

HOUSE No. 284

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 adoption of the accompanying bill:

An Act investigating the economic impact of certain Massachusetts laws.

PETITION OF:

NAME:

Tackey Chan

Stephen L. DiNatale

DISTRICT/ADDRESS:

2nd Norfolk

3rd Worcester

HOUSE No. 284

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 284) of Tackey Chan and Stephen L. DiNatale relative to establishing a special commission (including members of the General Court) to make an investigation and study concerning the economic impact of minimum pricing laws on businesses and residents in the Commonwealth. Economic Development and Emerging Technologies.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 312 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act investigating the economic impact of certain Massachusetts laws.

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

1 SECTION 1. (a) Notwithstanding any general or special law to the contrary, there is
2 hereby created a commission that shall investigate the economic impact of the Commonwealth’s
3 minimum pricing laws on businesses and residents within the Commonwealth. The commission
4 shall analyze the additional costs, if any, incurred by Massachusetts residents as compared to
5 businesses and residents of neighboring states.

6 (b) The commission shall consist of the secretary of the executive office of administration
7 and finance or his designee; the commissioner of the department of revenue or his designee; the
8 director of the department of agriculture or his designee; the treasurer or his designee; the
9 attorney general or his designee; the house and senate chairs of the joint committee on revenue,

10 who shall co-chair the commission; a representative of an association representing retailers; a
11 representative of a business association; a representative appointed by the Governor from each of
12 the industries currently impacted by minimum pricing laws, including the dairy, alcohol and
13 tobacco industries; an individual with an expertise in finance or consumer economics; a
14 representative of a health policy organization; and a representative of a public safety advocacy
15 organization as appointed by the Governor. The commission shall adopt rules and establish
16 procedures it considers necessary for the conduct of its business. No action of the commission
17 shall be considered official unless approved by a majority vote of the commission members.

18 (c) In the course of its investigation, the commission shall: (1) examine the minimum
19 pricing laws in existence in the Commonwealth and the purpose behind their initial creation; (2)
20 examine the minimum pricing laws in existence in the Commonwealth's neighboring states, if
21 any; (3) provide an analysis of the impact of the Commonwealth's minimum pricing laws on the
22 cost and price of products so regulated; (4) provide an analysis of the impact of the neighboring
23 states' minimum pricing laws on the cost and price of products so regulated; (5) develop
24 recommendations as to whether the Commonwealth's minimum pricing laws continue to serve
25 their original purpose and whether such laws put the Commonwealth and its businesses and
26 residents at a competitive disadvantage as compared to neighboring states; (6) determine whether
27 the Commonwealth's minimum pricing laws benefit certain businesses as opposed to others by
28 creating subsidies of unnecessarily large profit.

29 (d) The commission may hold public hearings to assist in the collection and evaluation of
30 data and testimony.

31 (e) Any research, analysis or other staff support that the commission reasonably requires
32 shall be provided by the executive office of administration and finance and its agencies.

33 (f) The commission shall prepare a written report detailing its findings and
34 recommendations, together with drafts of legislation, as may be necessary to carry those
35 recommendations into effect. The commission shall submit its initial report to the governor, the
36 secretary of the executive office of administration and finance, the clerks of the senate and house
37 of representatives, the chairs of the house and senate committees on ways and means and the
38 joint committee on revenue not later than 1 year after the effective date of this act.