

11 session shall not continue beyond the hour of midnight, unless by unanimous consent of the
12 members present. The House shall then return to the pending business; and if no matter was
13 pending, to the next order of business. However, if the vote is in the negative, the Speaker shall
14 forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten
15 o'clock A.M. on the next succeeding calendar day.

16 [Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16,
17 2000.]

18 2. The Speaker shall preserve decorum and order in the House Chamber. While in the House
19 Chamber, members, staff and guests shall be required to dress in proper and appropriate attire
20 and be courteous and professional when using electronic devices.

21 Members, staff and guests shall not take photographs or videos of, or in, the House Chamber
22 during formal or informal sessions unless otherwise permitted by this Rule. Members may take
23 photographs at their assigned seats in the chamber during formal or informal sessions; provided,
24 however that any photographs taken by members during formal or informal sessions shall not
25 include images of any other member, staff or guest without their express written consent.

26 The Speaker may permit photographs or videos during special occasions, which shall include,
27 but shall not be limited to, swearing-in ceremonies and addresses by constitutional officers or
28 other dignitaries.

29 The use of audio-visual aids including, without limitation, videos, computers, posters, displays or
30 charts shall be permitted only upon approval of the Speaker.

31 The Speaker also may speak to points of order in preference to other members; and shall decide
32 all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see
33 Rule 77.]

34 [Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011; Jan. 29, 2015, Feb. 2, 2017.]

35 3. The Speaker shall declare all votes, subject to verification as hereinafter provided. [3.] (55.)
36 [See Rules 49 to 53, inclusive.]

37 [Amended Jan. 11, 1985.]

38 4. In all cases the Speaker may vote. [4.] (3.)

39 [Amended Jan. 11, 1985.]

40 4A. The Speaker shall appoint a Speaker pro Tempore. The Speaker pro Tempore shall
41 assist the Speaker in the coordination of policy development and the ceremonial functions of the
42 House and shall perform such duties assigned to him by the Speaker. Upon a vacancy in the
43 office of Speaker, the office of Speaker pro Tempore shall be considered vacant.

44 [Adopted Jan. 26, 2005, Amended, Jan. 23, 2007, Feb. 2, 2017.]

45 4B. (a) As used in this Rule, the following words shall have the following meanings:-

46 “Earned income”, income derived from salaries, wages, tips and commissions for performing
47 services as an employee of an employer.

48 “Unearned income”, all other income that is not earned income.

49 (b) The Speaker shall not receive earned income for:

- 50 (1) affiliating with or being employed by a firm, partnership, association, corporation or other
51 entity that provides professional services involving a fiduciary relationship;
- 52 (2) permitting his name to be used by such a firm, partnership, association, corporation or other
53 entity;
- 54 (3) receiving compensation for practicing a profession that involves a fiduciary relationship; or
- 55 (4) serving as an officer or member of the board of an association, corporation or other entity.
- 56 (c) The provisions of this rule shall take effect on August 1, 2017.

57 [Adopted, Feb. 2, 2017.]

58 5. The Speaker may appoint a member to perform the duties of the Chair. In the event the
59 Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro Tempore
60 shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in the office
61 of Speaker occurs. In the event that the Speaker pro Tempore is absent or is unable to perform
62 the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the Second
63 Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.)

64 [Amended April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005, Feb. 2, 2017.]

65 6. In case of a vacancy in the office of Speaker, or in case the Speaker or the member named
66 by said Speaker in accordance with the preceding rule is absent at the hour to which the House
67 stands adjourned, the senior member present shall call the House to order, and shall preside until
68 a Speaker is elected, which shall be the first business in order. [8.] (5.)

69 [Amended Jan. 11, 1985, Amended, Jan. 23, 2007.]

70 7. At the beginning of the first year of the two-year General Court, the Speaker may, unless
71 the House otherwise directs, appoint a Chaplain; and the Speaker shall promptly fill any vacancy
72 in the office of Chaplain. [7A.] (4.)

73 [Amended Jan. 11, 1985; Jan. 29, 2015.]

74 SCHEDULING.

75 7A. There shall be appointed a standing committee on Steering, Policy and Scheduling
76 consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A,
77 but shall be authorized to meet from time to time at the call of the Chair for the purpose of
78 assisting the members of the House of Representatives in identifying the major matters pending
79 before the General Court, the relative urgency and priority for consideration of such matters, and
80 alternative methods of responding to such matters by the General Court. Said committee shall
81 schedule legislative matters in a manner that will provide for an even distribution and orderly
82 consideration of reports of legislative committees on the daily Calendar.

83 The committee on Steering, Policy and Scheduling shall not be authorized to recommend
84 changes or amendments to legislation or recommend that a matter ought to pass or ought not to
85 pass, but shall only report asking to be discharged from further consideration of a bill, and
86 recommending that it be referred or recommitted to another committee; provided, however, that
87 it shall not recommend that a matter be referred or recommitted to the committee on Rules or the
88 committees on Rules of the two branches, acting concurrently, or what date a matter shall be
89 scheduled for consideration by the House and placed in the Orders of the Day. All reports by the
90 committee on petitions filed or approved by the voters of a city or town, or by the mayor and city
91 council, or other legislative body of a city or the town meeting of a town with respect to a law

92 relating to that city or town shall be read and considered by the House at a formal or informal
93 session before being accepted, rejected or otherwise acted upon. Any such petition and any
94 attachment to the petition shall be filed in both paper and electronic format approved by the
95 Clerk.

96 All matters received from the Senate or reported from standing committees of the House and
97 joint standing committees of the General Court shall, unless subject to provisions of any other
98 House or joint rules, be referred to the committee on Steering, Policy and Scheduling. All
99 matters reported by said committee on Steering, Policy and Scheduling recommending that a
100 matter shall be scheduled for consideration by the House shall be placed in the Orders of the Day
101 for the next sitting. Said committee may report on a legislative matter within thirty days
102 following the day the matter was referred. If the committee fails to report a matter within thirty
103 days following the date of its reference, the Clerk shall place the matter on the Calendar of the
104 House as if it had been scheduled for consideration by said committee on Steering, Policy and
105 Scheduling.

106 [Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005,
107 Feb. 2, 2017.]

108 7B. The committee on Rules shall be authorized to originate and report special orders for the
109 scheduling and consideration of legislation on the floor of the House. Said committee shall not
110 be subject to the notification provisions contained in Rule 17A but may hold public hearings and
111 shall accept testimony only from the members of the House. A majority of the members
112 appointed to the committee shall constitute a quorum. When reported, such orders may be
113 amended by a two-thirds vote of the members present and voting, and shall be subject to

114 approval by a majority of the members of the House present and voting. Debate on the question
115 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this
116 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
117 orders shall not be subject to reconsideration.

118 [Adopted Jan. 14, 1997; Amended Jan. 24, 2001; Feb. 11, 2009.]

119 7C. The committee on Rules may consider and make recommendations designed to improve
120 and expedite the business and procedures of the House and its committees, and to recommend to
121 the House any amendments to the Rules deemed necessary; provided that a majority of the
122 members of the House present and voting shall be required to approve such recommendations.

123 The committee shall be privileged to report at any time.

124 [Adopted Jan. 14, 1997.]

125 7D. The Speaker shall, in consultation with the committee on Rules and the committee on
126 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize
127 to the greatest extent possible scheduling conflicts for members of committees.

128 The Speaker shall determine a schedule for the House for each week relative to formal and
129 informal sessions and shall make such schedule available to the members by Thursday of the
130 preceding week; provided, however, that the Speaker may make, notwithstanding the provisions
131 of Rule 7A, changes in the schedules to facilitate the business of the House in an efficient and
132 timely fashion. The Speaker shall communicate notice of any such scheduling change to the
133 members in writing or by way of electronic mail as soon as practicable, and whenever possible,

134 the Speaker shall provide such notice not less than twenty-four hours before the event so
135 rescheduled is set to commence.

136 [Adopted Jan. 14, 1997; January 9, 2003.]

137 MONITORS.

138 8. Two monitors shall be appointed by the Speaker for each division of the House, whose
139 duty it shall be to see to the due observance of the rules, and, on request of the Speaker, to return
140 the number of votes and members in their respective divisions. [9.]

141 9. If a member transgresses any of the rules after being notified thereof by a monitor, it shall
142 be the duty of such monitor to report the case to the House.

143 It shall be the duty of a monitor to report his or her knowledge of the occurrence of a member
144 voting for another member, in his or her division of the House, to the Speaker of the House and
145 to the Minority Leader. [10.] [See Rules 16 and 16A.]

146 [Amended Jan. 9, 1991; May 5, 1993; Feb. 11, 2009.]

147 9A. There shall be established a Floor Division Committee for each of the four divisions of
148 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.
149 Said committee shall consist of the members assigned to the respective divisions.

150 In order to create a continuous flow of debate, each chairperson shall be responsible for
151 reviewing the daily Calendar and providing advance notice to committee members in the
152 respective divisions of all matters scheduled for consideration in the Orders of the Day. Said
153 committee chairpersons shall provide information to members of their committees on pending
154 legislation and other matters of business before the House.

155 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the
156 Chamber and the various areas under the jurisdiction of the House of Representatives. Said
157 chairpersons shall be authorized to act as a committee and may meet at any time at the request of
158 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the
159 appropriate agencies and historical commissions of the Commonwealth for the purpose of
160 requesting expeditious appraisals and necessary repairs and renovations to the interior and
161 exterior of the State House. The committee of chairpersons shall report directly to the Speaker
162 the results of all consultations.

163 [Adopted Jan. 14, 1997.]

164 CLERK.

165 10. The Clerk shall keep the Journal of the House. The Clerk shall enter therein a record of
166 each day's proceedings and, whenever practicable, submit it to the Speaker and the Minority
167 Leader before the hour fixed for the next sitting, and shall cause the same to be available daily in
168 a format to be determined by the Clerk; and provided further that a copy of said Journal shall
169 also be made available to each member of the House. Any objection to the Journal shall be made
170 before the House proceeds to the consideration of the Orders of the Day. [11.] (6.)

171 [Amended Jan. 12, 1981; Jan 11, 1985; Jan. 17, 1995; Jan. 9, 2003.]

172 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

173 [Adopted Jan. 9, 1991.]

174 10B. The Clerk shall be the official keeper of records of the House of Representatives for
175 legislative records that remain in the office of said Clerk at the end of each biennial session, and

176 until such time as said records are transferred to the State Archives or destroyed in accordance
177 with law. [Adopted Jan. 29, 2015, Amended Feb. 2, 2017.]

178 11. Every question of order with the decision thereof shall be entered at large in the Journal,
179 and shall be noted in an appendix, which shall also contain the rules of the House and of the two
180 branches. [12.] (6.)

181 12. The Clerk shall prepare and make available on each day of formal session a Calendar of
182 matters in order for consideration and such other memoranda as the House or the Speaker may
183 direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a
184 bill or resolve notwithstanding the objections of His Excellency the Governor which may be
185 considered forthwith at the direction of the House or Speaker.

186 When, in the determination of the Clerk, a volume of matters exists for the next legislative
187 day, the Clerk shall be authorized to prepare and cause to be made available an advance calendar
188 of the matters in order of consideration for the next legislative day and such other memoranda as
189 the House or Speaker may direct. The Clerk may indicate on the advance calendar that the
190 matters contained therein are subject to change.

191 The Clerk shall be authorized to dispense with preparing and making available a Calendar for
192 designated formal sessions of the House only after two-thirds of the members present and voting
193 consent thereto on a recorded yea and nay vote. Debate on this question shall be limited to fifteen
194 minutes, no member shall speak more than three minutes, and such question shall not be subject
195 to reconsideration.

196 The Clerk shall dispense with preparing and making available a Calendar for designated
197 Informal Sessions of the House.

198 As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under
199 this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is
200 generally available to all members and their staff, and reasonably promptly thereafter he shall
201 cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.)

202 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24,
203 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

204 13. Any objection to the Calendar shall be made and disposed of before the House proceeds to
205 the consideration of the Orders of the Day. [14.]

206 13A. The Clerk shall make available to all members electronically and, to the public via the
207 Internet, the text of all bills introduced and admitted for consideration in the House.

208 [Adopted, Feb. 11, 2009.]

209 MEMBERS.

210 14. No member shall stand up, to the inconvenience of others, while a member is speaking; or
211 be involved in disturbing conversation while another member is speaking in debate; or pass
212 unnecessarily between the Speaker of the House and the member speaking; or stand in the
213 passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in
214 progress. [16.] [Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

215 14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

216 15. When it appears to the Chair that the presence of a quorum is endangered, the Chair shall
217 order the doors closed. If a quorum is doubted the Chair shall order the doors closed and
218 thereafter no member shall enter or leave the House until an initial determination has been made

219 as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is
220 present, no member shall leave the House unless by permission of the Chair , but members shall
221 be admitted, at any time.

222 Upon the doubting of a quorum and after ascertaining that a quorum is not present, the
223 Speaker may order a recorded attendance roll call to be taken by use of the electronic roll call
224 system.

225 Said roll call, if ordered, shall be taken at a time determined by the Speaker.

226 Members answering a quorum call shall vote “YES” on the roll call system. [17.] (11.)

227 [Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991, Feb. 2,
228 2017.]

229 ETHICS.

230 16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee
231 shall consist of 11 members, 7 of whom shall be appointed by the Speaker, 4 of whom shall be
232 appointed by the Minority Leader.

233 A member appointed to the committee shall not be considered to be a member of the committee
234 subsequent to the declaration of candidacy for any other state or federal elective office.

235 The committee shall investigate and evaluate, at the direction of the Speaker, by a sworn written
236 complaint filed and delivered by a member, officer or employee to the chairman, or by a majority
237 vote of the members appointed to the Ethics committee, any matters relative to alleged violations
238 of Rule 16A by a member, officer or employee.

239 Upon the receipt of said sworn written complaint, at the direction of the Speaker or by a
240 majority vote of the members appointed to the Ethics committee, the committee shall notify any
241 person named of the nature of the alleged violation and a list of prospective witnesses, and also
242 shall notify said person of the final disposition and the recommendations, if any, of the
243 committee.

244 Any member, officer, or employee of the House named relative to an alleged violation shall
245 be afforded the opportunity to appear before the committee on Ethics with counsel.

246 All proceedings including the filing of the initial complaint shall be considered confidential
247 information.

248 If the alleged violation received in the manner described above is deemed to have merit by a
249 majority vote of the members appointed to the committee, the committee shall file a report with
250 the Clerk of the House. Said report shall be a public document. The committee shall not disclose
251 any allegation deemed to be frivolous or without merit.

252 If a majority appointed finds that any member, officer, or employee of the House has violated
253 any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a
254 reprimand, censure, removal from a chairmanship or other position of authority, or expulsion;
255 and in the case of an officer or employee, a majority appointed may recommend a reprimand,
256 suspension, or removal from employment.

257 Should such an alleged violation be filed with the committee regarding a member or members
258 of the House Ethics committee, said member or members shall not participate in the committee
259 deliberations on said alleged violation.

260 Any member, officer, or employee of the House may request from the House committee on
261 Ethics or from the Legal Counsel to the House appointed pursuant to section 51 of chapter 3 of
262 the General Laws a confidential advisory opinion on the requirements of chapters 268A and
263 268B of the General Laws as well as an opinion on any other general or special law, rule or
264 regulation applicable to their official position or concerning any contemplated personal action
265 which may conflict with their official position. The committee on Ethics or the Legal Counsel to
266 the House shall issue confidential advisory opinions and clarification in response to said written
267 request.

268 No member, officer or employee of the House shall be penalized in any manner for having
269 acted within the guidelines of an advisory opinion from the House committee on Ethics or from
270 the Legal Counsel to the House appointed pursuant to section 51 of chapter 3 of the General
271 Laws, provided that all pertinent facts are stated in the request for an advisory opinion.

272 An opinion from the House committee on Ethics or from the Legal Counsel to the House
273 appointed pursuant to section 51 of chapter 3 of the General Laws shall be a defense in any
274 proceeding arising from said opinion or advice unless material facts were omitted or misstated by
275 the person in the request of the opinion.

276 The chairman of the Ethics committee may convene the committee at any time.

277 The chairman shall also convene the committee at the written request of at least 5 members of
278 the committee.

279 The Committee may, upon the written and signed report of two-thirds of the members of the
280 committee, file a special report containing legislation without said legislation being founded
281 upon petition which shall be referred under the provisions of Rule 24 and consistent with the

282 provisions of Joint Rule 13, to the appropriate joint standing committee. Any special report
283 containing legislation filed pursuant to this paragraph shall be germane to subject matters
284 regularly considered by the committee. The committee shall not include in any such special
285 report a bill that would have a fiscal impact as described in Rule 33.

286 Upon convening of the first annual session of the General Court and after the adoption of
287 rules, all members, officers and employees of the House shall be provided with a current copy of
288 the Code of Ethics contained in Rule 16A. [19.] (12A.)

289 [Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20,
290 2011; Feb. 11, 2009; Jan. 29, 2015, Feb. 2, 2017.]

291 **CODE OF ETHICS.**

292 16A. (1.) While members, officers and employees should not be denied those opportunities
293 available to all other citizens to acquire and retain private, economic and other interests;
294 members, officers, and employees should exercise prudence in any and all such endeavors and
295 make every reasonable effort to avoid transactions, activities, or obligations, which are in
296 substantial conflict with or will substantially impair their independence of judgment.

297 (2.) No member, officer or employee shall solicit or accept any compensation or political
298 contribution other than that provided for by law for the performance of official legislative duties.

299 (3.) No member, officer or employee shall serve as a legislative agent as defined in Chapter 3
300 of the General Laws regarding any legislation before the General Court.

301 (4.) No member, officer or employee shall receive any compensation or permit any
302 compensation to accrue to his or her beneficial interest by virtue of influence improperly exerted
303 from his or her official position in the House.

304 (5.) No member, officer or employee shall accept employment or engage in any business or
305 professional activity, which will require the disclosure of confidential information gained in the
306 course of, and by reason of, his or her official position.

307 (6.) No member, officer or employee shall willfully and knowingly disclose or use
308 confidential information gained in the course of his or her official position to further his or her
309 own economic interest or that of any other person.

310 (7.) Except as provided in Rule 49, no member shall cast a vote for any other member, nor
311 shall any officer or employee vote for any member, except that the Clerk or an assistant Clerk
312 may record a vote for a member who votes late under the provisions of Rule 52, or is prohibited
313 from voting from his desk due to a malfunction of the electronic roll call voting system; provided
314 the Clerk's action shall not be construed as voting for said member.

315 (8.) No member shall use profane, insulting, or abusive language in the course of public
316 debate in the House Chamber or in testimony before any committee of the General Court.

317 (9.) No member, officer or employee shall employ anyone from public funds who does not
318 perform tasks which contribute substantially to the work of the House and which are
319 commensurate with the compensation received; and no officer or full-time employee of the
320 House shall engage in any outside business activity during regular business hours, whether the
321 House is in session or not. All employees of the House are assumed to be full-time unless their
322 personnel record indicates otherwise.

323 (10.) No member, officer or employee shall accept or solicit compensation for non-legislative
324 services which is in excess of the usual and customary value of such services.

325 (11.) No member, officer or employee shall accept or solicit an honorarium for a speech,
326 writing for publication, or other activity from any person, organization or enterprise having a
327 direct interest in legislation or matters before any agency, authority, board or commission of the
328 Commonwealth which is in excess of the usual and customary value of such services.

329 (12.) No member, officer or employee shall knowingly accept any gifts from any legislative
330 or executive agent as prohibited by law. No member, officer or employee shall accept any gift
331 from any person or entity having a direct interest in legislation before the General Court as
332 prohibited by law. (For the purposes of this paragraph, the terms “gift” and “person” shall be the
333 same as their definitions in section 1 of chapter 268B of the General Laws).

334 (13.) No member shall convert campaign funds to personal use in excess of reimbursements
335 for legitimate and verifiable campaign expenditures. Members shall consider all proceeds from
336 testimonial dinners and other fundraising activities as campaign funds.

337 ((14.) No member shall serve on any committee or vote on any question in which his/her
338 private right is immediately concerned, distinct from the public interest. [19.]

339 (15.) No member, officer or employee shall violate the confidentiality of any proceeding
340 before the Ethics committee. [19A.]

341 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Feb. 11, 2009; Jan. 29, 2015, Feb. 2,
342 2017.]

343 16B. The Committee on Personnel and Administration shall develop and conduct an ethics
344 law training program for every member, officer and employee of the House; provided further,
345 that said training program shall include, without limitation, a review of the requirements and
346 prohibitions of chapter 268A and chapter 268B of the General Laws, and the regulations of the
347 State Ethics Commission, as they apply to legislators and legislative staff; and provided further,
348 that said training program shall be offered no later than July 1 of the first biennial session of the
349 General Court and shall be mandatory for all members, officers and employees.

350 [Adopted Jan. 9, 2003, Amended Feb. 11, 2009; Jan 20, 2011, Feb. 2, 2017.]

351 16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of
352 public officials shall, after their first reading, be referred to the committee on Ethics, for report
353 on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to
354 such measures by the committee, unless directly pertaining to ethics. [Adopted Feb. 11, 2009.]

355 COMMITTEES.

356 17. At the beginning of the first year of the two year General Court, standing committees
357 shall be appointed as follows:

358 A committee on Rules;

359 (to consist of 15 members).

360 A committee on Ways and Means;

361 (to consist of 35 members).

362 A committee on Bills in the Third Reading;

363 (to consist of 3 members).

364 A committee of each Floor Division;

365 (to consist of the members of each division).

366 A committee on Ethics;

367 (to consist of 11 members).

368 A committee on Personnel and Administration;

369 (to consist of 13 members).

370 A committee on Post Audit and Oversight;

371 (to consist of 11 members).

372 A committee on Steering, Policy and Scheduling;

373 (to consist of 11 members).

374 A committee on Bonding, Capital Expenditures and State Assets;

375 (to consist of 11 members).

376 A committee on Global Warming and Climate Change;

377 (to consist of 11 members).

378 A committee on Redistricting;

379 (to consist of 11 members).

380 A committee on Technology and Intergovernmental Affairs;
381 (to consist of 11 members).

382 Committee meetings, insofar as practicable, shall not be scheduled in conflict with formal
383 sessions of the House of Representatives. [20.] (12, 12A, 12B.)

384

385 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6,
386 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005, Feb. 11, 2009; Jan. 29, 2015.]

387 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly
388 requires otherwise, have the following meanings:

389 “Deliberation”, a verbal exchange between a quorum of members of a committee attempting
390 to arrive at a decision on any public business within its jurisdiction.

391 “Emergency”, a sudden generally unexpected occurrence or set of circumstances demanding
392 immediate action.

393 “Executive conference”, any meeting or part of a meeting of a committee which is closed to
394 certain persons for deliberation on certain matters.

395 “Executive session”, any meeting or part of a meeting of a committee wherein the committee
396 is voting on legislation and where public participation is limited to observance.

397 “Meeting”, any corporal convening and deliberation of a committee for which a quorum is
398 required in order to make a decision at which any public policy matter over which the committee
399 has supervision, control, jurisdiction or advisory power is discussed or considered; provided,

400 however, that “meeting” shall not include an on-site visitation or inspection of any project or
401 program.

402 “Quorum”, a simple majority of a committee unless otherwise defined by constitution, rule or
403 law applicable to such committee; provided further, that a quorum shall be presumed to be
404 present unless otherwise doubted.

405 (b) All meetings, except executive conferences, of House standing and special committees,
406 shall be open to the public and any person shall be permitted to attend any meeting except as
407 otherwise provided pursuant to this rule or Rule 7A.

408 No quorum of a committee shall meet in private for the purpose of deliberation except as
409 provided pursuant to this rule.

410 No executive session shall be held until: (i) the committee has first convened in an open
411 session for which notice has been given; (ii) the presiding officer has stated the authorized
412 purpose of the executive session; (iii) a majority of the members of the committee present have
413 voted to go into executive session and the vote of each member has been recorded on a roll call
414 vote and entered into the minutes: and (iv) the presiding officer has stated before the executive
415 session if the committee will reconvene after the executive session.

416 (c) Executive conferences shall be held only for the following purposes: (i) to discuss the
417 reputation, character, physical condition or mental health rather than the professional
418 competence of a member, officer or employee;

419 (ii) to consider the discipline or dismissal of, or to hear complaints or charges brought against
420 a member, officer or employee; (iii) to discuss strategy with respect to litigation if an executive

421 session or other open meeting may have a detrimental effect on the legal position of the
422 committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such
423 discussions may have a detrimental effect on the negotiating position of the Commonwealth or a
424 person, firm or corporation.

425 A member, officer or employee subject to an executive conference pursuant to clause (i) or
426 clause (ii) shall be notified in writing no less than 48 hours prior to the proposed executive
427 conference; provided, however, that upon agreement of the parties involved, the notification
428 requirements of clause (i) and clause (ii) may be waived. Upon request of the member, officer or
429 employee subject to an executive conference pursuant to clause (i) or clause (ii) the executive
430 conference shall be open to the public.

431 A member, officer or employee subject to an executive conference pursuant to clause (i) or
432 clause (ii) shall have the right to: (a) be present at such executive conference during discussions
433 or considerations which involve that member, officer or employee; (b) have counsel or a
434 representative of his/her own choosing present and attending for the purpose of advising said
435 member, officer or employee; provided, however, that said counsel or representative shall not
436 actively participate in the executive conference; and (c) to speak on his/her own behalf to the
437 committee assembled in executive conference.

438 (d) This rule shall not apply to any chance meeting or social meeting at which matters relating
439 to official business are discussed so long as no final agreement is reached. No chance meeting or
440 social meeting shall be used in circumvention of the spirit or requirements of this section to
441 discuss or act upon a matter over which the committee has supervision, control, jurisdiction, or
442 advisory power.

443 (e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee
444 subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the
445 bulletin board outside the Clerk's Office and in such other places as are designated in advance
446 for such purpose by said Clerk, made available to all members electronically and made available
447 to the public via the Internet at least forty-eight hours, including Saturdays, but not Sundays and
448 legal holidays, prior to the time of such meeting and a list of the bills, petitions, and resolutions
449 to be considered for a vote or other action by the committee. The notice shall include the date,
450 time and place of such meeting. Such filing and posting shall be the responsibility of the
451 committee scheduling such meeting. The notice and posting requirements shall not apply to
452 executive conferences held pursuant to clause (i) or clause (ii) of part (c) of this rule unless the
453 member, officer or employee subject to the executive conference requests that the executive
454 conference be open to the public.

455 (f) A committee shall maintain accurate records of its meetings and hearings setting forth the
456 date, time and place thereof, and recording any action taken at each meeting, hearing, executive
457 conference or executive session. All votes requested to be taken in executive sessions shall be
458 recorded roll call votes and shall become a part of the record of said executive sessions. The
459 record of each meeting shall become a public record and be available to the public; provided,
460 however, that the records of any executive conference shall remain secret as long as publication
461 may defeat the lawful purposes of the executive conference.

462 (g) Upon prior notification and approval of the chair, a meeting of a committee may be
463 recorded by a person in attendance by means of a recorder or any other means of audio/visual
464 reproduction; provided, however, that said recording shall not interfere with the conduct of the
465 meeting. Executive conferences conducted pursuant to clause (i) or clause (11) of part (c) of this

466 rule shall not be recorded unless upon the request of the member, officer or employee who is
467 subject to said executive conference, and then only at such member's, officer's or employee's
468 expense. Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule
469 may be recorded at the discretion of the chair.

470 (h) Copies of all redrafted bills that are to be voted on at an executive session by the House
471 Ways and Means Committee shall be available to all members of the committee electronically in
472 the form they will be considered no less than twenty-four hours prior to their consideration;
473 provided, however, that said committee may vote on a bill that has not been available for said
474 period of time by vote of a majority of the committee members present.

475 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995;
476 Jan. 14, 1997; Jan. 9, 2003, Jan. 23, 2007, Feb. 11, 2009, Feb. 2, 2017.]

477 17B. Whenever any member of a House committee present at the committee meeting so
478 requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of
479 the full committee. Such votes shall be recorded on appropriate forms that show all votes for and
480 against the particular committee action; provided that votes may also be recorded in LAWS. The
481 record of all such roll calls shall be kept in the offices of the committee and shall be posted on
482 the website of the General Court within 48 hours of the vote for public inspection.

483 No report of a House committee on any legislation shall be final until those members of the
484 committee present and voting with the majority have been given the opportunity to sign such
485 appropriate forms before the report is made to the House. No signature shall be valid unless the
486 forms to which the signatures are affixed include the substantially complete text of the legislation
487 being reported.

488 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987, Amended Jan. 29, 2015.]

489 17C. There shall be a committee on Personnel and Administration on the part of the House
490 consisting of thirteen members. Said committee shall be responsible for the allocation of office
491 space as equitably as possible among the various members and joint and standing committees on
492 the part of the House and their respective staff.

493 The committee shall allocate space among the various committees on the part of the House
494 taking into account the work load, duties and responsibilities and size of staff of each.

495 The Speaker may make temporary office assignments in accordance with the foregoing
496 principles.

497 The committee on Personnel and Administration may from time to time make changes in the
498 assignment of office space for committees and the various staffs in accordance with the
499 established standards.

500 Said committee shall establish the staffing levels and positions for each joint and standing
501 committee of the House together with a classification plan for all employees of the House of
502 Representatives.

503 For each person who is employed or is to be employed by a joint or standing committee on
504 the part of the House, each committee chairman shall nominate each such person and the House
505 members of the committee by a majority vote shall vote on whether to approve each said
506 nominee. The House members of the committee shall approve such persons whose character and
507 qualifications are acceptable to the majority of the House members of the committee and are in
508 accordance with the qualifications established by the Personnel and Administration committee.

509 The House staff members of each committee shall be appointed solely on the basis of
510 fitness to perform the duties of their respective positions and consistent with section 4 of chapter
511 151B of the General Laws. The committee staff shall not:

512 (1) engage in any work other than legislative business during business hours; and

513 (2) be assigned any duties other than those pertaining to legislative business.

514 The committee shall meet on request of the chairman or any 3 members of the committee.

515 Any such meeting requested shall be convened on or within the fifth business day following such
516 request. All such requests shall be in writing and forwarded to the chairman and each member of
517 the committee.

518 Funds shall be allocated from the budget to carry out the determination of the committee.

519 [Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Feb. 11, 2009;
520 Jan. 29, 2015, Feb. 2, 2017.]

521 17D. [Omitted Jan. 26, 2005.]

522 17E. [Omitted Jan. 26, 2005.]

523 17F. [Omitted Jan. 26, 2005.]

524 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all
525 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see
526 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said
527 committee shall be responsible for evaluating such legislation and determining the
528 appropriateness of enacting legislation containing increased bond authorizations for the

529 Commonwealth. The committee shall periodically review and hold open public hearings,
530 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,
531 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation
532 debt. The committee shall also, in its continuing study of the state's bonding practices, review
533 the Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and
534 (3) indirect obligations.

535 Any bill providing for borrowing for new projects, and requiring the Commonwealth to issue
536 bonds for such purpose, shall, prior to its reference to the committee on Ways and Means, be
537 referred to the committee on Bonding, Capital Expenditures and State Assets for report on its
538 relationship to the finances of the Commonwealth. A measure may initially be referred to a joint
539 committee with jurisdiction over the subject matter before being referred to the committee on
540 Bonding, Capital Expenditures and State Assets.

541 The committee on Bonding, Capital Expenditures and State Assets shall consult with the various
542 agencies of the executive branch and the office of the Treasurer and Receiver-General relative to
543 project expenditures, availability of funds, the sale of new bonds and the resultant debt
544 obligations, federal reimbursements and other related funding and bonding issues.

545 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to
546 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and
547 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital
548 funds by the various agencies and authorities of the Commonwealth. The committee shall
549 determine whether such laws, administrative regulations and programs are being implemented in
550 accordance with the intent of the General Court. The committee shall be authorized to make

551 recommendations for statutory changes and changes in the Constitution which would grant
552 discretion to the General Court over the allotment and expenditure of funds authorized by capital
553 appropriations.

554 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to report
555 to the General Court from time to time on the results of its hearings and to file drafts of
556 legislation and proposals for amendments to the Constitution necessary to carry its
557 recommendations into effect.

558 Messages from the Governor setting terms of bonds and notes, or for the de-authorization or
559 authorization of bonds and notes shall be referred to the committee on Bonding, Capital
560 Expenditures and State Assets.

561 [Adopted Feb. 11, 2009, Feb. 2, 2017.]

562 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro
563 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader and two Second Assistant
564 Majority Floor Leaders. The Minority Leader shall appoint, and may recommend the removal of,
565 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and two Third
566 Assistant Minority Floor Leaders, Ranking minority member of Ways and Means, Assistant
567 Ranking minority member of the Ways and Means committee, Ranking minority member of the
568 committee on Rules, Ranking minority member of the committee on Financial Services, Ranking
569 minority member of the committee on Health Care Financing, Ranking minority member of the
570 committee on the Judiciary, Ranking minority member of the committee on Bonding, Capital
571 Expenditures, and State Assets, Ranking minority member of the committee on Public Safety
572 and Homeland Security, Ranking minority member of the committee on Transportation and

573 Ranking minority member of the committee on Economic Development and Emerging
574 Technologies. The Minority Leader shall be that member of the minority party who is selected
575 for that position by the members of his/her party.

576 Each of the foregoing appointments and/or removals shall be ratified by a majority vote of the
577 respective party caucus. In the event that an appointment is rejected by such caucus another
578 appointment shall be made by the person designated to make the initial appointment, which shall
579 also be subject to ratification in the same manner.

580 The Speaker shall appoint, and may recommend the removal of, the chair of each standing
581 committee. The Speaker shall appoint, and may recommend the removal of, the vice chair and
582 assistant vice chair of the Ways and Means committee, the vice chair of the Post Audit and
583 Oversight committee, the vice chair of the committee on Rules, the vice chair of the committee
584 on Revenue, the vice chair of the committee on Financial Services, the vice chair of the
585 committee on Health Care Financing, the vice chair of the committee on Bonding, Capital
586 Expenditures, and State Assets, the vice chair of the committee on State Administration and
587 Regulatory Oversight, and the vice chair of the committee on Economic Development and
588 Emerging Technologies.

589 The majority party shall then vote to accept or reject each such appointment and/or
590 recommendation for removal by a majority vote.

591 In the event that any such appointment is rejected by the caucus, the procedure of this rule
592 shall be repeated until an appointment for the said position has been approved by the caucus. A
593 vacancy in any position to which the provisions of this section apply shall be filled in the same
594 manner as provided in this section for original appointment.

595 No member shall receive more than one stipend pursuant to section 9B of chapter 3 of the
596 General Laws.

597 The Speaker and the Minority Leader may, without a majority vote of their respective
598 parties, remove a member appointed to a leadership position from said position pursuant to this
599 rule if the member has been criminally indicted by a court of competent jurisdiction.

600 [Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23,
601 2007; Feb. 11, 2009; Jan 23, 2013; Jan. 29, 2015; Feb. 19, 2015, Feb. 2, 2017.]

602 18A. There shall be 1 member of the minority party on all committees of conference and 1 on
603 the committee on Bills in the Third Reading. On all other standing and joint committees, the
604 percent of minority party membership shall be at least equal to the percent of minority party
605 membership in the House of Representatives as of the first day of the session; provided, further,
606 that where such percentage results in a fraction of a number, the fraction shall be rounded off to
607 the nearest whole; provided, however, that the minority party shall under no circumstances have
608 less than 4 members on the committee on Ethics, 4 on the committee on Personnel and
609 Administration, 3 on the committee on Rules and 7 on the committee on Ways and Means. In no
610 case shall minority party representation be less than 2 members on all other standing and joint
611 committees.

612 The Speaker and the Minority Leader shall appoint the members of their respective party
613 caucuses to be assigned to each standing committee. The Speaker shall appoint the vice chair of
614 each standing committee. The appointments, except those to which Rule 18 applies, shall be
615 voted upon together and shall be subject to ratification by majority vote of the appropriate party
616 caucus.

617 No member shall be removed from a standing committee except upon the recommendation of the
618 Speaker or Minority Leader, as the case may be, subject to the ratification by their respective
619 caucuses; provided, however, that the Speaker and the Minority Leader may, without a majority
620 vote of their respective parties, remove a member appointed to a standing committee pursuant to
621 this rule if the member has been criminally indicted by a court of competent jurisdiction; and
622 provided further, that if any vacancy occurs in a position to which Rule 18 does not apply,
623 subsequent to the initial ratification, the Speaker or Minority Leader shall fill such vacancy.

624 The Speaker shall announce committee appointments of majority party members, and the
625 member first named shall be chairman, and the second named member shall be vice-chairman.
626 The Minority Leader shall announce committee appointments of minority party members. (13.)

627 [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997; Feb. 11, 2009,
628 Feb. 2, 2017.]

629 18B. All votes on ratification by the caucus required by these rules shall be by written ballot
630 and shall require a majority of those present and voting; provided, however, that if a motion to
631 ratify the appointments by acclamation is made and seconded, no written ballot shall be required.

632 [Adopted Jan. 11, 1985, Amended Feb. 2, 2017.]

633 18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

634 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,
635 respectively, or upon petition of 25 percent of the members of the respective party caucus. A
636 caucus may entertain resolutions, motions, or other means of ascertaining the sense of the
637 respective party members on any subject. (13B.)

638 [Adopted Nov. 17, 1983; Amended Jan. 11, 1985; Jan. 29, 2015.]

639 19A. The majority party and minority party shall establish caucus rules that shall dictate the
640 procedures of each caucus.

641 [Adopted Nov. 17, 1983; Amended Jan. 14, 1997.]

642 20. The committee on Ways and Means shall report in appropriation bills the total amount
643 appropriated. The General Appropriation Bill shall be available to the members at least 7
644 calendar days prior to consideration thereof by the House. [25.] (27A.)

645 [Amended Jan. 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005; Jan. 29, 2015.]

646 20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation
647 Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by 5
648 o'clock P.M. within the close of 3 business days of said General Appropriation bill being made
649 available in a format to be determined by the Clerk and release of said document by said Clerk if
650 the release of said document occurs by 2 o'clock P.M. Otherwise, the day following the release
651 shall be considered the first business day. The Clerk, with the assistance of the committee on
652 Ways and Means, shall categorize the subject-matter of the amendments and arrange such
653 amendments for consideration sequentially by subject as appearing in the published version of
654 the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and
655 Means, shall categorize the subject-matter of the amendments and arrange such subject matters
656 for consideration as determined by the committee on Ways and Means. Debate on the General
657 Appropriation Bill shall not commence until a date and time to be determined by the House
658 which is subsequent to the designated time established for filing of amendments.

659 Before the main question on the General Appropriation Bill is placed before the House, an
660 amendment may be postponed or withdrawn at the request of the primary sponsor of the
661 amendment or postponed by the committee on Ways and Means; provided, that further
662 consideration of any amendment so postponed shall take place immediately subsequent to
663 consideration of the amendments within the particular subject-matter to which the postponed
664 amendment was assigned according to the provisions of paragraph one of said rule; provided,
665 that if more than one amendment is so postponed, subsequent consideration of said amendments
666 shall be in the order determined by the committee on Ways and Means; provided further, an
667 amendment so postponed shall not be subsequently considered outside of its assigned subject-
668 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
669 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
670 said Clerk and shall include an original copy only; and provided further, that perfecting or
671 substitute amendments, including, but not limited to an amendment consolidating more than one
672 amendment, may be submitted by the committee on Ways and Means during consideration of the
673 subject category to which the amendment or amendments were assigned; provided, however, that
674 an amendment may be removed from the consolidated amendment at the request of the sponsor
675 of said amendment for the purpose of it being offered as a further amendment to the consolidated
676 amendment.

677 [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 20, 2011;
678 Jan. 29, 2015.]

679 20B. When the General Appropriation Bill is reported by the committee on Ways and Means, it
680 shall be made available to all members electronically and to the public via the Internet in a
681 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways

682 and Means shall provide the membership with a copy of its proposed text of said General
683 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
684 a short summary of each outside section prior to full House consideration of such bill. When the
685 House considers said General Appropriation Bill, it shall be read a second time and forthwith
686 ordered to a third reading without any amendments. The bill shall be immediately read a third
687 time and then be open to amendments as previously determined by the House.

688 [Adopted Jan. 9, 2003, Jan. 23, 2007; Feb. 11, 2009.]

689 21. Whenever the committee on Ways and Means reports an appropriation bill or capital
690 outlay bill, it shall make available to the members a report which includes an explanation of any
691 increase or decrease of five percent or more which results in an increase or decrease of one
692 million dollars or more for any item for which the Governor has made a recommendation, and an
693 explanation for the deletion of an item recommended by the Governor, and for the addition of an
694 item for which the Governor has made no recommendation. [25A.] (27A.)

695 22. Bills and resolves when ordered to a third reading shall be referred forthwith to the
696 committee on Bills in the Third Reading, which shall examine and correct them, for the purpose
697 of avoiding repetitions and unconstitutional provisions, and insuring accuracy in the text and
698 references, and consistency with the language of existing statutes; but any change in the sense or
699 legal effect, or any material change in construction, shall be reported to the House as an
700 amendment.

701 The committee may consolidate into 1 bill any 2 or more related bills referred to it, whenever
702 legislation may be simplified thereby.

703 Resolutions received from and adopted by the Senate or introduced or reported into the House,
704 after they are read and before they are adopted, shall be referred to the committee on Bills in the
705 Third Reading.

706 Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House
707 for concurrence, shall, subsequently to the procedure required by Rule 35 in respect to
708 amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

709 When a bill, resolve or resolution has been so referred, no further action shall be taken until a
710 report thereon has been made by the committee. Accompanying said report shall be a written
711 explanation prepared by the committee defining any changes made in a bill, resolve or resolution
712 so as to facilitate the proceedings of the House.

713 If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-
714 thirds vote because it contains an emergency preamble, or if it provides for the borrowing of
715 money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of
716 the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit
717 of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended
718 by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation
719 of the Governor, for a special law relating to an individual city or town and comes within the
720 provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution
721 or provides for environmental protection within the provisions of Article XLIX as amended by
722 Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve,
723 or on a wrapper or label attached thereto. [26.] (33.)

724 [Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993; Jan. 29, 2015.]

725 23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House,
726 after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to
727 be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on
728 enactment or final passage or adopting an emergency preamble shall be taken thereon, without
729 further reading, unless specifically ordered.

730 When a bill prepared for final passage contains an emergency preamble or when it provides
731 for the borrowing of money by the Commonwealth and comes within the provisions of Section 3
732 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or
733 pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of
734 Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or
735 provides, upon recommendation of the Governor, for a special law relating to an individual city
736 or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the
737 Amendments to the Constitution, or provides for environmental protection within the provisions
738 of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the
739 envelope thereof. [27.] (34.) [See Rule 40.]

740 [Amended Jan. 12, 1983; Jan. 29, 2015.]

741 23A. No member of the House, except the Speaker, Speaker pro Tempore, Majority Leader,
742 Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant
743 Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-
744 Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the
745 Committee on Ways and Means and committee chairmen with respect to committee business,
746 shall receive privileges or compensation for postage which is greater than seventy-five percent of

747 the amount allowed as standard practice during the 186th biennial session of the General Court,
748 as determined by the House Business Manager.

749 [Adopted Jan. 11, 1985; Amended Jan. 24, 2001; Jan. 26, 2005; Jan. 20, 2011.]

750 24. (1) Petitions, recommendations and reports of state officials, departments, commissions
751 including legislative commissions, and boards, special reports including legislation initiated by
752 the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding,
753 Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees
754 and commissions including legislative commissions, shall be filed with the Clerk in a format to
755 be determined by said Clerk, who shall, unless they are subject to other provisions of these rules
756 or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate
757 committees, subject to such change of reference as the House may make. The reading of all such
758 documents may be dispensed with, but they shall be entered in the Journal of the same or the
759 next legislative day after such reference except as provided in Joint Rule 13.

760 (2) All orders, including motions or orders proposed for joint adoption, resolutions and other
761 papers intended for presentation, except those hereinbefore mentioned, shall be filed with the
762 Clerk in a format to be determined by said Clerk, who shall, prior to the procedure required by
763 other provisions of these rules or of the rules of the two branches, refer them to the committee on
764 Rules.

765 (3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A,
766 7B, or 9 shall be referred by the Clerk to the committee on Rules. Petitions and other papers so
767 filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to
768 the procedure required by said rule, be referred by the Clerk to the committee on Rules. The

769 reading of all such papers may be dispensed with, but they shall be entered in the Journal of the
770 same or the next legislative day after such reference.

771 (4) Matters which have been placed on file during the preceding year may be taken from the
772 files by the Clerk upon request of any member or member-elect; and matters so taken from the
773 files shall be referred or otherwise disposed of as provided above.

774 (5) Recommendations and special reports of state officials, departments, commissions and
775 boards, reports of special committees and commissions, bills and resolves accompanying
776 petitions, recommendations and reports, and resolutions shall be made available under the
777 direction of the Clerk, who may cause to be made available, with the approval of the Speaker,
778 any other documents filed as herein provided.

779 (6) All such legislation and reports filed with the Clerk shall be submitted in a format
780 prescribed by said Clerk. Said documents shall contain the name or names of the primary
781 sponsors and a list of the names of all petitioners praying for the legislation. Additional names
782 may be added to the list of the petitioners; provided, however, that, such additional names shall
783 be submitted in a format to be determined by the Clerk.

784 (7) Any petition so submitted that is a refile of a measure submitted in a previous session shall
785 include, in the appropriate space provided, the session year for which the measure was filed and
786 the House or Senate bill number or docket number assigned to such measure in such previous
787 session.

788 (8) Debate upon the suspension of this rule shall be limited to 10 minutes, 3 minutes for each
789 member, and the Speaker shall recognize the member presenting the order, resolution or petition
790 first; provided, however, that suspension of this rule shall require unanimous consent of the

791 members present. Any order, except such order that would amend the Rules of the House,
792 resolution or petition referred to the committee on Rules after the question of suspension of this
793 rule has been negatived, or any order, resolution or petition filed after the beginning of the
794 session and referred to the committee on Rules, shall not be discharged from said committee
795 except by unanimous consent of the House. Motions to discharge the committee on Rules shall
796 be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

797 [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29,
798 2015.]

799 25. Every petition for legislation shall be accompanied by a bill or resolve embodying the
800 legislation prayed for. [29.] [See Joint Rule 12.]

801 26. When the object of an application can be secured without a special act under existing
802 laws, or, without detriment to the public interests, by a general law, the committee to which the
803 matter is referred shall report such general law or ought not to pass, as the case may be. The
804 committee may report a special law on matters referred to it upon (1) a petition filed or approved
805 by the voters of a city or town, or the mayor and city council, or other legislative body, of a city,
806 or the town meeting of a town, with respect to a law relating to that city or town; (2) a
807 recommendation by the Governor; or (3) matters relating to erecting and constituting
808 metropolitan or regional entities, embracing any two or more cities and towns, or established
809 with other than existing city or town boundaries, for any general or special public purpose or
810 purposes. [30.] (16.) [See Joint Rule 7.]

811 [Amended Feb. 11, 2009.]

812 27. With the exception of matters referred to the committee on Rules under the provisions of
813 paragraph (3) of Rule 24, committees shall report on all matters referred to them. The committee
814 on Ways and Means shall report the General Appropriation Bill not later than the second
815 Wednesday of May; and provided further that said committee shall make available to the
816 members all data compiled for justification of budgetary recommendations in all appropriation
817 bills. [33.]

818 [Amended April 18, 1979; Jan. 14, 1997; Jan. 29, 2015.]

819 27A. [Omitted Jan. 23, 2007.]

820 28. (1) Motions directing the committee on Ways and Means to report certain matters to the
821 House, or motions discharging said committees from further consideration of certain matters,
822 shall not be considered until the expiration of seven calendar days and shall require a majority
823 vote of the members present and voting for adoption. Committees so directed to report shall file
824 a report with the Clerk within 4 legislative days. The committee on Ways and Means may not be
825 directed to report or be discharged from further consideration of any appropriation or capital
826 outlay measure.

827 (2) The committee on Rules, except as provided in Rule 24, and the committee on Bills in the
828 Third Reading shall not be discharged from consideration of any measure or be directed to report
829 on any measure within 10 calendar days of its reference without the unanimous consent of the
830 House, or after such 10 day period except by a vote of a majority of the members present and
831 voting thereon.

832 (3) Matters discharged under the provisions of this rule shall be placed in the Orders of the
833 Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered

834 as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall
835 be placed in the Orders of the Day for the next sitting.

836 (4) During the last week of the session, the provisions of paragraphs (1) and (3) of this rule
837 shall be inoperative.

838 (5) A second motion to discharge a matter from a committee or a second motion to direct a
839 committee to report a matter shall not be entertained until the first such motion has been disposed
840 of.

841 (6) As an alternative procedure to that provided under the provisions of this rule, the members
842 of the House may, by filing a petition signed by a majority of the members elected to the House,
843 discharge the House committee on Ways and Means, the House committee on Bills in the Third
844 Reading, and the House committee on Rules from further consideration of a legislative matter.
845 Seven days following the filing of the petition with the House Clerk, the committee shall be
846 discharged from further consideration of the legislative matter specified in the petition and the
847 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the
848 House is meeting.

849 (7) For the purpose of this rule, matters not appearing on the Calendar which are not before
850 any committee shall be deemed to be before the Rules committee. Notwithstanding the previous
851 sentence, a bill which has been engrossed by the House and Senate shall be placed before the
852 House for enactment. Any member may request to the House that a matter engrossed in the
853 House and Senate, returned for final passage by the engrossing division, and reviewed and
854 released by the Committee on Bills in Third Reading be placed before the House for enactment.

855 The Speaker shall, in response to such a request of a member, put the matter before the House at
856 the conclusion of the matter then pending.

857 (8) This rule shall not be suspended unless by unanimous consent of the members present.
858 (27C, 32A.)

859 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,
860 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

861 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later
862 than 45 days following the day the matter was referred to it. The Clerk shall indicate on the
863 Calendar entry of every matter before the Committee on Bills in the Third Reading the date that
864 said matter was referred to said committee.

865 [Adopted Jan. 11, 1985; Amended Jan. 9, 2003; Jan. 29, 2015.]

866 REGULAR COURSE OF PROCEEDINGS.

867 *Petitions.*

868 29. The member presenting a petition shall endorse his/her name thereon; and the reading
869 thereof shall be dispensed with, unless specially ordered. [37.] (18.)

870 [Amended Jan. 11, 1985.]

871 *Motions Contemplating Legislation, etc.*

872 30. All motions contemplating legislation shall be founded upon petition, except as follows:

873 The committee on Ways and Means may originate and report appropriation bills as provided
874 in Rule 20. Messages from the Governor shall, unless otherwise ordered, be referred to the
875 appropriate committee, which may report by bill or otherwise thereon. A similar disposition
876 shall, unless otherwise ordered, be made of reports by state officers and committees authorized to
877 report to the Legislature, and similar action may be had thereon.

878 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with
879 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report
880 of the committee on Ways and Means. Messages or recommendations from the Governor shall
881 be filed with the Clerk in a format to be determined by the Clerk. [40.] (19.)

882 [Amended Jan. 24, 2001, Feb. 2, 2017.]

883 *Bills and Resolves.*

884 31. Bills shall be drafted in a format approved by the Counsel to the House and submitted in a
885 format to be determined by the Clerk. Bills amending existing laws shall not provide for striking
886 words from, or inserting words in, such laws, unless such course is best calculated to show
887 clearly the subject and nature of the amendment. No repealed law, and no part of any repealed
888 law, shall be re-enacted merely by reference. [42.] (17.)

889 [Amended Jan. 9, 2003; Jan. 26, 2005; Jan. 29, 2015.]

890 32. If a committee to which a bill is referred reports that the same ought not to pass, the
891 question shall be “Shall this bill be rejected?”. If the question on rejection is negatived, the bill, if
892 it has been read but once, shall go to a second reading without question; otherwise it shall be

893 placed in the Orders of the Day for the next day, pending the question on ordering to a third
894 reading, or to engrossment, as the case may be. [43.] (30.)

895 32A. [Omitted Jan. 26, 2005.]

896 33. Bills involving an expenditure of public money or grant of public property, or otherwise
897 affecting the state finances, unless the subject matter has been acted upon by the joint committee
898 on Ways and Means, shall, after their first reading, be referred to the committee on Ways and
899 Means, for report on their relation to the finances of the Commonwealth.

900 New provisions shall not be added to such bills by the committee on Ways and Means, unless
901 directly connected with the financial features thereof.

902 Orders reported in the House or received from the Senate involving the expenditure of public
903 money for special committees, shall, before the question is taken on the adoption thereof, be
904 referred to the committee on Ways and Means, whose duty it shall be to report on their relation
905 to the finances of the Commonwealth.

906 Every such bill involving a capital expenditure for new projects, or an appropriation for
907 repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds the sum of
908 one hundred thousand dollars when reported into the House by the committee on Ways and
909 Means, shall be accompanied by a fiscal note indicating the amount of public money which will
910 be required to be expended to carry out the provisions of the proposed legislation, together with
911 an estimate of the cost of operation and maintenance for the first year if a new project is
912 involved. [44.] (27.)

913 [Amended April 18, 1979; Jan. 12, 1981; Jul. 17, 2003; Jan. 26, 2005.]

914 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in
915 consultation with the Clerk, to all members of the House and the public at least 24 hours in
916 advance of consideration by the House.

917 All amendments offered by members to any legislative matter in the House shall be submitted
918 in a format to be determined by the Speaker in consultation with the Clerk; and shall be
919 considered chronologically as submitted to the Clerk, except for an amendment in the second
920 degree; provided that all of said amendments shall be drafted in proper form acceptable to the
921 clerk; and provided further that there shall be available to the members a duplicate copy of each
922 amendment. (33A.)

923 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,
924 1995]; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

925 33B. [Omitted Jan. 26, 2005.]

926 33C. [Omitted Jan. 26, 2005.]

927 33D. [Omitted Jan. 26, 2005.]

928 33E. No consolidated amendment offered by the committee on Ways and Means shall be
929 considered by the House until the expiration of at least 30 minutes after the consolidated
930 amendment shall have been first filed with the Clerk and made available to the members. This
931 rule shall not be suspended unless by unanimous consent of the members present.

932 [Added Feb. 4, 2010; Amended Jan. 29, 2015.]

933 33F. No consolidated amendment shall be adopted except by a roll call vote.

934 [Adopted February 2, 2017.]

935 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.
936 [45.] (26.)

937 [Amended Jan. 26, 1999.]

938 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall
939 be referred to the committee on Bills in Third Reading, provided that the journal shall reflect the
940 referral; and provided further that subsequent to a report from said committee, the amendments
941 shall be considered forthwith. [46.] (36.)

942 [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007; Jan. 23, 2013, Feb. 2,
943 2017.]

944 36. No bill shall be proposed or introduced unless received from the Senate, reported by a
945 committee, or moved as an amendment to the report of a committee. [47.] (36.)

946 37. Bills, resolves and other papers that have been, or, under the rules or usage of the House,
947 are to be made available in a format to be determined by the Speaker in consultation with the
948 Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority
949 of those members present and voting.

950 [Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.] (29.)

951 38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of
952 by the House, no measure substantially the same shall be introduced by any committee or
953 member during the same session. This rule shall not be suspended unless by unanimous consent
954 of the members present. [49.] (54.)

955 39. No bill shall be passed to be engrossed without having been read on three separate
956 legislative days. [51.] (28.)

957 [Amended Jan. 11, 1985.]

958 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion
959 to strike out the enacting clause of a bill shall be received when the bill is before the House for
960 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be
961 received before the adoption of the emergency preamble and, if suspended, the amendment may
962 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the
963 Governor with a recommendation of amendment in accordance with the provisions of Article
964 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills
965 proposed by the Senate and sent to the House for concurrence, which amendments shall be
966 subject to the provisions of Rule 35, provided, however, that an affirmative vote on a motion to
967 suspend this rule shall be required in order to offer an amendment to such an engrossed bill when
968 the question before the House is on adoption of an emergency preamble, re-enactment or
969 enactment, as the case may be. [53.] (49.)

970 [Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23, 2013; Jan. 29, 2015.]

971 41. Bills received from the Senate and bills reported favorably by committees, when not
972 referred to another standing committee of the House, shall, prior to being placed in the Orders of
973 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received
974 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for
975 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

976 [Amended Jan. 14, 1997; Jan. 26, 1999.]

977 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
978 adoption, after they are received from the Senate, or made in the House, as the case may be,
979 shall, unless subject to the provisions of any other House or joint rules, be referred to the
980 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
981 be discharged from further consideration of a subject, and recommending that it be referred or
982 recommitted to another committee, or a report of a committee recommending that a matter be
983 placed on file, shall be immediately considered. Reports of committees on proposals for
984 amendments to the Constitution shall be dealt with in accordance with the provisions of Joint
985 Rule 23. [57.] (36.)

986 [Amended Jan. 14, 1997; Jan. 29, 2015.]

987 42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available
988 by electronic communication or other means, a list of all reports of the committee on Steering,
989 Policy and Scheduling, asking to be discharged from further consideration of subjects, and
990 recommending that the subjects be referred to other committees.

991 [Adopted Jan. 26, 2005; Amended Jan. 29, 2015.]

992 43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day
993 for such reading. [58.] (32.)

994 *Special Rules Affecting the Course of Proceedings.*

995 44. The Speaker may designate when an informal session of the House shall be held provided
996 said Speaker gives notice of such informal session at a prior session of the House. The Speaker
997 may, in cases of emergency, cancel a session or declare any session of the House to be an

998 informal session. At an informal session the House shall only consider reports of committees,
999 papers from the Senate, bills for enactment or resolves for final passage, bills containing
1000 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at
1001 such informal session shall be placed in the Orders of the Day for the succeeding day, and no
1002 new business shall be entertained, except by unanimous consent.

1003 Formal debate, or the taking of the sense of the House by yeas and nays shall not be
1004 conducted during such informal session.

1005 Upon the receipt of a petition signed by at least a majority of the members elected to the
1006 House, so requesting, the Speaker shall, when the House is meeting in informal session under the
1007 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
1008 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the
1009 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
1010 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the
1011 members present. [59.] (5A.)

1012 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,
1013 2003; Feb. 11, 2009.]

1014 45. After entering upon the consideration of the Orders of the Day, the House shall proceed
1015 with them in regular course as follows: Matters not giving rise to a motion or debate shall first be
1016 disposed of in the order in which they stand in the Calendar; after which the matters that were
1017 passed over shall be considered in like order and disposed. The provisions of this paragraph shall
1018 not be suspended unless by unanimous consent of the members present.

1019 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the
1020 committee on Ways and Means and the committee on Bills in the Third Reading may present
1021 matters for consideration of the House after approval of two-thirds of the members present and
1022 voting, without debate. [59.] (37.) [See Rule 47.]

1023 [Amended Jan. 12, 1981; Jan. 12, 1983; Feb. 11, 2009.]

1024 46. When the House does not finish the consideration of the Orders of the Day, those which
1025 had not been acted upon shall be the Orders of the Day for the next and each succeeding day
1026 until disposed of, and shall be entered in the Calendar, without change in their order, to precede
1027 matters added under Rule 7A; provided, however, that all other matters shall be listed in
1028 numerical order by Calendar item.

1029 The unfinished business in which the House was engaged at the time of adjournment shall
1030 have the preference in the Orders of the Day for the next day. [60.] (35.)

1031 [Amended Jan. 12, 1987; Jan. 26, 1999.]

1032 47. No matter which has been duly placed in the Orders of the Day shall be discharged
1033 therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

1034 *Voting.*

1035 48. Members desiring to be excused from voting shall make application to that effect before
1036 the division of the House or the taking of the yeas and nays is begun. Such application may be
1037 accompanied by a brief statement of reasons by the member. The Clerk shall, prior to the first
1038 roll call of the sitting, announce the name of any member who has informed him/her to not call
1039 his/her name or lock his/her voting station. The Clerk shall also announce prior to any

1040 subsequent roll call of the sitting the name of any member who had informed him/her to not call
1041 his/her name or lock his/her voting station since the taking of the immediately preceding roll call.
1042 A member absent from the House for a formal session period of a day or longer shall notify the
1043 Clerk in writing of the intended absence. A member absent during a formal session for an
1044 extended period or for the remainder of the session shall notify the Clerk in person. The Clerk
1045 shall provide a written notice to any such absent member.

1046 The Clerk shall disable the voting station of any such member notifying the Clerk of an absence
1047 pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to
1048 answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk
1049 shall reactivate the voting station upon receiving notification of the member's return to the
1050 House Chamber. ([64.] (57.))

1051 [Amended Feb. 11, 2009, Feb. 2, 2017.]

1052 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea
1053 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their
1054 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a
1055 person who has been elected Speaker pro tempore, may designate some member or a court
1056 officer to cast a vote for him/her on any vote taken on the electronic voting system while such
1057 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro
1058 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker
1059 shall state the pending question before opening the system for voting.

1060 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber,
1061 but who is unable to vote due to a malfunction of his/her voting station or inability to open
1062 his/her voting station.

1063 Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented
1064 from voting personally using the electronic voting system because of physical disability, said
1065 member shall, if present in the State House, be excused from so voting and the Speaker shall
1066 assign a court officer to cast said member's vote so long as said physical disability continues;
1067 provided that the Speaker shall announce the action of the Chair to the membership prior to
1068 assigning a court officer to cast the member's vote and provided further that the Speaker shall
1069 announce the action to the membership the first time a vote is cast for that member on each
1070 successive day. [65.]

1071 [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011; Feb. 11,
1072 2009.]

1073 50. When a question is put, the sense of the House shall be taken by the voices of the
1074 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
1075 If the Speaker is unable to decide by the sound of the voices, or if the announcement made
1076 thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall
1077 order a division of the number voting in the affirmative and in the negative, without further
1078 debate upon the question. [66.] (55.)

1079 [Amended Jan. 11, 1985; Feb. 11, 2009.]

1080 51. When a return by division of the members voting in the affirmative and in the negative is
1081 ordered, the members for or against the question, when called on by the Speaker, shall rise in

1082 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a
1083 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall
1084 stand. [67.]

1085 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent
1086 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,
1087 state the pending question and, after opening the electronic voting system, instruct the members
1088 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall
1089 close said system and cause totals to be displayed and a record made of how each member
1090 present voted; provided, that if at any time during said voting period any standing, joint or
1091 conference committee is meeting in public or executive sessions, the Speaker shall leave the
1092 electronic voting machine open for not less than 5 minutes.

1093 Any member desiring to be recorded as being “present” when a yea and nay vote is taken on
1094 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and
1095 before the vote is announced.

1096 In the event the electronic voting system is not in operating order, the roll of the House shall
1097 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to
1098 answer “present” who was not on the floor before the vote is declared; provided, however, that a
1099 member, who was in the State House on a previous roll call, may be recorded by reporting to the
1100 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is
1101 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the
1102 member who is speaking on the floor; provided, however, that such request may be announced to
1103 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond

1104 said five minute period. Once the voting has begun it shall not be interrupted except for the
1105 purpose of questioning the validity of a member's vote before the result is announced. Except as
1106 heretofore provided, any member who shall vote or attempt to vote for another member or any
1107 person not a member who votes or attempts to vote for a member, or any member or other person
1108 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting
1109 equipment used by the House, or change the records thereon shall be punished in such manner as
1110 the House determines; and provided further, that such a violation shall be reported to the Ethics
1111 Committee. [68.] (56, 57.)

1112 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,
1113 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011.]

1114 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been
1115 ordered before the question is put, the proceedings under Rules 50 and 51 relative to verification
1116 of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they
1117 may be called for in lieu of a return by divisions when the Speaker's announcement is doubted
1118 by a member rising in his/her place, and, if then ordered, the proceedings under Rules 50 and 51
1119 shall be omitted. [69.] (52.)

1120 [Amended Jan. 26, 1999.]

1121 *Reconsideration.*

1122 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on
1123 which the vote was taken, or before the Orders of the Day have been taken up on the next day
1124 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion
1125 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the

1126 succeeding day, the motion shall be considered forthwith except that if said motion is moved on
1127 a day on which an informal session has been designated, it shall be placed in the Orders of the
1128 Day for the succeeding day. If reconsideration is moved after July first of the second annual
1129 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
1130 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
1131 time when the main question to which it relates is under consideration; and provided, further,
1132 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
1133 remove the main subject under consideration from before the House, but shall be considered at
1134 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
1135 members present. [70.] (53.)

1136 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1137 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and
1138 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the
1139 following motions:

1140 to recess,

1141 to adjourn,

1142 on sustaining a ruling of the Chair,

1143 to close debate at a specified time,

1144 to postpone if voted in the negative,

1145 to discharge or direct a committee to report,

1146 to commit or recommit,
1147 for second or subsequent legislative days,
1148 for the previous question, or
1149 for suspension of rules.

1150 This rule shall not be suspended unless by unanimous consent of the members present. [71.]
1151 (53.)

1152 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1153 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall
1154 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or
1155 incidental question, debate shall be limited to ten minutes, and no member shall occupy more
1156 than three minutes.

1157 If the House has voted to close debate on any question, a motion to reconsider said question
1158 shall be decided without debate. [72.] (52.)

1159 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1160 **RULES OF DEBATE.**

1161 57. Every member, when about to speak, shall rise and respectfully address the Speaker and
1162 shall confine himself/herself to the question under debate. [73.] (39.)

1163 [Amended Jan. 11, 1985.]

1164 58. Every member while speaking shall avoid personalities; and shall sit down when finished.
1165 No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

1166 When two or more members rise at the same time, the Speaker shall name the member
1167 entitled to the floor, preferring one who rises in his/her place to one who does not. [74.] (40.)

1168 [Amended Jan. 11, 1985.]

1169 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly
1170 procedure of the House, the Speaker, after warning the member of such violations, shall call the
1171 member to order, and order that member to take his/her seat. A member so called to order shall
1172 lose the right to speak on the pending subject-matter but shall not be debarred from voting. A
1173 member so called to order shall remain seated until the House begins consideration of another
1174 subject-matter or unless the Speaker earlier returns to the member his/her rights to the floor.

1175 If a member so called to order refuses to immediately take his/her seat, the Speaker shall
1176 immediately name that member, who shall be escorted from the Chamber under escort of the
1177 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1178 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1179 its recommendations, which report shall be read and accepted.

1180 Having been named, a member shall not be allowed to resume his/her seat until said member
1181 has complied with the recommendations of the committee as accepted by the House.

1182 If, after a member is seated or named, the action of the Speaker is appealed, the House shall
1183 decide the case by a majority vote of the members present and voting, but if there is no
1184 immediate appeal, the decision of the Speaker shall be conclusive.

1185 [Amended Jan. 12, 1981; Jan. 11, 1985; Feb. 11, 2009.]

1186 60. No member shall interrupt another while speaking except by rising to a point of order, to a
1187 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking
1188 to yield.

1189 Members may rise to explain matters personal to them by leave of the presiding officer, but
1190 shall not discuss pending questions in such explanations.

1191 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and
1192 conduct of the member in his/her representative capacities.

1193 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by
1194 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1195 [Amended Jan. 12, 1981; Feb. 11, 2009.]

1196 61. No member shall speak more than once to the prevention of those who have not spoken
1197 and desire to speak on the same question.

1198 This prohibition shall not apply to those members designated by the committee or committees
1199 reporting the bill.

1200 No member shall occupy more than thirty minutes at a time while speaking on any question
1201 where debate is unlimited.

1202 Unless the operation of another rule provides to the contrary (such as previous question,
1203 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any

1204 question when no other member who has not spoken is seeking recognition by the Chair. [76.]
1205 (41.)

1206 *Motions.*

1207 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1208 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may
1209 be withdrawn by the mover if no objection is made. [78.] (44.)

1210 [Amended Jan. 12, 1981.]

1211 *Limit of Debate.*

1212 64. A motion to recess or adjourn shall always be first in order, and shall be decided without
1213 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to
1214 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member
1215 shall speak more than three minutes. On the motion to discharge any committee, or on a motion
1216 directing any committee to report matters before it, not exceeding fifteen minutes shall be
1217 allowed for debate, and no member shall speak more than three minutes.

1218 If the main motion is undebatable, any subsidiary or incidental motion made relating to it
1219 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1220 [Amended Jan. 12, 1981.]

1221 64A. Debate on the question on adoption of orders for second and subsequent legislative days
1222 shall be limited to ten minutes, and no member shall speak more than three minutes. After
1223 entering into a second or subsequent legislative day, the House shall immediately proceed to

1224 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of
1225 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1226 [Adopted Jan. 12, 1983.]

1227 65. When a question is before the House, until it is disposed of, the Speaker shall receive no
1228 motion that does not relate to the same, except the motion to recess or adjourn or some other
1229 motion that has precedence either by express rule of the House, or because it is privileged in its
1230 nature; and the Speaker shall receive no motion relating to the same, except,—

1231 for the previous question,

1232 to close debate at a specified time,

1233 to postpone to a time certain,

1234 to commit (or recommit),

1235 to amend, See Rules 66, 67 and 68

1236 See Rules 64, 69 and 70

1237 See Rules 64 and 70

1238 See Rules 64 and 71

1239 See Rules 72, 73, 74 and 75

1240 — which several motions shall have precedence in the order in which they are arranged in
1241 this rule. [80.] (46.)

1242 [Amended Jan. 11, 1985.]

Previous Question.

1243

1244 66. Any member may call for the previous question on the main question.

1245 The previous question shall be put in the following form: “Shall the main question be now
1246 put?” and all debate on the main question shall be suspended until the previous question is
1247 decided.

1248 The adoption of the previous question shall require the affirmative vote of two-thirds of the
1249 members present and voting and shall put an end to all debate, and bring the House to direct vote
1250 upon pending amendments, if any, in their regular order, and then upon the main question.

1251 A motion to reconsider the vote on any of the pending amendments shall be decided without
1252 debate. [81.]

1253 [Amended Jan. 12, 1981.]

1254 67. Any member may call for the previous question on any pending amendment.

1255 The previous question shall be put in the following form: “Shall the question on adoption of
1256 the amendment be now put?” and all debate shall be suspended until the previous question is
1257 decided.

1258 The adoption of the previous question on a pending amendment shall require the affirmative
1259 vote of two-thirds of the members present and voting and shall put an end to all debate and bring
1260 the House to a direct vote upon the pending amendment.

1261 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1262 [Amended Jan. 12, 1981.]

1263 68. The previous question shall be decided without debate.

1264 *Motion to Close Debate at a Specified Time.*

1265 69. Debate may be closed at any time not less than thirty minutes from the adoption of a
1266 motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1267 members present. [85.] (47.)

1268 *Motion to Postpone to a Time Certain.*

1269 70. When a motion is made to postpone to a time certain, and different times are proposed,
1270 the question shall first be taken on the most remote time; and the time shall be determined before
1271 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1272 *Motion to Commit.*

1273 71. When a motion is made to commit, and different committees are proposed, the question
1274 shall be taken in the following order:

1275 a standing committee of the House,

1276 a select committee of the House,

1277 a joint standing committee,

1278 a joint selected committee;

1279 and a subject may be recommitted to the same committee or to another committee at the
1280 pleasure of the House. [88.] (48.)

1281 *Motion to Amend.*

1282 72. A motion to amend an amendment may be received; but no amendment in the third degree
1283 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members
1284 present. [89.]

1285 [Amended Jan. 12, 1983.]

1286 73. No motion or proposition on a subject different from that under consideration shall be
1287 admitted under color of amendment. This rule shall not be suspended unless by unanimous
1288 consent of the members present. [90.] (50.)

1289 [Amended Jan. 12, 1987.]

1290 73A. No motion to amend a report from the committee on Ways and Means or a report from
1291 the committee on Bills in the Third Reading, when such an amendment contains an expenditure
1292 of public money or an increase or decrease in taxes, shall be considered unless a brief
1293 explanation of the amendment is stated.

1294 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1295 74. A question containing two or more propositions capable of division shall be divided
1296 whenever desired by any member, if the question includes points so distinct and separate that,
1297 one of them being taken away, the other will stand as a complete proposition. The motion to
1298 strike out and insert shall be considered as one proposition and therefore indivisible. The
1299 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or
1300 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1301 suspended unless by unanimous consent of the members present. [91.] (45.)

1302 [Amended Jan. 12, 1983.]

1303 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule
1304 70.]

1305 *Declaration of Recess.*

1306 76. The Speaker may declare a recess of 15 minutes duration, or less.

1307 [Amended Jan. 9, 1991; Jan. 29, 2015.]

1308 *Appeal.*

1309 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and
1310 no other business shall be in order until the question on the appeal has been disposed of. Debate
1311 shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member
1312 shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1313 [Amended Jan. 9, 1989; Jan. 29, 2015.]

1314 *Resolves.*

1315 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall
1316 apply likewise to such resolves as require the concurrence of the Senate and approval by the
1317 Governor in order to become law and have force as such. [95.]

1318 *Seats.*

1319 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such
1320 persons as he/she may employ to assist said Clerk, and that on the left to the use of the chairman
1321 and vice-chairman of the committee on Bills in the Third Reading.

1322 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other
1323 than seats assigned under paragraph (1) of this rule, shall be his/her seat for the year and for such
1324 additional years as said member may elect so long as service in the House remains continuous.
1325 An exchange of seats may be made with the approval of the Speaker. [98.]

1326 [Amended Jan. 11, 1985; May 5, 1993.]

1327 *Privilege of the Floor.*

1328 80. The following persons shall be entitled to admission to the House of Representatives,
1329 during the session thereof, to stand in an area designated by the Speaker in the rear of the
1330 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1331 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary
1332 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,
1333 Attorney-General, Librarian and Assistant Librarian.

1334 (2) The members of the Senate.

1335 (3) Persons in the exercise of an official duty directly connected with the business of the
1336 House.

1337 (4) Contestants for seats in the House, whose papers are in the hands of a special committee
1338 of the House, may be admitted, while their cases are pending, to seats to be assigned by the
1339 Speaker.

1340 No other person shall be admitted to the floor during the session, except upon the permission
1341 of the Speaker.

1342 No legislative agent or counsel may be admitted to the floor of the House Chamber during a
1343 session unless that part of the session is ceremonial in nature in which no other legislative
1344 business is conducted.

1345 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1346 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,
1347 61.)

1348 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1349 *Representatives' Chamber and Adjoining Rooms.*

1350 81. (a) Use of the Representatives' Chamber members' corridor or adjoining rooms shall be
1351 for official business or educational purposes only and shall be subject to the approval of the
1352 Speaker or the committee on Rules. The provisions of this paragraph shall not apply if the
1353 purpose of admittance is to attend a meeting in an adjoining room to which members of the
1354 general public are allowed to attend.

1355 (b) No legislative agent or counsel shall be admitted to the members' corridor or adjoining
1356 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except
1357 persons entitled to the privileges of the floor of the House unless upon written invitation of a
1358 member bearing the name of the member and the person the member invites. Upon entering, the
1359 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph
1360 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which
1361 members of the general public are allowed to attend.

1362 (c) No person shall be admitted to the north gallery of the House except upon a card of the
1363 Speaker.

1364 (d) Subject to the approval and direction of the committee on Rules during the session and of
1365 the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be
1366 under the control of the organization of legislative reporters known as the Massachusetts State
1367 House Press Association and the State House Broadcasters Association.

1368 (e) Every legislative reporter desiring admission to the reporters' galleries shall state in
1369 writing that he/she is not the agent or representative of any person or corporation interested in
1370 legislation before the General Court, and will not act as representative of any such person or
1371 corporation while retaining a place in the galleries; but nothing herein contained shall prevent
1372 such legislative reporter from engaging in other employment, provided such other employment is
1373 specifically approved by the committee on Rules and reported to the House.

1374 (f) All formal sessions of the House of Representatives shall be open to both commercial and
1375 public radio and television, except designated times during such sessions, as determined by the
1376 House, reserved for the consideration of non-controversial business which does not give rise to
1377 debate. The manner and conditions of such broadcasts shall be established by the Speaker.
1378 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker.

1379 The Speaker may arrange for a limited number of remote connections at a location
1380 outside of the Representatives' Chamber for commercial and public radio and television to
1381 obtain audio and visual feeds of formal sessions being recorded or streamed by the House. Video
1382 or audio obtained from such feed shall be used only for reporting purposes. Access to the
1383 connections provided shall be on a first-come-first serve basis; provided, however, that

1384 commercial and public radio and television acquiring access shall be required to share the audio
1385 or video feeds with other any other commercial and public radio and television station seeking
1386 access. The manner and conditions of access shall be established by the Speaker with the
1387 approval of the House. Access may be prohibited by the Speaker with the approval of the House.

1388 Clauses (a) through (e) of this rule shall not be suspended unless by unanimous consent of the
1389 members present. [100.] (59.)

1390 [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23,
1391 2007, Feb. 2, 2017.]

1392 *Quorum.*

1393 82. Eighty-one members shall constitute a quorum for the organization of the House and the
1394 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1395 In the event that a quorum is not present, the presiding officer shall compel the attendance of
1396 a quorum. During the absence of a quorum, no other business may be transacted or motions
1397 entertained except a declaration of adjournment or a recess by the Speaker. [105.]

1398 [Amended Jan. 12, 1981; Jan. 14, 1997.]

1399 *Debate on Motions for Suspension of Rules.*

1400 83. The question of suspension of House Rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83
1401 shall be decided without debate. Debate upon the motion for the suspension of any other House
1402 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no
1403 member shall occupy more than three minutes. This rule shall not be suspended unless by
1404 unanimous consent of the members present. [102.] (52.)

1405 [Amended Jan. 12, 1981; Jan. 9, 1989.]

1406 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,
1407 altered or repealed unless two-thirds of the members present and voting consent thereto. This
1408 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1409 [Amended Jan. 12, 1981.]

1410 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive
1411 any requirement relative to the electronic availability and posting on the internet of any bills,
1412 resolves, summaries or other documents contained herein; provided, however, that if the clerk so
1413 waives any such requirement he shall make paper copies of the documents available to all
1414 members and the public within the limitation established for the electronic availability and
1415 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1416 [Adopted Feb. 11, 2009.]

1417 *Reference to Committee on Rules.*

1418 85. All motions or orders authorizing committees of the House to travel or to employ
1419 stenographers, all propositions involving special investigations by committees of the House, all
1420 resolutions presented for adoption by the House only, and all motions and orders except those
1421 which relate to the procedure of the House or are privileged in their nature or are authorized by
1422 Rule 65, shall be referred without debate to the committee on Rules, which shall report thereon,
1423 recommending what action should be taken. The committee shall not recommend suspension of
1424 Joint Rule 9, unless evidence satisfactory to the committee is produced that the petitioners have

1425 previously given notice, by public advertisement or otherwise, equivalent to that required by
1426 Chapter 3 of the General Laws. [104.] (13A.)

1427 [Amended Jan. 29, 2015.]

1428 85A. The House Business Manager, with the approval of House Counsel, shall provide that
1429 outside, independent audits of House financial accounts be conducted for each fiscal year upon
1430 receipt of the fiscal year end appropriation activity with balance report from the comptroller of
1431 the Commonwealth. The audit shall be conducted in accordance with auditing standards
1432 generally accepted in the United States of America and the standards applicable to financial
1433 audits contained in Government Auditing Standards, issued by the Comptroller General of the
1434 United States. The House Business Manager shall provide the independent auditor with
1435 requested documents for such audit. A copy of such audit shall be filed with the Clerk of the
1436 House and said copies shall be made available to the members and the general public upon
1437 request.

1438 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1439 *Parliamentary Practice.*

1440 86. The rules of parliamentary practice shall govern the House in all cases to which they are
1441 applicable, and in which they are not inconsistent with these rules or the joint rules of the two
1442 branches. (62.)

1443 *Procurement.*

1444 87. (a) All procurements for goods or services shall be completed by the House Business
1445 Manager.

1446 (b) All procurements for goods or services shall, to the extent practicable, be made from the
1447 statewide procurement list established by the operational services division.

1448 (c) Upon certification by the House Business Manager that a necessary procurement cannot be
1449 made using the statewide procurement list established by the operational services division, the
1450 House Business Manager may procure the required goods or services pursuant to the following:

1451 (i) for a procurement of a supply or service in an amount of less than \$10,000, the House
1452 Business Manager shall use sound business practices;

1453 (ii) for a procurement of a supply or service in an amount of \$10,000, but less than \$100,000,
1454 the House Business Manager shall seek written or oral quotations from no fewer than 3 persons
1455 customarily providing such supply or service. The House Business Manager shall record the
1456 names and addresses of all persons from whom quotations were sought, the names of the persons
1457 submitting quotations and the date and amount of each quotation. The House Business Manager
1458 shall award the contract to the responsible person whose quotation offers the needed quality of
1459 supply or service and which represents the best value for the Commonwealth;

1460 (iii) for a procurement of a supply or service in an amount exceeding \$100,000, the House
1461 Business Manager shall seek proposals through a competitive bid process established by the
1462 Office of House Counsel; provided, however, that the Office of House Counsel shall file the
1463 competitive bid process with the Clerk of the House no later than March 31 of the first year of
1464 the session.

1465 (d) All procurements for legal consulting services shall be handled exclusively by the Office of
1466 House Counsel in compliance with the provisions of this rule. Prior to executing a contract for
1467 legal consulting services, said office shall certify, in writing, to the Clerk of the House that no

1468 employee of the House of Representatives possesses the required skills to complete the service
1469 which is the subject of the contract.

1470 (e) The House Business Manager shall maintain a file on each contract not executed using the
1471 statewide procurement list established by the operational services division and in excess of
1472 \$10,000 and shall include in such file a copy of all documents related to the contract. The House
1473 Business Manager shall make the file available for inspection within said office by members of
1474 the House for at least 3 years from the date of final payment under the contract; provided,
1475 however, that the Business Manager, in consultation with the Counsel to House of
1476 Representatives appointed pursuant to section 51 of chapter 3 of the General Laws, shall redact
1477 from said file any information which (i) is legally privileged; (ii) is proprietary; (iii) is related to
1478 individual members or House personnel; or (iv) is otherwise protected by state or federal law.

1479 (f) Whenever the time required to comply with a requirement of this rule would endanger the
1480 health, safety or convenience of the members, staff or visitors to the House of Representatives,
1481 the House Business Manager may make an emergency procurement without satisfying the
1482 requirements of this rule; provided, however, that both the House Business Manager and the
1483 Counsel to the House of Representatives appointed pursuant to section 51 of chapter 3 of the
1484 General Laws certify in writing: (i) that an emergency exists and explain the nature thereof; (ii)
1485 that said emergency procurement is limited to only supplies or services necessary to meet the
1486 emergency; (iii) that said emergency procurement conforms to the requirements of this rule to
1487 the extent practicable under the circumstances; and (iv) shall include each contractor's name, the
1488 amount and the type of each contract, the supplies or services provided under each contract, and
1489 (vii) the basis for determining the need for an emergency procurement. Such certification shall
1490 be filed with the Clerk of the House prior to an emergency procurement.

1491 [Adopted Jan. 20, 2011, Amended Jan. 23, 2013; Jan. 29, 2015; Feb. 19, 2015, Feb. 2, 2017.]

1492 Professional Standards and Conduct

1493 88. (a) As used in Rules 88 to 99, inclusive, the following terms shall, unless the context clearly
1494 requires otherwise, have the following meanings:-

1495 “Authorized party”, a party authorized to receive a complaint of harassment or retaliation
1496 pursuant to Rule 93.

1497 “Counsel”, Legal Counsel to the House appointed pursuant to section 51 of chapter 3 of the
1498 General Laws.

1499 “Director”, the Director of Human Resources appointed pursuant to Rule 90.

1500 “Discriminatory harassment”, verbal or physical conduct that:

1501 (1) demeans, stereotypes, or shows hostility or aversion toward an individual or group because of
1502 the individual’s race, color, religion, national origin, sex, ancestry, sexual orientation, age,
1503 disability status, genetic information, gender identity, active military personnel status,
1504 transgender status or membership in any other protected class and;

1505 (2) (i) has the purpose or effect of creating an intimidating, hostile, humiliating or offensive
1506 working environment;

1507 (ii) has the purpose or effect of unreasonably interfering with a member, officer, intern or
1508 employee’s work performance or official duties; or

1509 (iii) otherwise adversely affects a member, officer, intern or employee’s employment
1510 opportunities or ability to fulfill his or her official duties or conduct business before the House.

1511 “EEO Officer”, the Equal Employment Opportunity Officer appointed pursuant to Rule 89.

1512 “Harassment”, discriminatory harassment or sexual harassment engaged in by a member, officer,
1513 intern or employee of the House or by a third party.

1514 “Sexual harassment”, sexual advances, requests for sexual favors and verbal or physical conduct
1515 of a sexual nature when:

1516 (1) submission to or rejection of such advances, requests or conduct is made either explicitly or
1517 implicitly a term or condition of employment or as a basis for employment decisions, or as a
1518 term, condition or basis for the support of certain policy objectives, political aspirations or
1519 business before the House; or

1520 (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering
1521 with a member, officer, intern or employee’s work performance or official duties by creating an
1522 intimidating, hostile, humiliating or sexually offensive work environment.

1523 Under this definition, direct or implied requests for sexual favors in exchange for actual or
1524 promised (i) employment benefits such as favorable reviews, salary increases, promotions,
1525 increased benefits or continued employment or (ii) support for certain policy objectives, political
1526 aspirations or business before the House, shall constitute sexual harassment.

1527 The definition of sexual harassment is broad and may include other sexually oriented conduct,
1528 whether or not it is intended to violate this Rule, that is unwelcome and has the effect of creating
1529 a workplace environment that is hostile, offensive, intimidating or humiliating to a member,
1530 officer, intern or employee of the same or different gender, or those who do not identify as
1531 gender binary.

1532 “Supervisor”, a member, officer or employee having direct authority or oversight over one or
1533 more employees.

1534 “Third party”, any person visiting the House of Representatives, or conducting official business
1535 or work with any member, officer or employee of the House.

1536 (b) The House is committed to providing fair and equal opportunity for employment and
1537 advancement to all employees and applicants.

1538 It is our policy and practice to assign, promote and compensate employees on the basis of
1539 qualifications, merit, and competence. Employment practices shall not be influenced nor
1540 affected by virtue of an applicant's or employee's race, color, religion, national origin, sex,
1541 ancestry, sexual orientation, age, disability status, genetic information, gender identity, active
1542 military personnel status, transgender status or membership in any other protected class.

1543 This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, promotion,
1544 transfer, discharge and all other terms and conditions of employment.

1545 Without limiting the applicability of the foregoing, the House is committed to creating and
1546 maintaining a work environment in which all members, officers, interns and employees of the
1547 House, and all third parties, are treated with respect and free from any form of harassment,
1548 including harassment based on an individual's membership in any protected class. To that end,
1549 the House will not tolerate harassment of any kind by any member, officer, intern, employee or
1550 third party in the workplace or otherwise in connection with the official duties or employment
1551 responsibilities of a member, officer, third party, intern or employee. Any individual who
1552 believes that he or she may have been the object of harassment, or any individual who witnesses

1553 something they think may be harassment, is strongly encouraged to report that information to an
1554 authorized party.

1555 The House shall promote the safety and respectful treatment of all members, officers, interns and
1556 employees of the House, and all third parties, by establishing uniform procedures for making and
1557 receiving complaints of harassment and initiating, conducting and concluding investigations into
1558 complaints of harassment.

1559 A violation of this policy will subject the member, officer, employee or intern to discipline
1560 pursuant to Rule 95 and Rule 96.

1561 (c) (1) Discriminatory harassment may include, but is not limited to, the following conduct:

1562 (i) epithets, slurs, insults or negative stereotyping related to the protected classes;

1563 (ii) acts or jokes that are hostile or demeaning with regard to the protected classes;

1564 (iii) threatening, intimidating or hostile acts that relate to the protected classes;

1565 (iv) displays of written or graphic material that demean, ridicule or show hostility toward an
1566 individual or group because of membership in a protected class, including material circulated or
1567 displayed in the workplace, including District Offices, such as on an employee's desk or
1568 workspace, or on House equipment or bulletin boards, including but not limited to House-issued
1569 computers, laptops and personal device assistants;

1570 (v) verbal or non-verbal innuendo, and micro-aggressions; and

1571 (vi) other conduct that falls within the definition of discriminatory harassment set forth above.

1572 (2) Sexual harassment includes, but is not limited to, the following conduct:

- 1573 (i) gender-based bullying, including bullying based on transgender or non-gender binary status;
- 1574 (ii) attempts to coerce an unwilling person into a sexual relationship;
- 1575 (iii) repeatedly subjecting a person to unwelcome sexual or romantic attention;
- 1576 (iv) punishing a person’s refusal to comply with a request for sexual conduct; and
- 1577 (v) conditioning a benefit on submitting to sexual advances.
- 1578 (3) Conduct that, if unwelcome, and depending upon the totality of the circumstances, including
- 1579 the severity of the conduct and its pervasiveness, may constitute sexual harassment includes, but
- 1580 is not limited to, the following:
- 1581 (i) unwelcome sexual advances, flirtations or propositions, whether they involve physical
- 1582 touching or not;
- 1583 (ii) sexual “kidding,” epithets, jokes, written or oral references to sexual conduct;
- 1584 (iii) gossip regarding one’s sex life;
- 1585 (iv) comment on a person’s body or an individual’s sexual activity, deficiencies, or prowess;
- 1586 (v) displaying sexually suggestive objects, pictures, posters or cartoons;
- 1587 (vi) unwelcome leering or staring at a person;
- 1588 (vii) sexual gestures and suggestive or insulting sounds, such as whistling or comments with
- 1589 sexual content or meaning;
- 1590 (viii) uninvited physical contact, such as touching, hugging, purposely brushing against the body,
- 1591 patting or pinching;

1592 (ix) indecent exposure;

1593 (x) inquiries into one’s sexual experiences;

1594 (xi) discussion of one’s sexual activities;

1595 (xii) sexual emails; and

1596 (xiii) sexting, or sexual messages or images posted on social media, for example, texts, instant
1597 messages, Facebook posts, tweets, Snapchat, Instagram or blog entries.

1598 (d) No member, officer or employee of the House shall retaliate, including against a member,
1599 officer, intern, or employee of the House who has complained about harassment or participated
1600 in an investigation into an allegation of harassment or retaliation. Any person who believes that
1601 he or she may have been the subject of retaliation for having complained of harassment or
1602 retaliation, or for having participated in an investigation related to an allegation of harassment or
1603 retaliation, is strongly encouraged to report that information to an authorized party. [Adopted
1604 Mar. 15, 2018.]

1605 89. (a) The House shall employ a full-time Equal Employment Opportunity Officer. The
1606 committee on Rules shall appoint a qualified person with expertise in harassment prevention,
1607 conduct of investigations, and identifying barriers to equal employment opportunity to act as the
1608 EEO Officer at such compensation as the committee on Rules shall approve.

1609 The EEO Officer shall serve a term of two years from the date of appointment, unless the EEO
1610 Officer sooner resigns, retires or is removed; provided, however, that the EEO Officer may only
1611 be removed: (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of

1612 Counsel and the Director, and approved by a majority vote of the committee on Rules; or (ii) by
1613 a majority roll call vote of the House.

1614 The EEO Officer may employ such assistants as may be necessary in the discharge of the EEO
1615 Officer's duties, subject to the approval of the committee on Rules, and may expend with like
1616 approval such sums as may be necessary for the discharge of their duties.

1617 (b) The EEO Officer shall receive, review and investigate all complaints alleging a violation of
1618 Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy, including,
1619 but not limited to complaints alleging harassment or retaliation. Complaints shall be received,
1620 reviewed and investigated pursuant to Rules 93 to 96, inclusive.

1621 The EEO Officer shall develop and implement written policies and procedures for receiving,
1622 investigating, resolving and maintaining records of complaints against members, officers, interns
1623 or employees of the House, or against third parties, made in accordance with Rules 93 to 98,
1624 inclusive.

1625 (c) (1) The EEO Officer, in conjunction with the committee on Personnel and Administration
1626 and the Director, shall provide for training of members. Members shall be required to complete
1627 training within 30 days of being sworn in and annually thereafter. Training shall be in-person
1628 and shall include, without limitation, instruction on: (i) House equal employment policies,
1629 including the complaint and investigation process; (ii) workplace harassment specifically,
1630 including techniques for bystander intervention and other best practices; (iii) prohibition on
1631 retaliation; (iv) best management practices; (v) professionalism and respect; and (vi) practices for
1632 monitoring the workplace for issues and identifying risk factors. Each member shall make a

1633 signed, written acknowledgement of the member's completion of the training, which shall be
1634 retained by the EEO Officer.

1635 (2) The EEO Officer, in conjunction with the committee on Personnel and Administration and
1636 the Director, shall provide for training for all appointed officers and employees. Appointed
1637 officers and employees shall be required to complete training within 30 days of initial hire or
1638 appointment and annually thereafter. Training shall be in person and shall include, without
1639 limitation, instruction on (i) House equal employment policies, including the complaint and
1640 investigation process; (ii) workplace harassment specifically, including techniques for bystander
1641 intervention and other best practices; (iii) prohibition on retaliation; and (iv) professionalism and
1642 respect.

1643 Separate trainings shall be held for those appointed officers and employees who are supervisors
1644 and those appointed officers and employees who are not supervisors. The content of the training
1645 shall be tailored appropriately to the recipients. Supervisors shall be specifically trained on best
1646 management practices.

1647 Each appointed officer and employee shall make a signed, written acknowledgement of his or
1648 her completion of the training, which shall be retained by the EEO Officer, who shall provide a
1649 copy to the Director to be maintained in his or her personnel file.

1650 (3) The EEO Officer shall provide for appropriate additional training to members, officers or
1651 employees at any time that the EEO Officer deems necessary or appropriate, including upon the
1652 request of a member, officer or employee.

1653 (4) The EEO Officer, in conjunction with the Director, shall provide for training for interns
1654 during the intern orientation process. The training shall include without limitation, instruction

1655 on: (i) House equal employment policies, including the complaint and investigation process; (ii)
1656 workplace harassment specifically, including techniques for bystander intervention and other
1657 best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect. Each intern
1658 shall make a signed, written acknowledgement of the intern's completion of the training, which
1659 shall be retained by the EEO Officer, who shall provide a copy to the Director to be maintained
1660 in the Director's records.

1661 (d) The EEO Officer shall develop practices and procedures for auditing House offices, including
1662 random audits, to ensure the maintenance of best practices. Audits may include interviews and
1663 in-office observation. All members, officers, interns and employees shall comply with a request
1664 from the EEO Officer to conduct an audit. [Adopted Mar. 15, 2018.]

1665 90. (a) The House shall employ a full-time Director of Human Resources. The committee on
1666 Rules shall appoint a qualified person to act as the Director at such compensation as the
1667 committee on Rules shall approve.

1668 The Director shall serve a term of two years from the date of appointment, unless the Director
1669 sooner resigns, retires or is removed; provided, however, that the Director may only be removed:
1670 (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of the EEO Officer
1671 and Counsel and approved by a majority vote of the committee on Rules; or (ii) by a majority
1672 roll call vote of the House.

1673 (b) The Director may employ such assistants as may be necessary in the discharge of the
1674 Director's duties, subject to the approval of the committee on Rules, and may expend with like
1675 approval such sums as may be necessary for the discharge of their duties.

1676 (c) The Director shall develop and oversee standardized practices and procedures, which shall
1677 apply to all applications for employment. The practices and procedures shall include, but shall
1678 not be limited to: (i) a standard application for employment; (ii) mandatory background and
1679 reference checks, the results of which shall be reported by the Director to the applicant's
1680 prospective appointing authority; and (iii) a standard offer letter for each position within the
1681 House.

1682 (d) The Director shall develop and oversee standardized practices and procedures, which shall
1683 apply to all employees and appointed officers of the House. These practices and procedures shall
1684 include or address, without limitation: (i) regular meetings between the Director, the EEO
1685 Officer and employees who are supervisors, including an initial meeting within 14 days of the
1686 employee assuming such a role; (ii) guidelines for conducting employee performance reviews;
1687 (iii) a program of progressive discipline; and (iv) separations from employment including exit
1688 interviews for terminated employees.

1689 (e) The Director shall develop employee classifications, which shall include written job
1690 descriptions, salary ranges and schedules. The classifications shall be published in the employee
1691 and supervisor handbooks.

1692 (f) The Director shall develop practices and procedures for receiving, investigating and
1693 resolving personnel complaints unrelated to Rule 88, the House Anti-Harassment Policy, or the
1694 House Equal Employment Policy.

1695 (g) The Director shall annually publish: (i) an Employee Handbook; (ii) a Supervisor Handbook;
1696 and (iii) an Intern Handbook. Each handbook shall be developed with the advice and approval of

1697 the EEO Officer and Counsel, and shall be submitted to the committee on Personnel and
1698 Administration for review and approval at least 14 days prior to publication.

1699 The handbooks shall be available as follows:

1700 (i) the Director shall post all three handbooks on the human resources web portal;

1701 (ii) the Director shall email an electronic copy of the Employee Handbook to each employee
1702 within 10 days of its publication and require that each employee sign a written acknowledgement
1703 of receipt and return such acknowledgement to the Director within 5 days;

1704 (iii) the Director shall email an electronic copy of the Employee Handbook to each new
1705 employee within 5 days of the employee's start date and require that the employee sign a written
1706 acknowledgement of receipt and return such acknowledgement to the Director within 5 days;

1707 (iv) the Director shall email an electronic copy of the Supervisor Handbook to all supervisors
1708 within 10 days of its publication and require that each supervisor sign a written
1709 acknowledgement of receipt and return such acknowledgement to the Director within 5 days;

1710 (v) the Director shall email an electronic copy of the Supervisor Handbook to all new supervisors
1711 within 5 days of their assuming such a position or, in the case of a member, within 5 days of
1712 being sworn into office, and require that the supervisor sign a written acknowledgement of
1713 receipt and return such acknowledgement to the Director within 5 days;

1714 (vi) the committee on Personnel and Administration shall provide an Intern Handbook to each
1715 intern on the first day of his or her internship. Upon receipt of the Intern Handbook the intern
1716 shall sign a written acknowledgement of receipt that day, which shall be maintained by the
1717 committee, with a copy sent to the Director;

1718 (vii) hard copies of each handbook shall be available in the offices of the Director, the EEO
1719 Officer, Counsel and the Clerk;

1720 (viii) the Director shall cause electronic copies of each handbook to be downloaded onto the
1721 desktop of each House computer; and

1722 (ix) in formats accessible to all members, officers and employees.

1723 (h) The Committee on Personnel and Administration, in consultation with the Director, shall
1724 develop policies to address individuals who provide services to the House in a volunteer capacity
1725 or otherwise without receiving compensation. [Adopted Mar. 15. 2018.]

1726 91. The Director shall, in consultation with the EEO Officer, create and maintain an internal web
1727 portal for members, officers and employees. The web portal shall provide relevant information
1728 on human resource policies and procedures, including, without limitation, the Rules of the
1729 House, each handbook published by the Director, explanations of complaint and investigation
1730 procedures, contact information for the Director, the EEO Officer and Counsel, and training
1731 schedules. [Adopted Mar. 15, 2018.]

1732 92. (a) The House shall employ a full-time Director of Employee Engagement. The committee
1733 on Personnel and Administration shall appoint a qualified person to act as the Director of
1734 Employee Engagement at such compensation as the committee on Personnel and Administration
1735 shall approve.

1736 (b) The Director of Employee Engagement shall, in consultation with the Director of Human
1737 Resources: (i) develop methods for enhancing the skills and professional development of

1738 employees; and (ii) engage employees in roundtable discussions on issues of importance or
1739 concern.

1740 (c) The Director of Employee Engagement shall assist the committee on Personnel and
1741 Administration with duties as may be assigned by the committee or the Director of Human
1742 Resources. [Adopted Mar. 15, 2018.]

1743 93. (a) (1) A member who believes that he or she has been the object of harassment or
1744 retaliation, who witnesses harassment or retaliation, or who becomes aware of harassment or
1745 retaliation may make a complaint, either orally or in writing with the EEO Officer, Counsel, or
1746 the Director. Upon receipt of a complaint pursuant to this subsection, a recipient other than the
1747 EEO Officer shall forthwith provide a detailed account of the complaint to the EEO Officer for
1748 assessment pursuant to Rule 94.

1749 (2) An appointed officer, employee or intern of the House who believes that he or she has been
1750 the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes
1751 aware of harassment or retaliation may make a complaint, either orally or in writing, to any of
1752 the officer's, employee's or intern's supervisors, the Director, the EEO Officer or Counsel. Upon
1753 receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer shall
1754 forthwith provide a detailed account of the complaint to the EEO Officer for assessment pursuant
1755 to Rule 94.

1756 (3) A third party who believes that he or she has been the object of harassment, or who witnesses
1757 harassment or retaliation may make a complaint, either orally or in writing, with the EEO
1758 Officer. Upon receipt of a complaint pursuant to this subsection, the EEO Officer shall assess
1759 the complaint pursuant to Rule 94.

1760 (b) The EEO Officer shall provide guidance for authorized parties who may receive complaints
1761 under subsection (a), both in the form of the training referenced in Rule 89 and otherwise. The
1762 guidance shall instruct authorized parties on the proper way to receive complaints and to advise
1763 complainants on issues including, but not limited to, confidentiality, prohibition on retaliation
1764 and the availability of additional resources and avenues for action for the complainant, including
1765 possible criminal action where appropriate.

1766 (c) If a complaint, made pursuant to subsection (a), is against the EEO Officer or an employee
1767 appointed by the EEO Officer, the recipient of the complaint shall notify Counsel, who shall, in
1768 consultation with the Director, investigate the complaint pursuant to Rules 94 to 96, inclusive.

1769 (d) If, based on the nature and circumstances of the complaint, the EEO Officer believes that he
1770 or she cannot objectively assess or investigate a complaint made pursuant to subsection (a) the
1771 EEO Officer shall refer the matter to Counsel who shall assume responsibility for the assessment
1772 or investigation or refer the complaint to outside counsel for investigation. The EEO Officer
1773 shall consult with Counsel to establish guidelines used to identify matters that should be referred
1774 to Counsel or outside counsel pursuant to this subsection. [Adopted Mar. 15, 2018.]

1775 94. (a)(1) All complaints alleging harassment or retaliation by or against a member, officer,
1776 intern or employee of the House, or by or against a third party, received by any member, officer
1777 or employee of the House, shall be immediately referred to the EEO Officer for assessment.

1778 (2) Upon receiving a complaint alleging harassment or retaliation by or against a member, officer
1779 or employee of the House, or by or against a third party, the EEO Officer shall promptly
1780 undertake an assessment to determine whether the complaint is plausible and requires

1781 investigation. Such assessment shall be completed within two weeks from the date of receiving a
1782 complaint.

1783 Upon a determination by the EEO Officer that a complaint is plausible and requires
1784 investigation, the EEO Officer shall commence an investigation of the complaint.

1785 Upon a determination by the EEO Officer that a complaint is not plausible and does not require
1786 investigation, the EEO Officer shall submit a report to Counsel and the Director describing the
1787 complaint and the EEO Officer's basis for determining that the complaint lacked plausibility and
1788 did not require investigation. If either Counsel or the Director objects to the EEO Officer's
1789 determination, the EEO Officer shall commence an investigation of the complaint.

1790 (b) The EEO Officer shall assess complaints and conduct investigations pursuant to written
1791 policies and procedures, which shall be established by the EEO Officer pursuant to Rule 98 and
1792 published on the human resources web portal. The policies and procedures shall ensure that all
1793 assessments, investigations and reports are confidential to the fullest extent practicable under the
1794 circumstances and shall include, without limitation, the following: trauma-informed techniques;
1795 mechanisms for investigating complaints made by witnesses or third parties; standards for
1796 collecting and maintaining evidence; consideration of interim measures; and methods to tailor
1797 each investigation to the specific needs of the complainant and particular circumstances of the
1798 complaint.

1799 (c) The EEO Officer shall complete investigations within 90 days; provided, that the EEO
1800 Officer may extend the investigation in extraordinary circumstances. The EEO Officer shall
1801 regularly, but no less frequently than every 2 weeks, update the complainant on the status of the
1802 investigation. If the EEO Officer believes that interim measures are warranted to protect

1803 complainants during the investigation, then the EEO shall recommend such measures to the
1804 appropriate supervisory individual or body.

1805 (d) Upon the conclusion of an investigation, the EEO Officer shall prepare a report summarizing
1806 the complaint, the EEO Officer's investigation, findings and recommendations, if any, for
1807 disciplinary, remedial or preventative action, or any combination thereof. [Adopted Mar. 15,
1808 2018.]

1809 95. (a) (1) If after completion of an investigation pursuant to Rule 94, the EEO Officer
1810 determines that a member has violated Rule 88, the EEO Officer shall recommend disciplinary,
1811 remedial or preventative action, or any combination thereof, as is appropriate and proportional
1812 under the circumstances, subject to the limitations set forth in paragraphs (2) and (3).

1813 (2) Where the EEO Officer's action recommended pursuant to paragraph (1) does not include
1814 reprimand, censure, removal from position as a chair or other position of authority, or expulsion,
1815 prior to imposing such action the EEO Officer shall notify the member of the action and provide
1816 the member with a copy of the EEO Officer's report. The member may, within 10 days of
1817 receiving notice, request in writing that the Speaker and Minority Leader appoint a special
1818 committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer.
1819 Upon receipt of said request, the Speaker and Minority Leader shall convene a special committee
1820 pursuant to Rule 96.

1821 If the member fails to request the appointment of a special committee pursuant to Rule 96 within
1822 10 days, the EEO Officer shall implement the recommended action.

1823 (3) If the action recommended pursuant to subsection (a) includes reprimand, censure, removal
1824 from position as a chair or other position of authority, or expulsion, the EEO Officer shall

1825 request that the Speaker and Minority Leader convene a special committee pursuant to Rule 96
1826 to review the findings and recommendations of the EEO Officer. Upon receipt of said request
1827 from the EEO Officer, the Speaker and Minority Leader shall appoint a special committee
1828 pursuant to Rule 96.

1829 (4) Upon the request for a special committee made by the EEO Officer or a member pursuant to
1830 this subsection, the EEO Officer shall provide the Speaker and Minority Leader with a copy of
1831 the EEO Officer's report.

1832 (b) (1) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that
1833 an appointed officer, intern or employee has violated Rule 88, the EEO Officer shall notify the
1834 appointing authority for the appointed officer, intern or employee and recommend and
1835 implement remedial, preventative or disciplinary action, or any combination thereof, as is
1836 appropriate and proportional under the circumstances, subject to the limitations set forth in
1837 paragraph (2). Notwithstanding Rule 97, the appointing authority may inform any other
1838 supervisors of the appointed officer, intern or employee of the remedial, preventative or
1839 disciplinary action if the appointing authority believes that sharing such information is necessary
1840 for maintaining proper supervision of the appointed officer, intern or employee.

1841 (2) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that an
1842 appointed officer, intern or employee has violated Rule 88 and the EEO Officer's action
1843 recommended pursuant to paragraph (1) includes termination of employment or internship, the
1844 EEO Officer shall forward the recommendation, with all supporting documentation, to Counsel
1845 for review and approval. Counsel shall have two business days to review the EEO Officer's
1846 recommendation. If Counsel approves the recommendation, Counsel shall notify the EEO

1847 Officer and the Director and the Director shall immediately terminate the individual's
1848 employment or internship. If Counsel rejects the EEO Officer's recommendation, he shall notify
1849 the EEO Officer and the Speaker and the Speaker shall determine the action to be implemented.

1850 [Adopted Mar. 15, 2018.]

1851 96. (a) Upon receipt of a request pursuant to Rule 95, the Speaker and Minority Leader shall
1852 confidentially convene a Special Committee on Professional Conduct, which shall consist of 7
1853 members, 5 of whom shall be appointed by the Speaker and 2 of whom shall be appointed by the
1854 Minority Leader. To the extent practicable, membership on the special committee shall be
1855 apportioned in a way that takes into account the nature of the complaint and the commitment of
1856 the House to providing fair and equal opportunity in employment. The Speaker shall appoint a
1857 member to serve as chair. No member who has declared his or her candidacy for any other local,
1858 state or federal office shall be appointed to a special committee. Upon appointment of members
1859 to the committee, the Speaker and Minority Leader shall notify the EEO Officer and the member
1860 who is the subject of the complaint of the identity of the members appointed. The existence of
1861 the committee and the identity of the members appointed to the committee shall otherwise
1862 remain confidential.

1863 (b) The EEO Officer shall provide the members of the special committee with all records
1864 relevant to the investigation. The special committee shall review all records and may further
1865 investigate, to the extent that it is necessary to resolve the complaint. The special committee
1866 may summon witnesses, administer oaths, take testimony and compel the production of books,
1867 papers, documents and other evidence in connection with its review.

1868 (c) In the case of a special committee convened under this section upon the request for a review
1869 by a member pursuant to paragraph (2) of subsection (a) of Rule 95, the committee shall
1870 determine whether the EEO Officer's intended action is proportional and appropriate under the
1871 circumstances. If a majority of the committee so finds, it shall order that the action
1872 recommended by EEO Officer be implemented, along with any additional disciplinary, remedial
1873 or preventative action, or any combination thereof, the committee determines to be proportional
1874 and appropriate under the circumstances, subject to the limitations set forth in subsection (d). If
1875 a majority of the committee finds that the intended action was not proportional or appropriate
1876 under the circumstances, it may make a new recommendation for disciplinary, remedial or
1877 preventative action, or any combination thereof, subject to the limitations set forth in said
1878 subsection (d). All determinations of the committee pursuant to this subsection shall be final.

1879 (d) (1) If a majority of the committee finds that a member has violated Rule 88, it may take any
1880 disciplinary, remedial or preventative action, or any combination thereof, as it determines to be
1881 proportional and appropriate under the circumstances; provided, however, that if the committee
1882 determines that reprimand, censure, removal from position as a chair or other position of
1883 authority, or expulsion is proportional and appropriate under the circumstances, it shall file a
1884 report with the Clerk recommending that the House vote to implement the disciplinary action.

1885 (2) Upon the filing of a report pursuant to paragraph (1), the Clerk shall promptly: (i) make the
1886 report available to all members electronically; (ii) cause the report to be posted on the website of
1887 the General Court; and (iii) place the matter in first position in the Orders of the Day for the next
1888 calendar day that the House is meeting; provided, however, that no business shall be conducted
1889 on that calendar day or any day thereafter until the question of acceptance or rejection of the
1890 special committee's recommendation for discipline is decided by a majority of the members

1891 voting and present by a recorded roll call vote. If a majority of the members vote to accept the
1892 recommendation for discipline, the member shall be disciplined in the manner so recommended.
1893 Unless a majority of the members vote to accept the report, the member shall not be disciplined.

1894 (3) All findings and determinations of the committee, including instances where the special
1895 committee does not file a report with the Clerk pursuant to paragraph (1), shall be reported to the
1896 EEO Officer and shall be final. The EEO Officer shall maintain confidential records of such
1897 findings and determinations, except that a report filed pursuant to paragraph (1) shall be public.
1898 [Adopted Mar. 15, 2018.]

1899 97. (a) Any information obtained by a member or employee in his or her official capacity and
1900 relating to a complaint or investigation of harassment pursuant to Rules 93 to 96, inclusive, and
1901 any records of such information shall be confidential to the fullest extent possible.
1902 Confidentiality shall be specifically subject to subsections (b), (c), (d) and (e).

1903 (b) (1) The EEO Officer, in reviewing a complaint and conducting an investigation, shall keep
1904 the complaint confidential and shall not disclose the identity of the complainant or the person
1905 against whom the complaint is made or any other details of the complaint with any member or
1906 employee; provided, however, that the EEO Officer may share information to the extent
1907 necessary to interview witnesses or parties to the investigation or to consult with Counsel if the
1908 EEO Officer determines that such consultation is required in connection with the investigation.

1909 (2) In the case of a complaint against a staff person, the EEO Officer shall maintain
1910 confidentiality throughout his or her investigation and implement all remedial actions and
1911 discipline short of termination confidentially, without sharing the identity of the complainant or
1912 the person against whom the complaint is made or any other details of the complaint with any

1913 member or employee; provided, however, that the EEO Officer may share information to the
1914 extent necessary to implement any remedial actions or discipline or to consult with Counsel if
1915 the EEO Officer determines that such consultation is required in connection with the
1916 investigation. This paragraph shall not limit the EEO Officer's ability to transmit the resolution
1917 of a complaint, including any discipline resulting therefrom, to the Director for inclusion in the
1918 employee's personnel file.

1919 (3) In the case of a complaint against a staff person, where the EEO Officer recommends
1920 termination, the EEO Officer shall share information with Counsel for review. If Counsel and
1921 the EEO Officer disagree as to whether termination is the appropriate discipline, confidentiality
1922 shall only be expanded to the extent needed to inform the Office of the Speaker and reach a
1923 resolution.

1924 (4) In the case of a complaint against a member, the EEO officer shall maintain confidentiality
1925 throughout his or her investigation by: (i) not disclosing information to any member or employee
1926 who is not a witness or party to the investigation, except to consult with Counsel if the EEO
1927 Officer determines that such consultation is required in connection with the investigation; and
1928 (ii) confidentially recommending all remedial actions short of reprimand, censure, removal from
1929 position as a chair or other position of authority, or expulsion of a member. This paragraph shall
1930 not limit the EEO Officer's ability to: (i) share his or her report with the Office of the Speaker
1931 and the Minority Leader upon the request for a special committee pursuant to Rule 95; and (ii)
1932 share any records relevant to the investigation with the special committee convened pursuant to
1933 Rule 96; provided, that when sharing his or her report with the Office of the Speaker and the
1934 Minority Leader, the EEO Officer may use pseudonyms, redaction and other methods the EEO

1935 Officer considers appropriate to address the needs of a complainant or the circumstances of a
1936 complaint.

1937 (c) (1) The establishment of a special committee pursuant to Rule 96 shall be completely
1938 confidential, except that the Speaker and Minority Leader shall disclose the names of their
1939 respective appointments to the EEO Officer. The EEO Officer shall maintain a confidential
1940 record of the membership of each special committee that is convened.

1941 (2) All proceedings of a special committee convened pursuant to Rule 96 shall be confidential
1942 and members of the committee shall not share any information about the complaint and
1943 investigation for which the committee was convened with any other member or employee,
1944 including their own appointed staff; provided, however, that the committee may consult with
1945 Counsel if the chair of the committee determines that such consultation is required in connection
1946 with the investigation.

1947 (3) A special committee convened pursuant to Rule 96 shall implement all actions short of
1948 reprimand, censure, removal from position as a chair or other position of authority, or expulsion
1949 of a Member confidentially, except that the special committee shall submit a final report to the
1950 EEO Officer and may consult with Counsel if the chair of the committee determines that such
1951 consultation is required in connection with their recommended action. The committee's
1952 recommendation, if any, for reprimand, censure, removal from position as a chair or other
1953 position of authority, or expulsion of a member, shall be a public document; provided, however,
1954 that the committee may use pseudonyms to conceal the identity of the complainant if the
1955 circumstances of the complaint so warrant.

1956 (d) All authorized parties shall keep complaints confidential, except to share the complaint with
1957 the EEO Officer.

1958 (e) Nothing in this Rule shall limit the ability of the EEO Officer to share information with a
1959 complainant, to the extent appropriate, in order to properly conclude the complaint or
1960 investigation process. [Adopted Mar. 15, 2018.]

1961 98. The EEO Officer and the Director shall establish all policies, procedures and guidelines
1962 required by Rules 88 to 97, inclusive, and may develop supplemental policies, procedures and
1963 guidelines necessary to implement or enforce Rules 88 to 97, inclusive; provided, that no policy,
1964 procedure or guideline shall take effect without the prior review and written approval of Counsel
1965 and the committee on Personnel and Administration. Where appropriate, these policies,
1966 procedures and guidelines shall be included in the handbooks.

1967 The EEO Officer and the Director may consult with each other, Counsel, and the committee on
1968 Personnel and Administration to carry out the requirements of Rules 88 to 97, inclusive.

1969 [Adopted Mar. 15, 2018.]

1970 99. Pending the appointment of an EEO Officer, a complaint alleging a violation of Rule 88 by a
1971 member shall be referred directly to a Special Committee on Professional Conduct, which shall
1972 conduct itself pursuant to Rule 96 except as modified by this Rule.

1973 Pending the appointment of an EEO Officer and notwithstanding Rule 87 and utilizing sound
1974 business practices, the chair of a Special Committee on Professional Conduct convened pursuant
1975 to this Rule shall have the exclusive authority and discretion to retain outside legal and
1976 consulting experts, as the chair may deem appropriate to assist the chair and the committee with
1977 the investigation and evaluation of a complaint received by said committee.

1978 Counsel shall, at the request of the chair, assist the chair and the Special Committee on
1979 Professional Conduct with the investigation and evaluation of a complaint received by the
1980 committee. [Adopted Mar. 15, 2018.]

1981 100. (a) No member, officer or employee shall execute any agreement to settle any legal claim or
1982 potential legal claim by any current or former member, officer or employee unless said
1983 agreement is executed pursuant to this rule.

1984 (b) No member, officer or employee shall execute any agreement to settle any legal claim or
1985 potential legal claim brought by any current or former member, officer or employee without the
1986 approval of Counsel, the Director and the EEO Officer. Counsel, the Director and the EEO
1987 Officer shall each independently review the claim or potential legal claim brought by any current
1988 or former member, officer or employee and confirm that the claim or potential claim does not
1989 relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel, the
1990 Director and the EEO Officer shall not approve any settlement of a legal claim or potential legal
1991 claim brought by any current or former member, officer or employee pursuant to this subsection
1992 if Counsel, the Director or the EEO Officer reasonably believes such legal claim or potential
1993 legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

1994 (c) No member, officer or employee shall execute any agreement to settle any legal claim or
1995 potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal
1996 claim of sexual harassment, by any current or former member, officer or employee unless said
1997 agreement is executed pursuant to this subsection.

1998 No member, officer or employee shall execute any agreement to settle a legal claim or potential
1999 legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of
2000 sexual harassment, by any current or former member, officer or employee unless:

2001 1. the request to negotiate said agreement was initiated, in writing, by the person filing or
2002 eligible to file the legal claim or potential legal claim or a person legally authorized to represent
2003 that person;

2004 2. the person filing the legal claim or eligible to file the legal claim is given 15 days to
2005 review and consider the agreement;

2006 3. the duration of any non-disclosure or non-disparagement provision of the agreement to
2007 settle the legal claim or potential legal claim is for a finite period of time as agreed to by the
2008 parties;

2009 4. the agreement to settle the legal claim or potential legal claim specifically provides that
2010 no provision of the agreement, including any non-disclosure or non-disparagement provision of
2011 the agreement, shall preclude any party from participating in an investigation by Counsel, the
2012 Director, the EEO Officer, a Committee on Professional Conduct or any law enforcement
2013 agency; and

2014 5. the agreement is approved in writing by Counsel, the Director and the EEO Officer.

2015 (d) In the case of an agreement to settle any legal claim or potential legal claim of sexual
2016 harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a
2017 Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member
2018 shall be required to personally reimburse the House for all or part of the settlement amount.

2019 Upon a determination by the Special Committee that the member shall be required to personally

2020 reimburse the House for all or part of the settlement amount, it shall determine the amount to be
2021 reimbursed and immediately notify the member of that amount

2022 (e) Upon request of the party described in paragraph numbered 1 above or the complainant [sic],
2023 Counsel shall waive any non-disclosure or non-disparagement provision of any agreement
2024 executed prior to the effective date of this Rule by the House and any current or former member,
2025 officer or employee, to allow said current or former member, officer or employee to report or
2026 discuss a claim of sexual harassment or retaliation based on sexual harassment. [Adopted Mar.
2027 15, 2018.]

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