

**MEMORANDUM**

To: AIA MA GAC  
From: John Nunnari  
Date: 03/07/2023  
Re: Legislative and Regulatory Update

Legislative Update:

On Feb. 17<sup>th</sup> the Speaker and Senate President announced their committee and leadership assignments. While the Senate President kept the entire leadership team in place from last session and shuffled around some committee chairs, the Speaker elevated Rep. Mike Moran to be the new Majority Leader – with Rep. Alice Peisch taking the Asst. Majority Leader post previously held by Mike Moran. Owing to the retirement of Rep. Joe Wagner, Rep. Frank Moran was elevated from Third Division Chair to 2<sup>nd</sup> Asst. Majority Leader. Rounding out the Division Chair shuffle, Rep. Paul Donato and Rep. Danielle Gregoire were both elevated to the leadership posts.

On Feb. 28<sup>th</sup> Gov. Maura Healey filed a \$55.5 billion budget – her first. The state is sitting on record reserves and the Governor proposes to use some of those savings to finance a generous spending plan while also delivering nearly \$1 billion in tax relief. Her budget proposes to inject new money into K-12 and higher education, early education and care, energy and environment initiatives, human service provider rates, housing programs, and more. It also puts to use \$1 billion in new state revenue expected to come in from the surtax on income in excess of \$1 million.

Supplementing the states revenue picture, on March 6<sup>th</sup> the Dept. of Revenue reported that for the first eight months of FY '23, tax collections of \$23.6B are running 0.2% behind the record FY '22 haul but are outpacing the state's benchmarks by about \$1 billion, or 4.4% which, along with a new income surtax, is helping to support the Governors proposed spending increases.

This month, the House Ways and Means Committee will begin reworking the Governor's budget by holding eight hearings across the state, and while the Governor and Senate President Spilka continue to talk about tax relief, Speaker Mariano – who is among a small number of lawmakers who have been through lean budget years and had to slashing spending mid-year – has expressed concern about enacting any tax relief. The House generally passes its budget proposal in April, followed by the Senate in May with much of June spent reconciling the difference before lawmakers agree to a compromise version. The state's budget is statutorily required to be enacted by July 1<sup>st</sup>.

On March 1<sup>st</sup> the House passed a \$353M supplemental budget, which also includes \$585 million worth of bond authorizations, and the authorization to extend remote meetings for public bodies till March 31, 2025. On March 9<sup>th</sup>, the Senate is expected to take up the House engrossed supplemental budget, and has included language in their base bill to also extend remote meetings for public bodies till March 31, 2025. Lastly, AIA MA has been working with Sen. Comerford to offer her gender neutral bathroom bill (SD 316) – written by AIA MA – as an amendment for consideration during the Senates debate Thursday on the supplemental budget.

Regulatory Update:

Board meetings:

- Wed., March 1<sup>st</sup> – Examiners of Plumbers and Gas Fitters
- Thur., March 2<sup>nd</sup> – Board of Fire Prevention Regulations
- Mon., March 13<sup>th</sup> – MA Architectural Access Board
- Tues., March 14<sup>th</sup> – Board of Building Regulations and Standards

- Tues., March 14<sup>th</sup> - Board of Elevator Regulations
- Wed., March 15<sup>th</sup> - Board of Examiners of Sheet Metal Workers
- Wed., March 15<sup>th</sup> - Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters
- Tues., March 21<sup>st</sup> - Board of Elevator Regulations
- Mon., March 27<sup>th</sup> - MA Architectural Access Board
- Mon., March 27<sup>th</sup> - MA Board of State Examiners of Electricians
- Tues., March 28<sup>th</sup> - Board of Elevator Regulations

### BBRS

At the Feb. 14th meeting, three items were discussed:

- Executive Director Report on the Draft 10th Edition;
- Policy Guidance for inter-departmental permitting; and
- Procedures for future code cycles

#### Executive Director Report on the Draft 10th Edition

10th edition has cleared the Building Code Coordinating Council (BCCC). BBRS Exec. Director Greer Spatz reported that they received no questions from their internal agency review, but noted that because EO 562 has expired, the process to get to public hearing is now a bit fuzzy. ED Spatz is assuming the Healy Administration will continue with the “old process” until told otherwise. Board members asked questions as to whether there will be any changes to the BBRS’s public comment or change requests process, but it appears nothing will change.

#### Policy Guidance for inter-departmental permitting

Chief of Inspection Baldacci noted that having a permit in hand has nothing to do with starting construction. All municipal/state reviews (con com/zoning/planning) must be cleared before construction can begin. This also extends to demolition permits. The Chief’s comments will be included in latest edition of [Codeword](#)

#### Procedures for future code cycles

11th edition – Board discussed the statutory requirement to review/update the building code every five years vs. the energy code which is required every three years. Some members expressed concern about trying to complete a code review within a three year schedule. Some expressed concern that holding off for five years would mean the next edition would be based on the 2027 I-codes. All agreed to continue conversation. ED Spatz is going to get guidance from Administration on three year cycle vs. five year cycle and what DoL staffing for the BBRS is projected to look like.

### Other Updates:

#### Historic Preservation Legislation

AIA MA is still working with counsel to fine tune the bill. Once ready, and based on existing conversations, AIA MA will work with the legislative delegation from Newton to introduce the bill

#### Freshman Legislators Breakfast

Was cancelled to due weather. Next Freshman Breakfast will occur at the beginning of the 194<sup>th</sup> General Court Session which will begin in January 2025. In the meantime, I am scheduling individual meetings with all the new legislators, and will work to identify AIA members who live in their districts, and work to have them attend the meetings with me.

#### AIA Leadership Conference

Held on Feb 15<sup>th</sup>, 400 plus architects went to Capitol Hill to lobby Congress on behalf of AIA National. This year we advocated for two issues:

- The *Democracy in Design Act* – which is a bipartisan piece of legislation that will ensure that communities across the country maintain a voice in the design of federal buildings in their areas.
- Support for the Resilient AMERICA Act, which would increase allocations to FEMA’s Building Resilient Infrastructure & Communities (BRIC) Program and make key improvements to the federal government’s ability to prepare communities to be more resilient.