



Five ballot questions clear initial hurdle

By Matthew G. Feher

The Secretary of State's office has qualified five citizen initiative petitions to be sent to the Legislature.

The potential ballot questions for the November statewide election address a range of issues, including some that would affect local government. One proposal would slash the state sales tax rate from 6.25 percent to 3 percent effective on Jan. 1, 2011, resulting in an annual loss of state revenue estimated at more than \$2 billion.

The Legislature may approve or disapprove of each petition by May 5. If the Legislature fails to act on a petition, its proponents must then gather an additional 11,099 signatures by early July in order to place the question on the November ballot.

The sales tax proposal was the only one of several rollback petitions offered by Carla Howell that qualified. Howell, a former Libertarian

party candidate for governor, was also the chief proponent of a 2008 ballot question to repeal the state income tax, which was defeated.

The sales tax rate was increased from 5 percent to 6.25 percent, effective last Aug. 1, as part of the fiscal 2010 budget. The increase is expected to generate more than \$700 million to help balance the budget and provide revenue for state transportation programs.

An initiative petition filed by the Massachusetts Package Stores Association would restore the sales tax exemption for alcoholic beverages. The exemption was removed by the fiscal 2010 state budget in order to generate an estimated \$79 million in new state revenue this year.

A petition filed by former Board of Education Chair and charter school leader James Peyser would eliminate the cap on the number of charter schools and the limit on the amount of

school aid that can be taken from school districts and paid to charter schools. The petition would also require the Board of Education to give priority to charter school applications in districts with student performance below the statewide average; in some cases, the board would be required to approve these applications.

In a letter to House Speaker Robert DeLeo after the House passed its version of an education reform measure last month, Peyser said he supported provisions in the bill that concern Commonwealth charter schools and that "[s]hould these sections be signed into law without substantive changes or the inclusion of harmful new language, the committee is prepared to withdraw its ballot initiative."

The fourth petition would repeal Chapter 40B, the law that exempts certain subsidized housing projects from local zoning laws. The law has received widespread at-

tention since 2006, when audits by the inspector general's office revealed that developers had concealed millions of dollars in profits on 40B projects that should have been dedicated to municipalities for further affordable housing development.

This is the second attempt to place the 40B repeal on the ballot.

The fifth qualified petition would limit carbon dioxide emissions from renewable and alternative energy sources to no more than 250 pounds of carbon dioxide per megawatt hour. Retail electricity suppliers, who are required to provide minimum percentages of energy from renewable sources to customers, would be required to satisfy the new limit. If the limit is exceeded, the source would not qualify as an alternate energy source under programs administered by the Department of Energy Resources. *