

MASSPIRG

Standing Up
To Powerful Interests

2015-2016 Legislative Agenda

Massachusetts Public Interest Research Group
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OUR MISSION

The Massachusetts Public Interest Research Group (MASSPIRG) is an advocate for the public interest. When consumers are cheated or the voices of ordinary citizens are drowned out by special interest lobbyists, MASSPIRG speaks up and takes action. We uncover threats to public health and well-being and fight to end them, using the time-tested tools of investigative research, media exposés, grassroots organizing, advocacy and litigation. MASSPIRG's mission is to deliver persistent, result-oriented public interest activism that protects consumers, encourages a fair, sustainable economy, and fosters responsive, democratic government.

Each legislative session, we choose several bills that represent public interest reforms and we work with the chief sponsors and cosponsors to promote them. Below please find selected state and federal priorities from our legislative agenda for the 2015-16 session.

Government Spending Transparency and Accountability

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

Many of the largest corporations use accounting tricks to shift profits made in Massachusetts to their subsidiaries in offshore tax havens, where they pay little to no taxes. Government studies show that at least 82 of the largest 100 publicly traded U.S. companies maintain subsidiaries in known tax havens.

Bill Title: An Act Closing A Certain Corporate Tax Haven Loophole, HB 2477 and SB 1524

Lead Bill Sponsors: Representative Josh Cutler and Senator Mark Montigny

The bill closes the offshore tax loophole by modifying the "water's edge" tax provision which allows companies to avoid reporting income booked to a subsidiary in known tax havens. Massachusetts would recoup an estimated \$79 million a year in taxes now lost from offshore tax dodging. Montana and Oregon have already adopted this measure.

Bill Title in Congress: Stop Tax Haven Abuse Act, S.174 and H.R.297

MA cosponsors include: Congressmen Capuano, Lynch, McGovern and Tsongas

This bill closes some of the most egregious offshore tax loopholes that let large companies use accounting gimmicks to shift their U.S. profits to offshore tax havens where they pay little to no tax. These loopholes cost an estimated \$22 billion a year nationally in lost revenue.

In 2013, Massachusetts spent \$770 million on special business tax breaks for economic development. Most of these tax subsidies lack basic accountability measures to determine how successful the spending is.

Bill Titles: An Act to Promote Efficiency and Transparency in Economic Development, SB 214 and An Act Relative to Transparency of Economic Development, SB 215

Lead Bill Sponsor: Senator James Eldridge

These bills promote efficiency, accountability and transparency by improving the tracking, reporting, budgeting and evaluation of state and local economic development tax breaks. Businesses are held accountable by requiring them to return public investment if they fail to deliver on their job creation or retention commitments (also known as "clawback").

Bill Title: An Act to Improve Access to Public Records, HB 2772 and SB 1676

Lead Bill Sponsors: Senator Jason Lewis and Representative Peter Kocot

This bill improves government transparency by making meaningful access to public records easier and cheaper, bringing Massachusetts in line with best practices of government accountability. It calls for public records to be available in digital form as well as on online portals to promote easy access to these resources while prohibiting excessive fees for access to government records.

GMO Food Labeling- Consumer Right to Know

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

More than 90% of Americans support labeling genetically modified foods (commonly referred to as "GMOs"). Yet while some grocery chains, like Whole Foods, have pledged to label their store brand products, for the most part consumers are still left in the dark. Labeling GMOs shouldn't be the exception—it should be the law.

Bill Title: Genetic Engineering Transparency Food and Seed Labeling Act, HB 3242

Lead Bill Sponsors: Representatives Ellen Story and Todd Smola; Senators Joan Lovely and Bruce Tarr

Modeled after the GMO labeling bills passed in VT, CT, and ME, the bill will require all food offered for retail sale in Massachusetts that is entirely or partially produced with genetic engineering to be labeled clearly and conspicuously, "produced with genetic engineering" or "partially produced with genetic engineering."

Increasing Recycling

Contact: Janet Domenitz, Executive Director, Janet.Domenitz@MASSPIRG.org

Our incinerators are spewing toxic pollution, and our landfills are overflowing and leaking. That's because we bury, burn or export more than half of our waste. But, of the waste that ends up in incinerators and landfills, most of it is recyclable, and a third of it is from excess packaging. MASSPIRG is fighting to get the Commonwealth on the path to a zero waste future and to ensure that state waste policy is dedicated to the principle of reduce, reuse, recycle.

Bill Title: An Act to Reduce Solid Waste, Increase Recycling and Generate Municipal Cost Savings, SB 438 and HB 687

Lead Bill Sponsors: Senator Jason Lewis and Representative Jonathan Hecht

This bill puts Massachusetts on the path to zero waste by establishing annual waste reduction targets, improving waste ban enforcement, expanding and improving analyses and oversight of waste programs and establishes a Zero Waste Fund from a surcharge on waste disposal to improve diversion and other waste reduction efforts under the state's Solid Waste Master Plan.

Bill Title: An Act to Increase Container Recycling in the Commonwealth, SB 1752 and HB 2875

Lead Bill Sponsors: Senator Cynthia Creem and Representative Gloria Fox

This bill sets a deadline for increasing the recycling rates for non-deposit containers. Currently, 80% of containers with a nickel deposit are recycled, as compared to 23% of containers without a deposit. If the recycling rate of non-deposit containers does not reach 80% by the year 2022, as evaluated by the Department of Environmental Protection, deposits on other containers such as water and juices would go into effect.

Bill Title: For legislation to reduce plastic bag pollution, HB 633 and SB 406

Lead Bill Sponsors: Representative Lori Ehrlich and Senator James Eldridge

Plastic bags litter our environment, choke marine animals, and waste millions of gallons of petroleum, one of their main ingredients. This bill would make Massachusetts the second state in the nation to pass a statewide ban of single use plastic grocery bags, which clog our gutters and storm drains, litter on our sidewalks, and fly into the ocean to do damage to marine life. This legislation would encourage the use of durable, reusable grocery bags, following the lead of countries like Ireland, Germany and Italy, which have banned, taxed or otherwise curbed the use of plastic bags.

Improving Statewide Transportation

Contact: Kirstie Pecci, Staff Attorney, Kirstie.Pecci@MASSPIRG.org

The American Lung Association gave Massachusetts an “F” for air quality. We’re the 6th worst in the nation for traffic congestion. Our state’s roads, bridges and mass transit infrastructure are all lagging. If we want a safe, modern and equitable transportation system that meets our needs, we need to take action to invest in, reform, and modernize our transportation systems.

Bill Title: Relative to contract assistance for Central Artery debt of the Massachusetts Bay Transportation Authority, HB 3003

Lead Bill Sponsors: Representatives Sean Garballey and Christine Barber

In 1990, when work started on the Big Dig, the Commonwealth entered into an agreement to build Boston area public transportation projects to mitigate pollution caused by this highway expansion project—the biggest in history. Adequate funding has never been appropriated, and as the MBTA took on new construction, it assumed debt it never should have had to assume. This legislation requires the Commonwealth of Massachusetts to pay the debt service obligations of the MBTA.

Bill Title: Alternative Transportation Funding Sources Task Force and Pilot Study SB 1851 and HB 2984

Lead Bill Sponsors: Senator Jason Lewis and Representative Tricia Farley-Bouvier

The legislation establishes a voluntary vehicle miles traveled (VMT) pilot program to identify alternatives and supplements to the gas tax.

Bill Title: Regional Transportation Ballot Initiatives SB 1474 and HB 2698

Lead Bill Sponsors: Senator Benjamin Downing and Representative Christopher Walsh

This bill would enable a municipality, or a group of municipalities as a district, to raise additional local money for transportation projects or operations via ballot initiatives. A supplement to other transportation revenue, these funds would give voters a more direct role in the process and show a clearer correlation between revenue and investments. Tax surcharges could be imposed on sales, payroll, vehicle excise, or property.

Bill Title in Congress: Reauthorization of the Highway and Transportation Funding Law

For the upcoming reauthorization of the federal transportation law, we support a dramatic reordering of priorities away from construction of new and wider highways, toward repair of existing roads and bridges and a doubling of the share of funds going to public transit and biking and pedestrian infrastructure. We oppose the spending of federal tax dollars on highway expansion projects that are justified on unrealistic forecasts of future driving.

Lowering the Cost of Health Care

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

Massachusetts has the highest health care costs in the country. The rising cost of prescription drugs are a significant part of overall health care spending. MASSPIRG is working to reduce health care costs and increase the quality and efficiency of care.

Bill Title: An Act to Reduce the High Cost of Prescription Drugs, SB 1048

Lead Bill Sponsor: Senator Mark Montigny

There has been an explosion in the number of extremely high priced prescription drugs. Sovaldi, a new drug to treat Hepatitis C for example, costs \$1,000 per pill and as much as \$80,000 for the full course of medication. This bill will allow the Health Policy Commission, (HPC) to require pharmaceutical companies to disclose their costs, profits, prices charged in other countries, and other information for drugs that have had significant unexplained sharp increases in prices. If prices are deemed excessive, the HPC can cap the price charged to Massachusetts consumers.

Bill Title: An Act to Reduce Healthcare Costs by Promoting Non-biased Prescriber Education, SB 1177

Lead Bill Sponsors: Senators Mark Montigny and Jason Lewis

Health care providers today rely on pharmaceutical sales representatives as their primary source of information about the medications they prescribe. This bill would act as a counterweight to the industry’s commercial detailing and gift-giving marketing efforts. The bill

establishes a non-biased prescriber program funded through fees assessed by the Department of Public Health on each pharmaceutical and medical device company that registers with the Department annually.

Promoting Public Health:

Reducing Toxic Chemicals

Contact: Janet Domenitz, Executive Director, Janet.domenitz@masspirg.org

Most chemicals are treated by our government regulators as if they are safe until proven otherwise. Approximately 80,000 chemicals are currently licensed for use, and yet the U.S. Environmental Protection Agency (EPA) estimates that fewer than 10% of the industrial chemicals produced in the largest quantities (over one million pounds per year) have undergone even a limited set of tests to assess their health effects on humans. As part of the Alliance for a Healthy Tomorrow, a statewide coalition working for reforms, MASSPIRG understands that the world cannot be “risk-free.” But we also know that there are safer alternatives to many toxic technologies and products in use today.

Bill Title: Healthy Families and Businesses Act, SB 397

Lead Bill Sponsor: Senator Ken Donnelly

This bill will improve our health by reducing our exposure to toxic chemicals through the creation of a pragmatic and flexible program to replace toxic chemicals with safer alternatives, wherever feasible.

Bill Title: An Act Relating to Disclosure of Toxic Chemicals in Consumer Products, SB 1139 and HB 697

Lead Bill Sponsors: Senator Ken Donnelly and Representative Jay Kaufman

This bill promotes transparency by requiring the Toxics Use Reduction Program to create a list of toxic chemicals in consumer products and requires manufacturers selling products containing identified toxic chemicals to disclose chemical usage to the state. Covered products include children’s items, cosmetics, and cleaning products.

Stopping the Overuse of Antibiotics

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

The Centers for Disease Control and Prevention estimates that at least 23,000 Americans die every year from antibiotic-resistant bacteria, and warns that the widespread overuse of antibiotics on factory farms is putting our health at risk.

Bill Title in Congress: Preservation of Antibiotics for Medical Treatment Act

PAMTA would preserve the effectiveness of medically important antibiotics by phasing out the use of these drugs in healthy food-producing animals, while allowing their use for treatment of sick animals. The legislation also requires the Food and Drug Administration (FDA) to apply the same tough standards to new applications for approval of animal antibiotics.

Building a Better Democracy

Contact: Janet Domenitz, Executive Director, Janet.domenitz@masspirg.org

Our democracy relies on the public’s engagement in the democratic process and on their voices being heard above those of special interests.

Bill Title: We the People Act, HB 3127

Lead Bill Sponsors: Representative Corey Atkins and Senator James Eldridge

This bill calls on Congress to propose an amendment to the U.S. Constitution affirming that the rights protected by the Constitution are the rights of natural persons only and not artificial entities, that Congress and the states may place limits on political contributions and expenditures, and that the spending of money to influence elections is not protected free speech under the First Amendment. If Congress does not propose the amendment described above, this legislation petitions for a convention to propose amendments to the Constitution.

Bill Title: An Act to Establish Election Day Registration, HB 553 and SB 377

Lead Bill Sponsors: Representative Gloria Fox and Senator Cynthia Creem

This bill increases voter participation by allowing citizens to register to vote on Election Day. This reform will increase voter participation, ensure that votes are counted, and extend this most fundamental of rights—the right to vote—to new constituencies.

In 2012, 32 donors gave more money than all 3.7 million of President Obama and Governor Romney's small donors combined. That year, Super PACs grew drastically, and strengthened the grasp big money has on our elections: Just 47 individuals, donating \$1 million or more, were responsible for more than half the individual contributions to Super PACs — and only 6 percent came from donations under \$10,000.

Bill Title in Congress: Government By The People Act. H.R.20

MA cosponsors include: Congressmen Capuano, Clark, Kennedy, Lynch, McGovern and Tsongas

The bill would establish a fund to match small contributions with limited public funds, up to a 9:1 ratio for candidates who forgo large donations and empowers more Americans to participate in campaigns by providing a refundable tax credit for small contributions. This program will allow grassroots candidates relying on small donors to compete with big money candidates.

Consumer Protection:

Protecting Consumers and Promoting Energy Efficiency

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

Ratepayers foot the bill annually for the lost and unaccounted gas that seeps through the aging, leaky natural gas pipelines under our feet. Utility companies are responsible for repairing these gas leaks or replacing the pipes, but with the ability to pass the cost on to the consumer, they don't have the incentive to do so.

Bill Title: An Act relative to protecting consumers of gas and electricity from paying for leaked and unaccounted for gas, HB 2870 and SB 1768

Lead Bill Sponsors: Representative Lori Ehrlich and Senator James Eldridge

This bill protects consumers and the environment by prohibiting utilities from charging ratepayers for the cost of lost and unaccounted for gas, incentivizing repair and replacement of leaking pipelines. Massachusetts is a national leader in energy efficiency programs, yet there is still no dedicated funding source to help people who heat with oil to weatherize buildings and invest in efficient new oil heat systems.

Bill Title: An Act Further Promoting Energy Efficiency and Green Jobs, HB 2909

Lead Bill Sponsor: Representative Frank Smizik

This bill establishes an energy efficient program for customers of oil heat. Making homes, public buildings and businesses that rely on oil heat more efficient and upgrading old oil heat systems can slash energy bills and reduce emissions by 30%. The oil efficiency program will save consumers money, improve our economy by reducing energy costs and increasing jobs, and protect public health by reducing air pollution and greenhouse gas emissions.

Reining In Wall Street

Contact: Deirdre Cummings, Legislative Director, DCummings@MASSPIRG.org

The Consumer Financial Protection Bureau (CFPB) was established as an integral part of the Wall Street Reform and Consumer Protection Act enacted in Congress in 2010 to fix the mess created when banks ran amok, resulting in the Great Recession that began with the September 2008 economic collapse. It is the nation's first financial agency with just one job, protecting consumers. It's also the first federal agency with authority over the full financial marketplace, ensuring consumers are protected whether they shop at a bank, non-bank mortgage company or payday lender, or are harmed by credit bureau mistakes or debt collector abuses. It even has special offices to protect older Americans, service-

members, veterans, and students. The CFPB has already returned \$5 billion to consumer to correct for false or misleading terms of credit/debit cards and other financial instruments.

Protecting the CFPB

The 114th Congress has begun, and will continue to attack the CFPB in various ways. Rather than an outright elimination of the agency, the strategy would be death by a thousand cuts, and will almost certainly include riders attached to bigger must-pass bills. Specific attacks will include removing the agency's independent funding, changing the leadership structure from director to commission, and changing industry definitions to modify the agency's jurisdiction. We will be working to protect and preserve the CFPB and oppose all weakening amendments and bills.

Higher Education

Higher education in America continues to be critical for both individual success and the social and economic health of our country. While college attendance has grown over the past two decades, state appropriations and federal aid have failed to keep pace with the rising cost of college, shifting more costs to students. As a result, more students than ever must rely on student loans to pay for a college degree, with the average borrower now graduating with over \$26,000 in loan debt.

Bill Title: An Act Relative to Open Textbooks, SB 675

Lead Bill Sponsors: Senator Michael O. Moore

This bill focuses primarily on the creation and development of new open textbooks and open education resources in order to ease the financial burden of higher education on college students and their families. It establishes a proposal process for open textbook producers to apply for funding and authorizes standardized review and approval processes for these open sources.

Bill Title in Congress: Affordable College Textbook Act, HR 3538

The bill directs the U.S. Secretary of Education to make competitive grants to institutions of higher education (IHEs) to support pilot programs that expand the use of open textbooks in order to achieve savings for students.