commonwealth to pay one percent of state tax revenues, roughly \$160 million, into a reserve fund on an annual basis.

"A permanent 'Rainy Day' Fund is the best way to prepare the Commonwealth for the inevitability of future recessions," said Peisch. "As evidenced by the most recent downturn, when we relied on nearly \$2 billion in reserves to keep taxes low and continue core services uninterrupted, saving for a 'rainy day' makes sense."

Statewide, non-partisan, business leaders such as the Massachusetts Business Roundtable, the Greater Boston Chamber of Commerce, Associated Industries of Massachusetts and the Massachusetts Taxpayers Foundation offered their support to secure the amendment's passage.

"The business community's resounding endorsement of the 'Rainy Day' Fund speaks volumes about the amendment's merit," said Rep. Peisch. "These leaders recognize that given the past decade of economic upswings and downswings it is prudent and pragmatic to establish this fund to protect the progress we have made in education, health care, public safety and economic development."

# Wellesley Happenings



Rockland Street Bridge

Photo by Cara Westerhoff

## ***Wellesley Bill Signed into Law Town Can Pre-fund Retirees Insurance Costs***

In early May, the Massachusetts State Legislature approved a Wellesley Post Employment Health Insurance Trust Fund into law.

The law, which was approved by the 2003 Annual Wellesley Town Meeting last spring, will allow the town of Wellesley to create a trust fund to cover the costs of retirees' health care coverage. The town will be allowed to pre-fund these costs in much the same way that it has fully funded its pension liability.

"The new trust fund will better protect the health and financial security of Wellesley's town employees," said Representative Alice Peisch, who, with Senator Cynthia Creem (D-Newton), filed the legislation. "I commend the town for so diligently preparing for its future financial obligations."

## **Peisch Secures Funding For Rockland Street Bridge!**

*Commuter Rail Improvements and  
Echo Bridge Repairs Also Funded*

Representative Alice Hanlon Peisch has successfully secured funding for the replacement of the Rockland Street Bridge. \$954,000 has been earmarked for the bridge replacement project as part of the Transportation Bond Bill.

"The condition of the Rockland Street Bridge has been a major public safety concern for a number of years," said Peisch. "The bridge is in great need of repairs, and the urgency to complete these repairs is heightened by the high volume of traffic on the bridge. The funding in the Transportation Bond bill is long overdue and I am pleased that I was able to secure the funding for the bridge replacement."

The Rockland Street Bridge is a state owned bridge that goes over MBTA commuter rail tracks. The Bridge was built in 1917, rebuilt in 1934, and supports approximately 11,100 vehicles every day. Since Rep. Peisch took office last January, she has fielded numerous concerns from constituents about the safety of the Rockland Street Bridge.

An additional \$250,000 was provided for the restoration and replacement of the ironwork railings on the Echo Bridge in Wellesley, Newton and Needham. The Echo Bridge is used as a pedestrian pathway from Needham to Newton crossing Hemlock Gorge. The Bridge is listed on the National Register of Historic Places and is part of the Sudbury Aqueduct.

The Transportation Bond Bill also includes \$21.5 million for improvements to the Framingham/Worcester Commuter rail line, which has three stops in the town of Wellesley.

"This legislation is a victory for the residents of Wellesley," commented Peisch. "MBTA rail service is a major concern for commuters. Providing the funding to start the needed improvements to the tracks and signals is the first step towards improving the commuter rail service."

The Transportation Bond Bill is a three-year, \$1.3 billion spending plan.



## Middle School Orchestra and Chorus Perform at State House

Representative Peisch had the pleasure of hosting the Wellesley Middle School Orchestra and Chorus at the Massachusetts State House. The Orchestra and Chorus entertained the employees of the state's capital building during the day. The students received glowing reviews from many of Rep. Peisch's colleagues who stressed how impressed they were by the students' performance. Rep. Peisch looks forward to the group's next performance at the State House in December.

## Sewer Rate Relief Secured

Representative Alice Peisch joined her colleagues in restoring \$10 million in water and sewer rate relief to 61 MWRA municipalities in Massachusetts including Wellesley, which receives MWRA sewer and partial water services.

The rate relief was in jeopardy after it was vetoed in the FY05 budget. The money is specifically earmarked to be passed onto MWRA ratepayers. The legislature successfully overrode the veto in July.

"Overriding this veto, allows Wellesley residents to benefit from sewer rate relief," said Peisch. "I am pleased that so many of my colleagues recognize the need to provide this relief to MWRA communities."



## Wellesley Named Tree City USA *Town also receives environmental grants*

Wellesley was named as a *Tree City USA* by the National Arbor Day Foundation earlier this year.

*Tree City USA* is a national award administered here in Massachusetts by the Department of Conservation and Recreation's (DCR) Urban and Community Forestry Program. The award is given to towns with a central authority for the community's trees, an ordinance outlining who cares for the trees, a minimum budget of \$2 per capita, and an observance of Arbor Day. Wellesley received the award for adequately fulfilling these criteria.

"I am proud of Wellesley's forestry and trees. I hope this award strengthens the efforts by community leaders to keep the town green," said Rep. Peisch.

Wellesley also received two environmental grants this year one of which was from the Department of Environmental Management under the MassReLeaf Tree Planting Program for the Washington Street/Hunnewell Farm Tree Planting Project. The goal of this project is to re-establish the tree corridor along Washington Street from the Natick town line through the Hunnewell Farm.

The second was from DCR as part of the "Heritage Tree Grant" program. This grant was one of only 11 given out by the DCR this year. The town plans to use the funds to assist in the care and maintenance of several significant community trees in the downtown area.

2004 has been a good year for the recognition of Wellesley's environmental efforts. Hopefully with these two grants, the future should be bright as well.

## ***Peisch Supports Home Care***

### ***Bipartisan Effort Expands Community Care For Elders***

Happily, seniors today are living longer, more productive and healthier lives than prior generations. However, there does come a time in life when many elders need assistance to do basic daily activities. When that time comes, more and more seniors prefer staying at home rather than moving to a skilled-care facility or an assisted-living facility. The choice to stay at home is made in part because home care emphasizes privacy, dignity, autonomy and individuality.

The Massachusetts Legislature has recognized this growing preference to stay at home and has approved reform in Medicaid rules that will help seniors who wish to remain in their communities stay out of nursing homes. Implementation of the change in Medicaid eligibility is expected to save the state at least \$12 million annually by expanding the home and community based waiver program to include elders currently receiving services without any federal matching funds.

The change in waiver rules will allow the state to receive a 50% federal reimbursement under Medicaid for the 3,200 elders who are now being served entirely at state expense. The plan calls for raising the income eligibility level from \$769 per month, to \$1,656 per month.



“This is a win-win for both seniors and taxpayers – this will allow more seniors to choose to receive services in their home, while at the same time splitting the costs of these services between the state and federal governments,” stated Representative Peisch.

Massachusetts currently ranks 6<sup>th</sup> in the nation for Medicaid members over the age of 65 who are in nursing homes. This measure would shift the focus of care from the current over-reliance on institutions to the community.

“It is a good day for the people of Massachusetts when we can move forward in terms of addressing the needs of our elder population while at the same time securing much needed funds to serve this population,” Peisch added. “This reform will allow many seniors to receive care in the comfort of their own homes, rather than be forced into a nursing home prematurely.”

Additionally, home care services also cost far less than nursing home care. This change provides a less expensive alternative to institutionalized care to seniors unable to care for themselves. Now elders will be given access to a monthly home care benefit averaging half the cost of nursing home stay, with the added dignity and comfort of remaining at home.

## **Budget Highlights**

### **Education**

Rep. Peisch is pleased to announce several critical components of this year’s education section of the House budget. Some of the highpoints include a \$200 million increase for the special education circuit breaker, as well as level funding of our public schools. As the State Legislature works to balance the budget in a tough fiscal climate, it also recognizes the importance of funding our local school systems.

“Providing support for our local schools has been one of my top priorities since taking office” Rep. Peisch stated. “As a former School Committee member, I understand the vital role our schools play in preparing our children for success in and out of the classroom.”

The FY05 Budget also includes increased funding for Full Day Kindergarten Grants and the Legislature maintained its longstanding support for school-wide literacy initiatives by dedicating \$3.8 million for full time literacy coordinators and teacher training.

## ***Expanded Estate Recovery Repealed***

Rep. Peisch worked to repeal the expanded estate recovery provision of the FY04 budget as part of an amendment to the FY05 budget. Peisch was a sponsor of the amendment and has been advocating for its repeal since last July.

The expanded estate recovery provision would require the Department of Medical Assistance to recover assets above and beyond the current probate estate of a Medicaid recipient, in the time of his or her death.

There was concern that this would place an undue burden on surviving family members, spouses in particular, who could face displacement.

“The repeal of expanded estate recovery is a victory for the senior citizens of Massachusetts,” Peisch stated.

## Veterans' Benefits Expanded

On Memorial Day weekend, the definition of a "veteran" was expanded to incorporate everyone commonly understood to have performed military service.

The new law, which boosted the number of Bay State veterans by nine percent, expands the definition to include full time National Guard service personnel with at least 90 days of active service and at least one day of wartime experience. It also encompasses all persons who served in the army, navy, marines, coast guard or air force for at least 180 days, regardless of wartime experience.

"These benefits are long overdue for all of the brave men and women who have served our country," said Representative Peisch.

The law brings the Commonwealth's eligibility standards for veteran's benefits into closer alignment with federal standards.

The Legislature also expanded parking access for disabled veterans. For years, many of the state's veterans traveling outside of Massachusetts have received tickets for parking in disabled spots because local law enforcement did not recognize their plates. The new law solves this problem by requiring the International Handicap symbol on all special license plates given to disabled veterans. Massachusetts had been the only state that did not include the symbol on their disabled veterans license plate.

"It is important for Massachusetts to recognize the sacrifices of these men and women, and to ensure access for our disabled veterans throughout the country," commented Peisch.

## Looking Out for Bay State Safety New Public Safety Policies Approved

Rep. Peisch joined with her colleagues to take several important steps to further ensure the public safety of the Commonwealth.

"Updating our fire prevention laws, equipping local law enforcement with the most effective tools, and keeping assault weapons off the street are essential to keeping our communities safe," commented Peisch.

### Fire Safety

The state's fire safety laws have been expanded in the wake of the Rhode Island nightclub blaze. The legislation includes over \$11 million for firefighting equipment grants and also proposes training and education programs for firefighters, build-

ing inspectors, and local officials. Moreover, as passed by the House the new law calls for bars and nightclubs holding more than 50 patrons to install sprinklers within three years and



provide a tax deduction program to help defray the cost.

### Stun Guns

As of July 15, the Commonwealth has signed into law a measure that allows law enforcement officials to purchase and use electronic weapons, commonly known

as stun or TASER guns.

Massachusetts is the 49<sup>th</sup> state to allow electronic weapon usage. This bill ensures that law enforcement officers are equipped with the most effective tools available to protect them on the field and maintain public safety.

### Assault Weapons

Rep. Peisch voted to ban the sale of 19 assault weapons in Massachusetts. There is currently a federal ban on these weapons, but Congress has not renewed the ban, and it is set to expire this fall.

As one of six states with its own ban, this law prohibits the sale of semiautomatic, military-style assault weapons in the Bay State.

## Sagamore Rotary Fix

In an effort to ease traffic onto the Cape, with Rep. Peisch's help, the Sagamore Rotary Improvement Project has been approved. This fifty-eight million dollar project will eliminate the existing rotary, connect the Sagamore Bridge directly to Route 3 and reroute the Scenic Highway and other local roadways.

These changes will improve access to Cape Cod and eliminate one of the state's most dangerous intersections, originally designed to handle half

of its current traffic levels. The Rotary has an accident rate five times higher than the state average. The improvements will reduce idling time and create a seventeen percent reduction in emissions. Construction is expected to begin this fall with substantial completion by 2006.

"I think most people familiar with this rotary would agree that the work needs to be done," said Representative Peisch.

# Only Ashes Remain for Bay State Smokers

As people throughout the Bay State participated in festive parades and witnessed fireworks light up the sky in celebration of our country's freedom and independence, their legislators were reminded of yet another reason for celebration – this July 4<sup>th</sup> marked the final day that smokers were allowed to light up in their workplaces. Beginning July 5<sup>th</sup>, the landmark measure to ban smoking in the workplace took effect.

History was made because of consistent efforts from the American Heart Association, the American Cancer Society and other groups who requested that the state protect workers from the dangers of secondhand smoke. The bill gained momentum when the House passed its version of the legislation by a 127-25 margin this past fall. The Governor signed the final version into law on June 18<sup>th</sup>. The new law does al-



low smoking in select workplaces including private membership organizations such as Veterans of Foreign War Posts, hotel rooms, cigar bars, and portions of nursing homes.

According to a 1998 report in the Journal of the American Medical Association, secondhand smoke exposure is to blame for over 50,000 deaths in the United States each year, about 1,300 of which are in Massachusetts. On any given day, a bartender who works in a smoke-filled bar for an eight hour shift has

low smoked the equivalent of a pack of cigarettes. Rep. Peisch is hopeful that this law will contribute to both cleaner air and healthier working conditions.

"I am proud that the Massachusetts Legislature finally passed this bill," said Rep. Peisch. "The health risks that tobacco poses to smokers and those in close contact with smokers are frightening. This bill should improve the atmosphere in many public places, including restaurants and bars, throughout the Commonwealth."

Prior to the law's enactment, more than 90 communities in the state, including Weston, Wellesley, and Natick, were already enforcing similar bans.

Massachusetts has become the country's sixth state to implement the statewide ban joining New York, Connecticut, Maine, Delaware, and California.

## THE PEISCH POST

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