

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

THE PEISCH POST

WELLESLEY EDITION

Volume III, Issue I

Summer 2005

A Message From Your Representative



Dear Friends,

Thank you for giving me the opportunity to serve as your Representative in the General Court for a second term. My goal with this newsletter is to better serve my constituents by encouraging open communication between you and my office. If you wish to receive future editions electronically, please send your email address to Rep.AlicePeisch@hou.state.ma.us.

In this newsletter you will find:

- A brief explanation of the legislative process
- Information about the bills I have filed this session
- A summary of what has happened to date in this legislative session
- Issues of special interest to the residents of the 14th Norfolk district

Each new legislative session brings new committee assignments for legislators. In order to modernize the legislative process, some new committees were created and some others eliminated at the beginning of this session. I am pleased to report that I have been appointed to serve on the new **Joint Committee on Higher Education** and the **Joint Committee on Housing**, in addition to continuing to serve a second term on the **Joint Committee on the Judiciary**.

At this time last year, I sent a brochure to every household asking for input on the various issues before the Legislature. I was impressed with the rate of return and found the comments very helpful. For this reason, I enclose a similar survey with this newsletter, and encourage you to respond.

I look forward to continuing to work on your behalf.

Sincerely,

Alice Hanlon Peisch

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Quick Lesson: The Legislative Process

Ever wonder how a bill becomes a law? Well wonder no more! The whole process explained...

Q: When are bills filed?

A: The "legislative session" is two years long in Massachusetts, beginning in January of odd-numbered years. The bill-filing deadline is the first Wednesday in December of even-numbered years. All bills filed after that deadline are considered late-filed bills, with the exception of home rule petitions.

Q: How many bills are filed each session?

A: Upwards of 6000 bills have been filed in the last two sessions, although only about 500 have made it through this process and become law each session.

Q: Who introduces legislation?

A: Legislation can originate in either the House or the Senate, with the exception of revenue bills and the budget, which are constitutionally mandated to originate in the House. All bills are introduced by legislators or by the Governor. Each bill has a title and a number; those that originate in the House begin with "H" while those that originate in the Senate begin with "S."

Q: What happens to bills once they are introduced?

A: Once a bill receives a number, it is assigned to the appropriate committee. The committee is responsible for reviewing each bill it is assigned, holding a public hearing, reviewing testimony, and making formal recommendations to the House and the Senate as to whether the bill should pass. Committees are required to report all bills, but they are not re-

quired to conduct hearings on all of them. If the committee gives the bill a favorable recommendation, or "ought to pass," the bill moves through the legislative process.

Q: How does a bill proceed through the legislature?

A: Before a bill passes, it receives three public "readings." The First Reading occurs when a bill receives a favorable report from a committee. Once a bill receives a favorable report from a committee, it is generally sent to the Committee on Steering and



Policy or the Committee on Ways and Means. The Second Reading of the bill occurs when the bill is released from Steering and Policy and placed on the "Orders of the Day." During the Second Reading the bill is open to debate and amendment on the House or Senate Floor. If the bill receives approval at that time, it is then sent to the Committee on Bills in Third Reading. The Committee on Third Reading checks bills for technical accuracy. The Third Reading of the bill occurs once the bill is released from that Committee.

Once released, the bill is brought before the membership for a debate and vote on "passage of the bill to be engrossed." If the bill is engrossed at that time, it is sent to the other chamber to repeat the Three Readings Process and engrossment. If the House and the Senate pass identical versions of a bill, a vote on enactment must occur in both chambers. If

there are differences between the House and Senate bills, the House and Senate must agree on one bill. A conference committee comprised of members from both chambers is appointed to produce such a bill, which can then be enacted in both chambers.

Q: What happens after the legislature enacts a bill?

A: Following enactment, the bill is sent to the Governor who may sign it into law, veto it, or return it to the legislature with recommended changes. The Governor has 10 days to decide what action to take. If the Governor does nothing, but leaves it on his desk, it will automatically become law on the eleventh day if the General Court is still in session. If the Legislature is not in session, the bill is returned in what is known as a pocket veto. If the Governor returns a bill with a veto, the legislature can override his veto with a 2/3 vote in both chambers.

Q: Can the Governor change a bill?

A: The Governor may only return legislation with one recommendation at a time. If he does return the bill with the recommendation of an amendment, it is open for any additional amendments to be offered.

Q: What happens to bills that don't pass?

A: Any bills that are not passed at the end of the legislative session cease to exist, and must be re-filed to be considered during the next session.

REP. ALICE PEISCH APPOINTED CHAIR OF THE NEW SUBCOMMITTEE ON EXPIRING USE

The co-chairs of the Legislature's Joint Committee on Housing created a new subcommittee to review issues regarding expiring use restrictions for affordable housing. Following the creation of this subcommittee, the co-chairs appointed Rep. Alice Peisch Chair of the subcommittee.

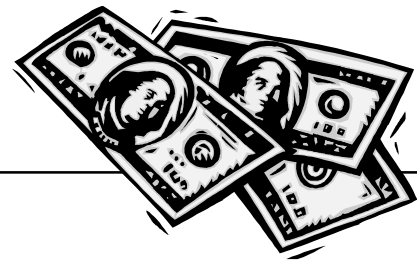
The subcommittee held its first hearing on the topic of expiring use on July 28th at St. John's Church in West Roxbury. Over the next couple of months the subcommittee will be holding a series of hearings across the state on this subject.

Currently, almost 90,000 units of privately owned government-subsidized housing in the Commonwealth have affordable housing restrictions that will expire in the future. The new subcommittee will provide the Joint Committee on Housing with recommendations on how to proceed on this issue.

"In addition to our current existing expiring use properties, the subcommittee will look at the issue of use restrictions in general for newly constructed housing. This is a recurring issue for cities and towns that may have lost affordable housing because of expiring use restrictions," Peisch stated.



BUDGET HIGHLIGHTS



The House of Representatives unanimously approved its 2006 budget on Friday, April 29th. The budget was notable for its absence of outside sections, a term applied to those sections of the budget that are not strictly related to spending, but rather change existing policy. The budget was submitted to the Governor in June and was signed on June 29th.

LOCAL AID—The FY06 budget provides for an **additional \$50 per student** in Chapter 70 funds over last year's budget. This amounts to a total of \$3,170,547 for Wellesley, \$1,480,950 Weston and \$4,176,646 for Natick.

METCO—For the second year in a row, the House budget included a **\$2 million increase** in funding for the METCO program. The final budget as signed by the Governor includes this increase which will benefit the METCO programs in Wellesley, Weston and Natick.

CARING HOMES—Within the Senior Care Plans line item in the House budget is an appropriation for the demonstration program "Caring Homes", in which elders receive care in the home of an individual or relative (with the exception of spouses and children), as an alternative to nursing home care. Caring Homes builds on the work of a current pilot program within the Executive Office of Elder Affairs, "Caring Circles."

AUTISM DIVISION—The FY06 budget funded a new Autism Division within the Department of Mental Retardation at **\$1 million**. The mission of the new Division is to create a network of resources and supportive services for families with autistic children.

PRESCRIPTION ADVANTAGE—This program has been **fully funded** to augment the new Medicare drug benefit.

HEAD START GRANTS—This line item was **increased by \$1.35 million**, increasing the funding to \$7.5 million. This is the first increase in this line item in 10 years.

SPECIAL EDUCATION CIRCUIT BREAKER—The House budget **fully funded** the special education circuit breaker fund at \$201,600,262. This program provides state financial assistance to school districts for all high-cost special education students, regardless of their type of placement. An amendment to the budget was adopted that provides for a study of the feasibility of lowering the monetary threshold for such assistance when children are educated within the school district itself.

(Continued on page 5)

Wellesley Happenings

TRANSIT UPDATE

Wellesley Farms Track Crossing

Since the closing of the track crossing at the Wellesley Farms commuter rail station last year, Wellesley residents have expressed their dissatisfaction and concern. Rep. Peisch has made resolving this issue one of her top priorities this session and has been working with the MBTA, Congressmen Barney Frank's office, and the Federal Rail Road Administration to find a solution that satisfies all parties. If you are interested in receiving email updates regarding this issue, please email Rep. Peisch at Rep.AlicePeisch@hou.state.ma.us with "Wellesley Farms email updates" in the subject line.

The Rockland Street Bridge

The Rockland Street Bridge is in a state of disrepair. Mass Highway reports that the Rockland Street bridge project is programmed for reconstruction for the 2007 fiscal year, and that the project is on the region's TIP for the same year. There will be a public review of the project once the plans have been brought to a 25% design stage which is expected to be completed this summer. In the meantime, Mass Highway will continue to patch potholes when necessary, though doing so is only marginally effective due to the overall state of the bridge.



Rep. Peisch waves to the crowd as she marches in the Wellesley Veterans Day parade.



Rep. Alice Peisch brought the Red Sox World Championship Trophy to Wellesley for residents to see up close. Pictured with the trophy are David Walsh, Sandy Joseph and Owen Dugan who arranged for its display at the Community Center on April 30, 2005.

Thank You

State Representative Alice Peisch would like to thank all of the interns who volunteered in her office this summer including Wellesley residents Andrew Bennink, Chris Kennedy, Andrew Mayer-son, Jackie Schwoeri, Nathaniel Stein, and Alice Weng.

Intern responsibilities include constituent services, tracking legislation, policy research, writing correspondence, and database management. In addition, interns have the opportunity to attend formal legislative sessions, committee hearings, and seminars scheduled by the Legislative Education Office. This summer's speakers included Senate President Robert Travaglini, Speaker of the House Salvatore DiMasi, Governor Mitt Romney and former Governor Michael Dukakis.

Rep. Peisch is always looking for district high school and college students to intern in her office. If you are interested, please send a resume to Representative Alice Peisch, State House, Room 26, Boston, MA 02133 or via email to Rep.AlicePeisch@hou.state.ma.us; or call (617)722-2080 for more information.

REDISTRICTING LEGISLATION GETS NEW LIFE

Despite the Joint Committee on Election Law's having given Senate Bill 12, the *"Proposal for a Legislative Amendment to the Constitution Establishing an Independent Redistricting Commission and Criteria for Redistricting,"* an unfavorable report, the co-sponsors of the legislation will continue to fight for its passage this session.

"It is critical to the success of our democracy that the public have faith in our electoral process. The creation of an independent commission to handle legislative redistricting would strengthen that faith," explained Peisch.

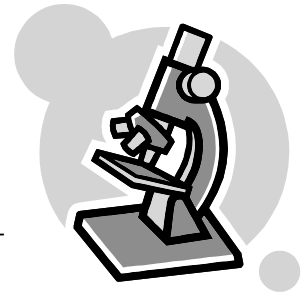
Stem Cell research:

Now Clearly Legal in Mass.

Overriding the Governor's veto, the Senate and the House passed Chapter 27 of the Acts of 2005, "An Act Enhancing Regenerative Medicine in the Commonwealth."

Rep. Peisch voted for this legislation explaining, **"The bill I voted for includes the appropriate restrictions necessary to prevent human reproductive cloning while allowing this important research to move forward."**

Somatic cell nuclear transfer does not create a human life, but rather allows for the creation of "replacement cells" that have the potential to be extremely helpful in curing many debilitating diseases.



BAR ADVOCATE CRISIS AVERTED

The recommendations of a special commission on court appointed counsel were incorporated into legislation signed into law this summer. The bill, supported by the Governor, raises bar advocates' hourly pay to \$50, \$60, \$100 for representing defendants in District Court, Superior Court, and on murder cases, respectively. It also establishes a pilot program for each public counsel division with a district attorney's office to hire an additional 10 public defenders, and allows judges to determine if some less offensive crimes do not require attorney representation. The legislation also lowers the cap for the number of hours a bar advocate can work before they must begin refusing new work to 1,400 hours, and authorizes the committee for public counsel services to hire an additional 20 public defenders to handle family and juvenile cases. **"I'm happy to see this matter resolved in a way that is fair to the court-appointed attorneys, and at the same time addresses the concerns raised relative to abuses in the system,"** Rep. Peisch stated.

BUDGET HIGHLIGHTS

(Continued from page 3)



SPECIAL EDUCATION TRANSPORTATION PILOT—

The budget includes funding for four pilot programs statewide to test a model of delivery for special education transportation services.

The cost of these services has considerably outpaced the rise in regular education transportation in recent years and the quality of service needs improvement. The goal of the pilots will be to demonstrate how service and efficiency can both be enhanced with more collaboration in the provision of out-of-district transportation.

GIFTED AND TALENTED PROGRAM—The FY06 budget provided for a five-fold increase in funding of programs for gifted and talented students to enable them to reach their full potential.

LEGISLATIVE AGENDA

PEISCH CONTINUES FIGHT FOR FAIRNESS FOR SPECIAL EDUCATION STUDENTS

Last session, Rep. Peisch led the fight to provide students with special needs greater access to the MCAS appeal system. This session, the Representative from the 14th Norfolk district continues to work to address issues of equity and fairness for students with disabilities, while maintaining high graduation standards.

An Act Guaranteeing a High School Diploma to Some Children With Disabilities Accepted into Post Secondary Education Programs

would ensure that no student with a disability would be denied a diploma on the basis of performance on the MCAS if he has met ALL of the following requirements:

- The student has satisfied all other local high school graduation requirements;
- The student has received preliminary or final acceptance into an accredited post-secondary educational program at a technical school, vocational school, college, or university;
- AND the student has completed all of his Individualized Educational Program (IEP) goals.



An Act to Promote Greater Fairness, Accountability and Public Confidence in the MCAS

would define the term “difficult to assess” in the Education Reform statutes, and grant students who are “difficult to assess” the same rights to a MCAS performance appeal as those granted to SPED students.



An Act to Ensure That Students With Disabilities Have the Opportunity to Participate in High School Graduation Ceremonies with Their Non-Disabled Peers

would guarantee that a child with a disability who will be receiving a certificate of attainment shall be allowed to fully participate in high school graduation ceremonies and activities conducted by, or sponsored by, the school or school committee.

LEGISLATIVE AGENDA

REP. PEISCH FILES BILL TO REQUIRE

DEFIBRILLATORS ON COMMUTER TRAINS

Aims to avoid future incidents after tragic death of Wellesley man

State Representative Alice H. Peisch and State Senator Scott Brown have filed legislation that would require all MBTA Commuter Trains to be equipped with defibrillators following the 2001 death of a Wellesley man riding the commuter rail. **"While nothing will bring back the life of the Wellesley man who died of heart failure on the commuter rail, it is my hope that the passage of this legislation will avert such tragic occurrences in the future,"** said Rep. Peisch.

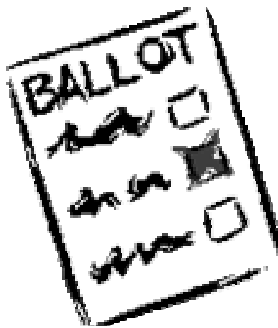


few minutes are critical for a patient in cardiac arrest.

Since an April 2004 incident at Park Street Station when a man was saved by an MBTA employee with an Automated External Defibrillator (AED), the importance of making AEDs available to more bus and subway stations has become apparent. The new AEDs are computerized devices, which monitor a patient's heart rhythm and determine if a shock is needed. The device walks the rescuer through the procedure, ensuring that a bystander can perform the procedure correctly.

Rep. Peisch also filed **AN ACT RELATIVE TO CPR INSTRUCTION AT PUBLIC HIGH SCHOOLS** which would require CPR to be offered in high schools as part of the physical education or health curriculum.

Though a number of errors slowed the evacuation of the man from the train, emergency medical professionals take a few minutes to answer a call even in ideal conditions. Those first



AN ACT TO FURTHER EXTEND ABSENTEE VOTING RIGHTS would close a loophole in the absentee voting laws by allowing persons in hospice care the same access to an absentee ballot as those in the hospital.

AN ACT ESTABLISHING IDENTIFICATION REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL would provide continuity between federal and local elections, and thus reduce voter confusion.

Drawing on her experience as a former Town Clerk and member of the Joint Committee on Election Laws, Rep. Peisch filed the above bills in an effort to improve the electoral process.

REP. PEISCH TAKES RECOMMENDATIONS FOR COURT REFORM TO HEART

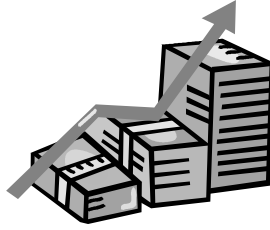
At the request of the Coalition for an Independent Judiciary, Rep. Alice Hanlon Peisch filed **AN ACT IMPROVING THE ADMINISTRATION OF THE JUDICIAL**



BRANCH. This bill provides that the Chief Administrator of the trial court will serve at the pleasure of the Supreme Judicial Court, and need not be a judge.

SENIOR TAX RELIEF

Recognizing the critical importance of providing relief for seniors from rising property taxes, Rep. Peisch has co-sponsored "An Act to Create an Exemption for Low-Income Seniors from Proposition 2 1/2 Overrides." In addition, the Joint Committee on Revenue is currently working on a comprehensive senior citizen package that aims to alleviate the property tax burden. Rep. Peisch is committed to making this issue one of her top priorities this session.



HEALTH CARE REFORM TO COME THIS SESSION?

The Joint Committee on Health Care Financing held a hearing in early June on a pair of bills that would overhaul the way health insurance works in Massachusetts. The bills include provisions to expand state-funded health insurance, offer more assistance to small businesses that offer health insurance to their employees and require that employers either offer health insurance to their employees or pay into a state fund to offset the cost of caring for the uninsured.

It is likely that a compromise bill will come out of the Committee, and that the Legislature will take the issue up later this year. According to the state Division of Health Care Finance and Policy has reported that there are roughly 460,000 uninsured residents in the Bay State.

CONQUER CANCER WITH YOUR CAR

The Conquer Cancer Coalition of Massachusetts was founded by Susan Zuker, a Newton resident who lost both her father and husband to cancer. After learning that New Jersey raised \$2 million when the registry offered a "Conquer Cancer" specialty plate, Zuker set out to make the "Conquer Cancer" plate available here in Massachusetts.

In order for the Massachusetts registry to offer the "Conquer Cancer" plate, Zuker must pre-sell 1500 plates. To request an application for a Conquer Cancer license plate call toll-free (888-WILL-CONQUER) or download one at www.conquercancer.org.



MONTHLY OFFICE HOURS

First Monday of each month:

Natick Senior Center, 9:30-10:30 am

Second Monday of each month:

Wellesley Free Library, 9-10am

Weston Town Hall, 10:30-11:30am

Formal sessions are often scheduled with very little notice. To confirm that office hours are in fact being held on a given day, call Rep. Peisch's aide Stephany at (617) 722-2080.

**Alice Hanlon Peisch
State Representative
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