

MEMORANDUM

To: AIA MA GAC
From: John Nunnari
Date: 06/11/24
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

Steward Health Care, the largest private, for-profit hospital system in the U.S., filed for bankruptcy, overshadowing Senate Democrats' push for free community college in the FY' 2025 budget. Steward, which owns eight hospitals in the state, faces significant debts and a tight deadline to auction its hospitals. Governor Maura Healey reassured the public that these hospitals will remain open while criticizing Steward's financial mismanagement. Meanwhile, the Senate and House began debating a \$58 billion budget, with differing views on fiscal responsibility and public service investments, as Healey also campaigns for housing and economic development bills to address affordable housing and retain young professionals.

The House and Senate's traditional push-and-pull approach to policymaking continues, recently highlighted by the House's approval of a comprehensive 102-page health care reform bill driven by House Speaker Ron Mariano. This bill addresses hospital oversight and community hospital funding in response to Steward Health Care's bankruptcy, with Senate President Karen Spilka yet to outline a response, adding uncertainty to the bill's final form. Governor Healey has emphasized opposition to a Steward bailout while focusing on climate initiatives and navigating campaign season challenges, including contentious ballot questions on MCAS requirements and ride-share regulations, amid ongoing issues like disaster relief and transportation funding.

A fire alarm disrupted the Senate's debate on the penultimate of 1,100 amendments as they neared the end of a grueling week of budget sessions. Despite the interruption, the Senate persisted, driven by top Democrats' urgency to advance the \$57.9 billion fiscal 2025 budget plan. Senator Will Brownsberger used a marathon metaphor to track progress, stressing the need for speed while acknowledging slowdowns caused by debates on key issues like housing. Ultimately, the Senate rejected an amendment to delay MBTA zoning law compliance and passed its budget, setting the stage for final negotiations with the House before the new fiscal year begins on July 1.

Even during seemingly quiet times on Beacon Hill, significant developments can occur, like the House's unexpected approval of 205 new alcohol licenses for Boston, aimed at promoting equity in diverse neighborhoods. Representative Chris Worrell and Senator Liz Miranda hailed the move as a major win for economic development and addressing racial wealth disparities. Meanwhile, Governor Healey's housing bill was passed in the House, and the U.S. Department of Justice expressed concerns over Steward Health Care's proposed hospital sales timeline. Federal funding brought a \$67.6 million boost for Green Line station accessibility and \$42 million for electric school buses, highlighting the Biden administration's ongoing infrastructure investments. Additionally, the recent conviction of former President Donald Trump sparked varied political reactions in Massachusetts, while the final list of candidates for the fall elections revealed limited competition in many legislative districts.

Looking Forward

Legislators are awaiting decisions on whether ballot question backers will drop their efforts or if the state's highest court will dismiss initiative petitions due to constitutional concerns. The Supreme Judicial Court is expected to rule on proposals affecting app-based drivers and tipped employees' wages, while legislators are in talks about alternatives to ballot measures on the MCAS graduation requirement and app-based driver employment rules. These discussions could lead to agreements similar to the 2018 "Grand Bargain," but time is critical as the election calendar dictates that June is the optimal time for such deals. Legislative leaders are focusing on moving major proposals into conference committees, with anticipated actions on bills related to clean energy, health care, housing, nursing home oversight, economic development, and equality in parenting for same-sex couples, among others.

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

Since the last Legislative and Regulatory update:

- **High Priority** bills
 - 2 reported favorably to House W/M's;
 - 1 was reported favorably to Senate W/M's; and
 - 1 passed by the Senate and sent to House W/M's (Interior Design Licensure)
- **Medium Priority** bills
 - 2 were reported to Third Reading in the House;
 - 2 were reported favorably to House W/M's;
 - 3 were reported favorably to Senate W/M's;
 - 10 had extension orders filed
- **Low Priority** bills
 - 2 were attached favorably to a Joint Committee report;
 - 1 was reported to Third Reading in the House;
 - 1 was reported favorably to House W/M'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 (05/07/24 – 06/11/24)

No new Notices of Public Review of Prospective Regulations were issued during this period

New Regulations (03/13/24 – 05/07/24)**310 CMR 30.00 – Department of Environmental Protection – Hazardous Waste**

- May 24, 2024 – [CMR 310 30.00 Part 1](#), [Part 2](#)– These final regulations include exemptions for nicotine-containing smoking cessation products and airbag wastes, the federal e-manifest rule and requirements for aerosol cans managed under the universal waste rule. MassDEP is also adopting EPA rules related to confidentiality determinations for hazardous waste export and import documents, expanded public participation for licensed hazardous waste facilities, and technical revisions to wood preservative listings at 310 CMR 30.160. Several minor revisions are also being made to existing requirements related to obtaining EPA identification numbers, the academic labs rule and waste oil generator status calculations. – **Permanent Regulations – Effective Date 05/24/2024**

Board of Building Regulation and Standards (06/11 meeting)

The BBRS, BOCC, and BCAB meetings in May 2024 covered various administrative and operational updates, including reports on license issuances, waivers, and reinstatements. The transition of the Construction Supervisor License Examinations to the 10th Edition Code was discussed, with PSI taking over exam administration. Reports from the BOCC designee highlighted certification committee activities and onboarding processes. The Board also reviewed executive director reports, compliance alternatives, and subcommittee statuses, including potential changes in the Energy Advisory and Coastal Subgroup leadership. Discussions on the 10th and 11th edition code amendments, particularly on refrigerants and solar setbacks, were tabled or deferred for future meetings. The MFBO memo's points on energy codes and enforcement were addressed, with suggestions for better coordination between BBRS and DOER advisory committees. The board planned to meet in July but not in August.

Architectural Registration Board (06/11 meeting)

The minutes from the April 23, 2024, open meeting were not available for approval. The new Executive Director, Margie Campbell, previously with the Department of Public Health, was introduced. Board Counsel Lynn Read had no new updates. Key discussion items included the unanimous decision to reinstate 50518-AR and the review of seven NCARB resolutions, with the board supporting six and opposing regional realignment. Resolutions addressed topics such as removing outdated policies, mutual recognition agreements, and exam eligibility. The board also planned to compare the NCARB model law with Massachusetts-specific requirements, reviewing one section at a time in future meetings. Upcoming conferences and CEU courses were noted, and the meeting concluded with items not reasonably anticipated by the chair