



# THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

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September 3, 2025

Kirstin Beatty  
149 Central Park Drive  
Holyoke, MA

Re: Initiative Petition No. 25-41, Initiative Petition for a Constitutional Amendment  
Relative to a Fair and Accountable Legislature

Dear Ms. Beatty:

In accordance with the provisions of Article 48 of the Amendments to the Massachusetts Constitution, we have reviewed the above-referenced initiative petition which was submitted to the Attorney General on or before the first Wednesday of August this year. I regret that we are unable to certify that this proposed law complies with Article 48. Our decision, as with all decisions on certification of initiative petitions, is based solely on Article 48's legal standards and does not reflect the Attorney General's policy views on the merits of the proposed law.

Below, we describe the proposed constitutional amendment and then explain why we cannot certify it under Article 48. Article 48, the Initiative, Part 2, § 3, requires that each "measure and the title thereof are in proper form for submission to the people," and that each measure contains "only subjects . . . which are related or which are mutually dependent." As explained below, the proposed amendment is not in "proper form for submission to the people" because it regulates internal legislative procedures, and its subjects are not "related" or "mutually dependent."

### Description of Petition

This proposed constitutional amendment would amend Article VII and Article X of Chapter I, Section III, of the Massachusetts Constitution in several ways.

It would require that legislators receive equal base pay and that staff, including legal, budgetary, research, and personal staff are equitably distributed among the legislators. The amendment would also limit the grounds on which the personal staff of legislators could be fired or removed, such as crime, corruption, or aggression, and would require that personal staff all are paid the same salary and that all staff are paid a living wage.



The amendment would also create certain requirements for mileage reimbursement and per diem rates, funding for office space and office needs, as well as dependent care, and health insurance for legislators. The amendment would create a Citizens Compensation Commission, with members appointed by the Governor, that would establish by resolution the annual salary and benefits for the General Court, as well as all legislative personal and professional staff, based on several considerations set forth in the amendment. This Commission would also determine a total annual additional compensation, and the proposed amendment sets forth the percentages of that total that would be provided to certain leadership positions as additional compensation, as well as the payment schedule. Additionally, the Commission would determine the General Court's staffing needs.

The proposed amendment creates a process for the clerks of the Senate and the House to examine the records of committees whose chairs are eligible for additional compensation, and to certify certain aspects of the committees' performance.

The amendment would also create an independent Professional Bureau of Research, Budgetary Analysis, and Legal and Legislative Work. This would set efficacy and transparency-related policies for the Legislature.

Additionally, the amendment would require the State Ethics Commission to collect and make public financial information of the members of the General Court and its staff, and would specify that the State Auditor may review the Legislature's spending.

Finally, the amendment sets requirements and procedures for committees, including for committee assignments, the selection of committee chairs, the grounds for removal of committee members, the content of bills, the availability of bills before voting, the reading of bills, and the posting of votes. The amendment would also require that the votes for Speaker of the House and President of the Senate be by secret paper ballot and a majority vote.

#### *The Petition Is Not in Proper Form*

This measure is not in proper form because portions of the measure seek to regulate "internal legislative procedures" that are "within the constitutional unicameral powers" of the Legislature. *Paisner v. Attorney General*, 390 Mass. 593, 599-600 (1983) (initiative petition "does not relate to a law"—and therefore is not "in proper form for submission to the people" under article 48—if it seeks to regulate "internal legislative procedures" that are "within the constitutional unicameral powers" of the House and the Senate); *but see Opinion of the Justices to the House*, 422 Mass. 1212, 1221-22 (1996) (matters relating to legislators' pay fall within traditional lawmaking power).

Here, portions of the measure would regulate the "internal legislative procedures" of the Legislature, in a manner proscribed by the Supreme Judicial Court in *Paisner*. Unlike the initiative considered in *Opinion of the Justices*, portions of this measure do "mandate that the Legislature curtail or modify its meeting times or rules of proceeding." 422 Mass. at 1222-23. Among other provisions, Section 2(f)(9) limits the power of either chamber to meet to debate a



bill, by requiring that at least one week's notice must be provided to the public before bills are debated or brought to vote. Section 2(f)(5) further limits the power of either chamber to meet to vote on a bill, by requiring that any vote occur only after a finalized bill is made available to the public with a minimum of 72 hours' notice for every 25 pages of text. In addition, Section 2(e)(1) limits the power of either chamber to set rules of proceeding governing unicameral review of bills by committee, by requiring that all committees revising bills must be joint committees. Likewise, Section 2(e)(2) limits the power of either chamber to modify committee membership, by requiring that committee assignments may only be traded in the first three weeks of the legislative session.

Moreover, provisions of this measure attempt to enact many of the same changes that were attempted in *Paisner*. Like the measure in *Paisner*, this measure sets forth procedures for the nomination or selection of committee chairs (Section 2(e)(5)), procedures for the consideration of matters in certain committees (Section 2(f)(7)), procedures concerning roll calls (Section 2(g)), and the establishment of a committee overseeing legislative administration and budget (Section 2(b)(1)). Ultimately, key portions of this measure seek to change the "rules" internal to each chamber of the General Court, rather than propose a law affecting conduct "external to the legislative body." See *Paisner*, 390 Mass. at 599-600.

*The Petition Does Not Contain Subjects Which Are Related Or Mutually Dependent*

In addition, the measure does not regard "only subjects . . . which are related or which are mutually dependent[.]" Art. 48, Init., pt. 2, § 3. "[O]ne can[not] identify a common purpose to which each subject . . . can reasonably be said to be germane" and the "general subject of [the] initiative petition," is so broad as to render the 'related subjects' limitation meaningless," given the measure's disparate provisions. *Massachusetts Teachers Association v. Sec'y of the Commonwealth*, 384 Mass. 209, 219 (1981). Here, "[e]xamination of the diverse subjects of" the measure, "discloses no 'operational relatedness among its substantive parts.'" *Anderson v. Att'y Gen.*, 479 Mass. 780, 798 (2018) (internal quotation marks omitted). The measure would require such disparate changes as that bills considered by the Legislature regard a "single main subject without riders" (Section 2(f)(2)), that any legislator may force a roll call (Section 2(g)), that the State Ethics Commission must review the private finances and investments of members of the Legislature (Section 2(d)), and that certain legislative aides may only be removed for cause (Section 2(a)(5)). The relatedness requirement cannot be met by a "conceptual or abstract bond" between the features of a petition, and "separate public policy issues" may not permissibly be joined in a single petition. *Gray v. Attorney General*, 474 Mass. 638, 648-49 (2016).

Rather, provisions as distinct from one another as provisions requiring that the finances and investments of legislators be made publicly available (Section 2(d)), that committee chairpersons shall be chosen through secret paper ballot and changed at the request of the chairperson of two members of the committee (Section 2(e)(5)), and that incumbents shall be subject to the same requirements for candidacy as non-incumbents (Section 2(h)) can be fairly described as "hav[ing] only a marginal relationship to one another," "which could place [voters] in the untenable position of casting a single vote on two or more dissimilar subjects." *Abdow v. Attorney General*, 468 Mass. 478, 499 (2014). Requirements that most legislators be afforded the

same number of personal staff (Section 2(a)(6)) are not dependent on requirements that bills in the Ways and Means Committee shall emerge in the order received before other bills can be addressed (Section 2(f)(7)), or on requirements that all committees revising bills must be joint committees (Section 2(e)(1)). These requirements form neither an integrated scheme nor a coherent whole for consideration by voters. *See Colpack v. Attorney Gen.*, 489 Mass. 810, 818 (2022) (relatedness requirement met where measure presented an “integrated scheme whose various provisions” served a common purpose and did not “yoke together substantively distinct subjects unrelated to a consistent public policy”).

For these reasons, we are unable to certify that Initiative Petition No. 25-41 meets the constitutional requirements for certification set by Amendment Article 48.

Very truly yours,



Anne Sterman  
Chief, Government Bureau  
617-963-2524

cc: William Francis Galvin, Secretary of the Commonwealth