

**SENATE . . . . . No. 278**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Barry R. Finegold***

*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 establishing a special commission to study the effectiveness of the Massachusetts School Building Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>	
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>1/19/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/21/2023</i>

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By Mr. Finegold, a petition (accompanied by bill, Senate, No. 278) of Barry R. Finegold, Adam Scanlon and James B. Eldridge for legislation to establish a special commission to study the effectiveness of the Massachusetts School Building Authority. Education.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2727 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act establishing a special commission to study the effectiveness of the Massachusetts School Building Authority.

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

- 1           (a) There shall be a special commission to study and make recommendations regarding:
- 2           (i) the capacity of the Massachusetts School Building Authority program to meet current and
- 3           future school facilities needs in the commonwealth; and (ii) the equity of the grant funding
- 4           formula to ensure that all communities can participate in the program.
- 5           (b) The commission shall consist of: 2 members appointed by the senate president, 1 of
- 6           whom shall be the senate chair of the joint committee on education, and 1 of whom shall serve as
- 7           co-chair of the commission; 2 members appointed by the speaker of the house of representatives,
- 8           1 of whom shall be the house chair of the joint committee on education, and 1 of whom shall
- 9           serve as co-chair of the commission; 1 member appointed by the minority leader of the senate; 1

10 member appointed by the minority leader of the house of representatives; the secretary of  
11 education or a designee; the commissioner of elementary and secondary education or a designee;  
12 the executive director of the Massachusetts School Building Authority or a designee; 2 members  
13 appointed by the governor, 1 of whom shall be a representative of a gateway city with  
14 knowledge of municipal finance, and 1 of whom shall be an individual with demonstrated  
15 expertise in the design and construction of cost-effective school buildings; 2 members appointed  
16 by the state treasurer and receiver general, 1 of whom shall be an individual with demonstrated  
17 expertise in the design and construction of green buildings, and 1 of whom shall be an individual  
18 with demonstrated expertise in public health and indoor environmental quality in school  
19 buildings; and 1 person appointed from each of the following organizations: the Massachusetts  
20 Association of School Superintendents, Inc.; the Massachusetts Association of School  
21 Committees, Inc.; the Massachusetts Association of Vocational Administrators, Inc.; the  
22 Massachusetts Chapter of the American Institute of Architects; the Massachusetts Facilities  
23 Administrators Association; the Massachusetts Teachers Association; the American Federation  
24 of Teachers, Massachusetts; and the Massachusetts Building Trades Council.

25 (c) The commission shall investigate and make recommendations on: (i) the current and  
26 future need to renovate and rebuild school facilities in the commonwealth and the availability of  
27 adequate state and local resources to do so; (ii) the MSBA's existing grant formula and potential  
28 modifications to the formula to ensure fairness and equity for all communities; (iii) the alignment  
29 of the MSBA's construction cost reimbursement rate relative to the actual cost of construction  
30 and other MSBA policies that impact eligible project costs for reimbursement; (iv) incentive  
31 percentage points, including, but not limited to, how incentive percentage points are calculated  
32 for municipalities that qualify for 80 per cent reimbursement; (v) reimbursement policies for

33 regional technical and vocational schools and how to ensure affordability for all member  
34 communities; (vi) reimbursement policies to help the commonwealth achieve its environmental  
35 and greenhouse gas emissions reductions goals; (vii) reimbursement policies that support healthy  
36 school facilities for students and staff; (viii) whether the MSBA may spend money on equipment  
37 or if it is limited to funding for education structures; (ix) whether the MSBA should add  
38 incentives for approved chapter 74 educational spaces in programs that align to labor market  
39 demand; and (x) any other pertinent issues that relate to ensuring that all students in the  
40 commonwealth can attend school in high quality, accessible, safe, healthy, and green school  
41 buildings.

42 (d) The Massachusetts School Building Authority and other state agencies shall make  
43 available to the commission in a timely manner any documents, data, and other materials that  
44 may be reasonably requested by the commission.

45 (e) The commission shall submit a report of its findings and recommendations to the  
46 clerks of the senate and house of representatives, the joint committee on education and the senate  
47 and house committees on ways and means not later than December 1, 2023.