

MEMORANDUM

To: AIA MA GAC
From: John Nunnari
Date: 06/14/2023
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

In a surprising turn of events, former U.S. Attorney and Suffolk County District Attorney, Rachael Rollins, abruptly resigned due to her alleged involvement in two federal investigations. She is suspected of undermining the electoral prospects of her successor, Kevin Hayden, to preserve her prosecutorial reforms. Boston City Council member Ricardo Arroyo, implicated for allegedly supporting Rollins' actions, faces public outcry and demands for his resignation.

A conflict among leading Democrats in the House and Senate over legislative procedures for the Telecommunications, Utilities, and Energy Committee has impeded progress on clean energy and carbon emission goals. This could potentially thwart Massachusetts' target of achieving net-zero carbon emissions by 2050. Amidst these issues, Gov. Maura Healey has appointed former Sen. Edward Augustus as the state housing secretary, giving him the task of encouraging housing development in Massachusetts.

Annual budget deliberations have begun in the House and Senate, exposing numerous contentious issues. The debates have centered around topics such as the Senate's approval of in-state tuition for undocumented immigrants, which opposes the House budget and their endorsement of online Lottery games, which was rejected by the Senate. Those deliberations, spanning over six days, have ignited extensive discussions on spending priorities, tax relief, and various other policy areas.

The progress of the Legislature has been relatively slow, concentrating mainly on the annual budget, a few short-term spending plans, and a tax relief bill. Public concerns include housing and transportation issues, such as deteriorating stations, service cuts, and speed restrictions on 20% of the subway system. Additionally, the Healey administration has unveiled a financial mistake made by former Administration where federal funds, instead of the Unemployment Insurance Trust Fund, were used to pay \$2.5 billion in jobless benefits from 2020, a potential debt that could affect ongoing spending and tax relief plans.

Lastly, Massachusetts was characterized by intense competition, highlighted by a biotech conference attended by over 18,000 people, demonstrating the state's global prominence in the sector. The Senate introduced a tax cut plan aimed at making the state more appealing to businesses and residents, posing a challenge to Governor Healy and the House's \$1 billion proposals. The Senate favored tax alterations to boost housing production over the proposals aimed at businesses and wealthier individuals, drawing criticism for the absence of tax cuts supported by the Governor and passed by the House. Despite difficulties with transportation infrastructure, healthcare costs, and issues with offshore wind development, progress was seen with the start of construction on the nation's first commercial-scale offshore wind farm.

Looking Forward

Legislators are attempting to agree on tax relief proposals, with the Senate presenting a less generous tax relief plan compared to the House and Governor's proposals. The Senate's \$590 million tax relief proposal, set for debate next week, echoes previous bills that were shelved due to a

nearly \$3 billion tax rebate law – Chapter 62F. If the Senate approves their current plan, a conference committee might consolidate their proposal with others, potentially resulting in a multi-year tax relief plan valued between \$600 million and \$1.1 billion. Other legislative matters, including 13 joint committee hearings, annual budget decisions, a tax relief plan, and bills allocating funds for infrastructure projects, are ongoing.

AIA MA Bills

As of today, of the 153 bills being tracked by AIA MA, (19) bills have had their public hearing.

- May 17th – Joint Environmental and Natural Resources
 - HB 764 – An Act incorporating embodied carbon into state climate policy
 - SB 473 – An Act promoting climate safe buildings
 - SB 563 – An Act relative to a stronger emissions limit to safeguard our environment
 - SB 564 – An Act to reduce greenhouse gas emissions threatening our natural environment
- June 5th – Joint Consumer Protection and Professional Licensure
 - HB 317 – An Act exempting public school stadiums from certain state regulations
 - HB 348 – An Act to relative to increasing opportunities for employment in professional licensure
 - HB 356 – An Act relative to the licensure of swimming pool builders and service contractors
- June 6th – Joint Financial Services
 - SB 599 – An Act to incentivize the adoption of local climate resilience policies
- June 7th – Joint Public Safety and Homeland Security
 - HB 2289 – An Act relative to enhanced fire protection in new one- and two-family dwellings
 - HB 2290 – An Act relative to fire protection
 - HB 2386 – An Act relative to fire protection systems for buildings and structures
 - HB 2396 – An Act relative to the requirement of explosive gas sensor devices
 - SB 1552 – An Act relative to enhanced fire protection in new one- and two-family dwellings
- June 8th – Joint State Administration and Regulatory Oversight
 - HB 3012 – An Act authorizing project labor agreements
 - SB 2026 – An Act to promote American manufacturing
 - SB 2027 – An Act authorizing project labor agreements
- June 12th – Joint Education
 - HB 531 – An Act to increase student access to career technical education schools and programs which are aligned with regional labor market needs
 - SB 223 – An Act to ensure the health and safety of the commonwealth’s students and educators
- June 13th – Joint Judiciary
 - HB 1429 – An Act relative to penalties for unlicensed work

Regulatory Update:

Board meetings:

- Mon., June 5th – Architectural Access Board
- Tues., June 6th – Board of Elevator Regulations (cancelled)

- Wed., June 7th – Commonwealth Designer Selection Board
- Wed., June 7th – Board of Examiners of Plumbers and Gas Fitters
- Tues., June 13th – Commonwealth Board of Registration of Architects
- Tues., June 13th – Board of Building Regulations and Standards
- Tues., June 20th – Board of Elevator Regulations
- Wed., June 21st – Commonwealth Designer Selection Board
- Wed., June 21st – Board of Examiners of Sheet Metal Workers
- Mon., June 26th – Architectural Access Board
- Mon., June 26th – Board of State Examiners of Electricians
- Tues., June 27th – Board of Elevator Regulations

**Schedule of meetings can also be found on [AIA MA web-site](#)

New Regulations/ Notices of Public Review of Prospective Regulations (05/01/23 – 06/14/23)

310 CMR – Department of Environmental Protection:

- May 12, 2023 – [CMR 310 Chapter 7](#) – Air Pollution Control – **Notice of Correction** – Effective date, 11/11/2022

105 CMR – State Sanitary Code:

- May 12, 2023 – [CMR 105 Chapter 410](#) - Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II – **Permanent Regulations** – Effective date, 5/12/2023

527 CMR – Board of Fire Prevention Regulations:

- May 12, 2023 – [CMR 527 Chapter 1](#) – Massachusetts Comprehensive Fire Safety Code – **Notice of Correction** – Effective date, 12/09/22

Board of Building Regulations and Standards (BBRS)

At the June 13th meeting, the following occurred:

- The Board approved their May meeting minutes along with minutes associated with the Building Code Appeals Board (BCAB) and Building Official Certification Committee (BOCC);
- Discussed the status of appointing a BBRS member to the BOCC. As there were no nominations to consider, the Board tabled the topic till it's next meeting;
- Interim Executive Director Spatz reported that the Secretariat has completed their legal review of the 10th edition and that, “hopefully”, it will soon be sent to the Governors Secretary of Administration and Finance (A/F) for their review. Once cleared by A/F's review, the Governor office will inform the Division of Licensure (DoL) that they can schedule the public hearings. Director Spatz is still hopeful for a Fall '23 public hearing;
- IED Spatz introduced Patricia LaFore as a new legal counsel to the Board, and she will be working with Attorney Charles Kilb; and
- The new Executive Director, Shanna Barnes Munroe, will be starting on June 20th.

Latest Meeting minutes can be found [here](#)

Board of Registration of Architects (CBRA)

At the June 13th meeting, the following occurred:

- Approved April meeting minutes;
- Executive Director McNally indicated that DoL has hired (10) summer interns, and that Jazmin Lorenzo (UMASS Amherst – legal studies majors) been assigned to work with the CBRA;
- Review of proposed updates to language regarding criminal records and FAQ's will be reviewed at the August meeting;
- Two architectural licenses that had lapsed were reinstated;
- A request to waiver any and all CEU's requirements for licensure was rejected;
- August 8th was confirmed as the next meeting dates;
- Regarding the upcoming NCARB Annual Business Meeting, Chair Tierney requested guidance from Board members on votes related to Resolutions and Board Elections; and
- AIA MA provided an update regarding a letter submitted to the Governor's Office of Boards and Commissions. The letter contained the cover letters and resumes for three individuals interested in filling the architects seat being vacated by Holly Cratsley. AIA MA also noted that three additional individuals had expressed interest in serving, but did not meet the requirement to be licensed for at least 10 years prior to serving.

Latest Meeting minutes can be found [here](#)

Architectural Access Board (MAAB)

Next meeting is scheduled for June 26th. The AAB has created a subcommittee that has been working on a complete overhaul of 521 CMR to align with the ADA. The subcommittee meets once a month and is open to the public to listen. Their next meeting is scheduled for June 21st. (schedule in the link below).

<https://www.mass.gov/service-details/aab-2023-meeting-list>