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House of Representatives
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Representative Smola reports on mid-season Legislative accomplishments

BOSTON – At the midway point of the 2017-2018 legislative session, State Representative Todd M. Smola (R-Warren, Ranking Member, Committee on Ways & Means), took time to reflect on some of the major legislative initiatives undertaken by the House this year, including several bills that were signed into law in 2017.

Representative Smola noted that this year marked the passage of many important workplace protection measures for expectant mothers with the signing of the Pregnant Workers Fairness Act. The new law, which takes effect on April 1, 2018, requires Massachusetts employers to offer reasonable accommodations to workers who are pregnant or nursing, and prohibits employers from retaliating against an employee for requesting such an accommodation. It also bars employers from discriminating against pregnant workers when hiring or promoting.

“We need to close the gender pay gap and legislation like the Pregnant Workers Fairness Act helps us move in that direction,” said Representative Smola. “Women should never have to choose between their careers or raising a family.”

The bill’s passage comes just one year after the signing of the Massachusetts Pay Equity Law, which Representative Smola also supported. Set to take effect on July 1, 2018, this law requires employers to compensate men and women with equal pay, regardless of gender, when performing comparable work that is substantially similar in skill, effort and responsibility.

In November, the House engaged in a lengthy debate on comprehensive criminal justice reform legislation. In addition to reclassifying fentanyl – which is now present in 81

percent of all opioid-related deaths in Massachusetts – as a Class A substance, the House bill also creates a fentanyl trafficking penalty for 10 grams of fentanyl or any of its derivatives, punishable by a 3 ½ year mandatory minimum sentence with a maximum penalty of 20 years. The bill would also allow judges to hold individuals facing a third OUI charge if it occurs within 10 years of a prior OUI conviction. A six-member conference committee was recently named to try to work out the differences between the House and Senate versions of the bill.

"The opioid crisis in Massachusetts continues to plague our communities," said Representative Smola. "The traffickers need to know that the penalties are tougher and that consequences for their actions are serious."

Representative Smola recently supported efforts to reimburse cities and towns for the costs associated with implementing the state's new early voting law during the 2016 election cycle. In February of 2017, State Auditor Suzanne Bump ruled that some of the expenses incurred by municipalities constituted an unfunded mandate and should be paid by the Commonwealth.

Representative Smola also lent his support to a Republican-sponsored budget proposal in April calling for the creation of a special task force to review all unfunded state education mandates and reporting requirements, and to provide recommendations for easing these cost burdens for local school districts. Although the language was included in the House budget, it did not make it into the final Conference Committee report.

"As a former municipal official, I appreciate the role of local government and the incredible services they provide with limited resources," said Representative Smola. "Legislators should always be looking at ways to make the work of our communities easier and less costly."

Representative Smola supported a series of initiatives in 2017 to honor those who have served, including a \$199 million bond authorization to pay for the design and construction of a new 154-bed Soldiers Home in Chelsea and a study of the long-term capital and deferred maintenance needs of the Soldiers' Home in Holyoke.

Representative Smola also backed efforts to expand the one-time, tax-free benefit provided to the families of first responders killed in the line of duty, doubling it from \$150,000 to \$300,000.

Following the legalization of recreational marijuana by Massachusetts voters in November of 2016, the Legislature took steps this year to amend the ballot question in an attempt to provide sufficient oversight of the cannabis industry and ensure that adequate protections are in place to keep marijuana out of the hands of minors.

An Act to ensure safe access to marijuana (Chapter 55 of the Acts of 2017) gives cities and towns more flexibility to control the number of local marijuana dispensaries, providing communities with the option of implementing reasonable safeguards through

local bylaws and ordinances or banning retail marijuana facilities outright. It also implements strict guidelines for the advertising, marketing, branding and packaging of marijuana and marijuana-infused products to help keep them out of the hands of minors.

Other bills approved by the Legislature and signed into law this year include changes to the state's handicapped parking laws, including increased penalties for the fraudulent use of handicapped placards and license plates and the establishment of a Home Care Worker Registry in the Department of Elder Affairs.

Looking ahead to next year, Representative Smola said that in addition to trying to finalize criminal justice reforms, the House is expected to consider legislation aimed at containing health care costs. He also anticipates action on Governor Baker's proposed \$1.287 billion housing bond bill, which includes funding for affordable housing construction as well as improvements to state-aided public housing. Representative Smola is also hopeful the House will act on Governor Baker's CARE Act (An Act Relative to Combatting Addiction, Accessing Treatment, Reducing Prescriptions, and Enhancing Prevention) and will continue to take steps to address the state's opioid epidemic.

Representative Smola said, "I'm extremely proud of what we've been able accomplish at the State House this year and I'm grateful for the opportunity to continue to work on behalf the First Hampden District in 2018."

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