

SENATE No. 8

Senate, January 28, 2013, – Text of the Senate amendment (Ethics and Rules) to the House order relative to Joint Rules governing the 2013-2014 legislative sessions (House, No. 2016)

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

Committees.

- 1
- 2 **1.** Joint standing committees shall be appointed at the beginning of the biennial session as
- 3 follows:-
- 4 A committee on Children, Families and Persons With Disabilities;
- 5 A committee on Community Development and Small Businesses;
- 6 A committee on Consumer Protection and Professional Licensure;
- 7 A committee on Economic Development and Emerging Technologies;
- 8 A committee on Education;
- 9 A committee on Elder Affairs;
- 10 A committee on Election Laws;
- 11 A committee on Environment, Natural Resources and Agriculture;
- 12 A committee on Financial Services;
- 13 A committee on Health Care Financing;
- 14 A committee on Higher Education;
- 15 A committee on Housing;
- 16 A committee on the Judiciary;
- 17 A committee on Labor and Workforce Development;

18 A committee on Mental Health and Substance Abuse;

19 A committee on Municipalities and Regional Government;

20 A committee on Public Health;

21 A committee on Public Safety and Homeland Security;

22 A committee on Public Service;

23 A committee on Revenue;

24 A committee on State Administration and Regulatory Oversight;

25 A committee on Telecommunications, Utilities and Energy;

26 A committee on Tourism, Arts and Cultural Development;

27 A committee on Transportation;

28 A committee on Veterans and Federal Affairs

29 Each to consist of 6 members of the Senate, and 11 of the House except the committees on

30 Economic Development and Emerging Technologies, Health Care Financing and Transportation

31 which shall consist of 7 members of the Senate and 13 of the House.

32 Within 4 weeks of the appointment of joint standing committees in the first annual session of the

33 General Court, each joint standing committee shall adopt rules of procedure regarding its

34 conduct. Said rules of procedure, together with any amendments, shall be filed with the Clerk of

35 the Senate and the Clerk of the House and shall be available to the public and members of the

36 General Court on the official website for the General Court.

37 Except as provided by Joint Rule 1E, each matter shall be referred only to 1 joint committee for

38 consideration and all reports of matters by joint committees shall be made to the House or the

39 Senate, under Joint Rule 4, not to another joint committee. The committee to which a matter is

40 initially referred may discharge the matter to another committee with jurisdiction over the matter.

41 Matters referred by either the Senate or the House to its committee on Ways and Means shall be

42 considered by the respective committees of the 2 branches, acting as a joint committee, when, in

43 the judgment of the chairmen of the respective committees of the 2 branches, the interests of

44 legislation or the expedition of business will be better served by such joint consideration. Matters

45 may also be referred to the committees on Ways and Means, of the 2 branches, as a joint

46 committee.

47 The committees on Rules, together with the presiding officers of the 2 branches, acting

48 concurrently, may consider and suggest such measures as shall, in their judgment, tend to

49 facilitate the business of the session and a majority vote of the 2 branches shall be required to
50 approve such recommendations.

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

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

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

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

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

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

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

85 study, report the results of the investigation and study together with legislation, if any, by filing
86 the same with the Senate and House chairmen of the appointing joint committee.

87 Temporary employees of the general court assigned to a joint committee who are students at an
88 accredited education institution or employees or grantees of other non-profit organizations under
89 section 501 (c) (3) of the Internal Revenue Code may receive compensation from such
90 organization, according to that organization's regular program of providing such compensation
91 for temporary governmental or public service employment. A temporary employee's Senate or
92 House supervisor shall establish the employee's total compensation, shall verify that the sum of
93 the employee's state compensation, if any, and that any outside compensation the employee is to
94 receive under this rule would not exceed this total compensation, and shall file the written terms
95 of the employee's compensation with the Senate or House Human Resources Office, where it
96 shall be available for public inspection. The temporary employee shall sign a confidentiality and
97 ethics agreement provided by the Senate Personnel Office or House Human Resources Office.
98 [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18 86; Jan. 12,
99 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18 92; Feb.
100 7, 18 93; Jan. 8. 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10, 18 98; Jan. 9, 18 99;
101 Jan. 22 and 29, 1901; Jan. 6, 19 02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19 07; Jan.
102 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan. 1 and 8 and Feb. 21,
103 1919; Jan. 7, 19 20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7, 19 31; Jan. 6, 19
104 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb. 1, 19 49; Jan. 7,
105 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19 66;
106 Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec. 21,
107 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 ,
108 June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005; Feb. 20, 2007;
109 Feb 12, 2009.]

110 **1A.** All meetings of joint committees acting concurrently, Senate and House standing
111 committees, special committees of the Senate and House of Representatives, and joint special
112 committees and committees of conference on the disagreeing votes of the 2 branches shall be
113 open to the public, unless a majority shall vote otherwise. [Adopted July 17, 1973. Amended
114 July 18, 1974; Feb. 12, 2009.]

115 **1B.** A joint standing committee shall hold a public hearing on each matter referred to it in each
116 legislative session. [Adopted June 3, 1985; Amended Feb. 12, 2009.]

117 **1C.** All joint standing committees shall schedule committee hearings and executive sessions so
118 as not to conflict, to the extent feasible, with the schedules of other committees and, to the extent
119 feasible, the day of the week and times during that day set aside for formal sessions by the
120 respective branches from the first Wednesday in January through the fourth Wednesday of April
121 in the first annual session. [Adopted June 3, 1985; Amended June 12, 1995.]

122 **1D.** All meetings of joint standing committees, and special joint committees of the Senate and
123 House of Representatives, shall be open to the public, and any person shall be permitted to attend
124 any such meeting unless such committee convenes in executive session, as provided herein. All
125 joint standing committees shall determine a schedule for committee hearings to be held from the
126 beginning of the first annual session through the fourth Wednesday in June in said session. These
127 committee schedules shall be submitted to the Clerk of the House who shall cause them to be
128 published on the official website for the General Court. Establishment of such schedules shall
129 not preclude joint standing committees from scheduling additional hearings or meetings as
130 needed. No executive session shall be held except upon extraordinary circumstances and only
131 after the committee has first convened in an open session for which notice has been given, the
132 presiding officer has stated the purpose of the executive session, a majority of the committee
133 members present has voted to go into executive session, the vote of each member has been
134 recorded on a roll call vote, and the presiding officer has stated before the executive session if
135 the committee will reconvene after the executive session. The records of all such roll calls shall
136 be kept in the offices of the committee for the duration of the General Court during which said
137 vote was recorded, and shall be available for public inspection upon reasonable notice and during
138 regular office hours.

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

144 Nothing contained in this rule shall prohibit a joint standing committee or special joint
145 committee of the Senate and the House of Representatives from taking appropriate action
146 including, but not limited to, the exclusion of a person from a committee meeting in order to
147 prevent the disruption of or interference with committee proceedings.

148 The 48 hour requirement shall be suspended in an emergency only after all reasonable efforts
149 have been made to contact all committee members and upon a recorded vote of at least a
150 majority of the members of each branch appointed to the committee, but not less than two-thirds
151 of the members of each branch voting.

152 A meeting of a committee may be recorded by a person in attendance by means of a recorder or
153 any other means of audio/visual reproduction except when a meeting is held in executive session;
154 provided, that a person seeking to record a meeting of a committee notifies the Chairs of the
155 committee prior to commencing such recording; and provided further that during such recording
156 there is no interference with the conduct of the meeting. [Adopted June 3, 1985. Amended June
157 12, 1995; Feb. 20, 2007.]

158 **1E.** The joint standing committee on Health Care Financing shall review all legislation relating
159 to health care to evaluate the appropriateness and fiscal effect of such legislation. A matter
160 within the jurisdiction of said committee may, if appropriate, initially be referred to another joint
161 standing committee sharing jurisdiction of the subject-matter. Any matter reported favorably by
162 such joint standing committee shall be referred to the joint committee on Health Care Financing;
163 provided, however, that notwithstanding any rule to the contrary, any such matter so reported
164 shall not be read a first time in the branch in which the report was received. The next favorable
165 report on any such matter, if made by a joint committee, may be made to either branch. Such
166 next favorable report shall be considered the first reading. The branch of origin for any such bill
167 so reported shall be the branch receiving such favorable report.

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

172 In compliance with section 38A of chapter 3 of the General Laws, the joint committee on Health
173 Care Financing when reporting on bills shall include a fiscal note prepared under section 3A of
174 chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the proposed
175 legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the sum of
176 \$100,000; provided, however, that any matter reported by the committee on Health Care
177 Financing with a fiscal effect of less than \$100,000 shall not be referred, under the rules, to the
178 committee on Ways and Means.[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007;
179 Feb. 12, 2009.]

180 **1F.** [Omitted February 12, 2009].

181 **1G.** The President of the Senate, the Speaker of the House of Representatives, Minority Leader
182 of the Senate, Minority Leader of the House of Representatives, the Senate and House chairmen
183 and the Senate and House ranking minority members of the joint committee on Public Safety and
184 Homeland Security may receive security clearance from federal and state homeland security
185 officials in order to be granted access to confidential homeland security briefings, information
186 and materials. The President of the Senate, the Speaker of the House of Representatives, the
187 Senate and House committee chairmen and the Senate and House ranking minority members
188 may designate 1 or more members of their staff who may receive such security clearance.

189 Any person who receives security clearance under this rule shall sign all confidentiality
190 agreements required by homeland security officials. The breach of any such confidentiality
191 agreement shall constitute a violation of the Joint Rules of the Senate and House of
192 Representatives. Any alleged violation of a confidentiality agreement shall be referred for
193 investigation to the Senate committee on Ethics and Rules or the House committee on Ethics,

194 respectively, and, if appropriate, to law enforcement authorities for potential criminal
195 prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009.]

196 **2.** No member of either branch shall act as counsel for any party before any committee of the
197 Legislature.

198 **2A.** No member of either branch shall purchase, directly or indirectly, the stock or other
199 securities of any corporation or association knowing that there is pending before the General
200 Court any measure specially granting to such corporation or association any immunity,
201 exemption, privilege or benefit or any measure providing for the creation of, or directly affecting
202 any, contractual relations between such corporation or association and the Commonwealth. This
203 rule shall not apply to the purchase of securities issued by the Commonwealth or any political
204 subdivision of the Commonwealth. [See G.L. chapter 268, section 10.] [Adopted Jan. 16, 1922.]

205 **3.** When the General Court is in session, authorization for any committee of the Senate or House
206 of Representatives to travel during the session of the General Court shall be approved by a vote
207 of two-thirds of the members of its branch present and voting. When the General Court is in
208 session, authorization for any committee of the Senate or House of Representatives to sit and
209 travel during the recess of the General Court shall be approved by a vote of two-thirds of the
210 members of each branch present and voting. During the recess of the General Court, the
211 President of the Senate and the Speaker of the House of Representatives may, by written consent,
212 allow standing committees of their respective branches or appoint special committees to sit,
213 travel and incur expenses not exceeding sums authorized in writing by said presiding officers and
214 appropriated for such purposes. When the General Court is in session, authorization for any joint
215 committee to travel during the session, or to sit or travel during the recess, of the General Court
216 shall be approved by a vote of two-thirds of the members of each branch present and voting.
217 During the recess of the General Court, the President of the Senate and the Speaker of the House
218 of Representatives, acting jointly, may, by written consent, allow joint committees or appoint
219 joint special committees to sit, travel and incur expenses not exceeding sums authorized in
220 writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate
221 and House of Representatives shall be notified of any appointments made and authorizations
222 granted during the recess for said committees to sit, travel and incur expenses during the recess
223 and the Clerks shall enter such information in the journals for the next year, as soon as may be
224 practicable. Committees authorized by the presiding officers to sit during the recess in the odd
225 numbered year shall report not later than the fourth Wednesday of January during the following
226 year and committees authorized by the presiding officers to sit during the recess in the even
227 numbered year shall report not later than the fourth Wednesday of December during the same
228 year.

229 No committee shall travel except at the expense of the Commonwealth. In any case when a
230 committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for
231 members of the committee and the officer accompanying them, and the reasonable traveling

232 expenses of such members and officers only shall be charged to or paid by the Commonwealth.
233 Neither the Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any
234 person to accompany such committee while in the discharge of its official duties unless invited
235 by vote of the committee.

236 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms to
237 the committee by whom they have been incurred and shall be approved by a majority of said
238 committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;
239 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
240 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

241 **3A.** A joint standing committee may, upon the written and signed report of two-thirds of the
242 members of the Senate and two-thirds of the members of the House appointed to said committee,
243 report a bill or other form of legislation without said legislation being founded upon petition;
244 provided, however, that matters so reported shall be germane to the subject matters regularly
245 referred to the committee. The committee shall hold a public hearing on such bill or other form
246 of legislation before it is reported. A bill or other form of legislation so reported shall be placed
247 in the Orders of the Day by the Clerk of the respective branch to which it is reported or referred
248 to a standing committee of said branch under the rules. All reports of committees not founded
249 upon petition shall bear the designation "committee bill", "resolve", "order" or "resolution", as
250 the case may be, in the Orders of the Day. Committees to which messages from the Governor,
251 reports of state officers, boards, committees, commissions and others authorized to report to the
252 General Court, may report by bill or otherwise such legislation as may be germane to the subject
253 matter referred to them. [Adopted June 3, 1985 .]

254 **4.** Favorable reports, and adverse reports on subjects of legislation other than petitions, by joint
255 committees may be made to either branch, at the discretion of the committee, having reference to
256 an equal distribution of business between the 2 branches, except that reports on money bills shall
257 be made to the House and if adverse reports on matters other than petitions which are
258 accompanied by money bills are accepted by the House, this shall constitute final rejection.
259 Adverse reports by joint committees on petitions shall be made to the branch in which the
260 petition was originally introduced, except that such adverse reports on petitions accompanied by
261 proposed money bills shall be made to the House; and, if accepted by the branch in which they
262 are made, shall be considered as a final rejection. When a report is made from any committee to
263 either branch, and the subject-matter of the report is subsequently referred to a joint committee,
264 such committee, except for the committee on Health Care Financing, shall report its action to the
265 branch in which the reference originated. [See also Joint Rule 5.]

266 A vote of a joint standing committee to give legislation a favorable or adverse report shall be
267 conducted by a roll call upon request of 2 committee members present at the committee meeting.
268 Such votes shall be recorded on appropriate forms that show all votes for and against the
269 particular committee action. The records of all such roll calls shall be kept in the offices of the

270 committee for the duration of the General Court during which said vote was recorded, and shall
271 be available for public inspection upon reasonable notice and during regular office hours.

272 All committee members shall have an opportunity to sign a form accompanying a report of the
273 committee signifying approval of, dissent or abstention from a report of a joint standing
274 committee before the report is final or filed. No signature shall be valid unless the report to
275 which the signature is affixed includes the substantially complete text of the legislation being
276 reported. [Amended Jan. 3, 1952; April 8, 1959; June 7, 1965; Jan. 7, 1971; March 11, 1974;
277 June 3, 1985; Feb. 20, 2007.]

278 **4A.** In compliance with section 38A of chapter 3 of the General Laws, all joint committees of the
279 General Court when reporting on bills referred to them shall include a fiscal note prepared under
280 section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of
281 the proposed legislation, if, in the opinion of said committee, such cost exceeds \$100,000. Such
282 fiscal note shall be filed electronically in the office of the clerk to which the report is being
283 made, and shall be promptly made available on the official website of the General Court.
284 [Adopted Jan. 15, 1973.]

285 **5.** Matters reported adversely by joint committees and the committees on Rules of the two
286 branches, acting concurrently, may be recommitted to the same committees at the pleasure of the
287 branch acting on the report, and bills or resolves may be recommitted in either branch. If a bill or
288 resolve is laid aside in either branch for the reason that it is declared to be broader in its scope
289 than the subject-matter upon which it is based, the subject-matter shall be recommitted to the
290 committee. A concurrent vote shall, however, be necessary for recommitment, with instructions.
291 After recommitment, report shall, in all cases, be made to the branch originating the
292 recommitment. [Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 19 53; March 26,
293 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

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

297 ***Joint Petitions.***

298 **6A.** A member of the Senate and a member of the House of Representatives may file a joint
299 petition in either branch and shall endorse their names on the petition and a brief statement of the
300 nature and object of the instrument and the reading of the instrument shall be dispensed with,
301 unless specially ordered. The petition shall be filed in the office of the clerk of either the Senate
302 or House of Representatives, depending on whether it is a "Joint Senate/House Petition" or a
303 "Joint House/Senate Petition" but the Journal records in the Senate and House of Representatives
304 shall carry both members' names as presenters of the petition. [Adopted Jan. 15, 1973.]

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

309 7A. A petition for legislation to authorize a county to reinstate in its service a person formerly
310 employed by it, or to retire or pension or grant an annuity to any person, or to increase any
311 retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension
312 or retirement allowance, or to pay any salary which would have accrued to a deceased official or
313 employee but for his death, or to pay any claim for damages or otherwise, or to alter the benefits
314 or change the restrictions of any county retirement or pension law, shall, subsequently to the
315 procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely,
316 unless, when filed it be the petition of, or be approved by, a majority of the county
317 commissioners. [Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920; May 24,
318 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
319 Jan. 7, 1971; Jan. 15, 1973.]

320 7B. A petition, the operation of which is restricted to a particular city or town (and which does
321 not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does
322 not affect generally the laws of the Commonwealth) and which is not filed in conformity with
323 Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the
324 procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be on
325 petition filed or approved by the voters of a city or town, or the mayor and city council, or other
326 legislative body, of a city, or the town meeting of a town. A joint committee to which is
327 inadvertently referred a petition or other subject of legislation the operation of which is restricted
328 to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of
329 the Amendments to the Constitution shall report a general law which applies alike to all cities, or
330 to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report "ought not
331 to pass", with the further endorsement that it "would be unconstitutional to enact such special
332 law". [Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11,
333 1935; April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
334 Jan. 7 and Mar. 22, 1971 ; Jan. 15, 1973 .]

335 *Notice to Parties Interested.*

336 8. No legislation affecting the rights of individuals or the rights of a private or municipal
337 corporation, otherwise than as it affects generally the people of the Commonwealth or the people
338 of the city or town to which it specifically applies, shall be proposed or introduced except by a
339 petition, nor shall any bill or resolve embodying such legislation be reported by a committee
340 except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee,
341 whether on an original reference or on a recommittal with instructions to hear the parties, until it
342 is made to appear to the satisfaction of the committee that proper notice of the proposed

343 legislation has been given by public advertisement or otherwise to all parties interested, without
344 expense to the Commonwealth, or until evidence satisfactory to the committee is produced that
345 all parties interested have in writing waived notice. A committee reporting adversely due to lack
346 proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall
347 be in order as a substitute for, or amendment of, such report. Objection to the violation of this
348 rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 1890. Amended
349 Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

350 **9.** A petition for the incorporation of a city or town, for the annexation of 1 municipality to
351 another, for the consolidation of 2 or more municipalities or for the division of an existing
352 municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad,
353 canal, telephone, telegraph, water, gas, electric light, power or other public service corporation,
354 for the amendment, alteration or extension of the charter or corporate powers or privileges, or for
355 the change of name, of any such company, whether specially incorporated or organized under the
356 General Laws, or for authority to take water for a water supply, or relative to building structures
357 in or over navigable or tide waters, shall be placed on file, and not referred to a committee,
358 unless the petitioner has given the notice and followed the procedure required by section 5 of
359 chapter 3 of the General Laws. But if, no objection being raised, any such petition is referred to a
360 committee without such required notice or procedure, the committee shall forthwith report
361 adversely, setting forth as the reason for such report failure to comply with the law, unless
362 evidence satisfactory to the committee is produced that all parties interested have in writing
363 waived notice. In case a bill or resolve is reported upon such a petition, after proof of such
364 waiver of notice, this fact shall be set forth in the report of the committee. When an adverse
365 report is made by a committee, on account of failure to give the required notice, no bill or resolve
366 shall be substituted for such report, nor shall such report be recommitted or referred to another
367 committee.

368 A petition for the establishment or revival, or for the amendment, alteration or extension of the
369 charter or corporate powers or privileges, or for the change of name, of any corporation, except a
370 petition subject to the preceding paragraph, shall be transmitted by the Clerk of the branch in
371 which it is filed to the office of the State Secretary. If such a petition is returned by said
372 Secretary with a statement that the petitioner has failed to comply with the requirements of
373 section 7 of chapter 3 of the General Laws, said petition shall be placed on file, and shall not be
374 referred to a committee.

375 Any petition placed on file for want of proper notice or procedure under this rule shall not affect
376 action upon any other measure involving the same subject matter. [Adopted Feb. 7, 1890.
377 Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926;
378 Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8,
379 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009.]

380 *Limit of Time allowed for Reports of Committees.*

381 **10.** All joint committees and the committees on Rules of the two branches, acting concurrently,
382 shall make final report not later than the third Wednesday of March of the second annual session
383 of the General Court on all matters referred to them before the third Wednesday in February of
384 the second annual session and within 30 days on all matters referred to them on and after the
385 third Wednesday in February of the second annual session of the General Court except that the
386 committee on Health Care Financing shall make final report not later than the last Wednesday of
387 April of the second annual session on all matters referred to them on or before the fourth
388 Wednesday of March and within 30 days on all matters referred to it after the fourth Wednesday
389 in March of the second annual session of the General Court. When the time within which said
390 committees are required to report has expired, all matters upon which no report has then been
391 made shall forthwith be reported by the chairman of the committee on the part of the branch in
392 which they were respectively introduced, with an adverse recommendation under this rule. If the
393 chairman fails to make such report by the end of the legislative day next following the expiration
394 date, all matters remaining unreported shall be placed in the Orders of the Day by the Clerk of
395 the branch in which the matter was originally filed with an adverse report under this rule. Matters
396 which have been referred under Joint Rule 29, upon which the chairmen of the committees on
397 Rules fail to make a report, shall be placed by the respective Clerks in the Orders of the Day of
398 the branch in which the subject matter was referred to said committees. Committees to whom are
399 referred subjects of legislation may combine petitions of similar subject matter, or other forms of
400 legislation of similar subject matter, into 1 adverse report, and the report on the petition shall be
401 that said petitions or other forms of legislation "ought NOT to pass," and if the report is
402 accepted, all the matters contained in the report shall be disposed of. However, petitions upon
403 which an adverse report is accepted in only 1 branch may not be combined with other subjects of
404 legislation upon which adverse reports must be accepted, in concurrence. This rule shall not
405 apply to petitions referred to the committees on Rules of the two branches, acting concurrently,
406 under the second paragraph of Joint Rule 12. This rule shall not be rescinded, amended or
407 suspended, except by a concurrent vote of four-fifths of the members of each branch present and
408 voting thereon. Notwithstanding Joint Rule 30, this rule shall not be rescinded, amended or
409 suspended more than 3 times except by unanimous consent. [Amended Feb. 2, 1891; Jan. 25,
410 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945;
411 Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971; Feb. 4, 1974, June 12,
412 1995; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

413 **10A.** The form for all subjects of legislation receiving a favorable report shall be "ought to pass."
414 The form for all subjects of legislation receiving an adverse report shall be "ought NOT to pass."
415 A committee to whom is referred any other matter may report recommending that the same be
416 placed on file. [Adopted Jan. 7, 1971.]

417 *Committees of Conference.*

418 **11.** Committees of conference shall consist of 3 members on the part of each branch,
419 representing its vote; and their report, if agreed to by a majority of each committee, shall be

420 made to the branch asking for the conference, and may be either accepted or rejected, but no
421 other action shall be had, except through a new committee of conference.

422 Committees of conference to whom are referred matters of difference in respect to bills or
423 resolves, shall, before filing their reports, have the same approved or discharged by each
424 committee on Bills in the Third Reading. [Amended April 22, 1937; Feb. 12, 2009; Feb. 3,
425 2011.]

426 **11A.** Committees of conference to whom are referred matters of difference in respect to
427 appropriation bills, including capital outlay programs, shall, before filing their reports, have the
428 same approved or discharged by each committee on Bills in the Third Reading.

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

435 The report of said committee of conference shall consist of the matters of difference so referred
436 and so identified, showing the amounts appropriated by each of the said branches and other
437 matters in disagreement and the position of each branch with respect to those matters, and shall
438 state said committee's recommendations with respect to the matters so referred. Matters on which
439 there exists no disagreement between the branches shall not be disturbed by the committee on
440 conference.

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

444 **11B.** No report from a committee of conference shall be considered or acted upon by either
445 branch until the calendar day following the day on which said report shall have been available to
446 the public and to the members of the General Court. The committee shall file its report no later
447 than 8 p.m. on the day preceding its consideration and the General Court shall not consider said
448 report before 1 p.m. on the following day, except that a report from such committee of
449 conference that it is unable to agree may be considered and acted upon at the time that such
450 report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005;
451 Feb. 3, 2011.]

452 **11C.** Reports, other than those filed under Rule 11A, from a committee of conference shall,
453 whenever practicable, be accompanied by a summary which shall be filed with the clerk.
454 [Adopted Feb. 12, 2009; Feb. 3, 2011.]

455 **11D.** Upon the filing of a report by a committee of conference the clerk shall, as soon as
456 practicable, make the report and the summary of the report available to all members
457 electronically and to the public on the official website of the General Court. [Adopted Feb. 12,
458 2009; Feb. 3, 2011.]

459 *Limit of Time allowed for New Business.*

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

463 All such matters except messages from the Governor, reports required or authorized to be made
464 to the General Court and petitions filed or approved by the voters of a city or town, or the mayor
465 and city council, or other legislative body of a city, or the town meeting of a town, for the
466 enactment of a special law under Section 8 of Article LXXXIX of the Amendments to the
467 Constitution and which do not affect the powers, duties, etc., of state departments, boards,
468 commissions, etc., or which do not affect generally the laws of the Commonwealth deposited
469 with the respective clerks subsequent to 5 p.m. on the third Friday of January of the first annual
470 session of the General Court shall be referred by the Clerks to the committees on the Rules of the
471 two branches, acting concurrently. No such matter shall be admitted for consideration except on
472 report of the committees on Rules of the two branches, acting concurrently, and then upon
473 approval of two-thirds of the members of each branch voting thereon. Matters upon which
474 suspension of Joint Rule 12 has been negated shall be placed on file.

475 At any special session called under Rule 26A, however, matters relating to the facts constituting
476 the necessity for convening such session shall, if otherwise admissible, be admitted as though
477 filed seasonably under the first sentence of this rule. Any recommendations from the Governor
478 shall be similarly considered. This rule shall not be rescinded, amended or suspended, except by
479 a concurrent vote of two-thirds of the members of each branch present and voting thereon.
480 [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19
481 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30, 19 23;
482 Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan. 30,
483 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ;
484 Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

485 **12A.** All formal business of the first annual session of the General Court shall be concluded not
486 later than the third Wednesday in November of that calendar year and all formal business of the
487 second annual session shall be concluded not later than the last day of July of that calendar year.

488 In order to assist the Senate and House in its analysis and appraisal of laws enacted by the
489 General Court, each joint standing committee, upon conclusion of the formal business of the
490 annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings to evaluate the

491 effectiveness, application and administration of the subject matter of laws within the jurisdiction
492 of that committee. [Adopted June 12, 1995.]

493 *Unfinished Business of the Session.*

494 **12B.** Any matter pending before the General Court at the end of the first annual session and any
495 special session held in the same year shall carry over into the second annual session of the same
496 General Court in the same legislative status as it was at the conclusion of the first annual session
497 or any special session held during that year; provided, however, that any measure making or
498 supplementing an appropriation for a fiscal year submitted to or returned to the General Court by
499 the Governor, under Article LXIII of the Amendments to the Constitution, in the first annual
500 session or in a special session held during that year shall cease to exist upon the termination of
501 the first annual session. [Adopted June 12, 1995.]

502 *Papers to be deposited with the Clerks.*

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

510 A member may include a brief statement of intent with all papers intended for presentation to the
511 General Court. Upon a favorable report by a joint standing committee, a committee may include
512 a brief written statement of intent. Said statement shall be dated and shall include the scope of
513 the matter presented for consideration; provided, however, this rule shall not be construed to
514 require the presentation of such statement of intent under this rule. [Adopted Feb. 7, 1890.
515 Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb. 15,
516 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

517 *Dockets of Legislative Counsel and Agents.*

518 **14.** The committees on Rules of the two branches, acting concurrently, may prescribe the manner
519 and form of keeping the dockets of legislative agents which are required by law. [Adopted Feb.
520 2, 1891; Amended Feb. 19, 1920.]

521 *Duties of the Clerk.*

522 **15.** If any part of the report of a committee over the signature of the chairman or members of the
523 committee is amended in either branch, the Clerk of that branch shall endorse upon the report
524 such amendment.

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

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

539 **18.** [Omitted in 1971.]

540 **19.** The Clerk of the branch in which a bill or resolve originated shall make an endorsement on
541 the envelope of the engrossed copy of the bill, certifying in which branch the bill originated,
542 which endorsement shall be entered on the journals by the Clerks respectively. [Amended Jan.
543 28, 1889; Feb. 24, 1914.]

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

548 *Presentation and Distribution of Documents.*

549 **21.** The committees on Rules of the two branches, acting concurrently, may establish regulations
550 for the distribution of bills, reports or other documents. Bills, reports or other documents shall be
551 made available to members electronically and, except for petitions not assigned bill numbers,
552 published on the Internet. The committees on Rules of the two branches, acting concurrently,
553 may make such changes pertaining to the availability of bills, reports or other documents as they
554 deem necessary for expediting the work of the legislature.

555 Bills, reports and other documents, available under the general order of either branch, may be
556 distributed as follows: copies to each member of the Senate and House of Representatives (to be
557 placed on his file under the direction of the Sergeant-at-Arms, if desired by the member); copies
558 to each Clerk in either branch, and copies to each reporter in regular attendance, to whom a seat
559 has been assigned in either branch; copies to the Executive; copies to the Secretary's office;
560 copies to the State Library; copy to each Public Library in the Commonwealth. [Amended Jan. 8,

561 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7, 1971;
562 Feb. 12, 2009.]

563 *Emergency Measures.*

564 **22.** The vote on the preamble of an emergency law, which under the requirements of Article
565 XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon
566 request of 2 members of the Senate or of 5 members of the House of Representatives, be taken
567 by call of the yeas and nays, shall be had after the proposed law has been prepared for final
568 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
569 containing an emergency preamble until it has been determined whether the preamble shall
570 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill
571 may be received in either branch before the adoption of the emergency preamble, and the
572 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the
573 preamble, the bill or resolve shall first be put upon its final passage in the House of
574 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
575 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
576 without the preamble and without any provision that the bill or the resolve shall take effect
577 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules
578 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
579 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

580 **22A.** Bills and resolves passed to be engrossed by both branches and before being transmitted by
581 the clerks to the Legislative Engrossing Division shall be made available to the committees on
582 Bills in the Third Reading of the two branches, acting jointly, who shall examine them to ensure
583 accuracy in the text; that the legislation is correct as to form; that references to previous
584 amendments to any particular law are correct and to ensure proper consistency with the language
585 of existing statutes. These committees, with the approval of the majority and minority leadership
586 of both branches may make corrections which are not substantive in nature. The clerks of both
587 branches shall be immediately notified, in writing, of any such changes. Errors discovered by the
588 committees of a substantive nature shall be reported to the General Court, which in turn shall
589 take appropriate action under its rules. Upon completion of examination and possible correction
590 of any such bills and resolves, the bills and resolves shall be returned to the clerks, who in turn,
591 shall transmit them to the Legislative Engrossing Division to be prepared for final passage.
592 [Adopted Sept. 16, 1971.]

593 *Legislative Amendments to the Constitution.*

594 **23.** All proposals for amendments to the Constitution referred to a joint committee on the first
595 annual session of the General Court shall be reported by said committee not later than the last
596 Wednesday of April in said year, and proposals for amendments to the Constitution referred to a
597 joint committee subsequent to the last Wednesday in April of the first annual session shall be

598 reported by said committee not later than the last Wednesday of April in the second session of
599 the same General Court. The committee shall file its report, either recommending that the
600 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
601 thereto, with the Clerk of the Senate. When the time within which said committees are required
602 to report has expired, all matters upon which no report has been made shall forthwith be placed
603 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
604 placed on file in the office of the Clerk of the Senate. For further information of the members of
605 the Senate and House of Representatives, the respective Clerks shall also place all such matters
606 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch
607 the report shall be read and forthwith placed on file; and no further legislative action shall be
608 taken on the measure unless consideration in joint session is called for by vote of either branch,
609 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
610 Amendments to the Constitution. A joint committee to which is referred any recommendation for
611 an amendment to the Constitution made by the Governor or contained in a report authorized to
612 be made to the General Court may report on the recommendation a proposal for a legislative
613 amendment, which shall be deemed to have been introduced by the member of the Senate who
614 reports for the committee; and the procedure as regards reporting, filing and subsequent action
615 shall be that provided for legislative amendments by this rule. Or the joint committee may report
616 ought not to pass for the reason that no legislation is necessary or that the recommendation ought
617 not to pass; and in such cases the usual procedure as regards similar reports by joint committees
618 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
619 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
620 proposal, together with the official papers relating to the subject, shall be in the custody of the
621 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
622 together with the other papers, shall be sent to the Senate for its information and shall be kept in
623 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
624 so substituted unless consideration in joint session is called for under the Constitution. If either
625 branch calls for the consideration of any proposal in joint session, notice of its action shall be
626 sent to the other branch; and it shall then be the duty of the Senate and the House of
627 Representatives to arrange for the holding of the joint session not later than the second
628 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
629 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to
630 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
631 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2
632 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
633 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

634

Executive Reorganization Plans.

635 **23A.** Any reorganization plan, accompanied by a bill, submitted by the Governor under Article
636 LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate

637 and the House, with the approval of the President and Speaker, to a joint standing committee
638 within 5 days of the presentation of the reorganization plan.

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

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

648 If the committee recommends favorable action, the report shall be that the reorganization plan
649 "ought to be approved". If the committee recommends adverse action, the report shall be that the
650 reorganization plan "ought NOT to be approved". In each instance, the question shall be "Shall
651 this reorganization plan be approved?"

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

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

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

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

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

672 Within 7 days of the expiration of the 60 days from the date of presentation of said plan by the
673 Governor, unless the question has already been decided, the Clerks of the Senate and House of
674 Representatives shall place the plan in the Orders of the Day; and no motions except the motions
675 to take a recess, to adjourn, and previous question, or to close debate at a specified time, shall be
676 in order.

677 No such reorganization plan presented to the General Court shall be subject to change or
678 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
679 1969; June 12, 1995; Feb. 12, 2009.]

680 *Joint Conventions.*

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

685 **25.** When an agreement has been made by the 2 branches to go into Convention, such agreement
686 shall not be altered or annulled, except by concurrent vote, excepting that it shall be in order to
687 recess the convention from time to time upon a majority vote of said convention. [Amended Jan.
688 7, 1971 .]

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

691 *Special Sessions.*

692 **26A.** If written statements of 21 members of the Senate and 81 members of the House of
693 Representatives, that in their opinion it is necessary that the General Court assemble in special
694 session on a particular date and time specified in their statements during a recess of the General
695 Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members
696 of their respective branches to assemble at the State House in Boston, on said date at the time so
697 specified. When so assembled, the first business to be taken up shall be the question of the
698 necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the
699 Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House
700 of Representatives judge by vote taken by call of the yeas and nays that such assembling of the
701 General Court is necessary, specifying in such vote the facts constituting such necessity, the
702 General Court shall then complete its organization as a special session, proceed to the
703 consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds
704 of the members of both branches shall permit the General Court to proceed to the consideration
705 of matters properly before it. Nothing in this rule shall prevent the General Court from
706 assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939.]

707 Amended March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September
708 20, 2005.]

709 ***Joint Elections.***

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

712 **27A.** In all cases of elections by ballot a majority of the votes cast shall be necessary for a
713 choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated
714 until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count
715 in the enumeration of votes, excepting that when the number of blanks shall be more than the
716 number of votes received by the candidate having the highest number of votes, then the election
717 shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27,
718 1969 .]

719 **28.** [Omitted March 28, 1972 .]

720 ***References to the Committees on Rules.***

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

733 **30.** All motions or orders extending the time within which joint committees and the committees
734 on Rules of the two branches, acting concurrently, are required to report shall be referred without
735 debate to the committees on Rules of the two branches, acting concurrently, who shall report
736 recommending what action should be taken on the motion or order. Such extension shall be
737 granted by a concurrent majority vote if recommended by the committees on Rules of the two
738 branches, acting concurrently; but no such extension shall be granted, against the
739 recommendation of the committees, except by a four-fifths vote of the members of each branch
740 present and voting on the extension. This rule shall not be rescinded, amended or suspended,
741 except by a concurrent vote of four-fifths of the members of each branch present and voting

742 thereon. [Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27,
743 1955; June 7, 1965.]

744 *Members.*

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

751 *Accommodations for Reporters.*

752 **32.** Subject to the approval and direction of the committees on Rules of the two branches, acting
753 concurrently, during the session, and of the President of the Senate and the Speaker of the House
754 of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in
755 the State House shall be under the control of the organizations of legislative reporters known as
756 the Massachusetts State House Press Association and the State House Broadcasters Association.
757 No person shall be permitted to use such rooms or facilities who is not entitled to the privileges
758 of the reporters' galleries of the Senate or of the House. Within 10 days after the General Court
759 convenes the Massachusetts State House Press Association and the State House Broadcasters
760 Association shall each transmit to the President of the Senate, the Speaker of the House of
761 Representatives and the Sergeant-at-Arms a list of the legislative reporters with the principal
762 publication or news service which each represents. [Adopted Jan. 27, 1911. Amended Feb. 24,
763 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

764 *Suspension of Rules.*

765 **33.** Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by a
766 concurrent vote of two-thirds of the members of each branch present and voting thereon.
767 [Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26,
768 2005.]

769 *Audit of Accounts.*

770 **34.** The committees on Rules of the two branches, acting concurrently, shall provide that an
771 outside independent audit of joint financial accounts be conducted by a certified public
772 accountant no less frequently than at the end of each second fiscal year. A copy of such audit
773 shall be filed with the Clerks of the Senate and House of Representatives and made available for
774 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
775 1985.]

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

780 *Procurement.*

781 **36.** (a) The House Business Manager and Chief Financial Officer of the Senate shall complete
782 the procurement of all goods and services from the joint legislative account. Procurements for
783 goods or services shall be made from the statewide procurement list established by the
784 operational services division, to the extent practicable, as determined by the House Business
785 Manager and the Chief Financial Officer of the Senate. If the Business Manager and the Chief
786 Financial Officer determine that a procurement cannot be made using the statewide procurement
787 list established by the operational services division, they may procure the required goods or
788 services under subsections (b), (c) or (d).

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

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

801 (d) If the House Business Manager and the Chief Financial Officer of the Senate seek to procure
802 a supply or service from a vendor not on the statewide procurement list valued at \$100,000 or
803 more, the House Business Manager and the Chief Financial Officer of the Senate shall seek
804 proposals through a competitive bid process, which shall be established by the House Business
805 Manager and the Chief Financial Officer of the Senate.

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

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

814 (g) If, in the determination of the House Business Manager and the Chief Financial Officer of the
815 Senate, an emergency procurement of greater than \$10,000 is necessary, the House Business
816 Manager and the Chief Financial Officer of the Senate may procure the goods or services
817 immediately and create and maintain a file explaining the nature of the emergency and the goods
818 or services that were procured as a result. The House Business Manager and the Chief Financial
819 Officer of the Senate shall document the goods or services that were procured, the process used
820 to procure the goods or services, the vendors that were contacted and any other information
821 relevant to the procurement, and make that information available to members of the General
822 Court during regular business hours, unless the information is otherwise protected by state or
823 federal law.