

for Prof. Sean Kealy

## Legislative History for SB 2190 | 2009

An Act Preserving Publicly Assisted Affordable Housing

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As one component within the panoply of affordable housing bills circulating the statehouse over the last decade, Senate Bill 2190 is framed within a rich legislative history. This compilation only begins to pull together the massive and interconnected web of bills that have evolved alongside or, in some cases, given rise to SB 2190. Senate Bill 2190 originated as HB 4132, which incorporated a series of affordable housing bills that were then under the purview of the Joint House Committee: HB 1201, HB 3463, HB 3573, HB 3689, HB 3810, HB 3812 and HB 4088. The most significant of these was HB 3573 (SB 666), which drew the most testimony and support for the May 5<sup>th</sup>, 2009 hearing at which all of these bills were discussed. Copies of certain testimony are included in this file. This package of bills came to be referred to as "expiring use" legislation, because the bills regulate the expiration of affordability restrictions for rental properties that are subject to long-term publicly subsidized mortgages.

Expiring use legislation has been in development for many years. The Department of Housing and Community Development set up a working group which released a pivotal report on the need for expiring use legislation in 2007, a copy of which is included in this file. Low-income and senior housing advocates consider the enactment of SB 2190 an important milestone in a long-term battle. In the current economic climate, affordable housing legislation seems to be garnering support from all sides.

The materials from this compilation were obtained from:

- [www.mass.gov/legis](http://www.mass.gov/legis) legislative history and bill texts
- State House News Service Senate and House Session reports, capitol briefs and PR archives
- State House News Session Video Archives
  - There were no audio archives available for the session debates or hearings associated with SB 2190 and its 2009 progeny
- Joint Committee on Housing, Research Analyst, Shannon Moore
  - Research Director Thomas Plihcik was on vacation, but he may be able to provide additional documentation on the language changes in the various house bills that led up to SB 2190 (or at least up to the final house version relating to it, HB 4298).
- Statehouse library legislative history files
  - According to Tina Vegelante, a reference librarian, because the bill was only enacted last month, the library has not yet filed all of the reports, memos, press releases and other legislative documents that they have received. By the end of next semester, these documents, to the extent that they exist, should be filed in the legislative history folder for affordable housing. That is, if the statehouse library still exists at that point.
- Online press releases and working documents from housing advocacy groups and the Department of Housing and Community Development
- Brief survey of online local news

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The Governor's Office may have additional materials, as Governor Patrick was an influential advocate and partnered with elected officials and advocacy groups to pass the bill. If so, these may likely be redundant with the materials housed at the locations listed above and contained herein. The Ways and Means Committees have budget related history, and offered to share it, if that would be helpful to the Project.

On October 28<sup>th</sup>, HB 4132 was referred from the Joint Committee on Housing to the House Committee on Ways and Means. The latter committee recommended "ought to pass," with an amendment substituting HB 4132 with a bill that had the same title, HB 4298 (text and history herein included). After debating a number of amendments to HB 4298 on the very same day, the House passed the bill with 153 yays and 0 nays, and referred it to the Senate Committee on Ways and Means. In the Senate, HB 4298 was amended by replacing the enactment clause with the text of an amendment (HB 4335, herein included) and reported in part by SB 2190. The Governor signed SB 2190 into law as Chapter 159 of the Acts of 2009 on November 23<sup>rd</sup>, 2009.

The following pages outline the online resources.

### SB2190 Online Resources

#### **BILL TEXT AND HISTORIES**

<http://www.mass.gov/legis/186history/s02190.htm>

<http://www.mass.gov/legis/bills/senate/186/st02/st02190.htm>

<http://www.mass.gov/legis/186history/h04335.htm> replaced the enacting clause in H4298 to produce S2190

<http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04335.pdf>

<http://www.mass.gov/legis/186history/h04298.htm> substituted for H4132 (combines House Bills 1201, 3463, 3573, 3689, 3810, 3812, 4088)

<http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04298.pdf>

<http://www.mass.gov/legis/186history/h04132.htm> original bill

<http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04132.pdf>

**bills combined into H4132 to form new substituted draft H4298** (on 6/24 after having been referred to Joint Comm on Housing on 1/20/09 w/ hearing 5/5)

<http://www.mass.gov/legis/186history/h01201.htm>

<http://www.mass.gov/legis/bills/house/186/ht01pdf/ht01201.pdf>

<http://www.mass.gov/legis/186history/h03463.htm>

<http://www.mass.gov/legis/bills/house/186/ht03pdf/ht03463.pdf>

<http://www.mass.gov/legis/186history/h03573.htm>

<http://www.mass.gov/legis/bills/house/186/ht03pdf/ht03573.pdf>

<http://www.mass.gov/legis/186history/h03689.htm>

<http://www.mass.gov/legis/bills/house/186/ht03pdf/ht03689.pdf>

<http://www.mass.gov/legis/186history/h03810.htm>

<http://www.mass.gov/legis/bills/house/186/ht03pdf/ht03810.pdf>

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<http://www.mass.gov/legis/186history/h03812.htm>

<http://www.mass.gov/legis/bills/house/186/ht03pdf/ht03812.pdf>

<http://www.mass.gov/legis/186history/h04088.htm>

<http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04088.pdf>

## COMMITTEE CONTACT INFO

<http://www.mass.gov/legis/comm/h34.htm> house ways and means contact info

<http://www.mass.gov/legis/comm/s30.htm> senate ways and means contact info

<http://www.mass.gov/legis/comm/j28.htm> joint committee on housing (developed the house bill until late June when combined original bill with other affordable housing bills and referred to House Ways and means)

<http://www.mass.gov/legis/comm/h52.htm> house steering policy and scheduling committee contact info.

## HOUSE AND SENATE SESSIONS

House Session: **S2190**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+12001075](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+12001075)

Senate Session: **S2190**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11966507](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11966507)

House Session: **H4335**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11595401](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11595401)

Senate Session: **H4335**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11816130](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11816130)

Senate Session: **H4298**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11294998](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11294998)

Senate Session: **S2190**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11372497](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11372497)

House Session: **H4298**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+11076885](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+11076885)

SHNS Weekly Report: **H4132**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+10921895](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+10921895)

State Capitol Briefs: **H3573**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+7009442](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+7009442)

State Capitol Briefs: **H3573**

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+5151571](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+5151571)

**ADVOCATE/AGENCY BILL SUMMARIES, PRESS RELEASES & DISCOURSE**

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CHAPA bill summary, legislative brief and early report (2007)

<http://www.chapa.org/pdf/S2190updatedsectionbysection%2011-18-09.pdf>

[http://www.chapa.org/?q=state\\_legislative](http://www.chapa.org/?q=state_legislative)

<http://www.chapa.org/pdf/ExpiringUseReportFinal.pdf>

<http://www.chapa.org/?q=expiringUse>

[http://www.mass.gov/?pageID=gov3pressrelease&L=1&L0=Home&sid=Agov3&b=pressrelease&f=113009\\_expiring\\_use\\_law&csid=Agov3](http://www.mass.gov/?pageID=gov3pressrelease&L=1&L0=Home&sid=Agov3&b=pressrelease&f=113009_expiring_use_law&csid=Agov3)

<http://www.housingonline.com/NewsArticle.aspx?NewsArticleId=125805> (national housing and rehab association)

[http://thegovmonitor.com/world\\_news/united\\_states/massachusetts-invests-150-million-for-long-term-affordable-housing-17291.html](http://thegovmonitor.com/world_news/united_states/massachusetts-invests-150-million-for-long-term-affordable-housing-17291.html)

## OTHER SHNS RECORDS & SIGNING PRESS

[http://www.statehousenews.com/cgi/as\\_web.exe?pr09.ask+D+14621685](http://www.statehousenews.com/cgi/as_web.exe?pr09.ask+D+14621685)

### SHNS Video Archive

<http://www.statehousenews.com/video/09-11-30gov2/video.htm>: Gov praises affordable housing bill at signing ceremony

<http://www.statehousenews.com/video/09-11-30gov/video.htm>: governor talks with press about bill signing and new loan to support affordable housing

### SHNS Session Audio: (no SB 2190 dates covered)

<http://www.statehousenews.com/audio2/HouseSenate2009/HouseSenate09.htm>

### SHNS Weekly Reports

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+12171065](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+12171065)

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+12225047](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+12225047)

[http://www.statehousenews.com/cgi/as\\_web.exe?2009.ask+D+12276475](http://www.statehousenews.com/cgi/as_web.exe?2009.ask+D+12276475)

### real estate blog

<http://activerain.com/blogsviw/1369638/preserving-affordable-housing>

### League of Women Voters

<http://www.lwvma.org/>

### Lancaster Local

<http://www.wickedlocal.com/lancaster/homepage/x1682949152/Beacon-Hill-Roll-Call>

### Distressed Asset Investment Blog

<http://distressedassets.wordpress.com/category/tax-credits/>

### Brookline Local

[http://www.wickedlocal.com/brookline/town\\_info/government/x1312017574/Lawmakers](http://www.wickedlocal.com/brookline/town_info/government/x1312017574/Lawmakers)

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-vote-to-expand-veterans-benefits

Somerville Local

<http://www.thesomervillenews.com/main.asp?SectionID=4&SubSectionID=4&ArticleID=2432>

Senate President Press Release

<http://www.theresemurray.com/news/releases/2009/11/091124pr.html>

Senate President Facebook blurb

[http://www.facebook.com/note.php?note\\_id=330226395275&comments&ref=mf](http://www.facebook.com/note.php?note_id=330226395275&comments&ref=mf)

National Alliance of Community and Economic Development Associations

<http://www.naceda.org/pu/vol3no23.html>

Nixon Peabody

[http://www.nixonpeabody.com/publications\\_detail3.asp?ID=3061](http://www.nixonpeabody.com/publications_detail3.asp?ID=3061)

Department of Housing and Community Development Notice of Proposed Regulations

[http://www.mass.gov/?pageID=eheadterminal&L=5&L0=Home&L1=Economic+Analysis&L2=Executive+Office+of+Housing+and+Economic+Development&L3=Department+of+Housing+and+Community+Development&L4=DHCD+Legal+Resources&sid=Ehed&b=terminalcontent&f=dhcd\\_legal\\_proposedregs&csid=Ehed](http://www.mass.gov/?pageID=eheadterminal&L=5&L0=Home&L1=Economic+Analysis&L2=Executive+Office+of+Housing+and+Economic+Development&L3=Department+of+Housing+and+Community+Development&L4=DHCD+Legal+Resources&sid=Ehed&b=terminalcontent&f=dhcd_legal_proposedregs&csid=Ehed)