



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

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House Reflects on Session Accomplishments as Holidays Near

Focuses on Job Creation, Economic Development, Passes Major Reforms

(BOSTON) – Speaker Robert A. DeLeo (D-Winthrop) and Representative John D. Keenan (D-Salem) joined their colleagues in the Massachusetts House of Representatives in celebrating recent session accomplishments as the legislature heads home for the holidays. Session priorities included job creation, strong fiscal management and reform that streamlined and improved the government and economy.

As of Wednesday, November 16th, the House passed major bills pertaining to expanded gaming, economic development, municipal health care, civil rights, redistricting, and pension reform.

“After passing groundbreaking reform legislation, redrawing district maps, and establishing a fiscally-sound budget, the House also approved major legislation to grow jobs in Massachusetts,” House Speaker Robert A. DeLeo said. “Working together on a wide range of bills, we were able to pass legislation that will stimulate our economy and improve the lives of people and families across the Commonwealth.”

“I am pleased with the major legislation passed by the House,” said Representative Keenan. “We’re positioning the Commonwealth and Salem in the best possible way to grow and retain good jobs, and working on the issue that matter the most to today’s families the state of the economy and job security. The House passed major legislation including redistricting, pension reform, and civil rights. It’s certainly been an ambitious session and there’s still much more work to be done.”

In the spring, the House worked on a municipal health insurance reform plan that aimed to help communities save on healthcare costs, while also protecting care quality for retirees and municipal employees. Under this legislation, municipal workers pay no more in co-payments and deductibles than those paid by subscribers to the largest plan offered by the Group Insurance Commission (GIC), which provides health insurance to state workers and legislators. The municipal healthcare reform legislation was a large part of the year’s budget.

In July, the Legislature passed the new \$30.59 billion spending plan for fiscal year 2012. The budget closed a \$1.9 billion budget gap with funding reductions, ongoing revenue initiatives and limited use of one-time revenues. The budget increased Chapter 70 funding by \$140 million and SPED Circuit Breaker funding by \$80 million over their FY11 appropriations and laid the groundwork for the municipal health insurance reform plan that provided savings for cities and towns.

In addition, the House passed a measure that allowed the state to deposit \$350 million to the Massachusetts “Rainy Day” Fund. As a result, Massachusetts now has the third-largest stabilization fund balance in the nation amounting to nearly \$1.4 billion.

In conjunction with Supreme Judicial Court Chief Justice Roderick L. Ireland, the House passed court reorganization and probation reform legislation. Following the recommendation of the Monan Commission Report, the bill created an Office of Court Management and a Chief Justice of the Trial Court to divide the responsibilities currently held by the Chief Justice for Administration and Management.

The bill also reformed hiring and promotion practices in the Department of Probation, which still remains in the judicial branch. The legislation brought transparency to these practices by invoking an exam, recommendation, interview, and background check process.

Finally, in continuation of the ongoing reform effort at the Probation Department, the bill established an Advisory Board to help craft additional improvements within the department. The board is comprised of seven members with expertise in the fields of criminal justice, public policy, human resources and management.

Over the summer, the Commonwealth was able to enjoy another tax-free holiday thanks to the efforts of the House. The tax-free holiday bill established a tax-free weekend on August 13-14th 2011. It provided that the state sales tax wouldn't be imposed on non-business retail costing \$2,500 or less.

When the fall began, the House received news involving the financial status of our state, stating "Standard and Poor's believes that Massachusetts' active management of future cost pressures is important." Standard and Poor's upgraded the Commonwealth's bond rating from AA to AA+, allowing us to save money when we sold some \$500 million worth of bonds to fund capital projects across the state. The new credit rating represents the highest credit standing in the history of the state. The House worked closely with the Governor, Senate President, and Treasurer to arrange meetings with the country's three credit rating agencies. This was the first time that all three agencies were invited to a day-long series of presentations on the financial status of the state, giving state leaders a unique opportunity to highlight the strong fiscal position of the Commonwealth, as well as the collaborative and disciplined efforts that have led to that position.

In that spirit, the House also worked diligently on another round of pension reform during this session. This reform legislation was passed by the House on November 16 and soon after signed into law by Governor Patrick. The pension reform plan is projected to save the Commonwealth more than \$5 billion over 30 years.

The reform first increases the career "look back" period from 3 years to 5 years to more accurately reflect an employee's career earnings, provide a more equitable calculation of retirement benefits, and prevent inappropriate salary spiking, and second, it says that regular earnings in any year cannot include pay that exceeds average earnings from the previous two years by more than 10 percent. A retirement benefit cannot be received until the individual has reached the minimum retirement age, which the legislation has changed for all category employees.

In addition, during the past session, the Special Joint Committee on Redistricting concentrated their efforts on creating fair and demographically-sound new district maps. Thanks to the Special

Joint Committee on Redistricting, the House passed legislation that created 160 new representative districts, including 20 majority-minority districts, 4 majority Hispanic districts, an incumbent-free district in Lawrence, and 3 majority Black districts.

The House and Senate also passed a new Congressional District map reconfiguring the Commonwealth into nine Congressional Districts, one of which is a new, incumbent-free district made up of Southeastern Massachusetts and Cape Cod. The Redistricting Committee was able to accomplish all of this through an open, transparent process that incorporated feedback from elected officials *and* from the public. Over 4,000 people participated in one of the 13 public hearings that were held across the state and the redistricting web page received over 35,000 hits throughout the process making it a state-wide, collaborative effort.

Civil rights and public safety also became priorities in the House during this session, particularly in October and November. Attorney General Martha Coakley's advocacy provided the framework for the House and Senate's anti-human trafficking bill. The crackdown on human trafficking, which may be the toughest legislation of its kind in the nation, ensured that anyone involved in the organization of forced labor and sexual servitude would face tough criminal penalties. The bill also established important protections for victims and children that help them access necessary services.

In keeping with the theme of public safety, the House and Senate again worked together to pass legislation that cracks down on habitual criminal offenders. This bill aims to keep habitual criminals off the streets and ensure the safety of our Commonwealth. Under this new legislation, habitual offenders would have to serve 2/3 of their sentence, rather than half, before becoming eligible for parole. And furthermore, habitual offenders sentenced under any major crimes indicated by the bill will not be eligible for parole, work release or furlough, nor will their sentence be eligible for reduction or suspension. The "habitual offender" status is realized when an offender, after being convicted of any two major crimes, is convicted of a third major crime. The House and Senate versions of the bill are currently being reconciled by a joint conference committee.

After nearly six years of working on the transgender equal rights bill, supporters of the bill rejoiced at its passage through the House. The transgender equality bill provided fundamental protections for the Commonwealth's approximately 33,000 transgender residents. It extended civil rights and hate crime protection to our state's transgender residents, who suffer from bias-related violence and employment, housing, and education discrimination. The passage of this bill demonstrated that protecting the safety and well-being of each member of our Commonwealth remains a priority in the legislature.

Perhaps the most anticipated piece of legislation that has come out of this session thus far has been the expanded gambling bill. The long-awaited expanding gambling bill that was passed by the House and Senate will allow three resort casinos in separate regions of the state and one competitively-bid slot facility. The three casino regions are: Eastern Region – consisting of Suffolk, Middlesex, Essex, Norfolk and Worcester counties; Southeastern Region – consisting of Bristol, Plymouth, Barnstable, Dukes and Nantucket counties; and Western Region – consisting of Berkshire, Hampden, Hampshire and Franklin counties.

These gambling venues are projected to provide 15,000 jobs in the Commonwealth and generate hundreds-of-millions of dollars a year for the state. Under the gaming conference report approved by the Senate and the House, the state receives revenue from a 25 percent tax on casino revenues and a 40 percent tax on the slots facility revenues. The collected revenues would be used to fund essential state and local services. This bill will fuel our economy as we continue to emerge from this recession and deliver immediate local aid for cities and towns.

Other session accomplishments include:

- The House also passed legislation to reform guidelines for determining the form, amount and duration of alimony payments. The bill clearly defined four new categories for alimony: “general term alimony,” “rehabilitative alimony,” “reimbursement alimony,” and “transitional alimony.” The bill set forth numerous items to be considered by courts determining the form, amount and duration of alimony, i.e. length of marriage, age and health of the parties, income of both of the parties and employment and employability of both parties, and others. As a result of this legislation, certain current alimony payors and recipients are permitted to petition a court for a modification of their current alimony orders under the terms within this bill;
- Allowing Evergreen legislation that includes language in collective bargaining agreements stating that employer contracts will remain valid beyond the agreement’s terms until a new agreement is reached.

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