SENATE DOCKET, NO. 159 FILED ON: 1/18/2011

SENATE . . . . . No. 626

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing for a moratorium on the issuance of comprehensive permits and establishing a special commission to investigate the use and effectiveness of the comprehensive permit law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 159 FILED ON: 1/18/2011

SENATE . . . . . No. 626

By Mr. Timilty, petition (accompanied by bill, Senate, No. 626) of Timilty for legislation for a moratorium on the issuance of comprehensive permits and establishing a special commission to investigate the use and effectiveness of the comprehensive permit law [Joint Committee on Housing].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *663* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act providing for a moratorium on the issuance of comprehensive permits and establishing a special commission to investigate the use and effectiveness of the comprehensive permit law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law or regulation to the contrary, no public agency, nonprofit organization or limited dividend organization shall be granted a comprehensive permit as provided under sections 20 to 23, inclusive of chapter 40B of the General Laws for a period of 3 years from the effective date of this act.

SECTION 2. There shall be a 9 member special commission for the purpose of investigating the use and effectiveness of the "comprehensive permit law", sections 20 to 23, inclusive of chapter 40B of the General Laws. The commission shall consist of the secretary of administration and finance or his designee; the secretary of housing and economic development or his designee; the secretary of transportation and construction or his designee; 2 members appointed by the president of the senate, including the senate chair of the joint committee on municipalities and regional government, the senate chair of the joint committee housing; 1 member appointed by the senate minority leader; 2 members appointed by the speaker of the house of representatives, including the house chair of the joint committee on municipalities and regional government, the house chair of the joint committee housing; and 1 member appointed by the house minority leader.

16 The commission shall study the effectiveness of the “comprehensive permit law” as a
17 mechanism for promoting the construction of affordable housing units in the Commonwealth and
18 its impact on regional and municipal planning. The commission shall hold 14 public hearings,
19 one in each county in the Commonwealth, to solicit public testimony and evidence of the
20 positive and negative aspects of the “comprehensive permit law”. The commission shall issues a
21 report that shall include the history of the “comprehensive permit law; a summary of the
22 testimony presented at the public hearings; and any legislative or regulatory amendments it
23 deems necessary to ensure the “comprehensive permit law” effectively promotes the best
24 interests of the Commonwealth and its municipalities.

25 The commission shall file its report with the clerk of the senate and the clerk of house of
26 representatives on or before December 31, 2011