

Beacon Hill Byline by Mary Rogeness

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Another constitutional convention!

The words “Constitutional Convention” carry the image of the historic assembly of notables to write our nation’s founding document, or possibly this year’s gathering of Iraqis to establish a new government. In Massachusetts such a convention is neither rare nor critical to establishing a government.

Our state government is founded on the constitution written by John Adams. It is older than the U.S. Constitution, which was based on the Adams document. One key distinction separates the two. Massachusetts lays down specific regulations, while the U.S. Constitution offers general guidance. Because our state constitution is so specific, it is subject to regular amendment, requiring equally regular constitutional conventions. This year’s convention convened last week.

The convention is almost as convoluted as the constitution itself. It is required to convene by the second Wednesday of May in the first year of the legislative session as specified by Article LXXXI as amended. But that does not mean that any action was required. So, last Wednesday afternoon several senators arrived in the house chamber in the State House. The presiding officer called the convention to order and immediately recessed until August. When it reconvenes at that time, I expect another recess to be ordered.

Why do we need this year’s convention? Like other years, we have pending amendments to address. Amendments require action by two succeeding legislative sessions and voter approval by referendum vote. Three issues completed the first step last year and require another vote before heading to the ballot. These are the issues.

- An amendment concerning health insurance, filed by petition, requires approval by only a quarter of legislators to proceed to the ballot.
- Last year’s amendment defining marriage and civil unions will require 101 affirmative votes to move forward.
- An amendment to establish a permanent “rainy day” fund was endorsed by unanimous vote last year, and it needs one more affirmative vote.

In addition to these pending amendments, several new issues may come before the convention. One liberalizes the use of absentee voting, another allows elections to fill statewide offices if they become vacant. Yet another moves the task of legislative redistricting into the hands of an impartial commission. A total of 19 items are before the convention, most with negative recommendations from legislative committees.

As a new state representative, I once assumed that each session of the constitutional convention would undertake monumental achievement. I should have understood that the informal nickname “con-con” did not denote such gravity. Now I know that we will eventually make important decisions, but many perfunctory, recessed assemblies will take place before the con-con gets down to work.