

SENATE No. 11

[Pin Slip]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court

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An Act Senate, February 12, 2015 – Text of the Senate amendment to the House Order relative to Joint Rules governing the 2015-2016 legislative sessions (House, No. 2017, amended) – being the text of Senate document numbered 7, printed as amended..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Committees.
- 2 1. Joint standing committees shall be appointed at the beginning of the biennial session as
- 3 follows:-
- 4 A committee on Children, Families and Persons With Disabilities;
- 5 A committee on Community Development and Small Businesses;
- 6 A committee on Consumer Protection and Professional Licensure;
- 7 A committee on Economic Development and Emerging Technologies;
- 8 A committee on Education;
- 9 A committee on Elder Affairs;
- 10 A committee on Election Laws;

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

28 A committee on Veterans and Military Affairs

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

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

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

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

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

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

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

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

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

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

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

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

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

94 for temporary governmental or public service employment. A temporary employee's Senate or
95 House supervisor shall establish the employee's total compensation, shall verify that the sum of
96 the employee's state compensation, if any, and that any outside compensation the employee is to
97 receive under this rule would not exceed this total compensation, and shall file the written terms
98 of the employee's compensation with the Senate or House Human Resources Office, where it
99 shall be available for public inspection. The temporary employee shall sign a confidentiality and
100 ethics agreement provided by the Senate Office of Human Resources or House Human Resources
101 Office. [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18 86;
102 Jan. 12, 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18
103 92; Feb. 7, 18 93; Jan. 8, 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10, 18 98; Jan. 9,
104 18 99; Jan. 22 and 29, 1901; Jan. 6, 19 02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19
105 07; Jan. 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan. 1 and 8 and Feb.
106 21, 1919; Jan. 7, 19 20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7, 19 31; Jan. 6,
107 19 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb. 1, 19 49; Jan.
108 7, 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19
109 66; Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec.
110 21, 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ; Mar. 27,
111 1995 , June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005; Feb. 20,
112 2007; Feb 12, 2009.]

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

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

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

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

125 1D. All meetings of joint standing committees, and special joint committees of the Senate
126 and House of Representatives, shall be open to the public, and any person shall be permitted to
127 attend any such meeting unless such committee convenes in executive session, as provided
128 herein. All joint standing committees shall determine a schedule for committee hearings to be
129 held from the beginning of the first annual session through the fourth Wednesday in June in said
130 session. These committee schedules shall be submitted to the Clerk of the House who shall cause
131 them to be published on the official website for the General Court. Establishment of such
132 schedules shall not preclude joint standing committees from scheduling additional hearings or
133 meetings as needed. All standing committees must provide committee members a minimum of 4
134 hours, or whenever practicable, to review committee polls prior to submitting their vote. This
135 portion of the rule may be suspended by a majority vote by the members of the standing
136 committee on a recorded yea and nay. No executive session shall be held except upon
137 extraordinary circumstances and only after the committee has first convened in an open session

138 for which notice has been given, the presiding officer has stated the purpose of the executive
139 session, a majority of the committee members present has voted to go into executive session, the
140 vote of each member has been recorded on a roll call vote, and the presiding officer has stated
141 before the executive session if the committee will reconvene after the executive session. The
142 records of all such roll calls shall be kept in the offices of the committee for the duration of the
143 General Court during which said vote was recorded, and shall be available for public inspection
144 upon reasonable notice and during regular office hours.

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

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

157 The 48 hour requirement shall be suspended in an emergency only after all reasonable
158 efforts have been made to contact all committee members and upon a recorded vote of at least a

159 majority of the members of each branch appointed to the committee, but not less than 2/3 of the
160 members of each branch voting.

161 A meeting of a committee may be recorded by a person in attendance by means of a
162 recorder or any other means of audio/visual reproduction except when a meeting is held in
163 executive session; provided, that a person seeking to record a meeting of a committee notifies the
164 Chairs of the committee prior to commencing such recording; and provided further that during
165 such recording there is no interference with the conduct of the meeting.

166 The Chairs of each committee shall preserve decorum and order during each committee
167 hearing. Persons attending hearings shall not talk on a cellular telephone or other mobile
168 electronic devices.. The use of visual aids including, without limitation, posters, displays, or
169 charts shall be permitted only upon approval of the Chairs If a Chair is unable to carry out the
170 Chair's duties through death, resignation or removal from office then the office of the Chair shall
171 be considered vacant and the Vice Chair shall immediately assume the duties as acting Chair and
172 a new Chair shall be appointed within 30 days. In the case of illness or leave of absence of a
173 committee chair, the President or Speaker, respectively, may designate the vice chair of a
174 committee to assume the duties of temporary acting chair until such time as the chair is able to
175 resume the duties of chair. The absent chair shall not lose title or salary as a result of this absence
176 nor shall the vice chair assume any of the above. [Adopted June 3, 1985. Amended June 12,
177 1995; Feb. 20, 2007; Mar. 14, 2013.]

178 1E. The joint standing committee on Health Care Financing shall review all legislation
179 relating to health care to evaluate the appropriateness and fiscal effect of such legislation. A
180 matter within the jurisdiction of said committee may, if appropriate, initially be referred to

181 another joint standing committee sharing jurisdiction of the subject-matter. Any matter reported
182 favorably by such joint standing committee shall be referred to the joint committee on Health
183 Care Financing; provided, however, that notwithstanding any rule to the contrary, any such
184 matter so reported shall not be read a first time in the branch in which the report was received.
185 The next favorable report on any such matter, if made by a joint committee, may be made to
186 either branch. Such next favorable report shall be considered the first reading. The branch of
187 origin for any such bill so reported shall be the branch receiving such favorable report.

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

192 In compliance with section 38A of chapter 3 of the General Laws, the joint committee on
193 Health Care Financing when reporting on bills shall include a fiscal note prepared under section
194 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the
195 proposed legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the
196 sum of \$100,000; provided, however, that any matter reported by the committee on Health Care
197 Financing with a fiscal effect of less than \$100,000 shall not be referred, under the rules, to the
198 committee on Ways and Means.[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007;
199 Feb. 12, 2009.]

200 1F. [Omitted February 12, 2009].

201 1G. The President of the Senate, the Speaker of the House of Representatives, Minority
202 Leader of the Senate, Minority Leader of the House of Representatives, the Senate and House

203 chairs and the Senate and House ranking minority members of the joint committee on Public
204 Safety and Security may receive security clearance from federal and state homeland security
205 officials in order to be granted access to confidential homeland security briefings, information
206 and materials. The President of the Senate, the Speaker of the House of Representatives, the
207 Senate and House committee chairs and the Senate and House ranking minority members may
208 designate 1 or more members of their staff who may receive such security clearance.

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

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

218 2A. No member of either branch shall purchase, directly or indirectly, the stock or other
219 securities of any corporation or association knowing that there is pending before the General
220 Court any measure specially granting to such corporation or association any immunity,
221 exemption, privilege or benefit or any measure providing for the creation of, or directly affecting
222 any, contractual relations between such corporation or association and the Commonwealth. This
223 rule shall not apply to the purchase of securities issued by the Commonwealth or any political
224 subdivision of the Commonwealth. [See G.L. chapter 268, section 10.] [Adopted Jan. 16, 1922.]

225 3. When the General Court is in session, authorization for any committee of the Senate or
226 House of Representatives to travel during the session of the General Court shall be approved by a
227 vote of 2/3 of the members of its branch present and voting. When the General Court is in
228 session, authorization for any committee of the Senate or House of Representatives to sit and
229 travel during the recess of the General Court shall be approved by a vote of 2/3 of the members
230 of each branch present and voting. During the recess of the General Court, the President of the
231 Senate and the Speaker of the House of Representatives may, by written consent, allow standing
232 committees of their respective branches or appoint special committees to sit, travel and incur
233 expenses not exceeding sums authorized in writing by said presiding officers and appropriated
234 for such purposes. When the General Court is in session, authorization for any joint committee to
235 travel during the session, or to sit or travel during the recess, of the General Court shall be
236 approved by a vote of 2/3 of the members of each branch present and voting. During the recess
237 of the General Court, the President of the Senate and the Speaker of the House of
238 Representatives, acting jointly, may, by written consent, allow joint committees or appoint joint
239 special committees to sit, travel and incur expenses not exceeding sums authorized in writing by
240 said presiding officers and appropriated for such purposes. The Clerks of the Senate and House
241 of Representatives shall be notified of any appointments made and authorizations granted during
242 the recess for said committees to sit, travel and incur expenses during the recess and the Clerks
243 shall enter such information in the journals for the next year, as soon as may be practicable.
244 Committees authorized by the presiding officers to sit during the recess in the odd numbered
245 year shall report not later than the fourth Wednesday of January during the following year and
246 committees authorized by the presiding officers to sit during the recess in the even numbered
247 year shall report not later than the fourth Wednesday of December during the same year.

248 No committee shall travel except at the expense of the Commonwealth. If a committee is
249 authorized to travel, the Sergeant-at-Arms shall provide transportation only for members of the
250 committee and the officer accompanying them, and the reasonable traveling expenses of such
251 members and officers only shall be charged to or paid by the Commonwealth. Neither the
252 Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any person to
253 accompany such committee while in the discharge of its official duties unless invited by vote of
254 the committee.

255 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-
256 Arms to the committee by whom they have been incurred and shall be approved by a majority of
257 said committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;
258 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
259 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

260 3A. A joint standing committee may, upon the written and signed report of 2/3 of the
261 members of the Senate and 2/3 of the members of the House appointed to said committee, report
262 a bill or other form of legislation without said legislation being founded upon petition; provided,
263 however, that matters so reported shall be germane to the subject matters regularly referred to the
264 committee. The committee shall hold a public hearing on such bill or other form of legislation
265 before it is reported. A bill or other form of legislation so reported shall be placed in the Orders
266 of the Day by the Clerk of the respective branch to which it is reported or referred to a standing
267 committee of said branch under the rules. All reports of committees not founded upon petition
268 shall bear the designation “committee bill”, “resolve”, “order” or “resolution”, as the case may
269 be, in the Orders of the Day. Committees to which messages from the Governor, reports of state
270 officers, boards, committees, commissions and others authorized to report to the General Court,

271 may report by bill or otherwise such legislation as may be germane to the subject matter referred
272 to them. [Adopted June 3, 1985 .]

273 4. Favorable reports, and adverse reports on subjects of legislation other than petitions, by
274 joint committees may be made to either branch, at the discretion of the committee, having
275 reference to an equal distribution of business between the 2 branches, except that reports on
276 money bills shall be made to the House and if adverse reports on matters other than petitions
277 which are accompanied by money bills are accepted by the House, this shall constitute final
278 rejection. Adverse reports by joint committees on petitions shall be made to the branch in which
279 the petition was originally introduced, except that such adverse reports on petitions accompanied
280 by proposed money bills shall be made to the House; and, if accepted by the branch in which
281 they are made, shall be considered as a final rejection. When a report is made from any
282 committee to either branch, and the subject-matter of the report is subsequently referred to a joint
283 committee, such committee, except for the committee on Health Care Financing, shall report its
284 action to the branch in which the reference originated. A decision of a joint standing committee
285 to report on legislation shall be by vote only of the Senate members of the committee for Senate
286 legislation, and by vote only of the House members of the committee for House legislation. [See
287 also Joint Rule 5.]

288 A vote of a joint standing committee to give legislation a favorable or adverse report shall
289 be conducted by a roll call upon request of 2 committee members of the appropriate branch
290 present at the committee meeting. Such votes shall be recorded on appropriate forms that show
291 all votes for and against the particular committee action: provided that votes shall also be
292 recorded electronically at the direction of the Clerks. The record of all such roll calls shall be
293 kept in the offices of the committee and posted on the official website of the General Court in a

294 clear and conspicuous manner at the direction of the Clerks of both branches within 48 hours of
295 the vote. The records of all such roll calls shall be kept in the offices of the committee for the
296 duration of the General Court during which said vote was recorded, and shall be available for
297 public inspection upon reasonable notice and during regular office hours.

298 All committee members of the appropriate branch shall have an opportunity to issue a
299 dissenting minority report or to sign a form accompanying a report of the committee signifying
300 approval of, dissent or abstention from a report of a joint standing committee before the report is
301 final or filed. No signature shall be valid unless the report to which the signature is affixed
302 includes the substantially complete text of the legislation being reported. Said report or reports
303 shall be posted on the General Court website in a form and manner prescribed by the Clerk.
304 [Amended Jan. 3, 1952; April 8, 1959; June 7, 1965; Jan. 7, 1971; March 11, 1974; June 3, 1985;
305 Feb. 20, 2007.]

306 4A. In compliance with section 38A of chapter 3 of the General Laws, all joint
307 committees of the General Court when reporting on bills referred to them shall include a fiscal
308 note prepared under section 3A of chapter 29 of the General Laws, showing the estimated cost or
309 the fiscal effect of the proposed legislation, if, in the opinion of said committee, such cost
310 exceeds \$100,000. Such fiscal note shall be filed electronically in the office of the clerk to which
311 the report is being made, and shall be promptly made available on the official website of the
312 General Court. [Adopted Jan. 15, 1973.]

313 5. Matters reported adversely by joint committees and the committees on Rules of the
314 two branches, acting concurrently, may be recommitted to the same committees at the pleasure
315 of the branch acting on the report, and bills or resolves may be recommitted in either branch. If a

316 bill or resolve is laid aside in either branch for the reason that it is declared to be broader in its
317 scope than the subject-matter upon which it is based, the subject-matter shall be recommitted to
318 the committee. A concurrent vote shall, however, be necessary for recommitment, with
319 instructions. After recommitment, report shall, in all cases, be made to the branch originating the
320 recommitment. [Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 19 53; March 26,
321 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

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

325 Joint Petitions.

326 7. Whenever, upon any application for an act of incorporation or other legislation, the
327 purpose for which such legislation is sought can be secured without detriment to the public
328 interests by a general law or under existing laws, the committee to which the matter is referred
329 shall report such general law, or “ought not to pass”. [Amended Feb. 2, 1891; Feb. 7, 18 93; Jan.
330 7, 1971.]

331 7A. A petition for legislation to authorize a county to reinstate in its service a person
332 formerly employed by it, or to retire or pension or grant an annuity to any person, or to increase
333 any retirement allowance, pension or annuity, or to pay any sum of money in the nature of a
334 pension or retirement allowance, or to pay any salary which would have accrued to a deceased
335 official or employee but for the official’s death, or to pay any claim for damages or otherwise, or
336 to alter the benefits or change the restrictions of any county retirement or pension law, shall,
337 subsequently to the procedure required by Senate Rule No. 20 and by House Rule No. 24, be

338 reported adversely, unless, when filed it be the petition of, or be approved by, a majority of the
339 county commissioners. [Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920;
340 May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan.
341 30, 1967; Jan. 7, 1971; Jan. 15, 1973.]

342 7B. A petition, the operation of which is restricted to a particular city or town (and which
343 does not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which
344 does not affect generally the laws of the Commonwealth) and which is not filed in conformity
345 with Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to
346 the procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be
347 on petition filed or approved by the voters of a city or town, or the mayor and city council, or
348 other legislative body, of a city, or the town meeting of a town. A joint committee to which is
349 inadvertently referred a petition or other subject of legislation the operation of which is restricted
350 to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of
351 the Amendments to the Constitution shall report a general law which applies alike to all cities, or
352 to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report ‘ought not
353 to pass’, with the further endorsement that it ‘would be unconstitutional to enact such special
354 law’.

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

359 [Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11,
360 1935; April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
361 Jan. 7 and Mar. 22, 1971 ; Jan. 15, 1973; March 14, 2013.]

362 7C. The approval vote required to file a petition, the operation of which is restricted to a
363 particular city or town under Section 8 of Article LXXXIX of the Amendments to the
364 Constitution of the Commonwealth, shall be valid for 2 years, regardless of any intervening
365 action that may be taken by any legislative committee or either branch of the General Court.
366 [Adopted, Mar. 14, 2013.]

367 Notice to Parties Interested.

368 8. No legislation affecting the rights of individuals or the rights of a private or municipal
369 corporation, otherwise than as it affects generally the people of the Commonwealth or the people
370 of the city or town to which it specifically applies, shall be proposed or introduced except by a
371 petition, nor shall any bill or resolve embodying such legislation be reported by a committee
372 except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee,
373 whether on an original reference or on a recommittal with instructions to hear the parties, until it
374 is made to appear to the satisfaction of the committee that proper notice of the proposed
375 legislation has been given by public advertisement or otherwise to all parties interested, without
376 expense to the Commonwealth, or until evidence satisfactory to the committee is produced that
377 all parties interested have in writing waived notice. A committee reporting adversely due to lack
378 proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall
379 be in order as a substitute for, or amendment of, such report. Objection to the violation of this

380 rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 1890. Amended
381 Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

382 9. A petition for the incorporation of a city or town, for the annexation of 1 municipality
383 to another, for the consolidation of 2 or more municipalities or for the division of an existing
384 municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad,
385 canal, telephone, telegraph, water, gas, electric light, power or other public service corporation,
386 for the amendment, alteration or extension of the charter or corporate powers or privileges, or for
387 the change of name, of any such company, whether specially incorporated or organized under the
388 General Laws, or for authority to take water for a water supply, or relative to building structures
389 in or over navigable or tide waters, shall be placed on file, and not referred to a committee,
390 unless the petitioner has given the notice and followed the procedure required by section 5 of
391 chapter 3 of the General Laws. But if, no objection being raised, any such petition is referred to a
392 committee without such required notice or procedure, the committee shall forthwith report
393 adversely, setting forth as the reason for such report failure to comply with the law, unless
394 evidence satisfactory to the committee is produced that all parties interested have in writing
395 waived notice. In case a bill or resolve is reported upon such a petition, after proof of such
396 waiver of notice, this fact shall be set forth in the report of the committee. When an adverse
397 report is made by a committee, on account of failure to give the required notice, no bill or resolve
398 shall be substituted for such report, nor shall such report be recommitted or referred to another
399 committee.

400 A petition for the establishment or revival, or for the amendment, alteration or extension
401 of the charter or corporate powers or privileges, or for the change of name, of any corporation,
402 except a petition subject to the preceding paragraph, shall be transmitted by the Clerk of the

403 branch in which it is filed to the office of the State Secretary. If such a petition is returned by
404 said Secretary with a statement that the petitioner has failed to comply with the requirements of
405 section 7 of chapter 3 of the General Laws, said petition shall be placed on file, and shall not be
406 referred to a committee.

407 Any petition placed on file for want of proper notice or procedure under this rule shall not
408 affect action upon any other measure involving the same subject matter. [Adopted Feb. 7, 1890.
409 Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926;
410 Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8,
411 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009.]

412 Limit of Time allowed for Reports of Committees.

413 10. All joint committees and the committees on Rules of the two branches, acting
414 concurrently, shall make final report not later than the third Wednesday of January of the second
415 annual session of the General Court on all matters referred to them before third Wednesday in
416 December of the first annual session and within 30 days on all matters referred to them on and
417 after the third Wednesday in December of the first annual session of the General Court except
418 that the committee on Health Care Financing shall make final report not later than the last
419 Wednesday of February of the second annual session on all matters referred to them on or before
420 the fourth Wednesday of January and within 30 days on all matters referred to it after the fourth
421 Wednesday in January of the second annual session of the General Court. Notwithstanding the
422 provisions of this rule, any committee which requests a reporting extension on any matter
423 referred to the committee shall communicate in writing or electronically to the President of the
424 Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the

425 Minority Leader of the House of Representatives the reasons necessitating an extension prior to
426 the granting of any extension, and shall also provide a complete list of all matters included in the
427 extension. No reporting extension shall be granted for a period that exceeds 30 days. When the
428 time within which said committees are required to report has expired, all matters upon which no
429 report has then been made shall forthwith be reported by the chairman of the committee on the
430 part of the branch in which they were respectively introduced, with an adverse recommendation
431 under this rule. If the chairman fails to make such report by the end of the legislative day next
432 following the expiration date, all matters remaining unreported shall be placed in the Orders of
433 the Day by the Clerk of the branch in which the matter was originally filed with an adverse
434 report under this rule. Matters which have been referred under Joint Rule 29, upon which the
435 chairmen of the committees on Rules fail to make a report, shall be placed by the respective
436 Clerks in the Orders of the Day of the branch in which the subject matter was referred to said
437 committees. Committees to whom are referred subjects of legislation may combine petitions of
438 similar subject matter, or other forms of legislation of similar subject matter, into 1 adverse
439 report, and the report on the petition shall be that said petitions or other forms of legislation
440 'ought NOT to pass,' and if the report is accepted, all the matters contained in the report shall be
441 disposed of. However, petitions upon which an adverse report is accepted in only 1 branch may
442 not be combined with other subjects of legislation upon which adverse reports must be accepted,
443 in concurrence. This rule shall not apply to petitions referred to the committees on Rules of the
444 two branches, acting concurrently, under the second paragraph of Joint Rule 12. This rule shall
445 not be rescinded, amended or suspended, except by a concurrent vote of 4/5 of the members of
446 each branch present and voting thereon. Notwithstanding Joint Rule 30, this rule shall not be
447 rescinded, amended or suspended more than 3 times except by unanimous consent. [Amended

448 Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12,
449 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971; Feb.
450 4, 1974, June 12, 1995; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

451 10A. The form for all subjects of legislation receiving a favorable report shall be “ought
452 to pass.” The form for all subjects of legislation receiving an adverse report shall be “ought NOT
453 to pass.” A committee to whom is referred any other matter may report recommending that the
454 same be placed on file. [Adopted Jan. 7, 1971.]

455 Committees of Conference.

456 11. Committees of conference shall consist of 3 members on the part of each branch,
457 which shall include a member of the minority from each branch, representing its vote; and their
458 report, if agreed to by a majority of each committee, shall be made to the branch asking for the
459 conference, and may be either accepted or rejected, but no other action shall be had, except
460 through a new committee of conference.

461 Committees of conference to whom are referred matters of difference in respect to bills or
462 resolves, shall, after filing their reports, but before consideration by either branch, have the same
463 approved or discharged by each committee on Bills in the Third Reading. [Amended April 22,
464 1937; Feb. 12, 2009; Feb. 3, 2011; Mar. 14, 2013.]

465 11A. Committees of conference to whom are referred matters of difference in respect to
466 appropriation bills, including capital outlay programs, shall, after filing their reports but before
467 consideration by either branch have the same approved or discharged by each committee on Bills
468 in the Third Reading.

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

476 The report of said committee of conference shall consist of the matters of difference so
477 referred and so identified, showing the amounts appropriated by each of the said branches and
478 other matters in disagreement and the position of each branch with respect to those matters, and
479 shall state said committee's recommendations with respect to the matters so referred. Matters on
480 which there exists no disagreement between the branches shall not be disturbed by the committee
481 on conference.

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

485 11B. No report from a committee of conference shall be considered or acted upon by
486 either branch until the calendar day following the day on which said report shall have been
487 available to the public and to the members of the General Court. The committee shall file its
488 report no later than 5:00 p.m. on the day preceding its consideration and the General Court shall
489 not consider said report before 1 p.m. on the following day, except that a report from such
490 committee of conference that it is unable to agree may be considered and acted upon at the time

491 that such report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September
492 20, 2005; Feb. 3, 2011.]

493 11C. Reports, other than those filed under Rule 11A, from a committee of conference
494 shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk.
495 [Adopted Feb. 12, 2009; Amended Feb. 3, 2011.]

496 11D. Upon the filing of a report by a committee of conference the clerk of the branch in
497 which the committee of conference filed its report shall make the report and the summary of the
498 report available to all members electronically and to the public on the official website of the
499 General Court by 9 p.m. on the day preceding its consideration. [Adopted Feb. 12, 2009;
500 Amended Feb. 3, 2011; Mar. 14, 2013.]

501 11E. Subsequent to the filing of a report of a committee of conference, an addendum may
502 be submitted to the clerk of the branch in which the report had been filed. The addendum shall
503 indicate that it contains only matters inadvertently omitted from or included in the report, and
504 shall be signed by all of members of the House and Senate who had signed the conference
505 committee report. The addendum shall be approved by both the Counsel to the House and the
506 Counsel to the Senate. The addendum, having been approved by both the Counsel to the House
507 and the Counsel to the Senate, shall be posted to the official website of the General Court
508 immediately upon receipt by the clerk of the branch to which it was submitted. [Adopted Mar.
509 14, 2013.]

510 11F. In the second annual session, (a) no committee of conference shall be appointed
511 after July 15; and (b) no report of a committee of conference shall be filed after July 28.

512

513 Limit of Time allowed for New Business.

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

517 All such matters except messages from the Governor, reports required or authorized to be
518 made to the General Court and petitions filed or approved by the voters of a city or town, or the
519 mayor and city council, or other legislative body of a city, or the town meeting of a town, for the
520 enactment of a special law under Section 8 of Article LXXXIX of the Amendments to the
521 Constitution and which do not affect the powers, duties, etc., of state departments, boards,
522 commissions, etc., or which do not affect generally the laws of the Commonwealth deposited
523 with the respective clerks subsequent to 5 p.m. on the third Friday of January of the first annual
524 session of the General Court shall be referred by the Clerks to the committees on the Rules of the
525 two branches, acting concurrently. No such matter shall be admitted for consideration except on
526 report of the committees on Rules of the two branches, acting concurrently, and then upon
527 approval of 2/3 of the members of each branch voting thereon; provided however, that a matter
528 admitted and referred by one branch shall have its committee referral concurred, or be referred to
529 an alternate committee, within 60 days of the initial referral. Matters upon which suspension of
530 Joint Rule 12 has been negatived shall be placed on file.

531 At any special session called under Rule 26A, however, matters relating to the facts
532 constituting the necessity for convening such session shall, if otherwise admissible, be admitted
533 as though filed seasonably under the first sentence of this rule. Any recommendations from the
534 Governor shall be similarly considered. This rule shall not be rescinded, amended or suspended,

535 except by a concurrent vote of 2/3 of the members of each branch present and voting thereon.
536 [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19
537 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30, 19 23;
538 Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan. 30,
539 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ;
540 Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

541 12A. All formal business of the first annual session of the General Court shall be
542 concluded not later than the third Wednesday in November of that calendar year and all formal
543 business of the second annual session shall be concluded not later than the last day of July of that
544 calendar year.

545 In order to assist the Senate and House in its analysis and appraisal of laws enacted by the
546 General Court, each joint standing committee, upon conclusion of the formal business of the
547 annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings to evaluate the
548 effectiveness, application and administration of the subject matter of laws within the jurisdiction
549 of that committee. Each standing committee shall hold at least one public hearing per legislative
550 session to determine if the agencies and programs that fall under its jurisdiction can achieve
551 savings or operate in a more cost-effective manner, and each committee may report its findings
552 and recommendations to the Clerks of the House and Representatives and the Senate, and to the
553 Chairs of the House and Senate committees on Ways and Means. [Adopted June 12, 1995.]

554 Unfinished Business of the Session.

555 12B. Any matter pending before the General Court at the end of the first annual session
556 and any special session held in the same year shall carry over into the second annual session of

557 the same General Court in the same legislative status as it was at the conclusion of the first
558 annual session or any special session held during that year provided, however that any measure
559 making or supplementing an appropriation for a fiscal year submitted to or returned to the
560 General Court by the Governor, under Article LXIII of the Amendments to the Constitution, in
561 the first annual session or in a special session held during that year shall cease to exist upon the
562 termination of the fiscal year. [Adopted June 12, 1995.]

563 Papers to be deposited with the Clerks.

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

571 A member may include a brief statement of intent with all papers intended for
572 presentation to the General Court. Upon a favorable report by a joint standing committee, a
573 committee may include a brief written statement of intent. Said statement shall be dated and shall
574 include the scope of the matter presented for consideration; provided, however, this rule shall not
575 be construed to require the presentation of such statement of intent under this rule. [Adopted Feb.
576 7, 1890. Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb.
577 15, 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

578 Dockets of Legislative Counsel and Agents.

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

582 Duties of the Clerk.

583 15. If any part of the report of a committee over the signature of the chairs or members of
584 the committee is amended in either branch, the Clerk of that branch shall endorse upon the report
585 such amendment.

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

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

600 18. [Omitted in 1971.]

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

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

609 Presentation and Distribution of Documents.

610 21. The committees on Rules of the two branches, acting concurrently, shall make such
611 changes pertaining to the availability of bills, including petitions not assigned bill numbers, as
612 they deem necessary for expediting the work of the legislature.

613 The Clerks of the House of Representatives and the Senate shall be responsible for
614 publishing the journals of their respective chamber, the book Public Officers of Massachusetts,
615 the committee book and any other publications per order of the committees on Rules. [Amended
616 Jan. 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7,
617 1971; Feb. 12, 2009; Mar. 14, 2013.]

618 Emergency Measures.

619 22. The vote on the preamble of an emergency law, which under the requirements of
620 Article XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall,
621 upon request of 2 members of the Senate or of 5 members of the House of Representatives, be

622 taken by call of the yeas and nays, shall be had after the proposed law has been prepared for final
623 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
624 containing an emergency preamble until it has been determined whether the preamble shall
625 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill
626 may be received in either branch before the adoption of the emergency preamble, and the
627 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the
628 preamble, the bill or resolve shall first be put upon its final passage in the House of
629 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
630 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
631 without the preamble and without any provision that the bill or the resolve shall take effect
632 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules
633 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
634 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

635 22A. Bills and resolves passed to be engrossed by both branches and before being
636 transmitted by the clerks to the Legislative Engrossing Division shall be made available to the
637 committees on Bills in the Third Reading of the two branches, acting jointly, who shall examine
638 them to ensure accuracy in the text; that the legislation is correct as to form; that references to
639 previous amendments to any particular law are correct and to ensure proper consistency with the
640 language of existing statutes. The committees on Bills in the Third Reading of the branches,
641 acting jointly, may delegate responsibility under this rule to the House and Senate Counsel,
642 provided said counsel shall act jointly. The committees on Bills in the Third Reading of the two
643 branches or House and Senate Counsel, may make corrections which are not substantive in
644 nature. The clerks of both branches shall be immediately notified, in writing, of any such

645 changes. Errors discovered by the committees of a substantive nature shall be reported to the
646 General Court, which in turn shall take appropriate action under its rules. Upon completion of
647 examination and possible correction of any such bills and resolves, the bills and resolves shall be
648 returned to the clerks, who in turn, shall transmit them to the Legislative Engrossing Division to
649 be prepared for final passage. If at any other time the Legislative Engrossing Division identifies
650 inaccuracies with the text or form of a bill or resolve which are not of a substantive nature, the
651 Legislative Engrossing Division may, with the approval of the chairs of the committees on Bills
652 in the Third Reading of the two branches, acting jointly, or the Counsels to the House and
653 Senate, acting jointly correct such inaccuracies. [Adopted Sept. 16, 1971.]

654 Legislative Amendments to the Constitution.

655 23. All proposals for amendments to the Constitution referred to a joint committee on the
656 first annual session of the General Court shall be reported by said committee not later than the
657 last Wednesday of April in said year, and proposals for amendments to the Constitution referred
658 to a joint committee subsequent to the last Wednesday in April of the first annual session shall be
659 reported by said committee not later than the last Wednesday of April in the second session of
660 the same General Court. The committee shall file its report, either recommending that the
661 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
662 thereto, with the Clerk of the Senate. When the time within which said committees are required
663 to report has expired, all matters upon which no report has been made shall forthwith be placed
664 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
665 placed on file in the office of the Clerk of the Senate. For further information of the members of
666 the Senate and House of Representatives, the respective Clerks shall also place all such matters
667 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch

668 the report shall be read and forthwith placed on file; and no further legislative action shall be
669 taken on the measure unless consideration in joint session is called for by vote of either branch,
670 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
671 Amendments to the Constitution. A joint committee to which is referred any recommendation for
672 an amendment to the Constitution made by the Governor or contained in a report authorized to
673 be made to the General Court may report on the recommendation a proposal for a legislative
674 amendment, which shall be deemed to have been introduced by the member of the Senate who
675 reports for the committee; and the procedure as regards reporting, filing and subsequent action
676 shall be that provided for legislative amendments by this rule. Or the joint committee may report
677 ought not to pass for the reason that no legislation is necessary or that the recommendation ought
678 not to pass; and in such cases the usual procedure as regards similar reports by joint committees
679 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
680 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
681 proposal, together with the official papers relating to the subject, shall be in the custody of the
682 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
683 together with the other papers, shall be sent to the Senate for its information and shall be kept in
684 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
685 so substituted unless consideration in joint session is called for under the Constitution. If either
686 branch calls for the consideration of any proposal in joint session, notice of its action shall be
687 sent to the other branch; and it shall then be the duty of the Senate and the House of
688 Representatives to arrange for the holding of the joint session not later than the second
689 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
690 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to

691 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
692 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2
693 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
694 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

695 Executive Reorganization Plans.

696 23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under
697 Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the
698 Senate and the House, with the approval of the President and Speaker, to a joint standing
699 committee within 5 days of the presentation of the reorganization plan.

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

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

709 If the committee recommends favorable action, the report shall be that the reorganization
710 plan "ought to be approved". If the committee recommends adverse action, the report shall be
711 that the reorganization plan "ought NOT to be approved." In each instance, the question shall be
712 "Shall this reorganization plan be approved?"

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

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

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

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

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

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

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

738 No such reorganization plan presented to the General Court shall be subject to change or
739 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
740 1969; June 12, 1995; Feb. 12, 2009.]

741 Joint Conventions.

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

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

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

752 Special Sessions.

753 26A. If written statements of 21 members of the Senate and 81 members of the House of
754 Representatives, that in their opinion it is necessary that the General Court assemble in special
755 session on a particular date and time specified in their statements during a recess of the General

756 Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members
757 of their respective branches to assemble at the State House in Boston, on said date at the time so
758 specified. When so assembled, the first business to be taken up shall be the question of the
759 necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the
760 Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House
761 of Representatives judge by vote taken by call of the yeas and nays that such assembling of the
762 General Court is necessary, specifying in such vote the facts constituting such necessity, the
763 General Court shall then complete its organization as a special session, proceed to the
764 consideration of the suspension of Joint Rule 12A which if suspended by the required 2/3 of the
765 members of both branches shall permit the General Court to proceed to the consideration of
766 matters properly before it. Nothing in this rule shall prevent the General Court from assembling
767 in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939. Amended
768 March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September 20, 2005.]

769 Joint Elections.

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

772 27A. In all cases of elections by ballot a majority of the votes cast shall be necessary for a
773 choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated
774 until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count
775 in the enumeration of votes, excepting that when the number of blanks shall be more than the
776 number of votes received by the candidate having the highest number of votes, then the election

777 shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27,
778 1969 .]

779 28. [Omitted March 28, 1972 .]

780 References to the Committees on Rules.

781 29. All motions and orders authorizing joint committees to travel or to employ
782 stenographers, or authorizing joint committees or special commissions composed as a whole or
783 in part of members of the General Court to make investigations or to file special reports, all
784 propositions reported by joint committees which authorize investigations or special reports by
785 joint committees or by special commissions composed as a whole or in part of members of the
786 General Court, all motions or orders proposed for joint adoption which provide that information
787 be transmitted to the General Court, and all matters referred under the second paragraph of Joint
788 Rule 12, shall be referred without debate to the committees on Rules of the two branches acting
789 concurrently, who shall report on the matter, under Joint Rule 10. All matters which have been
790 referred under this rule shall, in each instance, be reported back into the branch making such
791 reference. [Adopted Jan. 10, 1898. Amended Jan. 20, 1904; Jan. 28, 1913; Feb. 19 and Dec. 22,
792 1920; April 11, 1935; April 22, 1937; Jan. 27, 1955; Jan. 30, 1967; Oct. 18, 1971.]

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

799 recommendation of the committees, except by a 4/5 vote of the members of each branch present
800 and voting on the extension. This rule shall not be rescinded, amended or suspended, except by a
801 concurrent vote of 4/5 of the members of each branch present and voting thereon. [Adopted Jan.
802 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27, 1955; June 7, 1965.]

803 Members.

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

810

811 Accommodations for Reporters.

812 32. Subject to the approval and direction of the committees on Rules of the two branches,
813 acting concurrently, during the session, and of the President of the Senate and the Speaker of the
814 House of Representatives after prorogation, the use of the rooms and facilities assigned to
815 reporters in the State House shall be under the control of the organizations of legislative reporters
816 known as the Massachusetts State House Press Association and the State House Broadcasters
817 Association. No person shall be permitted to use such rooms or facilities who is not entitled to
818 the privileges of the reporters' galleries of the Senate or of the House. Within 10 days after the
819 General Court convenes the Massachusetts State House Press Association and the State House
820 Broadcasters Association shall each transmit to the President of the Senate, the Speaker of the

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

824 Suspension of Rules.

825 33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by
826 a concurrent vote of 2/3 of the members of each branch present and voting thereon. [Amended
827 Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26, 2005.]

828 Audit of Accounts.

829 34. The committees on Rules of the 2 branches, acting concurrently, shall provide that an
830 outside independent audit of joint financial accounts be conducted by a certified public
831 accountant no less frequently than at the end of each second fiscal year. A copy of such audit
832 shall be filed with the Clerks of the Senate and House of Representatives and made available for
833 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
834 1985.]

835 35. The committees on Rules of the 2 branches, acting concurrently, shall reexamine the
836 Joint Rules of the House and Senate as needed, but at least every 4 years, and shall report to each
837 branch any recommendations it may have to facilitate the work of the respective branches and
838 the joint standing committees. [Adopted June 12, 1995.]

839 Procurement.

840 36. (a) The House Business Manager and Chief Financial Officer of the Senate shall
841 complete the procurement of all goods and services from the joint legislative account.

842 Procurements for goods or services shall be made from the statewide procurement list
843 established by the operational services division, to the extent practicable, as determined by the
844 House Business Manager and the Chief Financial Officer of the Senate. If the Business Manager
845 and the Chief Financial Officer determine that a procurement cannot be made using the statewide
846 procurement list established by the operational services division, they may procure the required
847 goods or services under subsections (b), (c) or (d).

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

851 (c) If the House Business Manager and the Chief Financial Officer of the Senate seek to
852 procure a supply or service from a vendor not on the statewide procurement list valued at
853 \$10,000 or more, but less than \$100,000, they shall seek quotations from not fewer than 3
854 persons providing such supply or service. The House Business Manager and the Chief Financial
855 Officer of the Senate shall record the names and addresses of all persons from whom quotations
856 were received, the names of the persons submitting quotations and the date and amount of each
857 quotation. The House Business Manager and the Chief Financial Officer of the Senate shall
858 award the contract to the responsible person whose quotation offers the needed quality of supply
859 or service and which represents the best value for the General Court.

860 (d) If the House Business Manager and the Chief Financial Officer of the Senate seek to
861 procure a supply or service from a vendor not on the statewide procurement list valued at
862 \$100,000 or more, the House Business Manager and the Chief Financial Officer of the Senate

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

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

871 (f) Whenever the time required to comply with a requirement of this rule would endanger
872 the health, safety or convenience of the members, staff or visitors to the House of
873 Representatives or Senate the House and Senate Business Managers may make an emergency
874 procurement without satisfying the requirement of this rule; provided, however, that both the
875 House and Senate Business Managers certify in writing that: (i) an emergency exists and explain
876 the nature thereof; (ii) the emergency procurement is limited to only supplies or services
877 necessary to meet the emergency; (iii) shall conform to the requirements of rule to the extent
878 practicable under the circumstances; (iv) each contractor's name, (v) the amount and the type of
879 each contract; (vi) the supplies or services provided under each contract; (vii) and basis for
880 determining the need for an emergency procurement.

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

883 (h) If, in the determination of the House Business Manager and the Chief Financial
884 Officer of the Senate, an emergency procurement of greater than \$10,000 is necessary, the House

885 Business Manager and the Chief Financial Officer of the Senate may procure the goods or
886 services immediately and create and maintain a file explaining the nature of the emergency and
887 the goods or services that were procured as a result. The House Business Manager and the Chief
888 Financial Officer of the Senate shall document the goods or services that were procured, the
889 process used to procure the goods or services, the vendors that were contacted and any other
890 information relevant to the procurement, and make that information available to members of the
891 General Court during regular business hours, unless the information is otherwise protected by
892 state or federal law. [Adopted Mar. 14, 2013.]