Engineers and Land Surveyors Day at the State House May 13, 2014

Information for ADVANCE BRIEFING SESSIONS: May 7, 8, 9
Overview

- Collaborative effort of ACEC/MA, BSCES & MALSCE
- Educate Massachusetts state legislators on issues important to the engineering and land surveying community
- Promote or oppose certain legislation
- Create bridges between individuals in engineering and land surveying community and their state senators and state representatives
Preparing for May 13

- Review Fact Sheets - which will be posted on the web (draft versions now there)

- For background, read on-line bios of
  - Your State Senator [http://www.malegislature.gov/People/Senate](http://www.malegislature.gov/People/Senate)
  - Your State Representative [http://www.malegislature.gov/People/House](http://www.malegislature.gov/People/House)

- Bring your business cards – write the town name: “Resident of Groton”

- When you arrive at TEC on May 13, you’ll receive:
  - Updated briefing packet with your appointments
  - A briefing packet for your legislators (or someone else in your district will have this.)
  - Continental Breakfast
Schedule for May 13

8:45-9:40 AM  Registration/Light Breakfast/Pick up Briefing Packets @ TEC

9:40 AM  Walk to State House — enter at Bowdoin St. through park & security, proceed to Hearing Rm. 350*

10 - 10:30 AM  Welcoming remarks/issues with State Representative Paul Brodeur

10:45 – 12 Noon  Meetings with Your Legislators

* Location for Remarks/Issues subject to change
Fact Sheets

- Massachusetts Transportation Infrastructure: The Cost of Repealing Gas Tax Indexing
- Massachusetts Water Infrastructure – Investing in our Future
- Good Samaritan Law for Design Professionals and Contractors
- Sustainability: Building Tomorrow’s Infrastructure Today that will improve Quality of Life for all
Massachusetts Transportation Infrastructure: The Cost of Repealing Gas Tax Indexing

- Transportation infrastructure leads to economic growth. Every $ invested in highway construction generates up to $8 in economic output.

- US DOT: Each $1 billion in Federal Hwy $ = 34,000 jobs.

- Mass DOT: reforms in place

- We thank the legislature’s for action in increasing the gas tax in 2013 and in instituting gas tax indexing, which will greatly help to achieve and maintain a state of good repair.

- 52% of MA highway bridges were deemed structurally deficient or functionally obsolete in 2009; 42% Roads were in poor or mediocre condition.

- MassDOT is headed in the right direction, but needs reliable longer-term funding to repair more structurally deficient bridges and other infrastructure.
Massachusetts Transportation Infrastructure: The Cost of Repealing Gas Tax Indexing

If the indexing initiative passes, we will:

1) Lose money for transportation. Gas tax money is dedicated to transportation. Without indexing, we will lose over $1B in the next 10 years.

2) Hurt our economy. Losing money for transportation means that we won’t have adequate resources for critical transportation investments that will grow jobs and the economy. For instance, if the legislature had not acted, Massachusetts could have faced losses of up to 15,000 jobs and as much as $11 billion in increased operating costs due to a deteriorating transportation network.

3) Continue the cycle of deferred maintenance. Let’s keep our bridges safe.
Massachusetts Water Infrastructure – Investing in our Future


- Over $21 billion needed for MA Drinking Water & Wastewater Infrastructure over next 20 years

- Water Infrastructure Finance Commission (WIFC) charged with developing long range water infrastructure finance plan for the state – issued their report in 2012

- Many communities lack political will to increase water & sewer rates to cover operation/maintenance and capital costs; they need to be incentivized to raise rates
Massachusetts Water Infrastructure – Investing in our Future - Solutions

- Support: SB 2021 “An Act Improving Water and Wastewater Infrastructure” (Passed in the Senate)

- Many Massachusetts communities have grossly undervalued their water systems and as a result, have failed to re-invest in them at levels required to sustain them. The collective economic impact is daunting. The Commonwealth needs to provide leadership and direction to ensure solutions are created to help communities and their respective water suppliers’ deal with this significant funding gap.

- Much of the water infrastructure below our streets was constructed during 3 periods: the late 1800s, the Roaring 1920s and during Baby Boom. Pipes from these different eras are due to wear out concurrently over the next 3 decades.

- The Massachusetts Water Infrastructure Finance Commission found that there is a significant gap between available funding and what is needed over the next 20 years to improve water-related infrastructure: $10.2 B for drinking water; $11.2 B for wastewater; conservative estimate of $18 B for stormwater.

- A report issued at the US Conference of Mayors (2008) states that every $ invested in water infrastructure services returns $8.97 to the national economy.

- 57,400 jobs are created for every $1 billion spent on the drinking water infrastructure. (MA Infrastructure Investment Coalition).
Massachusetts Water Infrastructure – Investing in our Future - Solutions

Actions:

▪ We respectfully ask the House Committee on Ways & Means to give a favorable report to SB 2021, “An Act Improving Water and Wastewater Infrastructure.”
▪ Support passage of this bill immediately during this legislative session.

Note:
▪ We support other water infrastructure related bills this session, but we are focusing attention on May 13 on the need for SB 2021.
▪ SB 2021 is currently in the House Ways and Means Committee. The Senate President, Senator Therese Murray, supports this bill.
▪ We were also major proponents for the creation of the dam and seawall fund. The second round of funding for those funds is underway.
Good Samaritan Law for Design Professionals and Contractors

Support for: SB 795

- In emergencies, professional engineers are asked to assist with relief and recovery efforts: checking safety of structures, buildings, infrastructure, piping or other systems, and other help.
- More than 30 states and the federal government fail to extend immunity to professional engineers who provide critical services in an emergency.
- During relief efforts following Hurricanes Sandy, Irene, Katrina and Rita, and 9/11, every level of government needed immediate PE and PLS expertise in assessing structural, mechanical, electrical, or other infrastructure.
- Design professionals need liability protections during a declared emergency so that they can volunteer their services without being deterred by liability concerns. In return, the government would be able to quickly mobilize design professionals to adequately evaluate threats to the public’s health and safety.
Good Samaritan Law for Design Professionals and Contractors

- Many states have recognized the liability threat and have enacted “Good Samaritan” laws that provide immunity to some professionals for their voluntary services, but only a handful of states have this type of protection for professional engineers, land surveyors, contractors and related professionals.

- SB 795 would provide liability protection for professional engineers, architects, environmental professionals, landscape architects, planners, land surveyors, licensed site professionals, and contractors who render voluntary services at the scene of a disaster or catastrophe.

- SB 795 stipulates that these professionals who voluntarily and without compensation provides engineering services in response to a natural disaster, terrorist attack, or other catastrophic event shall not be liable for any personal injury wrongful death, property damage, or other loss caused by the engineer’s acts, errors or omissions in the performance of such services.

- Immunity would not be applied in cases of wanton, willful, or intentional misconduct.
Good Samaritan Law for Design Professionals and Contractors

- Bill Status: SB 795 has been assigned to the Joint Committee on the Judiciary
- Bill: http://www.malegislature.gov/Bills/188/Senate/S795
- The bill had a hearing before the Judiciary Committee on October 9, 2013.
- Since 2013, there is new leadership in this Committee: Senator Will Brownsberger, Senate Chair, Rep. Chris Markey, House Vice Chair.
- Senate and House: Ask legislators to support SB 795 with letters to Judiciary leadership and Speaker DeLeo.
- Think of examples about how this law would be useful and why it is needed.
Sustainability: Building Tomorrow’s Infrastructure Today that will improve Quality of Life for all

- The Commonwealth has green building initiatives to address energy efficiency and environmental impacts.
- Good steps, but *to be truly sustainable, we need to consider the “triple bottom line” and especially resiliency in future development.*
- Triple bottom line: Environmental, Social and Economic factors, and the overarching principle of Resiliency.
- The Commonwealth has instituted a number of green building initiatives, which address energy efficiency and environmental impacts. These are good steps, but to be truly sustainable, we need to consider the “triple bottom line” and especially resiliency in future development.
- Massachusetts has a highly developed coast line with a significant portion of the populations in close proximity. Boston is our the economic center- directly connected to the harbor. The potential devastation from a major storm would be enormous.
- The Commonwealth continues to build infrastructure using a process that focuses mostly on capital cost. A new approach is needed to fund infrastructure that also considers life cycle cost, resiliency and makes provisions for future operation and maintenance.
Sustainability: Building Tomorrow’s Infrastructure Today that will improve Quality of Life for all

**ACTIONS REQUESTED**

- Support Comprehensive Adaptation Management Planning in response to Climate Change
- Invest in sustainable infrastructure, which considers life cycle costs and capital costs.
After your meetings:

- Report Back: Tell us about any issues that came up in your meetings needing follow-up

- Send a thank you note or email to staffers and legislators with whom you met
A few other notes

- **Draft Fact Sheets on:**

- **Legislative Staff:** Aides are important. Treat aides just as you would your legislator, both as a matter of courtesy and because the aide is in a position to help.

- **Be brief; be clear; be accurate; be persuasive; be timely; be persistent; be grateful**
Additional Resources

- BSCES Raising the Grade in Massachusetts: Action Steps for Improved Infrastructure in Massachusetts brochure: to be posted before May 13

On-line bios about:

- **Your State Senator**
  
  http://www.malegislature.gov/People/Senate

- **Your State Representative**
  
  http://www.malegislature.gov/People/House
QUESTIONS?