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REPRESENTING BUSINESS BEFORE GOVERNMENT

HALEY

Like most states, Massachusetts is approaching the middle of a two-year legislative session. The following brief year-end report was developed to help put the achievements of the first year in context, while reviewing what we can reasonably expect from the legislature over the coming year:

For a host of reasons, the Massachusetts legislature got off to a very slow start this year – and sputtered to stalemate as the legislative year drew to a close. The overwhelmingly Democratic body had to accustom itself to working with a new Republican governor, albeit one with lots of Beacon Hill experience and good working relationships with many of his Democratic colleagues. The Senate, too, adjusted to working under a new president, Stan Rosenberg, a 24-year Senate veteran who proved more assertive than his predecessor in challenging the power of his House counterpart, Speaker Robert DeLeo. A standoff between the two legislative leaders, however, dragged on for months, delaying both the assignment of bill numbers and the referral of bills for review by joint committees.

As a result, committee hearings began late, leaving the House and Senate co-chairs to scramble to catch up and consider the approximately 5,900 bills filed to date. Apart from the annual state budget (and periodic supplemental budgets to correct omissions and adjust for overspending), almost no significant legislation made it through this gauntlet to be signed into law.

Indeed, most legislation remains stuck in committee. Most joint committees have until March 16, 2016 to report out legislation, effectively leaving 3½ months for bills to compete for attention in the respective Ways and Means committees and on the floor of both chambers.

In this environment, the bills with the most chance of passage are those that find the sweet spot of appealing to a progressive Republican governor, a relatively conservative House speaker, and a liberal Senate president. Legislation to combat an epidemic of opioid addiction leads that list, and energy and the environment also represent categories where the state's political leadership is expected to find common ground. But even priority bills like these stalled this year in the face of back-and-forth jockeying between the two chambers.

By year's end Serlin Haley was monitoring 30 bills in Massachusetts for MVMA, and while many dealt with animal safety (or cruelty), others ranged from animal rescue organizations, pet grooming, kennels, puppy sales, burial and cremation, property insurance for dog owners, and the repeal of archaic laws such as one that prohibits frightening certain pigeons.

Among the bills we support are one creating a subsidiary board under the Board of Registration for veterinary technicians and another exempting veterinarians from provisions of the state's strict drug compounding laws. We are also watching closely as the legislature considers bills relating to non-compete agreements among vets and others that would restrict employers in employee scheduling matters.

In addition to bills dealing with tethering or confinement of dogs or farm animals, Massachusetts is watching as national advocacy groups make it a test case for bypassing state legislatures and taking farm confinement practices, in particular, straight to voters. A question making its way to the 2016 state ballot would ban the sale or importation of eggs, pork and veal raised in gestation crates and other similarly constrained spaces. The Humane Society of the United States claims to have obtained sufficient signatures to place a bill before the legislature; if not enacted there, voters will likely decide the issue instead.

Despite the legislature's late start, all but two of the bills we are following for MVMA have now received hearings, and one of those, on non-compete agreements, is now scheduled for hearing next week. Otherwise, the legislature essentially wrapped up work for the year on Nov. 18 when it voted to go into "informal session" for the remainder of 2015. Once formal sessions resume in January, we can expect 500 to 600 bills a week to be released over the ten weeks leading up to the mid-March committee deadline.