

## Legislation ACEC/MA is Following for 2017-18 Legislative Session (as of April 25, 2017)

### HB1 - An Act making appropriations for fiscal year 2018

Sponsor: Governor

Summary: The Governor's budget submission for fiscal year 2017 proposes to spend \$37,208,448,194 in direct appropriations, \$535,187,161 in chargebacks, \$603,689,521 in retained revenue, and \$1,741,305,339 in consolidated transfers for a subtotal of \$40,088,630,215. In addition, the proposal includes \$2,485,382,614 in federal grant spending, bringing the appropriated subtotal up to \$42,574,012,829. Finally, there is \$12,133,627,886 in trust and other spending (the so-called "off budget" spending, which is not appropriated for), bringing the grand total for both appropriated and non-appropriated state spending to \$54,707,640,715. (Please note that the Governor gets to his \$39,553,443 figure by excluding federal grants, trust spending and budgetary non-tax revenue.)

The Governor's budget increases Chapter 70 education funding by \$72.1 million, supporting \$18.6 million for a redesigned quality kindergarten grant program to assist communities in achieving tuition-free, full-day kindergarten, and by adding over \$20 million to a revised charter school reimbursement formula and adding \$5.6 million for developing a next generation MCAS by \$5.6 million.

In the outside sections, the Governor proposes to explicitly authorize MassDOT to sell, lease or otherwise contract for advertising, including on or in its own facilities; expands the "dual enrollment" program by permitting students to enroll in nonprofit, degree-granting career technical institutions, in addition to public colleges; changes the formula by which the amount of benefits under the TAFDC program by increasing the amount of work-related expenses that may be retained by the recipient from \$150 to \$200 per month; establishes the MassHealth Delivery System Reform and SANE Trust Funds; equalizes the GIC contribution ratio at 25% for all employees, regardless of date of hire; streamlines the laboratory analysis of cocaine; expands MassHealth's ability to recover benefits paid on behalf of a deceased beneficiary, by allowing for the recovery of non-probate assets and the costs of Medicare Part D pharmacy payments made to the federal government, consistent with federal law; and increases the acute hospital assessment to support delivery system reform and increased Medicaid reimbursements to acute hospitals, among other things.

Status: House Committee on Ways and Means (HWM)

### HB68 (Chapter 6 of 2017) - An Act to reorganize the Department of Public Safety

Sponsor: Governor

Summary: Governor Baker's "Article 87" reorganization of the Department of Public Safety, weighing in at 209 sections, would split the functions of the current Department of Public Safety between the Division of Professional Licensure and the Department of Fire Services. According to the Governor, this will enable the Commonwealth to consolidate licensing functions currently split across several secretariats. Specifically, this bill establishes an Office of Public Safety and Inspections to be housed within the Division of Professional Licensure (and part of the Executive Office of Housing and Economic Development). It then transfers all of the non-fire-related functions of the Department of Public Safety to the Office of Public Safety and Inspections and the fire-related functions to the Department of Fire Services. This bill would also change the distribution of agencies under the undersecretaries within the Executive Office of Public Safety and Security to more closely align with their areas of expertise. In addition, the bill makes technical changes to reflect the transfer of functions, removes outdated references, and updates antiquated language.

Status: Became law without Governor's signature (UNSIGNED)

### HB73 - An Act financing improvements to municipal roads and bridges

**Sponsor:** Governor

**Summary:** This mini-budget making three appropriations, totaling \$300 million, is intended to provide for a program of transportation development and improvements. In particular, the budget establishes three new line-items, including \$200 million (6122-1720) for the construction and reconstruction of municipal ways, \$30 million (6622-1787) for the mobility assistance program and \$70 million (1709-3005) for costs associated with planning and studies, the preparation of plans and specifications, purchase, procurement and implementation of information technology-related equipment and related projects for the Massachusetts Department of Transportation. Finally, the bill includes three separate sections providing bonding in the same amount for these three projects.

**Status:** Joint Committee on Transportation (JTR)

#### **HB401 - An Act relative to community preservation funds for coastal infrastructure**

**Sponsor:** Rep. Cantwell, James (D)

**Summary:** Amends; GL 44B:6 by directing that, in coastal communities that adopt the community preservation act, at least 10% of the annual revenue in the community preservation be set aside to fund for the preservation of public infrastructure through beach nourishment, dune restoration, and seawall maintenance and reconstruction.

**Status:** Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB405 - An Act relative to the financing of dredging projects**

**Sponsor:** Rep. Cantwell, James (D)

**Summary:** Adds a new §11B to GL 91, the statute governing Waterways, to establish the Waterways Trust and to authorize the commissioner of the department of conservation and recreation to receive bequests, restitutions and gifts to the trust for the purpose of improvements to harbors and inland waterways; amends GL 91:11A to authorize the department of environmental protection to participate in funding municipal and local authorities up to 75% for dredging projects and up to 50% for all other work authorized under this section; replaces references to the Soil Conservation Service of USDA in several places in the chapter with United States Army Corps of Engineers and other federal agencies.

**Status:** Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB1105 - An Act extending municipal bonding terms for local infrastructure development programs**

**Sponsor:** Rep. Kuros, Kevin (R)

**Summary:** Amends 213L:4 and 5 to extend the maximum bonding term for infrastructure investment and improvements from 25 years to 30 years.

**Status:** Joint Committee on Municipalities and Regional Government (JMR)

#### **HB1317 - An Act establishing the building code coordinating council**

**Sponsor:** Rep. Walsh, Chris (D)

**Summary:** Eliminates the technical code council in GL 143:94 and establishes the Building Code Coordinating Council in a new section 101 of GL Chapter 143. The BCCC will be comprised of 12 members and is tasked with comparing and coordinating all existing and proposed construction codes to eliminate redundancies and conflicts. The BCCC will have the power to reject proposed regulations that are inconsistent, conflicting or redundant. Further, the BCCC is directed to establish procedures for considering public comment and for submission and approval of proposed regulations.

**Status:** Joint Committee on Public Safety and Homeland Security (JPSF)

#### **HB1603 - An Act establishing a local option gasoline and diesel fuel excise**

**Sponsor:** Rep. Pignatelli, William (D)

**Summary:** Adds new section 14 to GL Chapter 64A to authorize any city or town to impose a local excise tax on the sale of gasoline and diesel fuel not to exceed 3 cents per gallon. Each city or town imposing such an excise tax is directed to establish a Municipal Fuel Excise Transportation Fund, in which all revenue from the fuel excise will be deposited.

**Status:** Joint Committee on Revenue (JRV)

#### **HB1663 - An Act relative to privatization contracts**

**Sponsor:** Rep. Donahue, Daniel (D)

**Summary:** Amends provisions of GL 7:53 relative to the 'Pacheco' privatization contracts by taking out of the definition of privatization contracts the existing exemption for planning, engineering or design services. In effect, planning, engineering or design services will now be subject to the Pacheco law.

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

#### **HB1725 - An Act relative to local energy investment and infrastructure modernization**

**Sponsor:** Rep. Benson, Jennifer (D)

**Summary:** No Summary

**Status:** Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **HB1726 - An Act to promote green infrastructure, reduce greenhouse gas emissions, and create jobs**

**Sponsor:** Rep. Benson, Jennifer (D)

**Summary:** No Summary

**Status:** Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **HB1778 - An Act relative to underground infrastructure**

**Sponsor:** Rep. Walsh, Chris (D)

**Summary:** Amends GL 164 by inserting a new §71A; directs the department of public utilities to promulgate rules and regulations relating to the construction of utility infrastructure designed to shield utility infrastructure from damage due to storms, vandalism, security issues, and maintenance issues, overload issues; directs the department of utilities to prioritize and incentivize the creation of underground utilities wherever feasible.

**Status:** Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **HB1813 - An Act relative to public safety in excavation**

**Sponsor:** Rep. Cronin, Claire (D)

**Summary:** No Summary

**Status:** Joint Committee on Transportation (JTR)

#### **HB1828 - An Act to explore alternative funding sources to ensure safe and reliable transportation**

**Sponsor:** Rep. Farley-Bouvier, Tricia (D)

**Summary:** Establishes a pilot program to assess owners of motor vehicles a user fee that is based on the number of miles traveled on roads in this state by those motor vehicles (as an alternative to the 'diminishing' fuel tax revenues). The pilot program is to include at least 1,000 volunteers across the Commonwealth who are representative of drivers of trucks, passenger and commercial vehicles, who will have on-board vehicle-mileage-counting equipment added to their vehicles; the program is to test the reliability, ease of use, cost, and public acceptance of a user fee program; MassDOT 'may' refund motor vehicle fuel taxes paid by participants in the pilot program or may 'otherwise' compensate participants.

**Status:** Joint Committee on Transportation (JTR)

#### **HB1843 - An Act to promote transportation demand management**

**Sponsor:** Rep. Hecht, Jonathan (D)

**Summary:** No Summary

**Status:** Joint Committee on Transportation (JTR)

#### **HB1874 - An Act relative to Route 128 interchange improvements**

**Sponsor:** Rep. Parisella, Jerald (D)

**Summary:** Directs the creation of a timeline for the implementation of the completed plan for interchange

improvements along Route 128. The report, including a proposed start date and date of completion shall be delivered to the Joint Committee on Transportation no later than 12/31/13. (No general or session laws cited).

Status: Joint Committee on Transportation (JTR)

#### **HB1893 - An Act relative to transportation infrastructure value capture**

Sponsor: Rep. Straus, William (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

#### **HB2115 - An Act relative to drought management**

Sponsor: Rep. Dykema, Carolyn (D)

Summary: No Summary

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB2116 - An Act providing for the establishment of sustainable water resource funds**

Sponsor: Rep. Dykema, Carolyn (D)

Summary: Amends GL 40 by inserting a new section 39M; authorizes a municipality, water district, wastewater district or stormwater utility which accepts this section to establish a sustainable water resources fund, and to collect a charge to be used for measures to remedy and offset the environmental impacts of new or increased water withdrawals, sewerage, wastewater discharges, stormwater discharges or impairment of recharge of groundwater through depletion of ground or surface waters; articulates the permitted uses of and regulations governing the fund.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB2117 - An Act relative to municipal assistance for clean water and economic development infrastructure**

Sponsor: Rep. Dykema, Carolyn (D)

Summary: Establishes a Water Pollution Abatement Trust and a Water Infrastructure Improvement Fund for purposes of improving drinking water, wastewater and storm water capital assets through loans and grants, for which bonds may be issued for local or regional projects that meet certain criteria; authorizes the Treasurer to issue bonds for this purpose.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB2139 - An Act to improve water quality and pollution control programs**

Sponsor: Rep. Rogers, David (D)

Summary: No Summary

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB2147 - An Act providing for the establishment of a comprehensive adaptation management plan in response to climate change**

Sponsor: Rep. Smizik, Frank (D)

Summary: Enacts a new Chapter 21P (Comprehensive Adaptation Management Planning in Response to Climate Change) in the General Laws. The new chapter would require the adoption a Comprehensive Adaptation Management Action Plan. Upon the adoption of the plan, all certificates, licenses, permits, authorizations, grants, financial obligations, projects, plans, actions, and approvals for any proposed projects, uses, or activities in and by the Commonwealth must be consistent, to the maximum extent practicable, with the adopted plan. Among other things, the Plan must demonstrate how the commonwealth will increase alternative local renewable power sources that reduce dependence on centralized power plants; improve resiliency by protecting and restoring natural green infrastructure; incentivize development in low-risk locations away from coastal and inland flood plains and discouraging new development in high-risk locations; and improve resiliency of structures through an update of the state Building Code. In addition, the plan is to encourage and provide guidance to regional planning agencies to proactively address the unavoidable consequences of climate change and provide a process for local and regional climate vulnerability assessment and adaptation strategy development; regional grants are to be designed to reduce community risks and hazards as a result of climate

change; the Commonwealth may acquire from willing sellers land abutting or adjacent to areas subject to the ebb and flow of the tide or on barrier beaches or in velocity zones of flood plain areas.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

#### **HB2595 - An Act relative to the Massachusetts Clean Water Trust**

Sponsor: Rep. Garballey, Sean (D)

Summary: Amends GL 29C:4, the statute governing monies held in trust relative to the water pollution abatement revolving loan program, to add a provision to authorize the fund to handle amounts collected pursuant to a transaction surcharge of 10 cents per thousand dollars on all real estate sales. Adds new section 119 to GL Chapter 36 to institute the transaction surcharge previously referenced, to be deposited in the Massachusetts Clean Water Trust.

Status: Joint Committee on Revenue (JRV)

#### **HB2721 - An Act to create the transportation technology advisory commission**

Sponsor: Rep. Cahill, Daniel (D)

Summary: Establishes a 20-member advisory commission to study the impact of emerging technologies in transportation. Further specifies the qualifications for membership on the commission and the participation of ex officio-members; directs the commission to meet at least 4 times a year; specifies the topics for the commission to study; authorizes the commission to form subcommittees; directs all state agencies to provide information and assistance; authorizes the commission to accept gifts, donations, grants, and federal funds and directs the Treasurer to administer a separate account to receive such funds; directs the commission to report its findings, recommendations, and proposed legislation, regulations or pilot programs to the Legislature every two years, beginning September 30, 2018 and continuing until September 20, 2026.

Status: Joint Committee on Transportation (JTR)

#### **HB2728 - An Act to promote safety, efficiency and accountability in transportation projects through public inspections**

Sponsor: Rep. Donahue, Daniel (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

#### **HB2783 - An Act financing improvements to municipal roads and bridges**

Sponsor: Joint Committee on Transportation

Summary: Appropriates \$200,000,000 for the construction and reconstruction of municipal ways; sets forth procedures for cities and towns to follow in expending said funds; further appropriates \$70,000,000 to MassDOT for costs associated with information technology-related equipment and related projects; establishes the terms of the bonds to be issued to finance these expenditures.

Status: Conference committee appointed in the House (CC/H)

#### **HB3243 - An Act to amend the lead law to include water piping**

Sponsor: Rep. Holmes, Russell (D)

Summary: No Summary

Status: Joint Committee on Public Health (JPH)

#### **HB3408 - An Act creating the Massachusetts Transportation and Environment Equity Fund**

Sponsor: Rep. Cabral, Antonio (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

#### **HB3454 - An Act regulating and insuring short-term rentals**

Sponsor: Rep. Michlewitz, Aaron (D)

Summary: No Summary

Status: Joint Committee on Financial Services (JFS)

### HB3543 - An Act relative to infrastructure finance

Sponsor: Rep. Rushing, Byron (D)

Summary: No Summary

Status: Joint Committee on Community Development and Small Businesses (JCD)

### HB3600 - An Act making appropriations for fiscal year 2018

Sponsor: House Ways and Means

Summary: The budget for FY 2018, as reported by the House Ways & Means Committee appropriates \$43,846,930,885 in 1183 line-items. This includes \$38,080,308,483 in direct appropriations, \$523,841,587 in chargebacks, \$464,725,901 in reserve accounts, \$572,428,106 in retained revenues, \$2,569,717,228 in federal grants, and \$1,635,909,580 in operating transfers.

The budget includes 76 outside sections that address issues such as the Bureau of Purchased Services, a new Bureau of Substance Addiction, a Child Care Quality Fund, a Commonwealth Facility Trust for Energy Efficiency, gaming beverages licenses, the Health Safety Net Trust Fund, a new Innovation Voucher Program Fund, MassDOT/MBTA Cost Recovery, MassHealth Dental Services, municipal overlay accounts and safety zones, non-acute hospital reimbursements the nursing home assessment, priority public health trends, issues related to state leasing, tax credits for hiring veterans, and the Trial Court Energy Conservation program, among other things.

(Please note that the "\$40.3 billion" amount cited in the fiscal note and reported in the press only adds up if you don't count chargebacks and federal grants, which are both part of the appropriated budget.)

Status: Passed in the House (PASS/H)

### HB3637 - An Act relative to conservation and natural gas infrastructure

Sponsor: Rep. Meschino, Joan (D)

Summary: No Summary

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

### HB3648 - An Act providing for the financing of certain improvements to municipal roads and bridges

Sponsor: Conference Committee

Summary: No Summary

Status: House Committee on Steering, Policy and Scheduling (HSP)

### SB81 - An Act promoting housing and sustainable development

Sponsor: Sen. Chandler, Harriette (D)

Summary: This very substantial legislation makes global changes in the zoning and municipal planning process with the intent of updating antiquated zoning laws that have not be updated in over thirty years. Among other things, the bill establishes that no zoning ordinance or by-law may prohibit or require a special permit for the use of land or structures for an accessory dwelling unit or its rental in a single-family residential zoning district on a lot with 5,000 square feet or more or on a lot of sufficient area to meet the requirements of Title V, among other things; requires the Secretary of Housing and Economic Development, in Consultation with the Secretary of Energy and Environmental Affairs, the Secretary of Transportation and the Attorney General to develop a municipal opt-in program to advance the state's economic, environmental and social well-being through enhanced planning for economic growth, land conservation, workforce housing creation and mobility.

Establishes that zoning ordinances and by-laws must provide at least one district of reasonable size in every municipality in which multi-family housing is a permitted use as of right. a city or town may satisfy the requirement of this subsection by obtaining a determination from the Department of Housing and Community Development, acting directly or through a regional planning agency as its designee, that the multi-family provisions of its zoning ordinance or by-law are consistent with the Department's regulations; and establishes that any change in the voting majority required

to adopt a zoning ordinance, by-law or amendment be made by the voting majority then in effect and will not become effective until 6 months have elapsed after the vote, and it must be between a simple majority and a 2/3 majority vote.

Inserts new provisions for site plan review; establishes regulations for any zoning ordinance or by-law that requires site plan review for uses allowed by right; replaces the current section dealing with a municipality's master plan by making substantial changes in the section. These include, among other things, a much greater emphasis on the identification of the significant natural and energy resources of the municipality, of growth and development areas that support the revitalization of city and town centers, and of areas for economic development and job creation; authorizes the establishment of a master plan in every city or town by the planning board of the municipality.

(Although not technically a redraft, this is essentially the same bill (SB2311) as reported out of Senate Ways & Means in the 2015-16 Session. That version was eventually printed as amended (SB2327) and received in the House, but died in the Joint Committee on Rules.)

Status: Joint Committee on Community Development and Small Businesses (JCD)

### **SB92 - An Act to promote livable communities and zoning reform act**

Sponsor: Sen. Pacheco, Marc (D)

Summary: This bill is intended to encourage growth in appropriate and identified places, to support development in areas where infrastructure is already in place, to discourage sprawl, and to discourage growth in environmentally sensitive areas in order to protect the Commonwealth's most valuable remaining natural resources before they are lost. The bill establishes and regulates the Council for a Sustainable Commonwealth; articulates the powers and duties of the council, which includes encouraging cooperation among levels of government in protecting and coordinating the uses of the Commonwealth's land and resources, encouraging sustainable growth, discouraging wasteful use of natural resources, supporting transportation and creating affordable housing; requires each regional planning commission to develop a regional sustainable development plan for use by the council; establishes the Sustainable Development Grant Fund, funded through the Commonwealth and administered by said council, to provide grants to municipalities and regional planning commissions for activities relating to the established goals of the act.

Status: Joint Committee on Community Development and Small Businesses (JCD)

### **SB413 - An Act relative to sustainable water conservation practices**

Sponsor: Sen. deMacedo, Viriato (Vinny) (R)

Summary: Establishes within the Department of Environmental Protection an Irrigation Contractor Board of Registration; regulates composition of said board; regulates registration of irrigation contractors, applications for licenses, continuing education requirements, exemptions, business permits, qualifications and permit fees, suspensions or revocations or reissuing of licenses, and unlawful conduct and penalties.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

### **SB419 - An Act protecting the natural resources of the Commonwealth**

Sponsor: Sen. Eldridge, James (D)

Summary: Inserts a new Chapter 132C into the General Laws relative to protecting the natural resources of the Commonwealth. In particular, the bill provides that anyone proposing that lands acquired for conservation purposes that are also used for another purpose must mitigate the loss by paying or providing for replacement land; outlines other procedures and requirements for converting such land. Also provides that a waiver for such requirements may be granted in some cases conditional upon certain enumerated criteria. Allows the Secretary of Environmental Affairs to inform interested parties that any such land is subject to these restrictions; requires that the sale, transfer, lease, or change of control of use of any Article 97 land held by a municipality be subject to a 2/3 town meeting or city council vote.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

### **SB423 - An Act improving municipal water infrastructure**

Sponsor: Sen. Eldridge, James (D)  
Summary: No Summary  
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

**SB425 - An Act relative to drought management**

Sponsor: Sen. Eldridge, James (D)  
Summary: No Summary  
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

**SB468 - An Act relative to community preservation funds for seawall repairs**

Sponsor: Sen. O'Connor, Patrick (R)  
Summary: No Summary  
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

**SB472 - An Act providing for the establishment of a comprehensive adaptation management plan in response to climate change**

Sponsor: Sen. Pacheco, Marc (D)  
Summary: Enacts a new Chapter 21P (Comprehensive Adaptation Management Planning in Response to Climate Change) in the General Laws. The new chapter would require the adoption a Comprehensive Adaptation Management Action Plan. Upon the adoption of the plan, all certificates, licenses, permits, authorizations, grants, financial obligations, projects, plans, actions, and approvals for any proposed projects, uses, or activities in and by the Commonwealth must be consistent, to the maximum extent practicable, with the adopted plan. Among other things, the Plan must demonstrate how the commonwealth will increase alternative local renewable power sources that reduce dependence on centralized power plants; improve resiliency by protecting and restoring natural green infrastructure; incentivize development in low-risk locations away from coastal and inland flood plains and discouraging new development in high-risk locations; and improve resiliency of structures through an update of the state Building Code. In addition, the plan is to encourage and provide guidance to regional planning agencies to proactively address the unavoidable consequences of climate change and provide a process for local and regional climate vulnerability assessment and adaptation strategy development; regional grants are to be designed to reduce community risks and hazards as a result of climate change; the Commonwealth may acquire from willing sellers land abutting or adjacent to areas subject to the ebb and flow of the tide or on barrier beaches or in velocity zones of flood plain areas.  
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

**SB1065 - An Act strengthening local control over recreational marijuana businesses**

Sponsor: Sen. Lewis, Jason (D)  
Summary: No Summary  
Status: Joint Committee on Marijuana Policy (JMP)

**SB1066 - An Act further regulating the manufacture and sale of certain commercial marijuana products**

Sponsor: Sen. Lewis, Jason (D)  
Summary: No Summary  
Status: Joint Committee on Marijuana Policy (JMP)

**SB1126 - An Act mitigating water resource impacts**

Sponsor: Sen. Eldridge, James (D)  
Summary: No Summary  
Status: Joint Committee on Municipalities and Regional Government (JMR)

**SB1170 - An Act to promote healthy communities and the environment**

Sponsor: Sen. Chang-Diaz, Sonia (D)



**Summary:** Inserts a new and unnamed Chapter 111O into the General Laws. The bill provides for an expedited and enhanced Massachusetts Environmental Policy Act Review for projects located within 1 mile of a designated 'most vulnerable' community, or in the case of projects exceeding certain thresholds, within 5 miles of a most vulnerable community; it exempts site assessment grants and loans granted under the Brownfields Redevelopment Fund from triggering the Massachusetts Environmental Policy Act review; and it establishes a community environmental health and economic disparities program; it requires the creation and maintenance of a Communities Health Index, among other things.

**Status:** Joint Committee on Public Health (JPH)

#### **SB1551 - An Act relative to regional transportation ballot initiatives**

**Sponsor:** Sen. Lesser, Eric (D)

**Summary:** Enacts a new GL 64N, An Act Relative to Regional Transportation Ballot Initiatives. In particular, the bill authorizes a municipality, or a district formed from two or more municipalities, to impose a tax surcharge on one of four taxes from a list including payroll, sales, property, or vehicle excise tax, to be used for transportation-related purposes only: establishes the process for acceptance of the surcharge in a municipality or district; establishes the regulations governing the collection of the surcharge; directs that a municipality or district which accepts this section must establish a local or regional transportation committee, consisting of 5 members; establishes the regulations for governing the committee; establishes the powers and duties of the committee; directs the commonwealth to establish the Massachusetts Local and Regional Transportation Trust Fund, for the exclusive benefit of municipalities or districts accepting this act; requires the commonwealth to annually disburse from this fund an amount not to exceed the total surcharge collected in each municipality or district that has accepted this act; authorizes the municipality to reduce or make changes in the amount of the surcharge or the amount of exemptions in the same manner as it were accepted; authorizes a municipality to revoke the surcharge after 5 years in the same manner as it were accepted; directs the commissioner of revenue to promulgate rules and regulations relating to this chapter.

**Status:** Joint Committee on Revenue (JRV)

#### **SB1553 - An Act relative to the regulation and taxation of transient accommodations in the Commonwealth**

**Sponsor:** Sen. Lesser, Eric (D)

**Summary:** Amends substantial amounts of GL 64G on the room occupancy excise by striking and replacing the chapter in entirety; collapses the definition of a bed-and-breakfast home into an establishment and defines hosting platforms, operator's agents, and transient accommodation; removes the exemption for bed-and-breakfasts under 4 rooms; clarifies the exemption for institutional accommodations and removes the exemption for non-institutionally owned accommodations at institutions that are otherwise open to the public; extends the exemption off-season summer camp occupancy by seniors from 30 to 31 days; exempts at-will and month-to-month tenancies and seasonal employee accommodations; includes transient accommodations in both the state, and where adopted, municipal room occupancy excises; prohibits municipalities without municipal occupancy excises from prohibiting transient accommodations; authorizes the Commissioner of Revenue to enter into an agreement with a hosting platform or operator's agent to remit the excise; holds the operator solely liable for unremitted or over collected excises as a result of misrepresentations of the accommodation; requires a certificate of registration to be obtained by operators of transient accommodations; requires the commissioner to provide records of the registration and any occupancies to the municipality; directs the commissioner to promulgate rules and regulations for records to be kept by operators; excludes such records from the public records as well as from disclosure; removes the specification that liability for an unpaid excise is to the commonwealth; establishes that the misrepresentation of an accommodation as exempt from the excise as an unfair trade practice; includes transient accommodations in the exemption from the excise for stays by active military; directs the commissioner to establish a toll-free line for complaints and directs any hosting platform to display the number and hours of the line; clarifies that hosting platforms may collect rent for accommodation; requires hosting platforms to register in the same manner as operators; requires a hosting platform to notify the operator of the transmission of the excise to the commissioner; requires that hosting platforms notify operators of any local regulations set forth under GL 140:32E½, as established;

Further amends the General Laws by inserting a new section to chapter 140, 32E½; directs each municipality to create a process for licensing operators; directs municipalities to promulgate ordinances for the promotion of public health, avoidance of nuisances, and to prevent the use or operation of transient accommodations by registered sex offenders or persons convicted of robbery or fraud; prohibits municipalities from granting licenses to persons under 21; prohibits municipalities from prohibiting transient accommodations; specifies the informations contained in municipal registrations for providing transient accommodations; allows for municipalities to levy a \$500 fine for operation of a transient accommodation without license; prohibits municipal discrimination in licensure; goes into effect July 1, 2017, with the excise going into effect January 1, 2018.

(Unlike HB2642 and as in SB1616, SB1553 applies the excise to operators in the commonwealth potentially operating accommodations outside the commonwealth, rather than specifically accommodations in the commonwealth. The bill does not specifies whether an accommodation outside the commonwealth operated by a person in the commonwealth would be subject to the excise. Only this bill, of the three, blocks municipal restrictions on transient accommodations in municipalities without occupancy excises. Only this bill, of the three, assigns sole liability for incorrectly collected excises to the collector. Only this bill, of the three, does not restrict the agreement between the commissioner and the hosting platform or operator's agent to collection of the excise from operators represented by such an entity. This bill, like SB1616 and unlike HB2642, does not specify that the liability for an unpaid excise is a liability to the commonwealth. Only this bill of the three directs the Commissioner of Revenue to establish a complaint line. This bill, like SB1616 and unlike HB2642, goes into effect July 1, with the excise not beginning until January 2018. The bill does not specify when GL140:32E½ goes into effect.)

Status: Joint Committee on Revenue (JRV)

#### **SB1560 - An Act for revenue-neutral carbon surcharge via shift from sales tax to transportation fuel tax**

Sponsor: Sen. Lewis, Jason (D)

Summary: Amends GL 64A:1, the statute governing Taxation of Sales of Gasoline, by replacing the current 21 cents per gallon gas tax with a tax of 7.5% of the average price per gallon; the rate increases to 9% on 1/1/16, 11% on 1/1/17 and 13.5% on 1/1/18; prohibits the tax from falling below 23 cents per gallon. Further attempts to reduce the sales tax by 0.25% over the same three-year period.

Status: Joint Committee on Revenue (JRV)

#### **SB1561 - An Act relative to stormwater management and climate change adaptation incentives**

Sponsor: Sen. Lewis, Jason (D)

Summary: Adds new section 5O to GL Chapter 59 to authorize a property tax exemption for Class One properties to be accepted by cities and towns that would equal no more than 20% of the average assessed value of all Class One, residential parcels within such city or town beginning on July 2, 2015.

Status: Joint Committee on Revenue (JRV)

#### **SB1567 - An Act clarifying occupancy excise and internet hotel room resellers**

Sponsor: Sen. Montigny, Mark (D)

Summary: Amends GL 64G:5 (Separate statement and charge of amount of room occupancy excise) to establish that the excise will apply to whatever dollar amount is held out to the occupant as the cost of the rent, including any included charges or fees, except those that are separately itemized from the rent.

Status: Joint Committee on Revenue (JRV)

#### **SB1616 - An Act updating and modernizing the room occupancy excise**

Sponsor: Sen. Rodrigues, Michael (D)

Summary: No Summary

Status: Joint Committee on Revenue (JRV)

**SB1741 - An Act to promote safety, efficiency and accountability in transportation projects through public inspections**

**Sponsor:** Sen. Moore, Michael (D)

**Summary:** Requires public employees to carry out the construction inspection functions for all surface transportation projects receiving state or federal funding; provides definitions for the following terms: construction inspection function and public employee.

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

**SB1749 - An Act establishing a special commission to study the feasibility of incorporating conductive concrete in future public works projects**

**Sponsor:** Sen. O'Connor, Patrick (R)

**Summary:** Amends SL2014:286 (An Act Providing for the Preservation and Improvement of Land, Parks and Clean Energy in the Commonwealth) by striking item 6720-1350 (Improvements to Coastal Facilities in Designated and Nondesignated Port Areas) from Section 2A, the Office of the Secretary of Transportation; inserts the stricken item in a new section, 2H, the Office of the Secretary of Housing and Economic Development, with the addition that the described improvements benefit commercial fishing; authorizes the Treasurer to issue bonds for the new section.

(Please note that the treasurer was not authorized to issue bonds for the item stricken from Section 2A.)

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

**SB1750 - An Act relative to protecting the taxpayers of the Commonwealth**

**Sponsor:** Sen. Pacheco, Marc (D)

**Summary:** Subjects the Massachusetts water resources authority to provisions regulating the hiring of private contractors by public and governmental entities.

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

**SB1762 - An Act establishing a commission on government accountability, economy, and efficiency**

**Sponsor:** Sen. Rush, Michael (D)

**Summary:** Establishes an 18 member Special Commission on Government Accountability, Economy and Efficiency to study ways to improve these aspects of state government; specifies several particular areas of investigation for the Commission, including the feasibility of developing one or more pilot projects using the Baldrige National Quality Program criteria as set forth by the National Institute of Standards and Technology.

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

**SB1768 - An Act justifying the use of project labor agreements**

**Sponsor:** Sen. Tarr, Bruce (R)

**Summary:** Directs an awarding authority electing to require a project labor agreement to report to the inspector general within 60 days of such decision. The authority must state the project is of the size, duration, timing, and complexity which requires a project labor agreement, and provide a comparative analysis of any benefits of the agreement that led the authority to conclude that such agreement was required and any increased costs as a result. (No general or session laws cited).

**Status:** Joint Committee on State Administration and Regulatory Oversight (JSA)

**SB1821 - An Act combating climate change**

**Sponsor:** Sen. Barrett, Michael (D)

**Summary:** Adds a number of provisions relative to GL c.25A (Division of Energy Resources), that are designed to combat climate change in the Commonwealth. In particular, the bill establishes carbon dioxide emissions charges, which are to be \$10 per ton of CO<sub>2</sub>e. These charges are to increase by \$5 every year until the rate is \$40 per ton of CO<sub>2</sub>e. In the sixth year of implementation, and every two years thereafter, the Commissioner of Energy Resources, in consultation with the Commissioner of Environmental Protection, is to report to the Legislature on global warming and climate change, including consideration of whether any increases or

decreases in carbon dioxide emissions charges are recommended to account for inflation, to ensure progress towards reaching emissions limits for 2030, 2040, and 2050 included in the Climate Protection & Green Economy Act, to mitigate serious negative impacts on economic sectors, economic sub-sectors or individual employers of the Commonwealth caused by collection of carbon dioxide emissions charges. Separately, the bill establishes a Carbon Dioxide Emissions Charges Rebate Fund on the books of the Commonwealth, financed by the proposed charges. The commissioner of Energy Resources is then to return all carbon dioxide emissions charge proceeds to residents and employers in the Commonwealth in the form of rebates, in coordination with the Commissioner of Revenue and other agencies.

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **SB1870 - An Act to protect our environment and update our climate action plan**

Sponsor: Sen. Pacheco, Marc (D)

Summary: This ambitious bill establishes that no power generating facility in operation on and after January 1, 2017 will be allowed to utilize or gasify coal, and no utility may purchase and seek to sell electricity, in or out of state, from coal-fired power plant facilities. Further requires the Secretary of Energy and Environmental Affairs to publish a plan detailing how the Commonwealth will provide support for all communities that hosted operational coal plants as of 2010, to enable a full site transition toward something that meets the needs of the towns as laid out by their elected municipal representatives; and how the Commonwealth will provide re-training and employment placement support for all currently unemployed workers who worked in a coal-burning power plant. Separately, the bill enacts a ban on hydraulic fracturing in the Commonwealth; require the identification of all the fossil fuel companies in which the Massachusetts Pension Reserves Investment Trust owns holdings, with a requirement to divest all publicly-traded holdings of each company identified within 5 years; requires the establishment of an economy-wide price on carbon; requires that the Department of Environmental Protection identify all Massachusetts public, private and agricultural enterprises providing methane emissions, and requires the promulgation of DEP regulations to encourage and provide incentives for increased use of anaerobic digesters; requires the Commonwealth as a whole to establish a goal of generating 20% of our total electricity use from solar energy by 2025; requires the promulgation of DER regulations to provide incentives to encourage increased use of smart meters; requires updating and strengthening the Stretch Energy Code; and requires the promulgation of regulations to develop and implement a clean fuel standard.

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **SB1875 - An Act relative to local energy investment and infrastructure modernization**

Sponsor: Sen. Pacheco, Marc (D)

Summary: No Summary

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

#### **SB1880 - An Act creating 21st century Massachusetts clean energy jobs**

Sponsor: Sen. Pacheco, Marc (D)

Summary: This ambitious bill, comprising 80 pages and 66 sections, provides a comprehensive template for the state government's promotion of clean energy jobs. Initially, the bill enacts two new chapters into the General Laws: Chapter 21N½, the 'Global Warming Solutions Implementation Act,' and Chapter 21P, the 'Comprehensive Adaptation Management Action Planning in Response to Climate Change.' Chapter 21N½ would require the adoption of interim 2030 and 2040 emissions limits, and establish that for 2030 these limits be between 35% and 45% below the 1990 level, and for 2040 55% and 65%. The Commonwealth is to employ a 'back-casting methodology,' comparable to that conducted by the European Union in support of its Roadmap 2050 effort. Chapter 21P would require the Commonwealth to develop a Comprehensive Adaptation Management Action Plan, to be revised annually. The plan is to provide a process for local and regional climate vulnerability assessment and adaptation strategy development and implementation, among other things. The Commonwealth is also to create a Comprehensive Adaptation Management Action Plan Advisory Commission. Other provisions in this act include a 'systems benefit assessment' or tax of \$.025 per gallon on each gallon of oil heat fuel sold for residential or commercial use to establish oil heat energy efficiency programs; an 'Alternative Compliance Payment' to tax retail electricity suppliers in order to discharge their Renewable Portfolio Standard obligation; and a requirement that every distribution company must jointly and

Status: competitively solicit proposals for offshore wind energy generation, among many other provisions.  
Joint Committee on Telecommunications, Utilities and Energy (JTU)

**SB1935 - An Act to study the feasibility of high-speed rail access between Springfield and Boston**

Sponsor: Sen. Lesser, Eric (D)

Summary: Directs MassDOT to conduct a feasibility study relative to high-speed rail access between the city of Springfield and the city of Boston; articulates several areas of investigation for the study; requires the Department to file its report with the legislature not later than August 1, 2016.

Status: Joint Committee on Transportation (JTR)

**SB1940 - An Act to explore alternative funding sources to ensure safe and reliable transportation**

Sponsor: Sen. Lewis, Jason (D)

Summary: Establishes a pilot program to assess owners of motor vehicles a user fee that is based on the number of miles traveled on roads in this state by those motor vehicles (as an alternative to the 'diminishing' fuel tax revenues). The pilot program is to include at least 1,000 volunteers across the Commonwealth who are representative of drivers of trucks, passenger and commercial vehicles, who will have on-board vehicle-mileage-counting equipment added to their vehicles; the program is to test the reliability, ease of use, cost, and public acceptance of a user fee program; MassDOT 'may' refund motor vehicle fuel taxes paid by participants in the pilot program or may 'otherwise' compensate participants.

Status: Joint Committee on Transportation (JTR)

**SB1944 - An Act to establish a Massachusetts Transportation Endowment Fund (MTEF)**

Sponsor: Sen. Lewis, Jason (D)

Summary: Adds a new chapter to the General Laws establishing a trust fund for capital construction on mass transit assets. Further specifies a yearly contribution by the legislature and the amount that may be expended each year; establishes a 5-member board to approve projects and specifies the qualifications for membership.

Status: Joint Committee on Transportation (JTR)

**SB1952 - An Act directing the Massachusetts Department of Transportation to assess the current status of the Commonwealth's transportation system**

Sponsor: Sen. McGee, Thomas (D)

Summary: Requires the Board of Directors of the Massachusetts Department of Transportation to develop and publish a comprehensive assessment of the current capacity, safety conditions and the state of good repair of the Commonwealth's transportation system, including all modes of surface transportation. The assessment is to analyze the current planned operating and capital expenditures of the Department, including the MBTA and the regional transit authorities, and is to determine the 'baseline' of the surface transportation revenues currently available and projected to be available from all sources in all modes of surface transportation, regardless of the fund in which they are kept, from fiscal year 2016 through fiscal year 2026. The Board is to recommend both operational and governance reforms, cost savings and potential new revenue sources pertaining to both operating and capital funds in fiscal year 2016 through fiscal year 2026 to fully address any deficiencies in capacity, safety or state of good repair identified in its assessment.

Status: Joint Committee on Transportation (JTR)

**SB1958 - An Act establishing a Massachusetts Infrastructure Bank**

Sponsor: Sen. McGee, Thomas (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

**SB1959 - An Act establishing the Metropolitan Transportation Network**

Sponsor: Sen. McGee, Thomas (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

#### **SB1977 - An Act enhancing local road construction**

Sponsor: Sen. Ross, Richard (R)

Summary: Amends GL 6C:3, the statute governing powers of the Department of Transportation, to prohibit MassDOT from requiring any city or town to construct or reconstruct any public way with a design speed that exceeds the posted speed that will be assigned upon completion.

Status: Joint Committee on Transportation (JTR)

#### **SB1981 - An Act relative to the composition of the MassDOT board of directors**

Sponsor: Sen. Rush, Michael (D)

Summary: Amends GL 6C:2 (MBTA Board of Directors) to reduce the number of Board members from 11 to 8; gives the Mayor of Boston the authority to appoint one member; caps annual travel reimbursements to members at \$3,000; requires that not more than five directors be members of the same political party.

Status: Joint Committee on Transportation (JTR)

#### **SB1987 - An Act relative to tolls on the roadways of the Commonwealth**

Sponsor: Sen. Spilka, Karen (D)

Summary: No Summary

Status: Joint Committee on Transportation (JTR)

#### **SB1994 - An Act relative to a fix it first plan**

Sponsor: Sen. Tarr, Bruce (R)

Summary: Directs the Secretary of Transportation to, within 180 days of the passage of this Act, issue a 5 year plan prioritizing projects to: (1) reduce the number of structurally deficient bridges; (2) reduce congestion attributable to disrepair; (3) improve urban and rural pavement conditions; (4) improve interstate pavement conditions; increase maintenance disbursements; (5) return bus and transit assets to a state of good repair; (6) improve track and signalization conditions; and (7) otherwise eliminate the backlog on transit, road and bridge projects; prohibits the inclusion of any capital expansion projects in said plan.

Status: Joint Committee on Transportation (JTR)

#### **SB2046 - Financing improvements to municipal roads and bridges**

Sponsor: Senate Committee on Bonding Capital Expenditure and State Assets

Summary: Appropriates sums in a capital program for improvements to municipal roads and bridges, and does so in addition to any existing appropriations. Specifically, the bill appropriates \$400 million for grants to municipalities for the construction and reconstruction of municipal ways (6122-1720); \$30 million for implementing and supporting the mobility assistance program (6622-1787); and \$60 million for projects necessary for replacing the core operational system at the Registry of Motor Vehicles (1790-3005). The bill also provides bonding in an amount necessary to fund these capital projects.

Finally, the bill establishes that Bridge No. H-21-001 (the county bridge spanning the Connecticut river and connecting the town of South Hadley and the city of Holyoke) is to be designated as the Vietnam Veterans Memorial Bridge.

(New draft of HB2783. The new draft increases the core appropriation for road and bridge repair from \$200 million to \$400 million; it adds the \$30 million appropriation for the Mobility Assistance Program; and it decreases the IT appropriation from \$70 million to \$60 million and makes it specific to the RMV instead of MassDOT as a whole. It also adds the bridge renaming to the bill. Please note that within minutes of its being reported, this bill was replaced by SB2047, the draft out of Senate Ways & Means. That new draft made technical and grammatical changes to this bill.)

Status: Filed in the Senate (FILE/S)

#### **SB2047 - An Act financing improvements to municipal roads and bridges**

**Sponsor:** Senate Ways and Means

**Summary:** Appropriates sums in a capital program for improvements to municipal roads and bridges, and does so in addition to any existing appropriations. Specifically, the bill appropriates \$400 million for grants to municipalities for the construction and reconstruction of municipal ways (6122-1720); \$30 million for implementing and supporting the mobility assistance program (6622-1787); and \$60 million for projects necessary for replacing the core operational system at the Registry of Motor Vehicles (1790-3005). The bill also provides bonding in an amount necessary to fund these capital projects.

Finally, the bill establishes that Bridge No. H-21-001 (the county bridge spanning the Connecticut river and connecting the town of South Hadley and the city of Holyoke) is to be designated as the Vietnam Veterans Memorial Bridge.

(New draft of HB2783 and SB2046. In relation to HB2783, the new draft increases the core appropriation for road and bridge repair from \$200 million to \$400 million; it adds the \$30 million appropriation for the Mobility Assistance Program; and it decreases the IT appropriation from \$70 million to \$60 million and makes it specific to the RMV instead of MassDOT as a whole. It also adds the bridge renaming to the bill. Please note this is technically a new draft of SB2046, reported from the Senate Committee on Bonding Capital Expenditure and State Assets, but that this draft was replaced by the current draft literally within minutes of its release. This new draft makes only technical and grammatical changes to SB2046.)

**Status:** Filed in the Senate (FILE/S)