



Beacon Hill Compliance Tracker

Measuring Massachusetts Legislative Transparency

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Anatomy of Non-Compliance, #2: Joint Committee on Telecommunications, Utilities and Energy

How systematic flexibility undermines the intent of the rules

Introduction

This brief examines the Joint Committee on Telecommunications, Utilities and Energy (TUE) as measured by the Tracker as of February 12, 2026 in the 194th General Court (2025–26). The compliance rate of TUE currently sits at 0.39%. This data brief explains how repeated, systematic delays and extensions act as loopholes for rules and prevent the public from reliably knowing when a bill will be acted upon.

I. Committee Overview

| | House | Senate |
|------------------------------|----------------------|--------------------|
| Chair | Mark J. Cusack | Michael J. Barrett |
| Vice Chair | Michael P. Kushmerek | Michael D. Brady |
| Compliance Rate | 0.39% | |
| Total Bills | 258 | |
| Summary Violations | 3 | |
| Report-Out Violations | 138 | |
| Notice Violations | 113 | |
| Vote Violations | 152 | |

The violations of TUE are largely characterized by rule exceptions that the Tracker purposely does not track: extensions past the allowable 90-day deadline. The purpose of the 60-90 day deadline as spelled out by the House Rules was to enforce timely action as defined by the House's own measure. When bill deadlines are commonly extended past this deadline, the public loses its ability to track and evaluate the outcomes of the bills that affect telecommunications, utilities, and energy.

II. Pattern Analysis

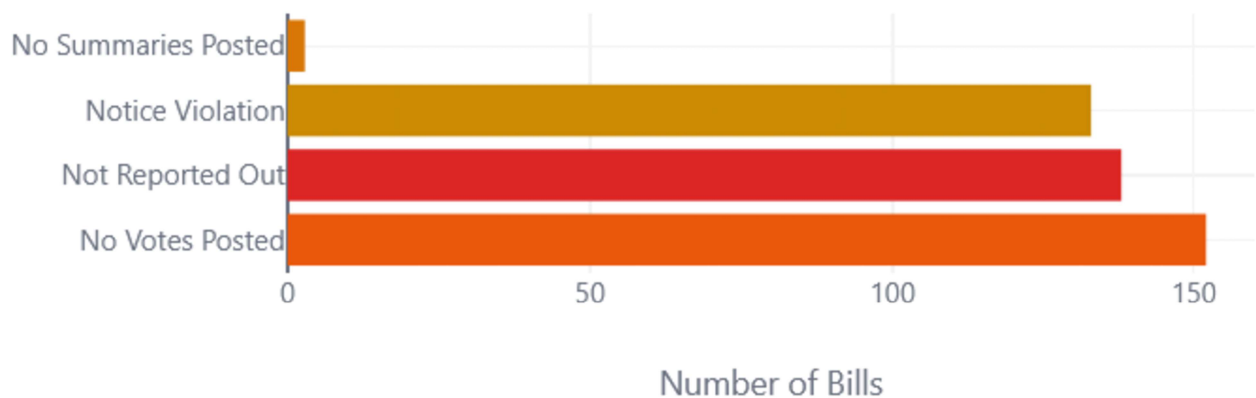


Figure 1: A graph of bills by violation type.

The most common violation type recorded for TUE is a lack of posted votes; however, this is a cascading effect caused by missed reporting deadlines. When a hearing is held for a House-origin bill, the reporting clock begins, and committees have 60 days to act upon a bill, or 90 days if an extension order is filed:

“The House chair of each joint standing committee shall make final report on all matters referred to and heard by their committee prior to the third Wednesday of December of the first annual session of the General Court by not later than 60 calendar days after the matter is heard; provided, however, that an additional 30 calendar days may be granted on a matter by the House chair who shall notify the Clerk of said extension.”

And 48 hours later, a vote must be posted:

“...the committee shall cause the record of such roll call or electronic poll to be available on the official website of the General Court within 48 hours of such roll call.”

Thus, when large batches of bills are granted exceptional extensions, the public is deprived of both the outcome and the vote record; examples:

- H.3583, “An Act to establishing a moratorium on new gas system expansion”
- H.3974, “An Act relative to cellular coverage”
- H.3547, “An Act preventing gas expansion to protect climate, community health and safety”
- H.4084, “An Act relative to a surcharge on the 988 system”
- H.3530, “An Act to ensure safety and transparency in pipeline repair”

Note that each of these bills also violates the 10 day hearing notice rule.

III. Workflow Hypothesis

TUE appears to be using extension authority as a load-balancing or deferral mechanism, suspending the typical obligations to record actions in a timely manner by postponing decisions entirely in systematic fashion. This creates a structural pause in the transparency sequence:

- Notice → Hearing → (Clock starts)
- Extension → No report → No vote → No posting

Transparency stalls at the report stage.

Extensions beyond the typical deadlines are not violations in the strict sense—there are additional delays permitted under the rules. However, when applied broadly and repeatedly to substantive bills, it has the practical effect of deferring both outcome clarity and vote transparency.

IV. The Gap

Repeated notice violations and deadline extensions affect participation at both ends of the civic process. Constituents end up with less time to prepare for hearings and are denied timely resolution on substantive policy proposals.

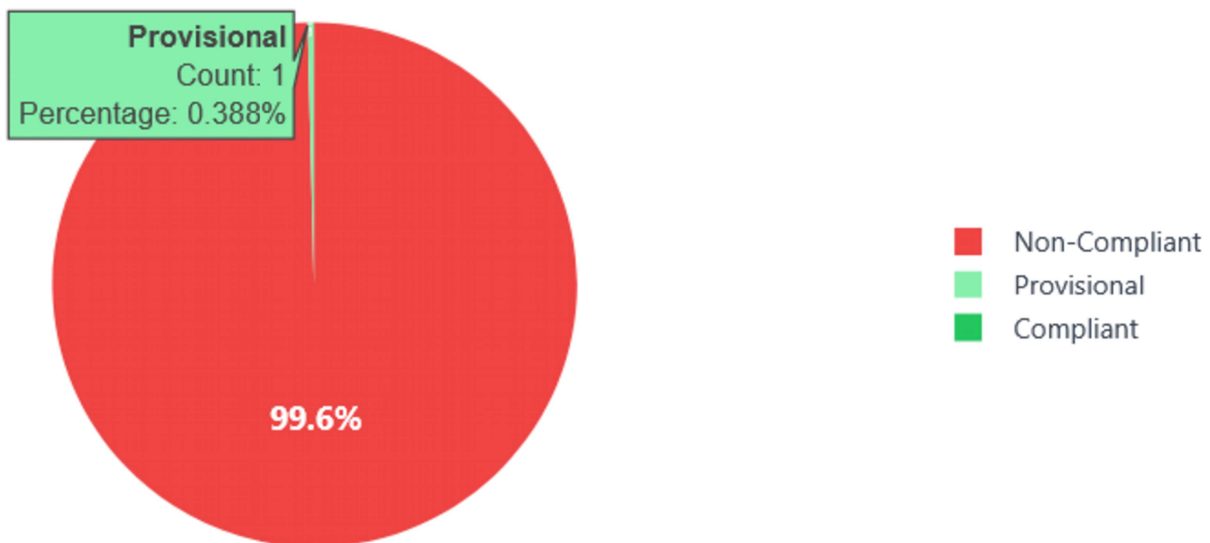


Figure 2: Every single bill for which the deadline has passed has exceeded the 60-90 day deadlines; only one bill, for which the deadline has not yet passed, remains provisionally compliant.

In effect, extension authority shifts civic participation from a rules-based timeline to a discretionary one. Participation becomes contingent not just on notice of hearings, but of

leadership’s internal timing decisions regarding when—or even whether—to move a bill forward.

A straightforward corrective would be narrower and more sparing use of extension authority, coupled with clear public explanations when extensions are granted for substantive bills. Even when negotiation or policy consideration requires additional time, providing easily accessible interim status updates or publicly articulated rationale would preserve predictability and restore confidence in the process.

V. Accountability Context

| | House | Stipend | Senate | Stipend |
|-------------------|----------------------|----------------|--------------------|----------------|
| Chair | Mark J. Cusack | \$44,862 | Michael J. Barrett | \$44,862 |
| Vice Chair | Michael P. Kushmerek | \$22,431 | Michael D. Brady | \$7,776 |

| | |
|----------------------|---|
| Policy Area | Energy, climate, broadband access, utility regulation, ratepayer protection |
| Time Range | May 2025 - Present |
| of Violations | |

The chairs and vice chairs of TUE cumulatively receive \$119,931 for holding these positions. The violations recorded by the Tracker for this committee span the full 194th session, and indicate consistent evidence of legacy workflows which have not been amended in light of the new Joint Rules implemented in 2025, specifically regarding timelines at the tail end of a bill’s tenure within the committee.

Analysis based on bill-level metadata scraped from official public legislative sources as of February 12, 2026 using version 1.3.2 of the Tracker and version 1.0.5 of Stipends. Deadline compliance is computed using a chronology-based algorithm applied consistently across all cases; irregularities in the underlying data make the resulting values standardized estimates rather than exact measures.

For further information collected by the Beacon Hill Compliance Tracker, please visit <https://beaconhilltracker.org/>.

For further information collected by Beacon Hill Stipends, please visit <https://beaconhillstipends.org/>.

For further questions, please contact info@beaconhilltracker.org.