

URBAN RESOURCES AND ASSOCIATES, INC.

Consultants, REAL ESTATE GOVERNMENT RELATIONS

MEMORANDUM

March 20, 1991

TO: James Golden, Director
National Energy Management Institute (NEMI)

FROM: James Tiernan, President
Urban Resources, Inc.

SUBJECT: 1990 Activity Report

During the 1990 legislative session in the Commonwealth of Massachusetts, Urban Resources, Inc. represented the interests of the National Energy Management Institute (NEMI) on the subject of Indoor Air Quality. This was the second year of our relationship with NEMI. The primary goal of the NEMI in Massachusetts was the enactment of comprehensive, state-wide legislation mandating indoor air quality standards for public and private buildings in the state. During both 1989 and 1990 Urban Resources was successful in its efforts to work with other NEMI consultants to develop an acceptable draft bill to implement the accepted goal. While we have not yet been able to enact the legislation, significant progress has been made toward the end of accomplishing that goal. This memorandum will provide you with the details of our activities on behalf of NEMI's goals during 1990. A companion document outlining our recommended course of action for the 1991 session will follow.

1991 Legislative Goal

During the 1991 legislative session, Urban Resources had the following goals for NEMI:

1. Determine if modifications were necessary to enhance the potential to enact the NEMI sponsored IAQ legislation;

2. Identify sponsor(s) for the legislation;
3. Pre-file the legislation;
4. Educate members of the legislature regarding the IAQ issue;
5. Participate in public hearings on the legislation;
6. Enact the legislation.

In addition to these stated goals, during the course of the year NEMI requested that Urban Resources become involved in local legislative action in the City of Boston. This additional action was prompted by a Boston City Council attempt to severely restrict the rights of employees who smoked under the guise of protecting indoor air quality.

1990 Political Climate

The political and legislative climate in Massachusetts was very difficult one during 1990. The vacuum left by the departure of the discredited governor, Michael Dukakis, and the fiscal disaster left behind made the enactment of any legislation difficult. It made the enactment of legislation with a potential cost to the Commonwealth or its business community almost impossible.

The election cycle further complicated the legislative process. The legislators refused to address either complicated or potentially expensive issues. The legislature, for all intents and purposes, did not meet from July until after the election. When they did return they met only sporadically and on very selective issues.

In this context, the chairman of the Joint Committee on Commerce and Labor decided not to seek reelection. As a result, almost all of the bills held in Commerce and Labor were ignored during the final half of the year.

1990 Accomplishments

During 1990 Urban Resources was able to accomplish a number of the goals identified by NEMI, and has postured the indoor air quality issue as one needing legislative gridlock and the lack of resolve in the "lame-duck" chairman of the Commerce and Labor Committee, Urban Resources was successful in getting the legislation APPROVED by the Committee and sent to the House floor for action. The House was prepared to approve the legislation when time expired for the session. This is a very good position from which to launch our 1991 effort.

To implement the above successful program the following plan was implemented:

1. Conducted quarterly meetings with Massachusetts AFL-CIO legislative director, representatives of the Sheetmetal Workers, and the Boston Central Labor Council to develop on-going legislative strategies;
2. Conducted monthly meetings with lobbyists representing clients with direct or indirect interests in the legislation;
3. Conducted meetings with Commerce and Labor Committee chairman to accomplish the following:
 - A. Secure introduction and support for the legislation;
 - B. Secure a commitment that the bill would receive a full public hearing;
 - C. Extend deadline for committee action;
 - D. Keep legislation out of Committee "study" bill (a legislative graveyard);
 - E. Secure unanimous APPROVAL of the legislation by the Joint Commerce and Labor Committee;
 - F. Secure a placement on the House calendar during the closing days of the 1990 legislative session.
4. Arranged and conducted meetings with the Massachusetts Real Estate Board, the Greater Boston Real Estate Board, and the Building Owners and Managers Association to secure support for the legislation;
5. Negotiated changes in the legislation that would accommodate the needs of the business community without ruining the legislation as proposed;

The legislation was modified slightly from the 1989 version. This was a result of meeting between the Massachusetts AFL-CIO, the Sheetmetal Workers Union, Boston Central Labor Council, NEMI, the Labor Management Committee and representatives of the real estate and building owners in the state. The legislation was sponsored by the chairman of the Joint Committee on Commerce and Labor, and unlike most refiled bills actually received a public hearing. Similarly, in a year when almost all bills with a cost were being defeated or relegated to "studies", this legislation was given a favorable report by the Committee and approved for House floor action.

Conclusion

While the final outcome of the legislative effort was not to our liking, the effort has left us in a perfect position to move the legislation to enactment in 1991. In preparation for this activity, I have had the legislation refiled for the 1991 session. It has been referred to the Joint

Committee on Commerce and Labor. I have received several assurances that the bill will be one of the first pieces acted upon this year. While this does not guarantee passage, it certainly gets us much closer. I apologize for the delay in providing you with this report. As you can imagine, the end of the year and the beginning of the next legislative session is one of the busiest times at the state house.