

Legislative Affairs Committee (LAC) 11 November 2008

Date: 12 November 2008

In attendance were: Michael Davis (Co-Chair), Ernest O. Edwards, Russel Feldman, Diane T. Georgopoulos, Michael Hicks, David Johnson, John Nunnari (Co-Chair), J. Christopher Walsh, Margaret Minor Wood.

1. **End of Formal Session – Legislative Update – Mr. John Nunnari presenting.**

a. **HB 4803 – Architect Emeritus Bill:**

This bill passed both houses, in the closing days prior to the general elections. Bill still requires enactment votes in both chambers. The Representative from Canton, is holding this and other bills from receiving enactment votes because he has not been able to influence favorable action on home rule petition he has sponsored. Speaker DiMasi is trying to resolve so enactment votes can occur on a variety of bills. If Speaker is not successful, the bill will die and must be re-filed next session.

b. **HB 4707 – Construction Reform Technical Corrections Package:**

The BSA, along with all other members of the 2004 Construction Reform Commission, will reissue the letters of support with the hope that it may have action in the current, relatively uncluttered informal session, this year.

c. **The State Budget:**

In anticipation in a significant shortfall in state income tax revenue, due to rising unemployment and capital gains revenue, our Governor has made \$1.4 billion dollars cuts in the current FY 09 Budget. More cuts will probably be required for the FY '10 budget. Health and Human Services received the most cutting in FY '09 budget.

Casino gambling may come back as a source of additional revenue.

d. **State House Leadership**

The Speaker of the House is in question due to ethics allegations. Rogers and DeLeo are in contention. DiMasi does not intend to step down, and intends to run again. Rogers faces his own set of ethics allegations. DeLeo appears to be leading in the vote count.

2. **Amendment to M.G.L.c. 254 – Mechanic's Lien Law**

Mr. Russel Feldman presenting.

a. Mr. Feldman submitted draft copy of text intended for response by interested parties, with the intent that the final text will be incorporated in a bill filed by 15 January 2009. The draft is made part of these minutes by reference.

b. Mr. Feldman's sub-committee is in communication with Ms. Monica Lawton of the Associated Subcontractors of Massachusetts, ASM, as reported in the LAC minutes of 16 October 2008. The intent is by amendment to include design professions with Contractors and Subcontractors, in their ability to file liens against private owners and developers for unpaid design fees.

- c. The intent is to work with Mr. Callahan of the Labor Union to obtain Union support.
- d. Sen. Timilty and Sen. Brewer discussed as potential Senate sponsors. No names forwarded for House sponsor. John Nunnari and Paul Pezzella will work together to determine potential candidates for sponsorship.

3. **Low-Income Housing – Energy Star Requirements**

Ms. Diane Georgopoulos presenting.

- a. Ms. Georgopoulos, FAIA, President of BSA submitted a letter dated 4 November 2008, addressed to Undersecretary Tina Brooks, Department of Housing and Community Development. This letter is made part of these meeting minutes by reference.
- b. Ms. Georgopoulos proposes that the Energy Star Program be the standard for compliance as a requirement in the Qualified Allocation Plan for awards under the Low-Income Housing Tax Credit Program, in lieu of competitive scoring of energy conservation measures as is currently proposed.
- c. The carefully prepared text provides funding by privately owned utility companies, periodic updating in conformance to IBC code revisions and goals, and site inspection for conformance with approved Energy Star Program requirements.
- d. Ms. Georgopoulos proposes that this text, or a modified text, be presented to the next AIA Grass Roots Session.

4. **Central Massachusetts AIA Chapter Issues:**

Mr. Ernest Edwards presenting.

- a. The Massachusetts AIA Chapter is intended as the umbrella for the 3 chapter organizations within Massachusetts – The BSA, The Central Chapter and the Western Chapter, to which Margaret Wood and Russel Feldman represent the BSA.
- b. This discussion is intended to explore ways by which the three members can be jointly more effective in legislative action, via communication.

5. **Freshman Legislators Breakfast**

13 January 2009 – Omni Parker House.

The intent is to reach out to the newly elected Legislators and make a convincing statement on why they should attend.

6. **Massachusetts Construction Industry Council**

No report was made.

7. **Next Meeting**

Tuesday, 9 December 2008, beginning at 8:30 a.m. in the BSA Fifty Floor Conference Room, 52 Broad Street – Boston, MA.

8. **End of Meeting Minutes**