



April 28, 2025

The Honorable Ronald Mariano, Speaker
Massachusetts House of Representatives
State House, Room 356
Boston, MA 02133

RE: Proposed Amendments to H 4000, An Act making appropriations for the fiscal year 2026 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements

Dear Speaker Mariano:

On behalf of the Massachusetts Bankers Association's (MBA) more than 120 commercial, savings and cooperative banks and federal savings institution members with 72,000 employees located throughout the Commonwealth and New England, we are writing to express our views on several amendments to H 4000, An Act making appropriations for the fiscal year 2026 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements.

Our views on these amendments are detailed below:

Support Amendment #76: Concrete Testing Reimbursement Program, #1310: Crumbling Foundations, and #1330: Crumbling Concrete Assistance Fund

Amendment #76, filed by Rep. Ashe, provides \$50,000 in funding for the Division of Occupational Licensure to manage a program reimbursing homeowners for a portion of the cost of having their foundations tested for pyrrhotite. This funding is vital to assisting homeowners in the affected areas get their foundations tested.

Amendments #1310 and #1330, also filed by Rep. Ashe, seek to establish a Crumbling Concrete Assistance Fund ("Fund"), which, in part, will:

- Provide financial assistance to owners of residential real property with concrete foundations that have deteriorated due to the presence of pyrite or pyrrhotite;
- Minimize any negative economic impacts on municipalities within which such property is located;
- Reimburse up to a certain amount eligible property owners who have replaced their concrete foundations due to the presence of pyrite or pyrrhotite prior to the Fund's establishment

The Fund will be administered by the Secretary of Housing and Livable Communities who will also convene a stakeholder group of public and private experts tasked with recommending any regulatory and legislative changes to the Fund deemed necessary. Amendment #1330 also appropriates \$100,000,000 in a new, unnumbered line item for a Crumbling Concrete Assistance Fund, administered by the Secretary of Housing and Livable Communities.

The Association is a longtime advocate for crumbling concrete relief and respectfully requests that you **support Amendments #76, #1310, and #1330** during debate on H 4000 this week.

Oppose Amendments #541: Credit Card Taxes

Amendment #541 would change the existing statute as it relates to credit card transactions. We would recommend that all discussions related to the credit card fees, credit card transactions, and anything related to credit cards be debated by the Payments Commission that was established under last year's Economic Development bill "to study the future of payments and sales transactions by credit card and other forms of payment and the impacts for small businesses in commonwealth."

MBA respectfully requests that you **oppose #541** during debate on H 4000 this week.

Support Amendment #579: Check Fraud Prevention & #583: Check Washing Commission

Amendments #579 & #583, filed by Rep. Jones and others, provide two distinct ways to attempt to address the growing problem of check washing in the Commonwealth. Check washing, which is a scam involving changing the payee names and often the dollar amounts on checks and fraudulently depositing them, is, unfortunately, on a meteoric rise causing angst and financial distress for residents throughout the state. Our members are also directly affected by these fraudulent schemes through added customer service resolution work, customer reassurance efforts, as well as additional compliance and due diligence that is required once the fraud is identified.

Amendment #579 would create a new criminal penalty for those accused of participating in a check washing scheme, tackle the jurisdictional issues of check fraud and seeks to facilitate the consolidation of check fraud that occurs in multiple court jurisdictions to a single jurisdiction to show the full scope of these scams. Amendment #583 would create a commission to study the issue of check washing and appreciates being named as sitting member of said commission if passed.

MBA strongly supports Amendments #579 & #583 and respectfully asks that you **support these amendments** during debate on H 4000 this week.

Support Amendment #1591: Eliminate the Death Tax

While the last major reform of the Massachusetts estate tax law occurred less than a year ago, Massachusetts remains as one of the only 12 states that still implements an estate tax at all. Further, in recent years, the other states have also recently explored or implemented changes to their tax, primarily by increasing the amount exempt from the tax (as Massachusetts accomplished), but also by indexing the exemption amount for future inflation and tracking with federal law – both areas left largely untouched by Massachusetts recent changes. It should also be noted that seven states have repealed their estate tax laws since 2010: Kansas, Ohio and Oklahoma in 2010 and North Carolina, Indiana in 2013, Tennessee in 2016, and New Jersey & Delaware in 2018.

Even at the new \$2 million threshold, Massachusetts is still laggard in reforming its estate tax laws and is becoming increasingly inhospitable to those with above-threshold estates -- an amount that is often attained by adding the value of a rising property prices and retirement savings or sale of a business. In addition, when higher income Massachusetts residents change their domicile, Massachusetts also loses personal income tax revenue – a true lose-lose for Massachusetts.

Amendment **#1591** would eliminate the estate tax law for estates of decedents dying on or after July 4, 2026. As lenders to individuals and business owners, investment managers and providers of trust services to our clients, our banks witness first-hand how the state's tax laws inhibit economic growth and vitality of our communities. For these reasons we support Amendment **#1591**, as well as any other legislative efforts aimed at softening the blow of Massachusetts' archaic estate tax.

MBA respectfully requests that **you support Amendment #1591**.

Conclusion

Thank you for considering our views on these proposed amendments to H 4000, An Act making appropriations for the fiscal year 2026 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements. If you have any questions or need additional information, please contact us at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Papalardo', with a long horizontal line extending to the right.

Brad S. Papalardo, Esq.
Executive Vice President,
Chief of Government Affairs
& General Counsel