



## 2018 Government Affairs Accomplishments

NAIOP skillfully plays offense and defense on a wide range of policy issues - with a number of significant victories claimed to-date in 2018. While the legislature concluded formal session this summer, NAIOP continues to shape regulations and policies affecting the industry and actively solicits input from members.

### Legislative: Defeated Costly and Cumbersome Proposals + Supported Pro-Growth Initiatives

- Passed **Railroad Right of Way Reform** (MGL 40/54a) to correct the uncertainty and delays developers experience when designing projects on former railroad rights of way.
- Passed a **five-year extension of the Brownfields Tax Credit**, which was set to expire this year.
- **Defeated far-reaching zoning legislation** that would have added expense and delay to the land development process in Massachusetts - eliminating the Approval Not Required (ANR) process, reducing the scope of zoning "freeze" protection under current law, authorizing impact fees without limitation, and mandating inclusionary zoning without incentives.
- Championed a coalition of business, real estate groups and the Mass. Municipal Association to support the **Housing Choices legislation** which would have allowed cities and towns to adopt zoning best practices by a simple majority vote, rather than the current two-thirds supermajority.
- **Defeated water banking legislation**, an impact fee targeting new development.
- Defeated **vicarious liability wage theft legislation**, a radical proposal that went far beyond what other states have done and would have affected all businesses, including anyone involved in construction and development.
- **Supported** a balanced environmental bond and **climate change bill** that has been signed by Governor Baker.
- Defeated separate **climate change legislation** that went well beyond planning and contained subjective and far reaching language that could have resulted in **needless delays and legal challenges** for development.
- **Blocked community benefit district legislation** which would have imposed additional fees on property owners who may not have supported the creation of the district in the first place.
- **Blocked restrictions on landlords** that would have prevented them from taking action against tenants in default of payment.
- Blocked restrictions on landlords that would have **required tenant right of first refusal**.
- Defeated **job site roster bill** which would have required many projects to maintain and post on-site a roster of employees and independent contractors. The legislation required a certificate of compliance with no mechanism for applications and issuance, and no timeframe - compliance with such a requirement would have been nearly impossible.

### Regulatory: Shaping State and Local Regulatory Landscape for the Commercial Real Estate Industry

- Served on the **Construction Fire Safety Partnership**, a study group convened to examine safety practices at woodframe construction projects with a specific focus on the implementation of National Fire Protection Association (NFPA) 241.
- Influenced the **Boston Planning & Development Agency (BPDA)** decision on a **Smart Utilities policy** change to Article 80 Development review, including a key provision for stormwater requirements.
- Submitted extensive comments to the **Massachusetts Architectural Access Board** on the first full rewrite of 521 CMR regulations since 1996.
- Lobbied the Board of Building Regulations and Standards against adopting stringent **solar standards, stretch energy code standards, and EV readiness mandates**.
- Blocked an amendment to the building code that would have prevented owners, tenants or developers from obtaining an inspection or completing a project if one party had a **code violation unrelated to others with rights to the property**.
- Participated on **MassDEP Title 5 regulatory reform working group** and submitted stakeholder comments on strategy to reform Title 5 standards, which could result in lower costs for new or existing buildings regarding wastewater treatment flow.
- Monitored **Department of Public Utilities Interconnection Task Force**, which was created to reduce delays and improve service and transparency for commercial customers.