



Saturday Scoop

Happy Saturday,

Unlike the last few Saturdays in November (has it been 2.5 weeks already?) I'm feeling energized! Fired up! Determined!

Why? We had our Act on Mass member meeting Thursday night! We jammed out to Auditor Diana DiZoglio's transparency-themed hit single "[This is the Time](#)," heard from rep-Elect Tara Hong and former candidate Evan McKay, discussed next steps for our movement, and listened to community members' frustrations with the past legislative session and the difficulties of advocating in a broken system.

It was wonderful to meet many of you and get the chance to introduce myself. We're so lucky to have the community that we do. As I said at the meeting, one of my favorite things about our work is that it brings advocates from so many different progressive issue areas together— from climate organizing, to immigrant protection, to housing justice, etc., etc.— everyone has reason to advocate for a better political system in which to organize.

If you were unable to join us on Thursday, here's a link to see the recording: [Act on Mass Member Meeting 11/21](#). Here's a [PDF of the slides](#) too.

And whether you were there or not, I'm excited to announce another great opportunity to meet with the Act on Mass team, in person: we'll be hosting our end of year fundraiser on **December 8th at 2 pm** in Quincy! Details to follow. Hope to see you there!

State House Scoop - Processing Econ Dev

We covered the gargantuan economic development bill in our Scoop last week. It was officially [signed by Gov. Maura Healey this week](#) and will become law. This week, we'll revisit it with some clarification, and dive a bit deeper.

This bill was unfortunately a textbook example of how most lawmaking goes down in our state legislature these days. Let's review how the system is supposed to work:

Representatives introduce bills— roughly 10,000 per session, at this point. Most bills propose a minor change or addition to the language of [Massachusetts' General Laws](#), which govern all aspects of life in our Commonwealth, in order to improve a small aspect of our state law or respond to a new need.

→ Bills are assigned to committees based on the issue they respond to. Committees hold public hearings on bills and then vote to approve a bill or not. Bills approved by their committee might move to another committee, which can approve or reject them.

→ Once approved by all relevant committees, the bill is brought to the House or Senate floor for a vote by the full membership. Members are forced to take a position on the *specific language the bill deals with*, voting yes or no. Bills approved by the majority of members are passed, and go to the governor's office to be signed into law.

In a functional democracy, the above system offers many opportunities for the public to understand their representative's position on a particular issue. For one, a functional democracy has public committee votes: even on bills that don't make it to the floor, the public is offered a view of how certain representatives feel about an issue they care about, and can apply pressure accordingly. But to focus on the economic development bill, and how it represents our broken democracy, let's examine two pieces of our system: individual bills, and the final vote on the floor.

Passing standalone bills: a historical relic in Massachusetts

In Massachusetts, individual bills have increasingly come to mean almost nothing on their own. At the end of session this year, our friends at Progressive Mass did an analysis of bills that had been passed. At that point (9/12), the Massachusetts state legislature had passed... 293 bills. Out of ~10,000. What were they?

- 223 home rule petitions, which applied only to a single city or town (76.1%)
- 34 sick leave bank or retirement credit petitions, which applied only to a single MA resident (11.6%)
- 8 budget-related bills (2.7%)
- And, a grand total of **28** substantive bills passed into law (9.6%)

Representatives argue that the number of bills passed is a misleading measure for the amount of *lawmaking* going on, because most changes to law are now done through massive “omnibus bills” that combine the language of many different bills into one. These include [outside sections](#) on budgets, which we've covered in [previous Scoops](#), and (surprise!) economic development bills. And to those reps we say: uh, ding, ding, ding!

Passing everything through omnibus bills and outside sections on spending bills is certainly *one way* to run a democracy. It does occasionally produce results we want, such as the language of the [campaign funding for childcare bill](#) (struggling through the legislature since 2017!) being finally passed via an outside section on this recent econ dev bill. However, it turns the democratic system on its head.

Rather than advocating for individual bills through the committee hearing process or by building numbers among the rank-and-file, advocacy groups must now focus their efforts on currying favor with the *few* members of leadership responsible for putting these omnibus bills together, in hopes that their bills' language might be included. This empowers corporate lobbyists and groups with the money to build and maintain relationships with leadership– which often involves [well-timed donations to such leaders' campaign accounts](#). It's no coincidence that House Ways and Means chair Aaron Michlewitz, AKA the one-stop-shop for outside sections in the House budget, has the largest campaign account of any legislator ([\\$1.2 million cash!](#)) despite [never facing a challenger](#).

This process also disempowers rank-and-file reps, who rather than building support among their colleagues, are forced to jockey for proximity to leadership in hopes of getting the language of their priority bills included on one of the “big bills.” Many of these large bills, such as the climate bill that passed last week, have their final versions hammered out in closed-door conference committees, are released mere hours before the vote, and cannot be further amended at that point. This leaves reps with hundreds of pages to sort through in short time spans, full of proposals they might agree with or disagree with, yet which all must be approved or rejected with a single vote. Unsurprisingly, it results in a system where [85% Democratic reps voted with the Speaker on 100% of roll call votes](#).

Votes on the floor: does it mean anything?

Thus, this system also has major consequences for transparency: it muddies the waters of representative's positions, so the public is **left guessing about what pieces of new law their representative does and does not support**. This makes it *extremely difficult* for advocacy groups, constituents, and the wider public to either thank representatives for supporting legislation that is beneficial (and re-elect them!), or hold representatives accountable for pieces of legislation that are harmful (and challenge them!).

Let's use the econ dev bill as an example. Last week, when we covered this bill in the Scoop, we basically knew only what state leaders had told us was in the bill: a LOT of money. Thanks to the sharp eyes of one Scoop reader, I'll also clarify some confusing language in our past coverage: this bill does NOT appropriate money, but rather grants permission to the State to issue bonds for certain multi-year initiatives, outside of the typical yearly budget. Check an [explanation](#) of this process from our friends at Mass Budget if you want to learn more.

Anyway- last week, we knew the big line items of the economic development bill: bond authorization for life sciences, climate tech, etc. We even knew about some outside sections

that had made it or not made it into the final version of the bill: campaign childcare, for example, (which did), or removing the ban on happy hour (which didn't). But, the last week has actually given advocates time to dig through the weeds of the [320 page bill](#)— and some interesting things have cropped up.

Let's recap: in a functional democracy, advocates and representatives are clear on exactly what law changes are in a bill **before it passes**, and are able to advocate or vote accordingly. In Massachusetts, however, giant bills are assembled behind-the-scenes, contain a range of law changes, are voted on with less than 24 hours notice, leaving advocates (and, likely, representatives) to **retroactively** examine what legal consequences the laws will have— with only the hope of [petitioning the governor for a line-item veto](#).

Here's a few pieces of the economic development bill that have come to light in the last week, once the law was already passed:

- The good: a provision to allow [craft beer and craft spirits to be sold at farmers markets](#), alongside the already-approved wine and hard cider. This language seems to have bill history going back to [2009](#). It also allows up to 5 free samples per customer— so the next time you're sipping free beer at a farmers market, thank the econ dev bill?!
- The bad: a provision to allow ticket-sellers such as Ticketmaster to restrict [ticket transferability](#), which advocacy groups argue harms event attendees and reinforces monopolies. One advocate explained that “consumer advocates did not sound the alarm about the provisions before they reached Healey's desk because they did not know about them ahead of time”
- The ugly: firmly denounced by community member at our meeting on Thursday, the econ dev bill included language that would shield a single Roxbury-based nonprofit from accusations of predatory lending by [explicitly making their dubious lending practices legal](#). BlueHub Capital is currently subject to a class-action lawsuit based on these accusations. BlueHub's CEO is also a longtime donor and personal contact of Governor Maura Healey, raising ethical questions. Despite protest from victims, advocates, and the Attorney General herself, this language made it to the final version of the bill and was signed by Governor Healey.
- In a functional democracy, these above provisions would have been passed (or not passed) as individual bills on a roll call vote, with representatives expressing their support or disapproval based on the feedback they'd gotten from constituents throughout the bill process and their own personal convictions. Then, voters would be given the chance to respond accordingly.

Instead, we're left with a convoluted soup of warring provisions: should we call our reps to thank them for voting in favor of free beer samples? And campaign childcare? Or criticize them for voting in favor of ticket monopolies and shielding predatory lenders? All within the same bill, which is theoretically about "bond authorization"?!

One thing certainly is clear: a functional democracy, Massachusetts is NOT.

Missed a Scoop or two? You can find a full archive of all past Saturday Scoops on our [blog](#).

Syd's Sprinkles: Graveyard of the 193d Session - Support Native Students

With Thanksgiving just around the corner, it is important to remember the true realities of colonial expansion into the Americas and the impacts of colonization on Indigenous peoples across the continents.

We have a long way to go in terms of recognizing the horrible treatment of Native people on their own lands, and there could have been some bills that would have begun to address these needs had the legislature passed them this past formal session.



One of these bills was the Support Native Students bill ([H.536](#), [S.318](#)), which was never brought to a vote and is currently sitting in House and Senate Ways and Means. This bill would have:

- Allowed candidates for office to pay for necessary campaign-related childcare expenses from campaign funds
- Caught Massachusetts up with other states that already have similar legislation in place
- This bill is currently sitting in Senate Ways and Means and has been since this past May.

This bill would have helped to set Indigenous students up for success and improve their rates of graduation from K-12 programs and enrollment in higher education.

While only making up [about 1%](#) of the country's population as of 2021, [less than 16%](#) of indigenous identifying students had received a bachelor's degree or higher compared to the national rate of [over 32%](#).

It is clear that there needs to be more efforts to improve access and quality of education for Native students, so why has our legislature continued to fail to protect and empower another marginalized group of residents?

We hope that this Thanksgiving you take the time to recognize the continued marginalization faced by Indigenous peoples in this country.

Take Action

Take action to Defend Question 1!

ACT ON MASS

CALL TO ACTION:

DEFEND QUESTION 1!

135 REPS VOTED YESTERDAY TO UNDERCUT THE PEOPLE'S AUDIT

TELL YOUR ELECTEDS THAT THE WILL OF THE VOTERS MUST BE RESPECTED

USE OUR PREWRITTEN EMAIL FORM:
bit.ly/Defend-Q1

Last week, legislators approved a rules change that seems intended to serve as a watered-down version of Question 1, which voters approved by a margin of 72%-28%. Leadership described this rules change, which would give the auditor the ability to appoint the private firm who completes the legislature's financial audits, as an attempt to "acknowledge" the will of the voters. We need all hands on deck to protect the People's Audit from this backsliding. Tell your rep: no acknowledgement but compliance. We demand a full legislative audit.

[DEFEND THE PEOPLE'S AUDIT >>](#)

Donate to our end-of-year fundraiser!



We're still collecting donations for our End of Year fundraiser, with a goal of raising \$5000 by the end of the year to close out our books. Your support will help us **keep up the pressure on our state leaders in the new year**, especially as the new presidential administration takes office in January and our state house becomes even more critical.

[PITCH IN TODAY >>](#)

Thanks for reading, folks, I hope you're feeling as fired-up as I am to make some serious change to our broken system. In the meantime, enjoy your Saturday!

In solidarity,

Scotia

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