

HOUSE No. 2017

Order (filed by Mr. Mariano of Quincy) relative to Joint Rules governing the 2015-2016 legislative sessions (House, No. 2017). January 29, 2015.

The Commonwealth of Massachusetts

House of Representatives, January 29, 2015.



**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

1 *Ordered, Committees.*

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

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

5 A committee on Community Development and Small Businesses;

6 A committee on Consumer Protection and Professional Licensure;

7 A committee on Economic Development and Emerging Technologies;

8 A committee on Education;

9 A committee on Elder Affairs;

- 10 A committee on Election Laws;
- 11 A committee on Environment, Natural Resources and Agriculture;
- 12 A committee on Financial Services;
- 13 A committee on Health Care Financing;
- 14 A committee on Higher Education;
- 15 A committee on Housing;
- 16 A committee on the Judiciary;
- 17 A committee on Labor and Workforce Development;
- 18 A committee on Mental Health and Substance Abuse;
- 19 A committee on Municipalities and Regional Government;
- 20 A committee on Public Health;
- 21 A committee on Public Safety and Homeland Security;
- 22 A committee on Public Service;
- 23 A committee on Revenue;
- 24 A committee on State Administration and Regulatory Oversight;
- 25 A committee on Telecommunications, Utilities and Energy;
- 26 A committee on Tourism, Arts and Cultural Development;

27 A committee on Transportation;

28 A committee on Veterans and Federal Affairs

29 Each to consist of 6 members of the Senate, and 11 on the part of the House except the
30 committees on Economic Development and Emerging Technologies, Public Safety and
31 Homeland Security, Mental Health and Substance Abuse, Health Care Financing and
32 Transportation which shall consist of 7 members of the Senate and 13 of the House.

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

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

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

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

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

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

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

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

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

72 Each committee may, upon completion of its oversight hearings, report to the General Court the
73 results of its findings and recommendations together with accompanying corrective legislation, if
74 any, by filing the same with the Clerk of the House of Representatives or the Clerk of the Senate.

75 Copies of such reports shall be, whenever practicable, made available to all members
76 electronically and to the public via the Internet. The disposition of said reports shall be
77 determined by the Clerks with the approval of the Speaker and the President.

78 The Senate and House chairmen of a joint committee may appoint subcommittees to investigate
79 and study any matter referred to said subcommittee. Any subcommittee so established shall be
80 co-chaired by a majority member of the Senate and a majority member of the House who are
81 members of the joint standing committee appointing the subcommittee. The composition of the
82 subcommittee shall be proportional to the composition of the appointing joint committee;
83 provided, however, that not less than 10 per cent of the subcommittee's members shall be from
84 the minority party. Chairmen of subcommittees shall not be considered chairmen under section 2
85 of chapter 3 of the acts of 2005. A subcommittee may, upon completion of an investigation and
86 study, report the results of the investigation and study together with legislation, if any, by filing
87 the same with the Senate and House chairmen of the appointing joint committee.

88 Temporary employees of the general court assigned to a joint committee who are students at an
89 accredited education institution or employees or grantees of other non-profit organizations under
90 section 501 (c) (3) of the Internal Revenue Code may receive compensation from such
91 organization, according to that organization's regular program of providing such compensation

92 for temporary governmental or public service employment. A temporary employee's Senate or
93 House supervisor shall establish the employee's total compensation, shall verify that the sum of
94 the employee's state compensation, if any, and that any outside compensation the employee is to
95 receive under this rule would not exceed this total compensation, and shall file the written terms
96 of the employee's compensation with the Senate or House Human Resources Office, where it
97 shall be available for public inspection. The temporary employee shall sign a confidentiality and
98 ethics agreement provided by the Senate Personnel Office or House Human Resources Office.

99 [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18 86; Jan. 12,
100 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18 92; Feb.
101 7, 18 93; Jan. 8, 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10, 18 98; Jan. 9, 18 99;
102 Jan. 22 and 29, 1901; Jan. 6, 19 02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19 07; Jan.
103 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan. 1 and 8 and Feb. 21,
104 1919; Jan. 7, 19 20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7, 19 31; Jan. 6, 19
105 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb. 1, 19 49; Jan. 7,
106 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19 66;
107 Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec. 21,
108 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 ,
109 June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005; Feb. 20, 2007;
110 Feb 12, 2009.]

111 1A. All meetings of joint committees acting concurrently, Senate and House standing
112 committees, special committees of the Senate and House of Representatives, and joint special
113 committees and committees of conference on the disagreeing votes of the 2 branches shall be

114 open to the public, unless a majority shall vote otherwise. [Adopted July 17, 1973. Amended
115 July 18, 1974; Feb. 12, 2009.]

116 1B. A joint standing committee shall hold a public hearing on each matter referred to it in each
117 legislative session. [Adopted June 3, 1985; Amended Feb. 12, 2009.]

118 1C. All joint standing committees shall schedule committee hearings and executive sessions so
119 as not to conflict, to the extent feasible, with the schedules of other committees and, to the extent
120 feasible, the day of the week and times during that day set aside for formal sessions by the
121 respective branches from the first Wednesday in January through the fourth Wednesday of April
122 in the first annual session. [Adopted June 3, 1985; Amended June 12, 1995.]

123 1D. All meetings of joint standing committees, and special joint committees of the Senate and
124 House of Representatives, shall be open to the public, and any person shall be permitted to attend
125 any such meeting unless such committee convenes in executive session, as provided herein. All
126 joint standing committees shall determine a schedule for committee hearings to be held from the
127 beginning of the first annual session through the fourth Wednesday in June in said session. These
128 committee schedules shall be submitted to the Clerk of the House who shall cause them to be
129 published on the official website for the General Court. Establishment of such schedules shall
130 not preclude joint standing committees from scheduling additional hearings or meetings as
131 needed. No executive session shall be held except upon extraordinary circumstances and only
132 after the committee has first convened in an open session for which notice has been given, the
133 presiding officer has stated the purpose of the executive session, a majority of the committee
134 members present has voted to go into executive session, the vote of each member has been
135 recorded on a roll call vote, and the presiding officer has stated before the executive session if

136 the committee will reconvene after the executive session. The records of all such roll calls shall
137 be kept in the offices of the committee for the duration of the General Court during which said
138 vote was recorded, and shall be available for public inspection upon reasonable notice and during
139 regular office hours.

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

145 Nothing contained in this rule shall prohibit a joint standing committee or special joint
146 committee of the Senate and the House of Representatives from taking appropriate action
147 including, but not limited to, the exclusion of a person from a committee meeting in order to
148 prevent the disruption of or interference with committee proceedings. All meetings of joint
149 standing committees, and special joint committees of the Senate and House of Representatives,
150 shall be limited to no more than 50 bills to be discussed in a hearing, unless it can be determined
151 that all of the bills being considered are of the same subject matter.

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

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

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

161 The Chairs of each committee shall preserve decorum and order during each committee hearing.
162 Persons attending hearings shall be required to refrain from the use of cellular telephones,
163 beepers and pagers. The use of visual aids including, without limitation, posters, displays, or
164 charts shall be permitted only upon approval of the Chairs. [Adopted June 3, 1985. Amended
165 June 12, 1995; Feb. 20, 2007; Mar. 14, 2013.]

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

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

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

188 1F. [Omitted February 12, 2009].

189 1G. The President of the Senate, the Speaker of the House of Representatives, Minority Leader
190 of the Senate, Minority Leader of the House of Representatives, the Senate and House chairmen
191 and the Senate and House ranking minority members of the joint committee on Public Safety and
192 Homeland Security may receive security clearance from federal and state homeland security
193 officials in order to be granted access to confidential homeland security briefings, information
194 and materials. The President of the Senate, the Speaker of the House of Representatives, the
195 Senate and House committee chairmen and the Senate and House ranking minority members
196 may designate 1 or more members of their staff who may receive such security clearance.

197 Any person who receives security clearance under this rule shall sign all confidentiality
198 agreements required by homeland security officials. The breach of any such confidentiality
199 agreement shall constitute a violation of the Joint Rules of the Senate and House of
200 Representatives. Any alleged violation of a confidentiality agreement shall be referred for
201 investigation to the Senate committee on Ethics and Rules or the House committee on Ethics,

202 respectively, and, if appropriate, to law enforcement authorities for potential criminal
203 prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009.]

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

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

213 3. When the General Court is in session, authorization for any committee of the Senate or House
214 of Representatives to travel during the session of the General Court shall be approved by a vote
215 of two thirds of the members of its branch present and voting. When the General Court is in
216 session, authorization for any committee of the Senate or House of Representatives to sit and
217 travel during the recess of the General Court shall be approved by a vote of two-thirds of the
218 members of each branch present and voting. During the recess of the General Court, the
219 President of the Senate and the Speaker of the House of Representatives may, by written consent,
220 allow standing committees of their respective branches or appoint special committees to sit,
221 travel and incur expenses not exceeding sums authorized in writing by said presiding officers and
222 appropriated for such purposes. When the General Court is in session, authorization for any joint
223 committee to travel during the session, or to sit or travel during the recess, of the General Court

224 shall be approved by a vote of two-thirds of the members of each branch present and voting.
225 During the recess of the General Court, the President of the Senate and the Speaker of the House
226 of Representatives, acting jointly, may, by written consent, allow joint committees or appoint
227 joint special committees to sit, travel and incur expenses not exceeding sums authorized in
228 writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate
229 and House of Representatives shall be notified of any appointments made and authorizations
230 granted during the recess for said committees to sit, travel and incur expenses during the recess
231 and the Clerks shall enter such information in the journals for the next year, as soon as may be
232 practicable. Committees authorized by the presiding officers to sit during the recess in the odd
233 numbered year shall report not later than the fourth Wednesday of January during the following
234 year and committees authorized by the presiding officers to sit during the recess in the even
235 numbered year shall report not later than the fourth Wednesday of December during the same
236 year.

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

244 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms to
245 the committee by whom they have been incurred and shall be approved by a majority of said
246 committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;

247 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
248 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

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

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

270 are made, shall be considered as a final rejection. When a report is made from any committee to
271 either branch, and the subject-matter of the report is subsequently referred to a joint committee,
272 such committee, except for the committee on Health Care Financing, shall report its action to the
273 branch in which the reference originated. [See also Joint Rule 5.]

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

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

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

291 made, and shall be promptly made available on the official website of the General Court.

292 [Adopted Jan. 15, 1973.]

293 5. Matters reported adversely by joint committees and the committees on Rules of the two
294 branches, acting concurrently, may be recommitted to the same committees at the pleasure of the
295 branch acting on the report, and bills or resolves may be recommitted in either branch. If a bill or
296 resolve is laid aside in either branch for the reason that it is declared to be broader in its scope
297 than the subject-matter upon which it is based, the subject-matter shall be recommitted to the
298 committee. A concurrent vote shall, however, be necessary for recommitment, with instructions.
299 After recommitment, report shall, in all cases, be made to the branch originating the
300 recommitment. [Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 19 53; March 26,
301 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

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

305 **Joint Petitions.**

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

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

317 7A. A petition for legislation to authorize a county to reinstate in its service a person formerly
318 employed by it, or to retire or pension or grant an annuity to any person, or to increase any
319 retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension
320 or retirement allowance, or to pay any salary which would have accrued to a deceased official or
321 employee but for his death, or to pay any claim for damages or otherwise, or to alter the benefits
322 or change the restrictions of any county retirement or pension law, shall, subsequently to the
323 procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely,
324 unless, when filed it be the petition of, or be approved by, a majority of the county
325 commissioners. [Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920; May 24,
326 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
327 Jan. 7, 1971; Jan. 15, 1973.]

328 7B. A petition, the operation of which is restricted to a particular city or town (and which does
329 not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does
330 not affect generally the laws of the Commonwealth) and which is not filed in conformity with
331 Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the
332 procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be on
333 petition filed or approved by the voters of a city or town, or the mayor and city council, or other
334 legislative body, of a city, or the town meeting of a town. A joint committee to which is
335 inadvertently referred a petition or other subject of legislation the operation of which is restricted

336 to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of
337 the Amendments to the Constitution shall report a general law which applies alike to all cities, or
338 to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report ‘ought not
339 to pass’, with the further endorsement that it ‘would be unconstitutional to enact such special
340 law’.

341 Any petition that subsequently conforms to Section 8 of Article LXXXIX of the Amendments to
342 the Constitution after filing, which have followed the procedures set forth in Senate Rule 20 or
343 House Rule 24, shall be forthwith reported from the committee on Rules and be referred by the
344 Clerk to an appropriate committee.

345 A petition, the operation of which is restricted to a particular city or town (and which does not
346 affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does not
347 affect generally the laws of the Commonwealth) and any attachment to the petition shall be filed
348 in both paper and electronic format approved by the Clerks of the House and Senate.

349 [Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11, 1935;
350 April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7
351 and Mar. 22, 1971 ; Jan. 15, 1973; March 14, 2013.]

352 7C. The approval vote required to file a petition, the operation of which is restricted to a
353 particular city or town under Section 8 of Article LXXXIX of the Amendments to the
354 Constitution of the Commonwealth, shall be valid for 2 years, regardless of any intervening
355 action that may be taken by any legislative committee or either branch of the General Court.

356 [Adopted, Mar. 14, 2013.]

357

Notice to Parties Interested.

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

372 9. A petition for the incorporation of a city or town, for the annexation of 1 municipality to
373 another, for the consolidation of 2 or more municipalities or for the division of an existing
374 municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad,
375 canal, telephone, telegraph, water, gas, electric light, power or other public service corporation,
376 for the amendment, alteration or extension of the charter or corporate powers or privileges, or for
377 the change of name, of any such company, whether specially incorporated or organized under the
378 General Laws, or for authority to take water for a water supply, or relative to building structures
379 in or over navigable or tide waters, shall be placed on file, and not referred to a committee,
380 unless the petitioner has given the notice and followed the procedure required by section 5 of

381 chapter 3 of the General Laws. But if, no objection being raised, any such petition is referred to a
382 committee without such required notice or procedure, the committee shall forthwith report
383 adversely, setting forth as the reason for such report failure to comply with the law, unless
384 evidence satisfactory to the committee is produced that all parties interested have in writing
385 waived notice. In case a bill or resolve is reported upon such a petition, after proof of such
386 waiver of notice, this fact shall be set forth in the report of the committee. When an adverse
387 report is made by a committee, on account of failure to give the required notice, no bill or resolve
388 shall be substituted for such report, nor shall such report be recommitted or referred to another
389 committee.

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

397 Any petition placed on file for want of proper notice or procedure under this rule shall not affect
398 action upon any other measure involving the same subject matter. [Adopted Feb. 7, 1890.

399 Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926;
400 Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8,
401 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009.]

402 Limit of Time allowed for Reports of Committees.

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

426 legislation upon which adverse reports must be accepted, in concurrence. This rule shall not
427 apply to petitions referred to the committees on Rules of the two branches, acting concurrently,
428 under the second paragraph of Joint Rule 12. This rule shall not be rescinded, amended or
429 suspended, except by a concurrent vote of four-fifths of the members of each branch present and
430 voting thereon. Notwithstanding Joint Rule 30, this rule shall not be rescinded, amended or
431 suspended more than 3 times except by unanimous consent. [Amended Feb. 2, 1891; Jan. 25,
432 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945;
433 Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971; Feb. 4, 1974, June 12,
434 1995; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

435 10A. The form for all subjects of legislation receiving a favorable report shall be ‘ought to pass.’
436 The form for all subjects of legislation receiving an adverse report shall be ‘ought NOT to pass.’
437 A committee to whom is referred any other matter may report recommending that the same be
438 placed on file. [Adopted Jan. 7, 1971.]

439 Committees of Conference.

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

444 Committees of conference to whom are referred matters of difference in respect to bills or
445 resolves, shall, after filing their reports, but before consideration by either branch, have the same
446 approved or discharged by each committee on Bills in the Third Reading [Amended April 22,
447 1937; Feb. 12, 2009; Feb. 3, 2011; Mar. 14, 2013.]

448 11A. Committees of conference to whom are referred matters of difference in respect to
449 appropriation bills, including capital outlay programs, shall, after filing their reports but before
450 consideration by either branch have the same approved or discharged by each committee on Bills
451 in the Third Reading.

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

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

464 The committees on ways and means of each branch of the General Court shall assist such
465 committee of conference in any and all matters necessary to the preparation and completion of its
466 report. [Adopted July 30, 1974; Amended Oct. 3, 1983; Feb. 3, 2011; Mar. 14, 2013.]

467 11B. No report from a committee of conference shall be considered or acted upon by either
468 branch until the calendar day following the day on which said report shall have been available to
469 the public and to the members of the General Court. The committee shall file its report no later

470 than 8 p.m. on the day preceding its consideration and the General Court shall not consider said
471 report before 1 p.m. on the following day, except that a report from such committee of
472 conference that it is unable to agree may be considered and acted upon at the time that such
473 report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005;
474 Feb. 3, 2011.]

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

478 11D. Upon the filing of a report by a committee of conference the clerk of the branch in which
479 the committee of conference filed its report shall make the report and the summary of the report
480 available to all members electronically and to the public on the official website of the General
481 Court by 9 p.m. on the day preceding its consideration. [Adopted Feb. 12, 2009; Amended Feb.
482 3, 2011; Mar. 14, 2013.]

483 11E. Subsequent to the filing of a report of a committee of conference, an addendum may be
484 submitted to the clerk of the branch in which the report had been filed. The addendum shall
485 indicate that it contains only matters inadvertently omitted from or included in the report, and
486 shall be signed by all of members of the House and Senate who had signed the conference
487 committee report. The addendum shall be approved by both the Counsel to the House and the
488 Counsel to the Senate. The addendum, having been approved by both the Counsel to the House
489 and the Counsel to the Senate, shall be posted to the official website of the General Court
490 immediately upon receipt by the clerk of the branch to which it was submitted. [Adopted Mar.
491 14, 2013.]

492

Limit of Time allowed for New Business.

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

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

508 At any special session called under Rule 26A, however, matters relating to the facts constituting
509 the necessity for convening such session shall, if otherwise admissible, be admitted as though
510 filed seasonably under the first sentence of this rule. Any recommendations from the Governor
511 shall be similarly considered. This rule shall not be rescinded, amended or suspended, except by
512 a concurrent vote of two-thirds of the members of each branch present and voting thereon.

513 [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19

514 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30, 19 23;
515 Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan. 30,
516 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ;
517 Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

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

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

526 **Unfinished Business of the Session.**

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

535 Papers to be deposited with the Clerks.

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

543 A member may include a brief statement of intent with all papers intended for presentation to the
544 General Court. Upon a favorable report by a joint standing committee, a committee may include
545 a brief written statement of intent. Said statement shall be dated and shall include the scope of
546 the matter presented for consideration; provided, however, this rule shall not be construed to
547 require the presentation of such statement of intent under this rule. [Adopted Feb. 7, 1890.
548 Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb. 15,
549 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

550 Dockets of Legislative Counsel and Agents.

551 14. The committees on Rules of the two branches, acting concurrently, may prescribe the manner
552 and form of keeping the dockets of legislative agents which are required by law. [Adopted Feb.
553 2, 1891; Amended Feb. 19, 1920.]

554 Duties of the Clerk.

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

558 16. All papers, while on their passage between the 2 branches, may be under the signature of the
559 respective Clerks, except as to the adopting of emergency preambles and the final passage of
560 bills and resolves. Messages may be sent by such persons as each branch may direct. [Amended
561 Feb. 21, 1919.]

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

572 18. [Omitted in 1971.]

573 19. The Clerk of the branch in which a bill or resolve originated shall make an endorsement on
574 the envelope of the engrossed copy of the bill, certifying in which branch the bill originated,
575 which endorsement shall be entered on the journals by the Clerks respectively. [Amended Jan.
576 28, 1889; Feb. 24, 1914.]

577 20. Bills, resolves and other papers requiring the approval of the Governor shall be laid before
578 the Governor for the Governor's approbation by the Senate Clerk and Parliamentarian, who shall

579 enter upon the journal of the Senate the day and date on which the same were so laid before the
580 Governor. [Amended Jan. 28, 1889; Jan. 7, 1971.]

581 Presentation and Distribution of Documents.

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

588 The Clerks of the House of Representatives and the Senate shall be responsible for publishing
589 the journals of their respective chamber, the book Public Officers of Massachusetts, the
590 committee book and any other publications per order of the committees on Rules. [Amended Jan.
591 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7,
592 1971; Feb. 12, 2009; Mar. 14, 2013.]

593 Emergency Measures.

594 22. The vote on the preamble of an emergency law, which under the requirements of Article
595 XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon
596 request of 2 members of the Senate or of 5 members of the House of Representatives, be taken
597 by call of the yeas and nays, shall be had after the proposed law has been prepared for final
598 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
599 containing an emergency preamble until it has been determined whether the preamble shall
600 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill

601 may be received in either branch before the adoption of the emergency preamble, and the
602 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the
603 preamble, the bill or resolve shall first be put upon its final passage in the House of
604 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
605 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
606 without the preamble and without any provision that the bill or the resolve shall take effect
607 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules
608 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
609 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

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

624 to be prepared for final passage. If at any other time the Legislative Engrossing Division
625 identifies inaccuracies with the text or form of a bill or resolve which are not of a substantive
626 nature, the Legislative Engrossing Division may, with the approval of the majority and minority
627 leadership of both branches, the chairs of the committees on Bills in the Third Reading of the
628 two branches, acting jointly, Counsel to the House and Senate, acting jointly, and the Clerks of
629 the House and Senate, acting jointly, make corrections which are not substantive in nature.

630 [Adopted Sept. 16, 1971.]

631 Legislative Amendments to the Constitution.

632 23. All proposals for amendments to the Constitution referred to a joint committee on the first
633 annual session of the General Court shall be reported by said committee not later than the last
634 Wednesday of April in said year, and proposals for amendments to the Constitution referred to a
635 joint committee subsequent to the last Wednesday in April of the first annual session shall be
636 reported by said committee not later than the last Wednesday of April in the second session of
637 the same General Court. The committee shall file its report, either recommending that the
638 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
639 thereto, with the Clerk of the Senate. When the time within which said committees are required
640 to report has expired, all matters upon which no report has been made shall forthwith be placed
641 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
642 placed on file in the office of the Clerk of the Senate. For further information of the members of
643 the Senate and House of Representatives, the respective Clerks shall also place all such matters
644 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch
645 the report shall be read and forthwith placed on file; and no further legislative action shall be
646 taken on the measure unless consideration in joint session is called for by vote of either branch,

647 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
648 Amendments to the Constitution. A joint committee to which is referred any recommendation for
649 an amendment to the Constitution made by the Governor or contained in a report authorized to
650 be made to the General Court may report on the recommendation a proposal for a legislative
651 amendment, which shall be deemed to have been introduced by the member of the Senate who
652 reports for the committee; and the procedure as regards reporting, filing and subsequent action
653 shall be that provided for legislative amendments by this rule. Or the joint committee may report
654 ought not to pass for the reason that no legislation is necessary or that the recommendation ought
655 not to pass; and in such cases the usual procedure as regards similar reports by joint committees
656 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
657 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
658 proposal, together with the official papers relating to the subject, shall be in the custody of the
659 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
660 together with the other papers, shall be sent to the Senate for its information and shall be kept in
661 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
662 so substituted unless consideration in joint session is called for under the Constitution. If either
663 branch calls for the consideration of any proposal in joint session, notice of its action shall be
664 sent to the other branch; and it shall then be the duty of the Senate and the House of
665 Representatives to arrange for the holding of the joint session not later than the second
666 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
667 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to
668 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
669 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2

670 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
671 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

672 Executive Reorganization Plans.

673 23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under Article
674 LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate
675 and the House, with the approval of the President and Speaker, to a joint standing committee
676 within 5 days of the presentation of the reorganization plan.

677 Said committee, to which is referred any such reorganization plan, shall, as required by said
678 Article, not later than 30 days after the presentation of such plan by the Governor, hold a public
679 hearing on the reorganization plan; and shall not later than 10 days after such hearing report that
680 it either approves or disapproves such plan.

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

686 If the committee recommends favorable action, the report shall be that the reorganization plan
687 'ought to be approved'. If the committee recommends adverse action, the report shall be that the
688 reorganization plan 'ought NOT to be approved'. In each instance, the question shall be 'Shall
689 this reorganization plan be approved?'

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

693 When the time within which a joint committee is required to report on a reorganization plan has
694 expired, a matter upon which no report has been made shall forthwith be placed in the Orders of
695 the Day by the Clerks of each branch and the question shall be ‘Shall this reorganization plan be
696 approved?’.

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

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

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

710 Within 7 days of the expiration of the 60 days from the date of presentation of said plan by the
711 Governor, unless the question has already been decided, the Clerks of the Senate and House of

712 Representatives shall place the plan in the Orders of the Day; and no motions except the motions
713 to take a recess, to adjourn, and previous question, or to close debate at a specified time, shall be
714 in order.

715 No such reorganization plan presented to the General Court shall be subject to change or
716 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
717 1969; June 12, 1995; Feb. 12, 2009.]

718 Joint Conventions.

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

723 25. When an agreement has been made by the 2 branches to go into Convention, such agreement
724 shall not be altered or annulled, except by concurrent vote, excepting that it shall be in order to
725 recess the convention from time to time upon a majority vote of said convention. [Amended Jan.
726 7, 1971.]

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

729 Special Sessions.

730 26A. If written statements of 21 members of the Senate and 81 members of the House of
731 Representatives, that in their opinion it is necessary that the General Court assemble in special
732 session on a particular date and time specified in their statements during a recess of the General

733 Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members
734 of their respective branches to assemble at the State House in Boston, on said date at the time so
735 specified. When so assembled, the first business to be taken up shall be the question of the
736 necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the
737 Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House
738 of Representatives judge by vote taken by call of the yeas and nays that such assembling of the
739 General Court is necessary, specifying in such vote the facts constituting such necessity, the
740 General Court shall then complete its organization as a special session, proceed to the
741 consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds
742 of the members of both branches shall permit the General Court to proceed to the consideration
743 of matters properly before it. Nothing in this rule shall prevent the General Court from
744 assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939.
745 Amended March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September
746 20, 2005.]

747 Joint Elections.

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

750 27A. In all cases of elections by ballot a majority of the votes cast shall be necessary for a
751 choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated
752 until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count
753 in the enumeration of votes, excepting that when the number of blanks shall be more than the
754 number of votes received by the candidate having the highest number of votes, then the election

755 shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27,
756 1969 .]

757 28. [Omitted March 28, 1972 .]

758 References to the Committees on Rules.

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

771 30. All motions or orders extending the time within which joint committees and the committees
772 on Rules of the two branches, acting concurrently, are required to report shall be referred without
773 debate to the committees on Rules of the two branches, acting concurrently, who shall report
774 recommending what action should be taken on the motion or order. Such extension shall be
775 granted by a concurrent majority vote if recommended by the committees on Rules of the two
776 branches, acting concurrently; but no such extension shall be granted, against the

777 recommendation of the committees, except by a four-fifths vote of the members of each branch
778 present and voting on the extension. This rule shall not be rescinded, amended or suspended,
779 except by a concurrent vote of four-fifths of the members of each branch present and voting
780 thereon. [Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27,
781 1955; June 7, 1965.]

782 Members.

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

789 Accommodations for Reporters.

790 32. Subject to the approval and direction of the committees on Rules of the two branches, acting
791 concurrently, during the session, and of the President of the Senate and the Speaker of the House
792 of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in
793 the State House shall be under the control of the organizations of legislative reporters known as
794 the Massachusetts State House Press Association and the State House Broadcasters Association.
795 No person shall be permitted to use such rooms or facilities who is not entitled to the privileges
796 of the reporters' galleries of the Senate or of the House. Within 10 days after the General Court
797 convenes the Massachusetts State House Press Association and the State House Broadcasters
798 Association shall each transmit to the President of the Senate, the Speaker of the House of

799 Representatives and the Sergeant-at-Arms a list of the legislative reporters with the principal
800 publication or news service which each represents. [Adopted Jan. 27, 1911. Amended Feb. 24,
801 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

802 Suspension of Rules.

803 33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by a
804 concurrent vote of two-thirds of the members of each branch present and voting thereon.
805 [Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26,
806 2005.]

807 Audit of Accounts.

808 34. The committees on Rules of the two branches, acting concurrently, shall provide that an
809 outside independent audit of joint financial accounts be conducted by a certified public
810 accountant no less frequently than at the end of each second fiscal year. A copy of such audit
811 shall be filed with the Clerks of the Senate and House of Representatives and made available for
812 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
813 1985.]

814 35. The committees on Rules of the two branches, acting concurrently, shall reexamine the Joint
815 Rules of the House and Senate as needed, but at least every 4 years, and shall report to each
816 branch any recommendations it may have to facilitate the work of the respective branches and
817 the joint standing committees. [Adopted June 12, 1995.]

818 Procurement.

819 36. (a) The House Business Manager and Chief Financial Officer of the Senate shall complete
820 the procurement of all goods and services from the joint legislative account. Procurements for
821 goods or services shall be made from the statewide procurement list established by the
822 operational services division, to the extent practicable, as determined by the House Business
823 Manager and the Chief Financial Officer of the Senate. If the Business Manager and the Chief
824 Financial Officer determine that a procurement cannot be made using the statewide procurement
825 list established by the operational services division, they may procure the required goods or
826 services under subsections (b), (c) or (d).

827 (b) Procurement of a supply or service from a vendor not on the statewide procurement list
828 valued at less than \$10,000 shall be made at the discretion of the House Business Manager and
829 the Chief Financial Officer of the Senate.

830 (c) If the House Business Manager and the Chief Financial Officer of the Senate seek to procure
831 a supply or service from a vendor not on the statewide procurement list valued at \$10,000 or
832 more, but less than \$100,000, they shall seek quotations from not fewer than 3 persons providing
833 such supply or service. The House Business Manager and the Chief Financial Officer of the
834 Senate shall record the names and addresses of all persons from whom quotations were received,
835 the names of the persons submitting quotations and the date and amount of each quotation. The
836 House Business Manager and the Chief Financial Officer of the Senate shall award the contract
837 to the responsible person whose quotation offers the needed quality of supply or service and
838 which represents the best value for the General Court.

839 (d) If the House Business Manager and the Chief Financial Officer of the Senate seek to procure
840 a supply or service from a vendor not on the statewide procurement list valued at \$100,000 or

841 more, the House Business Manager and the Chief Financial Officer of the Senate shall seek
842 proposals through a competitive bid process, which shall be established by the House Business
843 Manager and the Chief Financial Officer of the Senate.

844 (e) The House Business Manager and the Chief Financial Officer of the Senate shall maintain a
845 file on each procurement not executed using the statewide procurement list established by the
846 operational services division and in excess of \$10,000 and shall include in such file all
847 documents related to the procurement. The files maintained shall be available for inspection by
848 members of the General Court during regular business hours unless the information is otherwise
849 protected by state or federal law.

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 certify in writing that: (i) an emergency exists and explain the nature thereof;
855 (ii) the emergency procurement is limited to only supplies or services necessary to meet the
856 emergency; (iii) shall conform to the requirements of rule to the extent practicable under the
857 circumstances; (iv) each contractor's name, (v) the amount and the type of each contract; (vi) the
858 supplies or services provided under each contract; (vii) and basis for determining the need for an
859 emergency procurement.

860 (g) In addition to the requirements of this rule, all procurements for legal services shall be
861 approved by the House and Senate Counsel.

862 (h) If, in the determination of the House Business Manager and the Chief Financial Officer of the
863 Senate, an emergency procurement of greater than \$10,000 is necessary, the House Business
864 Manager and the Chief Financial Officer of the Senate may procure the goods or services
865 immediately and create and maintain a file explaining the nature of the emergency and the goods
866 or services that were procured as a result. The House Business Manager and the Chief Financial
867 Officer of the Senate shall document the goods or services that were procured, the process used
868 to procure the goods or services, the vendors that were contacted and any other information
869 relevant to the procurement, and make that information available to members of the General
870 Court during regular business hours, unless the information is otherwise protected by state or
871 federal law. [Adopted Mar. 14, 2013.]

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