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Six proposed 2022 ballot initiatives for businesses to watch

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GARY HIGGINS / BOSTON BUSINESS JOURNAL

Should the proposals advance that far, the Legislature could opt next year to take action on them before they headed to voters in November 2022.

Every two years around this time, there are typically several ballot petitions brought to the state attorney general's office that, if passed into law, would carry significant implications for Massachusetts businesses. Some make it to the finish line and end up on voter ballots the following November. Many fall short of that goal.

Here's a look at business-related ballot proposals this time around. This week's filing deadline for proposed ballot initiatives was only the first in a formidable series of hurdles that proponents must clear to get on the ballot in November 2022, including the collection of tens of thousands of signatures and a declaration by Healey's office that the proposals pass constitutional muster.

Nurses seek to limit hospital margins, CEO board seats

The Massachusetts Nurses Association has put forward three different proposals with overlap in what they seek to achieve. The labor group wants to prohibit hospital CEOs from receiving compensation from or serving on the boards of pharmaceutical companies, medical device firms or other companies that develop, make or sell medical services.

The association is also seeking to limit hospitals that accept state funds to an annual operating margin of no more than 8%. Should it exceed that limit, the hospital would be hit with a civil penalty equal to the amount by which it went over the 8% threshold, with

that money then used to improve Medicaid reimbursement. Under one proposal, facilities would also be required to report all of their financial assets, including those held outside the U.S., to the state's Center for Health Information and Analysis each year. The association's proposals would take effect in July 2024.

A potential path forward on alcohol sales licenses

The Massachusetts Package Stores Association is sponsoring a proposal that would allow a retailer to ultimately hold up to 18 alcohol licenses, up from the current nine. However, only seven of the licenses could be for all liquor sales. Currently, all nine of a retailer's licenses can be for liquor. (Under the proposal, those with nine all-liquor licenses would be grandfathered in.)

The proposal "is intended to end some of the constant disruption in alcohol retail that has been going on since 2006," said [Robert Mellion](#), the association's executive director. The initiative includes a few other provisions regarding the sale of alcohol, including allowing retailers to accept out-of-state drivers' licenses as proof of age at checkout.

The association had expected Cumberland Farms to file a ballot proposal related to alcohol sales and was "very surprised" when it decided not to do so, Mellion said. The association's own proposal was seen as a potential compromise between the status quo and what Cumberland Farms sought.

Westborough-based Cumberland Farms had put forward a proposal for the 2020 election that would have eventually eliminated the liquor-license cap. The Package Stores Association lost a court challenge to the Cumbies proposal, but the retail chain dropped its 2020 initiative, citing the pandemic. Even without a Cumbies initiative, there is legislation pending on Beacon Hill that would loosen licensing requirements beyond the association's liking, Mellion said.

The return of happy hour?

One of the proposals would allow Massachusetts bars and restaurants to bring back happy hours, in which businesses could sell discounted alcoholic beverages at certain times during the day. The measure would allow businesses to offer free drinks, among other related provisions.

Changes for gig workers

A coalition supported by industry players such as Uber and Lyft has put forward a ballot question that would grant some benefits like health care stipends and paid sick time to gig workers while maintaining their independent contractor status, similar to a landmark proposal passed by voters in California in 2020. The Business Journal's Lucia Maffei and Grant Welker have more on [the battle over the proposal](#).

TCI in the crosshairs

Another proposal aims to bring down the new Transportation and Climate Initiative that is meant to raise funding for the state to meet its climate change goals. It is estimated TCI would raise gas prices by 5 to 9 cents a gallon. The Business Journal's Steph Solis [has more](#).

The Fourth of July, every day

Fireworks would be available for general sale in Massachusetts under one measure, with a newly established Consumer Fireworks Regulation Commission overseeing the legalization of sales.



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