

# Public Policy Update

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## *State Public Policy*

### **Leadership**

#### *House*

Speaker of the House: Representative Robert DeLeo

Minority Leader: Representative Bradley Jones

<https://malegislature.gov/Legislators/Leadership/House>

[Senate](https://malegislature.gov/Legislators/Leadership/Senate)

#### *Senate*

President of the Senate: Senator Karen Spilka

Minority Leader: Senator Bruce Tarr

### **Committee Assignments**

#### *House Committee on Ways and Means*

Chair: Representative Aaron Michlewitz

Vice Chair: Representative Denise Garlick

Ranking Minority: Representative Todd Smola

<https://malegislature.gov/Committees/Detail/H34>

<https://malegislature.gov/Committees/Detail/S30>

#### *Senate Committee on Ways and Means*

Chair: Senator Michael Rodrigues

Vice Chair: Senator Cindy Friedman

Ranking Minority: Senator Viriato deMacedo

#### *Joint Committee on Environment, Natural Resources and Agriculture*

Chairs: Senator Anne Gobi and Representative Smitty Pignatelli

Vice Chairs: Senator Walter Timilty and Representative Daniel Cahill

<https://malegislature.gov/Committees/Detail/J21>

NOTE: There are 30 new lawmakers this year (three Republicans and 27 Democrats) – now is the time to reach out, introduce yourself, and set up a meeting to discuss priorities and opportunities to collaborate.

### **Operating Budget**

This year, the Green Budget Coalition (led by ELM, MassRivers, AMC, and TNC) are advocating for increased funding on four line items: Department of Conservation and Recreation (DCR) state parks and recreation, DCR's Office of Watershed Management, Department of Environmental Protection (DEP) administration and the Division of Ecological Restoration. If you would like to join the Coalition, please contact Casey Bowers at [cbowers@environmentalleague.org](mailto:cbowers@environmentalleague.org) or sign up at <https://goo.gl/forms/ph9wyhUwNTyOnri82>.

We saw increases in each of the four Green Budget priority line-items in the Governor's proposed budget. Overall, the environmental budget increased by 6% from last year and our share of the overall state budget increased from 0.56% last year to 0.58% this year.

Green Budget Priorities:

Line item	Agency/Office	Gov FY20	Green Budget	FY19
2200-0100	DEP	31,500,033	31,000,000	29,130,000
2300-0101	DER	1,342,963	1,750,000	1,255,000
2810-0100	DCR Parks and Rec	42,236,288	47,000,000	41,262,512 (with earmarks)
2800-0101	DCR Watershed	1,123,447	1,500,000	1,110,915

The Green Budget Coalition is in the process of meeting with Ways and Means leadership and members on these priorities. The House Ways and Means proposed budget is expected to be released in April of this year.

**Capital Budget**

Through the Environmental Bond (H.4318 - *An Act Promoting Climate Change Adaptation, Environmental and Natural Resource Protection, and Investment in Recreational Assets and Opportunity*), the legislature authorized \$2.4 billion in bond spending for a range of conservation, restoration, tree planting, and climate change resiliency programs.

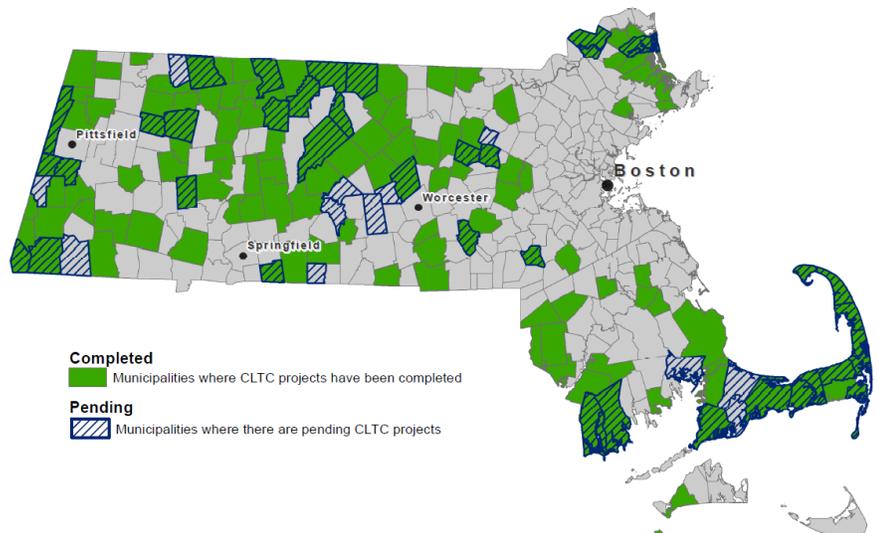
The Commonwealth Conservation Council (CCC; the coalition that advocates for the bond, of which MLTC is a member) continues to advocate for bond funds to be allocated in the state Capital Plan. The CCC met with Secretary Beaton in January to discuss priorities for funding. The Capital Plan is expected to be released in May of this year. of setting up a meeting with the administration to discuss priorities for next year’s Capital Plan, which will outline bond spending for the year.

**Legislation**

***Refiles:***

**SD.99/H.2522, An Act relative to the conservation land tax credit** (*Sen. Bruce Tarr; Gloucester; and Sen. Adam Hinds, Pittsfield; Rep. Brad Jones, North Reading, and Rep. Smitty Pignatelli, Lee*)

- Bill would raise the annual cap from \$2M to \$5M over three years, amend the definition of a "public or private conservation agency" that may receive donations of land subject to a conservation tax credit to include realty trusts organized for conservation purposes pursuant to Chapter 203, and provide a ten-year sunset.
- Referred to the Joint Committee on Revenue



**SD. 746/H.2463, An Act to sustain Community Preservation Revenue** (*Senator Cynthia Stone Creem; Representative Ann-Margaret Ferrante*)

- Bill would increase the fees collected at the Registries of Deeds across the state for the first time since 2000. The increased fees would raise the base match for CPA communities to over 40%.
- CPA is a hugely successful state/local partnership that supports parks and open space, affordable housing, and historic preservation. CPA has raised over \$2.1 billion in public funds since it began in 2000, of which over a third has done to open space and parks, resulting in 29,000 acres of open space preservation and 2,200 outdoor recreation projects. Today, 175 communities and 60% of Massachusetts residents have CPA.
- There will be a bigger campaign this session and that the CPA Coalition be talking with MLTC on coordination and support.
- Referred to the Joint Committee on Revenue

**SD.862/H.732 An Act protecting the natural resources of the Commonwealth** (*Sen. Jamie Eldridge, Acton, Rep. Ruth Balsler, Newton*)

- “No net loss” or “Public Lands Protection Act (PLPA)” bill would prevent loss of constitutionally protected open space (Article 97 lands) by requiring replacement land, as well as notification to EEA prior to filing legislation to dispose of land. Codifies state’s “no net loss” policy.
- Referred to Joint Committee on Environment, Natural Resources and Agriculture

**SD.61/HD 1857, An Act to protect pollinator habitat** (*Sen. Jason Lewis and Rep. Mary Keefe, Worcester*)

- Bill would establish a commission to study statewide opportunities for improving pollinator health by increasing and enhancing native habitat. Both developed and natural areas will be considered, including farm field borders, urban areas, and transportation corridors. The commission shall examine many issues relevant to pollinator health, including current laws and regulations, public awareness, funding, best management, practices, and the use of agricultural and non-agricultural lands. The Commission will then report its findings and propose solutions to the legislature.
- Referred to Joint Committee on Environment, Natural Resources and Agriculture

**H.763, An Act to protect Massachusetts pollinators** (*Rep. Carolyn Dykema, Holliston*)

- This bill would prohibit the use of neonicotinoid pesticides to any person other than an a certified applicator. It also requires certain notifications regarding the danger of neonicotinoids.
- Referred to Joint Committee on Environment, Natural Resources and Agriculture
- Jen Ryan will share with MLTC information on PILOT-related refiles.

***New Bills:***

**SD.1409/H.842, An Act to Sustain Natural and Working Lands Carbon in Communities** (*Sen. Bruce Tarr and Sen. Marc Pacheco; Rep. Sarah Peake, Provincetown, and Rep. Bradley Jones, North Reading*)

- Bill would:
  - Enable the Executive Office of Energy and Environmental Affairs to accurately measure carbon stored by, and released from, natural and working lands

- Set a goal for increasing the size of our natural carbon sink, and develop a plan to reach it with public and private lands
- Establish the Communities for a Sustainable Climate Program for municipalities (like the Green Communities Program), which provides technical assistance and funding to communities that opt in and adopt carbon-friendly local policies and practices
- Referred to Joint Committee on Environment, Natural Resources and Agriculture

**SD.1632, Resolve establishing a PILOT reimbursement commission** (*Sen. Adam Hinds*)

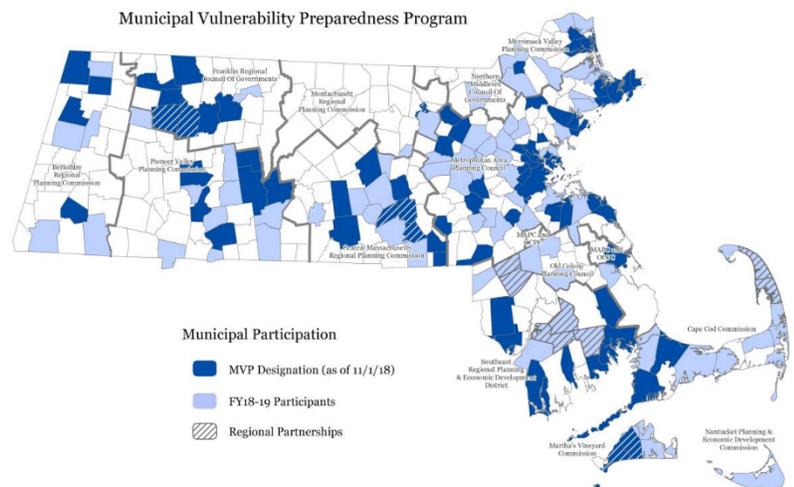
- Bill would set up a commission to study the valuation and distribution of payments in lieu of taxes to cities and towns for commonwealth-owned land. The commission shall: (i) examine the current methods used to determine valuations for parcels of land owned by the commonwealth to be reimbursed; (ii) examine the formula used to distribute those reimbursements to municipalities; (iii) evaluate the effectiveness and equity of the formula; and (iv) make recommendations to establish a formula that considers the current needs of municipalities.

**Climate Change Adaptation**

The Executive Office of Energy and Environmental Affairs’ (EEA) **Municipal Vulnerability Preparedness (MVP) Program** was codified through the Environmental Bond.

In summer 2018, EEA awarded \$2 million in MVP planning grants to 82 municipalities to complete their vulnerability assessments and over \$5 million in action grants to 34 certified MVP communities to implement the priorities identified in the planning process.

**A new round of MVP planning grants is NOW OPEN until May 3** (see: <https://www.mass.gov/municipal-vulnerability-preparedness-mvp-program>). As new communities come on board and action grants are being proposed, it is important to have land trust voices at the table!



Nature-based solutions are preferred in both action grants of MVP and the ME Emergency management Agency’s Hazard Mitigation Program.

In September, the state released the nation’s first **Integrated Hazard Mitigation and Comprehensive Climate Change Adaptation Plan** (it can be accessed through this website: <https://resilientma.com/>). Actions outlined in the plan have been prioritized by state agencies and will be carried out in the next 3-5 years. We suggest that you take a look at the plan and explore opportunities for partnership.

**Adaptation Funding**

Adaptation and resiliency funding is a hot topic right now, and there are several proposals in play:

- Governor Baker filed S.10 (An Act Providing for Climate Change Adaptation Infrastructure Investments in the Commonwealth) to raise the deeds excise rate, which is paid when a property is sold, from \$2 per \$500 of value to \$3. This is expected to raise an additional \$137 million a year (\$1 billion over the next 10 years) to help communities prepare for climate change. This has been referred to the Joint Committee on Revenue.
- Speaker De Leo is proposing a new allocation of \$1 billion over 10 years (funded through a bond) to build renewable-energy infrastructure and invest in climate resiliency programs for adaptation/resiliency for municipalities. This proposal has not been officially filed.
- Governor Baker's budget included an outside section that would allow funds raised from the Regional Greenhouse Gas Initiative (RGGI) to be used for climate adaptation and GHG mitigation. RGGI funds are currently only used to promote energy efficiency, energy conservation and demand response. The proposal would redirect RGGI money to the Global Warming Solutions Trust Fund (created in the environmental bond) to provide the administration with flexibility on how to spend the funds.

## ***Federal Public Policy***

### **Election Outcomes**

In January, Massachusetts sent two new Congresswomen to Washington, D.C. – Representative Ayanna Pressley and Lori Trahan. In addition, due to the change in control of the House, there is new committee leadership that is good news for Massachusetts:

- Representative Neal is chair of the Committee on Ways and Means, the chief tax-writing committee of the House.
- Representative McGovern chair of the Committee on Rules, which is in charge of determining under what rule other bills will come to the floor.
- Representative Clark is Vice Chair of the Democratic Caucus, which works to build consensus in priorities across the party.

Now is the time to reach out to new Congresspeople and their staff to discuss priorities for the session.

### **LWCF**

Both the Senate and House have now passed (by a large margin) a sweeping package of public lands bills that includes a measure to permanently reauthorize the Land and Water Conservation Fund (LWCF) program for the first time in its 54-year-history, as well as designates the Nashua, Squannacook and Nissitissit Rivers a Wild and Scenic River. This is a tremendous victory, as the program has been expired since September 2018 and groups have been working for years toward permanent reauthorization. The package is now headed to the President's desk.

### **Federal Budget**

Congress has officially passed spending bills for all agencies for FY19; however, the President has not yet released his FY20 proposed budget.

## **Farm Bill**

A new Farm Bill was passed during the lame duck, and now Congress is moving into implementation.

## ***New Faces***



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Mike comes to Mass Audubon after several years as a senior legislative assistant in Congressman Jim McGovern's Washington, DC office, where he advised the Congressman on a wide portfolio of issues, including energy, environment, and agriculture. During this time, Mike served as the Congressman's primary adviser on protecting the Land and Water Conservation Fund, increasing funding for the Clean and Drinking Water State Revolving Funds, protecting conservation land from fossil fuel infrastructure, and the 2018 Farm Bill, among other crucial environmental issues.

Mike earned a B.S. in Environmental Economics from UMass Amherst and a Masters in Environmental Resource Policy from The George Washington University. He grew up in Westborough and currently lives in Somerville with his wife Taylor and their cat Autumn.

See a summary of priority land-related bills from the session: