

MEMORANDUM

To: All Members of AIA MA
From: John Nunnari
Date: 03/04/26
Re: Legislative and Regulatory Update

Legislative Update:**Since the last Update**

Since the last update, Beacon Hill activity has continued to revolve around fiscal pressures, election-year politics, and affordability concerns. In early February, tensions escalated over government oversight after the state auditor's dispute with legislative leaders broadened to involve the judiciary, raising separation-of-powers questions about which branches are subject to audit under the voter-approved 2024 law. At the same time, policymakers began focusing more heavily on the FY '27 budget proposal, with administration officials defending the \$63.36 billion plan amid rising health-care costs and uncertain revenue trends. Artificial intelligence in elections also emerged as an early policy issue, with lawmakers advancing proposals aimed at regulating deceptive AI-generated campaign content, while fiscal analysts warned that strong January revenue collections – driven largely by capital gains taxes – may not provide a stable long-term outlook for the state budget.

Later in February, cabinet-level turnover within the Governor's office prompted a series of interim appointments across several major agencies, while national developments intersected with state policy debates after a federal court struck down sweeping tariffs imposed by the Trump administration. Meanwhile, energy affordability continued to dominate public discussion as rising winter heating costs and scrutiny of utility profits increased pressure on policymakers to pursue ratepayer relief measures. Legislative activity briefly slowed during a late-February blizzard that disrupted operations across the state, but lawmakers returned to session with ongoing debates around fiscal policy, ballot initiatives, and the broader challenge of balancing affordability concerns with long-term economic and infrastructure priorities as the FY '27 budget process advances.

Looking Forward

In the coming weeks, legislative attention is expected to focus on a growing slate of potential 2026 ballot questions, including proposals to alter legislative leadership stipends, remove the public records exemption that currently applies to the Legislature and governor's office, and establish same-day voter registration. The Joint Committee on Election Laws is scheduled to begin hearings on these measures as part of a broader review that will also include potential initiatives related to taxes, housing policy, election administration, cannabis regulation, land conservation, and labor and voting rights. At the same time, voters will participate in special legislative elections to fill two vacant seats, while candidates for district and county offices in the regularly scheduled September primaries and November general election must submit nomination signatures by April 28. Policy activity will also include a public hearing on the Governors approximately \$5.5 billion transportation funding proposal for roads, bridges, and related infrastructure, continued conference committee negotiations on early literacy and cannabis regulation legislation, a legislative forum addressing federal immigration enforcement practices, a pending court challenge to the MBTA Communities Act, and renewed focus on public transit performance and funding. Meanwhile, the FY '27 budget process will continue to take shape, with annual budget hearings scheduled to resume in early March and lawmakers still awaiting a House Ways and Means proposal to allocate surplus revenue generated by the state's voter-approved income surtax.

AIA MA Bill Tracking

To view the current status of all AIA MA tracked legislation, [please click here](#) (Files located under the banner *Bills Tracked for the 2025–2026 Legislative Session*)

A schedule of all Legislative Events can be found on the [Legislative Events](#) of AIA MA's website.

To review previous Legislative or Regulatory Reports or minutes from GAC meetings, please click [here](#)

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 (02/02/26 – 03/04/26)**310 CMR – Department of Environmental Protection**

- February 13, 2026 – **310 CMR 22.00:** to adopt corrections to the Revised Total Coliform Rule identified by the U.S. EPA as part of their primacy review update approved analytical methods to measure Per- and Polyfluoroalkyl Substances (PFAS) and make other corrections. – [Notice of Public Hearing](#) – Hearing to be held on 03/10/26 @ 1:30 & 6:30 PM. Written comments accepted until 03/20/26 @ 5:00 PM.
- February 13, 2026 – **310 CMR 7.00:** to amend 310 CMR 7.40, Low Emission Vehicle Program, to adopt California's most recent amendments to the Advanced Clean Trucks regulation and to change the Heavy-duty Omnibus regulation start year from model year 2026 to 2027. – [Notice of Public Hearing](#) – Hearing to be held on 03/16/26 @ 10:30. Written comments accepted until 03/26/26 @ 5:00 PM.

314 CMR – Department of Environmental Protection (Division of Water Pollution Control)

- February 13, 2026 – **314 CMR 5.00:** to add an activity to the list of exempt activities for discharges from wells during drilling, pump testing and purging for the purpose of sampling. – [Notice of Public Hearing](#) – Hearing to be held on 03/10/26 @ 1:30 and 6:30 PM. Written comments accepted until 03/20/26 @ 5:00 PM.

New Regulations (02/02/26 – 03/04/2026)**225 CMR – Department of Energy Resources**

- February 27, 2026 – **225 CMR 29.00** – Small Clean Energy Infrastructure Facility Siting and Permitting – [Permanent Regulations](#) – **Effective Date: 02/27/2026**

CMR's tracked include: 105 CMR – State Sanitary Code; 225 CMR 22.00 – 26.00 – Energy Codes; 248 CMR – Plumbing/Gas Fitting Code; 257 CMR – Water Treatment; 271 CMR – Sheet Metal; 310 CMR – DEP; 314 CMR – Water Pollution Control; 521 CMR – Architectural Access; 522 CMR – Boiler Rules; 524 CMR – Elevator; 527 CMR – Fire Code; 528 CMR – Pipefitter and Refrigeration; 780 CMR – Building Code

Copies of all codes listed above can be found on the [State Boards and Construction Regulations](#) page of AIA MA's website

Board of Building Regulation and Standards

At the February 10th meeting, the Board approved multiple prior meeting minutes unanimously, received reports from subcommittees on ongoing 11th-edition code development, certification activity, and energy and climate initiatives, and reviewed updates to the stretch and specialized energy codes, including proposed minor refinements and forthcoming public comment. The Board voted unanimously to advance two DOER residential energy-code change proposals to the Energy Advisory Committee. On code interpretation 2026-02 regarding the applicability of Section 406 to factory occupancies with grade-level overhead doors, the Board approved the interpretation—clarifying that Section 406 does not apply absent a motor-vehicle-related occupancy—by majority vote with one member opposed. On interpretation 2026-03 concerning transit and commuter rail station design standards, the Board voted unanimously to refer the matter to BBRS staff for further analysis and report-back. The meeting concluded with no additional business and a unanimous vote to adjourn.

MA Board of Registration of Architects (MBRA)

At its February 17th meeting, the Board convened in open session, approved the prior meeting minutes, and reviewed a reinstatement application (2026-0104-REIN). Following discussion, the Board determined that the applicant met the technical requirements for reinstatement, including continuing education and fee obligations, and voted to approve the reinstatement. Separately, based on concerns raised during deliberation, the Board voted to open an investigation to determine whether the individual may have practiced architecture while unlicensed during the lapse period.

The Board also received an update on development of guidance for applicants under the new regulations and heard the Executive Director's report on licensing activity, noting that 62 licensees had been processed, 453 total 2025 applications had been handled with 7 remaining (all lacking NCARB records), and 47 applications had been received for 2026, with several requiring follow-up. No correspondence or additional matters were raised. The Board then voted to close the open meeting and enter executive session to address quasi-judicial, investigative, and disciplinary matters, after which the meeting adjourned.

Board of Fire Prevention Regulations (BFPR)

The next meeting of the board is March 5, 2026.

Board of Elevator Regulation

At their February 3rd meeting, the Board reviewed multiple variance petitions related to elevator and incline platform lift installations, focusing on compliance with headroom clearance, operational safety, and code requirements. For one case, the Board found that revised plans sufficiently minimized obstructions and incorporated signage and operational safeguards and voted to grant a variance for reduced headroom subject to specific conditions tied to signage, placement, and long-term documentation. In a second case, despite corrective actions taken since a prior hearing, the Board determined that the installation remained noncompliant with required disconnect clearances and voted to deny the variance, outlining available paths to achieve compliance or appeal. A third petition concerning reduced clearance and lift operation raised additional concerns about attendant control, user orientation, and code consistency, leading the Board to continue the matter for further review and coordination with other regulatory bodies before a final decision.

Massachusetts Sheet Metal Board

On February 18th, the Board convened its meeting, completed roll call, and approved prior meeting minutes with minor edits. Members discussed scheduling matters, including the likely cancellation of the March meeting and confirmation of a spring meeting date, and reviewed recent examination results, noting generally strong performance and discussing whether to track participation in optional preparatory coursework. The Board also examined a proposed hybrid education model

combining in-person and remote instruction hours across training levels, with members asked to review and provide feedback before further consideration at a future meeting. Additional discussion focused on improving communication with local officials through possible regulatory reminders in a departmental newsletter, along with ongoing review of related guidance materials. After addressing routine agenda items and public comment, the Board voted to enter an investigative session.

Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters

On February 18th, the Bureau convened its February meeting, established a quorum, and approved the prior meeting minutes following a roll call vote. Administrative updates included confirmation of the agency's office relocation and routine reports from leadership and counsel. The Bureau considered several regulatory and policy matters, including a request for additional time related to completion of required training, ultimately granting a conditional extension subject to appropriate documentation, and formally approved updated education curricula reflecting increased instructional-hour requirements adopted under recent regulatory changes. Members also discussed implementation of the revised training standards, including development of a structured waiver framework for certain applicants transitioning between old and new requirements, with further action anticipated at a future meeting. Enforcement staff reported on recent inspection activity across multiple license categories, noting generally strong compliance with only a limited number of violations. After addressing routine business and providing an opportunity for additional topics, the Bureau voted to adjourn the meeting.

Board of State Examiners of Plumbers and Gas Fitters

At their February 4, 2025 meeting, the Board reviewed a proposal involving an alternative wastewater approach intended to reduce environmental impacts on local water resources, particularly with respect to nitrogen and phosphorus entering nearby drinking water supplies. Discussion focused on the feasibility of using a urine-separation and storage system in conjunction with, or as a potential alternative to, conventional and denitrifying septic systems, including system configuration, overflow safeguards, and operational considerations. Participants considered potential environmental benefits, relative cost differences between traditional and alternative systems, possible agricultural reuse of captured nutrients, and the evolving regulatory roles of environmental and agricultural agencies. During the meeting, the Board did not take final approval action and instead moved the matter forward for additional technical clarification and review, noting that further information would be needed before any determination on broader acceptance or testing of the alternative approach.

At their March 4th meeting, the Board began with approval of the minutes from the February 4 regular meeting and a related executive session, both approved without objection. The Executive Director reported that license renewal notifications had recently been issued to licensees and that staff were coordinating with the IT department to ensure the email notification system was functioning correctly. No formal legal updates were presented, though the board's counsel noted that several items were being reviewed and would be brought forward in the future. The board also confirmed that the next code-related subcommittee meeting would take place on March 25 via Microsoft Teams and reminded stakeholders that code modification proposals could be submitted through the board's website.

The board then considered several variance requests. One request sought permission to locate a grease interceptor approximately 100 feet from kitchen equipment rather than within the typical distance limits; the board determined that the extended distance could cause operational issues and voted to deny the request. A separate request regarding restroom requirements for a proposed outdoor athletic facility was initially tabled because the petitioner was not present; when revisited later in the meeting, the board denied the request due to the excessive distance between the proposed seating area and the available restroom facilities. Another request related to a parking

garage sought relief from installing an interceptor system based on environmental conditions and site constraints; after discussion regarding documentation and regulatory compliance, the board ultimately denied the variance.

The board also reviewed a request involving the installation of heat-pump water heater tanks that lacked a specific construction certification typically required for pressure vessels. The discussion focused on safety standards, energy-efficiency code implications, and the possibility of meeting alternative technical criteria. Because the equipment did not meet the established certification requirements and equivalent safeguards had not been demonstrated, the board voted to deny the variance.

Two additional requests were considered regarding fixture counts for spectator facilities and restaurant seating. One request involving restroom fixture counts at an existing stadium was approved due to space limitations and the minor nature of the shortfall. Another request involving restroom requirements for expanded restaurant seating was denied because the proposed arrangement fell significantly below the required fixture counts and would not maintain consistency with code standards.

Following completion of the variance hearings, the board voted to enter executive session to conduct character reviews and indicated that it would not return to open session afterward.

MAAB

The next meeting of the board is March 9, 2026.

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