

HOUSE No. 207

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

DISTRICT/ADDRESS:

2nd Norfolk

HOUSE No. 207

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 207) of Tackey Chan for an investigation by a special commission (including members of the General Court) relative to the economic impact of minimum pricing laws. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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 director of the department of agriculture or his designee; the
8 treasurer or her designee; the house and senate chairs of the joint committee on revenue, who
9 shall co-chair the commission; a representative of the Retailers Association of Massachusetts; a
10 representative of the National Federation of Independent Business Massachusetts; a
11 representative appointed by the Governor from each of the industries currently impacted by
12 minimum pricing laws, including the dairy, alcohol and tobacco industries; an individual an

13 individual with an expertise in finance or consumer economics; a representative of a statewide
14 public health organization engaged in tobacco cessation efforts; a representative of a statewide
15 public health organization engaged in alcohol cessation or recovery efforts; a representative of a
16 wholesaler engaged in the distribution of tobacco, alcohol or dairy products and a representative
17 of the New England's Convenience Stores and Energy Marketers as appointed by the Governor.
18 The commission shall adopt rules and establish procedures it considers necessary for the conduct
19 of its business. No action of the commission shall be considered official unless approved by a
20 majority vote of the commission members.

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

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

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

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