

MEMORANDUM

To: AIA MA GAC
From: John Nunnari
Date: 05/09/2023
Re: Legislative and Regulatory Update

Legislative Update:**Last Week**

The Healey administration has issued a draft solicitation for the state's fourth round of offshore wind project bids to boost the state's offshore supply by up to 3,600 megawatts. However, as much as 2,400 megawatts of already-approved wind power is on shaky ground due to higher commodity prices and interest rates, threatening the clean energy transition. The corrosion of Harvard Square Station is being inspected, and a family is suing the Department of Children and Families workers and Waltham police for alleged civil rights violations related to the 1 a.m. seizure of their kids last year. The Senate is considering web-based state lottery products, but AG Campbell warns of potential problem gambling. The Governor attended the White House Correspondents Dinner and an investment summit in Washington. Finally, former Lt. Gov. and AG Frank Bellotti celebrated his 100th birthday and his lasting influence on Massachusetts politics.

Massachusetts experienced a significant shortfall in April tax collections, falling nearly \$1.4 billion short of projections. The gap between the forecast and reality raises questions about revenue hauls for the final two months of the fiscal year, throws a wrench in the Senate's budget plan for FY '24, and could impact the Legislature's proposed tax relief package. Despite the shortfall, some still support tax relief, while others caution against it given economic uncertainty. The state's rainy day fund may help to manage any fiscal deficits that arise, but the situation remains uncertain.

This Week

House and Senate leaders are adopting a more defensive posture due to a combination of events, including the steep drop in tax collections in April and the possibility of a recession fueled by the nation's debt default. The tax relief train that has been moving for over a year appears to have lost momentum, and senators are trying to understand why tax collections fell in April. Despite an unprecedented period of growth in state tax revenue, there has been no significant tax reform. Passing a state budget is mandatory, and Senate Democrats outlined their FY' 24 spending plans yesterday. Additionally, the COVID-19 public health emergency is expected to end on Thursday, while the branches are still unable to resolve differences in road and bridge funding and transportation infrastructure bills they approved in March.

Regarding the Senate budget, their \$55.8 billion proposal outlines a plan to make community college free for all residents by fall 2024. It allocates \$70 million for community college programs, including \$20 million for MassReconnect, a program that provides last-dollar funding for residents aged 25 and older to attend community college. It also invests \$20 million on a free community college pilot program for nursing students and \$15 million for start-up investments to gauge enrollment demand for launching a universal free community college system. Other initiatives include investing \$80 million in early education and care and \$100 million in school construction projects across the state. Additionally, it proposes to spend 20% of its transportation surtax money on regional transit, including a \$194 million investment for regional transit authorities, as well as \$190 million in surtax money for MBTA capital investments.

AIA MA Bills

As of today, of the 153 bills being tracked by AIA MA, only four have been scheduled for public hearings. The first, HB 43 - An Act to create the executive office of housing and livable communities and to rename the Executive Office of Economic Development was enacted on May 4th. The remaining three have their hearing today and tomorrow.

- May 9th - Joint Judiciary - HB 1665 - An Act relative to notice of contract, dissolution of lien (refiling from last session)
- May 10th - Joint State Administration & Regulatory Oversight - HB 3067 - An Act establishing a special commission to investigate and study the feasibility of establishing a municipal building financing authority (refile going back to 2018); and
- May 10th - Joint State Administration & Regulatory Oversight - SB 2037 - An Act establishing a special commission to investigate and study the feasibility of establishing a municipal building financing authority (Senate companion to HB 3067. Refile going back to 2018)

Regulatory Update:

Board meetings:

- Wed. May 3rd - Board of Elevator Regulations
- Mon., May 8th - Architectural Access Board
- Tues., May 9th - Board of Building Regulations and Standards
- Wed., May 10th - Commonwealth Designer Selection Board
- Tues. May 16th - Board of Elevator Regulations
- Wed., May 17th - Board of Examiners of Sheet Metal Workers
- Mon., May 22nd - Architectural Access Board
- Mon., May 22nd - Board of State Examiners of Electricians
- Wed., May 24th - Commonwealth Designer Selection Board
- Tues. May 30th - 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 (04/12/23 – 05/09/23)

- Nothing new

BRRS

At the May 9th meeting, the following item was discussed:

- **Public Hearing pursuant to MGL c.143, s.97 – no petitions submitted by March 17, 2023 deadline:** As nothing was submitted from the public, there was nothing to discuss.
- **Elections:** David Riquinha and Lisa Davey were respectively reaffirmed as chair and vice-chair.
- **Proposed Guidance Regarding Temporary Occupancy Permits for Emergency Shelters:** Board discussed the purposes of the guidance. ED Spatz and Board Counsel Kilb noted the guidance is intended for state/local building officials and only serves to clarify building official's current responsibilities related to Temporary Occupancy Permits for Change in Use related to R-1 and R-2 only. The guidance has no effect on any other Use Group designation. The Board adopted the guidance with a minor modification, the deletion of the sentence, "*The BRRS strongly encourages local building officials to utilize a Temporary C of O when permitted to do so by law.*"

- **Meeting the requirements regarding BBRS training as per M.G.L. c. 143, s. 99:** Mr. Couture provided the reasoning for the agenda item. He noted his concern that newer board members may be unaware of the Board's role and responsibility related to regulating of the code – i.e. the certification of building officials (both inspectors and CSL's). Mr. Couture observed that over the last three or four years, other than what each of the four building official's organizations provide for themselves, there has been little state offered training. The result has been a lack of consistency in the four groups educational offerings and interpretations of code requirements. Chairman Riquinha noted that it's been more like eight or nine years since the BBRS provided any training out, and Mr. Anderson noted the last state offered training occurred in 2013. The Board then agreed to establish a sub-committee to review M.G.L. c. 143, s. 99 requirements and to craft recommendations for the creation of a 10th edition training program. Mr. Couture, Ms. Leskiw, Mr. Baldacci, Mr. Finlayson and Ms. Nguyen all agreed to participate and will report back to the Board at the September 12th with a written proposal. Meetings will be public.

Architectural Registration Board

Next meeting is scheduled for June 13th. Latest Meeting minutes can be found [here](#)

Architectural Access Board

Next meeting is scheduled for May 22nd. Latest Meeting minutes can be found [here](#)