

**HOUSE . . . . . No. 2014****The Commonwealth of Massachusetts***House of Representatives,*

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**In the Year Two Thousand Thirteen**

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1           *Ordered*, That the rules of the House of Representatives for the years 2013-2014 be  
 2 adopted, as follows:

3  
 4 SPEAKER.

5           1. The Speaker shall take the Chair at the hour to which the House stands adjourned, call the  
 6 members to order, and, on the appearance of a quorum, proceed to business. [1.] (Senate Rule 1.)

7           1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet  
 8 beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in  
 9 session, the Speaker shall interrupt the business then pending and shall, without debate, place  
 10 before the House the question on suspension of this rule which shall be decided by a majority of  
 11 members present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said  
 12 vote shall permit the House to remain in session until the hour of midnight; provided that the  
 13 session shall not continue beyond the hour of midnight, unless by unanimous consent of the  
 14 members present. The House shall then return to the pending business; and if no matter was  
 15 pending, to the next order of business. However, if the vote is in the negative, the Speaker shall  
 16 forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten  
 17 o'clock A.M. on the next succeeding calendar day.

18           [Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16,  
 19 2000.]

2. The Speaker shall preserve decorum and order in the House Chamber. While in the House Chamber, members and staff shall be required to dress in proper and appropriate attire and to refrain from the use of cellular telephones, beepers and pagers. The use of visual aids including, without limitation, posters, displays, or charts shall be permitted only upon approval of the Speaker. The Speaker also may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see Rule 77.]

[Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011.]

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

[Amended Jan. 11, 1985.]

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

[Amended Jan. 11, 1985.]

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

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

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

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

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

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

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

[Amended Jan. 11, 1985.]

#### SCHEDULING.

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

The committee on Steering, Policy and Scheduling shall not be authorized to recommend changes or amendments to legislation or recommend that a matter ought to pass or ought not to pass, but shall only report asking to be discharged from further consideration of a bill, and recommending that it be referred or recommitted to another committee, provided, however, that it shall not recommend that a matter be referred or recommitted to the committee on Rules or the committees on Rules of the two branches, acting concurrently, or what date a matter shall be scheduled for consideration by the House and placed in the Orders of the Day. All reports by the committee on petitions filed or approved by the voters of a city or town, or by the mayor and city council, or other legislative body of a city or the town meeting of a town with respect to a law relating to that city or town shall be read and considered by the House at a formal or informal session before being accepted, rejected or otherwise acted upon.

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

[Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005.]

7B. The committee on Rules shall be authorized to originate and report special orders for the scheduling and consideration of legislation on the floor of the House. Said committee shall not be subject to the notification provisions contained in Rule 17A but may hold public hearings and shall accept testimony only from the members of the House. A majority of the members appointed to the committee shall constitute a quorum. When reported, such orders may be

90 amended by a two-thirds vote of the members present and voting, and shall be subject to  
91 approval by a majority of the members of the House present and voting. Debate on the question  
92 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this  
93 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such  
94 orders shall not be subject to reconsideration.

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

96 7C. The committee on Rules may consider and make recommendations designed to improve  
97 and expedite the business and procedures of the House and its committees, and to recommend to  
98 the House any amendments to the Rules deemed necessary; provided that a majority of the  
99 members of the House present and voting shall be required to approve such recommendations.

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

101 [Adopted Jan. 14, 1997.]

102 7D. The Speaker shall, in consultation with the committee on Rules and the committee on  
103 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize  
104 to the greatest extent possible scheduling conflicts for members of committees.

105 The Speaker shall determine a schedule for the House for each week relative to formal and  
106 informal sessions and shall make such schedule available to the members by Thursday of the  
107 preceding week; provided, however, that the Speaker may make, notwithstanding the provisions  
108 of Rule 7A, changes in the schedules to facilitate the business of the House in an efficient and  
109 timely fashion. The Speaker shall communicate notice of any such scheduling change to the  
110 members in writing or by way of electronic mail as soon as practicable, and whenever possible,  
111 the Speaker shall provide such notice not less than twenty-four hours before the event so  
112 rescheduled is set to commence.

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

114 Monitors.

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

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

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

123 [Amended Jan. 9, 1991; May 5, 1993.]

124 9A. There shall be established a Floor Division Committee for each of the four divisions of  
125 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.  
126 Said committee shall consist of the members assigned to the respective divisions.

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

132 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the  
133 Chamber and the various areas under the jurisdiction of the House of Representatives. Said  
134 chairpersons shall be authorized to act as a committee and may meet at any time at the request of  
135 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the  
136 appropriate agencies and historical commissions of the Commonwealth for the purpose of  
137 requesting expeditious appraisals and necessary repairs and renovations to the interior and  
138 exterior of the State House. The committee of chairpersons shall report directly to the Speaker  
139 the results of all consultations.

140 [Adopted Jan. 14, 1997.]

141 CLERK.

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

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

149 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

150 [Adopted Jan. 9, 1991.]

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

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

bill or resolve notwithstanding the objections of His Excellency the Governor which may be considered forthwith at the direction of the House or Speaker.

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

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

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

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

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

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

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

MEMBERS.

14. No member shall stand up, to the inconvenience of others, while a member is speaking; or be involved in disturbing conversation while another member is speaking in debate; or pass unnecessarily between the Speaker of the House and the member speaking; or stand in the passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in progress. [16.]

[Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

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

15. When it appears to the presiding officer that the presence of a quorum is endangered, the Chair shall order the doors closed. If a quorum is doubted the Chair shall order the doors closed and thereafter no member shall enter or leave the House until an initial determination has been made as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is present, no member shall leave the House unless by permission of the presiding officer, but members shall be admitted, at any time.

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

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

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

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

#### ETHICS.

16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee shall consist of eleven members, seven of whom shall be appointed by the Speaker, four of whom shall be appointed by the Minority Leader.

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

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

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

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

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

If the alleged violation received in the manner described above is deemed to have merit by a majority vote of the members appointed to the committee, the committee shall file a report with

223 the Clerk of the House. Said report shall be a public document. The committee shall not disclose  
224 any allegation deemed to be frivolous or without merit.

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

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

233 Any member, officer, or employee of the House may request in writing from the House  
234 committee on Ethics an advisory opinion concerning any contemplated personal action or  
235 potential personal conflict. The committee on Ethics shall issue written advisory opinions and  
236 clarification in response to said written request. The committee shall respond within sixty days of  
237 receipt of such a request, unless the General Court has prorogued. In that event, the committee  
238 shall respond within thirty days following the opening of the new session.

239 No member, officer, or employee of the House shall be penalized in any manner for having  
240 acted within the guidelines of an advisory opinion, provided that all pertinent facts are stated in  
241 the original request for an advisory opinion. Any advisory opinion issued by the committee on  
242 Ethics shall be valid only for biennial session in which it was issued.

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

244 The chairman shall also convene the committee at the written request of at least five members  
245 of the committee.

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

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

256 [Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20,  
257 2011.]



258 CODE OF ETHICS.

259 16A. (1.) While members, officers and employees should not be denied those opportunities  
260 available to all other citizens to acquire and retain private, economic and other interests,  
261 members, officers, and employees should exercise prudence in any and all such endeavors and  
262 make every reasonable effort to avoid transactions, activities, or obligations, which are in  
263 substantial conflict with or will substantially impair their independence of judgment.

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

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

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

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

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

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

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

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

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

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

(12.) No member, officer or employee shall knowingly accept any gifts from any legislative or executive agent. No member, officer or employee shall accept any gift from any person or entity having a direct interest in legislation before the General Court (For the purpose of this paragraph, the definitions of “gift” and “person” are defined in chapter 268B, section 1(g) and 1(m).).

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

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

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

[Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001.]

16B. The Committee on Personnel and Administration shall develop and conduct an ethics law training program for every member, officer and employee of the House; provided further, that said training program shall include, without limitation, a detailed review of the requirements and prohibitions of chapter 268A and chapter 268B of the General Laws; and provided further, that said training program shall be offered no later than July 1 of the first biennial session of the General Court and shall be mandatory for all members, officers and employees.

[Adopted Jan. 9, 2003, Amended Jan 20, 2011.]

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

#### COMMITTEES.

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

A committee on Rules;

(to consist of fifteen members).

325 A committee on Ways and Means;

326 (to consist of thirty-two members).

327 A committee on Bills in the Third Reading;

328 (to consist of three members).

329 A committee of each Floor Division;

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

331 A committee on Ethics;

332 (to consist of eleven members).

333 A committee on Personnel and Administration;

334 (to consist of thirteen members).

335 A committee on Post Audit and Oversight;

336 (to consist of eleven members).

337 A committee on Steering, Policy and Scheduling;

338 (to consist of eleven members).

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

340 (to consist of eleven members).

341 A committee on Global Warming and Climate Change;

342 (to consist of eleven members).

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

345 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6,  
346 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005.]

347 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly  
348 requires otherwise, have the following meanings:

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

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

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

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

357 “Meeting”, any corporal convening and deliberation of a committee for which a quorum is  
358 required in order to make a decision at which any public policy matter over which the committee  
359 has supervision, control, jurisdiction or advisory power is discussed or considered; provided,  
360 however, that “meeting” shall not include an on-site visitation or inspection of any project or  
361 program.

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

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

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

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

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

379 (ii) to consider the discipline or dismissal of, or to hear complaints or charges brought  
380 against, a member, officer or employee; (iii) to discuss strategy with respect to litigation if an  
381 executive session or other open meeting may have a detrimental effect on the legal position of  
382 the committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such  
383 discussions may have a detrimental effect on the negotiating position of the Commonwealth or a  
384 person, firm or corporation.

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

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

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

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

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

(g) Upon prior notification and approval of the chair, a meeting of a committee may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction; provided, however, that said recording shall not interfere with the conduct of the meeting. Executive conferences conducted pursuant to clause (i) or clause (11) of part (c) of this rule shall not be recorded unless upon the request of the member, officer or employee who is subject to said executive conference. Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule may be recorded at the discretion of the chair.

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

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

17B. Whenever any member of a House committee present at the committee meeting so requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of the full committee. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action. The record of all such roll calls shall be kept in the offices of the committee and shall be available for public inspection.

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

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

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

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

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

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

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

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

The chairman of each standing committee shall have the authority to discharge an employee.

The House staff members of each committee shall be appointed solely on the basis of fitness to perform the duties of their respective positions and consistent with section four of chapter one hundred fifty-one B of the General Laws. The committee staff shall not:

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

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

The committee shall meet on request of the chairman or any three members of the committee. Any such meeting requested shall be convened on or within the fifth business day following such request. All such requests shall be in writing and forwarded to the chairman and each member of the committee.

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

[Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991.]

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

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

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

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

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

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

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

503 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to  
504 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and  
505 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital  
506 funds by the various agencies and authorities of the Commonwealth. The committee shall  
507 determine whether such laws, administrative regulations and programs are being implemented in  
508 accordance with the intent of the General Court. The committee shall be authorized to make  
509 recommendations for statutory changes and changes in the Constitution which would grant  
510 discretion to the General Court over the allotment and expenditure of fund authorized by capital  
511 appropriations.

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

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

519 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro  
520 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader, and Second Assistant  
521 Majority Floor Leader. The Minority Leader shall appoint, and may recommend the removal of,  
522 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and Third  
523 Assistant Minority Floor Leader, Ranking minority member of Ways and Means, Ranking



minority member of the committee on Rules, Ranking Minority member of the committee on Financial Services, Ranking minority member of the committee on Health Care Financing, Ranking minority member of the committee on Bonding, Capital Expenditures, and State Assets, and Ranking minority member of the committee on Economic Development and Emerging Technologies. The Minority Leader shall be that member of the minority party who is selected for that position by the members of his/her party.

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

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

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

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

The Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to pursuant to this rule who has been criminally indicted by a court of competent jurisdiction.

[Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23, 2007; Jan 23, 2013.]

18A. There shall be one member of the minority party on all committees of conference and one on the committee on Bills in the Third Reading. On all other standing and joint committees, the percent of minority party membership shall be at least equal to the percent of minority party membership in the House of Representatives as of the first day of the session; provided, further, that where such percentage results in a fraction of a number, the fraction shall be rounded off to the nearest whole; provided, however, that the minority party shall under no circumstances have less than four members on the committee on Ethics, four on the committee on Personnel and

560 Administration, three on the committee on Rules and six on the committee on Ways and Means.  
561 In no case shall minority party representation be less than two members on all other standing and  
562 joint committees.

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

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

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

578 [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997.]

579 18B. All votes on ratification by the caucus required by these rules shall be by written ballot  
580 and shall require a majority of those present and voting.

581 [Adopted Jan. 11, 1985.]

582 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,  
583 respectively, or upon petition of twenty-five percent of the members of the respective party  
584 caucus. A caucus may entertain resolutions, motions, or other means of ascertaining the sense of  
585 the respective party members on any subject. (13B.)

586 [Adopted Nov. 17, 1983; Amended Jan. 11, 1985.]

587 19A. The majority party and minority party shall establish caucus rules that shall dictate the  
588 procedures of each caucus.

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

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

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

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

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

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

20B. When the General Appropriation Bill is reported by the committee on Ways and Means it shall be made available to all members electronically and to the public via the Internet in a format to be determined by the Speaker in consultation with the Clerk. The committee on Ways and Means shall provide the membership with a copy of its proposed text of said General Appropriation Bill, and an executive summary which shall include a list of outside sections, and

a short summary of each outside section prior to full House consideration of such bill. When the House considers said General Appropriation Bill, it shall be read a second time and forthwith ordered to a third reading without any amendments. The bill shall be immediately read a third time and then be open to amendments as previously determined by the House.

[Adopted Jan. 9, 2003, Jan. 23, 2007.]

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

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

The committee may consolidate into one bill any two or more related bills referred to it, whenever legislation may be simplified thereby.

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

Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House for concurrence, shall, subsequently to the procedure required by rule thirty-five in respect to amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

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

If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-thirds vote because it contains an emergency preamble, or if it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation

of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve, or on a wrapper or label attached thereto. [26.] (33.)

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

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

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

[Amended Jan. 12, 1983.]

23A. No member of the House, except the Speaker, Speaker pro tempore, Majority Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the Committee on Ways and Means and committee chairmen with respect to committee business, shall receive privileges or compensation for postage which is greater than seventy-five percent of the amount allowed as standard practice during the 186th biennial session of the General Court, as determined by the House Business Manager.

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

24. (1) Petitions, recommendations and reports of state officials, departments, commissions and boards, special reports including legislation initiated by the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding, Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees and commissions, shall be filed with the Clerk in a format to be determined by said Clerk, who shall, unless they are subject to

other provisions of these rules or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate committees, subject to such change of reference as the House may make. The reading of all such documents may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference except as provided in joint rule thirteen.

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

(3) Petitions and other papers so filed which are subject to the provisions of joint rule seven A, seven B, or nine, shall be referred by the Clerk to the committee on Rules. Petitions and other papers so filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to the procedure required by said rule, be referred by the Clerk to the committee on Rules. The reading of all such papers may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference.

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

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

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

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

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

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

[Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005.]

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

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

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

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

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

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

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

777 (3) Matters discharged under the provisions of this rule shall be placed in the Orders of the  
778 Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered  
779 as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall  
780 be placed in the Orders of the Day for the next sitting.

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

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

786 (6) As an alternative procedure to that provided under the provisions of this rule, the members  
787 of the House may, by filing a petition signed by a majority of the members elected to the House,  
788 discharge the House committee on Ways and Means, the House committee on Bills in the Third  
789 Reading, and the House committee on Rules from further consideration of a legislative matter.  
790 Seven days following the filing of the petition with the House Clerk, the committee shall be  
791 discharged from further consideration of the legislative matter specified in the petition and the  
792 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the  
793 House is meeting.

794 (7) For the purpose of this rule, matters not appearing on the Calendar which are not before  
795 any committee shall be deemed to be before the Rules committee. Notwithstanding the previous  
796 sentence, a bill which has been engrossed by the House and Senate, shall be placed before the  
797 House for enactment. Any member may request to the House that a matter, engrossed in the  
798 House and Senate, returned for final passage by the engrossing division and reviewed and  
799 released by the Committee on Bills in Third Reading be placed before the House for enactment.  
800 The Speaker shall, in response to such a request of a member, put the matter before the House at  
801 the conclusion of the matter then pending.

802 (8) This rule shall not be suspended unless by unanimous consent of the members present.  
803 (27C, 32A.)

804 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,  
805 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]



806 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later  
807 than forty-five days following the day the matter was referred to it. The Clerk shall indicate on  
808 the Calendar entry of every matter before the Committee on Bills in the Third Reading the date  
809 that said matter was referred to said committee.

810 [Adopted Jan. 11, 1985; Amended Jan. 9, 2003.]

811 REGULAR COURSE OF PROCEEDINGS.

812 Petitions.

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

815 [Amended Jan. 11, 1985.]

816 Motions Contemplating Legislation, etc.

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

818 The committee on Ways and Means may originate and report appropriation bills as provided  
819 in rule twenty. Messages from the Governor shall, unless otherwise ordered, be referred to the  
820 appropriate committee, which may report by bill or otherwise thereon. A similar disposition  
821 shall, unless otherwise ordered, be made of reports by state officers and committees authorized to  
822 report to the Legislature, and similar action may be had thereon.

823 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with  
824 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report  
825 of the committee on Ways and Means. [40.] (19.)

826 [Amended Jan. 24, 2001.]

827 Bills and Resolves.

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

833 [Amended Jan. 9, 2003; Jan. 26, 2005.]

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

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

839 32A. [Omitted Jan. 26, 2005.]

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

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

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

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

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

858 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in  
859 consultation with the Clerk, to all members of the House and the public at least twenty-four  
860 hours in advance of consideration by the House.

861 All amendments offered by members to any legislative matter in the House shall be submitted  
862 in a format to be determined by the Speaker in consultation with the Clerk; and shall be  
863 considered chronologically as submitted to the Clerk, except for an amendment in the second  
864 degree; provided that all of said amendments shall be double spaced and drafted in proper form;  
865 and provided further that there shall be available to the members a duplicate copy of each  
866 amendment. (33A.)

867 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,  
868 1995; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

869 33B. [Omitted Jan. 26, 2005.]

870 33C. [Omitted Jan. 26, 2005.]

871 33D. [Omitted Jan. 26, 2005.]

872 33E. No consolidated amendment offered by the committee on ways and means shall be  
873 considered by the House until the expiration of at least thirty minutes after the consolidated  
874 amendment shall have been first filed with the Clerk and made available to the members. This  
875 rule shall not be suspended unless by unanimous consent of the members present.

876 [Added Feb. 4, 2010.]

877 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.  
878 [45.] (26.)

879 [Amended Jan. 26, 1999.]

880 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall  
881 be referred to the committee on Bills in Third Reading, provided that the journal shall reflect the  
882 referral. [46.] (36.)

883 [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007; Jan. 23, 2013.]

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

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

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

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

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

897 [Amended Jan. 11, 1985.]

898 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion  
899 to strike out the enacting clause of a bill shall be received when the bill is before the House for  
900 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be  
901 received before the adoption of the emergency preamble and, if suspended, the amendment may  
902 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the

903 Governor with a recommendation of amendment in accordance with the provisions of Article  
904 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills  
905 proposed by the Senate and sent to the House for concurrence, which amendments shall be  
906 subject to the provisions of rule thirty-five, provided, however, that an affirmative vote on a  
907 motion to suspend this rule shall be required in order to offer an amendment to such an  
908 engrossed bill when the question before the House is on adoption of an emergency preamble, re-  
909 enactment or enactment, as the case may be.. [53.] (49.)

910 [Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23, 2013.]

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

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

917 42. Reports of committees, not by bill or resolve, including orders if proposed for joint  
918 adoption, after they are received from the Senate, or made in the House, as the case may be,  
919 shall, unless subject to the provisions of any other House or joint rules, be referred to the  
920 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to  
921 be discharged from further consideration of a subject, and recommending that it be referred or  
922 recommitted to another committee, or a report of a committee recommending that a matter be  
923 placed on file, shall be immediately considered. Reports of committees on proposals for  
924 amendments to the Constitution shall be dealt with in accordance with the provisions of joint rule  
925 twenty-three. [57.] (36.)

926 [Amended Jan. 14, 1997.]

927 42A. The Clerk shall, prior to three o'clock P.M., on the day preceding a session, make  
928 available by electronic communication or other means, a list of all reports of the committee on  
929 Steering, Policy and Scheduling, asking to be discharged from further consideration of subjects,  
930 and recommending that the subjects be referred to other committees.

931 [Adopted Jan. 26, 2005.]

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

934 Special Rules Affecting the Course of Proceedings.

935 44. The Speaker may designate when an informal session of the House shall be held provided  
936 said Speaker gives notice of such informal session at a prior session of the House. The Speaker

937 may, in cases of emergency, cancel a session or declare any session of the House to be an  
938 informal session. At an informal session the House shall only consider reports of committees,  
939 papers from the Senate, bills for enactment or resolves for final passage, bills containing  
940 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at  
941 such informal session shall be placed in the Orders of the Day for the succeeding day, and no  
942 new business shall be entertained, except by unanimous consent.

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

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

952 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,  
953 2003.]

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

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

963 [Amended Jan. 12, 1981; Jan. 12, 1983.]

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

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

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

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

Voting.

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

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

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

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

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

[Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011.]

1007 50. When a question is put, the sense of the House shall be taken by the voices of the  
1008 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.  
1009 If the Speaker is unable to decide by the sound of the voices, or if the announcement made  
1010 thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall  
1011 order a division of the number voting in the affirmative and in the negative, without further  
1012 debate upon the question. [66.] (55.)

1013 [Amended Jan. 11, 1985.]

1014 51. When a return by division of the members voting in the affirmative and in the negative is  
1015 ordered, the members for or against the question, when called on by the Speaker, shall rise in  
1016 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a  
1017 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall  
1018 stand. [67.]

1019 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent  
1020 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,  
1021 state the pending question and, after opening the electronic voting system, instruct the members  
1022 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall  
1023 close said system and cause totals to be displayed and a record made of how each member  
1024 present voted; provided, that if at any time during said voting period any standing, joint or  
1025 conference committee is meeting in public or executive sessions, the Speaker shall leave the  
1026 electronic voting machine open for not less than 5 minutes.

1027 Any member desiring to be recorded as being “present” when a yea and nay vote is taken on  
1028 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and  
1029 before the vote is announced.

1030 In the event the electronic voting system is not in operating order, the roll of the House shall  
1031 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to  
1032 answer “present” who was not on the floor before the vote is declared; provided, however, that a  
1033 member, who was in the State House on a previous roll call, may be recorded by reporting to the  
1034 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is  
1035 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the  
1036 member who is speaking on the floor; provided, however, that such request may be announced to  
1037 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond  
1038 said five minute period. Once the voting has begun it shall not be interrupted except for the  
1039 purpose of questioning the validity of a member’s vote before the result is announced. Except as  
1040 heretofore provided, any member who shall vote or attempt to vote for another member or any  
1041 person not a member who votes or attempts to vote for a member, or any member or other person  
1042 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting  
1043 equipment used by the House, or change the records thereon shall be punished in such manner as

1044 the House determines; and provided further, that such a violation shall be reported to the Ethics  
1045 Committee. [68.] (56, 57.)

1046 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,  
1047 2003; Jan. 26, 2005; Jan 20, 2011.]

1048 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been  
1049 ordered before the question is put, the proceedings under rules fifty and fifty-one relative to  
1050 verification of the vote by the voices of the members or by a return of divisions shall be omitted;  
1051 if not, they may be called for in lieu of a return by divisions when the Speaker's announcement is  
1052 doubted by a member rising in his/her place, and, if then ordered, the proceedings under rules  
1053 fifty and fifty-one shall be omitted. [69.] (52.)

1054 [Amended Jan. 26, 1999.]

1055 Reconsideration.

1056 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on  
1057 which the vote was taken, or before the Orders of the Day have been taken up on the next day  
1058 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion  
1059 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the  
1060 succeeding day, the motion shall be considered forthwith except that if said motion is moved on  
1061 a day on which an informal session has been designated, it shall be placed in the Orders of the  
1062 Day for the succeeding day. If reconsideration is moved after July first of the second annual  
1063 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not  
1064 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any  
1065 time when the main question to which it relates is under consideration; and provided, further,  
1066 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not  
1067 remove the main subject under consideration from before the House, but shall be considered at  
1068 the time when it is made. This rule shall not be suspended unless by unanimous consent of the  
1069 members present. [70.] (53.)

1070 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1071 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and  
1072 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the  
1073 following motions:

1074 to recess,

1075 to adjourn,

1076 on sustaining a ruling of the Chair,

1077 to close debate at a specified time,



1078 to postpone if voted in the negative,  
1079 to discharge or direct a committee to report,  
1080 to commit or recommit,  
1081 for second or subsequent legislative days,  
1082 for the previous question, or  
1083 for suspension of rules.

1084 This rule shall not be suspended unless by unanimous consent of the members present. [71.]  
1085 (53.)

1086 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1087 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall  
1088 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or  
1089 incidental question, debate shall be limited to ten minutes, and no member shall occupy more  
1090 than three minutes.

1091 If the House has voted to close debate on any question, a motion to reconsider said question  
1092 shall be decided without debate. [72.] (52.)

1093 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1094 RULES OF DEBATE.

1095 57. Every member, when about to speak, shall rise and respectfully address the Speaker and  
1096 shall confine himself/herself to the question under debate. [73.] (39.)

1097 [Amended Jan. 11, 1985.]

1098 58. Every member while speaking shall avoid personalities; and shall sit down when finished.  
1099 No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

1100 When two or more members rise at the same time, the Speaker shall name the member  
1101 entitled to the floor, preferring one who rises in his/her place to one who does not. [74.] (40.)

1102 [Amended Jan. 11, 1985.]

1103 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly  
1104 procedure of the House, the Speaker, after warning the member of such violations, shall call the  
1105 member to order, and order that member to take his/her seat. A member so called to order shall  
1106 lose the right to speak on the pending subject-matter but shall not be debarred from voting. A

1107 member so called to order shall remain seated until the House begins consideration of another  
1108 subject-matter or unless the Speaker earlier returns to the member his/her rights to the floor.

1109 If a member so called to order refuses to immediately take his/her seat, the Speaker shall  
1110 immediately name that member, who shall be escorted from the Chamber under escort of the  
1111 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of  
1112 three to be appointed by the Speaker. Said special committee shall make a report to the House of  
1113 its recommendations, which report shall be read and accepted.

1114 Having been named, a member shall not be allowed to resume his/her seat until said member  
1115 has complied with the recommendations of the committee as accepted by the House.

1116 If, after a member is seated or named, the action of the Speaker is appealed, the House shall  
1117 decide the case by a majority vote of the members present and voting, but if there is no  
1118 immediate appeal, the decision of the Speaker shall be conclusive.

1119 [Amended Jan. 12, 1981; Jan. 11, 1985.]

1120 60. No member shall interrupt another while speaking except by rising to a point of order, to a  
1121 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking  
1122 to yield.

1123 Members may rise to explain matters personal to them by leave of the presiding officer, but  
1124 shall not discuss pending questions in such explanations.

1125 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and  
1126 conduct of the member in his/her representative capacities.

1127 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by  
1128 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1129 [Amended Jan. 12, 1981.]

1130 61. No member shall speak more than once to the prevention of those who have not spoken  
1131 and desire to speak on the same question.

1132 This prohibition shall not apply to those members designated by the committee or committees  
1133 reporting the bill.

1134 No member shall occupy more than thirty minutes at a time while speaking on any question  
1135 where debate is unlimited.

1136 Unless the operation of another rule provides to the contrary (such as previous question,  
1137 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any

1138 question when no other member who has not spoken is seeking recognition by the Chair. [76.]  
1139 (41.)

1140 Motions.

1141 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1142 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may  
1143 be withdrawn by the mover if no objection is made. [78.] (44.)

1144 [Amended Jan. 12, 1981.]

1145 Limit of Debate.

1146 64. A motion to recess or adjourn shall always be first in order, and shall be decided without  
1147 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to  
1148 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member  
1149 shall speak more than three minutes. On the motion to discharge any committee, or on a motion  
1150 directing any committee to report matters before it, not exceeding fifteen minutes shall be  
1151 allowed for debate, and no member shall speak more than three minutes.

1152 If the main motion is undebatable, any subsidiary or incidental motion made relating to it  
1153 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1154 [Amended Jan. 12, 1981.]

1155 64A. Debate on the question on adoption of orders for second and subsequent legislative days  
1156 shall be limited to ten minutes, and no member shall speak more than three minutes. After  
1157 entering into a second or subsequent legislative day, the House shall immediately proceed to  
1158 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of  
1159 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1160 [Adopted Jan. 12, 1983.]

1161 65. When a question is before the House, until it is disposed of, the Speaker shall receive no  
1162 motion that does not relate to the same, except the motion to recess or adjourn or some other  
1163 motion that has precedence either by express rule of the House, or because it is privileged in its  
1164 nature; and the Speaker shall receive no motion relating to the same, except,—

1165 for the previous question, . . . . .

1166 to close debate at a specified time, . . . . .

1167 to postpone to a time certain, . . . . .

1168 to commit (or recommit), . . . . .

1169 to amend, . . . . . See Rules 66, 67 and 68

1170 See Rules 64, 69 and 70

1171 See Rules 64 and 70

1172 See Rules 64 and 71

1173 See Rules 72, 73, 74 and 75

1174 — which several motions shall have precedence in the order in which they are arranged in  
1175 this rule. [80.] (46.)

1176 [Amended Jan. 11, 1985.]

1177 Previous Question.

1178 66. Any member may call for the previous question on the main question.

1179 The previous question shall be put in the following form: “Shall the main question be now  
1180 put?” and all debate on the main question shall be suspended until the previous question is  
1181 decided.

1182 The adoption of the previous question shall require the affirmative vote of two-thirds of the  
1183 members present and voting and shall put an end to all debate, and bring the House to direct vote  
1184 upon pending amendments, if any, in their regular order, and then upon the main question.

1185 A motion to reconsider the vote on any of the pending amendments shall be decided without  
1186 debate. [81.]

1187 [Amended Jan. 12, 1981.]

1188 67. Any member may call for the previous question on any pending amendment.

1189 The previous question shall be put in the following form: “Shall the question on adoption of  
1190 the amendment be now put?” and all debate shall be suspended until the previous question is  
1191 decided.

1192 The adoption of the previous question on a pending amendment shall require the affirmative  
1193 vote of two-thirds of the members present and voting and shall put an end to all debate and bring  
1194 the House to a direct vote upon the pending amendment.

1195 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1196 [Amended Jan. 12, 1981.]

1197 68. The previous question shall be decided without debate.

1198 Motion to Close Debate at a Specified Time.

1199 69. Debate may be closed at any time not less than thirty minutes from the adoption of a  
1200 motion to that effect. This rule shall not be suspended unless by unanimous consent of the  
1201 members present. [85.] (47.)

1202 Motion to Postpone to a Time Certain.

1203 70. When a motion is made to postpone to a time certain, and different times are proposed,  
1204 the question shall first be taken on the most remote time; and the time shall be determined before  
1205 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1206 Motion to Commit.

1207 71. When a motion is made to commit, and different committees are proposed, the question  
1208 shall be taken in the following order:

1209 a standing committee of the House,

1210 a select committee of the House,

1211 a joint standing committee,

1212 a joint selected committee;

1213 and a subject may be recommitted to the same committee or to another committee at the  
1214 pleasure of the House. [88.] (48.)

1215 Motion to Amend.

1216 72. A motion to amend an amendment may be received; but no amendment in the third degree  
1217 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members  
1218 present. [89.]

1219 [Amended Jan. 12, 1983.]

1220 73. No motion or proposition on a subject different from that under consideration shall be  
1221 admitted under color of amendment. This rule shall not be suspended unless by unanimous  
1222 consent of the members present. [90.] (50.)

1223 [Amended Jan. 12, 1987.]

1224 73A. No motion to amend a report from the committee on Ways and Means or a report from  
1225 the committee on Bills in the Third Reading, when such an amendment contains an expenditure  
1226 of public money or an increase or decrease in taxes, shall be considered unless a brief  
1227 explanation of the amendment is stated.

1228 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1229 74. A question containing two or more propositions capable of division shall be divided  
1230 whenever desired by any member, if the question includes points so distinct and separate that,  
1231 one of them being taken away, the other will stand as a complete proposition. The motion to  
1232 strike out and insert shall be considered as one proposition and therefore indivisible. The  
1233 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or  
1234 similar main motions shall be considered as indivisible under this rule. This rule shall not be  
1235 suspended unless by unanimous consent of the members present. [91.] (45.)

1236 [Amended Jan. 12, 1983.]

1237 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule  
1238 70.]

1239 Declaration of Recess.

1240 76. The Speaker may declare a recess of fifteen minutes duration, or less.

1241 [Amended Jan. 9, 1991.]

1242 Appeal.

1243 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and  
1244 no other business shall be in order until the question on the appeal has been disposed of. Debate  
1245 shall be limited to fifteen minutes on the question of sustaining a ruling by the Chair, and no  
1246 member shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1247 [Amended Jan. 9, 1989.]

1248 Resolves.

1249 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall  
1250 apply likewise to such resolves as require the concurrence of the Senate and approval by the  
1251 Governor in order to become law and have force as such. [95.]

1252 Seats.

1253 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such  
1254 persons as he/she may employ to assist said Clerk, and that on the left to the use of the chairman  
1255 and vice-chairman of the committee on Bills in the Third Reading.

1256 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other  
1257 than seats assigned under paragraph (1) of this rule, shall be his/her seat for the year and for such  
1258 additional years as said member may elect so long as service in the House remains continuous.  
1259 An exchange of seats may be made with the approval of the Speaker. [98.]

1260 [Amended Jan. 11, 1985; May 5, 1993.]

1261 Privilege of the Floor.

1262 80. The following persons shall be entitled to admission to the House of Representatives,  
1263 during the session thereof, to stand in an area designated by the Speaker in the rear of the  
1264 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1265 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary  
1266 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,  
1267 Attorney-General, Librarian and Assistant Librarian.

1268 (2) The members of the Senate.

1269 (3) Persons in the exercise of an official duty directly connected with the business of the  
1270 House.

1271 (4) Contestants for seats in the House, whose papers are in the hands of a special committee  
1272 of the House, may be admitted, while their cases are pending, to seats to be assigned by the  
1273 Speaker.

1274 No other person shall be admitted to the floor during the session, except upon the permission  
1275 of the Speaker.

1276 No legislative agent or counsel may be admitted to the floor of the House Chamber during a  
1277 session unless that part of the session is ceremonial in nature in which no other legislative  
1278 business is conducted.

1279 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1280 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,  
1281 61.)

1282 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1283 Representatives' Chamber and Adjoining Rooms.

1284 81. Use of the Representatives' Chamber shall be subject to the approval of the Speaker or the  
1285 committee on Rules.

1286 No legislative agent or counsel shall be admitted to the members' corridor or adjoining  
1287 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except  
1288 persons entitled to the privileges of the floor of the House unless upon written invitation of a  
1289 member bearing the name of the member and the person the member invites. Upon entering, the  
1290 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph

1291 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which  
1292 members of the general public are allowed to attend.

1293 No person shall be admitted to the north gallery of the House except upon a card of the  
1294 Speaker.

1295 Subject to the approval and direction of the committee on Rules during the session and of the  
1296 Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under  
1297 the control of the organization of legislative reporters known as the Massachusetts State House  
1298 Press Association and the State House Broadcasters Association.

1299 Every legislative reporter desiring admission to the reporters' galleries shall state in writing  
1300 that he/she is not the agent or representative of any person or corporation interested in legislation  
1301 before the General Court, and will not act as representative of any such person or corporation  
1302 while retaining a place in the galleries; but nothing herein contained shall prevent such  
1303 legislative reporter from engaging in other employment, provided such other employment is  
1304 specifically approved by the committee on Rules and reported to the House.

1305 All formal sessions of the House of Representatives shall be open to both commercial and  
1306 public radio and television, except designated times during such sessions, as determined by the  
1307 House, reserved for the consideration of non-controversial business which does not give rise to  
1308 debate. The manner and conditions of such broadcasts shall be established by the Speaker.  
1309 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker with the  
1310 approval of the House.

1311 This rule shall not be suspended unless by unanimous consent of the members present. [100.]  
1312 (59.)

1313 [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23,  
1314 2007.]

1315 Quorum.

1316 82. Eighty-one members shall constitute a quorum for the organization of the House and the  
1317 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1318 In the event that a quorum is not present, the presiding officer shall compel the attendance of  
1319 a quorum. During the absence of a quorum, no other business may be transacted or motions  
1320 entertained except a declaration of adjournment or a recess by the Speaker. [105.]

1321 [Amended Jan. 12, 1981; Jan. 14, 1997.]

1322 Debate on Motions for Suspension of Rules.



1323 83. The question of suspension of House rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83  
1324 shall be decided without debate. Debate upon the motion for the suspension of any other House  
1325 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no  
1326 member shall occupy more than three minutes. This rule shall not be suspended unless by  
1327 unanimous consent of the members present. [102.] (52.)

1328 [Amended Jan. 12, 1981; Jan. 9, 1989.]

1329 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,  
1330 altered or repealed unless two-thirds of the members present and voting consent thereto. This  
1331 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1332 [Amended Jan. 12, 1981.]

1333 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive  
1334 any requirement relative to the electronic availability and posting on the internet of any bills,  
1335 resolves, summaries or other documents contained herein; provided, however, that if the clerk so  
1336 waives any such requirement he shall make paper copies of the documents available to all  
1337 members and the public within the limitation established for the electronic availability and  
1338 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1339 Reference to Committee on Rules.

1340 85. All motions or orders authorizing committees of the House to travel or to employ  
1341 stenographers, all propositions involving special investigations by committees of the House, all  
1342 resolutions presented for adoption by the House only, and all motions and orders except those  
1343 which relate to the procedure of the House or are privileged in their nature or are authorized by  
1344 rule sixty-five, shall be referred without debate to the committee on Rules, which shall report  
1345 thereon, recommending what action should be taken. The committee shall not recommend  
1346 suspension of joint rule nine, unless evidence satisfactory to the committee is produced that the  
1347 petitioners have previously given notice, by public advertisement or otherwise, equivalent to that  
1348 required by Chapter 3 of the General Laws. [104.] (13A.)

1349 85A. The House Business Manager, with the approval of House Counsel, shall provide that  
1350 outside, independent audits of House financial accounts be conducted for each fiscal year upon  
1351 receipt of the fiscal year end appropriation activity with balance report from the comptroller of  
1352 the Commonwealth. The audit shall be conducted in accordance with auditing standards  
1353 generally accepted in the United States of America and the standards applicable to financial  
1354 audits contained in Government Auditing Standards, issued by the Comptroller General of the  
1355 United States. The House Business Manager shall provide the independent auditor with  
1356 requested documents for such audit. A copy of such audit shall be filed with the Clerk of the  
1357 House and copies shall be made available to the members and the general public.

1358 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1359 Parliamentary Practice.

1360 86. The rules of parliamentary practice shall govern the House in all cases to which they are  
1361 applicable, and in which they are not inconsistent with these rules or the joint rules of the two  
1362 branches. (62.)

1363 Procurement.

1364 87. (a) All procurement for goods or services shall be completed by the House Business  
1365 Manager with the approval of House Counsel.

1366 (b) All procurements for goods or services shall, to the extent practicable, be made from the  
1367 statewide procurement list established by the operational services division.

1368 (c) Upon certification by the House Business Manager that a necessary procurement cannot be  
1369 made using the statewide procurement list established by the operational services division, the  
1370 House Business Manager may procure the required goods or services pursuant to the following:

1371 (i) for a procurement of a supply or service in an amount of less than \$5,000, the House  
1372 Business Manager shall use sound business practices;

1373 (ii) for a procurement of a supply or service in an amount of \$5,000, but less than \$50,000, the  
1374 House Business Manager shall seek written or oral quotations from no fewer than 3 persons  
1375 customarily providing such supply or service. The House Business Manager shall record the  
1376 names and addresses of all persons from whom quotations were sought, the names of the persons  
1377 submitting quotations and the date and amount of each quotation. The House Business Manager  
1378 shall award the contract to the responsible person whose quotation offers the needed quality of  
1379 supply or service and which represents the best value for the Commonwealth;

1380 (iii) for a procurement of a supply or service in an amount exceeding \$50,000 the House  
1381 Business Manager shall seek proposals through a competitive bid process established by the  
1382 office of House Counsel; provided, however, that the Office of House Counsel shall file the  
1383 competitive bid process with the House Clerk no later than March 31 of the first year of the  
1384 session.

1385 (d) All procurements for legal and consulting services shall be handled exclusively by the  
1386 Office of House Counsel in compliance with the provisions of this rule. Prior to executing a  
1387 contract for legal or consulting services, said office shall certify, in writing, to the Clerk of the  
1388 House of Representatives that no employee of the House of Representatives possesses the  
1389 required skills to complete the service which is the subject of the contract.

1390 (e) The House Business Manager shall maintain a file on each contract not executed using the  
1391 statewide procurement list established by the operational services division and in excess of

1392 \$5,000 and shall include in such file a copy of all documents related to the contract. Upon  
1393 execution of the contract, the House Business Manager shall transmit the file to the Office of  
1394 House Counsel which shall make the file available for inspection within said office by members  
1395 of the House for at least 3 years from the date of final payment under the contract; provided,  
1396 however, that the Office of House Counsel shall redact from said file any information which (i)  
1397 is legally privileged; (ii) is proprietary; or (iii) is related to individual members or House  
1398 personnel.

1399 (f) Whenever the time required to comply with a requirement of this rule would endanger the  
1400 health, safety or convenience of the members, staff or visitors to the House of Representatives  
1401 the House Business Manager may make an emergency procurement without satisfying the  
1402 requirement of this rule; provided, however, that both the House Business Manager and the  
1403 House Counsel certify in writing that: (i) an emergency exists and explain the nature thereof; (ii)  
1404 said emergency procurement is limited to only supplies or services necessary to meet the  
1405 emergency; (iii) conforms to the requirements of this rule to the extent practicable under the  
1406 circumstances; (iv) each contractor's name; (v) includes the amount and the type of each  
1407 contract; (vi) includes the supplies or services provided under each contract; (vii) and includes  
1408 the basis for determining the need for an emergency procurement. Such certification shall be  
1409 filed with the Clerk of the House prior to an emergency procurement.

1410 [Adopted Jan. 20, 2011, Amended Jan. 23, 2013.]