

- 11 1A. Every formal session of the Senate shall open with a prayer and a recitation of the "Pledge
12 of Allegiance to the Flag". [1989.]
- 13 2. The President shall preserve order and decorum, may speak to points of order in preference to
14 other members, and shall decide all questions of order subject to an appeal to the Senate. The
15 President shall rise to put a question, or to address the Senate, but may read sitting. [1817;
16 between 1821 and 1826; 1831; 1888.]
- 17 3. The President may vote on all questions. [1826.]
- 18 4. The President may appoint a member to perform the duties of the chair for a period not
19 exceeding 3 days at any one time. Unless the Senate shall otherwise direct, the President, at the
20 beginning of each legislative year, may appoint a Chaplain and in case of vacancy in said office,
21 the President may promptly fill said vacancy. [1831; 1862; 1865; 1888; 1971.]
- 22 4A. The Senate President shall be elected by roll call on the Senate floor. This rule shall not be
23 suspended except by a vote of four-fifths of the members present and voting thereon. Rule 63
24 shall not apply to this case and no other rule shall supersede the requirement of four-fifths vote to
25 suspend this rule. [1993; 2002.]
- 26 4B. The Senate President and the Minority Leader shall, upon declaration of candidacy for any
27 other state or federal elective office, relinquish said position. [2003.]
- 28 5. In case of a vacancy in the office of President, or in case the President, or the member
29 appointed by the President to perform the duties of the chair, is absent at the hour to which the
30 Senate stands adjourned, the eldest senior member present shall call the Senate to order, and
31 shall preside until a President, or Acting President, is elected by ballot or by roll call vote as the

32 Senate shall by majority vote determine, and such election shall be the first business in order.
33 [1831; 1885; 1888; 1971; 1985; 2003.]

34 5A. In case of extreme emergency, the President of the Senate, may for a period not exceeding 2
35 days, in conformity with Article 6, Section II, Chapter 1 of the Constitution, cause a session of
36 the Senate to be cancelled. Each member of the Senate insofar as is practicable shall be notified
37 of such action. The President may also declare a session informal in nature, with prior notice
38 given. Notice of such action shall be printed in the Journal of the Senate by the Clerk of the
39 Senate and the printing of a calendar shall be suspended with reference to an informal session
40 under this rule.

41 In the case of an informal session, only reports of committees and matters not giving rise to
42 formal motion or debate shall be considered. No motion or order of business shall lose its
43 precedence but shall be carried over until the next formal session. [1971; 1973.]

44 5B. [Omitted in 2011.]

45

46

CLERK.

47 6. The Clerk shall keep a journal of the proceedings of the Senate, and shall cause the same to be
48 presented daily. The Clerk shall, in the journal, make note of all questions of order, and enter at
49 length the decisions thereon. The Clerk shall insert in an appendix to the journal the rules of the
50 Senate and the joint rules of the 2 branches. [1882; 1888.]

51 7. The Clerk, with the approval and direction of the President and the Committee on Ethics and
52 Rules, shall prepare and cause to be presented each day a calendar of matters in order for

53 consideration. The calendar for a session shall be available to the members and the public at
54 least 24 hours prior to the start of that session, except when formal sessions are held on
55 consecutive days. The calendar for any formal session on a day following a formal session shall
56 be available to the members and to the public at least 2 hours prior to the start of that session.
57 The presentation of a calendar may only be suspended by a 2/3 vote of all members present and
58 voting as determined by a call of the yeas and nays. The calendar shall consist of at least 4
59 separate sections. One section shall contain those matters for third reading and engrossment. No
60 matters shall be considered for third reading that do not appear on this section of the calendar
61 without unanimous consent. One section shall contain those matters held by the Senate
62 committee on Bills in the Third Reading. One section shall contain those matters appearing on
63 the Senate Calendar for the first time. No matters shall be considered for second reading that do
64 not appear on this section of the calendar without unanimous consent. One section shall contain
65 those matters which shall be on the Senate Calendar for the first time at the following formal
66 session. No matters shall be considered for a second reading at a formal session that were not on
67 the Calendar for the previous formal session. It shall be mandatory, however, that a bill or
68 resolve ordered to third reading on one calendar day shall appear on the calendar at the following
69 formal session. The Clerk, with the approval and direction of the President and the Committee on
70 Ethics and Rules, may prepare the calendar, with such memoranda as the Clerk may deem
71 necessary, in a form designed to provide complete information and to properly facilitate the
72 business of the Senate. When the presentation of the calendar required under this rule is
73 suspended under Rule 5A, a session shall be considered informal and no matter shall be
74 considered if a member at said session objects to its consideration. [1882; 1888; 1945; 1971;
75 1974; 1985; 1991, 1993.]

76 7A. To better facilitate the business of the Senate, whenever possible, and notwithstanding any
77 rules to the contrary, during consideration of the new matters on the calendar each day, the chair
78 shall first declare a recess so that members may examine the items. The chair shall then ask for
79 passes on the second reading matters. Second reading matters with amendments pending will
80 automatically be considered separately. The chair shall direct the Clerk to dispense with the
81 reading of each title, but the journal for that day shall show that the bills have been read a second
82 time. The question shall then come on ordering those second reading matters which have not
83 been passed for debate to a third reading. Matters passed for debate shall be considered on the
84 second call.

85 The same procedure shall be followed with relation to adverse reports appearing in groups on the
86 calendar. Adverse reports passed for debate shall be considered on the second call. The question
87 shall be put by the chair on the acceptance of all remaining adverse reports not passed for debate.
88 [1975.]

89 7B. The Clerk of the Senate shall be the official parliamentarian of the Senate. [1973.]

90 8. [Omitted in 1969.]

91 8A. The Clerk shall make a reasonable effort to make available on the internet the results of all
92 roll call votes not later than 48 hours after such vote is taken, not including quorum calls, in a
93 manner easily identifiable and conspicuously located. The Clerk shall include the number of the
94 roll call and the title of the matter voted upon. [2007.]

95 9. When a bill or resolve coming from the other branch does not appear in the form in which it
96 was passed in that branch, the Clerk shall indicate the amendments on the Orders of the Day.
97 [1882.]

98

99

COUNSEL TO THE SENATE.

100 9A. The Counsel to the Senate and members of the staff of said Counsel shall not engage in the
101 private practice of law during ordinary business hours while the Senate is in session. The
102 Counsel to the Senate and the staff of said Counsel shall be available at all times for consultation
103 with the President and members of the Senate in relation to matters pending before the Senate.
104 [1976.]

105

MEMBERS OF THE SENATE.

107 10. No member, officer, or employee shall use or attempt to use improper means to influence an
108 agency, board, authority, or commission of the Commonwealth or any political subdivision of
109 the Commonwealth. No member, officer, or employee of the Senate shall receive compensation
110 or permit compensation to accrue to the member, officer or employee's beneficial interest by
111 virtue of influence improperly exerted from the member, officer or employee's position in the
112 Senate. Every reasonable effort shall be made to avoid situations where it might appear that the
113 member, officer or employee is making such use of the member, officer or employee's official
114 position. Members, officers, and employees should avoid accepting or retaining an economic
115 interest or opportunity which represents a threat to their independence of judgment.

116 No member, officer, or employee shall use confidential information gained in the course of or by
117 reason of the member, officer or employee's official position or activities to further the member,
118 officer or employee's financial interest or those of any other person. [1977.]

119 10A. No member, officer, or employee shall employ anyone from state funds who does not
120 perform tasks which contribute to the work of the Senate and which are commensurate with the
121 compensation received; and no officer or full time employee of the Senate shall engage in any
122 outside business activity during regular business hours, whether the Senate is in session or not.
123 No member of the Senate shall act on a matter before a committee or vote on any question in
124 which the member's private right is immediately concerned, distinct from the public interest.
125 All employees of the Senate are assumed to be full time unless their personnel record indicates
126 otherwise. [1977.]

127 10B. Interns and other temporary employees of the Senate, who are students at an accredited
128 educational institution and who are employed by the Senate for not more than 6 months, may
129 receive compensation from an educational institution or other non-profit organization under
130 section 501(c)(3) of the Internal Revenue Code, according to that organization's regular program
131 of providing such compensation for temporary governmental or public service employment. A
132 temporary employee's Senate supervisor shall establish the employee's total compensation, shall
133 verify that the sum of the employee's state compensation, if any, and any outside compensation
134 that the employee is to receive under this rule would not exceed this total compensation, and
135 shall file the written terms of the employee's compensation with the Senate Personnel Office,
136 where it shall be available for public inspection. [2003.]

137 11. No member shall be absent from the Senate without leave, unless there is a quorum without
138 the member's presence. [1817.]

139 11A. Each member of the Senate shall be assigned an office in the State House. Each member
140 shall have full authority to employ and dismiss personal and committee staff within written
141 guidelines developed by the Senate Committee on Ethics and Rules. [1983; 1985; 1993; 2003.]

142 11B. No member of the Senate shall hold, for more than 8 consecutive years, the office of
143 President of the Senate. [1993; 2001.]

144 11C. The Committee on Ethics and Rules shall ensure that each member of the Senate is able to
145 receive Internet electronic mail from members of the public. [2001; 2003.]

146 11D. The Committee on Ethics and Rules shall sponsor ethics training for members and staff
147 within 90 days of the opening of the biennial session.

148

149

150 COMMITTEES.

151 12. The following standing committees shall be appointed by the President, to wit:

152 A Committee on Bills in the Third Reading;

153 To consist of 5 members.

154 A Committee on Bonding, Capital Expenditures and State Assets;

155 To consist of 6 members, 1 of whom shall be appointed by the Minority Leader.

156 A Committee on Post Audit and Oversight;

157 To consist of 7 members.

158 A Committee on Ethics and Rules;

159 To consist of 6 members, including 2 members appointed by the Minority Leader.

160 A Committee on Global Warming and Climate Change;

161 To consist of 6 members.

162 A Committee on Steering and Policy;

163 To consist of 5 members.

164 A Committee on Ways and Means;

165 To consist of 17 members.

166 Committee hearings and executive sessions shall not be scheduled in conflict with formal
167 sessions of the Senate unless the chair submits to the Clerk a written explanation for scheduling
168 the hearing or session in conflict with the formal session. [1831; 1836; 1840; 1844; 1847; 1863;
169 1864; 1870; 1876; 1882; 1885; 1886; 1888; 1891; 1896; 1897; 1920; 1937; 1939; 1941; 1945;
170 1946; 1957; 1960; 1963; 1965; 1969; 1971; 1972; 1982; 1989; 1991; 1993; 1995, 1997; 2003,
171 2005; 2007; 2009.]

172

173 12A. All violations of Rules and all questions of conduct of members, officers and employees of
174 the Senate shall be referred by order of the Senate to the committee on Ethics and Rules. Such
175 orders shall be as specific as circumstances allow. The committee shall also be empowered to
176 receive sworn written complaints or evidence regarding violations of Rules 10 and 10A. Until a
177 hearing, if any, is held, the contents of such complaints or evidence shall be considered

178 confidential information, unless the contents are already a matter of public record. If no hearing
179 is held, such contents may be made public by the committee in a final report. Breach of
180 confidentiality may itself be grounds for disciplinary action.

181 Upon receipt of an order, a sworn written complaint filed under penalties of perjury, or upon
182 receipt of evidence, the committee may investigate and take written or oral testimony on any
183 matters specified in the order or covered by Rules 10 and 10A. A majority of committee
184 members shall be present to receive sworn testimony unless a majority designates a lesser
185 number to do so. In any case, at least 1 member of the committee shall be present to receive
186 such testimony. Upon majority vote of the full Senate, the committee may require by summons
187 the attendance and testimony of witnesses and the production of books and papers and such other
188 records as said committee may deem relevant.

189 Said committee shall consider and may report to the Senate any recommendations regarding any
190 infringement of the rules and all questions of conduct of members, officers and employees
191 referred to it. If after investigation the committee determines that there has been a violation of
192 the rules, or other misconduct, the committee shall file a report with the Clerk of the Senate,
193 including a recommendation for disciplinary action, including but not limited to: in the case of a
194 member, reprimand, censure, temporary or permanent removal from committee chairmanship or
195 other position of authority, suspension with or without pay, or expulsion; in the case of an officer
196 or employee, reprimand, suspension or removal. Said report shall not prevent the Senate from
197 taking any other action as it shall deem advisable and appropriate.

198 Nothing in this rule shall be construed to require the disclosure of any allegation that the
199 committee deems frivolous or without merit.

200 If the committee receives a sworn written complaint, evidence, order of the Senate, or request for
201 an opinion involving a member of the committee, such member shall not participate in the
202 committee's deliberations on that matter.

203 The committee may, upon written request from a member, officer, or employee of the Senate,
204 issue written advisory opinions on matters concerning Rules 10 and 10A. Such advisory
205 opinions may be published, provided that the name of the person requesting the opinion, and any
206 other identifying information shall not be included in the publication. The Senate may not
207 penalize a member, officer or employee of the Senate for conduct satisfying the guidelines of an
208 advisory opinion based on factually indistinguishable conduct.

209 At least 3 members shall sign all recommendations and reports of the committee.

210 The committee shall on or before December 31 of the second year of the biennial session, file a
211 report with the Clerk summarizing its activities for the session. In addition, the committee may
212 at any time recommend changes in the rules of conduct for the Senate or legislation relating to
213 the conduct of the Senate, and a majority vote of the Senate shall be required to approve any
214 such recommended changes. [1977; 1978; 1983; 1991; 2003.]

215 12B. The committee on Steering and Policy shall meet from time to time at the call of the chair
216 for the purpose of assisting the President and the Senate in identifying the major matters which
217 require consideration by the General Court during the pending session and to advise the
218 President and the Senate on the relative priority of such matters, the relative urgency for
219 consideration by the General Court of such matters, and alternative methods of responding to
220 such matters by the General Court, and to assist on scheduling legislative matters for their even
221 distribution throughout the legislative year.

222 12B ? . The Committee on Ethics and Rules may initiate legislation consistent with Senate Rule
223 19, but no bill shall be initiated over the objection of the Senate Chair of the appropriate
224 committee. The Committee shall report on what date prior to adjournment of the last formal
225 session the matter shall be considered by the Senate. In the case of bills removed from study and
226 referred to the Committee on Ethics and Rules, the bills may be subject to amendments by the
227 committee as well as reports by the committee that the bills ought to pass or ought not to pass.
228 This rule shall apply only to bills that have no state fiscal impact. [1983; 1985; 1986; 1991;
229 1993; 1999; 2003; 2005.]

230 12C. [Omitted in 1995.]

231 12D. The President of the Senate, the Majority leader and the Minority leader shall review
232 applications for each member's staff and committee operating requirements and allocate office
233 space. [1993; 2003.]

234 13. (a) Unless the Senate shall otherwise specially order, the President shall nominate a
235 candidate for chair of each standing committee, joint standing committee or special committee
236 and the vice chair and the assistant vice-chair of the Senate Committee on Ways and Means. The
237 President may also nominate the majority floor leader, assistant majority floor leader, majority
238 whip, the assistant majority whip and a President pro tempore. The President pro tempore shall
239 assist the President in the coordination of policy development and the ceremonial functions of
240 the Senate and shall perform such duties as assigned by the President. The minority party floor
241 leader may nominate not more than 3 persons to minority party floor leadership positions. Such
242 nominations shall require ratification by a majority vote by the respective party caucus. The vote
243 shall be by voice vote, roll call or secret ballot, as the majority vote of the caucus shall

244 determine. In the event a nomination is rejected by such caucus another nomination may be
245 made by the person designated in this rule to make the initial nomination which shall be subject
246 to ratification in the same manner. In the case of the election by the Senate of a committee by
247 ballot, the member having the highest number of votes shall act as chairman. The second named
248 member shall be vice-chairman.

249 (b) Except as provided above or unless the Senate shall otherwise specially order, committees
250 shall be appointed by the President, with exception of the chair whose nomination and
251 ratification shall be governed by paragraph (a). The President shall in making such appointments
252 give consideration to representation of both the majority and minority parties relative to their
253 respective representation in the Senate and in any event shall reserve at least 2 positions on the
254 Senate Committee on Ways and Means and at least 1 position upon each standing or special
255 committee for a Senate member of the minority party and appointments to such positions shall be
256 made by the Senate minority party leader. For the purposes of this rule and rule 56, the term
257 "minority party" shall mean the political party of those members of the Senate who, in the
258 aggregate, constitute the second largest group of members of the Senate affiliated with a political
259 party.

260 (c) A vacancy in any position which is regulated by this rule shall be filled in the same manner
261 as provided in this rule for the original appointment. Any person in a position which is regulated
262 by this rule shall be subject to removal only by a majority vote of the respective party caucus by
263 voice vote, roll call or secret ballot as the majority vote of the caucus shall determine. [1817;
264 between 1821 and 1826; 1831; 1888; 1973; 1983; 1985; 1991; 2003.]

265 13A. All motions or orders authorizing committees of the Senate to travel or to employ
266 stenographers, all propositions involving special investigations by committees of the Senate and
267 all motions or orders providing that information be transmitted to the Senate shall be referred
268 without debate to the Committee on Ethics and Rules, who shall report thereon, recommending
269 what action should be taken. All other motions that create main questions, except those that
270 relate to privilege, to procedure and kindred matters, or to the subjects referred to in Joint Rules
271 29 and 30, shall also be referred without debate to the Committee on Ethics and Rules and be
272 treated in like manner.

273 The Committee on Ethics and Rules may originate and report special orders for the scheduling
274 and consideration of matters on the floor of the Senate. When reported such orders may be
275 amended by a two-thirds vote of the members present and voting, and shall be subject to
276 approval by a majority of the members of the Senate present and voting. Debate on the question
277 on adoption of such orders shall be limited to 30 minutes. Such orders shall not be subject to
278 reconsideration. [1904; 1913; 1921; 1953; 2003.]

279 13B. The President of the Senate may call a caucus at any time at which either the President or a
280 designated member of the majority leadership shall preside unless otherwise voted by a majority
281 of the caucus. The President shall honor the request of the Minority Leader at any time while the
282 Senate is in session, to call a minority caucus at which the Minority Leader shall preside or a
283 designated member of the minority leadership, unless otherwise voted by a majority of the
284 caucus.

285 A caucus shall also be called if 25 per cent or more of a party's membership requests the calling
286 of a caucus. Such request shall be made to the Senate President or Minority Leader. In the

287 instance of such a caucus being called, said caucus may consider any subject matter, including
288 but not limited to resolutions, motions or other means of ascertaining the sense of party members
289 on any subject. When the Senate recesses to allow a caucus, the Senate President or presiding
290 officer shall inform the members from the rostrum of a time certain for reconvention. [1985;
291 1993.]

292 13C. The Senate Committee on Ethics and Rules shall provide for periodic audits of Senate
293 financial accounts to be conducted by a certified public accountant experienced in auditing
294 governmental entities. A copy of any such audit shall be filed with the Senate Clerk and copies
295 shall be made available upon request by any member of the Senate or the general public. [1985;
296 2003.]

297 14. No committee shall be allowed to occupy the Senate Chamber without a vote of the Senate.
298 [1836; 1863; 1888.]

299 15. No legislation affecting the rights of individuals or the rights of a private or municipal
300 corporation, otherwise than as it affects generally the people of the whole Commonwealth or the
301 people of the city or town to which it specifically applies, shall be proposed or introduced except
302 by a petition, nor shall any bill or resolve embodying such legislation be reported by a
303 committee, except upon a petition duly referred, nor shall such a bill or resolve be reported by a
304 committee, whether on an original reference or on a recommittal with instructions to hear the
305 parties, until it is made to appear to the satisfaction of the committee that proper notice of the
306 proposed legislation has been given by public advertisement or otherwise to all parties interested,
307 without expense to the Commonwealth, or until evidence satisfactory to the committee is
308 produced that all parties interested have in writing waived notice. A committee reporting

309 adversely for want of proper notice or of a waiver thereof shall set forth this fact in its report, and
310 no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to
311 the violation of this rule may be taken at any stage prior to that of third reading. [1870; 1871;
312 1885; 1890; 1921; 1939; 1945; 1971.]

313 16. When the object of an application, by petition can be secured under existing laws, or, without
314 detriment to the public interests, by a general law, the committee to whom the matter is referred
315 shall report, ought not to pass, or a general law, as the case may be. The committee may report a
316 special law on matters referred to it upon (1) a petition filed or approved by the voters of a city or
317 town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a
318 town, with respect to a law relating to that city or town; (2) a recommendation by the Governor;
319 and (3) matters relating to erecting and constituting metropolitan or regional entities, embracing
320 any 2 or more cities and towns, or establishing with other than existing city or town boundaries,
321 for any general or special public purpose or purposes. [1882; 1885; 1888; 1891; 1893; 1967;
322 1971; 1973.]

323 16A. Reports of committees recommending that a matter be placed in a study shall be reported to
324 the Senate if the matter being reported into a study was originally filed in the Senate. Matters
325 which have been recommitted to a committee in session shall be
326 reported to the branch originating the recommitment. [2002.]

327

328 FORMS OF BILLS AND RESOLVES.

329 17. Bills, resolves, resolutions and orders shall be prepared under supervision of the Counsel to
330 the Senate. Bills, resolves, resolutions and orders founded upon petition shall be presented in an
331 electronic format as prescribed by the Clerk, who shall then prepare such electronically filed
332 documents for printing on official paper. Any petition which presents a bill, resolve, resolution
333 or order that was before the General Court in the legislative session preceding that for which it is
334 presented shall be designated as a "refiled petition" by the presenting member, together with
335 reference to the number assigned such matter in the preceding legislative session. Bills
336 amending existing laws shall not provide for striking words from, or inserting words in, such
337 laws, unless such course is the best calculated to show clearly the subject and nature of the
338 amendment. No repealed law and no law which has expired by limitation, and no part of any
339 such law, shall be re-enacted by reference merely. [1844; 1857; 1880; 1882; 1885; 1888; 1889;
340 1947; 1972; 1985, 2001, 2006.]

341

342 INTRODUCTION OF BUSINESS.

343 18. Every petition (excepting as otherwise provided for in the Constitution, or laws of the
344 Commonwealth), shall be presented by a member, whose name shall be endorsed on the petition,
345 and a brief statement of the nature and object of the instrument; and the reading of this
346 instrument shall be dispensed with, unless specially ordered. [1831; 1888; 1972; 1973.]

347 18A. In the event that identical legislation is filed based upon petition, by members of the
348 Senate, the Clerk of the Senate may make every effort to consolidate the petitions.

349 The Clerk shall include the name of each petitioner; such names shall be placed on the
350 consolidated petition in the order in which the original petitions were filed with the Clerk.
351 [1984.]

352 19. All motions contemplating legislation shall be founded upon petition, except as provided in
353 Joint Rule 3A and except that the committee on Ways and Means and the Committee on Ethics
354 and Rules under Rule 12B may report a bill or other form of legislation that is not founded upon
355 petition. Committees to whom messages from the Governor, reports of state officers, boards,
356 commissions, and others authorized to report to the legislature shall be referred, may report by
357 bill or otherwise such legislation as may be germane to the subject-matter referred to them.
358 [1858; 1888; 1891; 1893; 1973; 1999; 2003; 2005.]

359 20. All petitions for legislation accompanied by bills or resolves embodying the subject-matter
360 prayed for, which are intended for presentation or introduction to the Senate, reports of state
361 officials, departments, commissions and boards, and reports of special committees and
362 commissions shall be filed with the Clerk, who shall, unless they are subject to other rules or of
363 the rules of the 2 branches, refer them, with the approval and direction of the President, to the
364 appropriate committees, subject to such change of reference as the Senate may make.

365 Provided, that petitions and other papers so filed, or papers received from the House, which are
366 subject to Joint Rules 7A, 7B or 9, shall be referred by the Clerk to the Committee on Ethics and
367 Rules. Petitions and other papers so filed which are subject to the second paragraph of Joint
368 Rule 12 shall be referred by the Clerk to the Committees on Rules of the two branches, acting
369 concurrently. The reading of all such documents may be dispensed with, but they shall be

370 entered in the journal of the same or the next legislative day after such reference, except as
371 provided in Joint Rule 13.

372 All orders intended for adoption shall be deposited with the Clerk. If the orders relate to
373 questions of privilege or to procedure and kindred matters, they shall be laid before the Senate by
374 the President as soon as possible. If they relate to other subjects, except as provided in rule 13A
375 or in Joint Rules 29 and 30, they shall be inspected by the Committee on Ethics and Rules and
376 laid before the Senate not later than the fourth legislative day succeeding the day of their deposit
377 with the committee.

378 All resolutions intended for adoption shall be filed with the Clerk. Resolutions, which are not
379 reported by committee or received from the House, shall be considered forthwith after having
380 been reported by the committee on Bills in the Third Reading, under Senate Rule 33.

381 Special reports of state officials, departments, commissions and boards, reports of special
382 committees and commissions, bills and resolves accompanying petitions and reports, and
383 resolutions, shall be printed on order of the President, and under the direction of the Clerk. They
384 shall retain, during all subsequent stages, their original numbers and shall also bear such new
385 numbers as may be necessary.

386 Matters which have been placed on file may be taken from the files by the Clerk upon request of
387 any Senator or Senator-elect; and matters so taken from the files shall be referred or otherwise
388 disposed of as provided for above.

389 The Senate may at any time by order make any other disposition of petitions in the hands of the
390 Clerk. [1891; 1893; 1894; 1916; 1921; 1925; 1927; 1933; 1939; 1945; 1953; 1963; 1967; 1971;
391 1973; 1985; 1999; 2003; 2005.]

392 20A. The Clerk shall make available on the Internet the text of all bills introduced in the Senate.

393 [2001.]

394 21. [Omitted in 1943.]

395 22. [Omitted in 1949.]

396 23. No bill or resolve shall be proposed or introduced unless received from the House of

397 Representatives, reported by a committee, or moved as an amendment to the report of a

398 committee. [1881; 1882; 1888.]

399 24. The consideration of any order proposed for adoption, or of any motion to suspend Senate

400 Rule 15, or Joint Rules 8, 9 or 12, shall be postponed without question to the day after that on

401 which the order is proposed or request made, if any member asks such postponement. The

402 consideration of any motion to lay a matter on the table or to take a matter from the table shall be

403 postponed without question to the day after that on which the motion is made (except during the

404 last 7 calendar days of formal business under Joint Rule 12A). [1885; 1891; 1971; 1973; 1983,

405 1997; 1999.]

406 25. [Omitted in 1929, the provisions thereof being covered by Joint Rule 9.]

407

408

COURSE OF PROCEEDINGS.

409 26. Bills and resolves from the House, after they are read a first time, shall be referred to a

410 committee of the Senate, unless they have been reported by a joint committee or substituted for

411 the report of a joint committee. Bills and resolves reported in the Senate, and bills and resolves

412 from the House reported by joint committees or substituted for the reports of joint committees

413 shall, after they have been read once, be referred to the Committee on Ethics and Rules, except
414 as otherwise provided by Senate Rule 27. Any matter reported in the Senate or received from the
415 House concerning or restricted to a particular city or town which has received the approval of the
416 voters of the city or town or of the town meeting shall appear on the calendar for the next session
417 for a second reading notwithstanding any other provisions of this rule. Bills introduced by
418 initiative petition, when reported in the Senate or received from the House, shall be referred to
419 the Committee on Ethics and Rules. Resolutions received from the House, or reported in the
420 Senate, shall be referred to the Committee on Ethics and Rules. Bills and Resolves under Senate
421 Rule 27, when reported, shall be referred to the Committee on Ethics and Rules. All reports of
422 the Committee on Ethics and Rules shall be placed in the Orders of the Day for the next session
423 unless such matter is assigned for special consideration by said committee as provided for under
424 Senate Rule 12B. [1825; 1885; 1888; 1890; 1891; 1897; 1945; 1985; 1993; 1999; 2005.]

425 26A. [Omitted in 2005].

426 26B. [Omitted in 2005].

427 26C. There shall be appointed a standing committee on Bonding, Capital Expenditures and State
428 Assets consisting of 6 members. Said committee shall review all legislation providing for the
429 giving, loaning or pledging of the credit of the Commonwealth (see Article LXII of the
430 Amendments to the Constitution, as amended by Article LXXXIV). Said committee shall be
431 responsible for evaluating such legislation and determining the appropriateness of enacting
432 legislation containing increased bond authorizations for the Commonwealth.

433 The committee on Bonding, Capital Expenditures and State Assets shall periodically
434 review and hold open public hearings, accepting oral and written testimony on the status of the

435 bonds and notes of the Commonwealth, including: (1) general obligation debt; (2) dedicated
436 income tax debt; and (3) special obligation debt. The committee shall also, in its continuing
437 study of the Commonwealth's bonding practices, review the Commonwealth's liabilities relative
438 to: (a) state-supported debt; (b) state-guaranteed debt; and (c) indirect obligations.

439 The committee shall consult with the various agencies of the Executive branch and the
440 office of the State Treasurer to project expenditures, availability of funds, the sale of new bonds
441 and the resultant debt obligations, federal reimbursements and other related funding and bonding
442 issues.

443 The committee on Bonding, Capital Expenditures and State Assets may conduct hearings
444 relative to the statutory authority of the Executive branch and the State Treasurer and the various
445 agencies and authorities of the Commonwealth to issue and sell bonds and notes and to expend
446 capital funds. The committee shall determine whether such laws, administrative regulations and
447 programs are being implemented in accordance with the intent of the General Court. The
448 committee may make recommendations for statutory changes and changes in the Constitution
449 which would grant discretion to the Legislature over the allotment and expenditure of fund
450 authorized by capital appropriations. The committee on Bonding, Capital Expenditures and State
451 Assets may initiate legislation consistent with Senate Rule 19.

452 The committee on Bonding, Capital Expenditures and State Assets may report to the General
453 Court from time to time on the results of its hearings.

454 Any bill providing for the giving, loaning or pledging of the credit of the Commonwealth,
455 except for the general appropriations bill or other appropriations bill addressed in Senate Rule
456 27A, shall, prior to its reference to the committee on Ways and Means, be referred to the

457 committee on Bonding, Capital Expenditures and State Assets for report on its relationship to the
458 finances of the Commonwealth, irrespective of any conflicting committee referral to the House
459 of Representatives.

460 In compliance with section 38A of chapter 3 of the General Laws, the Committee on Bonding,
461 Capital Expenditures and State Assets shall include with the bill a fiscal note prepared under said
462 section 3A of said chapter 29, showing the estimated cost or the fiscal effect of the proposed
463 legislation if, in the opinion of said committee, such cost exceeds \$100,000.

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

467 The Committee on Bonding, Capital Expenditures and State Assets may hold oversight
468 hearings regarding the capital programs of the commonwealth and of any quasi-public entity or
469 independent authority of the commonwealth. If the committee shall deem special studies or
470 investigations to be necessary, it may undertake studies or investigations. [2009]

471 27. Bills and resolves involving public money, or a grant of public property, unless the subject
472 matter has been acted upon by the joint Committee on Ways and Means, shall, after the first
473 reading, be referred in course to the Senate Committee on Ways and Means, whose duty it shall
474 be to report on their relation to the finances of the Commonwealth.

475 Orders reported in the Senate or received from the House involving the expenditure of public
476 money for special committees shall, before the question is taken on the adoption of the order, be
477 referred to the Senate Committee on Ways and Means, whose duty it shall be to report on the
478 order's relation to the finances of the Commonwealth.

479 Every such bill involving a capital expenditure for new projects, or an appropriation for repairs,
480 or any legislation, the cost of which, in the opinion of the committee, exceeds \$100,000, when
481 reported into the Senate by the Committee on Ways and Means, shall be accompanied by a fiscal
482 note indicating the amount of public money which will be required to be expended to carry out
483 the proposed legislation, together with an estimate of the cost of operation and maintenance for
484 the first year if a new project is involved.

485 When requested by any member, prior to the engrossment of any such bill involving a capital
486 expenditure for new projects, or an appropriation for repairs, or any legislation, the cost of
487 which, in the opinion of the committee, can be ascertained in a timely manner, and which
488 exceeds \$100,000, the chairman of the Committee on Ways and Means, or a member of said
489 committee, shall verbally disclose during session the amount of public money which will be
490 required to be expended to carry out the proposed legislation, together with an estimate of the
491 cost of operation and maintenance for the first year if a new project is involved. [1871; 1882;
492 1887; 1888; 1889; 1896; 1921; 1941; 1946; 1947; 1953; 1963; 1967; 1968; 1971; 1995; 1999.]

493 27A. When the general appropriations bill is reported by the Senate Committee on Ways and
494 Means the following information shall be made available:- (a) a prior year's appropriation, (b)
495 the recommendation, if any, of the Governor, (c) the amount approved by the House, and (d) the
496 amount recommended by the Senate Committee on Ways and Means. The committee shall
497 identify with its recommendations for the general appropriations bill all of the tax and non-tax
498 revenues on which its spending recommendations are premised. The committee shall present
499 these revenues by type and by the department or agency responsible for collecting them.

500 The committee on Ways and Means shall provide the membership with a copy of its proposed
501 text of the general appropriations bill, and an executive summary which shall include a list of
502 outside sections, and a short summary of each outside section not later than the fifth business day
503 prior to full Senate consideration of such bill. When the Senate considers the general
504 appropriation bill, the bill shall appear in the Orders of the Day for its second-reading. All
505 amendments to the Ways and Means proposed text shall be second-reading amendments, but
506 further amendments in the third-degree to such amendments shall be in order. After the bill as
507 amended is ordered to a third reading, it shall be read a third time and the question shall then
508 immediately be on passing it to be engrossed. No amendments shall be in order at the third
509 reading of the bill unless recommended by the committee on Bills in the Third Reading. Each
510 member shall file any proposed amendments, including those relating to outside sections,
511 electronically in a form determined by the Clerk, by the time established for that purpose by
512 order of the Senate. Each amendment shall contain a 1-sentence descriptive title. The Clerk
513 shall make a list of amendments available to the membership at least 24 hours prior to
514 consideration of such bill. Such list shall identify the member sponsoring the amendment and
515 include the 1-sentence descriptive title. The sponsoring member of an amendment, including
516 further amendments in the third-degree, shall make available at such member's office a copy and
517 a detailed summary of the amendment. The Clerk shall make available on the Internet the text of
518 all amendments, including further amendments in the third-degree to such amendments.

519 The committee on Ways and Means shall provide the membership with a copy of its proposed
520 text of any other appropriations bill, and an executive summary which shall include a list of
521 outside sections, and a short summary of each outside section not later than the fourth business
522 day prior to full Senate consideration of such bill. When the Senate considers such an

523 appropriation bill, the Ways and Means proposed text shall be adopted and the bill shall be
524 ordered to a third reading without other amendments. The bill shall be immediately read a third
525 time and then be open to other amendments. Each member shall file any proposed amendments,
526 including those relating to outside sections, with the Clerk not later than 5:00 p.m. of the third
527 business day before Senate consideration of the bill. Each amendment shall contain a 1-sentence
528 descriptive title. The Clerk shall make a list of amendments available to the membership at least
529 24 hours prior to the consideration of such bill. Such list shall identify the member sponsoring
530 the amendment and include the 1-sentence descriptive title. The sponsoring member shall make
531 available at such member's office a copy and a detailed summary of the amendment.

532 A member may withdraw an amendment to an appropriation bill after filing it, or may replace a
533 seasonably filed amendment with a redrafted amendment, which shall be clearly designated as
534 such.

535 This rule shall not be rescinded, amended or suspended, unless four fifths of the members
536 present consent thereto. [1974; 1993; 1997; 1999, 2001.]

537 27B. [Omitted in 1999.]

538 27C. With the exception of appropriation bills and capital outlay bills, the Committee on Ways
539 and Means and the Committee on Ethics and Rules may be discharged from the further
540 consideration of matters referred to them under the following procedure. The consideration of a
541 motion to discharge such committees from further consideration of a certain matter shall be
542 postponed without question to the day after that on which the motion is made. Such motion shall
543 require a majority vote of the members present and voting for adoption, if made after the
544 expiration of 45 calendar days after referral to said committees, but shall require a vote of two

545 thirds of the members present and voting, if made prior to the expiration of said 45 calendar days
546 after referral to said committees. On the motion to discharge such committees, not more than 15
547 minutes shall be allowed for debate, and no member shall speak more than 3 minutes.

548 In addition to the above procedure, the Committee on Ways and Means shall be discharged from
549 further consideration of a certain matter upon the written petition of a majority of the members of
550 such committee presented to the chairman after 45 calendar days following referral of the matter
551 to said committee. When directed to discharge a certain matter under this rule said committees
552 shall either report or be discharged of said matter within 5 legislative days of the vote or petition
553 calling for such discharge. A petition discharged under this rule shall be considered as favorably
554 reported and the matter accompanying said petition shall be designated as "discharged", and shall
555 be placed in the Orders of the Day for the next day for a second reading or question on adoption,
556 as the case may be, unless subject to Senate Rule 27. [1983;1985; 2003.]

557 28. No bill or resolve shall pass to be engrossed without 3 readings on 3 several days. [1817;
558 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

559 29. Bills and resolves, in their several readings, and resolutions, shall be read by their titles,
560 unless objection is made. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1890.]

561 30. If a committee to whom a bill or resolve is referred reports that the same ought not to pass,
562 the question shall be "Shall this bill (or resolve) be rejected?" If the rejection is negatived, the
563 bill or resolve, if it has been read but once, shall go to its second reading without a question; and
564 if it has been read more than once it shall be placed in the Orders of the Day for the next day,
565 pending the question on ordering to a third reading, or engrossment, as the case may be. [1817;
566 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1897; 1921; 1939; 1945; 1971.]

567 31. If an amendment is offered by any member at the second or third reading of a bill or resolve,
568 substantially changing the greater part of the bill or resolve, the question shall not be put
569 forthwith on adopting the amendment to the bill or resolve if formally requested by 2 members,
570 but the bill or resolve shall be laid over and placed in the Orders of the Day for the next day after
571 that on which the amendment is offered, with the amendment pending. The proposed
572 amendment shall be printed in the calendar and in the journal. If an amendment is made at the
573 second or third reading of a bill or resolve substantially changing the greater part of the bill or
574 resolve, the question shall not be put forthwith on ordering the bill or resolve to a third reading or
575 to be engrossed, as the case may be, but the bill or resolve, as amended, shall be placed in the
576 Orders of the Day for the next day after that on which the amendment is made, and shall then be
577 open to further amendment before such question is put. In like manner, when an amendment is
578 made in any proposition of such a nature as to change its character, as from a bill to an order, or
579 the like, the proposition as amended shall be placed in the Orders of the Day for the next day
580 after that on which the amendment was made. [1882; 1888; 1971.]

581 31A. Upon recommendation of the Committee on Ethics and Rules, the Senate may by order
582 require that all amendments to a designated bill be filed with the Clerk not later than 1 day before
583 consideration of the bill by the Senate. Such amendments shall be presented in the calendar and
584 shall not be subject to Rule 31. [1997; 2003.]

585 32. Bills or resolves ordered to a third reading shall be placed in the Orders of the Day for the
586 next day for such reading. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

587 32A. (1) The Senate Committee on Bills in the Third Reading may be discharged from the
588 further consideration of matters referred to it pursuant to the following procedure:

589 (a) The consideration of a motion to discharge said committee from further consideration
590 of a certain matter shall be postponed without question to the day after that on which the motion
591 is made.

592 (b) The adoption of such motion shall require a simple majority vote of the members
593 present and voting.

594 (2) The Senate Committee on Ethics and Rules may be discharged from the further consideration
595 of matters referred to it under Rule 26, pursuant to the following procedure:

596 (a) The consideration of a motion to discharge said committee from further consideration
597 of a certain matter shall be postponed without question to the day after that on which the motion
598 is made.

599 (b) Such motion shall require a majority vote of the members present and voting for
600 adoption if made after the expiration of 30 calendar days after referral to said committee, but
601 shall require a vote of two-thirds of the members present and voting if made prior to the
602 expiration of said 30 calendar days after referral to said committee.

603 (3) When either committee is directed to discharge a certain matter pursuant to this rule, such
604 committee shall either report or be discharged of said matter within 5 legislative days of the vote
605 calling for such discharge. A matter discharged under this rule shall be designated as
606 ?discharged? and the matter shall be placed in the Orders of the Day for the next sitting. On the
607 motion to discharge such committee, not more than 15 minutes shall be allowed for debate and
608 no member shall speak more than 3 minutes. [1985; 1987; 1989; 1993; 1995; 2005.]

609 32B. [Omitted in 1995.]

610 33. Bills and resolves when ordered to a third reading, and bills and resolves amended
611 subsequently to their third reading unless the amendment was reported by the Committee on
612 Bills in the Third Reading, shall be referred forthwith to that committee, which shall examine
613 and correct them, to avoid repetitions and unconstitutional provisions, and to ensure accuracy in
614 the text and references, and consistency with the language of existing statutes, and to give effect
615 to section 52 of chapter 3 of the General Laws; but any change in the sense of legal effect, or any
616 material change in construction shall be reported to the Senate as an amendment. The committee
617 may consolidate into 1 bill any 2 or more related bills referred to it, whenever legislation may be
618 simplified by such consolidation. Resolutions received from and adopted by the House or
619 introduced or reported into the Senate, after they are read and before they are adopted, and
620 amendments of bills, resolves and resolutions adopted by the House and sent to the Senate for
621 concurrence, shall also be referred, in like manner, to the Committee on Bills in the Third
622 Reading. When a bill, resolve or resolution has been so referred, no further action shall be taken
623 until the committee has reported on the bill, resolve or resolution. If a bill or resolve referred to
624 the Committee on Bills in the Third Reading contains an emergency preamble, changes the
625 compensation paid to the members of the General Court, provides for the borrowing of money by
626 the Commonwealth and comes within Section 3 of Article LXII of the Amendments to the
627 Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and
628 comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments
629 to the Constitution, or provides, upon recommendation of the Governor, for a special law relating
630 to an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the
631 Amendments to the Constitution, the committee shall plainly indicate the fact. [1817; 1836;
632 1882; 1888; 1890; 1891; 1914; 1919; 1925; 1927; 1929; 1945; 1965; 1967; 1983.]

633 33A. All legislative matters receiving a Senate number shall be presented and made available to
634 all the members of the Senate and to the public at least 24 hours in advance of consideration by
635 the Senate.

636 All other amendments recommended by any committee, other than the Committee on Bills in the
637 Third Reading, shall be subject to this rule.

638 This rule shall be suspended only upon a vote of two thirds of the members present and voting.
639 [1985.]

640 34. Bills and resolves prepared for final passage shall be certified by the Senate Clerk and
641 Parliamentarian, after comparison, to be the same as the bills or resolves passed to be engrossed;
642 and if found to be properly prepared, the Clerk shall so endorse on the envelope of the bill or
643 resolve; and the question on enactment or final passage or adopting an emergency preamble shall
644 be taken on the bill or resolve, without further reading, unless specifically ordered. When a bill or
645 resolve prepared for final passage contains an emergency preamble, changes the compensation
646 paid to members of the General Court, provides for the borrowing of money by the
647 Commonwealth and comes within Section 3 of Article LXII of the Amendments to the
648 Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and
649 comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to
650 the Constitution, or provides, upon recommendation of the Governor, for a special law relating to
651 an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the
652 Amendments to the Constitution, the Clerk shall plainly indicate the fact. [1817; 1831; 1882;
653 1888; 1914; 1919; 1965; 1967; 1971; 1983.]

654

655

656

ORDERS OF THE DAY.

657 35. The unfinished business in which the Senate was engaged at the time of the last adjournment
658 shall have preference in the Orders of the Day next after motions to reconsider. [1830; 1870.]

659 36. Reports of committees not by bill or resolve shall be referred to the Committee on Ethics
660 and Rules; except that the report of a committee asking to be discharged from the further
661 consideration of a subject and recommending that it be referred to another committee, or a report
662 of a committee recommending that a matter be placed on file, shall be immediately considered.

663 All reports of the Committee on Ethics and Rules shall be placed in the Orders of the Day for the
664 next session unless such matter is assigned for special consideration by said Committee on some
665 future date. Amendments to a measure which have been made by the House and sent back to the
666 Senate for concurrence shall be placed in the Orders of the next day after that on which they are
667 received; provided that amendments involving state money shall be referred to the Committee on
668 Ways and Means.

669 Reports of committees on proposals for amendment of the Constitution shall be dealt with in
670 accordance with Joint Rule 23. [1845; 1853; 1888; 1891; 1919; 1947; 1953; 1965; 1968; 1971;
671 1985; 1995; 2005.]

672 37. After entering upon the consideration of the Orders of the Day, the Senate shall proceed with
673 them in regular course, as follows: Matters not giving rise to a motion or debate shall first be
674 disposed of in the order in which they stand in the calendar; then the matters that were passed
675 over shall be considered and disposed of in like order. [1817; 1836; 1841; 1859; 1878; 1882;
676 1885.]

677 38. No matter which has been duly placed in the Orders of the Day shall be discharged from the
678 Orders of the Day or considered out of its regular course. [1885.]

679 38A. The Senate shall not continue in session beyond the hour of 8 p.m. This rule shall not be
680 suspended unless two-thirds of the members present and voting consent to such suspension on a
681 recorded yea and nay vote. [1983; 2005.]

682 38A 1/2. The Senate shall not continue in session beyond midnight. This rule shall not be
683 suspended unless two-thirds of the members present and voting consent to such suspension on a
684 recorded yea and nay vote. [2005.]

685 38B. Debate and consideration on the general appropriation bill shall begin at 10 a.m. and shall
686 be the only matter placed on the calendar for that day. [1985.]

687



688

689

RULES OF DEBATE.

690 39. When speaking, each member shall stand in such member?s place and address the President.
691 When recognized, the member shall confine such member?s remarks to the measure and question
692 under debate and shall at all times avoid personalities. [1817; 1831; 1871; 1973.]

693 40. When 2 or more members rise to speak at the same time, the President shall designate the
694 member who is entitled to the floor. [1831; 1888.]

695 41. No member shall speak more than once to the prevention of any other member who has not
696 spoken and desires to speak on the same question. [1817; 1886.]

697 42. No member shall interrupt another while speaking, except by rising to call to order or to rise
698 to a question of personal privilege or parliamentary inquiry. [1817; 1831; 1971.]

699 43. After a question is put to vote no member shall speak to it. [1817.]

700 43A. No appeal from a decision of the President shall be entertained unless it is seconded; and
701 the question on the appeal shall be disposed of forthwith. [1973.]

702

703 MOTIONS.

704 44. Any motion shall be reduced to writing if the President so directs. A motion need not be
705 seconded and may be withdrawn by the mover if no objection is made. [1817; 1844; 1871;
706 1888.]

707 44A. [Omitted in 2011.]45. An amendment to any measure filed for debate with the Clerk
708 containing 2 or more propositions, capable of division, shall be divided whenever desired by any
709 member. When a motion to strike out and insert is thus divided, the failure of the motion to
710 strike out shall not preclude amendment; or, if the motion to strike out prevails, the matter
711 proposed to be inserted shall be open to amendment before the question is taken on inserting it.
712 [1817; 1841; 1888.]

713 46. When a question is under debate the President shall receive no motion that does not relate to
714 the same, except a motion to adjourn or some other motion which has precedence by express rule
715 of the Senate, or because it is privileged in its nature; and the President shall receive no motion
716 relating to the same except:

717 (1) To lay on the table (or take from the table);

718 (2) To close debate at a specified time;

719 (3) To postpone to a day certain;

720 (4) To commit (or recommit);

721 (5) To amend;

722 (6) To postpone indefinitely.

723 These motions shall have preference in the order in which they stand. [Between 1821 and 1826;

724 1831; 1844; 1870; 1882; 1885; 1888; 1921; 1939; 1945; 1971.]

725 47. Debate may be closed at any time not less than 1 hour from the adoption of a motion to that

726 effect. On this motion not more than 10 minutes shall be allowed for debate, and no member

727 shall speak more than 3 minutes. [1882.]

728 48. When motions are made to refer a subject to different committees, the committees proposed

729 shall be considered in the following order:

730 (1) A standing committee of the Senate;

731 (2) A special committee of the Senate;

732 (3) A joint standing committee of the 2 branches;

733 (4) A joint special committee of the 2 branches. [1884; 1888.]

734 49. No engrossed bill or resolve shall be amended; but this rule shall not apply to a bill or

735 resolve returned by the Governor with a recommendation of amendment under Article LVI of the

736 Amendments of the Constitution; nor shall it apply to amendments of engrossed bills proposed
737 by the House and sent to the Senate for concurrence. [1837; 1919; 1931.]

738 50. No motion or proposition of a subject different from that under consideration and no
739 measure which has been finally rejected or disposed of by the Senate shall be admitted under the
740 color of an amendment. [1882; 1971.]

741 51. [Omitted in 2011.]

742 52. The motion to adjourn and the call for yeas and nays shall be decided without debate.

743 On the motions to lay on the table and take from the table, to postpone to a time certain, to
744 commit or recommit (except with instructions), not exceeding 10 minutes shall be allowed for
745 debate, and no member shall speak more than 3 minutes.

746 On a motion to reconsider, not more than 30 minutes shall be allowed for debate, and no member
747 shall speak more than 5 minutes; but on a motion to reconsider a vote upon any subsidiary,
748 incidental or dependent question debate shall be limited to 10 minutes, and no member shall
749 speak more than 3 minutes.

750 On a motion to suspend any of the joint rules or Senate rules debate shall be limited to 15
751 minutes, and no member shall speak more than 3 minutes. [1817; 1859; 1870; 1874; 1882; 1885;
752 1937; 1941.]

753 52A. The Senate President or presiding officer of the Senate may not declare that the Senate is
754 in recess for more than 30 minutes, without informing the members from the rostrum of a time
755 certain for reconvention. [1993.]

756

757 RECONSIDERATION.

758 53. No motion to reconsider a vote shall be entertained unless it is made on the same day on
759 which the vote has passed, or on the next day thereafter on which a quorum is present and before
760 the Orders of the Day for that day have been taken up. If reconsideration is moved on the same
761 day, the motion shall (except during the last 7 calendar days of formal business under Joint Rule
762 12A) be placed first in the Orders of the Day for the succeeding day; but if it is moved on the
763 succeeding day, the motion shall be considered forthwith; provided, however, that this rule shall
764 not prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
765 time when the main question to which it relates is under consideration; and provided, further,
766 that a motion to reconsider a vote on any incidental, subsidiary or dependent question shall not
767 remove the main subject under consideration from before the Senate, but shall be considered at
768 the time when it is made.

769 There shall be no reconsideration of the vote on the question on adjourning, for the yeas and
770 nays, on laying on the table or on taking from the table; and when a motion for reconsideration
771 has been decided, that decision shall not be reconsidered. [1817; between 1821 and 1826; 1858;
772 1885; 1888; 1891; 1902; 1946; 1999.]

773

774 REJECTED MEASURES.

775 54. When any measure has been finally rejected or finally disposed of by the Senate, no measure
776 substantially the same shall be introduced by any committee or member during the session, or
777 moved as an amendment to another measure. [1817; dispensed with in 1831; revived in 1838;
778 amended in 1841; 1844; 1877; 1882; 1971.]

779

780

VOTING.

781 55. The President shall declare all votes; but if a member doubts a vote, the President shall order
782 a return of the number voting in the affirmative, and in the negative, without further debate.
783 [1831; 1888.]

784 56. The sense of the Senate shall be taken by yeas and nays whenever required by one-fifth of
785 the members present, or by a number of members equal to the total number of members of the
786 minority party. The President may wait a period not exceeding 10 minutes before ordering the
787 Clerk to start the yeas and nays, during which time the members shall be summoned to the
788 Senate Chamber as the President may direct.

789 Other business of the Senate may be taken up during the 10 minute period. At the end of the 10
790 minute interval, the President shall state the question to be roll called and then direct the Clerk to
791 begin the call. If, before the vote is taken, a member states to the Senate that such member has
792 paired with another member and how each would vote on the pending question, the fact shall be
793 entered on the journal immediately after the record of the yeas and nays, and such member shall
794 be excused from voting. If, after the yeas and nays have been ordered, an advanced notice of at
795 least 60 minutes is given by the President, the President may set a time certain for the vote to be
796 taken and the 10 minute waiting period above prescribed may be waived. [1817; 1852; 1888;
797 1971; 1972, 1997.]

798 57. Whenever a question is taken by yeas and nays, the Clerk shall call the names of all
799 members, except the President, in alphabetical order, and every member present shall answer to
800 such member's name, unless excused before the vote was taken. Except in the case of a vote to

801 ascertain the presence of a quorum, if a member present in the State House is prevented from
802 voting personally in the Senate Chamber at the member's assigned seat because of physical
803 disability, that member may be excused from so voting by the President, who shall assign a court
804 officer to answer the roll call on behalf of the member so long as the disability continues;
805 provided, however, that the President shall announce the action of the Chair to the membership
806 prior to assigning a court officer to cast the member's vote; and provided further, that the
807 President shall announce the action to the membership the first time a vote is cast for that
808 member on each successive day that the member is absent from the chamber because of the
809 disability. No member shall be permitted to vote after the decision is announced from the Chair.
810 [1837; 1844; 2008.]

811 57A. [Omitted in 2011.]

812

ELECTIONS BY BALLOT.

813

814 58. In all elections by ballot a time shall be assigned for such election, at least 1 day prior to
815 such election, except in case of an election of President or President pro tempore, under Rule 5.
816 [1831; 1891.]

817

REPORTERS' GALLERY.

818

819 59. The use of the reporters' gallery of the Senate Chamber shall be subject to the approval and
820 direction of the Committee on Ethics and Rules during the session and of the President after
821 prorogation. Except in the reporter's official capacity as a reporter, no reporter who is entitled to

822 the privileges of the reporters' gallery shall seek to influence the action of the Senate or any
823 member, nor shall such person approach a member to seek to influence such member in any
824 place from which legislative agents are excluded by Rule 61. Every legislative reporter desiring
825 admission to the reporters' gallery of the Senate Chamber shall state in writing that such reporter
826 is not the agent or representative of any person or corporation interested in legislation before the
827 General Court and will not act as representative of any such person or corporation while such
828 reporter retains a place in the gallery; but nothing in this rule shall prevent such legislative
829 reporter from engaging in other employment, provided such other employment is specifically
830 approved by the Committee on Ethics and Rules and reported to the Senate. [1847; 1911; 1914;
831 1925; 1989; 2003.]

832 59A. Formal sessions of the Senate shall be made accessible to electronic media, including
833 television, radio and the Internet. The manner, conditions and extent of such access shall be
834 established by the Committee on Ethics and Rules.

835 The President and the Clerk shall endeavor to provide that all formal sessions of the Senate
836 during which the general appropriation bill is considered are broadcast live. If it is not feasible
837 for such a session to be broadcast live they shall endeavor to provide for its delayed broadcast.
838 The Committee on Ethics and Rules may provide for the audio or video transmission via the
839 Internet of Senate sessions. The committee on Ethics and Rules may enter into agreements with
840 nonprofit entities, including public and private educational facilities, to provide for audio or
841 video transmission via the Internet of the Senate sessions.

842 This rule shall not be suspended unless by majority vote of the members present and voting.

843 If, for any reason, the Senate convenes in a formal session and such session is not televised live,
844 then the party under the contractual duty to provide the broadcast shall provide to the Senate
845 President and Minority Leader within 24 hours of the adjournment of such session a report
846 including, but not limited to an explanation for why the broadcast was not received.

847 Prior to permanent arrangements being entered into for the broadcast of formal Senate sessions,
848 any television carrier, who wishes to broadcast any formal Senate session shall make application
849 to the committee on Ethics and Rules to do so, approval of which shall not be unreasonably
850 withheld. Any carrier may make arrangements to utilize a pool feed to be provided under
851 guidelines and conditions set forth by the committee on Ethics and Rules. [1989, 2001; 2003;
852 2007.]

853 59B. The Clerk of the Senate shall deliver a copy of each broadcast Senate session to the
854 Majority Floor Leader and the Minority Floor Leader not later than 24 hours after such session
855 has ended.

856 The Clerk of the Senate shall also keep a copy of every broadcast Senate session for reference
857 purposes. These copies shall be made available to the public upon request. [1993.]

858 59C. The electronic feed that provides the broadcast coverage of the Senate sessions shall be
859 available to any media outlet. [2002.]

860 59D. (1) The President shall make available to each member of the Senate a copy of the contract
861 for the broadcast of the Senate formal sessions.

862 (2) Any contracts executed after January 1, 2003 concerning television broadcast of the formal
863 sessions of the Senate shall require the following information to be reported to the members of
864 the Senate:

865 (a) a list of all cities and towns to receive live television broadcasts of the sessions of the
866 Senate;

867 (b) a list of each city and town to receive Senate coverage including the date and time of
868 the live and pre-recorded broadcasts of each session of the Senate;

869 (c) a list of cities and towns that do not receive live televised broadcasts of the sessions of
870 the Senate and an explanation for the lack of coverage.

871 The President shall make available said copy of the contract to each member of the Senate on the
872 first day of the annual session. [2003.]

873



874

THE SENATE CHAMBER AND ADJOINING ROOMS

875 60. No person not a member shall be allowed to sit at the Senate table while the Senate is in
876 session. [1853;1888.]

877 61. No person, except members of the legislative and executive departments of the state
878 government, persons in the exercise of an official duty directly connected with the business of
879 the Senate, and reporters who are afforded press privileges by the Senate President, shall, unless
880 invited by the President, be admitted to the floor of the Senate Chamber or to the Senate Reading
881 room or to the corridor between the Senate Reading room and the Senate Chamber during the
882 sessions of the Senate, or during the half hour preceding or succeeding said sessions, nor to the

883 Senate reading room, cloak room or anterooms on any day when a session of the Senate is held,
884 except upon written invitation bearing the name of the person it is desired to invite and the name
885 of the Senator extending the invitation, which invitation shall be surrendered when the person
886 enters one of the otherwise restricted areas.

887 Reporters desiring access to the Senate Chamber shall make written application to the President
888 stating the purposes for which the privileges are required, and such privileges shall be granted
889 only upon written approval by the President.

890 No legislative agent shall be admitted to the floor of the Senate Chamber. On any day when a
891 session of the Senate is held, no legislative agent shall be admitted to the Senate Reading room,
892 the cloak room, the Senate corridor or anterooms and no person, except members of the
893 legislative and executive departments of the state government and persons in the exercise of an
894 official duty directly connected with the business of the Senate shall be permitted to loiter in the
895 Reading room, the cloak room, the Senate corridor or anterooms at any time. Smoking shall not
896 be permitted in the Senate Reading room, the cloak room or the anterooms. [1870; 1875; 1886;
897 1891; 1895; 1896; 1897; 1898; 1907; 1909; 1914; 1916; 1925; 1989.]

898 61A. No person shall be allowed to smoke on the floor of the Senate. [1985.]

899 62A. No use of cellular telephones shall be permitted in the Senate Chamber while the Senate is
900 in session. [2003.]

901

902

PARLIAMENTARY PRACTICE.

903 62. The rules of parliamentary practice shall govern the Senate in all cases to which they are
904 applicable, and in which they are not inconsistent with these rules or the joint rules of the 2
905 branches. [1847; 1858; 1882; 1895; 1963.]

906

907

908 ALTERATIONS, SUSPENSION OR REPEAL OF RULES.

909 63. This rule and rules 24, 31, 33, 34 and 53 shall not be suspended if objection is made; and no
910 other rule shall be altered, suspended or repealed, except by vote of two-thirds of the members
911 present and voting. The Committee on Ethics and Rules may consider and suggest measures that
912 shall, in its judgment, tend to facilitate the business of the Senate, and a majority vote of the
913 Senate shall be required to approve such recommendations. [1817; 1841; 1848; 1882; 1888;
914 1891; 1893; 1899; 1953; 1973; 2003.]

915 64. Twenty-one members shall constitute a quorum for the organization of the Senate and the
916 transaction of business. [See Amendments to the Constitution, Art. XXXIII.] [1973.]

917 65. The Senate shall meet not later than the fourth Friday following the convening of the first
918 annual session of a General Court for the purpose of adopting permanent rules of the Senate.
919 [1991; 2007.]

920 66. [Omitted in 1997.]

921 67. The resignation of a Senator shall become effective within 14 days from submission of a
922 letter of resignation or a letter of intent to resign to the Senate President's Office. [2007.]

923

REVIEW PAST SENATE PROCEDURE

924 68. The President shall establish a commission to examine past rules and practices of the
925 Massachusetts State Senate.

926 This commission shall consist of 3 members: the Senate President pro tempore; the majority
927 leader; and the minority leader; and shall examine and compare the current rules and practices of
928 the Massachusetts State Senate with the body's historic rules and practices. This examination
929 and comparison may include, but not be limited to, matters of decorum, attendance, dress, and
930 schedule.

931 The commission shall report its findings and recommendations by September 1 of every odd
932 numbered year.