

HOUSE No. 4332

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 30, 2020.

The committee on Consumer Protection and Professional Licensure, to whom was referred the 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, reports recommending that the accompanying bill (House, No. 4332) ought to pass.

For the committee,

TACKEY CHAN.

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**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 potential for beneficial economic impact
3 from the Commonwealth’s minimum pricing laws and determine, if appropriate, whether certain
4 minimum pricing should be adjusted to better assist small businesses within the Commonwealth.

5 (b) The commission shall consist of the secretary of the executive office of administration
6 and finance or his designee; the director of the department of agriculture or his designee; the
7 treasurer or her designee; the house and senate chairs of the joint committee on revenue, who
8 shall co-chair the commission; a representative of the Retailers Association of Massachusetts; a
9 representative of the National Federation of Independent Business Massachusetts; a
10 representative appointed by the Governor from each of the industries currently impacted by
11 minimum pricing laws, including the dairy, alcohol and tobacco industries; an individual an
12 individual with an expertise in finance or consumer economics; a representative of a statewide
13 public health organization engaged in tobacco cessation efforts; a representative of a statewide
14 public health organization engaged in alcohol cessation or recovery efforts; a representative of a

15 wholesaler engaged in the distribution of tobacco, alcohol or dairy products and a representative
16 of the New England's Convenience Stores and Energy Marketers as appointed by the Governor.
17 The commission shall adopt rules and establish procedures it considers necessary for the conduct
18 of its business. No action of the commission shall be considered official unless approved by a
19 majority vote of the commission members.

20 (c) In the course of its investigation, the commission shall: (1) examine the minimum
21 pricing laws in existence in the Commonwealth; (2) examine the minimum pricing laws in
22 existence in the Commonwealth's neighboring states, if any; (3) provide an analysis of the
23 impact of the Commonwealth's minimum pricing laws on the cost and price of products so
24 regulated; (4) provide an analysis of the impact of the neighboring states' minimum pricing laws
25 on the cost and price of products so regulated; and (5) develop recommendations as to whether
26 certain of the Commonwealth's minimum pricing laws should be adjusted to assist small
27 businesses within the Commonwealth.

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

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

32 (f) The commission shall prepare a written report detailing its findings and
33 recommendations, together with drafts of legislation, as may be necessary to carry those
34 recommendations into effect. The commission shall submit its initial report to the governor, the
35 secretary of the executive office of administration and finance, the clerks of the senate and house

- 36 of representatives, the chairs of the house and senate committees on ways and means and the
- 37 joint committee on revenue not later than 1 year after the effective date of this act.