

HOUSE No. 2010

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Order relative to the adoption of permanent rules for the House of Representatives for the years 2009-2010.

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

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1. The Speaker shall take the Chair at the hour to which the House stands adjourned,

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call the members to order, and, on the appearance of a quorum, proceed to business. [1.] (Senate

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Rule 1.)

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1A. The House shall not be called to order before the hour of ten o'clock A.M. nor

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meet beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in

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session, the Speaker shall interrupt the business then pending and shall, without debate, place

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before the House the question on suspension of this rule which shall be decided by a majority of

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members present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said

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vote shall permit the House to remain in session until the hour of midnight; provided that the

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session shall not continue beyond the hour of midnight, unless by unanimous consent of the

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members present. The House shall then return to the pending business; and if no matter was

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

17 2. The Speaker shall preserve decorum and order in the House Chamber. While in the
18 House Chamber during formal sessions, members and staff shall be required to dress in proper
19 and appropriate attire and to refrain from the use of cellular telephones, beepers and pagers. The
20 Speaker also may speak to points of order in preference to other members; and shall decide all
21 questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see Rule
22 77.] [Amended Jan. 11, 1985; Jan. 9, 2003.]

23 3. The Speaker shall declare all votes, subject to verification as hereinafter provided.
24 [3.] (55.) [See Rules 49 to 53, inclusive.] [Amended Jan. 11, 1985.]

25 4. In all cases the Speaker may vote. [4.] (3.) [Amended Jan. 11, 1985.]

26 4A. The Speaker may appoint a Speaker pro tempore. The Speaker pro tempore shall
27 assist the Speaker in the coordination of policy development and the ceremonial functions of the
28 House and shall perform such duties assigned to him by the Speaker. Upon a vacancy in the
29 office of Speaker, the office of Speaker pro tempore shall be considered vacant.

30 [Adopted Jan. 26, 2005, Amended, Jan. 23, 2007.]

31 5. The Speaker may appoint a member to perform the duties of the Chair. In the event
32 the Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro
33 tempore shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in
34 the office of Speaker occurs. In the event that the Speaker pro tempore is absent or is unable to

35 perform the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the
36 Second Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.)

37 [Amended April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005.]

38 6. In case of a vacancy in the office of Speaker, or in case the Speaker or the member
39 named by said Speaker in accordance with the preceding rule is absent at the hour to which the
40 House stands adjourned, the senior member present shall call the House to order, and shall
41 preside until a Speaker is elected, which shall be the first business in order. [8.] (5.) [Amended
42 Jan. 11, 1985, Amended, Jan. 23, 2007.]

43 7. At the beginning of the first year of the two year General Court the Speaker shall,
44 unless the House otherwise directs, appoint a Chaplain; and the Speaker shall promptly fill any
45 vacancy in the office of Chaplain. [7A.] (4.) [Amended Jan. 11, 1985.]

46 SCHEDULING.

47 7A. There shall be appointed a standing committee on Steering, Policy and Scheduling
48 consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A,
49 but shall be authorized to meet from time to time at the call of the Chair for the purpose of
50 assisting the members of the House of Representatives in identifying the major matters pending
51 before the General Court, the relative urgency and priority for consideration of such matters, and
52 alternative methods of responding to such matters by the General Court. Said committee shall
53 schedule legislative matters in a manner that will provide for an even distribution and orderly
54 consideration of reports of legislative committees on the daily Calendar. The committee on
55 Steering, Policy and Scheduling shall not be authorized to recommend changes or amendments
56 to legislation or recommend that a matter ought to pass or ought not to pass, but shall only report

57 asking to be discharged from further consideration of a bill, and recommending that it be referred
58 or recommitted to another committee, provided, however, that it shall not recommend that a
59 matter be referred or recommitted to the committee on Rules or the committees on Rules of the
60 two branches, acting concurrently, or what date a matter shall be scheduled for consideration by
61 the House and placed in the Orders of the Day. All reports by the committee on petitions filed or
62 approved by the voters of a city or town, or by the mayor and city council, or other legislative
63 body of a city or the town meeting of a town with respect to a law relating to that city or town
64 shall be read and considered by the House at a formal or informal session before being accepted,
65 rejected or otherwise acted upon. All matters received from the Senate or reported from
66 standing committees of the House and joint standing committees of the General Court shall,
67 unless subject to provisions of any other House or joint rules, be referred to the committee on
68 Steering, Policy and Scheduling. All matters reported by said committee on Steering, Policy and
69 Scheduling recommending that a matter shall be scheduled for consideration by the House shall
70 be placed in the Orders of the Day for the next sitting. Said committee may report on a
71 legislative matter within thirty days following the day the matter was referred. If the committee
72 fails to report a matter within thirty days following the date of its reference, the Clerk shall place
73 the matter on the Calendar of the House as if it had been scheduled for consideration by said
74 committee on Steering, Policy and Scheduling. [Adopted Jan. 14, 1997; Amended Jan. 26,
75 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005.]

76 7B. The committee on Rules shall be authorized to originate and report special orders for
77 the scheduling and consideration of legislation on the floor of the House. Said committee shall
78 not be subject to the notification provisions contained in Rule 17A but may hold public hearings
79 and shall accept testimony only from the members of the House. A majority of the members

80 appointed to the committee shall constitute a quorum. When reported, such orders may be
81 amended by a two-thirds vote of the members present and voting, and shall be subject to
82 approval by a majority of the members of the House present and voting. Debate on the question
83 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this
84 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
85 orders shall not be subject to reconsideration. [Adopted Jan. 14, 1997; Amended Jan. 24, 2001,
86 Feb. 11, 2009.]

87 7C. The committee on Rules may consider and make recommendations designed to
88 improve and expedite the business and procedures of the House and its committees, and to
89 recommend to the House any amendments to the Rules deemed necessary; provided that a
90 majority of the members of the House present and voting shall be required to approve such
91 recommendations. The committee shall be privileged to report at any time. [Adopted Jan. 14,
92 1997.]

93 7D. The Speaker shall, in consultation with the committee on Rules and the committee
94 on Steering, Policy and Scheduling, establish a committee scheduling system that would
95 minimize to the greatest extent possible scheduling conflicts for members of committees. The
96 Speaker shall determine a schedule for the House for each week relative to formal and informal
97 sessions and shall make such schedule available to the members by Thursday of the preceding
98 week; provided, however, that the Speaker may make, notwithstanding the provisions of Rule
99 7A, changes in the schedules to facilitate the business of the House in an efficient and timely
100 fashion. The Speaker shall communicate notice of any such scheduling change to the members in
101 writing or by way of electronic mail as soon as practicable, and whenever possible, the Speaker

102 shall provide such notice not less than twenty-four hours before the event so rescheduled is set to
103 commence. [Adopted Jan. 14, 1997; January 9, 2003.]

104 MONITORS.

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

108 9. If a member transgresses any of the rules after being notified thereof by a monitor, it
109 shall be the duty of such monitor to report the case to the House. It shall be the duty of a
110 monitor to report his or her knowledge of the occurrence of a member voting for another
111 member, in his or her division of the House, to the Speaker of the House and to the Minority
112 Leader. [10.] [See Rules 16 and 16A.] [Amended Jan. 9, 1991; May 5, 1993, Amended Feb.
113 11, 2009.]

114 9A. There shall be established a Floor Division Committee for each of the four
115 divisions of the House. The Speaker shall appoint a Floor Division chairperson for each of the
116 four divisions. Said committee shall consist of the members assigned to the respective divisions.
117 In order to create a continuous flow of debate, each chairperson shall be responsible for
118 reviewing the daily Calendar and providing advance notice to committee members in the
119 respective divisions of all matters scheduled for consideration in the Orders of the Day. Said
120 committee chairpersons shall provide information to members of their committees on pending
121 legislation and other matters of business before the House. In addition to the legislative duties,
122 chairpersons shall oversee the physical appearance of the Chamber and the various areas under
123 the jurisdiction of the House of Representatives. Said chairpersons shall be authorized to act as a

124 committee and may meet at any time at the request of at least two chairpersons. Said
125 chairpersons, as a committee, shall be authorized to meet with the appropriate agencies and
126 historical commissions of the Commonwealth for the purpose of requesting expeditious
127 appraisals and necessary repairs and renovations to the interior and exterior of the State House.
128 The committee of chairpersons shall report directly to the Speaker the results of all consultations.
129 [Adopted Jan. 14, 1997.]

130 CLERK.

131 10. The Clerk shall keep the Journal of the House. The Clerk shall enter therein a
132 record of each day's proceedings and, whenever practicable, submit it to the Speaker and the
133 Minority Leader before the hour fixed for the next sitting, and shall cause the same to be
134 available daily in a format to be determined by the Clerk; and provided further that a copy of said
135 Journal shall also be made available to each member of the House. Any objection to the Journal
136 shall be made before the House proceeds to the consideration of the Orders of the Day. [11.] (6.)
137 [Amended Jan. 12, 1981; Jan 11, 1985; Jan. 17, 1995; Jan. 9, 2003.]

138 10A. The Clerk shall be the official parliamentarian of the House of Representatives.
139 [Adopted Jan. 9, 1991.]

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

143 12. The Clerk shall prepare and make available on each day of formal session a
144 Calendar of matters in order for consideration and such other memoranda as the House or the
145 Speaker may direct. The Clerk shall prepare a Calendar on which shall appear any question on

146 passage of a bill or resolve notwithstanding the objections of His Excellency the Governor which
147 may be considered forthwith at the direction of the House or Speaker. When, in the
148 determination of the Clerk, a volume of matters exists for the next legislative day, the Clerk shall
149 be authorized to prepare and cause to be made available an advance calendar of the matters in
150 order of consideration for the next legislative day and such other memoranda as the House or
151 Speaker may direct. The Clerk may indicate on the advance calendar that the matters contained
152 therein are subject to change. The Clerk shall be authorized to dispense with preparing and
153 making available a Calendar for designated formal sessions of the House only after two-thirds of
154 the members present and voting consent thereto on a recorded yea and nay vote. Debate on this
155 question shall be limited to fifteen minutes, no member shall speak more than three minutes, and
156 such question shall not be subject to reconsideration. The Clerk shall dispense with preparing
157 and making available a Calendar for designated Informal Sessions of the House. As soon as
158 practicable whenever the Clerk prepares a Calendar or advance Calendar under this rule, he also
159 shall cause a true copy thereof to be posted on the Legislative Web Page that is generally
160 available to all members and their staff, and reasonably promptly thereafter he shall cause the
161 members and their staff to be notified of the same by way of electronic mail. [13.] (7.)

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

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

166 13A. The clerk shall make available to all members electronically and, to the public
167 via the Internet, the text of all bills introduced and admitted for consideration in the House.

168 [Adopted, Feb. 11, 2009.]

169 MEMBERS.

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

175 14A. No member shall hold, for more than eight consecutive years, the office of Speaker
176 of the House. For purposes of this rule, the counting of consecutive years shall commence on
177 January 7, 2009.

178 [Adopted, Feb. 11, 2009.]

179 15. When it appears to the presiding officer that the presence of a quorum is
180 endangered, the Chair shall order the doors closed. If a quorum is doubted the Chair shall order
181 the doors closed and thereafter no member shall enter or leave the House until an initial
182 determination has been made as to the presence of a quorum or lack thereof; and thereafter,
183 provided that no quorum is present, no member shall leave the House unless by permission of the
184 presiding officer, but members shall be admitted, at any time. Upon the doubting of a quorum and
185 after ascertaining that a quorum is not present, the Speaker may order a recorded attendance roll
186 call to be taken by use of the electronic roll call system. Said roll call, if ordered, shall be taken
187 at a time determined by the Speaker. Members answering a quorum call shall vote "YES" on the
188 roll call system. [17.] (11.) [Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12,
189 1987; Jan. 9, 1991, Amended Feb 11, 2009.]

190 ETHICS.

191 16. There shall be appointed a committee on Ethics as authorized by Rule 17. The
192 committee shall consist of eleven members, seven of whom shall be appointed by the Speaker,
193 four of whom shall be appointed by the Minority Leader. Any member appointed to this
194 committee shall, upon declaration of candidacy for any other state or federal elective office,
195 remove himself/herself from said committee. The committee shall investigate and evaluate, at the
196 direction of the Speaker, by a sworn written complaint filed and delivered by a member, officer
197 or employee to the chairman, or by a majority vote of the members appointed to the Ethics
198 committee, any matters relative to alleged violations of Rule 16A by a member, officer or
199 employee. Upon the receipt of said sworn written complaint, at the direction of the Speaker or
200 by a majority vote of the members appointed to the Ethics committee, the committee shall notify
201 any person named of the nature of the alleged violation and a list of prospective witnesses, and
202 also shall notify said person of the final disposition and the recommendations, if any, of the
203 committee. Any member, officer, or employee of the House named relative to an alleged
204 violation shall be afforded the opportunity to appear before the committee on Ethics with
205 counsel. All proceedings including the filing of the initial complaint shall be considered
206 confidential information. If the alleged violation received in the manner described above is
207 deemed to have merit by a majority vote of the members appointed to the committee, the
208 committee shall file a report with the Clerk of the House. Said report shall be a public document.
209 The committee shall not disclose any allegation deemed to be frivolous or without merit. If a
210 majority appointed finds that any member of the House, officer, or employee has violated any
211 provision of Rule 16A, a majority appointed may, in the case of a member, recommend a
212 reprimand, censure, removal from a chairmanship or other position of authority, or expulsion;

213 and in the case of an officer or employee, a majority appointed may recommend a reprimand,
214 suspension, or removal from employment. Should such an alleged violation be filed with the
215 committee regarding a member or members of the House Ethics committee, said member or
216 members shall not participate in the committee deliberations on said alleged violation. Any
217 member, officer, or employee of the House may request in writing from the House committee on
218 Ethics an advisory opinion concerning any contemplated personal action or potential personal
219 conflict. The committee on Ethics shall issue written advisory opinions and clarification in
220 response to said written request. The committee shall respond within sixty days of receipt of such
221 a request, unless the General Court has prorogued. In that event, the committee shall respond
222 within thirty days following the opening of the new session. No member, officer, or employee
223 of the House shall be penalized in any manner for having acted within the guidelines of an
224 advisory opinion, provided that all pertinent facts are stated in the original request for an
225 advisory opinion. Any advisory opinion issued by the committee on Ethics shall be valid only for
226 biennial session in which it was issued. The chairman of the Ethics committee may convene
227 the committee at any time. The chairman shall also convene the committee at the written
228 request of at least five members of the committee.

229 The Committee may, upon the written and signed report of two-thirds of the members
230 of the committee, file a special report containing legislation without said legislation being
231 founded upon petition which shall be referred under the provisions of Rule 24 and consistent
232 with the provisions of Joint Rule 13, to the appropriate joint standing committee. Any special
233 report containing legislation filed pursuant to this paragraph shall be germane to subject matters
234 regularly considered by the committee. The committee shall not include in any such special
235 report a bill that would have a fiscal impact as described in Rule 33. Upon convening of the

236 first annual session of the General Court and after the adoption of rules, all members, officers
237 and employees of the House shall be provided with a current copy of the Code of Ethics
238 contained in Rule 16A. [19.] (12A.) [Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995;
239 Mar. 6, 1995; Jan. 14, 1997; Amended Feb. 11, 2009.]

240 CODE OF ETHICS.

241 16A. (1.) While members, officers and employees should not be denied those
242 opportunities available to all other citizens to acquire and retain private, economic and other
243 interests, members, officers, and employees should exercise prudence in any and all such
244 endeavors and make every reasonable effort to avoid transactions, activities, or obligations,
245 which are in substantial conflict with or will substantially impair their independence of
246 judgment. (2.) No member, officer or employee shall solicit or accept any compensation or
247 political contribution other than that provided for by law for the performance of official
248 legislative duties. (3.) No member, officer or employee shall serve as a legislative agent as
249 defined in Chapter 3 of the General Laws regarding any legislation before the General Court.
250 (4.) No member, officer or employee shall receive any compensation or permit any
251 compensation to accrue to his or her beneficial interest by virtue of influence improperly exerted
252 from his or her official position in the House. (5.) No member, officer or employee shall accept
253 employment or engage in any business or professional activity, which will require the disclosure
254 of confidential information gained in the course of, and by reason of, his or her official position.
255 (6.) No member, officer or employee shall willfully and knowingly disclose or use confidential
256 information gained in the course of his or her official position to further his or her own economic
257 interest or that of any other person. (7.) Except as provided in Rule 49, no member shall cast a
258 vote for any other member, nor shall any officer or employee vote for any member, except that

259 the Clerk or an assistant Clerk may record a vote for a member who votes late under the
260 provisions of Rule 52, or is prohibited from voting from his desk due to a malfunction of the
261 electronic roll call voting system; provided the Clerk's action shall not be construed as voting for
262 said member. (8.) No member shall use profane, insulting, or abusive language in the course of
263 public debate in the House Chamber or in testimony before any committee of the General Court.
264 (9.) No member, officer or employee shall employ anyone from public funds who does not
265 perform tasks which contribute substantially to the work of the House and which are
266 commensurate with the compensation received; and no officer or full time employee of the
267 House shall engage in any outside business activity during regular business hours, whether the
268 House is in session or not. All employees of the House are assumed to be full time unless their
269 personnel record indicates otherwise. (10.) No member, officer or employee shall accept or
270 solicit compensation for non-legislative services which is in excess of the usual and customary
271 value of such services. (11.) No member, officer or employee shall accept or solicit an
272 honorarium for a speech, writing for publication, or other activity from any person, organization
273 or enterprise having a direct interest in legislation or matters before any agency, authority, board
274 or commission of the Commonwealth which is in excess of the usual and customary value of
275 such services. (12.) No member, officer or employee shall knowingly accept any gifts from any
276 legislative or executive agent. No member, officer or employee shall accept any gift from any
277 person or entity having a direct interest in legislation before the General Court (For the purpose
278 of this paragraph, the definitions of "gift" and "person" are defined in chapter 268B, section 1(g)
279 and 1(m).). (13.) No member shall convert campaign funds to personal use in excess of
280 reimbursements for legitimate and verifiable campaign expenditures. Members shall consider all
281 proceeds from testimonial dinners and other fund raising activities as campaign funds. (14.) No

282 member shall serve on any committee or vote on any question in which his/her private right is
283 immediately concerned, distinct from the public interest. [19.] (15.) No member, officer or
284 employee shall violate the confidentiality of any proceeding before the Ethics committee. [19A.]
285 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Amended Feb. 11, 2009.]

286 16B. The Committee on Personnel and Administration shall develop and conduct an
287 ethics law training program for every member, officer and employee of the House; provided
288 further, that said training program shall include, without limitation, a detailed review of the
289 requirements and prohibitions of chapter 268A and chapter 268B of the General Laws; and
290 provided further, that said training program shall be offered no later than July 1 of the first
291 biennial session of the General Court and shall be mandatory for all members, officers and
292 employees. [Adopted Jan. 9, 2003, Amended Feb. 11, 2009.]

293 16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical
294 conduct of public officials shall, after their first reading, be referred to the committee on Ethics,
295 for report on their relation to the ethics laws of the Commonwealth. No new provisions shall be
296 added to such measures by the committee, unless directly pertaining to ethics.

297 [Adopted Feb. 11, 2009.]

298 COMMITTEES.

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

301 A committee on Rules;

302 (to consist of fifteen members).

303 A committee on Ways and Means;

304 (to consist of thirty-two members).

305 A committee on Bills in the Third Reading;

306 (to consist of three members).

307 A committee of each Floor Division;

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

309 A committee on Ethics;

310 (to consist of eleven members).

311 A committee on Personnel and Administration;

312 (to consist of thirteen members).

313 A committee on Post Audit and Oversight;

314 (to consist of eleven members).

315 A committee on Steering, Policy and Scheduling;

316 (to consist of eleven members).

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

318 (to consist of eleven members).

319 A committee on Global Warming and Climate Change;

320 (to consist of eleven members).

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

323 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993;
324 Oct. 6, 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005, Amended Feb. 11,
325 2009.]

326 17A. (a) For the purposes of this rule, the following terms shall, unless the context
327 clearly requires otherwise, have the following meanings: “Deliberation”, a verbal exchange
328 between a quorum of members of a committee attempting to arrive at a decision on any public
329 business within its jurisdiction. “Emergency”, a sudden generally unexpected occurrence or set
330 of circumstances demanding immediate action. “Executive conference”, any meeting or part of
331 a meeting of a committee which is closed to certain persons for deliberation on certain matters.

332 “Executive session”, any meeting or part of a meeting of a committee wherein the
333 committee is voting on legislation and where public participation is limited to observance.
334 “Meeting”, any corporal convening and deliberation of a committee for which a quorum is
335 required in order to make a decision at which any public policy matter over which the committee
336 has supervision, control, jurisdiction or advisory power is discussed or considered; provided,
337 however, that “meeting” shall not include an on-site visitation or inspection of any project or
338 program. “Quorum”, a simple majority of a committee unless otherwise defined by
339 constitution, rule or law applicable to such committee; provided further, that a quorum shall be
340 presumed to be present unless otherwise doubted. (b) All meetings, except executive
341 conferences, of House standing and special committees, shall be open to the public and any

342 person shall be permitted to attend any meeting except as otherwise provided pursuant to this
343 rule or Rule 7A. No quorum of a committee shall meet in private for the purpose of
344 deliberation except as provided pursuant to this rule. No executive session shall be held until:
345 (i) the committee has first convened in an open session for which notice has been given; (ii) the
346 presiding officer has stated the authorized purpose of the executive session; (iii) a majority of the
347 members of the committee present have voted to go into executive session and the vote of each
348 member has been recorded on a roll call vote and entered into the minutes: and (iv) the presiding
349 officer has stated before the executive session if the committee will reconvene after the executive
350 session.

351 (c) Executive conferences shall be held only for the following purposes: (i) to discuss the
352 reputation, character, physical condition or mental health rather than the professional
353 competence of a member, officer or employee; (ii) to consider the discipline or dismissal of, or
354 to hear complaints or charges brought against, a member, officer or employee; (iii) to discuss
355 strategy with respect to litigation if an executive session or other open meeting may have a
356 detrimental effect on the legal position of the committee; or (iv) to consider the purchase,
357 exchange, lease or value of real property, if such discussions may have a detrimental effect on
358 the negotiating position of the Commonwealth or a person, firm or corporation.

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

365 A member, officer or employee subject to an executive conference pursuant to clause (i)
366 or clause (ii) shall have the right to: (a) be present at such executive conference during
367 discussions or considerations which involve that member, officer or employee; (b) have counsel
368 or a representative of his/her own choosing present and attending for the purpose of advising said
369 member, officer or employee; provided, however, that said counsel or representative shall not
370 actively participate in the executive conference; and (c) to speak on his/her own behalf to the
371 committee assembled in executive conference. (d) This rule shall not apply to any chance
372 meeting or social meeting at which matters relating to official business are discussed so long as
373 no final agreement is reached. No chance meeting or social meeting shall be used in
374 circumvention of the spirit or requirements of this section to discuss or act upon a matter over
375 which the committee has supervision, control, jurisdiction, or advisory power. (e) Except
376 pursuant to an emergency, a notice and agenda of every meeting of a committee subject to this
377 rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the bulletin board
378 outside the Clerk's Office and in such other places as are designated in advance for such purpose
379 by said Clerk, made available to all members electronically and made available to the public via
380 the Internet at least forty-eight hours, including Saturdays, but not Sundays and legal holidays,
381 prior to the time of such meeting and a list of the bills, petitions, and resolutions to be considered
382 for a vote or other action by the committee. The notice shall include the date, time and place of
383 such meeting. Such filing and posting shall be the responsibility of the committee scheduling
384 such meeting. The notice and posting requirements shall not apply to executive conferences held
385 pursuant to clause (i) or clause (ii) of part (c) of this rule unless the member, officer or employee
386 subject to the executive conference requests that the executive conference be open to the public,
387 (f) A committee shall maintain accurate records of its meetings and hearings setting forth the

388 date, time and place thereof, and recording any action taken at each meeting, hearing, executive
389 conference or executive session. All votes requested to be taken in executive sessions shall be
390 recorded roll call votes and shall become a part of the record of said executive sessions. The
391 record of each meeting shall become a public record and be available to the public; provided,
392 however, that the records of any executive conference shall remain secret as long as publication
393 may defeat the lawful purposes of the executive conference. (g) Upon prior notification and
394 approval of the chair, a meeting of a committee may be recorded by a person in attendance by
395 means of a recorder or any other means of audio/visual reproduction; provided, however, that
396 said recording shall not interfere with the conduct of the meeting. Executive conferences
397 conducted pursuant to clause (i) or clause (11) of part (c) of this rule shall not be recorded unless
398 upon the request of the member, officer or employee who is subject to said executive conference.
399 Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule may be
400 recorded at the discretion of the chair.

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

406 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995; Jan.
407 14, 1997; Jan. 9, 2003, Jan. 23, 2007, Feb. 11, 2009; Amended Feb. 11, 2009.]

408 17B. Whenever any member of a House committee present at the committee meeting
409 so requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote
410 of the full committee. Such votes shall be recorded on appropriate forms that show all votes for

411 and against the particular committee action. The record of all such roll calls shall be kept in the
412 offices of the committee and shall be available for public inspection. No report of a House
413 committee on any legislation shall be final until those members of the committee present and
414 voting with the majority have been given the opportunity to sign such appropriate forms before
415 the report is made to the House. No signature shall be valid unless the forms to which the
416 signatures are affixed include the substantially complete text of the legislation being reported.
417 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987.]

418 17C. There shall be a committee on Personnel and Administration on the part of the
419 House consisting of thirteen members. Said committee shall be responsible for the allocation of
420 office space as equitably as possible among the various members and joint and standing
421 committees on the part of the House and their respective staff. The committee shall allocate
422 space among the various committees on the part of the House taking into account the work load,
423 duties and responsibilities and size of staff of each. The Speaker may make temporary office
424 assignments in accordance with the foregoing principles. The committee on Personnel and
425 Administration may from time to time make changes in the assignment of office space for
426 committees and the various staffs in accordance with the established standards. Said committee
427 shall establish the staffing levels and positions for each joint and standing committee of the
428 House together with a classification plan for all employees of the House of Representatives.
429 For each person who is employed or is to be employed by a joint or standing committee on the
430 part of the House, each committee chairman shall nominate each such person and the House
431 members of the committee by a majority vote shall vote on whether to approve each said
432 nominee. The House members of the committee shall approve such persons whose character and
433 qualifications are acceptable to the majority of the House members of the committee and are in

434 accordance with the qualifications established by the Personnel and Administration committee.
435 The chairman of each standing committee shall have the authority to discharge an employee.
436 The House staff members of each committee shall be appointed solely on the basis of fitness to
437 perform the duties of their respective positions and consistent with section four of chapter one
438 hundred fifty-one B of the General Laws. The committee staff shall not: (1) engage in any
439 work other than committee business during business hours; and (2) be assigned any duties
440 other than those pertaining to committee business. The committee shall meet on request of the
441 chairman or any three members of the committee. Any such meeting requested shall be convened
442 on or within the fifth business day following such request. All such requests shall be in writing
443 and forwarded to the chairman and each member of the committee. Funds shall be allocated
444 from the budget to carry out the determination of the committee. [Adopted Jan. 11, 1985;
445 Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Amended Feb. 11, 2009.]

446

447 17D. [Omitted Jan. 26, 2005.]

448 17E. [Omitted Jan. 26, 2005.]

449 17F. [Omitted Jan. 26, 2005.]

450 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all
451 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see
452 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said
453 committee shall be responsible for evaluating such legislation and determining the
454 appropriateness of enacting legislation containing increased bond authorizations for the
455 Commonwealth. The committee shall periodically review and hold open public hearings,

456 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,
457 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation
458 debt. The committee shall also, in its continuing study of the state's bonding practices, review
459 the Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and
460 (3) indirect obligations.

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

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

471 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to
472 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and
473 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital
474 funds by the various agencies and authorities of the Commonwealth. The committee shall
475 determine whether such laws, administrative regulations and programs are being implemented in
476 accordance with the intent of the General Court. The committee shall be authorized to make
477 recommendations for statutory changes and changes in the Constitution which would grant

478 discretion to the General Court over the allotment and expenditure of fund authorized by capital
479 appropriations.

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

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

487 [Adopted Feb. 11, 2009.]

488 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro
489 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader, and Second Assistant
490 Majority Floor Leader. The Minority Leader shall appoint, and may recommend the removal of,
491 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and Third
492 Assistant Minority Floor Leader. The Minority Leader shall be that member of the minority party
493 who is selected for that position by the members of his/her party. Each of the foregoing
494 appointments and/or removals shall be ratified by a majority vote of the respective party caucus.
495 In the event that an appointment is rejected by such caucus another appointment shall be made
496 by the person designated to make the initial appointment, which shall also be subject to
497 ratification in the same manner. The Speaker shall appoint, and may recommend the removal
498 of, the chair of each standing committee. The Speaker shall appoint, and may recommend the
499 removal of, the vice chair and assistant vice chair of the Ways and Means committee and the vice

500 chair of the Post Audit and Oversight committee. The majority party shall then vote to accept
501 or reject each such appointment and/or recommendation for removal by a majority vote. In the
502 event that any such appointment is rejected by the caucus, the procedure of this rule shall be
503 repeated until an appointment for the said position has been approved by the caucus. A vacancy
504 in any position to which the provisions of this section apply shall be filled in the same manner as
505 provided in this section for original appointment.

506 The Speaker and the Minority Leader may, without a majority vote of their respective
507 parties, remove a member appointed to pursuant to this rule who has been criminally indicted by
508 a court of competent jurisdiction. [Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan.
509 9, 1991; Jan. 14, 1997, Jan. 23, 2007; Amended Feb. 11, 2009.]

510 18A. There shall be one member of the minority party on all committees of conference
511 and one on the committee on Bills in the Third Reading. On all other standing and joint
512 committees, the percent of minority party membership shall be at least equal to the percent of
513 minority party membership in the House of Representatives as of the first day of the session;
514 provided, further, that where such percentage results in a fraction of a number, the fraction shall
515 be rounded off to the nearest whole; provided, however, that the minority party shall under no
516 circumstances have less than four members on the committee on Ethics, four on the committee
517 on Personnel and Administration, three on the committee on Rules and six on the committee on
518 Ways and Means. In no case shall minority party representation be less than two members on all
519 other standing and joint committees. The Speaker and the Minority Leader shall appoint the
520 members of their respective party caucuses to be assigned to each standing committee. The
521 Speaker shall appoint the vice chair of each standing committee. The appointments, except those
522 to which Rule 18 applies, shall be voted upon together and shall be subject to ratification by

523 majority vote of the appropriate party caucus. No member shall be removed from a standing
524 committee except upon the recommendation of the Speaker or Minority Leader, as the case may
525 be, subject to the ratification by their respective caucuses; provided, however, that the Speaker
526 and the Minority Leader may, without a majority vote of their respective parties, remove a
527 member appointed to pursuant to this rule who has been criminally indicted by a court of
528 competent jurisdiction; and provided further, that if any vacancy occurs in a position to which
529 Rule 18 does not apply, subsequent to the initial ratification, the Speaker or Minority Leader
530 shall fill such vacancy. The Speaker shall announce committee appointments of majority party
531 members, and the member first named shall be chairman, and the second named member shall be
532 vice-chairman. The Minority Leader shall announce committee appointments of minority party
533 members. (13.) [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997;
534 Amended Feb. 11, 2009.]

535 18B. All votes on ratification by the caucus required by these rules shall be by written
536 ballot and shall require a majority of those present and voting. [Adopted Jan. 11, 1985.]

537 19. A majority and minority party caucus may be called by the Speaker or Minority
538 Leader, respectively, or upon petition of twenty-five percent of the members of the respective
539 party caucus. A caucus may entertain resolutions, motions, or other means of ascertaining the
540 sense of the respective party members on any subject. (13B.) [Adopted Nov. 17, 1983;
541 Amended Jan. 11, 1985.]

542 19A. The majority party and minority party shall establish caucus rules that shall
543 dictate the procedures of each caucus. [Adopted Nov. 17, 1983; Amended Jan. 14, 1997.]

544 20. The committee on Ways and Means shall report in appropriation bills the total
545 amount appropriated. The General Appropriation Bill shall be available to the members at least
546 seven calendar days prior to consideration thereof by the House. [25.] (27A.) [Amended Jan.
547 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005.]

548 20A. Notwithstanding the provisions of Rule 33A, amendments to the General
549 Appropriation Bill shall be filed with the Clerk of the House in a format to be determined by the
550 Clerk by five o'clock P.M. within the close of three business days of said General Appropriation
551 bill being made available in a format to be determined by the Clerk and release of said document
552 by said Clerk if the release of said document occurs by two o'clock P.M. Otherwise, the day
553 following the release shall be considered the first business day. The Clerk, with the assistance of
554 the committee on Ways and Means, shall categorize the subject-matter of the amendments and
555 arrange such amendments for consideration sequentially by subject as appearing in the printed
556 version of the General Appropriation Bill, or the Clerk, with the assistance of the committee on
557 Ways and Means, shall categorize the subject-matter of the amendments and arrange such
558 subject matters for consideration as determined by the committee on Ways and Means. Debate
559 on the General Appropriation Bill shall not commence until a date and time to be determined by
560 the House which is subsequent to the designated time established for filing of amendments.
561 Before the main question on the General Appropriation Bill is placed before the House, an
562 amendment may be postponed or withdrawn at the request of the primary sponsor of the
563 amendment or postponed by the committee on Ways and Means; provided that further
564 consideration of any amendment so postponed shall take place immediately subsequent to
565 consideration of the amendments within the particular subject-matter to which the postponed
566 amendment was assigned according to the provisions of paragraph one of said rule; provided that

567 if more than one amendment is so postponed, subsequent consideration of said amendments shall
568 be in the order determined by the committee on Ways and Means; provided further, an
569 amendment so postponed shall not be subsequently considered outside of its assigned subject-
570 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
571 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
572 said Clerk and shall include an original copy only; and provided further that perfecting or
573 substitute amendments, including, but not limited to an amendment consolidating more than one
574 amendment, may be submitted by the committee on Ways and Means during consideration of the
575 subject category to which the amendment or amendments were assigned; provided, however, that
576 an amendment may be removed from the consolidated amendment at the request of the sponsor
577 of said amendment for the purpose of it being offered as a further amendment to the consolidated
578 amendment. [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

579 20B. When the General Appropriation Bill is reported by the committee on Ways and
580 Means it shall be made available to all members electronically and to the public via the Internet
581 in a format to be determined by the Speaker in consultation with the Clerk. The committee on
582 Ways and Means shall provide the membership with a copy of its proposed text of said General
583 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
584 a short summary of each outside section prior to full House consideration of such bill. When the
585 House considers said General Appropriation Bill, it shall be read a second time and forthwith
586 ordered to a third reading without any amendments. The bill shall be immediately read a third
587 time and then be open to amendments as previously determined by the House. [Adopted Jan.
588 9, 2003, Jan. 23, 2007; Amended Feb. 11, 2009.]

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

595 22. Bills and resolves when ordered to a third reading shall be referred forthwith to the
596 committee on Bills in the Third Reading, which shall examine and correct them, for the purpose
597 of avoiding repetitions and unconstitutional provisions, and insuring accuracy in the text and
598 references, and consistency with the language of existing statutes; but any change in the sense or
599 legal effect, or any material change in construction, shall be reported to the House as an
600 amendment. The committee may consolidate into one bill any two or more related bills referred
601 to it, whenever legislation may be simplified thereby. Resolutions received from and adopted by
602 the Senate or introduced or reported into the House, after they are read and before they are
603 adopted, shall be referred to the committee on Bills in the Third Reading. Amendments of bills,
604 resolves and resolutions adopted by the Senate and sent to the House for concurrence, shall,
605 subsequently to the procedure required by rule thirty-five in respect to amendments, also be
606 referred, in like manner, to the committee on Bills in the Third Reading. When a bill, resolve or
607 resolution has been so referred, no further action shall be taken until report thereon has been
608 made by the committee. Accompanying said report shall be a written explanation prepared by the
609 committee defining any changes made in a bill, resolve or resolution so as to facilitate the
610 proceedings of the House. If a bill or resolve referred to the committee on Bills in the Third
611 Reading requires a two-thirds vote because it contains an emergency preamble, or if it provides

612 for the borrowing of money by the Commonwealth and comes within the provisions of Section 3
613 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or
614 pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of
615 Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or
616 provides, upon recommendation of the Governor, for a special law relating to an individual city
617 or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the
618 Amendments to the Constitution or provides for environmental protection within the provisions
619 of Article XLIX as amended by Article XCVII, the committee shall plainly indicate the fact on
620 the outside of the bill or resolve, or on a wrapper or label attached thereto. [26.] (33.)
621 [Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993.]

622 23. Bills and resolves prepared for final passage shall be certified by the Clerk of the
623 House, after comparison, to be the same as the bills or resolves passed to be engrossed; and if
624 found to be properly prepared, the Clerk shall so endorse on the envelope thereof; and the
625 question on enactment or final passage or adopting an emergency preamble shall be taken
626 thereon, without further reading, unless specifically ordered. When a bill or resolve prepared
627 for final passage contains an emergency preamble or when it provides for the borrowing of
628 money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of
629 the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit
630 of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended
631 by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation
632 of the Governor, for a special law relating to an individual city or town and comes within the
633 provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution,
634 or provides for environmental protection within the provisions of Article XLIX as amended by

635 Article XCVII, the Clerk shall plainly indicate the fact on the envelope thereof. [27.] (34.) [See
636 Rule 40.] [Amended Jan. 12, 1983.]

637 23A. No member of the House, except the Speaker, Speaker pro tempore, Majority
638 Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader,
639 Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader,
640 Vice-Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the
641 Committee on Ways and Means and committee chairmen with respect to committee business,
642 shall receive privileges or compensation greater than any other member for postage. [Adopted
643 Jan. 11, 1985; Amended Jan. 24, 2001; Jan. 26, 2005.]

644 24. (1) Petitions, recommendations and reports of state officials, departments,
645 commissions and boards, special reports including legislation initiated by the Committee on
646 Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding, Capital
647 Expenditures and State Assets pursuant to Rule 17G and reports of special committees and
648 commissions, shall be filed with the Clerk in a format to be determined by said Clerk, who shall,
649 unless they are subject to other provisions of these rules or the rules of the two branches, refer
650 them, with the approval of the Speaker, to the appropriate committees, subject to such change of
651 reference as the House may make. The reading of all such documents may be dispensed with, but
652 they shall be entered in the Journal of the same or the next legislative day after such reference
653 except as provided in joint rule thirteen. (2) All orders, including motions or orders proposed
654 for joint adoption, resolutions and other papers intended for presentation, except those
655 hereinbefore mentioned, shall be filed with the Clerk in a format to be determined by said Clerk,
656 who shall, prior to the procedure required by other provisions of these rules or of the rules of the
657 two branches, refer them to the committee on Rules. (3) Petitions and other papers so filed

658 which are subject to the provisions of joint rule seven A, seven B, or nine, shall be referred by
659 the Clerk to the committee on Rules. Petitions and other papers so filed, which are subject to the
660 provisions of the second paragraph of Joint Rule 12, shall, prior to the procedure required by said
661 rule, be referred by the Clerk to the committee on Rules. The reading of all such papers may be
662 dispensed with, but they shall be entered in the Journal of the same or the next legislative day
663 after such reference. (4) Matters which have been placed on file during the preceding year may
664 be taken from the files by the Clerk upon request of any member or member-elect; and matters
665 so taken from the files shall be referred or otherwise disposed of as provided above. (5)
666 Recommendations and special reports of state officials, departments, commissions and boards,
667 reports of special committees and commissions, bills and resolves accompanying petitions,
668 recommendations and reports, and resolutions shall be made available under the direction of the
669 Clerk, who may cause to be made available, with the approval of the Speaker, any other
670 documents filed as herein provided.

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

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

680 (8) Debate upon the suspension of this rule shall be limited to ten minutes, three
681 minutes for each member, and the Speaker shall recognize the member presenting the order,
682 resolution or petition first; provided, however, that suspension of this rule shall require
683 unanimous consent of the members present. Any order, except such order that would amend the
684 Rules of the House, resolution or petition referred to the committee on Rules after the question of
685 suspension of this rule has been negatived, or any order, resolution or petition filed after the
686 beginning of the session and referred to the committee on Rules, shall not be discharged from
687 said committee except by unanimous consent of the House. Motions to discharge the committee
688 on Rules shall be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36
689 and 85.] [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Amended Feb.
690 11, 2009.]

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

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

703 [Amended Feb. 11, 2009.]

704 27. With the exception of matters referred to the committee on Rules under the
705 provisions of paragraph (3) of rule twenty-four, committees shall report on all matters referred to
706 them. The committee on Ways and Means shall report the General Appropriation Bill not later
707 than the second Wednesday of May; and provided further that said committee shall make
708 available to the members all data compiled for justification of budgetary recommendations in all
709 appropriation bills. [33.] [Amended April 18, 1979; Jan. 14, 1997.]

710 27A. [Omitted Jan. 23, 2007.]

711 28. (1) Motions directing the committee on Ways and Means to report certain matters to
712 the House, or motions discharging said committees from further consideration of certain matters,
713 shall not be considered until the expiration of seven calendar days and shall require a majority
714 vote of the members present and voting for adoption. Committees so directed to report shall file
715 a report with the Clerk within four legislative days. The committee on Ways and Means may not
716 be directed to report or be discharged from further consideration of any appropriation or capital
717 outlay measure. (2) The committee on Rules, except as provided in Rule 24, and the committee
718 on Bills in the Third Reading shall not be discharged from consideration of any measure or be
719 directed to report on any measure within ten calendar days of its reference without the
720 unanimous consent of the House, or after such ten day period except by a vote of a majority of
721 the members present and voting thereon. (3) Matters discharged under the provisions of this
722 rule shall be placed in the Orders of the Day for the next sitting. Petitions discharged under the
723 provisions of this rule shall be considered as favorably reported and the bill, resolve, resolution
724 or order accompanying such petitions shall be placed in the Orders of the Day for the next

725 sitting. (4) During the last week of the session the provisions of paragraphs (1) and (3) of this
726 rule shall be inoperative. (5) A second motion to discharge a matter from a committee or a
727 second motion to direct a committee to report a matter shall not be entertained until the first such
728 motion has been disposed of. (6) As an alternative procedure to that provided under the
729 provisions of this rule, the members of the House may, by filing a petition signed by a majority
730 of the members elected to the House, discharge the House committee on Ways and Means, the
731 House committee on Bills in the Third Reading, and the House committee on Rules from further
732 consideration of a legislative matter. Seven days following the filing of the petition with the
733 House Clerk, the committee shall be discharged from further consideration of the legislative
734 matter specified in the petition and the House Clerk shall place the matter in the Orders of the
735 Day for the next calendar day that the House is meeting. (7) For the purpose of this rule,
736 matters not appearing on the Calendar which are not before any committee shall be deemed to be
737 before the Rules committee. Notwithstanding the previous sentence, a bill which has been
738 engrossed by the House and Senate, shall be placed before the House for enactment. Any
739 member may request to the House that a matter, engrossed in the House and Senate, returned for
740 final passage by the engrossing division and reviewed and released by the Committee on Bills in
741 Third Reading be placed before the House for enactment. The Speaker shall, in response to such
742 a request of a member, put the matter before the House at the conclusion of the matter then
743 pending. (8) This rule shall not be suspended unless by unanimous consent of the members
744 present. (27C, 32A.) [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983;
745 Jan. 11, 1985; Jan. 9, 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23,
746 2007.]

747 28A. The committee on Bills in the Third Reading shall report on a legislative matter
748 not later than forty-five days following the day the matter was referred to it. The Clerk shall
749 indicate on the Calendar entry of every matter before the Committee on Bills in the Third
750 Reading the date that said matter was referred to said committee. [Adopted Jan. 11, 1985;
751 Amended Jan. 9, 2003.]

752 REGULAR COURSE OF PROCEEDINGS.

753 Petitions.

754 29. The member presenting a petition shall endorse his/her name thereon; and the
755 reading thereof shall be dispensed with, unless specially ordered. [37.] (18.) [Amended Jan. 11,
756 1985.]

757 Motions Contemplating Legislation, etc.

758 30. All motions contemplating legislation shall be founded upon petition, except as
759 follows: The committee on Ways and Means may originate and report appropriation bills as
760 provided in rule twenty. Messages from the Governor shall, unless otherwise ordered, be referred
761 to the appropriate committee, which may report by bill or otherwise thereon. A similar
762 disposition shall, unless otherwise ordered, be made of reports by state officers and committees
763 authorized to report to the Legislature, and similar action may be had thereon. Messages from
764 the Governor returning appropriation bills, or parts of appropriation bills, with objections or
765 reductions of sections or items thereof, shall be reconsidered subsequent to a report of the
766 committee on Ways and Means. [40.] (19.) [Amended Jan. 24, 2001.]

767 Bills and Resolves.

768 31. Bills shall be drafted in a format approved by the Counsel to the House and
769 submitted in a format to be determined by the Clerk. Bills amending existing laws shall not
770 provide for striking words from, or inserting words in, such laws, unless such course is best
771 calculated to show clearly the subject and nature of the amendment. No repealed law, and no part
772 of any repealed law, shall be re-enacted by reference merely. [42.] (17.) [Amended Jan. 9,
773 2003; Jan. 26, 2005.]

774 32. If a committee to which a bill is referred reports that the same ought not to pass,
775 the question shall be “Shall this bill be rejected?”. If the question on rejection is negatived, the
776 bill, if it has been read but once, shall go to a second reading without question; otherwise it shall
777 be placed in the Orders of the Day for the next day, pending the question on ordering to a third
778 reading, or to engrossment, as the case may be. [43.] (30.)

779 32A. [Omitted Jan. 26, 2005.]

780 33. Bills involving an expenditure of public money or grant of public property, or
781 otherwise affecting the state finances, unless the subject matter has been acted upon by the joint
782 committee on Ways and Means, shall, after their first reading, be referred to the committee on
783 Ways and Means, for report on their relation to the finances of the Commonwealth. New
784 provisions shall not be added to such bills by the committee on Ways and Means, unless directly
785 connected with the financial features thereof. Orders reported in the House or received from
786 the Senate involving the expenditure of public money for special committees, shall, before the
787 question is taken on the adoption thereof, be referred to the committee on Ways and Means,
788 whose duty it shall be to report on their relation to the finances of the Commonwealth. Every
789 such bill involving a capital expenditure for new projects, or an appropriation for repairs, or any

790 legislation, the cost of which, in the opinion of the committee, exceeds the sum of one hundred
791 thousand dollars when reported into the House by the committee on Ways and Means, shall be
792 accompanied by a fiscal note indicating the amount of public money which will be required to be
793 expended to carry out the provisions of the proposed legislation, together with an estimate of the
794 cost of operation and maintenance for the first year if a new project is involved. [44.] (27.)

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

796 33A. Copies of all bills shall be available, in a format to be determined by the Speaker
797 in consultation with the Clerk, to all members of the House and the public at least twenty-four
798 hours in advance of consideration by the House. All amendments offered by members to any
799 legislative matter in the House shall be submitted in a format to be determined by the Speaker in
800 consultation with the Clerk; and shall be considered chronologically as submitted to the Clerk,
801 except for an amendment in the second degree; provided that all of said amendments shall be
802 double spaced and drafted in proper form; and provided further that there shall be available to the
803 members a duplicate copy of each amendment. (33A.) [Adopted Nov. 17, 1983; Amended
804 Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17, 1995; Jan. 9, 2003; Jan. 26, 2005, Jan. 23,
805 2007.]

806 33B. [Omitted Jan. 26, 2005.]

807 33C. [Omitted Jan. 26, 2005.]

808 33D. [Omitted Jan. 26, 2005.]

809 34. Bills from the Senate, after their first reading, shall be referred to a committee of
810 the House. [45.] (26.) [Amended Jan. 26, 1999.]

811 35. Amendments proposed by the Senate, and sent back to the House for concurrence,
812 shall be referred to the committee on Bills in Third Reading, provided that amendments affecting
813 state finances shall be referred to the committee on Ways and Means on the part of the House.
814 [46.] (36.) [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007.]

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

817 37. Bills, resolves and other papers that have been, or, under the rules or usage of the
818 House, are to be made available in a format to be determined by the Speaker in consultation with
819 the Clerk, shall be read by their titles only, unless the full reading is requested by vote of a
820 majority of those members present and voting. [Amended Jan. 9, 2003, Amended, Jan. 23,
821 2007.] [48.] (29.)

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

826 39. No bill shall be passed to be engrossed without having been read on three separate
827 legislative days. [51.] (28.) [Amended Jan. 11, 1985.]

828 40. No engrossed bill shall be amended, except by striking out the enacting clause. A
829 motion to strike out the enacting clause of a bill shall be received when the bill is before the
830 House for enactment. If the bill contains an emergency preamble, a motion to amend the bill may
831 be received before the adoption of the emergency preamble, and the amendment may contain a
832 new emergency preamble. This rule shall not apply to a bill or resolve returned by the Governor

833 with a recommendation of amendment in accordance with the provisions of Article LVI of the
834 Amendments to the Constitution; nor shall it apply to amendments of engrossed bills proposed
835 by the Senate and sent to the House for concurrence, which amendments shall be subject to the
836 provisions of rule thirty-five. [53.] (49.) [Amended, Jan. 23, 2007.]

837 41. Bills received from the Senate and bills reported favorably by committees, when not
838 referred to another standing committee of the House, shall, prior to being placed in the Orders of
839 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received
840 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for
841 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)
842 [Amended Jan. 14, 1997; Jan. 26, 1999.]

843 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
844 adoption, after they are received from the Senate, or made in the House, as the case may be,
845 shall, unless subject to the provisions of any other House or joint rules, be referred to the
846 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
847 be discharged from further consideration of a subject, and recommending that it be referred or
848 recommitted to another committee, or a report of a committee recommending that a matter be
849 placed on file, shall be immediately considered. Reports of committees on proposals for
850 amendments to the Constitution shall be dealt with in accordance with the provisions of joint rule
851 twenty-three. [57.] (36.) [Amended Jan. 14, 1997.]

852 42A. The Clerk shall, prior to three o'clock P.M., on the day preceding a session, make
853 available by electronic communication or other means, a list of all reports of the committee on

854 Steering, Policy and Scheduling, asking to be discharged from further consideration of subjects,
855 and recommending that the subjects be referred to other committees.

856 [Adopted Jan. 26, 2005.]

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

859 Special Rules Affecting the Course of Proceedings.

860 44. The Speaker may designate when an informal session of the House shall be held
861 provided said Speaker gives notice of such informal session at a prior session of the House. The
862 Speaker may, in cases of emergency, cancel a session or declare any session of the House to be
863 an informal session. At an informal session the House shall only consider reports of committees,
864 papers from the Senate, bills for enactment or resolves for final passage, bills containing
865 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at
866 such informal session shall be placed in the Orders of the Day for the succeeding day, and no
867 new business shall be entertained, except by unanimous consent. Formal debate, or the taking
868 of the sense of the House by yeas and nays shall not be conducted during such informal session.
869 Upon the receipt of a petition signed by at least a majority of the members elected to the House,
870 so requesting, the Speaker shall, when the House is meeting in informal session under the
871 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
872 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the
873 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
874 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the

875 members present. [59.] (5A.) [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14,
876 1997; Jan. 24, 2001; Jan. 9, 2003; Amended Feb. 11, 2009.]

877 45. After entering upon the consideration of the Orders of the Day, the House shall
878 proceed with them in regular course as follows: Matters not giving rise to a motion or debate
879 shall first be disposed of in the order in which they stand in the Calendar; after which the matters
880 that were passed over shall be considered in like order and disposed. The provisions of this
881 paragraph shall not be suspended unless by unanimous consent of the members present.
882 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the
883 committee on Ways and Means and the committee on Bills in the Third Reading may present
884 matters for consideration of the House after approval of two-thirds of the members present and
885 voting, without debate. [59.] (37.) [See Rule 47.] [Amended Jan. 12, 1981; Jan. 12, 1983;
886 Amended Feb. 11, 2009.]

887 46. When the House does not finish the consideration of the Orders of the Day, those
888 which had not been acted upon shall be the Orders of the Day for the next and each succeeding
889 day until disposed of, and shall be entered in the Calendar, without change in their order, to
890 precede matters added under Rule seven A; provided, however, that all other matters shall be
891 listed in numerical order by Calendar item. The unfinished business in which the House was
892 engaged at the time of adjournment shall have the preference in the Orders of the Day for the
893 next day. [60.] (35.) [Amended Jan. 12, 1987; Jan. 26, 1999.]

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

896 Voting.

897 48. Members desiring to be excused from voting shall make application to that effect
898 before the division of the House or the taking of the yeas and nays is begun. Such application
899 may be accompanied by a brief statement of reasons by the member. A member absent from the
900 House for a formal session period of a day or longer shall notify the Clerk in writing of the
901 intended absence. A member absent during a formal session for an extended period or for the
902 remainder of the session shall notify the Clerk in person. The Clerk shall provide a written notice
903 to any such absent member.

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

909 [Amended Amended Feb. 11, 2009.]

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

918 The Speaker may direct the Clerk to cast a vote for a member who is in the House
919 Chamber, but who is unable to vote due to a malfunction of his/her voting station or inability to
920 open his/her voting station. Except in the case of a vote to ascertain the presence of a quorum,
921 if a member is prevented from voting personally using the electronic voting system because of
922 physical disability, said member shall, if present in the State House, be excused from so voting
923 and the Speaker shall assign a court officer to cast said member's vote so long as said physical
924 disability continues; provided that the Speaker shall announce the action of the Chair to the
925 membership prior to assigning a court officer to cast the member's vote and provided further that
926 the Speaker shall announce the action to the membership the first time a vote is cast for that
927 member on each successive day. [65.] [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991;
928 Jan. 9, 2003; Amended Feb. 11, 2009.]

929 50. When a question is put, the sense of the House shall be taken by the voices of the
930 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
931 If the Speaker is unable to decide by the sound of the voices, or if the announcement made
932 thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall
933 order a division of the number voting in the affirmative and in the negative, without further
934 debate upon the question. [66.] (55.) [Amended Jan. 11, 1985; Amended Feb. 11, 2009.]

935 51. When a return by division of the members voting in the affirmative and in the
936 negative is ordered, the members for or against the question, when called on by the Speaker,
937 shall rise in their places, and stand until they are counted. If, upon the taking of such a vote, the
938 presence of a quorum is doubted, a count of the House shall be had, and if a quorum is present
939 the vote shall stand. [67.]

940 52. The sense of the House shall be taken by yeas and nays whenever required by ten
941 percent of the members elected. The Speaker shall, after waiting up to an interval of twelve
942 minutes, state the pending question and, after opening the electronic voting system, instruct the
943 members to vote for not less than two minutes and no more than twenty-two minutes, the
944 Speaker shall close said system and cause totals to be displayed and a record made of how each
945 member present voted. Any member desiring to be recorded as being “present” when a yea
946 and nay vote is taken on the electronic roll call system shall so notify the Clerk in person after
947 said vote is ordered and before the vote is announced. In the event the electronic voting system
948 is not in operating order, the roll of the House shall be called in alphabetical order; provided,
949 however, that no member shall be allowed to vote or to answer “present” who was not on the
950 floor before the vote is declared; provided, however, that a member, who was in the State House
951 on a previous roll call, may be recorded by reporting to the Clerk within five minutes after such
952 vote is closed, unless objection is made thereto and it is seconded; and provided further that the
953 presiding officer shall not, for said purpose, interrupt the member who is speaking on the floor.
954 The Speaker shall not entertain any requests beyond said five minute period. Once the voting has
955 begun it shall not be interrupted except for the purpose of questioning the validity of a member’s
956 vote before the result is announced. Except as heretofore provided, any member who shall vote
957 or attempt to vote for another member or any person not a member who votes or attempts to vote
958 for a member, or any member or other person who willfully tampers with or attempts to impair
959 or destroy in any manner whatsoever the voting equipment used by the House, or change the
960 records thereon shall be punished in such manner as the House determines; and provided further,
961 that such a violation shall be reported to the Ethics Committee. [68.] (56, 57.) [Amended Jan.

962 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005;
963 Amended Feb. 11, 2009.]

964 53. The call for yeas and nays shall be decided without debate. If the yeas and nays
965 have been ordered before the question is put, the proceedings under rules fifty and fifty-one
966 relative to verification of the vote by the voices of the members or by a return of divisions shall
967 be omitted; if not, they may be called for in lieu of a return by divisions when the Speaker's
968 announcement is doubted by a member rising in his/her place, and, if then ordered, the
969 proceedings under rules fifty and fifty-one shall be omitted. [69.] (52.) [Amended Jan. 26,
970 1999.]

971 Reconsideration.

972 54. No motion to reconsider a vote shall be entertained unless it is made on the same
973 day on which the vote was taken, or before the Orders of the Day have been taken up on the next
974 day thereafter on which a quorum is present. If reconsideration is moved on the same day, the
975 motion shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on
976 the succeeding day, the motion shall be considered forthwith except that if said motion is moved
977 on a day on which an informal session has been designated, it shall be placed in the Orders of the
978 Day for the succeeding day. If reconsideration is moved after July first of the second annual
979 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
980 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
981 time when the main question to which it relates is under consideration; and provided, further,
982 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
983 remove the main subject under consideration from before the House, but shall be considered at

984 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
985 members present. [70.] (53.) [Amended Jan. 12, 1981, Jan. 23, 2007.]

986 55. When a motion for reconsideration is decided, that decision shall not be
987 reconsidered, and no question shall be twice reconsidered; nor shall any vote be reconsidered
988 upon any of the following motions: to recess, to adjourn, on sustaining a ruling of the
989 Chair, to close debate at a specified time, to postpone if voted in the negative, to discharge
990 or direct a committee to report, to commit or recommit, for second or subsequent legislative
991 days, for the previous question, or for suspension of rules. This rule shall not be suspended
992 unless by unanimous consent of the members present. [71.] (53.) [Amended Jan. 12, 1981; Jan.
993 12, 1983; Jan. 9, 1991.]

994 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member
995 shall occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary
996 or incidental question, debate shall be limited to ten minutes, and no member shall occupy more
997 than three minutes. If the House has voted to close debate on any question, a motion to
998 reconsider said question shall be decided without debate. [72.] (52.) [Amended Jan. 12, 1981;
999 Jan. 12, 1987.]

1000 RULES OF DEBATE.

1001 57. Every member, when about to speak, shall rise and respectfully address the
1002 Speaker and shall confine himself/herself to the question under debate. [73.] (39.) [Amended
1003 Jan. 11, 1985.]

1004 58. Every member while speaking shall avoid personalities; and shall sit down when
1005 finished. No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

1006 When two or more members rise at the same time, the Speaker shall name the member entitled to
1007 the floor, preferring one who rises in his/her place to one who does not. [74.] (40.) [Amended
1008 Jan. 11, 1985.]

1009 59. If a member repeatedly violates any of the rules of the House, or disrupts the
1010 orderly procedure of the House, the Speaker, after warning the member of such violations, shall
1011 call the member to order, and order that member to take his/her seat. A member so called to
1012 order shall lose the right to speak on the pending subject-matter but shall not be debarred from
1013 voting. A member so called to order shall remain seated until the House begins consideration of
1014 another subject-matter or unless the Speaker earlier returns to the member his/her rights to the
1015 floor. If a member so called to order refuses to immediately take his/her seat, the Speaker shall
1016 immediately name that member, who shall be escorted from the Chamber under escort of the
1017 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1018 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1019 its recommendations, which report shall be read and accepted. Having been named, a member
1020 shall not be allowed to resume his/her seat until said member has complied with the
1021 recommendations of the committee as accepted by the House. If, after a member is seated or
1022 named, the action of the Speaker is appealed, the House shall decide the case by a majority vote
1023 of the members present and voting, but if there is no immediate appeal, the decision of the
1024 Speaker shall be conclusive. [Amended Jan. 12, 1981; Jan. 11, 1985; Amended Feb. 11, 2009;
1025 Amended Feb. 11, 2009.]

1026 60. No member shall interrupt another while speaking except by rising to a point of
1027 order, to a question of personal privilege, to doubt the presence of a quorum, or to ask the person
1028 speaking to yield. Members may rise to explain matters personal to them by leave of the

1029 presiding officer, but shall not discuss pending questions in such explanations. Questions of
1030 personal privilege shall be limited to questions affecting the rights, reputation, and conduct of the
1031 member in his/her representative capacities. Members may rise to ask questions of parliamentary
1032 inquiry concerning the pending matter by leave of the presiding officer, but shall not debate the
1033 pending questions. [75.] (42.) [Amended Jan. 12, 1981; Amended Feb. 11, 2009.]

1034 61. No member shall speak more than once to the prevention of those who have not
1035 spoken and desire to speak on the same question. This prohibition shall not apply to those
1036 members designated by the committee or committees reporting the bill. No member shall
1037 occupy more than thirty minutes at a time while speaking on any question where debate is
1038 unlimited. Unless the operation of another rule provides to the contrary (such as previous
1039 question, limitation of debate, etc.), no member shall be prohibited from speaking more than
1040 once on any question when no other member who has not spoken is seeking recognition by the
1041 Chair. [76.] (41.)

1042 Motions.

1043 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1044 63. A motion need not be seconded, except an appeal from the decision of the Chair,
1045 and may be withdrawn by the mover if no objection is made. [78.] (44.) [Amended Jan. 12,
1046 1981.]

1047 Limit of Debate.

1048 64. A motion to recess or adjourn shall always be first in order, and shall be decided
1049 without debate; and on the motions to close debate at a specified time, to postpone to a time

1050 certain, to commit or recommit, not exceeding ten minutes shall be allowed for debate, and no
1051 member shall speak more than three minutes. On the motion to discharge any committee, or on a
1052 motion directing any committee to report matters before it, not exceeding fifteen minutes shall be
1053 allowed for debate, and no member shall speak more than three minutes. If the main motion is
1054 undebatable, any subsidiary or incidental motion made relating to it shall also be decided without
1055 debate. [79.] (52.) [See Rules 56 and 83.] [Amended Jan. 12, 1981.]

1056 64A. Debate on the question on adoption of orders for second and subsequent
1057 legislative days shall be limited to ten minutes, and no member shall speak more than three
1058 minutes. After entering into a second or subsequent legislative day, the House shall immediately
1059 proceed to consideration of engrossed bills, reports of committees, papers from the Senate or the
1060 Orders of the Day. This rule shall not be suspended unless by unanimous consent of the members
1061 present. [Adopted Jan. 12, 1983.]

1062 65. When a question is before the House, until it is disposed of, the Speaker shall
1063 receive no motion that does not relate to the same, except the motion to recess or adjourn or
1064 some other motion that has precedence either by express rule of the House, or because it is
1065 privileged in its nature; and the Speaker shall receive no motion relating to the same, except,—

1066 for the previous question, to close debate at a specified time, to postpone to a
1067 time certain, to commit (or recommit), to amend,

1068 See Rules 66, 67 and 68See Rules 64, 69 and 70See Rules 64 and 70See Rules 64 and
1069 71See Rules 72, 73, 74 and 75

1070 — which several motions shall have precedence in the order in which they are
1071 arranged in this rule. [80.] (46.) [Amended Jan. 11, 1985.]

1072 Previous Question.

1073 66. Any member may call for the previous question on the main question. The
1074 previous question shall be put in the following form: "Shall the main question be now put?" and
1075 all debate on the main question shall be suspended until the previous question is decided. The
1076 adoption of the previous question shall require the affirmative vote of two-thirds of the members
1077 present and voting and shall put an end to all debate, and bring the House to direct vote upon
1078 pending amendments, if any, in their regular order, and then upon the main question. A motion
1079 to reconsider the vote on any of the pending amendments shall be decided without debate. [81.]

1080 [Amended Jan. 12, 1981.]

1081 67. Any member may call for the previous question on any pending amendment. The
1082 previous question shall be put in the following form: "Shall the question on adoption of the
1083 amendment be now put?" and all debate shall be suspended until the previous question is
1084 decided. The adoption of the previous question on a pending amendment shall require the
1085 affirmative vote of two-thirds of the members present and voting and shall put an end to all
1086 debate and bring the House to a direct vote upon the pending amendment. A motion to
1087 reconsider the vote on the pending amendment shall be decided without debate. [Amended Jan.

1088 12, 1981.]

1089 68. The previous question shall be decided without debate.

1090 Motion to Close Debate at a Specified Time.

1091 69. Debate may be closed at any time not less than thirty minutes from the adoption of
1092 a motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1093 members present. [85.] (47.)

1094 Motion to Postpone to a Time Certain.

1095 70. When a motion is made to postpone to a time certain, and different times are
1096 proposed, the question shall first be taken on the most remote time; and the time shall be
1097 determined before the question is put on postponement, which may then be rejected if the House
1098 sees fit. [87.] (51.)

1099 Motion to Commit.

1100 71. When a motion is made to commit, and different committees are proposed, the
1101 question shall be taken in the following order: a standing committee of the House, a select
1102 committee of the House, a joint standing committee, a joint selected committee; and a subject
1103 may be recommitted to the same committee or to another committee at the pleasure of the House.
1104 [88.] (48.)

1105 Motion to Amend.

1106 72. A motion to amend an amendment may be received; but no amendment in the third
1107 degree shall be allowed. This rule shall not be suspended unless by unanimous consent of the
1108 members present. [89.] [Amended Jan. 12, 1983.]

1109 73. No motion or proposition on a subject different from that under consideration shall
1110 be admitted under color of amendment. This rule shall not be suspended unless by unanimous
1111 consent of the members present. [90.] (50.) [Amended Jan. 12, 1987.]

1112 73A. No motion to amend a report from the committee on Ways and Means or a report
1113 from the committee on Bills in the Third Reading, when such an amendment contains an

1114 expenditure of public money or an increase or decrease in taxes, shall be considered unless a
1115 brief explanation of the amendment is stated. [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1116 74. A question containing two or more propositions capable of division shall be
1117 divided whenever desired by any member, if the question includes points so distinct and separate
1118 that, one of them being taken away, the other will stand as a complete proposition. The motion to
1119 strike out and insert shall be considered as one proposition and therefore indivisible. The
1120 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or
1121 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1122 suspended unless by unanimous consent of the members present. [91.] (45.) [Amended Jan. 12,
1123 1983.]

1124 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See
1125 Rule 70.]

1126 Declaration of Recess.

1127 76. The Speaker may declare a recess of fifteen minutes duration, or less. [Amended
1128 Jan. 9, 1991.]

1129 APPEAL.

1130 77. No appeal from the decision of the Speaker shall be entertained unless it is
1131 seconded; and no other business shall be in order until the question on the appeal has been
1132 disposed of. Debate shall be limited to fifteen minutes on the question of sustaining a ruling by
1133 the Chair, and no member shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]
1134 [Amended Jan. 9, 1989.]

1135 RESOLVES.

1136 78. Such of these rules as are applicable to bills, whether of the House or of the Senate,
1137 shall apply likewise to such resolves as require the concurrence of the Senate and approval by the
1138 Governor in order to become law and have force as such. [95.]

1139 SEATS.

1140 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk
1141 and such persons as he/she may employ to assist said Clerk, and that on the left to the use of the
1142 chairman and vice-chairman of the committee on Bills in the Third Reading. (2) The Speaker
1143 shall assign members to vacant seats. The seat assigned to any member, other than seats assigned
1144 under paragraph (1) of this rule, shall be his/her seat for the year and for such additional years as
1145 said member may elect so long as service in the House remains continuous. An exchange of seats
1146 may be made with the approval of the Speaker. [98.] [Amended Jan. 11, 1985; May 5, 1993.]

1147 PRIVILEGE OF THE FLOOR.

1148 80. The following persons shall be entitled to admission to the House of
1149 Representatives, during the session thereof, to stand in an area designated by the Speaker in the
1150 rear of the Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:
1151 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary of
1152 the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth, Attorney-
1153 General, Librarian and Assistant Librarian. (2) The members of the Senate. (3) Persons in the
1154 exercise of an official duty directly connected with the business of the House. (4) Contestants
1155 for seats in the House, whose papers are in the hands of a special committee of the House, may
1156 be admitted, while their cases are pending, to seats to be assigned by the Speaker. No other

1157 person shall be admitted to the floor during the session, except upon the permission of the
1158 Speaker.

1159 No legislative agent or counsel may be admitted to the floor of the House Chamber
1160 during a session unless that part of the session is ceremonial in nature in which no other
1161 legislative business is conducted. The legislative reporters shall be entitled to the privileges of
1162 the reporters' galleries.

1163 This rule shall not be suspended unless by unanimous consent of the members present.
1164 [99.] (60, 61.) [Amended Jan. 9, 1991, Jan. 23, 2007.]

1165 REPRESENTATIVES' CHAMBER AND ADJOINING ROOMS.

1166 81. Use of the Representatives' Chamber shall be subject to the approval of the
1167 Speaker or the committee on Rules. No legislative agent or counsel shall be admitted to the
1168 members' corridor or adjoining rooms. No other person shall be admitted to the members'
1169 corridor or adjoining rooms, except persons entitled to the privileges of the floor of the House
1170 unless upon written invitation of a member bearing the name of the member and the person the
1171 member invites. Upon entering, the invitation shall be given to the court officer assigned to the
1172 area. The provisions of this paragraph shall not apply if the purpose of admittance is to attend a
1173 meeting in an adjoining room to which members of the general public are allowed to attend.
1174 No person shall be admitted to the north gallery of the House except upon a card of the Speaker.
1175 Subject to the approval and direction of the committee on Rules during the session and of the
1176 Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under
1177 the control of the organization of legislative reporters known as the Massachusetts State House
1178 Press Association and the State House Broadcasters Association. Every legislative reporter

1179 desiring admission to the reporters' galleries shall state in writing that he/she is not the agent or
1180 representative of any person or corporation interested in legislation before the General Court, and
1181 will not act as representative of any such person or corporation while retaining a place in the
1182 galleries; but nothing herein contained shall prevent such legislative reporter from engaging in
1183 other employment, provided such other employment is specifically approved by the committee
1184 on Rules and reported to the House. All formal sessions of the House of Representatives shall
1185 be open to both commercial and public radio and television, except designated times during such
1186 sessions, as determined by the House, reserved for the consideration of non-controversial
1187 business which does not give rise to debate. The manner and conditions of such broadcasts shall
1188 be established by the Speaker. Television, radio or web-broadcasts may be prohibited on any
1189 given day by the Speaker with the approval of the House. This rule shall not be suspended
1190 unless by unanimous consent of the members present. [100.] (59.) [Amended April 18, 1979;
1191 Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23, 2007.]

1192 QUORUM.

1193 82. Eighty-one members shall constitute a quorum for the organization of the House
1194 and the transaction of business. [See amendments to the Constitution, Art. XXXIII.] In the
1195 event that a quorum is not present, the presiding officer shall compel the attendance of a quorum.
1196 During the absence of a quorum, no other business may be transacted or motions entertained
1197 except a declaration of adjournment or a recess by the Speaker. [105.] [Amended Jan. 12,
1198 1981; Jan. 14, 1997.]

1199 DEBATE ON MOTIONS FORSUSPENSION OF RULES.

1200 83. The question of suspension of House rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and
1201 83 shall be decided without debate. Debate upon the motion for the suspension of any other
1202 House rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no
1203 member shall occupy more than three minutes. This rule shall not be suspended unless by
1204 unanimous consent of the members present. [102.] (52.) [Amended Jan. 12, 1981; Jan. 9,
1205 1989.]

1206 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be
1207 suspended, altered or repealed unless two-thirds of the members present and voting consent
1208 thereto. This rule shall not be suspended unless by unanimous consent of the members present.
1209 [103.] (63.) [Amended Jan. 12, 1981.]

1210 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to
1211 waive any requirement relative to the electronic availability and posting on the internet of any
1212 bills, resolves, summaries or other documents contained herein; provided, however, that if the
1213 clerk so waives any such requirement he shall make paper copies of the documents available to
1214 all members and the public within the limitation established for the electronic availability and
1215 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1216 [Adopted Feb. 11, 2009.]

1217 REFERENCE TO COMMITTEE ON RULES.

1218 85. All motions or orders authorizing committees of the House to travel or to employ
1219 stenographers, all propositions involving special investigations by committees of the House, all
1220 resolutions presented for adoption by the House only, and all motions and orders except those
1221 which relate to the procedure of the House or are privileged in their nature or are authorized by

1222 rule sixty-five, shall be referred without debate to the committee on Rules, which shall report
1223 thereon, recommending what action should be taken. The committee shall not recommend
1224 suspension of joint rule nine, unless evidence satisfactory to the committee is produced that the
1225 petitioners have previously given notice, by public advertisement or otherwise, equivalent to that
1226 required by Chapter 3 of the General Laws. [104.] (13A.)

1227 85A. The House committee on Rules shall provide that outside, independent audits of
1228 House financial accounts be conducted at the end of each fiscal year. A copy of such audit shall
1229 be filed with the Clerk of the House and copies shall be made available to the members and the
1230 general public. (13C.) [Adopted Jan. 11, 1985.]

1231 PARLIAMENTARY PRACTICE.

1232 86. The rules of parliamentary practice shall govern the House in all cases to which
1233 they are applicable, and in which they are not inconsistent with these rules or the joint rules of
1234 the two branches. (62.)

1235 House of Representatives, February 11, 2009.

1236 Adopted.

1237 , Clerk. INDEX TO THE HOUSE RULES 2009-2010.

1238 [The figures refer to the numbers of the Rules.]

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