

Beacon Hill Byline by Mary Rogeness

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The Power of One

Visitors to the State House this month learned first hand a lesson on the workings of the legislature. A single legislator brought the Massachusetts house of representatives to a sudden stop.

Here is the way it happened – and the resolution to that event.

From August until the end of each even-numbered year, the house and senate meet twice a week in “informal” sessions. House sessions open with the traditional prayer and Pledge of Allegiance, but a bill can be enacted into law only if no member objects to it. It was a member’s objection that opened the door to trouble.

The bill in question seemed innocent enough. The town of Westwood is historically and by law a “dry” town. This year their town meeting approved a proposal to allow a new supermarket developer to have the town’s first and only license to sell beer and wine. They passed that request to their state representative, who filed a bill for them.

The bill is the type of issue that our informal sessions are designed to handle. It’s a locally approved issue that needs only a change in the town-specific law. (Our town would not need such a change because we are governed by our own charter. Longmeadow would need legislative approval only if a liquor license exceeded the population-based limit on all municipalities.)

The bill passed both house and senate and needed only to be enacted in order to become law. Then, just as it was ready for that enactment, a single Boston lawmaker objected. He is friends with the owner of a rival grocery owner, who believes his own Westwood store would suffer unfairly from the competition.

Because we are in informal sessions, his objection stopped the bill. But that’s not what closed the legislature. That required another player, the hometown state representative for Westwood.

The Westwood representative used the ultimate weapon – he doubted the presence of a quorum at the informal session. And since informal sessions often have five or six members in attendance, the quorum call forced an automatic adjournment. No more business could be conducted. He continued to adjourn the house for several more sessions.

Many states can function very well when their legislatures are adjourned, but Massachusetts is not one of them. Some law or other always needs to be passed. Like Westwood, many towns require state approval to change small aspects of town government. All municipalities need state approval for local ballot initiatives, and several faced deadlines as the sessions continued to adjourn without conducting business. The Westwood problem expanded to affect a growing number of legislators as their own bills were held hostage to the local liquor license impasse.

Sessions are no longer being stopped before they begin, so how was the issue resolved? It appears that Boston won the round. The Westwood allowed let sessions continue and the town agreed to request extra beer and wine licenses, allowing each grocery chain to have one. Westwood now must go back to square one and convene a new town meeting.

Until a special town meeting can convene and act, the issue is on hold. No beer or wine can be sold in Westwood. And the state house is back to business as usual.