

**MEMORANDUM**

To: AIA MA GAC  
From: John Nunnari  
Date: 07/12/2023  
Re: Legislative and Regulatory Update

**Legislative Update:****Since the last Update**

Governor Healey has proposed modernizing the state's sex education curriculum through a regulatory framework, which hasn't been updated in 24 years. If approved by the state Education Board, local districts must follow the new framework if they offer sex ed. The Governor also outlined a state capital plan to spend \$14 billion over the next five years on infrastructure projects, including housing, roads, and climate initiatives. However, Massachusetts continues to struggle with a rising opioid crisis, prompting the administration to consider the "feasibility" of supervised drug-use sites and other preventative measures.

The Governor has also begun distinguishing herself from Governor Baker by implementing progressive policies, including inclusive sex education guidelines and a prison-building moratorium. As part of her appeal to people from Texas, Florida, and Ireland to move to Massachusetts, she has focused on LGBTQ rights, using the recent 30th anniversary of Ireland decriminalizing homosexuality as a platform to discuss her status as the first openly lesbian woman elected Governor of a U.S. state. However, the Governor has faced criticism for her approach to the housing availability and affordability crisis. Despite the progressive push, she has only signed 16 mostly local bills into law during her first six months in office.

For the next two years, traffic nightmares due to the closure of the Sumner Tunnel will become a summer tradition in Massachusetts. While the effects of the closure are not yet fully understood, significant traffic was seen on alternative routes. To cope with this, MassDOT officials are encouraging the use of public transit. In a related development, MBTA canceled its plan to shut down the Green Line's Union Square branch for 42 days during the tunnel closure after pushback from riders and elected officials.

**Looking Forward**

The coming week could bring decisions on tax relief, the potential for online Lottery sales, and how to allocate a billion new tax dollars to transportation and education. However, the Legislature may continue processing local issues and welcoming summer visitors. The late annual budget brings a familiar feeling of hurry and wait, with the Governor waiting for a budget agreement alongside everyone else, despite being out of state. The Massachusetts Gaming Commission is nearing a decision on its next executive director while offshore wind energy stakeholders prepare for a conference.

**AIA MA Bills**

Since the June 13<sup>th</sup> report, of the 153 bills being tracked by AIA MA, (26) additional bills have had their public hearing.

- June 14<sup>th</sup> – Joint Telecommunications, Utilities and Energy
  - SB 2130 – An Act relative to monthly minimum reliability contributions
  - SB 2173 – An Act relative to net metering
- June 20<sup>th</sup> – Joint Committee on Municipalities & Regional Government

- HB 3850 - An Act authorizing the town of Brookline to adopt green zoning by-laws and regulations
- June 21<sup>st</sup> - Joint Telecommunications, Utilities and Energy
  - HB 2130 - An Act relative to monthly minimum reliability contributions
  - SB 2173 - An Act relative to net metering
- June 21<sup>st</sup> - Join Joint Committee on Consumer Protection & Professional Licensure
  - HB 286 - An Act relative to clarifying homeowners right to perform electrical work
  - HB 315 - An Act relative to advancing the profession of commercial interior design
  - SB 185 - An Act relative to advancing the profession of commercial interior design
  - \*\*HB 315/SB185 were reported out favorably on 06/29 (See SB 2408)
- June 22<sup>nd</sup> - Joint Committee on Revenue
  - HB 2874 - An Act promoting accessible dwellings for older adults and people with disabilities to remain in their communities
- June 27<sup>th</sup> - Joint State Administration and Regulatory Oversight
  - HB 2995 - An Act relative to bidding for public construction contracts
  - HB 3000 - An Act relative to default insurance programs for certain public construction projects
  - HB 3002 - An Act relative to low-embodied carbon concrete
  - HB 3030 - An Act relative to the definition of fraud in public construction bid laws
  - HB 3032 - An Act relative to timely public payments for work not included in original construction contracts
  - HB 3048 - An Act relative to the fair participation of minority and women-owned businesses on public construction projects
  - HB 3057 - An Act relative to timely decisions by awarding authorities
  - HB 3071 - An Act relative to the submission of design-build proposals
  - SB 1982 - An Act relative to the use of low-embodied carbon concrete in state projects
  - SB 1984 - An Act providing for access to baby-changing stations
  - SB 1985 - An Act relative to increasing transparency in public construction
  - SB 2084 - An Act relative to the definition of fraud in public construction bid laws
  - SB 2040 - An Act relative to transparency in selecting a public construction alternative delivery method
  - SB 2045 - An Act relative to the submission of design build proposals
- July 11<sup>th</sup> - Joint Education
  - HB 547 - An Act relative to special education finance
  - SB 223 - An Act to ensure the health and safety of the commonwealth's students and educators
- July 11<sup>th</sup> - Joint Committee on Housing
  - HB 11382 - An Act relative to reducing damage caused by the current foreclosure crisis in the historic districts of Massachusetts

### **Regulatory Update:**

Board meetings:

- Wed., July 5<sup>th</sup> - Commonwealth Designer Selection Board
- Wed., July 5<sup>th</sup> - Board of Examiners of Plumbers and Gas Fitters
- Mon., July 10<sup>th</sup> - Architectural Access Board

- Tues., July 11<sup>th</sup> – Board of Building Regulations and Standards
- Wed., July 12<sup>th</sup> – Commonwealth Designer Selection Board
- Tues., July 18<sup>th</sup> – Board of Elevator Regulations
- Wed., July 19<sup>th</sup> – Board of Examiners of Sheet Metal Workers
- Mon., July 24<sup>th</sup> – Architectural Access Board
- Tues., July 25<sup>th</sup> – 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 (06/15/23 – 07/11/23)**

#### **105 CMR – State Sanitary Code:**

- June 23, 2023 – [CMR 105 Chapter 410](#) - Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II – **Notice of Corrections** – Effective date, 5/12/2023

#### **310 CMR – Department of Environmental Protection:**

- July 7, 2023 – [CMR 310 Chapter 15](#) - The State Environmental Code, Title 5: Standard Requirements for the Siting, Construction, Inspection, Upgrade and Expansion of On-site Sewage Treatment and Disposal Systems and for the Transport and Disposal of Septage – **Permanent Regulations** – Effective date, 07/07/2023

#### **314 CMR – Division of Water Pollution Control:**

- July 7, 2023 – [CMR 314 Chapter 21](#) - Massachusetts Department of Environmental Protection is filing new regulations at 314 CMR 21.00, titled *Massachusetts Watershed Permit Regulations*. These regulations complement amendments to Title 5, 310 CMR 15.000, which are being promulgated contemporaneously – **Permanent Regulations** – Effective date, 07/07/2023

### **Board of Building Regulations and Standards (BBRS)**

At the July 11<sup>th</sup> meeting, the following occurred:

- The Board approved their June meeting minutes;
- Continued discussions on the status of appointing a BBRS member to the BOCC;
- Interim Executive Director Spatz reported that she believes the 10<sup>th</sup> edition is at Administration and Finance (A/F) for their review, but couldn't confirm. No other 10<sup>th</sup> edition update;
- IED Spatz introduced Shaynah Munro as a new Executive Director to the Board and that IED Spatz and ED Munro will overlap for a couple more meetings; and

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

### **Board of Registration of Architects (CBRA)**

Next meeting is scheduled for August 8<sup>th</sup>

- Office of Boards and Commissions has indicated that they will make their recommendations to the Governor to replace Holly Cratsley after the July 4<sup>th</sup> holiday.

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

**Architectural Access Board (MAAB)**

Next meeting is scheduled for July 24th. 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. Since Jan. 2023, they have reviewed Sections 601-612, 700-708, 800, 900 and 1000. Their next meeting is scheduled for July 26<sup>th</sup>. (schedule in the link below).

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