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Unfinished business

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With its formal session scheduled to end tomorrow, the Massachusetts Legislature has much to accomplish. Although the biggest item on the agenda -- expanding healthcare access -- will probably require a special session in December, there are several proposals we hope the Legislature will approve, and one it should not.

Economic stimulus is a priority for the Legislature this year, but one important tool for growth will not be in the omnibus economic bills prepared in both houses. It is a proposal to complete the state's Smart Growth initiative to stabilize the price of housing in Massachusetts. Prices have flattened of late, but the high cost of housing is still a disincentive for young families to stay in Massachusetts. The Smart Growth legislation, approved last year, is intended to provide state assistance to encourage cities and towns to allow housing on small lots, near town centers and public transportation. But many communities have been reluctant to change their zoning to facilitate housing construction for fear that the cost to their school systems would soar. A new bill would commit the state to pick up the public education costs for youngsters in Smart Growth housing.

Proponents, led by the Commonwealth Housing Task Force, estimate that the provision will be affordable --in the \$35 million range -- especially when property taxes from the new development are considered. The state commitment of extra continuing aid would provide the reassurance that many communities need.

A bill to provide the school aid has passed the Senate. House Speaker Salvatore DiMasi had some reservations last year, but he now is convinced that the extra aid is necessary to get the Smart Growth initiative up and running. The House should adopt this measure, and Governor Romney should sign it, to help provide homes for the people who will make the Massachusetts economy thrive.

Many undocumented immigrant college students are ineligible for financial aid from the state because they aren't citizens or permanent residents. A bill filed by Representative Marie St. Fleur would help by letting these students pay in-state tuition rates at state colleges.

This proposal has been subject to a fair amount of demagoguery, but it makes good sense. To be eligible, students would need to spend at least three years in a Massachusetts high school and sign an affidavit saying they have applied to normalize their immigration status. Often brought here as children, these students need the skills to participate in the local economy. And Massachusetts needs the additional tax revenues they would generate as college graduates. Criminals are getting the upper hand in several cities where witnesses are too terrified to cooperate with authorities. The Senate already has passed a smart piece of antigang legislation that toughens laws against intimidation, establishes a statewide witness protection program, and provides \$11 million for prevention programs aimed at youth violence. Now the House needs to follow that lead and help police and prosecutors get a grip on the rising number of unsolved shootings that are undermining neighborhoods across the Commonwealth.

The Senate has passed a piece of breakthrough legislation requiring all religious organizations to file financial reports and list real estate holdings with the state's charities division. There is no state entanglement with religion at issue here. Straightforward financial transparency is all that is being asked. Now the House needs to agree.

A complex economic stimulus bill includes some questionable pork projects, but a few items should be plucked out for speedy approval. Tourists and conventioners could enjoy better access from the Mass. Turnpike to the Back Bay if the state paid for a simple U-turn at the Allston-Brighton toll plaza. If cab companies could be persuaded to install Fast Lane transponders to ease travel through those tolls, the proposal could save up to 20 minutes on each trip from Logan, and time is money.

Other provisions offered by the House in the stimulus bill would upgrade teacher-training in math and science, offer grants to students who pursue degrees in high-demand fields, and eliminate waiting lists for adult basic education and English as a Second Language classes. All of these are direct investments in the workforce of the future.

The House advanced a bill yesterday that is a gift to the liquor wholesalers of Massachusetts. The bill ostensibly would allow direct sales of wine to consumers by out-of-state wineries, but it is so narrowly written that some of the most prestigious wine makers in the country would be prohibited from making these sales.

The bill provides that any winery producing more than 50,000 gallons a year cannot ship directly to consumers if they also are selling their wines through wholesalers to liquor stores in the state. The bill would allow tiny wineries to sell directly, but by the standards of the California wine industry, where most of the mail-order wines originate, that 50,000 gallon limit is too restrictive. Massachusetts oenophiles would not be able to order vintages made in small batches by many fine medium-size wineries.

The bill was written because the US Supreme Court ruled last May that states could not discriminate against out-of-state wineries if they also allowed direct sales by in-state wineries. Perhaps the bill as passed by the House is within the bounds of the ruling, but it is bad law nonetheless. The Legislature should try again next year to devise a law that really allows wine lovers in Massachusetts to purchase the special wines that are available directly through the mail without a wholesaler-friendly restriction. ■