

HOUSE No. 312

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 passage of the accompanying bill:

An Act investigating the economic impact of certain Massachusetts laws.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Tackey Chan

2nd Norfolk

Stephen L. DiNatale

3rd Worcester

HOUSE No. 312

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 312) 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.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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 house
9 and senate chairs of the joint committee on revenue, who shall co-chair the commission; a
10 representative of the Retailers Association of Massachusetts; a representative of the
11 Massachusetts Chamber of Commerce; 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 the American Lung Association, a representative of Mothers Against Drunk
15 Driving and a representative of the New England Convenience Store Association as appointed by
16 the Governor. The commission shall adopt rules and establish procedures it considers necessary
17 for the conduct of its business. No action of the commission shall be considered official unless
18 approved by a majority vote of the commission members.

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

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

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

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