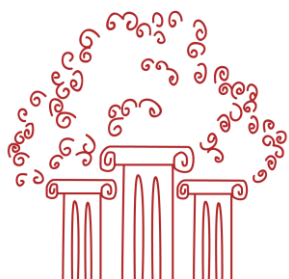


LEGISLATIVE ADVOCACY IN MASSACHUSETTS

An Overview of How a Bill Becomes a Law



Massachusetts
APPLESEED

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Bill Filing

- Two Year Legislative Session – begins in odd-numbered years
- The bill filing deadline is 5:00 p.m. on the third Friday in January of the first year of the session (i.e., in the odd-numbered year).

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Late Files

- Bills filed after the bill-filing deadline are called “late files.”
- Late files require special approval of the Legislature in order to be considered.

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Bill Numbers

- Bills are filed in either the House or the Senate and are given bill numbers.
- Bills originating in the House begin with an “H” and those originating in the Senate begin with an “S.”

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Committee Assignments

- The Legislature is organized into substantive committees by subject matter such as Children, Families, & Persons with Disabilities; Judiciary; Housing. Joint legislative committees consist of members of both the House and the Senate.
- Each bill is sent to the committee that oversees the subject matter that the bill is about.
- For a complete list of the current Joint Committees, go to <http://www.mass.gov/legis/commenu.htm>. **FIX**

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The Committee Hearing

- The Committee schedules a public hearing for the bill, at which time anyone may voice his or her opinions on the bill to the committee members.
- This is an opportunity for experts and activists on both sides of the issue to testify in favor or in opposition to a bill.
- Advocates often use a committee hearing as a way to organize their members and get press attention.
- Controversial bills may have hours of testimony while other bills may have none at all.

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Executive Sessions and Committee Recommendations.

- At some point after a bill has been heard, the Committee holds an “executive session” or poll members who vote on a recommendation as to whether the bill “ought to pass” or “ought not to pass.”
- Study Orders: The Committee could also recommend that the bill be studied further – this is called a “study order.” As a practical matter, a bill “sent to study” is usually in limbo for the rest of the session. It is a convenient way for the Committee to quietly kill the bill.
- Committees are required to report all bills by the first Wednesday of February in the second year of the legislative session. **Can sometimes get extensions**

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Committee Redrafts

- The Committee may also amend or redraft the bill before giving it a favorable recommendation. New Committee drafts are given a new bill number.
- Redrafts typically occur when many similar measures are filed before the Committee, which will report out only one draft.
- A redraft may also occur when there are major language or terminology changes recommended by the Committee.

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The Legislative Process – Bill “Readings.”

- The First Reading: Once a bill gets a favorable committee report, it is sent to the House or Senate floor for a “first reading.”
- After the first reading, the bill can be sent to Ways & Means (if it has an impact on the Commonwealth’s finances, which most bills affecting our clients do), or to the House/Senate Committee on Steering and Policy.

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“Second Reading”

- The Second Reading occurs when the bill is released from either Steering & Policy or Ways & Means. It is then placed in the “Orders of the Day.”
- At this time the bill is open for debate or amendment.
- The members then vote to send the bill to the Committee on Bills in Third Reading.

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“Third Reading”

- The Committee on Bills in Third Reading reviews the bill for legal technicalities and proper citations.
- After the bill is released from this Committee, it is read for the 3rd and FINAL time in this chamber, where it may again be amended.

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Engrossment and Enactment

- Following the “Third Reading” and after the bill is again debated and possibly amended, the chamber votes on the bill - if it is voted on favorably it is “passed to be engrossed.”
- Once the bill is engrossed, it is sent to the other chamber to repeat the three reading process and engrossment.
- The last step before a bill goes to the Governor is a vote on “enactment” in both chambers.

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Conference Committee

- If there are differences between the House and Senate bills, both chambers must agree on one version. The measure can't progress to enactment until the same draft is approved by both chambers.
- In this situation, a conference committee is appointed to work out a compromise. The conference committee is made up of 3 senators and 3 representatives. The compromise legislation, known as the "Conference Report," must then be accepted (engrossed) and enacted by both branches.

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The Governor

- The Governor's office is the final step in the passage of a bill. The Governor has 10 days to act on a bill.
- The Governor may sign the bill or veto the bill. If he vetoes the bill, the legislature may override the veto by a 2/3 vote in both chambers. The bill then becomes law without the Governor's signature.

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Other Actions the Governor May Take.

- The Governor may choose to neither sign nor veto the bill within 10 days. If he takes no action and the legislature is in session (i.e., it is not later than 12/31 in an even-numbered year), the bill becomes law.
- The Governor may also return the bill to the Legislature with recommendations for changes. The Legislature can consider the recommendations, but may return the bill without making the recommended changes. If so, the Governor must sign the bill as is or veto it.

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Effective Date of Legislation

- Most laws become effective 90 days after the Governor's signature.
- Some laws contain specific language stating when the effective date will be.
- Acts with emergency preambles usually become effective immediately. The preamble must be adopted in both branches.

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Formal and Informal Sessions

- The House and Senate may meet in either “formal” or “informal” sessions.
- During the first year of the legislative session, both the House and the Senate meet only in informal sessions from November until the end of the calendar year.
- During the second year of the session, both chambers meet in informal sessions from August until the end of the year.

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Informal Sessions

- An informal session addresses only non-controversial business and no roll calls are taken. Informal sessions are usually scheduled for Mondays and/or Thursdays
- Usually only a handful of legislators attend informal sessions.
- All business conducted during an informal session must be passed unanimously - if any member objects, the matter is not approved.

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Formal Sessions

- During a formal session, the legislature considers and acts upon reports of committees, messages from the Governor, enactments and any other issues that may be controversial. Roll calls are sometimes taken.
- Formal sessions are usually scheduled for Tuesdays, Wednesdays and/or Thursdays, but during busy times of the year additional days may be scheduled.

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The Budget Process

- Unlike other bills, which are subject to a two year legislative cycle, the Governor submits and the Legislature passes a budget every year.
- The State's fiscal year runs from July 1 to June 30.
- Each spending item in the budget is identified by a "line item" number.

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The Governor's Budget

- During the fall, Cabinet officials and department heads come up with their budgets for the next fiscal year. These are submitted to the Governor's finance office, called Administration & Finance, or A&F.
- The Governor is required to submit his budget recommendations to the House of Representatives by the 4th Wednesday in January of each year – except during the first year of a new Governor's term when s/he has additional time.
- The Governor's budget is the first bill of the year, referred to as "House 1" in the first year of the legislative session and "House 2" in the second year.

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The House Budget

- The House immediately refers the Governor's budget to the House Committee on Ways & Means.
- House and Senate Ways & Means Committees, acting together, hold public hearings. HWM staff may also meet with advocates before releasing its version of the budget.
- The HWM budget usually comes out around mid-April. Members of the House may submit proposed amendments within the next couple of days and then the full House debates and votes on the final House budget within the next 2 weeks.

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The Senate Budget

- SWM analyzes the House budget in early May. Members of SWM staff may also meet with advocates before releasing its version of the budget.
- SWM usually releases its budget around mid-May. Senators may submit proposed amendments and then debate and vote on the budget within the next week.

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Conference Committee

- A Conference Committee is then appointed to resolve differences between the House and Senate budgets.
- The Conference Committee Budget is usually released around in June.

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Governor Takes Action

- After the full Senate votes on the budget, it is sent to the Governor.
- The Governor can sign, line item veto or veto the whole budget.
- If line items or the whole budget is vetoed, the Legislature can override the veto(es).
- Overrides must start in the House and must win the support of 2/3 of the House and 2/3 of the Senate.

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Massachusetts State Budget Timeline

JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY
Governor	House Ways & Means	House Ways & Means	Full House	Full Senate	Conference Committee	Governor
Governor releases proposed budget on the 4th Wednesday in January	Senate Ways & Means House and Senate Ways & Means Committees begin to analyze budget and hold joint public hearings.	Senate Ways & Means House and Senate Ways & Means Committees continue budget analysis and public hearings.	House Ways & Means Committee reports budget to full House; representatives file amendments for debate and vote. Senate Ways & Means Senate Ways & Means Committee analyzes final House budget.	Senate Ways & Means Committee reports budget to full Senate; senators file amendments for debate and vote.	Conference Committee (3 Senators & 3 Representatives) combine House and Senate budgets into one bill. House and Senate vote to send final budget to Governor.	Governor signs budget within 10 days of receiving it.
						House Senate Legislative veto override, if needed.



For more information:

Visit www.malegislature.gov

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