

Legislative update

On July 31, the 2007–2008 formal sessions of the Massachusetts State Legislature came to a close. More than 14,000 bills were filed this session, with only 559 being signed into law. With 40-plus bills being tracked by the BSA this legislative session, it was an especially busy session for the Legislative Affairs Committee (LAC). Here is a brief summary of some bills that were either signed into law or held in committee, thanks to successful BSA lobbying efforts.

SB 2768

Relative to green communities Signed into law

This comprehensive energy-reform bill seeks to help reduce electric bills, promote the development of renewable energy and stimulate the clean-energy industry taking root in the Commonwealth. The BSA was successful in lobbying for the following changes to the bill:

- We were included on a commission charged to “examine the environmental and economic impact of establishing a green building plan for the Commonwealth.”
- We amended a requirement that would allow a “green community to create and enforce building codes on both new and existing facilities within its jurisdiction.”
- We successfully argued that the creation of building-code language is the sole responsibility of the State Building Board of Regulations and Standards (BBRS) and that the Commonwealth should adopt the International Energy Conservation Code (IECC) together with “any more stringent energy-efficiency provisions that the board (BBRS), in consultation with the Department of Energy Resources, concludes are warranted,” within one year of any revision to the base IECC.

SB 2540

Relative to establishing the Global-Warming Solutions Act Signed into law

This bill requires the Department of Environmental Protection to regulate and inventory greenhouse gas emissions and develop plans for the reduction of the statewide greenhouse gas emissions limit. It authorizes the Commonwealth to promulgate regulations for reduced energy use and increased energy efficiency and establishes economic and climate-change committees for the purpose of advising the Secretary of Energy

and Environmental Affairs. Lastly, it requires that climate-change impacts be considered in the issuance of permits to potential business entities.

HB 5013

Relative to authorizing the Rose Fitzgerald Greenway Conservancy to operate, manage and maintain the Rose Kennedy Greenway Signed into law

This bill regulates the operation of the Rose Fitzgerald Kennedy Greenway Conservancy to operate, manage and maintain the Greenway. It articulates the rights, powers, responsibilities and duties of the Conservancy. It establishes a board of directors and dictates how the state will pay for the Greenway's ongoing operations and maintenance.

SB 2749

An act providing for the public higher-education capital improve- ment needs of the Commonwealth Signed into law

The “Higher Education Bond Bill” seeks to provide for a program of capital improvements of public higher-education institutions and to provide support for these institutions in carrying out their educational missions while enhancing regional economic development through their educational initiatives. The BSA successfully lobbied for the removal of an amendment that would have removed the ability of the Massachusetts State College Building Authority (MSCBA) to use alternative procurement methods when designing and constructing buildings—and would have increased the cost of MSCBA projects, raised student expenses, extended the time required to deliver projects, diminished the range of project types and thus the quality of the student life environment and reduced the predictability of quality, budget and schedule.

SB 178

An act relative to interior designers Died in committee

This bill, filed by the Massachusetts Interior Design Coalition, would allow interior designers to become registered in the state of Massachusetts as licensed professionals, and as such, would allow them to stamp architectural plans for the purpose of obtaining a building permit. This bill has been opposed by the BSA for more than 10 years. In addition to the BSA, the bill is also opposed by the Federation of Massachusetts Building Commissioners and Inspectors, the Massachusetts Fire Chiefs Association and also by some members of the interior design community.

SB 395

To promote fire-safe multiple-dwell- ing residences for elders, the infirm and ailing Died in committee

This bill would require new construction of day or residential assisted-living facilities and respite-care facilities in excess of 7,500 square feet to be classified as Type 1-B fireproof construction. The BSA opposed this bill because the legislation would override the code-development process, which is a consensual method informed by experts in the field meeting regularly to evaluate current and proposed requirements for building construction.

SB 1360

An act relative to the availability and condition of community disas- ter facilities Died in committee

This bill would create a commission charged with investigating whether the state should mandate through law, not regulation, the use of Type 1-B construction for schools or public buildings designated as temporary evacuation shelters. The BSA op-

posed this bill because the legislation would override the code-development process.

SB 1412

Mandating fire life safety Died in committee

This bill would require all student housing, nursing homes, assisted-living facilities and shelters to be equipped with a Massachusetts-manufactured, fire-resistant, intumescent, refractory paint to be applied to all surfaces. In addition to circumventing the code-adoption process, the BSA successfully argued that the vast majority of affected building types (student housing, nursing homes, assisted-living facilities and shelters) already have sprinklers and are built largely of noncombustible materials.

HB 87

An act establishing medical daycare providers Died in committee

This bill would establish and regulate the operation of medical daycare centers that provide medical, nursing, psychosocial and developmental therapies required by medically dependent or technologically dependent children. The BSA opposed this bill because section 12 (1) (b) of the bill would regulate the life-safety requirements of the building in accord with NFPA-101 instead of the State Building Code. The BSA successfully argued that the requirements of the State Building Code have been crafted to coincide with other state regulations regarding daycare establishments. These requirements, found in 780 CMR 424, have been regulating the safe occupancy of daycare centers in the Commonwealth for more than a decade and have demonstrated their effectiveness in ensuring the life-safety and comfort of building users.