

HOUSE No. 02016

House Order No. 2015, relative to Joint Rules governing the 2013-2014 legislative sessions, as amended by the House. January 23, 2013.



The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

1 **Ordered**, That, the joint rules of the Senate and House of Representatives for the years
2 2013-2014 be adopted, as follows:

3 Committees.

4 1. Joint standing committees shall be appointed at the beginning of the biennial session as
5 follows:-

6 A committee on Children, Families and Persons With Disabilities;

7 A committee on Community Development and Small Businesses;

8 A committee on Consumer Protection and Professional Licensure;

9 A committee on Economic Development and Emerging Technologies;

10 A committee on Education;

11 A committee on Elder Affairs;

12 A committee on Election Laws;

13 A committee on Environment, Natural Resources and Agriculture;

14 A committee on Financial Services;

15 A committee on Health Care Financing;

16 A committee on Higher Education;

17 A committee on Housing;

- 18 A committee on the Judiciary;
- 19 A committee on Labor and Workforce Development;
- 20 A committee on Mental Health and Substance Abuse;
- 21 A committee on Municipalities and Regional Government;
- 22 A committee on Public Health;
- 23 A committee on Public Safety and Homeland Security;
- 24 A committee on Public Service;
- 25 A committee on Revenue;
- 26 A committee on State Administration and Regulatory Oversight;
- 27 A committee on Telecommunications, Utilities and Energy;
- 28 A committee on Tourism, Arts and Cultural Development;
- 29 A committee on Transportation;
- 30 A committee on Veterans and Federal Affairs

31 Each to consist of 6 members of the Senate, and 11 on the part of the House except the
32 committees on Economic Development and Emerging Technologies, Health Care Financing and
33 Transportation which shall consist of 7 members of the Senate and 13 of the House.

34 Within 4 weeks of the appointment of joint standing committees in the first annual session of
35 the General Court, each joint standing committee shall adopt rules of procedure regarding the
36 conduct of said committee. Said rules of procedure, together with any amendments, shall be filed
37 with the Clerk of the Senate and the Clerk of the House and shall be available to the public and
38 members of the General Court on the official website for the General Court.

39 Except as provided by Joint Rule 1E, each matter shall be referred only to 1 joint committee
40 for consideration and all reports of matters by joint committees shall be made to the House or the
41 Senate, under Joint Rule 4, not to another joint committee. The committee to which a matter is
42 initially referred may discharge the matter to another committee with jurisdiction over the matter.

43 Matters referred by either the Senate or the House to its committee on Ways and Means shall
44 be considered by the respective committees of the two branches, acting as a joint committee,
45 when, in the judgment of the chairmen of the respective committees of the 2 branches, the
46 interests of legislation or the expedition of business will be better served by such joint

47 consideration. Matters may also be referred to the committees on Ways and Means, of the two
48 branches, as a joint committee.

49 The committees on Rules, together with the presiding officers of the two branches, acting
50 concurrently, may consider and suggest such measures as shall, in their judgment, tend to
51 facilitate the business of the session and a majority vote of the 2 branches shall be required to
52 approve such recommendations.

53 In order to assist the House and the Senate in their: (1) consideration and enactment of new
54 legislation and modifications of existing laws, when either are deemed to be appropriate; (2)
55 evaluation of the effectiveness and administration of laws and programs previously enacted; and
56 (3) appraisal of the conditions and circumstances which may indicate the desirability of enacting
57 new legislation, the various joint committees shall have the following oversight responsibilities:

58 (i) each joint committee shall review and study, on a continuing basis, the implementation,
59 administration, execution and effectiveness of those laws, or parts of law, the subject matter of
60 which is within the jurisdiction of that committee, the administrative regulations adopted to
61 implement those laws, and those state agencies or entities having responsibilities for the
62 administration and execution of such laws;

63 (ii) in carrying out these review and study activities, each committee shall determine whether
64 such laws, administrative regulations and programs under those laws are being implemented in
65 accordance with the intent of the General Court and whether such laws, administrative
66 regulations and programs should be continued, curtailed or eliminated;

67 (iii) each committee shall also review and study any conditions and circumstances which may
68 indicate the necessity or desirability of enacting new legislation within the jurisdiction of that
69 committee, regardless of whether any matter has been introduced on that subject, and shall, on a
70 continuing basis, undertake research on matters within the jurisdiction of that committee.

71 Committees shall coordinate oversight activities, under the direction of the presiding officers of
72 both branches, to achieve the maximum objectives of clauses (i), (ii) and (iii).

73 Each committee may, upon completion of its oversight hearings, report to the General Court
74 the results of its findings and recommendations together with accompanying corrective
75 legislation, if any, by filing the same with the Clerk of the House of Representatives or the Clerk
76 of the Senate. Copies of such reports shall be, whenever practicable, made available to all
77 members electronically and to the public via the Internet. The disposition of said reports shall be
78 determined by the Clerks with the approval of the Speaker and the President.

79 The Senate and House chairmen of a joint committee may appoint subcommittees to
80 investigate and study any matter referred to said subcommittee. Any subcommittee so
81 established shall be co-chaired by a majority member of the Senate and a majority member of the

82 House who are members of the joint standing committee appointing the subcommittee. The
83 composition of the subcommittee shall be proportional to the composition of the appointing joint
84 committee; provided, however, that not less than 10 per cent of the subcommittee's members
85 shall be from the minority party. Chairmen of subcommittees shall not be considered chairmen
86 under section 2 of chapter 3 of the acts of 2005. A subcommittee may, upon completion of an
87 investigation and study, report the results of the investigation and study together with legislation,
88 if any, by filing the same with the Senate and House chairmen of the appointing joint committee.

89 Temporary employees of the general court assigned to a joint committee who are students at
90 an accredited education institution or employees or grantees of other non-profit organizations
91 under section 501 (c) (3) of the Internal Revenue Code may receive compensation from such
92 organization, according to that organization's regular program of providing such compensation
93 for temporary governmental or public service employment. A temporary employee's Senate or
94 House supervisor shall establish the employee's total compensation, shall verify that the sum of
95 the employee's state compensation, if any, and that any outside compensation the employee is to
96 receive under this rule would not exceed this total compensation, and shall file the written terms
97 of the employee's compensation with the Senate Personnel Office or House Human Resources
98 Office, where it shall be available for public inspection. The temporary employee shall sign a
99 confidentiality and ethics agreement provided by the Senate Personnel Office or House Human
100 Resources Office. [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan.
101 8, 18 86; Jan. 12, 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and
102 Feb. 10, 18 92; Feb. 7, 18 93; Jan. 8. 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10,
103 18 98; Jan. 9, 18 99; Jan. 22 and 29, 1901; Jan. 6, 19 02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19
104 05; Jan. 4, 19 07; Jan. 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan. 1
105 and 8 and Feb. 21, 1919; Jan. 7, 19 20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7,
106 19 31; Jan. 6, 19 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb.
107 1, 19 49; Jan. 7, 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65;
108 Mar. 10, 19 66; Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3,
109 1981 ; Dec. 21, 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ;
110 Mar. 27, 1995 , June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005;
111 Feb. 20, 2007; Feb 12, 2009.]

112 1A. All meetings of joint committees acting concurrently, Senate and House standing
113 committees, special committees of the Senate and House of Representatives, and joint special
114 committees and committees of conference on the disagreeing votes of the 2 branches shall be
115 open to the public, unless a majority shall vote otherwise. [Adopted July 17, 1973. Amended
116 July 18, 1974; Feb. 12, 2009.]

117 1B. A joint standing committee shall hold a public hearing on each matter referred to it in each
118 legislative session. [Adopted June 3, 1985; Amended Feb. 12, 2009.]

119 1C. All joint standing committees shall schedule committee hearings and executive sessions so
120 as not to conflict, to the extent feasible, with the schedules of other committees and, to the extent
121 feasible, the day of the week and times during that day set aside for formal sessions by the
122 respective branches from the first Wednesday in January through the fourth Wednesday of April
123 in the first annual session. [Adopted June 3, 1985; Amended June 12, 1995.]

124 1D. All meetings of joint standing committees, and special joint committees of the Senate and
125 House of Representatives, shall be open to the public, and any person shall be permitted to attend
126 any such meeting unless such committee convenes in executive session, as provided herein. All
127 joint standing committees shall determine a schedule for committee hearings to be held from the
128 beginning of the first annual session through the fourth Wednesday in June in said session. These
129 committee schedules shall be submitted to the Clerk of the House who shall cause them to be
130 published on the official website for the General Court. Establishment of such schedules shall
131 not preclude joint standing committees from scheduling additional hearings or meetings as
132 needed. No executive session shall be held except upon extraordinary circumstances and only
133 after the committee has first convened in an open session for which notice has been given, the
134 presiding officer has stated the purpose of the executive session, a majority of the committee
135 members present has voted to go into executive session, the vote of each member has been
136 recorded on a roll call vote, and the presiding officer has stated before the executive session if
137 the committee will reconvene after the executive session. The records of all such roll calls shall
138 be kept in the offices of the committee for the duration of the General Court during which said
139 vote was recorded, and shall be available for public inspection upon reasonable notice and during
140 regular office hours.

141 All joint standing committees, and special joint committees of the Senate and House of
142 Representatives, shall notify the Sergeant-at-Arms of the time, place and agenda of all public
143 hearings and executive sessions not less than 48 hours prior to the time of such meetings. The
144 Sergeant-at-Arms shall notify the clerk, who shall inform all members electronically and publish
145 such information on the official website of the General Court whenever practicable.

146 Nothing contained in this rule shall prohibit a joint standing committee or special joint
147 committee of the Senate and the House of Representatives from taking appropriate action
148 including, but not limited to, the exclusion of a person from a committee meeting in order to
149 prevent the disruption of or interference with committee proceedings.

150 The 48 hour requirement shall be suspended in an emergency only after all reasonable efforts
151 have been made to contact all committee members and upon a recorded vote of at least a
152 majority of the members of each branch appointed to the committee, but not less than two-thirds
153 of the members of each branch voting.

154 A meeting of a committee may be recorded by a person in attendance by means of a recorder
155 or any other means of audio/visual reproduction except when a meeting is held in executive

156 session; provided, that a person seeking to record a meeting of a committee notifies the Chairs of
157 the committee prior to commencing such recording; and provided further that during such
158 recording there is no interference with the conduct of the meeting.

159 The Chairs of each committee shall preserve decorum and order during each committee hearing.
160 Persons attending hearings shall be required to dress in proper and appropriate attire and to
161 refrain from the use of cellular telephones, beepers and pagers. The use of visual aids including,
162 without limitation, posters, displays, or charts shall be permitted only upon approval of the
163 Chairs. [Adopted June 3, 1985. Amended June 12, 1995; Feb. 20, 2007.]

164 1E. The joint standing committee on Health Care Financing shall review all legislation relating
165 to health care to evaluate the appropriateness and fiscal effect of such legislation. A matter
166 within the jurisdiction of said committee may, if appropriate, initially be referred to another joint
167 standing committee sharing jurisdiction of the subject-matter. Any matter reported favorably by
168 such joint standing committee shall be referred to the joint committee on Health Care Financing;
169 provided, however, that notwithstanding any rule to the contrary, any such matter so reported
170 shall not be read a first time in the branch in which the report was received. The next favorable
171 report on any such matter, if made by a joint committee, may be made to either branch. Such
172 next favorable report shall be considered the first reading. The branch of origin for any such bill
173 so reported shall be the branch receiving such favorable report.

174 For all matters initially referred to the joint committee on Health Care Financing and not
175 previously referred to another joint committee, the joint committee on Health Care Financing
176 may make favorable reports to either branch, at the discretion of the committee, except that
177 reports on money bills shall be made to the House.

178 In compliance with section 38A of chapter 3 of the General Laws, the joint committee on
179 Health Care Financing when reporting on bills shall include a fiscal note prepared under section
180 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the
181 proposed legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the
182 sum of \$100,000; provided, however, that any matter reported by the committee on Health Care
183 Financing with a fiscal effect of less than \$100,000 shall not be referred, under the rules, to the
184 committee on Ways and Means.[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007;
185 Feb. 12, 2009.]

186 1F. [Omitted February 12, 2009].

187 1G. The President of the Senate, the Speaker of the House of Representatives, Minority Leader
188 of the Senate, Minority Leader of the House of Representatives, the Senate and House chairmen
189 and the Senate and House ranking minority members of the joint committee on Public Safety and
190 Homeland Security may receive security clearance from federal and state homeland security
191 officials in order to be granted access to confidential homeland security briefings, information
192 and materials. The President of the Senate, the Speaker of the House of Representatives, the

193 Senate and House committee chairmen and the Senate and House ranking minority members
194 may designate 1 or more members of their staff who may receive such security clearance.

195 Any person who receives security clearance under this rule shall sign all confidentiality
196 agreements required by homeland security officials. The breach of any such confidentiality
197 agreement shall constitute a violation of the Joint Rules of the Senate and House of
198 Representatives. Any alleged violation of a confidentiality agreement shall be referred for
199 investigation to the Senate committee on Ethics and Rules or the House committee on Ethics,
200 respectively, and, if appropriate, to law enforcement authorities for potential criminal
201 prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009 .]

202 2. No member of either branch shall act as counsel for any party before any committee of the
203 Legislature.

204 2A. No member of either branch shall purchase, directly or indirectly, the stock or other
205 securities of any corporation or association knowing that there is pending before the General
206 Court any measure specially granting to such corporation or association any immunity,
207 exemption, privilege or benefit or any measure providing for the creation of, or directly affecting
208 any, contractual relations between such corporation or association and the Commonwealth. This
209 rule shall not apply to the purchase of securities issued by the Commonwealth or any political
210 subdivision of the Commonwealth. [See G.L. chapter 268, section 10.] [Adopted Jan. 16, 1922 .]

211 3. When the General Court is in session, authorization for any committee of the Senate or
212 House of Representatives to travel during the session of the General Court shall be approved by a
213 vote of two thirds of the members of its branch present and voting. When the General Court is in
214 session, authorization for any committee of the Senate or House of Representatives to sit and
215 travel during the recess of the General Court shall be approved by a vote of two-thirds of the
216 members of each branch present and voting. During the recess of the General Court, the
217 President of the Senate and the Speaker of the House of Representatives may, by written consent,
218 allow standing committees of their respective branches or appoint special committees to sit,
219 travel and incur expenses not exceeding sums authorized in writing by said presiding officers and
220 appropriated for such purposes. When the General Court is in session, authorization for any
221 joint committee to travel during the session, or to sit or travel during the recess, of the General
222 Court shall be approved by a vote of two-thirds of the members of each branch present and
223 voting. During the recess of the General Court, the President of the Senate and the Speaker of the
224 House of Representatives, acting jointly, may, by written consent, allow joint committees or
225 appoint joint special committees to sit, travel and incur expenses not exceeding sums authorized
226 in writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate
227 and House of Representatives shall be notified of any appointments made and authorizations
228 granted during the recess for said committees to sit, travel and incur expenses during the recess
229 and the Clerks shall enter such information in the journals for the next year, as soon as may be
230 practicable. Committees authorized by the presiding officers to sit during the recess in the odd

231 numbered year shall report not later than the fourth Wednesday of January during the following
232 year and committees authorized by the presiding officers to sit during the recess in the even
233 numbered year shall report not later than the fourth Wednesday of December during the same
234 year.

235 No committee shall travel except at the expense of the Commonwealth. In any case when a
236 committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for
237 members of the committee and the officer accompanying them, and the reasonable traveling
238 expenses of such members and officers only shall be charged to or paid by the Commonwealth.
239 Neither the Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any
240 person to accompany such committee while in the discharge of its official duties unless invited
241 by vote of the committee.

242 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms
243 to the committee by whom they have been incurred and shall be approved by a majority of said
244 committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;
245 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
246 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

247 3A. A joint standing committee may, upon the written and signed report of two-thirds of the
248 members of the Senate and two-thirds of the members of the House appointed to said committee,
249 report a bill or other form of legislation without said legislation being founded upon petition;
250 provided, however, that matters so reported shall be germane to the subject matters regularly
251 referred to the committee. The committee shall hold a public hearing on such bill or other form
252 of legislation before it is reported. A bill or other form of legislation so reported shall be placed
253 in the Orders of the Day by the Clerk of the respective branch to which it is reported or referred
254 to a standing committee of said branch under the rules. All reports of committees not founded
255 upon petition shall bear the designation "committee bill, resolve, order or resolution", as the
256 case may be, in the Orders of the Day. Committees to which messages from the Governor,
257 reports of state officers, boards, committees, commissions and others authorized to report to the
258 General Court, may report by bill or otherwise such legislation as may be germane to the subject
259 matter referred to them. [Adopted June 3, 1985 .]

260 4. Favorable reports, and adverse reports on subjects of legislation other than petitions, by
261 joint committees may be made to either branch, at the discretion of the committee, having
262 reference to an equal distribution of business between the 2 branches, except that reports on
263 money bills shall be made to the House and if adverse reports on matters other than petitions
264 which are accompanied by money bills are accepted by the House, this shall constitute final
265 rejection. Adverse reports by joint committees on petitions shall be made to the branch in which
266 the petition was originally introduced, except that such adverse reports on petitions accompanied
267 by proposed money bills shall be made to the House; and, if accepted by the branch in which
268 they are made, shall be considered as a final rejection. When a report is made from any

269 committee to either branch, and the subject-matter of the report is subsequently referred to a joint
270 committee, such committee, except for the committee on Health Care Financing, shall report its
271 action to the branch in which the reference originated. [See also Joint Rule 5.]

272 A vote of a joint standing committee to give legislation a favorable or adverse report shall be
273 conducted by a roll call upon request of 2 committee members present at the committee meeting.
274 Such votes shall be recorded on appropriate forms that show all votes for and against the
275 particular committee action. The records of all such roll calls shall be kept in the offices of the
276 committee for the duration of the General Court during which said vote was recorded, and shall
277 be available for public inspection upon reasonable notice and during regular office hours.

278 All committee members shall have an opportunity to sign a form accompanying a report of
279 the committee signifying approval of, dissent or abstention from a report of a joint standing
280 committee before the report is final or filed. No signature shall be valid unless the report to
281 which the signature is affixed includes the substantially complete text of the legislation being
282 reported. [Amended Jan. 3, 1952; April 8, 1959; June 7, 1965; Jan. 7, 1971; March 11, 1974;
283 June 3, 1985; Feb. 20, 2007.]

284 4A. In compliance with section 38A of chapter 3 of the General Laws, all joint committees of
285 the General Court when reporting on bills referred to them shall include a fiscal note prepared
286 under section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal
287 effect of the proposed legislation, if, in the opinion of said committee, such cost exceeds
288 \$100,000. Such fiscal note shall be filed electronically in the office of the clerk to which the
289 report is being made, and shall be promptly made available on the official website of the General
290 Court. [Adopted Jan. 15, 1973.]

291 5. Matters reported adversely by joint committees and the committees on Rules of the 2
292 branches, acting concurrently, may be recommitted to the same committees at the pleasure of the
293 branch acting on the report, and bills or resolves may be recommitted in either branch. If a bill or
294 resolve is laid aside in either branch for the reason that it is declared to be broader in its scope
295 than the subject-matter upon which it is based, the subject-matter shall be recommitted to the
296 committee. A concurrent vote shall, however, be necessary for recommitment, with instructions.
297 After recommitment, report shall, in all cases, be made to the branch originating the
298 recommitment. [Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 1953; March 26,
299 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

300 6. Bills and resolves reported by joint committees shall be presented with spaces between the
301 several sections and shall be made available to all members electronically and to the public via
302 the Internet. [Amended Jan. 28, 1889; Jan. 9, 1941; Feb. 8, 1949; Feb. 12, 2009.]

303 Joint Petitions.

304 6A. A member of the Senate and a member of the House of Representatives may file a joint
305 petition in either branch and shall endorse their name on the petition and a brief statement of the
306 nature and object of the instrument and the reading of the instrument shall be dispensed with,
307 unless specially ordered. The petition shall be filed in the office of the clerk of either the Senate
308 or House of Representatives, depending on whether it is a "Joint Senate/House Petition" or a
309 "Joint House/Senate Petition" but the Journal records in the Senate and House of Representatives
310 shall carry both members' names as presenters of the petition. [Adopted Jan. 15, 1973.]

311 7. Whenever, upon any application for an act of incorporation or other legislation, the purpose
312 for which such legislation is sought can be secured without detriment to the public interests by a
313 general law or under existing laws, the committee to which the matter is referred shall report
314 such general law, or "ought not to pass". [Amended Feb. 2, 1891; Feb. 7, 18 93; Jan. 7, 1971.]

315 7A. A petition for legislation to authorize a county to reinstate in its service a person formerly
316 employed by it, or to retire or pension or grant an annuity to any person, or to increase any
317 retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension
318 or retirement allowance, or to pay any salary which would have accrued to a deceased official or
319 employee but for his death, or to pay any claim for damages or otherwise, or to alter the benefits
320 or change the restrictions of any county retirement or pension law, shall, subsequently to the
321 procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely,
322 unless, when filed it be the petition of, or be approved by, a majority of the county
323 commissioners. [Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920; May 24,
324 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
325 Jan. 7, 1971; Jan. 15, 1973.]

326 7B. A petition, the operation of which is restricted to a particular city or town (and which does
327 not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does
328 not affect generally the laws of the Commonwealth) and which is not filed in conformity with
329 Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the
330 procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be on
331 petition filed or approved by the voters of a city or town, or the mayor and city council, or other
332 legislative body, of a city, or the town meeting of a town. A joint committee to which is
333 inadvertently referred a petition or other subject of legislation the operation of which is restricted
334 to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of
335 the Amendments to the Constitution shall report a general law which applies alike to all cities, or
336 to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report "ought not
337 to pass", with the further endorsement that it "would be unconstitutional to enact such special
338 law".

339 Any petition that subsequently conforms to Section 8 of Article LXXXIX of the Amendments to
340 the Constitution after filing, which have followed the procedures set forth in Senate Rule 20 or

341 House Rule 24, shall be forthwith reported from the committee on Rules and be referred by the
342 Clerk to an appropriate committee.

343 [Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11, 1935;
344 April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7
345 and Mar. 22, 1971 ; Jan. 15, 1973 .]

346 7C. The approval vote required to file a petition the operation of which is restricted to a
347 particular city or town pursuant to the provisions of Section 8 of Article LXXXIX of the
348 Amendments to the Constitution of the Commonwealth shall not expire and no additional vote
349 shall be required until four years following such approval.

350 Notice to Parties Interested.

351 8. No legislation affecting the rights of individuals or the rights of a private or municipal
352 corporation, otherwise than as it affects generally the people of the Commonwealth or the
353 people of the city or town to which it specifically applies, shall be proposed or introduced except
354 by a petition, nor shall any bill or resolve embodying such legislation be reported by a committee
355 except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee,
356 whether on an original reference or on a recommittal with instructions to hear the parties, until it
357 is made to appear to the satisfaction of the committee that proper notice of the proposed
358 legislation has been given by public advertisement or otherwise to all parties interested, without
359 expense to the Commonwealth, or until evidence satisfactory to the committee is produced that
360 all parties interested have in writing waived notice. A committee reporting adversely due to lack
361 proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall
362 be in order as a substitute for, or amendment of, such report. Objection to the violation of this
363 rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 1890. Amended
364 Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

365 9. A petition for the incorporation of a city or town, for the annexation of 1 municipality to
366 another, for the consolidation of 2 or more municipalities or for the division of an existing
367 municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad,
368 canal, telephone, telegraph, water, gas, electric light, power or other public service corporation,
369 for the amendment, alteration or extension of the charter or corporate powers or privileges, or for
370 the change of name, of any such company, whether specially incorporated or organized under the
371 General Laws, or for authority to take water for a water supply, or relative to building structures
372 in or over navigable or tide waters, shall be placed on file, and not referred to a committee,
373 unless the petitioner has given the notice and followed the procedure required by section 5 of
374 chapter 3 of the General Laws. But if, no objection being raised, any such petition is referred to a
375 committee without such required notice or procedure, the committee shall forthwith report
376 adversely, setting forth as the reason for such report failure to comply with the law, unless
377 evidence satisfactory to the committee is produced that all parties interested have in writing

378 waived notice. In case a bill or resolve is reported upon such a petition, after proof of such
379 waiver of notice, this fact shall be set forth in the report of the committee. When an adverse
380 report is made by a committee, on account of failure to give the required notice, no bill or resolve
381 shall be substituted for such report, nor shall such report be recommitted or referred to another
382 committee.

383 A petition for the establishment or revival, or for the amendment, alteration or extension of the
384 charter or corporate powers or privileges, or for the change of name, of any corporation, except a
385 petition subject to the preceding paragraph, shall be transmitted by the Clerk of the branch in
386 which it is filed to the office of the State Secretary. If such a petition is returned by said
387 Secretary with a statement that the petitioner has failed to comply with the requirements of
388 section 7 of chapter 3 of the General Laws, said petition shall be placed on file, and shall not be
389 referred to a committee.

390 Any petition placed on file for want of proper notice or procedure under this rule shall not
391 affect action upon any other measure involving the same subject matter. [Adopted Feb. 7, 1890.
392 Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926;
393 Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8,
394 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009.]

395 Limit of Time allowed for Reports of Committees.

396 10. All joint committees and the committees on Rules of the two branches, acting
397 concurrently, shall make final report not later than the third Wednesday of March of the second
398 annual session of the General Court on all matters referred to them before the third Wednesday
399 in February of the second annual session and within 30 days on all matters referred to them on
400 and after the third Wednesday in February of the second annual session of the General Court
401 except that the committee on Health Care Financing shall make final report not later than the last
402 Wednesday of April of the second annual session on all matters referred to them on or before the
403 fourth Wednesday of March and within 30 days on all matters referred to it after the fourth
404 Wednesday in March of the second annual session of the General Court. When the time within
405 which said committees are required to report has expired, all matters upon which no report has
406 then been made shall forthwith be reported by the chairman of the committee on the part of the
407 branch in which they were respectively introduced, with an adverse recommendation under this
408 rule. If the chairman fails to make such report by the end of the legislative day next following the
409 expiration date, all matters remaining unreported shall be placed in the Orders of the Day by the
410 Clerk of the branch in which the matter was originally filed with an adverse report under this
411 rule. Matters which have been referred under Joint Rule 29, upon which the chairmen of the
412 committees on Rules fail to make a report, shall be placed by the respective Clerks in the Orders
413 of the Day of the branch in which the subject matter was referred to said committees.
414 Committees to whom are referred subjects of legislation may combine petitions of similar
415 subject matter, or other forms of legislation of similar subject matter, into 1 adverse report, and

416 the report on the petition shall be that said petitions or other forms of legislation "ought NOT to
417 pass," and if the report is accepted, all the matters contained in the report shall be disposed of.
418 However, petitions upon which an adverse report is accepted in only 1 branch may not be
419 combined with other subjects of legislation upon which adverse reports must be accepted, in
420 concurrence. This rule shall not apply to petitions referred to the committees on Rules of the two
421 branches, acting concurrently, under the second paragraph of Joint Rule 12. This rule shall not be
422 rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of
423 each branch present and voting thereon. Notwithstanding Joint Rule 30, this rule shall not be
424 rescinded, amended or suspended more than 3 times except by unanimous consent. [Amended
425 Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12,
426 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971; Feb.
427 4, 1974, June 12, 1995; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

428 10A. The form for all subjects of legislation receiving a favorable report shall be "ought to
429 pass." The form for all subjects of legislation receiving an adverse report shall be "ought NOT to
430 pass." A committee to whom is referred any other matter may report recommending that the
431 same be placed on file. [Adopted Jan. 7, 1971.]

432 Committees of Conference.

433 11. Committees of conference shall consist of 3 members on the part of each branch,
434 representing its vote; and their report, if agreed to by a majority of each committee, shall be
435 made to the branch asking for the conference, and may be either accepted or rejected, but no
436 other action shall be had, except through a new committee of conference.

437 Committees of conference to whom are referred matters of difference in respect to bills or
438 resolves, shall, after filing their reports, but before consideration by either branch, have the same
439 approved or discharged by each committee on Bills in the Third Reading. If a filed report has
440 not been acted on by either committee on Bills in the Third Reading before the branch in which
441 the report was filed is called to order, the report shall be deemed to have been discharged from
442 the committee on Bills in the Third Reading that did not act.

443 . [Amended April 22, 1937; Feb. 12, 2009; Feb. 3, 2011.]

444 11A. Committees of conference to whom are referred matters of difference in respect to
445 appropriations bills, including capital outlay programs, shall, after filing their reports but before
446 consideration by either branch have the same approved or discharged by each committee on Bills
447 in the Third Reading. If a filed report has not been acted on by either committee on Bills in the
448 Third Reading before the branch in which the report was filed is called to order, the report shall
449 be deemed to have been discharged from the committee on Bills in the Third reading that did not
450 act

451 Upon the appointment of a committee of conference to whom matters of difference in respect to
452 any appropriation bill or in respect to any bill providing for capital outlay programs and projects
453 are referred, the clerk of the branch requesting said committee of conference shall make
454 available to members of the General Court a list of the matters in disagreement identified by item
455 number and item purpose and showing the amount made available by each branch of the General
456 Court, and any other matters in disagreement and the position of each of the said branches.

457 The report of said committee of conference shall consist of the matters of difference so referred
458 and so identified, showing the amounts appropriated by each of the said branches and other
459 matters in disagreement and the position of each branch with respect to those matters, and shall
460 state said committee's recommendations with respect to the matters so referred. Matters on which
461 there exists no disagreement between the branches shall not be disturbed by the committee on
462 conference.

463 The committees on ways and means of each branch of the General Court shall assist such
464 committee of conference in any and all matters necessary to the preparation and completion of its
465 report. [Adopted July 30, 1974; Amended Oct. 3, 1983; Feb. 3, 2011.]

466 11B. No report from a committee of conference shall be considered or acted upon by either
467 branch until the calendar day following the day on which said report shall have been available to
468 the public and to the members of the General Court. The committee shall file its report no later
469 than 8 p.m. on the day preceding its consideration and the General Court shall not consider said
470 report before 1 p.m. on the following day, except that a report from such committee of
471 conference that it is unable to agree may be considered and acted upon at the time that such
472 report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005;
473 Feb. 3, 2011.]

474 11C. Reports, other than those filed under Rule 11A, from a committee of conference shall,
475 whenever practicable, be accompanied by a summary which shall be filed with the clerk.
476 [Adopted Feb. 12, 2009; Feb. 3, 2011.]

477 11D. Upon the filing of a report by a committee of conference the clerk shall, as soon as
478 practicable, make the report and the summary of the report available to all members
479 electronically and to the public on the official website of the General Court. [Adopted Feb. 12,
480 2009; Feb. 3, 2011.]

481 11E. Subsequent to the filing of a report of a committee of conference and prior to a vote of the
482 chamber in which the report was filed, an erratum may be submitted to the clerk of the branch in
483 which the report had been filed. The errata shall indicate that it contains only matters
484 inadvertently omitted from the report, and shall be signed by all of members of the House and
485 Senate who had signed the conference committee report. The errata shall be approved by both
486 the Counsel to the House and the Counsel to the Senate. The errata shall not be incorporated into

487 the conference committee report until both the report and the errata have been approved by an
488 affirmative vote of both chambers.

489 Limit of Time allowed for New Business.

490 12. Resolutions intended for adoption by both branches of the General Court, petitions, and all
491 other subjects of legislation, shall be deposited with the Clerk of either branch prior to 5 p.m. on
492 the third Friday in January of the first annual session of the General Court.

493 All such matters except messages from the Governor, reports required or authorized to be
494 made to the General Court and petitions filed or approved by the voters of a city or town, or the
495 mayor and city council, or other legislative body of a city, or the town meeting of a town, for the
496 enactment of a special law under Section 8 of Article LXXXIX of the Amendments to the
497 Constitution and which do not affect the powers, duties, etc., of state departments, boards,
498 commissions, etc., or which do not affect generally the laws of the Commonwealth deposited
499 with the respective clerks subsequent to 5 p.m. on the third Friday of January of the first annual
500 session of the General Court shall be referred by the Clerks to the committees on the Rules of the
501 two branches, acting concurrently. No such matter shall be admitted for consideration except on
502 report of the committees on Rules of the two branches, acting concurrently, and then upon
503 approval of two-thirds of the members of each branch voting thereon. Matters upon which
504 suspension of Joint Rule 12 has been negated shall be placed on file.

505 At any special session called under Rule 26A, however, matters relating to the facts
506 constituting the necessity for convening such session shall, if otherwise admissible, be admitted
507 as though filed seasonably under the first sentence of this rule. Any recommendations from the
508 Governor shall be similarly considered. This rule shall not be rescinded, amended or suspended,
509 except by a concurrent vote of two-thirds of the members of each branch present and voting
510 thereon. [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb.
511 15, 19 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30,
512 19 23; Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48;
513 Jan. 30, 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12,
514 1995 ; Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12,
515 2009.]

516 12A. All formal business of the first annual session of the General Court shall be concluded not
517 later than the third Wednesday in November of that calendar year and all formal business of the
518 second annual session shall be concluded not later than the last day of July of that calendar year.

519 In order to assist the Senate and House in its analysis and appraisal of laws enacted by the
520 General Court, each joint standing committee, upon conclusion of the formal business of the
521 annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings to evaluate the
522 effectiveness, application and administration of the subject matter of laws within the jurisdiction
523 of that committee. [Adopted June 12, 1995.]

524 Unfinished Business of the Session.

525 12B. Any matter pending before the General Court at the end of the first annual session and
526 any special session held in the same year shall carry over into the second annual session of the
527 same General Court in the same legislative status as it was at the conclusion of the first annual
528 session or any special session held during that year; provided, however, that any measure making
529 or supplementing an appropriation for a fiscal year submitted to or returned to the General Court
530 by the Governor, under Article LXIII of the Amendments to the Constitution, in the first annual
531 session or in a special session held during that year shall cease to exist upon the termination of
532 the first annual session. [Adopted June 12, 1995.]

533 Papers to be deposited with the Clerks.

534 13. Information intended for presentation to the General Court by any Representative or
535 Senator shall be deposited with the Clerk of the branch to which the member belongs; and all
536 such information, unless they be subject to other rules or of the rules of the Senate or House,
537 shall be referred by the Clerk, with the approval of the President or Speaker, to appropriate
538 committees, subject to such changes as the Senate or House may make. The reading of
539 information so referred may be dispensed with, but they shall, except as provided in these rules,
540 be entered in the Journal of the same on the next legislative day after such reference.

541 A member may include a brief statement of intent with all papers intended for presentation to
542 the General Court. Upon a favorable report by a joint standing committee, a committee may
543 include a brief written statement of intent. Said statement shall be dated and shall include the
544 scope of the matter presented for consideration; provided, however, this rule shall not be
545 construed to require the presentation of such statement of intent under this rule. [Adopted Feb. 7,
546 1890. Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb.
547 15, 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

548 Dockets of Legislative Counsel and Agents.

549 14. The committees on Rules of the two branches, acting concurrently, may prescribe the
550 manner and form of keeping the dockets of legislative agents which are required by law.
551 [Adopted Feb. 2, 1891; Amended Feb. 19, 1920.]

552 Duties of the Clerk.

553 15. If any part of the report of a committee over the signature of the chairman or members of
554 the committee is amended in either branch, the Clerk of that branch shall endorse upon the report
555 such amendment.

556 16. All papers, while on their passage between the 2 branches, may be under the signature of
557 the respective Clerks, except as to the adopting of emergency preambles and the final passage of

558 bills and resolves. Messages may be sent by such persons as each branch may direct. [Amended
559 Feb. 21, 1919.]

560 17. After bills and resolves have passed both branches to be engrossed, they shall be in the
561 charge of the Clerks of the 2 branches, who shall prepare the same for final passage in the
562 manner prescribed by law; and when so prepared the same shall be delivered to the Clerk of the
563 House of Representatives; and when the bills have been passed to be enacted or the resolves have
564 been passed in the House, they shall, in like manner, be delivered to the Senate Clerk and
565 Parliamentarian. If a bill or resolve contains an emergency preamble, it shall be delivered in like
566 manner, to the Senate after the preamble has been adopted by the House of Representatives and
567 before the bill or resolve is put upon its final passage in that branch. If the Senate concurs in
568 adopting the preamble, the bill or resolve shall be returned to the House to be there first put upon
569 its final passage, under Joint Rule No. 22. [Amended Feb. 24, 1914; Feb. 21, 1919; Jan. 7, 1971.]

570 18. [Omitted in 1971.]

571 19. The Clerk of the branch in which a bill or resolve originated shall make an endorsement on
572 the envelope of the engrossed copy of the bill, certifying in which branch the bill originated,
573 which endorsement shall be entered on the journals by the Clerks respectively. [Amended Jan.
574 28, 1889; Feb. 24, 1914.]

575 20. Bills, resolves and other papers requiring the approval of the Governor shall be laid before
576 the Governor for the Governor's approbation by the Senate Clerk and Parliamentarian, who shall
577 enter upon the journal of the Senate the day and date on which the same were so laid before the
578 Governor. [Amended Jan. 28, 1889; Jan. 7, 1971.]

579 Presentation and Distribution of Documents.

580 21. The committees on Rules of the two branches, acting concurrently, may establish
581 regulations for the distribution of bills, reports or other documents. Bills, reports or other
582 documents shall be made available to members electronically and, except for petitions or other
583 documents not assigned bill numbers, published on the Internet. The committees on Rules of the
584 two branches, acting concurrently, may make such changes pertaining to the availability of bills,
585 reports or other documents as they deem necessary for expediting the work of the legislature.

586 The Clerks of the House of Representatives and the Senate shall be responsible for publishing
587 the journals of their respective chamber, the book Public Officers of Massachusetts, the
588 committee book and any other publications per order of the committees on Rules. [Amended Jan.
589 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7,
590 1971; Feb. 12, 2009.]

591 Emergency Measures.

592 22. The vote on the preamble of an emergency law, which under the requirements of Article
593 XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon
594 request of 2 members of the Senate or of 5 members of the House of Representatives, be taken
595 by call of the yeas and nays, shall be had after the proposed law has been prepared for final
596 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
597 containing an emergency preamble until it has been determined whether the preamble shall
598 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill
599 may be received in either branch before the adoption of the emergency preamble, and the
600 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the
601 preamble, the bill or resolve shall first be put upon its final passage in the House of
602 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
603 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
604 without the preamble and without any provision that the bill or the resolve shall take effect
605 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules
606 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
607 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

608 22A. Bills and resolves passed to be engrossed by both branches and before being transmitted
609 by the clerks to the Legislative Engrossing Division shall be made available to the committees on
610 Bills in the Third Reading of the two branches, acting jointly, who shall examine them to ensure
611 accuracy in the text; that the legislation is correct as to form; that references to previous
612 amendments to any particular law are correct and to ensure proper consistency with the language
613 of existing statutes. These committees, with the approval of the majority and minority leadership
614 of both branches may make corrections which are not substantive in nature. The clerks of both
615 branches shall be immediately notified, in writing, of any such changes. Errors discovered by the
616 committees of a substantive nature shall be reported to the General Court, which in turn shall
617 take appropriate action under its rules. Upon completion of examination and possible correction
618 of any such bills and resolves, the bills and resolves shall be returned to the clerks, who in turn,
619 shall transmit them to the Legislative Engrossing Division to be prepared for final passage.
620 [Adopted Sept. 16, 1971.]

621 Legislative Amendments to the Constitution.

622 23. All proposals for amendments to the Constitution referred to a joint committee on the first
623 annual session of the General Court shall be reported by said committee not later than the last
624 Wednesday of April in said year, and proposals for amendments to the Constitution referred to a
625 joint committee subsequent to the last Wednesday in April of the first annual session shall be
626 reported by said committee not later than the last Wednesday of April in the second session of
627 the same General Court. The committee shall file its report, either recommending that the
628 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
629 thereto, with the Clerk of the Senate. When the time within which said committees are required
630 to report has expired, all matters upon which no report has been made shall forthwith be placed

631 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
632 placed on file in the office of the Clerk of the Senate. For further information of the members of
633 the Senate and House of Representatives, the respective Clerks shall also place all such matters
634 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch
635 the report shall be read and forthwith placed on file; and no further legislative action shall be
636 taken on the measure unless consideration in joint session is called for by vote of either branch,
637 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
638 Amendments to the Constitution. A joint committee to which is referred any recommendation for
639 an amendment to the Constitution made by the Governor or contained in a report authorized to
640 be made to the General Court may report on the recommendation a proposal for a legislative
641 amendment, which shall be deemed to have been introduced by the member of the Senate who
642 reports for the committee; and the procedure as regards reporting, filing and subsequent action
643 shall be that provided for legislative amendments by this rule. Or the joint committee may report
644 ought not to pass for the reason that no legislation is necessary or that the recommendation ought
645 not to pass; and in such cases the usual procedure as regards similar reports by joint committees
646 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
647 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
648 proposal, together with the official papers relating to the subject, shall be in the custody of the
649 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
650 together with the other papers, shall be sent to the Senate for its information and shall be kept in
651 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
652 so substituted unless consideration in joint session is called for under the Constitution. If either
653 branch calls for the consideration of any proposal in joint session, notice of its action shall be
654 sent to the other branch; and it shall then be the duty of the Senate and the House of
655 Representatives to arrange for the holding of the joint session not later than the second
656 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
657 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to
658 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
659 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2
660 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
661 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

662 Executive Reorganization Plans.

663 23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under
664 Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the
665 Senate and the House, with the approval of the President and Speaker, to a joint standing
666 committee within 5 days of the presentation of the reorganization plan.

667 Said committee, to which is referred any such reorganization plan, shall, as required by said
668 Article, not later than 30 days after the presentation of such plan by the Governor, hold a public

669 hearing on the reorganization plan; and shall not later than 10 days after such hearing report that
670 it either approves or disapproves such plan.

671 When recommending action, the committee shall make, in each branch, a separate report of its
672 recommendations, and shall file said report together with the committee's recommendations and
673 the reasons for those recommendations, in writing. Majority and minority reports shall be signed
674 by the members of said committee. Any official papers in the possession of said committee that
675 relate thereto shall be filed with the Clerk of the Senate.

676 If the committee recommends favorable action, the report shall be that the reorganization plan
677 "ought to be approved". If the committee recommends adverse action, the report shall be that the
678 reorganization plan "ought NOT to be approved". In each instance, the question shall be "Shall
679 this reorganization plan be approved?"

680 In each branch, the report shall be read and forthwith recorded in the Journal. On the
681 legislative day next following the Journal record, the report shall be placed in the Orders of the
682 Day of the Senate and the House.

683 When the time within which a joint committee is required to report on a reorganization plan
684 has expired, a matter upon which no report has been made shall forthwith be placed in the Orders
685 of the Day by the Clerks of each branch and the question shall be "Shall this reorganization plan
686 be approved?"

687 When such plan is before either branch, no motion relating to said plan shall be allowed
688 except the motions to lay on the table (only in the Senate), to postpone to a time certain, or to
689 commit or recommit (at the pleasure of either branch). The motions to take a recess, to adjourn,
690 the previous question (if provided in the branch debating the issue), to close debate at a specified
691 time, and the motion to reconsider shall also be in order.

692 A motion to discharge any committee to which is referred or to which is recommitted a
693 reorganization plan shall not be in order prior to the expiration of 40 days after the Governor's
694 presentation of such plan. After the expiration of said 40 days, a motion to discharge a committee
695 shall be decided by a majority vote of the branch in which the motion is made.

696 Unless disapproved by a majority vote of the members of either of the 2 branches of the
697 General Court present and voting, the General Court not having prorogued within 60 days from
698 the date of presentation by the Governor, the plan shall be approved and shall take effect as
699 provided by Article LXXXVII of the Amendments to the Constitution.

700 Within 7 days of the expiration of the 60 days from the date of presentation of said plan by the
701 Governor, unless the question has already been decided, the Clerks of the Senate and House of
702 Representatives shall place the plan in the Orders of the Day; and no motions except the motions

703 to take a recess, to adjourn, and previous question, or to close debate at a specified time, shall be
704 in order.

705 No such reorganization plan presented to the General Court shall be subject to change or
706 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
707 1969 ; June 12, 1995; Feb. 12, 2009.]

708 Joint Conventions.

709

710 24. The President of the Senate shall preside in Conventions of the 2 branches, and such
711 Conventions shall be held in the Representatives' Chamber; the Senate Clerk and Parliamentarian
712 shall be the Clerk of the Convention, and a record of the proceedings of the Convention shall be
713 entered at large on the journals of both branches. [Amended Feb. 20, 2007.]

714 25. When an agreement has been made by the 2 branches to go into Convention, such
715 agreement shall not be altered or annulled, except by concurrent vote, excepting that it shall be in
716 order to recess the convention from time to time upon a majority vote of said convention.
717 [Amended Jan. 7, 1971 .]

718 26. No business shall be entered on, in Convention, other than that which may be agreed on
719 before the Convention is formed.

720 Special Sessions.

721 26A. If written statements of 21 members of the Senate and 81 members of the House of
722 Representatives, that in their opinion it is necessary that the General Court assemble in special
723 session on a particular date and time specified in their statements during a recess of the General
724 Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members
725 of their respective branches to assemble at the State House in Boston, on said date at the time so
726 specified. When so assembled, the first business to be taken up shall be the question of the
727 necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the
728 Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House
729 of Representatives judge by vote taken by call of the yeas and nays that such assembling of the
730 General Court is necessary, specifying in such vote the facts constituting such necessity, the
731 General Court shall then complete its organization as a special session, proceed to the
732 consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds
733 of the members of both branches shall permit the General Court to proceed to the consideration
734 of matters properly before it. Nothing in this rule shall prevent the General Court from
735 assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939.
736 Amended March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September
737 20, 2005.]

738 Joint Elections.

739 27. In all elections by joint ballot a time shall be assigned for such election at least 1 day
740 previous to such election.

741 27A. In all cases of elections by ballot a majority of the votes cast shall be necessary for a
742 choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated
743 until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count
744 in the enumeration of votes, excepting that when the number of blanks shall be more than the
745 number of votes received by the candidate having the highest number of votes, then the election
746 shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27,
747 1969 .]

748 28. [Omitted March 28, 1972 .]

749 References to the Committees on Rules.

750 29. All motions and orders authorizing joint committees to travel or to employ stenographers,
751 or authorizing joint committees or special commissions composed as a whole or in part of
752 members of the General Court to make investigations or to file special reports, all propositions
753 reported by joint committees which authorize investigations or special reports by joint
754 committees or by special commissions composed as a whole or in part of members of the
755 General Court, all motions or orders proposed for joint adoption which provide that information
756 be transmitted to the General Court, and all matters referred under the second paragraph of Joint
757 Rule 12, shall be referred without debate to the committees on Rules of the two branches acting
758 concurrently, who shall report on the matter, under Joint Rule 10. All matters which have been
759 referred under this rule shall, in each instance, be reported back into the branch making such
760 reference. [Adopted Jan. 10, 1898. Amended Jan. 20, 1904; Jan. 28, 1913; Feb. 19 and Dec. 22,
761 1920; April 11, 1935; April 22, 1937; Jan. 27, 1955; Jan. 30, 1967; Oct. 18, 1971.]

762 30. All motions or orders extending the time within which joint committees and the
763 committees on Rules of the two branches, acting concurrently, are required to report shall be
764 referred without debate to the committees on Rules of the two branches, acting concurrently,
765 who shall report recommending what action should be taken on the motion or order. Such
766 extension shall be granted by a concurrent majority vote if recommended by the committees on
767 Rules of the two branches, acting concurrently; but no such extension shall be granted, against
768 the recommendation of the committees, except by a four-fifths vote of the members of each
769 branch present and voting on the extension. This rule shall not be rescinded, amended or
770 suspended, except by a concurrent vote of four-fifths of the members of each branch present and
771 voting thereon. [Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan.
772 27, 1955; June 7, 1965.]

773 Members.

774 31. A member of either branch who directly or indirectly solicits for such member or others
775 any position or office within the gift or control of a railroad corporation, street railway company,
776 gas or electric light company, telegraph or telephone company, aqueduct or water company, or
777 other public service corporation, shall be subject to suspension for such solicitation, or to such
778 other penalty as the branch of which the person is a member may see fit to impose. [See G. L.
779 271, sec. 40.] [Adopted May 22, 1902.]

780 Accommodations for Reporters.

781 32. Subject to the approval and direction of the committees on Rules of the two branches,
782 acting concurrently, during the session, and of the President of the Senate and the Speaker of the
783 House of Representatives after prorogation, the use of the rooms and facilities assigned to
784 reporters in the State House shall be under the control of the organizations of legislative reporters
785 known as the Massachusetts State House Press Association and the State House Broadcasters
786 Association. No person shall be permitted to use such rooms or facilities who is not entitled to
787 the privileges of the reporters' galleries of the Senate or of the House. Within 10 days after the
788 General Court convenes the Massachusetts State House Press Association and the State House
789 Broadcasters Association shall each transmit to the President of the Senate, the Speaker of the
790 House of Representatives and the Sergeant-at-Arms a list of the legislative reporters with the
791 principal publication or news service which each represents. [Adopted Jan. 27, 1911. Amended
792 Feb. 24, 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

793 Suspension of Rules.

794 33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by a
795 concurrent vote of two-thirds of the members of each branch present and voting thereon.
796 [Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26,
797 2005.]

798 Audit of Accounts.

799 34. The committees on Rules of the two branches, acting concurrently, shall provide that an
800 outside independent audit of joint financial accounts be conducted by a certified public
801 accountant no less frequently than at the end of each second fiscal year. A copy of such audit
802 shall be filed with the Clerks of the Senate and House of Representatives and made available for
803 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
804 1985.]

805

806 35. The committees on Rules of the two branches, acting concurrently, shall reexamine the
807 Joint Rules of the House and Senate as needed, but at least every 4 years, and shall report to each

808 branch any recommendations it may have to facilitate the work of the respective branches and
809 the joint standing committees. [Adopted June 12, 1995.]

810 JOINT PROCUREMENT.

811 36. (a) All procurement for goods or services from joint legislative accounts shall be completed
812 by the House and Senate Business Managers with the approval of House and Senate Counsel.

813 (b) All procurements for goods or services from joint legislative accounts shall, to the extent
814 practicable, be made from the statewide procurement list established by the operational services
815 division.

816 (c) Upon certification by the House and Senate Business Manager that a necessary procurement
817 cannot be made using the statewide procurement list established by the operational services
818 division, the House and Senate Business Manager may procure the required goods or services
819 pursuant to the following:

820 (i) for a procurement of a supply or service in an amount of less than \$5,000, the House and
821 Senate Business Manager shall use sound business practices;

822 (ii) for a procurement of a supply or service in an amount of \$5,000, but less than \$50,000, the
823 House and Senate Business Manager shall seek written or oral quotations from no fewer than 3
824 persons customarily providing such supply or service. The House and Senate Business Manager
825 shall record the names and addresses of all persons from whom quotations were sought, the
826 names of the persons submitting quotations and the date and amount of each quotation. The
827 House and Senate Business Manager shall award the contract to the responsible person whose
828 quotation offers the needed quality of supply or service and which represents the best value for
829 the Commonwealth;

830 (iii) for a procurement of a supply or service in an amount exceeding \$50,000 the business
831 manager shall seek proposals through a competitive bid process jointly established by the offices
832 of House and Senate Counsel; provided, however, that the Offices of House and Senate Counsel
833 shall file the competitive bid process with the House Clerk no later than March 31 of the first
834 year of the session.

835 (d) All procurements for legal and consulting services shall be handled exclusively by the
836 Offices of House and Senate Counsel in compliance with the provisions of this rule. Prior to
837 executing a contract for legal or consulting services, said offices shall certify, in writing, to the
838 Clerk of the House of Representatives and the Clerk of the Senate that no employee of the House
839 of Representatives possesses the required skills to complete the service which is the subject of
840 the contract.

841 (e) The House and Senate Business Managers shall maintain a file on each contract not executed
842 using the statewide procurement list established by the operational services division and in

843 excess of \$5,000 and shall include in such file a copy of all documents related to the contract.
844 Upon execution of the contract, the House and Senate Business Managers shall transmit copies
845 of the file to the Offices of House and Senate Counsel which shall make the file available for
846 inspection within said office by members of the House for at least 3 years from the date of final
847 payment under the contract; provided, however, that the Offices of House and Senate Counsel
848 shall redact from said file any information which (i) is legally privileged; (ii) is proprietary; or
849 (iii) related to individual members or House personnel.

850 (f) Whenever the time required to comply with a requirement of this rule would endanger the
851 health, safety or convenience of the members, staff or visitors to the House of Representatives or
852 Senate the House and Senate Business Managers may make an emergency procurement without
853 satisfying the requirement of this rules; provided, however, that both the House and Senate
854 Business Managers and the House and Senate Counsel certify in writing that: (i) an emergency
855 exists and explain the nature thereof; (ii) the emergency procurement is limited to only supplies
856 or services necessary to meet the emergency; (iii) shall conform to the requirements of rule to the
857 extent practicable under the circumstances; (iv) each contractor's name, (v) the amount and the
858 type of each contract; (vi) the supplies or services provided under each contract; (vii) and basis
859 for determining the need for an emergency procurement. Such certification shall be filed with the
860 Clerk of the House and with the Clerk of the Senate prior to an emergency procurement.