

MEMORANDUM

To: AIA MA GAC
From: John Nunnari
Date: 09/10/24
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

In August, Governor Healey celebrated key legislative wins including housing, veterans' benefits, and wage transparency laws. Despite these achievements, significant issues such as economic development and clean energy reforms remained unresolved, leading the Governor to urge lawmakers to reconvene and address unfinished business. Meanwhile, tensions between Speaker Mariano and President Spilka over life sciences investments and tax incentives reflected deeper divisions within Democratic leadership.

The Governor also faced setbacks in addressing two major issues: healthcare and clean energy. While potential buyers were lined up for Steward Health Care hospitals, uncertainty remained about state financing for the transitions, and the state's use of eminent domain to acquire St. Elizabeth's Medical Center raised further questions. Delays also plagued clean energy projects, including the Fairmount Line's transition to electric trains and offshore wind development, leaving Massachusetts struggling to meet its clean energy goals.

As the month progressed, the Governor's national profile rose when she spoke at the Democratic National Convention, fueling speculation about her federal ambitions. However, back home, healthcare challenges loomed with the closures of Nashoba Valley Medical Center and Carney Hospital, despite last-minute efforts to mitigate the impact. Legislative progress continued, with agreements on long-term care reform and maternal health, but the state's healthcare and clean energy crises remained unresolved, highlighting the contrast between political aspirations and the pressing realities in Massachusetts.

Looking Forward

As the general election campaign kicks off, both supporters and opponents of five statewide ballot questions are preparing their strategies and funding efforts. These proposals cover topics like expanding the state auditor's authority (Question 1), removing the MCAS graduation requirement (Question 2), allowing rideshare drivers to unionize (Question 3), legalizing natural psychedelics (Question 4), and changing pay rules for tipped workers (Question 5). Campaigns have started filing reports on their funding sources, with significant contributions from groups like the Massachusetts Teacher Association and spending by opponents of the tipped worker rule. Massachusetts households will receive a voter guide with details on these questions. Meanwhile, key legislative matters continue, alongside the Steward Health Care crisis and transportation disruptions on the Red Line due to repairs.

To review minutes from previous GAC meetings or previous Legislative or Regulatory Reports, please click [here](#) and review the files located under the banner **2024 Government Affairs Committee Meeting Schedule**

AIA MA Bills

In total, AIA MA is tracking 162 pieces of legislation for the 2023-2024 legislative session. Based on assigned priorities, the breakdown is as follows:

- **High Priority:** 22 bills
- **Medium Priority:** 51 bills
- **Low Priority:** 68 bills
- **No Priority Selected:** 21 bills

Bills that have moved since the last report on **July 10, 2024**

****Note** – Other than monetary bills, all bills can still be acted upon by the Legislature during the **Informal Sessions** that span from the **July 31, 2024** end of **Formal Sessions** till the beginning of the new legislative session on **January 4, 2025**.**

- **High Priority** bills
 - No High Priority bills have moved
- **Medium Priority** bills
 - **HB 2386** (*Fire Protection Systems for Assisted Living Residences*): This bill was referred for further study on **August 15, 2024**, meaning it will likely be filed again next session.
 - **HB 3012** (*Project Labor Agreements*): This bill saw significant progress, as it was replaced by a new draft (**HB 4747**) on **August 1, 2024**. The substitution of a new draft indicated that the bill is being actively revised or improved upon, which helps keep it in motion during Informal Sessions.
 - **HB 3110** (*Mental Health Services*): This bill has been under review by the Senate Committee on Ways and Means since **July 25, 2024**. Referral to this key committee suggests that it was undergoing financial and policy evaluation, but with the July 31st end of Formal Session, will likely be filed again next session.
 - **HB 4007** (*School Building Assistance*): The bill's consideration was extended with an extension order on **August 12, 2024**. This means its timeline has been lengthened to allow more time for debate or refinement, and keeps it in motion during Informal Sessions.
- **Low Priority** bills
 - **HB 1348** (*Detached Accessory Dwellings*): The bill had an extension order filed on **July 11, 2024**, meaning its consideration has been delayed, but with the July 31st end of session, will likely be filed again next session.
 - **HB 1382** (*Reducing Damage Caused by Trees Near Electrical Infrastructure*): This bill was last acted on **August 15, 2024**, when it was referred to HWM. It is under financial review, and is kept in motion for consideration during Informal Sessions.
 - **HB 3037** (*Technical Changes in Chapter 142 of the Acts of 2019*): This bill had an extension order filed on **July 19, 2024**, meaning its consideration has been delayed, and is kept in motion for consideration during Informal Sessions.

- **HB 3012** (*Project Labor Agreements*): A new draft was substituted on **August 1, 2024**, meaning that revisions have been made to the bill. The substitution of a new draft indicated that the bill is being actively revised or improved upon, and is kept in motion for consideration during Informal Sessions.
- **HB 3112** (*Clarifying Certain Educational Benefits*): This bill has been referred for further study on **February 6, 2024**, meaning it will likely be filed again next session.

The current status of AIA MA **High Priority** bills is:

- **HB 764/SB 2090**: *An Act incorporating embodied carbon into state climate policy* – Was included in SB 2531 and ultimately sent to conference committee as **SB 2838**: *An Act upgrading the grid and protecting ratepayers*. **Still in conference.**
- **HB 315/SB 185**: *An Act relative to advancing the profession of commercial interior design* – Was attached to a favorable report by the Joint Committee. Was Engrossed in the Senate and sent to House Ways and Means (HWM). **Still in HWM.**
- **HB 2321/SB 1523**: *An Act relative to safe building materials* – Both bills referred to respective chambers Committees on Ways and Means (WM). **Both bills remain in respective WM's**
- **HB 3802/SB 1489**: *An Act creating a municipal and public safety building authority* – House bill referred to HWM and Senate bill received an extension order. **Status has not changed**
- **HB 568/SB 278/SB 309**: *An Act establishing a special commission to study the effectiveness of the Massachusetts School Building Authority* – All three attached to favorable report by Joint Committee and became SB 251. SB 251 ultimately became SB 2885 and was Engrossed by the Senate. **Currently in HWM.**
- **HB 469/SB 242**: *An Act establishing a green and healthy schools working group and implementation plan* – Both bills referred to respective chambers Committees on Ways and Means (WM) were they remain. **Both bills remain in respective WM's**
- **HB 1665**: *An Act relative to notice of contract, dissolution of lien* – **Bill was sent to study.**
- **HB 3019/SB 1978**: *An Act establishing gender-neutral bathrooms* – Both bills referred to respective chambers Committees on Ways and Means (WM). **Both bills remain in respective WM's**

To view the current status of all AIA MA tracked legislation, please click [here](#) and review the files located under the banner **Bills Tracked for the 2023-2024 Legislative Session**

Regulatory Update:

A schedule of all construction board regulatory meetings can be found on the [Regulatory Events Calendar](#) of AIA MA's website.

Notices of Public Review of Prospective Regulations (07/11/24 – 09/06/24)

Notice of Public Review for 225 CMR 22.00 & 23.00 – Stretch Energy Code (Stretch Code)

and a new Municipal Opt-in Specialized Code (Specialized Code)

DOER first promulgated an updated Stretch Energy Code (Stretch Code) and a new Municipal Opt-in Specialized Code (Specialized Code) as 225 CMR 22.00 and 225 CMR 23.00 in December 2022. After a year and a half of working with these new regulations, DOER has received a significant volume of detailed and helpful feedback from regulated entities, building officials and the design and construction industry. Based on this collective input, DOER is proposing modest revisions to the Stretch and Specialized Codes. A virtual public hearing will be conducted to receive verbal comments on the regulation.

A public hearing will be conducted to receive verbal and written comments on the regulation.

Location: Virtual Hearing via Zoom 10 AM – 12 PM

https://zoom.us/webinar/register/WN_dp6evcDIQZWx3tPOZ7xStQ#/registration

Date: September 16, 2024

Verbal testimony will be accepted at the hearing; however, parties may also provide written copies of their testimony. Written comments will be accepted beginning August 12, 2024 and ending at 5 pm on September 17, 2024. DOER requests that written comments be submitted as attached pdf files to stretchcode@mass.gov, with the words **STRETCH CODE FEEDBACK** in the subject line.

Alternatively, comments can be submitted via mail to Ian Finlayson at the Department of Energy Resources, 100 Cambridge Street, 9th Floor, Boston, MA 02114. Copies of the proposed regulations may be obtained from the DOER website at <https://www.mass.gov/info-details/stretch-energy-code-development> or by contacting stretchcode@mass.gov.

New Regulations (07/11/24 – 09/06/24)

No new construction codes regulations were promulgated in this time period.

Board of Building Regulation and Standards

The BBRS did not meet during the month of August