

**HOUSE . . . . . No. 2019**

Order (filed by Mr. Galvin of Canton) for the adoption of permanent House Rules for the 191st General Court governing the 2019-2020 legislative sessions (House, No. 2019). January 28, 2019.

**The Commonwealth of Massachusetts**



*House of Representatives January 28, 2019.*

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

1           *Ordered,* Ordered, That the rules of the House of Representatives for the years 2019-  
2 2020 be adopted, as follows:

**SPEAKER.**

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

6           1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet  
7 beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in session,  
8 the Speaker shall interrupt the business then pending and shall, without debate, place before the  
9 House the question on suspension of this rule which shall be decided by a majority of members  
10 present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said vote

11 shall permit the House to remain in session until the hour of midnight; provided that the session  
12 shall not continue beyond the hour of midnight, unless by unanimous consent of the members  
13 present. The House shall then return to the pending business; and if no matter was pending, to  
14 the next order of business. However, if the vote is in the negative, the Speaker shall forthwith,  
15 and without further debate, adjourn or recess the House to a time not earlier than ten o'clock  
16 A.M. on the next succeeding calendar day.

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

19 2. The Speaker shall preserve decorum and order in the House Chamber. While in the House  
20 Chamber, members, staff and guests shall be required to dress in proper and appropriate attire  
21 and be courteous and professional when using electronic devices.

22 Members, staff and guests shall not take photographs or videos of, or in, the House Chamber  
23 during formal or informal sessions unless otherwise permitted by this Rule. Members may take  
24 photographs at their assigned seats in the chamber during formal or informal sessions; provided,  
25 however that any photographs or video taken by members during formal or informal sessions  
26 shall not include images of any other member, staff or guest without their express written  
27 consent.

28 The Speaker may permit photographs or videos during special occasions, which shall include,  
29 but shall not be limited to, swearing-in ceremonies and addresses by constitutional officers or  
30 other dignitaries.

31 The use of audio-visual aids including, without limitation, videos, computers, posters, displays or  
32 charts shall be permitted only upon approval of the Speaker.

33 The Speaker also may speak to points of order in preference to other members; and shall decide  
34 all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see  
35 Rule 77.]

36 [Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011; Jan. 29, 2015.]

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

39 [Amended Jan. 11, 1985.]

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

41 [Amended Jan. 11, 1985.]

42 4A. The Speaker shall appoint a Speaker pro Tempore. The Speaker pro Tempore shall  
43 assist the Speaker in the coordination of policy development and the ceremonial functions of the  
44 House and shall perform such duties assigned to them by the Speaker. Upon a vacancy in the  
45 office of Speaker, the office of Speaker pro Tempore shall be considered vacant.

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

47 4B. (a) As used in this Rule, the following words shall have the following meanings:-

48 "Earned income", income derived from salaries, wages, tips and commissions for performing  
49 services as an employee of an employer.

50 "Unearned income", all other income that is not earned income.

51 (b) The Speaker shall not receive earned income for:

- 52 (1) affiliating with or being employed by a firm, partnership, association, corporation or other  
53 entity that provides professional services involving a fiduciary relationship;
- 54 (2) permitting their name to be used by such a firm, partnership, association, corporation or  
55 other entity;
- 56 (3) receiving compensation for practicing a profession that involves a fiduciary relationship; or
- 57 (4) serving as an officer or member of the board of an association, corporation or other entity.
- 58 (c) The provisions of this rule shall take effect on August 1, 2017.

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

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

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

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

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

74 [Amended Jan. 11, 1985; Jan. 29, 2015.]

75 **SCHEDULING.**

76 7A. There shall be appointed a standing committee on Steering, Policy and Scheduling  
77 consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A,  
78 but shall be authorized to meet from time to time at the call of the Chair for the purpose of  
79 assisting the members of the House of Representatives in identifying the major matters pending  
80 before the General Court, the relative urgency and priority for consideration of such matters, and  
81 alternative methods of responding to such matters by the General Court. Said committee shall  
82 schedule legislative matters in a manner that will provide for an even distribution and orderly  
83 consideration of reports of legislative committees on the daily Calendar.

84 The committee on Steering, Policy and Scheduling shall not be authorized to recommend  
85 changes or amendments to legislation or recommend that a matter ought to pass or ought not to  
86 pass, but shall only report asking to be discharged from further consideration of a bill, and  
87 recommending that it be referred or recommitted to another committee; provided, however, that  
88 it shall not recommend that a matter be referred or recommitted to the committee on Rules or the  
89 committees on Rules of the two branches, acting concurrently, or what date a matter shall be  
90 scheduled for consideration by the House and placed in the Orders of the Day. All reports by the  
91 committee on petitions filed or approved by the voters of a city or town, or by the mayor and city  
92 council, or other legislative body of a city or the town meeting of a town with respect to a law

93 relating to that city or town shall be read and considered by the House at a formal or informal  
94 session before being accepted, rejected or otherwise acted upon. Any such petition and any  
95 attachment to the petition shall be filed in both paper and electronic format approved by the  
96 Clerk.

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

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

108 7B. The committee on Rules shall be authorized to originate and report special orders for the  
109 scheduling and consideration of legislation on the floor of the House. Said committee shall not  
110 be subject to the notification provisions contained in Rule 17A but may hold public hearings and  
111 shall accept testimony only from the members of the House. A majority of the members  
112 appointed to the committee shall constitute a quorum. When reported, such orders may be  
113 amended by a two-thirds vote of the members present and voting, and shall be subject to  
114 approval by a majority of the members of the House present and voting. Debate on the question

115 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this  
116 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such  
117 orders shall not be subject to reconsideration.

118 The committee on Rules shall not be subject to the provisions of Rule 17A, but may meet in  
119 private to discuss or consider the appointment, discipline or dismissal of any individual the  
120 committee is authorized by law or rule to appoint, discipline or dismiss.

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

122 7C. The committee on Rules may consider and make recommendations designed to improve  
123 and expedite the business and procedures of the House and its committees, and to recommend to  
124 the House any amendments to the Rules deemed necessary; provided that a majority of the  
125 members of the House present and voting shall be required to approve such recommendations.

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

127 [Adopted Jan. 14, 1997.]

128 7D. The Speaker shall, in consultation with the committee on Rules and the committee on  
129 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize  
130 to the greatest extent possible scheduling conflicts for members of committees.

131 The Speaker shall determine a schedule for the House for each week relative to formal and  
132 informal sessions and shall make such schedule available to the members in writing or by  
133 electronic mail by 5pm on Friday of the preceding week; provided, however, that the Speaker  
134 may make, notwithstanding the provisions of Rule 7A, changes in the schedules to facilitate the  
135 business of the House in an efficient and timely fashion. The Speaker shall communicate notice

136 of any such scheduling change to the members in writing or by electronic mail as soon as  
137 practicable, and whenever possible, the Speaker shall provide such notice not less than twenty-  
138 four hours before the event so rescheduled is set to commence.

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

140 **MONITORS.**

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

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

146 It shall be the duty of a monitor to report their knowledge of the occurrence of a member  
147 voting for another member, in their division of the House, to the Speaker of the House and to the  
148 Minority Leader. [10.] [See Rules 16 and 16A.]

149 [Amended Jan. 9, 1991; May 5, 1993; Feb. 11, 2009.]

150 9A. There shall be established a Floor Division Committee for each of the four divisions of  
151 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.  
152 Said committee shall consist of the members assigned to the respective divisions.

153 In order to create a continuous flow of debate, each chairperson shall be responsible for  
154 reviewing the daily Calendar and providing advance notice to committee members in the  
155 respective divisions of all matters scheduled for consideration in the Orders of the Day. Said



156 committee chairpersons shall provide information to members of their committees on pending  
157 legislation and other matters of business before the House.

158 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the  
159 Chamber and the various areas under the jurisdiction of the House of Representatives. Said  
160 chairpersons shall be authorized to act as a committee and may meet at any time at the request of  
161 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the  
162 appropriate agencies and historical commissions of the Commonwealth for the purpose of  
163 requesting expeditious appraisals and necessary repairs and renovations to the interior and  
164 exterior of the State House. The committee of chairpersons shall report directly to the Speaker  
165 the results of all consultations.

166 [Adopted Jan. 14, 1997.]

167 **CLERK.**

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

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

175 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

176 [Adopted Jan. 9, 1991.]

177 10B. The Clerk shall be the official keeper of records of the House of Representatives for  
178 legislative records that remain in the office of said Clerk at the end of each biennial session, and  
179 until such time as said records are transferred to the State Archives or destroyed in accordance  
180 with law. [Adopted Jan. 29, 2015.]

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

184 12. The Clerk shall prepare and make available on each day of formal session a Calendar of  
185 matters in order for consideration and such other memoranda as the House or the Speaker may  
186 direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a  
187 bill or resolve notwithstanding the objections of Their Excellency the Governor which may be  
188 considered forthwith at the direction of the House or Speaker.

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

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

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

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

205 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24,  
206 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

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

209 13A. The Clerk shall make available to all members electronically and, to the public via the  
210 Internet, the text of all bills introduced and admitted for consideration in the House.

211 [Adopted, Feb. 11, 2009.]

212 **COUNSEL**

213 13B. (a) The House shall employ a full-time Counsel pursuant to section 51 of chapter 3 of the  
214 General Laws. The committee on Rules shall appoint a qualified person to act as Counsel at such  
215 compensation as the committee on Rules shall approve.

216 Counsel shall serve a term of two years from the date of appointment, unless the Counsel sooner  
217 resigns, retires or is removed; provided, however, that the Counsel may only be removed: (i) for  
218 misfeasance, malfeasance or nonfeasance, as determined by agreement of the Equal Employment  
219 Opportunity Officer appointed pursuant to Rule 89 and the Director of Human Resources

220 appointed pursuant to Rule 90 and approved by a majority vote of the committee on Rules; or (ii)  
221 by a majority roll call vote of the House.

222 Counsel may employ such legal and other assistants as may be necessary in the discharge of  
223 Counsel's duties, subject to the approval of the committee on Rules, and may expend with like  
224 approval such sums as may be necessary for the discharge of their duties.

225 (b) Counsel shall be the chief legal officer of the House and shall perform all duties generally  
226 required of a counsel to an organization and specifically those required pursuant to any general  
227 or special law, rule, regulation, or order of the House. Counsel shall provide legal and legislative  
228 drafting services to all members regardless of party or seniority.

229 **MEMBERS.**

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

235 14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

236 15. When it appears to the Chair that the presence of a quorum is endangered, the Chair shall  
237 order the doors closed. If a quorum is doubted the Chair shall order the doors closed and  
238 thereafter no member shall enter or leave the House until an initial determination has been made  
239 as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is

240 present, no member shall leave the House unless by permission of the Chair , but members shall  
241 be admitted, at any time.

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

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

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

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

248 **ETHICS.**

249 16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee  
250 shall consist of 11 members, 7 of whom shall be appointed by the Speaker, 4 of whom shall be  
251 appointed by the Minority Leader.

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

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

258 Upon the receipt of said sworn written complaint, at the direction of the Speaker or by a  
259 majority vote of the members appointed to the Ethics committee, the committee shall notify any

260 person named of the nature of the alleged violation and a list of prospective witnesses, and also  
261 shall notify said person of the final disposition and the recommendations, if any, of the  
262 committee.

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

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

267 If the alleged violation received in the manner described above is deemed to have merit by a  
268 majority vote of the members appointed to the committee, the committee shall file a report with  
269 the Clerk of the House. Said report shall be a public document. The committee shall not disclose  
270 any allegation deemed to be frivolous or without merit.

271 If a majority appointed finds that any member, officer, or employee of the House has violated  
272 any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a  
273 reprimand, censure, removal from position of authority, including leadership, chair or vice chair,  
274 or expulsion; and in the case of an officer or employee, a majority appointed may recommend a  
275 reprimand, suspension, or removal from employment.

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

279 Any member, officer, or employee of the House may request in writing from the House  
280 committee on Ethics or from the Counsel to the House appointed pursuant to Rule 13B a

281 confidential written advisory opinion on the requirements of chapters 268A and 268B of the  
282 General Laws as well as an opinion on any other general or special law, rule or regulation  
283 applicable to their official position or concerning any contemplated personal action which may  
284 conflict with their official position. The committee on Ethics or the Counsel to the House shall  
285 issue confidential written advisory opinions and clarification in response to said written request.

286 No member, officer or employee of the House shall be penalized in any manner for having  
287 acted within the guidelines of a written advisory opinion from the House committee on Ethics or  
288 from the Counsel to the House appointed pursuant to Rule 13B , provided that all pertinent facts  
289 are stated in the request for an advisory opinion.

290 A written advisory opinion from the House committee on Ethics or from the Counsel to the  
291 House appointed pursuant to Rule 13B shall be a defense in any proceeding arising from said  
292 opinion or advice unless material facts were omitted or misstated by the person in the request of  
293 the opinion.

294 The chair of the Ethics committee may convene the committee at any time.

295 The chair shall also convene the committee at the written request of at least 5 members of the  
296 committee.

297 The Committee may, upon the written and signed report of two-thirds of the members of the  
298 committee, file a special report containing legislation without said legislation being founded  
299 upon petition which shall be referred under the provisions of Rule 24 and consistent with the  
300 provisions of Joint Rule 13, to the appropriate joint standing committee. Any special report  
301 containing legislation filed pursuant to this paragraph shall be germane to subject matters

302 regularly considered by the committee. The committee shall not include in any such special  
303 report a bill that would have a fiscal impact as described in Rule 33.

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

307 [Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20,  
308 2011; Feb. 11, 2009; Jan. 29, 2015.]

309 **CODE OF ETHICS.**

310 16A. (1.) While members, officers and employees should not be denied those opportunities  
311 available to all other citizens to acquire and retain private, economic and other interests;  
312 members, officers, and employees should exercise prudence in any and all such endeavors and  
313 make every reasonable effort to avoid transactions, activities, or obligations, which are in  
314 substantial conflict with or will substantially impair their independence of judgment.

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

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

319 (4.) No member, officer or employee shall receive any compensation or permit any  
320 compensation to accrue to their beneficial interest by virtue of influence improperly exerted from  
321 their official position in the House.



322 (5.) No member, officer or employee shall accept employment or engage in any business or  
323 professional activity, which will require the disclosure of confidential information gained in the  
324 course of, and by reason of, their official position.

325 (6.) No member, officer or employee shall willfully and knowingly disclose or use  
326 confidential information gained in the course of their official position to further their own  
327 economic interest or that of any other person.

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

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

335 (9.) No member, officer or employee shall employ anyone from public funds who does not  
336 perform tasks which contribute substantially to the work of the House and which are  
337 commensurate with the compensation received. Unless their personnel record indicates  
338 otherwise, no officer or full-time employee of the House shall engage in any outside business  
339 activity during regular business hours, whether the House is in session or not, and all employees  
340 of the House are assumed to be full-time.

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

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

347 (12.) No member, officer or employee shall knowingly accept any gifts from any legislative  
348 or executive agent as prohibited by law. No member, officer or employee shall knowingly  
349 accept any gift from any person or entity having a direct interest in legislation before the General  
350 Court as prohibited by law. (For the purposes of this paragraph, the terms "gift" and "person"  
351 shall be the same as their definitions in section 1 of chapter 268B of the General Laws).

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

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

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

359 (16.) Members, officers and employees may utilize public resources to support charitable and  
360 community service activities consistent with the Conflict of Interest Law, G.L. c. 268A, pursuant  
361 to policies established by Committee on Personnel and Administration pursuant to Rule 90(h)(2).

362 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Feb. 11, 2009; Jan. 29, 2015.]

363 16B. The Committee on Personnel and Administration shall develop and conduct an ethics  
364 law training program for every member, officer and employee of the House; provided further,  
365 that said training program shall include, without limitation, a review of the requirements and  
366 prohibitions of chapter 268A and chapter 268B of the General Laws, and the regulations of the  
367 State Ethics Commission, as they apply to legislators and legislative staff; and provided further,  
368 that said training program shall be offered no later than July 1 of the first biennial session of the  
369 General Court and shall be mandatory for all members, officers and employees.

370 [Adopted Jan. 9, 2003, Amended Feb. 11, 2009; Jan 20, 2011.]

371 16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of  
372 public officials shall, after their first reading, be referred to the committee on Ethics, for report  
373 on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to  
374 such measures by the committee, unless directly pertaining to ethics. [Adopted Feb. 11, 2009.]

375 **COMMITTEES.**

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

378 A committee on Rules;

379 (to consist of 15 members).

380 A committee on Ways and Means;

381 (to consist of 35 members).

382 A committee on Bills in the Third Reading;

383 (to consist of 3 members). A committee of each Floor Division;

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

385 A committee on Ethics;

386 (to consist of 11 members).

387 A committee on Personnel and Administration;

388 (to consist of 13 members).

389 A committee on Post Audit and Oversight;

390 (to consist of 11 members).

391 A committee on Steering, Policy and Scheduling;

392 (to consist of 11 members).

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

394 (to consist of 11 members).

395 A committee on Global Warming and Climate Change;

396 (to consist of 11 members).

397 A committee on Redistricting;

398 (to consist of 11 members).

399 A committee on Technology and Intergovernmental Affairs;

400 (to consist of 11 members).

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

403 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6,  
404 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005, Feb. 11, 2009; Jan. 29, 2015.]

405 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly  
406 requires otherwise, have the following meanings:

407 "Deliberation", a verbal exchange between a quorum of members of a committee attempting  
408 to arrive at a decision on any public business within its jurisdiction.

409 "Emergency", a sudden generally unexpected occurrence or set of circumstances demanding  
410 immediate action.

411 "Executive conference", any meeting or part of a meeting of a committee which is closed to  
412 certain persons for deliberation on certain matters.

413 "Executive session", any meeting or part of a meeting of a committee wherein the committee  
414 is voting on legislation and where public participation is limited to observance.

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

420 "Quorum", a simple majority of a committee unless otherwise defined by constitution, rule or  
421 law applicable to such committee; provided further, that a quorum shall be presumed to be  
422 present unless otherwise doubted.

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

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

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

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

437 (ii) to consider the discipline or dismissal of, or to hear complaints or charges brought against  
438 a member, officer or employee; (iii) to discuss strategy with respect to litigation if an executive  
439 session or other open meeting may have a detrimental effect on the legal position of the  
440 committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such

441 discussions may have a detrimental effect on the negotiating position of the Commonwealth or a  
442 person, firm or corporation.

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

449 A member, officer or employee subject to an executive conference pursuant to clause (i) or  
450 clause (ii) shall have the right to: (a) be present at such executive conference during discussions  
451 or considerations which involve that member, officer or employee; (b) have counsel or a  
452 representative of their own choosing present and attending for the purpose of advising said  
453 member, officer or employee; provided, however, that said counsel or representative shall not  
454 actively participate in the executive conference; and (c) to speak on their own behalf to the  
455 committee assembled in executive conference.

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

461 (e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee  
462 subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the

463 bulletin board outside the Clerk's Office and in such other places as are designated in advance for  
464 such purpose by said Clerk, made available to all members electronically and made available to  
465 the public via the Internet at least forty-eight hours, including Saturdays, but not Sundays and  
466 legal holidays, prior to the time of such meeting and a list of the bills, petitions, and resolutions  
467 to be considered for a vote or other action by the committee. The notice shall include the date,  
468 time and place of such meeting. Such filing and posting shall be the responsibility of the  
469 committee scheduling such meeting. The notice and posting requirements shall not apply to  
470 executive conferences held pursuant to clause (i) or clause (ii) of part (c) of this rule unless the  
471 member, officer or employee subject to the executive conference requests that the executive  
472 conference be open to the public.

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

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



486 expense. Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule  
487 may be recorded at the discretion of the chair.

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

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

495 17B. Whenever any member of a House committee present at the committee meeting so  
496 requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of  
497 the full committee. Such votes shall be recorded on appropriate forms that show all votes for and  
498 against the particular committee action; provided that votes may also be recorded in LAWS. The  
499 record of all such roll calls shall be kept in the offices of the committee and shall be posted on  
500 the website of the General Court within 48 hours of the vote for public inspection.

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

506 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987, Amended Jan. 29, 2015.]

507 17C. There shall be a committee on Personnel and Administration on the part of the House  
508 consisting of thirteen members.

509 Said committee shall discharge its duties pursuant to the Rules include Rules 16B and Rules 88  
510 though Rule 100 and also be responsible for the allocation of office space as equitably as  
511 possible among the various members and joint and standing committees on the part of the House  
512 and their respective staff.

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

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

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

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

523 For each person who is employed or is to be employed by a joint or standing committee on  
524 the part of the House, each committee chair shall nominate each such person and the House  
525 members of the committee by a majority vote shall vote on whether to approve each said  
526 nominee. The House members of the committee shall approve such persons whose character and

527 qualifications are acceptable to the majority of the House members of the committee and are in  
528 accordance with the qualifications established by the Personnel and Administration committee.

529 The House staff members of each committee shall be appointed solely on the basis of fitness  
530 to perform the duties of their respective positions and consistent with section 4 of chapter 151B  
531 of the General Laws. The committee staff shall not:

532 (1) engage in any work other than legislative business during business hours unless pursuant  
533 to the pro-bono service policy or charitable and community service activity policy established by  
534 the committee on Personnel and Administration pursuant to Rule 90(h)(2); and

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

536 The committee shall meet on request of the chair or any 3 members of the committee. Any  
537 such meeting requested shall be convened on or within the fifth business day following such  
538 request. All such requests shall be in writing and forwarded to the chair and each member of the  
539 committee.

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

541 [Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Feb. 11, 2009;  
542 Jan. 29, 2015.]

543 17D. [Omitted Jan. 26, 2005.]

544 17E. [Omitted Jan. 26, 2005.]

545 17F. [Omitted Jan. 26, 2005.]

546 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all  
547 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see  
548 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said  
549 committee shall be responsible for evaluating such legislation and determining the  
550 appropriateness of enacting legislation containing increased bond authorizations for the  
551 Commonwealth. The committee shall periodically review and hold open public hearings,  
552 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,  
553 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation  
554 debt. The committee shall also, in its continuing study of the state's bonding practices, review the  
555 Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and (3)  
556 indirect obligations.

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

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

567 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to  
568 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and  
569 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital  
570 funds by the various agencies and authorities of the Commonwealth. The committee shall  
571 determine whether such laws, administrative regulations and programs are being implemented in  
572 accordance with the intent of the General Court. The committee shall be authorized to make  
573 recommendations for statutory changes and changes in the Constitution which would grant  
574 discretion to the General Court over the allotment and expenditure of funds authorized by capital  
575 appropriations.

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

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

583 [Adopted Feb. 11, 2009.]

584 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro  
585 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader and two Second Assistant  
586 Majority Floor Leaders. The Minority Leader shall appoint, and may recommend the removal of,  
587 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and two Third  
588 Assistant Minority Floor Leaders, Ranking minority member of Ways and Means, Assistant

589 Ranking minority member of the Ways and Means committee, Ranking minority member of the  
590 committee on Rules, Ranking minority member of the committee on Financial Services, Ranking  
591 minority member of the committee on Health Care Financing, Ranking minority member of the  
592 committee on the Judiciary, Ranking minority member of the committee on Bonding, Capital  
593 Expenditures, and State Assets, Ranking minority member of the committee on Public Safety  
594 and Homeland Security, Ranking minority member of the committee on Transportation and  
595 Ranking minority member of the committee on Economic Development and Emerging  
596 Technologies. The Minority Leader shall be that member of the minority party who is selected  
597 for that position by the members of their party.

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

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

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

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

617 No member shall receive more than one stipend pursuant to section 9B of chapter 3 of the  
618 General Laws.

619 The Speaker and the Minority Leader may, without a majority vote of their respective  
620 parties, remove a member appointed to a leadership position from said position pursuant to this  
621 rule if the member has been criminally indicted by a court of competent jurisdiction.

622 [Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23,  
623 2007; Feb. 11, 2009; Jan 23, 2013; Jan. 29, 2015; Feb. 19, 2015.]

624 18A. There shall be 1 member of the minority party on all committees of conference and 1 on  
625 the committee on Bills in the Third Reading. On all other standing and joint committees, the  
626 percent of minority party membership shall be at least equal to the percent of minority party  
627 membership in the House of Representatives as of the first day of the session; provided, further,  
628 that where such percentage results in a fraction of a number, the fraction shall be rounded off to  
629 the nearest whole; provided, however, that the minority party shall under no circumstances have  
630 less than 4 members on the committee on Ethics, 4 on the committee on Personnel and  
631 Administration, 3 on the committee on Rules and 7 on the committee on Ways and Means. In no

632 case shall minority party representation be less than 2 members on all other standing and joint  
633 committees.

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

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

646 The Speaker shall announce committee appointments of majority party members, and the  
647 member first named shall be chair, and the second named member shall be vice-chair. The  
648 Minority Leader shall announce committee appointments of minority party members. (13.)

649 [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997; Feb. 11, 2009.]

650 18B. All votes on ratification by the caucus required by these rules shall be by written ballot  
651 and shall require a majority of those present and voting; provided, however, that if a motion to  
652 ratify the appointments by acclamation is made and seconded, no written ballot shall be required.

653 [Adopted Jan. 11, 1985.]



654 18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

655 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,  
656 respectively, or upon petition of 25 percent of the members of the respective party caucus. A  
657 caucus may entertain resolutions, motions, or other means of ascertaining the sense of the  
658 respective party members on any subject. (13B.)

659 [Adopted Nov. 17, 1983; Amended Jan. 11, 1985; Jan. 29, 2015.]

660 19A. The majority party and minority party shall establish caucus rules that shall dictate the  
661 procedures of each caucus.

662 19B. Any member caucus or group of members organized around a common legislative agenda  
663 that utilizes House resources, including staff time, shall register with the House Committee on  
664 Rules as a Legislative Member Organization, unless it is a party caucus. The chair of the House  
665 Committee on Rules shall notify the Clerk of the House of any Legislative Member Organization  
666 registering with the Committee and shall maintain a list of all Legislative Member Organizations.  
667 Registration shall include the name of the Legislative Member Organization, its statement of  
668 purpose, identification of its officers, and a certification signed by its chair that any state  
669 resources used for the purposes of the Legislative Member Organization shall be not be used for  
670 any partisan political end.

671 A Legislative Member Organization may not include a non-legislator. Senators may belong to  
672 the Legislative Member Organization, but in order to use House resources at least one House  
673 member shall be an officer of the Legislative Member Organization. A Legislative Member  
674 Organization may, without limitation, sponsor informational or educational events, may invite

675 outside speakers and groups to make presentations to the members of the Legislative Member  
676 Organization and others, and may distribute any report, analysis, or other research material  
677 prepared by others provided that the identity of the person or organization authoring the work is  
678 fully disclosed.

679 A member's official stationery may list his or her membership in a Legislative Member  
680 Organization.

681 A Legislative Member Organization may accept contributions or gifts exclusively for public  
682 purposes, provided that the contribution or gift is directed to the House for use by the Legislative  
683 Member Organization, and any funds are held in a dedicated account and financial accounting is  
684 managed by the House Business Office. No gifts accepted by a Legislative Member Organization  
685 shall be used for salaries of employees of the House. If a Legislative Member Organization  
686 wishes to accept contributions or gifts of goods or services valued at \$50 or more from private  
687 organizations or individuals said contribution or gift shall be approved by Counsel appointed  
688 pursuant to Rule 13B.

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

690 20. The committee on Ways and Means shall report in appropriation bills the total amount  
691 appropriated. The General Appropriation Bill shall be available to the members at least 7  
692 calendar days prior to consideration thereof by the House. [25.] (27A.)

693 [Amended Jan. 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005; Jan. 29, 2015.]

694 20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation  
695 Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by 5

696 o'clock P.M. within the close of 3 business days of said General Appropriation bill being made  
697 available in a format to be determined by the Clerk and release of said document by said Clerk if  
698 the release of said document occurs by 2 o'clock P.M. Otherwise, the day following the release  
699 shall be considered the first business day. The Clerk, with the assistance of the committee on  
700 Ways and Means, shall categorize the subject-matter of the amendments and arrange such  
701 amendments for consideration sequentially by subject as appearing in the published version of  
702 the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and  
703 Means, shall categorize the subject-matter of the amendments and arrange such subject matters  
704 for consideration as determined by the committee on Ways and Means. Debate on the General  
705 Appropriation Bill shall not commence until a date and time to be determined by the House  
706 which is subsequent to the designated time established for filing of amendments.

707 Before the main question on the General Appropriation Bill is placed before the House, an  
708 amendment may be postponed or withdrawn at the request of the primary sponsor of the  
709 amendment or postponed by the committee on Ways and Means; provided, that further  
710 consideration of any amendment so postponed shall take place immediately subsequent to  
711 consideration of the amendments within the particular subject-matter to which the postponed  
712 amendment was assigned according to the provisions of paragraph one of said rule; provided,  
713 that if more than one amendment is so postponed, subsequent consideration of said amendments  
714 shall be in the order determined by the committee on Ways and Means; provided further, an  
715 amendment so postponed shall not be subsequently considered outside of its assigned subject-  
716 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments  
717 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with  
718 said Clerk and shall include an original copy only; and provided further, that perfecting or

719 substitute amendments, including, but not limited to an amendment consolidating more than one  
720 amendment, may be submitted by the committee on Ways and Means during consideration of the  
721 subject category to which the amendment or amendments were assigned; provided, however, that  
722 an amendment may be removed from the consolidated amendment at the request of the sponsor  
723 of said amendment for the purpose of it being offered as a further amendment to the consolidated  
724 amendment.

725 [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 20, 2011;  
726 Jan. 29, 2015.]

727 20B. When the General Appropriation Bill is reported by the committee on Ways and Means, it  
728 shall be made available to all members electronically and to the public via the Internet in a  
729 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways  
730 and Means shall provide the membership with a copy of its proposed text of said General  
731 Appropriation Bill, and an executive summary which shall include a list of outside sections, and  
732 a short summary of each outside section prior to full House consideration of such bill. When the  
733 House considers said General Appropriation Bill, it shall be read a second time and forthwith  
734 ordered to a third reading without any amendments. The bill shall be immediately read a third  
735 time and then be open to amendments as previously determined by the House.

736 [Adopted Jan. 9, 2003, Jan. 23, 2007; Feb. 11, 2009.]

737 21. Whenever the committee on Ways and Means reports an appropriation bill or capital  
738 outlay bill, it shall make available to the members a report which includes an explanation of any  
739 increase or decrease of five percent or more which results in an increase or decrease of one  
740 million dollars or more for any item for which the Governor has made a recommendation, and an

741 explanation for the deletion of an item recommended by the Governor, and for the addition of an  
742 item for which the Governor has made no recommendation. [25A.] (27A.)

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

749 The committee may consolidate into 1 bill any 2 or more related bills referred to it, whenever  
750 legislation may be simplified thereby.

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

754 Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House  
755 for concurrence, shall, subsequently to the procedure required by Rule 35 in respect to  
756 amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

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

761 If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-  
762 thirds vote because it contains an emergency preamble, or if it provides for the borrowing of  
763 money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of  
764 the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit  
765 of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended  
766 by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation  
767 of the Governor, for a special law relating to an individual city or town and comes within the  
768 provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution  
769 or provides for environmental protection within the provisions of Article XLIX as amended by  
770 Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve,  
771 or on a wrapper or label attached thereto. [26.] (33.)

772 [Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993; Jan. 29, 2015.]

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

778 When a bill prepared for final passage contains an emergency preamble or when it provides  
779 for the borrowing of money by the Commonwealth and comes within the provisions of Section 3  
780 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or  
781 pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of  
782 Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or

783 provides, upon recommendation of the Governor, for a special law relating to an individual city  
784 or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the  
785 Amendments to the Constitution, or provides for environmental protection within the provisions  
786 of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the  
787 envelope thereof. [27.] (34.) [See Rule 40.]

788 [Amended Jan. 12, 1983; Jan. 29, 2015.]

789 23A. No member of the House, except the Speaker, Speaker pro Tempore, Majority Leader,  
790 Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant  
791 Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-  
792 Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the  
793 Committee on Ways and Means and committee chairmen with respect to committee business,  
794 shall receive privileges or compensation for postage which is greater than seventy-five percent of  
795 the amount allowed as standard practice during the 186th biennial session of the General Court,  
796 as determined by the House Business Manager.

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

798 24. (1) Petitions, recommendations and reports of state officials, departments, commissions  
799 including legislative commissions, and boards, special reports including legislation initiated by  
800 the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding,  
801 Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees  
802 and commissions including legislative commissions, shall be filed with the Clerk in a format to  
803 be determined by said Clerk, who shall, unless they are subject to other provisions of these rules  
804 or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate

805 committees, subject to such change of reference as the House may make. The reading of all such  
806 documents may be dispensed with, but they shall be entered in the Journal of the same or the  
807 next legislative day after such reference except as provided in Joint Rule 13.

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

813 (b) A resolution for adoption by the House only or a resolution for joint adoption shall  
814 only be considered for adoption in the House if the resolution meets the criteria set forth in this  
815 rule.

816 (c) A resolution shall consist of: (i) no more than 5 clauses beginning with the word  
817 “WHEREAS”, which shall contain statements of facts or opinions; and (ii) no more than 2  
818 clauses beginning with the word “RESOLVED”.

819 (d) A resolution shall recognize, honor, commend, celebrate or commemorate a momentous  
820 achievement, special occasion or significant event or date; provided, however, that the following  
821 resolutions shall not be considered for adoption:

822 (i) a resolution recognizing, honoring, commending, celebrating or commemorating the birthday  
823 of a person under the age of 80;

824 (ii) a resolution recognizing, honoring, commending, celebrating or commemorating a wedding  
825 anniversary of a married couple of less than 50 years,



- 826 (iii) a resolution recognizing, honoring, commending, celebrating or commemorating an  
827 anniversary of an organization of less than 20 years;
- 828 (iv) a resolution recognizing, honoring, commending, celebrating or commemorating a class  
829 reunion;
- 830 (v) a resolution recognizing, honoring, commending, celebrating or commemorating a for-profit  
831 organization;
- 832 (iv) a resolution proclaiming certain days, weeks or months;
- 833 (vii) a resolution that includes a statement of policy or ideology.
- 834 (e) Suspension of this rule shall require unanimous consent of the members present.

835 (3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A,  
836 7B, or 9 shall be referred by the Clerk to the committee on Rules. Petitions and other papers so  
837 filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to  
838 the procedure required by said rule, be referred by the Clerk to the committee on Rules. The  
839 reading of all such papers may be dispensed with, but they shall be entered in the Journal of the  
840 same or the next legislative day after such reference.

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

844 (5) Recommendations and special reports of state officials, departments, commissions and  
845 boards, reports of special committees and commissions, bills and resolves accompanying  
846 petitions, recommendations and reports, and resolutions shall be made available under the

847 direction of the Clerk, who may cause to be made available, with the approval of the Speaker,  
848 any other documents filed as herein provided.

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

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

858 (8) Debate upon the suspension of this rule shall be limited to 10 minutes, 3 minutes for each  
859 member, and the Speaker shall recognize the member presenting the order, resolution or petition  
860 first; provided, however, that suspension of this rule shall require unanimous consent of the  
861 members present. Any order, except such order that would amend the Rules of the House,  
862 resolution or petition referred to the committee on Rules after the question of suspension of this  
863 rule has been negatived, or any order, resolution or petition filed after the beginning of the  
864 session and referred to the committee on Rules, shall not be discharged from said committee  
865 except by unanimous consent of the House. Motions to discharge the committee on Rules shall  
866 be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

867 [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29,  
868 2015.]

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

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

881 [ Amended Feb. 11, 2009.]

882 27. With the exception of matters referred to the committee on Rules under the provisions of  
883 paragraph (3) of Rule 24, committees shall report on all matters referred to them. The committee  
884 on Ways and Means shall report the General Appropriation Bill not later than the second  
885 Wednesday of May; and provided further that said committee shall make available to the  
886 members all data compiled for justification of budgetary recommendations in all appropriation  
887 bills. [33.]

888 [Amended April 18, 1979; Jan. 14, 1997; Jan. 29, 2015.]

889 27A. [Omitted Jan. 23, 2007.]

890 28. (1) Motions directing the committee on Ways and Means to report certain matters to the  
891 House, or motions discharging said committees from further consideration of certain matters,  
892 shall not be considered until the expiration of seven calendar days and shall require a majority  
893 vote of the members present and voting for adoption. Committees so directed to report shall file  
894 a report with the Clerk within 4 legislative days. The committee on Ways and Means may not be  
895 directed to report or be discharged from further consideration of any appropriation or capital  
896 outlay measure.

897 (2) The committee on Rules, except as provided in Rule 24, and the committee on Bills in the  
898 Third Reading shall not be discharged from consideration of any measure or be directed to report  
899 on any measure within 10 calendar days of its reference without the unanimous consent of the  
900 House, or after such 10 day period except by a vote of a majority of the members present and  
901 voting thereon.

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

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

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

911 (6) As an alternative procedure to that provided under the provisions of this rule, the members  
912 of the House may, by filing a petition signed by a majority of the members elected to the House,  
913 discharge the House committee on Ways and Means, the House committee on Bills in the Third  
914 Reading, and the House committee on Rules from further consideration of a legislative matter.  
915 Seven days following the filing of the petition with the House Clerk, the committee shall be  
916 discharged from further consideration of the legislative matter specified in the petition and the  
917 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the  
918 House is meeting.

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

927 (8) This rule shall not be suspended unless by unanimous consent of the members present.  
928 (27C, 32A.)

929 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,  
930 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

931 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later  
932 than 45 days following the day the matter was referred to it. The Clerk shall indicate on the

933 Calendar entry of every matter before the Committee on Bills in the Third Reading the date that  
934 said matter was referred to said committee.

935 [Adopted Jan. 11, 1985; Amended Jan. 9, 2003; Jan. 29, 2015.]

936 **REGULAR COURSE OF PROCEEDINGS.**

937 *Petitions.*

938 29. The member presenting a petition shall endorse their name thereon; and the reading  
939 thereof shall be dispensed with, unless specially ordered. [37.] (18.)

940 [Amended Jan. 11, 1985.]

941 Motions Contemplating Legislation, etc.

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

943 The committee on Ways and Means may originate and report appropriation bills as provided  
944 in Rule 20. Messages from the Governor shall, unless otherwise ordered, be referred to the  
945 appropriate committee, which may report by bill or otherwise thereon. A similar disposition  
946 shall, unless otherwise ordered, be made of reports by state officers and committees authorized to  
947 report to the Legislature, and similar action may be had thereon.

948 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with  
949 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report  
950 of the committee on Ways and Means. Messages or recommendations from the Governor shall  
951 be filed with the Clerk in a format to be determined by the Clerk. [40.] (19.)

952 [Amended Jan. 24, 2001.]

953

*Bills and Resolves.*

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

959 [Amended Jan. 9, 2003; Jan. 26, 2005; Jan. 29, 2015.]

960 32. If a committee to which a bill is referred reports that the same ought not to pass, the  
961 question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if  
962 it has been read but once, shall be placed in the Orders of the Day for the next sitting for a  
963 second reading without question; otherwise it shall be placed in the Orders of the Day for the  
964 next sitting, pending the question on ordering to a third reading, or to engrossment, as the case  
965 may be. [43.] (30.)

966 32A. [Omitted Jan. 26, 2005.]

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

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

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

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

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

985 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in  
986 consultation with the Clerk, to all members of the House and the public at least 24 hours in  
987 advance of consideration by the House.

988 All amendments offered by members to any legislative matter in the House shall be submitted  
989 in a format to be determined by the Speaker in consultation with the Clerk; and shall be  
990 considered chronologically as submitted to the Clerk, except for an amendment in the second  
991 degree; provided that all of said amendments shall be drafted in proper form acceptable to the  
992 clerk; and provided further that there shall be available to the members a duplicate copy of each  
993 amendment. (33A.)



994 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,  
995 1995]; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

996 33B. [Omitted Jan. 26, 2005.]

997 33C. [Omitted Jan. 26, 2005.]

998 33D. [Omitted Jan. 26, 2005.]

999 33E. No consolidated amendment offered by the committee on Ways and Means shall be  
1000 considered by the House until the expiration of at least 30 minutes after the consolidated  
1001 amendment shall have been first filed with the Clerk and made available to the members. This  
1002 rule shall not be suspended unless by unanimous consent of the members present.

1003 [Added Feb. 4, 2010; Amended Jan. 29, 2015.]

1004 33F. No consolidated amendment shall be adopted except by a roll call vote.

1005 [Added February 2, 2017.]

1006 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.  
1007 [45.] (26.)

1008 [Amended Jan. 26, 1999.]

1009 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall  
1010 be referred to the committee on Bills in Third Reading, provided that the journal shall reflect the  
1011 referral; and provided further that subsequent to a report from said committee, the amendments  
1012 shall be considered forthwith. [46.] (36.)

1013 [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007; Jan. 23, 2013.]

1014 36. No bill shall be proposed or introduced unless received from the Senate, reported by a  
1015 committee, or moved as an amendment to the report of a committee. [47.] (36.)

1016 37. Bills, resolves and other papers that have been, or, under the rules or usage of the House,  
1017 are to be made available in a format to be determined by the Speaker in consultation with the  
1018 Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority  
1019 of those members present and voting.

1020 [Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.] (29.)

1021 38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of  
1022 by the House, no measure substantially the same shall be introduced by any committee or  
1023 member during the same session. This rule shall not be suspended unless by unanimous consent  
1024 of the members present. [49.] (54.)

1025 39. No bill shall be passed to be engrossed without having been read on three separate  
1026 legislative days. [51.] (28.)

1027 [Amended Jan. 11, 1985.]

1028 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion  
1029 to strike out the enacting clause of a bill shall be received when the bill is before the House for  
1030 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be  
1031 received before the adoption of the emergency preamble and, if suspended, the amendment may  
1032 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the  
1033 Governor with a recommendation of amendment in accordance with the provisions of Article

1034 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills  
1035 proposed by the Senate and sent to the House for concurrence, which amendments shall be  
1036 subject to the provisions of Rule 35, provided, however, that an affirmative vote on a motion to  
1037 suspend this rule shall be required in order to offer an amendment to such an engrossed bill when  
1038 the question before the House is on adoption of an emergency preamble, re-enactment or  
1039 enactment, as the case may be. [53.] (49.)

1040 [Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23, 2013; Jan. 29, 2015.]

1041 41. Bills received from the Senate and bills reported favorably by committees, when not  
1042 referred to another standing committee of the House, shall, prior to being placed in the Orders of  
1043 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received  
1044 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for  
1045 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

1046 [Amended Jan. 14, 1997; Jan. 26, 1999.]

1047 42. Reports of committees, not by bill or resolve, including orders if proposed for joint  
1048 adoption, after they are received from the Senate, or made in the House, as the case may be,  
1049 shall, unless subject to the provisions of any other House or joint rules, be referred to the  
1050 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to  
1051 be discharged from further consideration of a subject, and recommending that it be referred or  
1052 recommitted to another committee, or a report of a committee recommending that a matter be  
1053 placed on file, shall be immediately considered. Reports of committees on proposals for  
1054 amendments to the Constitution shall be dealt with in accordance with the provisions of Joint  
1055 Rule 23. [57.] (36.)

1056 [Amended Jan. 14, 1997; Jan. 29, 2015.]

1057 42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available  
1058 by electronic communication or other means, a list of all reports of the committee on Steering,  
1059 Policy and Scheduling, asking to be discharged from further consideration of subjects, and  
1060 recommending that the subjects be referred to other committees.

1061 [Adopted Jan. 26, 2005; Amended Jan. 29, 2015.]

1062 43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day  
1063 for such reading. [58.] (32.)

1064 *Special Rules Affecting the Course of Proceedings.*

1065 44. The Speaker may designate when an informal session of the House shall be held provided  
1066 said Speaker gives notice of such informal session at a prior session of the House. The Speaker  
1067 may, in cases of emergency, cancel a session or declare any session of the House to be an  
1068 informal session. At an informal session the House shall only consider reports of committees,  
1069 papers from the Senate, bills for enactment or resolves for final passage, bills containing  
1070 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at  
1071 such informal session shall be placed in the Orders of the Day for the succeeding day, and no  
1072 new business shall be entertained, except by unanimous consent.

1073 Formal debate, or the taking of the sense of the House by yeas and nays shall not be  
1074 conducted during such informal session.

1075 Upon the receipt of a petition signed by at least a majority of the members elected to the  
1076 House, so requesting, the Speaker shall, when the House is meeting in informal session under the

1077 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said  
1078 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the  
1079 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the  
1080 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the  
1081 members present. [59.] (5A.)

1082 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,  
1083 2003; Feb. 11, 2009.]

1084 45. After entering upon the consideration of the Orders of the Day, the House shall proceed  
1085 with them in regular course as follows: Matters not giving rise to a motion or debate shall first be  
1086 disposed of in the order in which they stand in the Calendar; after which the matters that were  
1087 passed over shall be considered in like order and disposed. The provisions of this paragraph shall  
1088 not be suspended unless by unanimous consent of the members present.

1089 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the  
1090 committee on Ways and Means and the committee on Bills in the Third Reading may present  
1091 matters for consideration of the House after approval of two-thirds of the members present and  
1092 voting, without debate. [59.] (37.) [See Rule 47.]

1093 [Amended Jan. 12, 1981; Jan. 12, 1983; Feb. 11, 2009.]

1094 46. When the House does not finish the consideration of the Orders of the Day, those which  
1095 had not been acted upon shall be the Orders of the Day for the next and each succeeding day  
1096 until disposed of, and shall be entered in the Calendar, without change in their order, to precede  
1097 matters added under Rule 7A; provided, however, that all other matters shall be listed in  
1098 numerical order by Calendar item.

1099 The unfinished business in which the House was engaged at the time of adjournment shall  
1100 have the preference in the Orders of the Day for the next day. [60.] (35.)

1101 [Amended Jan. 12, 1987; Jan. 26, 1999.]

1102 47. No matter which has been duly placed in the Orders of the Day shall be discharged  
1103 therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

1104 *Voting.*

1105 48. Members desiring to be excused from voting shall make application to that effect before  
1106 the division of the House or the taking of the yeas and nays is begun. Such application may be  
1107 accompanied by a brief statement of reasons by the member. The Clerk shall, prior to the first  
1108 roll call of the sitting, announce the name of any member who has informed him/her to not call  
1109 their name or lock their voting station. The Clerk shall also announce prior to any subsequent  
1110 roll call of the sitting the name of any member who had informed their to not call their name or  
1111 lock their voting station since the taking of the immediately preceding roll call.

1112 A member absent from the House for a formal session period of a day or longer shall notify the  
1113 Clerk in writing of the intended absence. A member absent during a formal session for an  
1114 extended period or for the remainder of the session shall notify the Clerk in person. The Clerk  
1115 shall provide a written notice to any such absent member.

1116 The Clerk shall disable the voting station of any such member notifying the Clerk of an absence  
1117 pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to  
1118 answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk

1119 shall reactivate the voting station upon receiving notification of the member's return to the House  
1120 Chamber. ([64.] (57.)

1121 [Amended Feb. 11, 2009.]

1122 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea  
1123 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their  
1124 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a  
1125 person who has been elected Speaker pro tempore, may designate some member or a court  
1126 officer to cast a vote for him/her on any vote taken on the electronic voting system while such  
1127 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro  
1128 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker  
1129 shall state the pending question before opening the system for voting.

1130 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber,  
1131 but who is unable to vote due to a malfunction of their voting station or inability to open their  
1132 voting station.

1133 Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented  
1134 from voting personally using the electronic voting system because of physical disability, said  
1135 member shall, if present in the State House, be excused from so voting and the Speaker shall  
1136 assign a court officer to cast said member's vote so long as said physical disability continues;  
1137 provided that the Speaker shall announce the action of the Chair to the membership prior to  
1138 assigning a court officer to cast the member's vote and provided further that the Speaker shall  
1139 announce the action to the membership the first time a vote is cast for that member on each  
1140 successive day. [65.]

1141 [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011; Feb. 11,  
1142 2009.]

1143 50. When a question is put, the sense of the House shall be taken by the voices of the  
1144 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.  
1145 If the Speaker is unable to decide by the sound of the voices, or if the announcement made  
1146 thereupon is doubted by a member rising in their place for that purpose, the Speaker shall order a  
1147 division of the number voting in the affirmative and in the negative, without further debate upon  
1148 the question. [66.] (55.)

1149 [Amended Jan. 11, 1985; Feb. 11, 2009.]

1150 51. When a return by division of the members voting in the affirmative and in the negative is  
1151 ordered, the members for or against the question, when called on by the Speaker, shall rise in  
1152 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a  
1153 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall  
1154 stand. [67.]

1155 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent  
1156 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,  
1157 state the pending question and, after opening the electronic voting system, instruct the members  
1158 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall  
1159 close said system and cause totals to be displayed and a record made of how each member  
1160 present voted; provided, that if at any time during said voting period any standing, joint or  
1161 conference committee is meeting in public or executive sessions, the Speaker shall leave the  
1162 electronic voting machine open for not less than 5 minutes.



1163 Any member desiring to be recorded as being "present" when a yea and nay vote is taken on  
1164 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and  
1165 before the vote is announced.

1166 In the event the electronic voting system is not in operating order, the roll of the House shall  
1167 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to  
1168 answer "present" who was not on the floor before the vote is declared; provided, however, that a  
1169 member, who was in the State House on a previous roll call, may be recorded by reporting to the  
1170 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is  
1171 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the  
1172 member who is speaking on the floor; provided, however, that such request may be announced to  
1173 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond  
1174 said five minute period. Once the voting has begun it shall not be interrupted except for the  
1175 purpose of questioning the validity of a member's vote before the result is announced. Except as  
1176 heretofore provided, any member who shall vote or attempt to vote for another member or any  
1177 person not a member who votes or attempts to vote for a member, or any member or other person  
1178 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting  
1179 equipment used by the House, or change the records thereon shall be punished in such manner as  
1180 the House determines; and provided further, that such a violation shall be reported to the Ethics  
1181 Committee. [68.] (56, 57.)

1182 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,  
1183 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011.]

1184 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been  
1185 ordered before the question is put, the proceedings under Rules 50 and 51 relative to verification  
1186 of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they  
1187 may be called for in lieu of a return by divisions when the Speaker's announcement is doubted by  
1188 a member rising in their place, and, if then ordered, the proceedings under Rules 50 and 51 shall  
1189 be omitted. [69.] (52.)

1190 [Amended Jan. 26, 1999.]

1191 *Reconsideration.*

1192 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on  
1193 which the vote was taken, or before the Orders of the Day have been taken up on the next day  
1194 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion  
1195 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the  
1196 succeeding day, the motion shall be considered forthwith except that if said motion is moved on  
1197 a day on which an informal session has been designated, it shall be placed in the Orders of the  
1198 Day for the succeeding day. If reconsideration is moved after July first of the second annual  
1199 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not  
1200 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any  
1201 time when the main question to which it relates is under consideration; and provided, further,  
1202 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not  
1203 remove the main subject under consideration from before the House, but shall be considered at  
1204 the time when it is made. This rule shall not be suspended unless by unanimous consent of the  
1205 members present. [70.] (53.)

1206 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1207 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and  
1208 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the  
1209 following motions:

1210 to recess,

1211 to adjourn,

1212 on sustaining a ruling of the Chair,

1213 to close debate at a specified time,

1214 to postpone if voted in the negative,

1215 to discharge or direct a committee to report,

1216 to commit or recommit,

1217 for second or subsequent legislative days,

1218 for the previous question, or

1219 for suspension of rules.

1220 This rule shall not be suspended unless by unanimous consent of the members present. [71.]

1221 (53.)

1222 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1223 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall  
1224 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or  
1225 incidental question, debate shall be limited to ten minutes, and no member shall occupy more  
1226 than three minutes.

1227 If the House has voted to close debate on any question, a motion to reconsider said question  
1228 shall be decided without debate. [72.] (52.)

1229 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1230 **RULES OF DEBATE.**

1231 57. Every member, when about to speak, shall rise and respectfully address the Speaker and  
1232 shall confine himself/herself to the question under debate. [73.] (39.)

1233 [Amended Jan. 11, 1985.]

1234 58. Every member while speaking shall avoid personalities; and shall sit down when finished.  
1235 No member shall speak out of their place without leave of the Speaker. [73.] (39.)

1236 When two or more members rise at the same time, the Speaker shall name the member  
1237 entitled to the floor, preferring one who rises in their place to one who does not. [74.] (40.)

1238 [Amended Jan. 11, 1985.]

1239 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly  
1240 procedure of the House, the Speaker, after warning the member of such violations, shall call the  
1241 member to order, and order that member to take their seat. A member so called to order shall lose  
1242 the right to speak on the pending subject-matter but shall not be debarred from voting. A member

1243 so called to order shall remain seated until the House begins consideration of another subject-  
1244 matter or unless the Speaker earlier returns to the member their rights to the floor.

1245 If a member so called to order refuses to immediately take their seat, the Speaker shall  
1246 immediately name that member, who shall be escorted from the Chamber under escort of the  
1247 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of  
1248 three to be appointed by the Speaker. Said special committee shall make a report to the House of  
1249 its recommendations, which report shall be read and accepted.

1250 Having been named, a member shall not be allowed to resume their seat until said member  
1251 has complied with the recommendations of the committee as accepted by the House.

1252 If, after a member is seated or named, the action of the Speaker is appealed, the House shall  
1253 decide the case by a majority vote of the members present and voting, but if there is no  
1254 immediate appeal, the decision of the Speaker shall be conclusive.

1255 [Amended Jan. 12, 1981; Jan. 11, 1985; Feb. 11, 2009.]

1256 60. No member shall interrupt another while speaking except by rising to a point of order, to a  
1257 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking  
1258 to yield.

1259 Members may rise to explain matters personal to them by leave of the presiding officer, but  
1260 shall not discuss pending questions in such explanations.

1261 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and  
1262 conduct of the member in their representative capacities.

1263 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by  
1264 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1265 [Amended Jan. 12, 1981; Feb. 11, 2009.]

1266 61. No member shall speak more than once to the prevention of those who have not spoken  
1267 and desire to speak on the same question.

1268 This prohibition shall not apply to those members designated by the committee or committees  
1269 reporting the bill.

1270 No member shall occupy more than thirty minutes at a time while speaking on any question  
1271 where debate is unlimited.

1272 Unless the operation of another rule provides to the contrary (such as previous question,  
1273 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any  
1274 question when no other member who has not spoken is seeking recognition by the Chair. [76.]  
1275 (41.)

1276 *Motions.*

1277 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1278 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may  
1279 be withdrawn by the mover if no objection is made. [78.] (44.)

1280 [Amended Jan. 12, 1981.]

1281 Limit of Debate.

1282       64. A motion to recess or adjourn shall always be first in order, and shall be decided without  
1283 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to  
1284 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member  
1285 shall speak more than three minutes. On the motion to discharge any committee, or on a motion  
1286 directing any committee to report matters before it, not exceeding fifteen minutes shall be  
1287 allowed for debate, and no member shall speak more than three minutes.

1288       If the main motion is undebatable, any subsidiary or incidental motion made relating to it  
1289 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1290       [Amended Jan. 12, 1981.]

1291       64A. Debate on the question on adoption of orders for second and subsequent legislative days  
1292 shall be limited to ten minutes, and no member shall speak more than three minutes. After  
1293 entering into a second or subsequent legislative day, the House shall immediately proceed to  
1294 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of  
1295 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1296       [Adopted Jan. 12, 1983.]

1297       65. When a question is before the House, until it is disposed of, the Speaker shall receive no  
1298 motion that does not relate to the same, except the motion to recess or adjourn or some other  
1299 motion that has precedence either by express rule of the House, or because it is privileged in its  
1300 nature; and the Speaker shall receive no motion relating to the same, except,—

1301       for the previous question, . . . . .

1302       to close debate at a specified time, . . . . .

1303 to postpone to a time certain, . . . . .

1304 to commit (or recommit), . . . . .

1305 to amend, . . . . . See Rules 66, 67 and 68

1306 See Rules 64, 69 and 70

1307 See Rules 64 and 70

1308 See Rules 64 and 71

1309 See Rules 72, 73, 74 and 75

1310 — which several motions shall have precedence in the order in which they are arranged in  
1311 this rule. [80.] (46.)

1312 [Amended Jan. 11, 1985.]

1313 *Previous Question.*

1314 66. Any member may call for the previous question on the main question.

1315 The previous question shall be put in the following form: "Shall the main question be now  
1316 put?" and all debate on the main question shall be suspended until the previous question is  
1317 decided.

1318 The adoption of the previous question shall require the affirmative vote of two-thirds of the  
1319 members present and voting and shall put an end to all debate, and bring the House to direct vote  
1320 upon pending amendments, if any, in their regular order, and then upon the main question.



1321 A motion to reconsider the vote on any of the pending amendments shall be decided without  
1322 debate. [81.]

1323 [Amended Jan. 12, 1981.]

1324 67. Any member may call for the previous question on any pending amendment.

1325 The previous question shall be put in the following form: "Shall the question on adoption of  
1326 the amendment be now put?" and all debate shall be suspended until the previous question is  
1327 decided.

1328 The adoption of the previous question on a pending amendment shall require the affirmative  
1329 vote of two-thirds of the members present and voting and shall put an end to all debate and bring  
1330 the House to a direct vote upon the pending amendment.

1331 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1332 [Amended Jan. 12, 1981.]

1333 68. The previous question shall be decided without debate.

1334 *Motion to Close Debate at a Specified Time.*

1335 69. Debate may be closed at any time not less than thirty minutes from the adoption of a  
1336 motion to that effect. This rule shall not be suspended unless by unanimous consent of the  
1337 members present. [85.] (47.)

1338 Motion to Postpone to a Time Certain.

1339 70. When a motion is made to postpone to a time certain, and different times are proposed,  
1340 the question shall first be taken on the most remote time; and the time shall be determined before  
1341 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1342 *Motion to Commit.*

1343 71. When a motion is made to commit, and different committees are proposed, the question  
1344 shall be taken in the following order:

1345 a standing committee of the House,

1346 a select committee of the House,

1347 a joint standing committee,

1348 a joint selected committee;

1349 and a subject may be recommitted to the same committee or to another committee at the  
1350 pleasure of the House. [88.] (48.)

1351 *Motion to Amend.*

1352 72. A motion to amend an amendment may be received; but no amendment in the third degree  
1353 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members  
1354 present. [89.]

1355 [Amended Jan. 12, 1983.]

1356 73. No motion or proposition on a subject different from that under consideration shall be  
1357 admitted under color of amendment. This rule shall not be suspended unless by unanimous  
1358 consent of the members present. [90.] (50.)

1359 [Amended Jan. 12, 1987.]

1360 73A. No motion to amend a report from the committee on Ways and Means or a report from  
1361 the committee on Bills in the Third Reading, when such an amendment contains an expenditure  
1362 of public money or an increase or decrease in taxes, shall be considered unless a brief  
1363 explanation of the amendment is stated.

1364 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1365 74. A question containing two or more propositions capable of division shall be divided  
1366 whenever desired by any member, if the question includes points so distinct and separate that,  
1367 one of them being taken away, the other will stand as a complete proposition. The motion to  
1368 strike out and insert shall be considered as one proposition and therefore indivisible. The  
1369 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or  
1370 similar main motions shall be considered as indivisible under this rule. This rule shall not be  
1371 suspended unless by unanimous consent of the members present. [91.] (45.)

1372 [Amended Jan. 12, 1983.]

1373 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule  
1374 70.]

1375 *Declaration of Recess.*

1376 76. The Speaker may declare a recess of 15 minutes duration, or less.

1377 [Amended Jan. 9, 1991; Jan. 29, 2015.]

1378 *Appeal.*

1379 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and  
1380 no other business shall be in order until the question on the appeal has been disposed of. Debate  
1381 shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member  
1382 shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1383 [Amended Jan. 9, 1989; Jan. 29, 2015.]

1384 *Resolves.*

1385 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall  
1386 apply likewise to such resolves as require the concurrence of the Senate and approval by the  
1387 Governor in order to become law and have force as such. [95.]

1388 *Seats.*

1389 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such  
1390 persons as they may employ to assist said Clerk, and that on the left to the use of the chair and  
1391 vice-chair of the committee on Bills in the Third Reading.

1392 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other  
1393 than seats assigned under paragraph (1) of this rule, shall be their seat for the year and for such  
1394 additional years as said member may elect so long as service in the House remains continuous.  
1395 An exchange of seats may be made with the approval of the Speaker. [98.]

1396 [Amended Jan. 11, 1985; May 5, 1993.]

1397

*Privilege of the Floor.*

1398       80. The following persons shall be entitled to admission to the House of Representatives,  
1399 during the session thereof, to stand in an area designated by the Speaker in the rear of the  
1400 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1401       (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary  
1402 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,  
1403 Attorney-General, Librarian and Assistant Librarian;

1404       (2) The members of the Senate;

1405       (3) Authorized employees of the House and persons in the exercise of an official duty directly  
1406 connected with the business of the House; or

1407       (4) Contestants for seats in the House, whose papers are in the hands of a special committee  
1408 of the House, may be admitted, while their cases are pending, to seats to be assigned by the  
1409 Speaker

1410       No other person shall be admitted to the floor during the session, except upon the permission  
1411 of the Speaker.

1412       No legislative agent or counsel may be admitted to the floor of the House Chamber during a  
1413 session unless that part of the session is ceremonial in nature in which no other legislative  
1414 business is conducted.

1415       The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1416 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,  
1417 61.)

1418 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1419 *Representatives' Chamber and Adjoining Rooms.*

1420 81. (a) Use of the Representatives' Chamber members' corridor or adjoining rooms shall be  
1421 for official business or educational purposes only and shall be subject to the approval of the  
1422 Speaker or the committee on Rules. The provisions of this paragraph shall not apply if the  
1423 purpose of admittance is to attend a meeting in an adjoining room to which members of the  
1424 general public are allowed to attend.

1425 (b) No legislative agent or counsel shall be admitted to the members' corridor or adjoining  
1426 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except  
1427 persons entitled to the privileges of the floor of the House unless upon written invitation of a  
1428 member bearing the name of the member and the person the member invites. Upon entering, the  
1429 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph  
1430 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which  
1431 members of the general public are allowed to attend.

1432 (c) No person shall be admitted to the north gallery of the House except upon a card of the  
1433 Speaker.

1434 (d) Subject to the approval and direction of the committee on Rules during the session and of  
1435 the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be

1436 under the control of the organization of legislative reporters known as the Massachusetts State  
1437 House Press Association and the State House Broadcasters Association.

1438 (e) Every legislative reporter desiring admission to the reporters' galleries shall state in  
1439 writing that they are not the agent or representative of any person or corporation interested in  
1440 legislation before the General Court, and will not act as representative of any such person or  
1441 corporation while retaining a place in the galleries; but nothing herein contained shall prevent  
1442 such legislative reporter from engaging in other employment, provided such other employment is  
1443 specifically approved by the committee on Rules and reported to the House.

1444 (f) All formal sessions of the House of Representatives shall be open to both commercial and  
1445 public radio and television, except designated times during such sessions, as determined by the  
1446 House, reserved for the consideration of non-controversial business which does not give rise to  
1447 debate. The manner and conditions of such broadcasts shall be established by the Speaker.  
1448 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker.

1449 The Speaker may arrange for a limited number of remote connections at a location  
1450 outside of the Representatives' Chamber for commercial and public radio and television to obtain  
1451 audio and visual feeds of formal sessions being recorded or streamed by the House. Video or  
1452 audio obtained from such feed shall be used only for reporting purposes. Access to the  
1453 connections provided shall be on a first-come-first serve basis; provided, however, that  
1454 commercial and public radio and television acquiring access shall be required to share the audio  
1455 or video feeds with other any other commercial and public radio and television station seeking  
1456 access. The manner and conditions of access shall be established by the Speaker with the  
1457 approval of the House. Access may be prohibited by the Speaker with the approval of the House.





1476 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,  
1477 altered or repealed unless two-thirds of the members present and voting consent thereto. This  
1478 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1479 [Amended Jan. 12, 1981.]

1480 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive  
1481 any requirement relative to the electronic availability and posting on the internet of any bills,  
1482 resolves, summaries or other documents contained herein; provided, however, that if the clerk so  
1483 waives any such requirement he shall make paper copies of the documents available to all  
1484 members and the public within the limitation established for the electronic availability and  
1485 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1486 [Adopted Feb. 11, 2009.]

1487 *Reference to Committee on Rules.*

1488 85. All motions or orders authorizing committees of the House to travel or to employ  
1489 stenographers, all propositions involving special investigations by committees of the House, all  
1490 resolutions presented for adoption by the House only, and all motions and orders except those  
1491 which relate to the procedure of the House or are privileged in their nature or are authorized by  
1492 Rule 65, shall be referred without debate to the committee on Rules, which shall report thereon,  
1493 recommending what action should be taken. The committee shall not recommend suspension of  
1494 Joint Rule 9, unless evidence satisfactory to the committee is produced that the petitioners have  
1495 previously given notice, by public advertisement or otherwise, equivalent to that required by  
1496 Chapter 3 of the General Laws. [104.] (13A.)

1497 [Amended Jan. 29, 2015.]

1498 85A. The House Business Manager, with the approval of the Counsel appointed pursuant to  
1499 Rule 13B, shall provide that outside, independent audits of House financial accounts be  
1500 conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with  
1501 balance report from the comptroller of the Commonwealth. The audit shall be conducted in  
1502 accordance with auditing standards generally accepted in the United States of America and the  
1503 standards applicable to financial audits contained in Government Auditing Standards, issued by  
1504 the Comptroller General of the United States. The House Business Manager shall provide the  
1505 independent auditor with requested documents for such audit. A copy of such audit shall be filed  
1506 with the Clerk of the House and said copies shall be made available to the members and the  
1507 general public upon request. The procurement of an independent auditor pursuant to this rule  
1508 shall not be subject to rule 87.

1509 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1510 *Parliamentary Practice.*

1511 86. The rules of parliamentary practice shall govern the House in all cases to which they are  
1512 applicable, and in which they are not inconsistent with these rules or the joint rules of the two  
1513 branches. (62.)

1514 *Procurement.*

1515 87. (a) All procurements for goods or services shall be completed by the House Business  
1516 Manager.

1517 (b) All procurements for goods or services shall, to the extent practicable, be made pursuant to a  
1518 statewide procurement contract established by the operational services division.

1519 (c) Upon certification by the House Business Manager that a necessary procurement cannot be  
1520 made using a statewide procurement contract established by the operational services division, the  
1521 House Business Manager may procure the required goods or services pursuant to the following:

1522 (i) for a procurement of a supply or service in an amount of less than \$10,000, the House  
1523 Business Manager shall use sound business practices;

1524 (ii) for a procurement of a supply or service in an amount of \$10,000, but less than \$100,000,  
1525 the House Business Manager shall seek written or oral quotations from no fewer than 3 persons  
1526 customarily providing such supply or service. The House Business Manager shall record the  
1527 names and addresses of all persons from whom quotations were sought, the names of the persons  
1528 submitting quotations and the date and amount of each quotation. The House Business Manager  
1529 shall award the contract to the responsible person whose quotation offers the needed quality of  
1530 supply or service and which represents the best value for the House;

1531 (iii) for a procurement of a supply or service in an amount exceeding \$100,000, the House  
1532 Business Manager shall seek proposals through a competitive bid process established by the  
1533 Counsel appointed pursuant Rule 13B, referred to in this rule as “Counsel” ; provided, however,  
1534 that the Counsel shall file the competitive bid process with the Clerk of the House no later than  
1535 March 31 of the first year of the session.

1536 (d) Notwithstanding subsection (a) and (b), all procurements for legal consulting services and  
1537 legal resources shall be handled exclusively by Counsel in compliance with the provisions of this  
1538 rule..

1539 (e) The House Business Manager shall maintain a file on each contract not executed using a  
1540 statewide procurement contract established by the operational services division and in excess of  
1541 \$10,000 and shall include in such file a copy of all documents constituting the agreement for  
1542 goods and services and all documents evidencing compliance with this rule. The House Business  
1543 Manager shall make the file available for inspection within said office by members of the House  
1544 for at least 3 years from the date of final payment under the contract; provided, however, that the  
1545 Business Manager, in consultation with Counsel, shall redact from said file any information  
1546 which (i) is legally privileged; (ii) is proprietary; (iii) is related to individual members or House  
1547 personnel; or (iv) is otherwise protected by state or federal law.

1548 (f) Whenever the time required to comply with a requirement of this rule would endanger the  
1549 health, safety or convenience of the members, staff or visitors to the House of Representatives,  
1550 the House Business Manager may make an emergency procurement without satisfying the  
1551 requirements of this rule; provided, however, that both the House Business Manager and Counsel  
1552 certify in writing: (i) that an emergency exists and explain the nature thereof; (ii) that said  
1553 emergency procurement is limited to only supplies or services necessary to meet the emergency;  
1554 (iii) that said emergency procurement conforms to the requirements of this rule to the extent  
1555 practicable under the circumstances; and (iv) shall include each contractor's name, the amount  
1556 and the type of each contract, the supplies or services provided under each contract, and (vii) the  
1557 basis for determining the need for an emergency procurement. Such certification shall be filed  
1558 with the Clerk of the House prior to an emergency procurement. [Adopted Jan. 20, 2011,  
1559 Amended Jan. 23, 2013; Jan. 29, 2015; Feb. 19, 2015.]

1560 *Professional Standards and Conduct*

1561 88. (a) As used in Rules 88 to 99, inclusive, the following terms shall, unless the context  
1562 clearly requires otherwise, have the following meanings:-

1563 "Authorized party", a party authorized to receive a complaint of harassment or retaliation  
1564 pursuant to Rule 93.

1565 "Counsel", Legal Counsel to the House appointed pursuant to Rule 13B.

1566 "Director", the Director of Human Resources appointed pursuant to Rule 90.

1567 "Discriminatory harassment", verbal or physical conduct that:

1568 (1) demeans, stereotypes, or shows hostility or aversion toward an individual or group because  
1569 of the individual's race, color, religion, national origin, sex, ancestry, sexual orientation, age,  
1570 disability status, genetic information, gender identity, active military personnel status,  
1571 transgender status or membership in any other protected class and;

1572 (2) (i) has the purpose or effect of creating an intimidating, hostile, humiliating or offensive  
1573 working environment;

1574 (ii) has the purpose or effect of unreasonably interfering with a member, officer, intern or  
1575 employee's work performance or official duties; or

1576 (iii) otherwise adversely affects a member, officer, intern or employee's employment  
1577 opportunities or ability to fulfill their official duties or conduct business before the House.

1578 "EEO Officer", the Equal Employment Opportunity Officer appointed pursuant to Rule 89.

1579 "Harassment", discriminatory harassment or sexual harassment engaged in by a member, officer,  
1580 intern or employee of the House or by a third party.

1581 "Sexual harassment", sexual advances, requests for sexual favors and verbal or physical conduct  
1582 of a sexual nature when:

1583 (1) submission to or rejection of such advances, requests or conduct is made either explicitly or  
1584 implicitly a term or condition of employment or as a basis for employment decisions, or as a  
1585 term, condition or basis for the support of certain policy objectives, political aspirations or  
1586 business before the House; or

1587 (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering  
1588 with a member, officer, intern or employee's work performance or official duties by creating an  
1589 intimidating, hostile, humiliating or sexually offensive work environment.

1590 Under this definition, direct or implied requests for sexual favors in exchange for actual or  
1591 promised (i) employment benefits such as favorable reviews, salary increases, promotions,  
1592 increased benefits or continued employment or (ii) support for certain policy objectives, political  
1593 aspirations or business before the House, shall constitute sexual harassment.

1594 The definition of sexual harassment is broad and may include other sexually oriented conduct,  
1595 whether or not it is intended to violate this Rule, that is unwelcome and has the effect of creating  
1596 a workplace environment that is hostile, offensive, intimidating or humiliating to a member,  
1597 officer, intern or employee of the same or different gender, or those who do not identify as  
1598 gender binary.

1599 "Supervisor", a member, officer or employee having direct authority or oversight over one or  
1600 more employees.

1601 "Third party", any person visiting the House of Representatives, or conducting official business  
1602 or work with any member, officer or employee of the House.

1603 (b) The House is committed to providing fair and equal opportunity for employment and  
1604 advancement to all employees and applicants.

1605 It is our policy and practice to assign, promote and compensate employees on the basis of  
1606 qualifications, merit, and competence. Employment practices shall not be influenced nor  
1607 affected by virtue of an applicant's or employee's race, color, religion, national origin, sex,  
1608 ancestry, sexual orientation, age, disability status, genetic information, gender identity, active  
1609 military personnel status, transgender status or membership in any other protected class.

1610 This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, promotion,  
1611 transfer, discharge and all other terms and conditions of employment.

1612 Without limiting the applicability of the foregoing, the House is committed to creating and  
1613 maintaining a work environment in which all members, officers, interns and employees of the  
1614 House, and all third parties, are treated with respect and free from any form of harassment,  
1615 including harassment based on an individual's membership in any protected class. To that end,  
1616 the House will not tolerate harassment of any kind by any member, officer, intern, employee or  
1617 third party in the workplace or otherwise in connection with the official duties or employment  
1618 responsibilities of a member, officer, third party, intern or employee. Any individual who  
1619 believes that they may have been the object of harassment, or any individual who witnesses  
1620 something they think may be harassment, is strongly encouraged to report that information to an  
1621 authorized party.

1622 The House shall promote the safety and respectful treatment of all members, officers, interns and  
1623 employees of the House, and all third parties, by establishing uniform procedures for making and  
1624 receiving complaints of harassment and initiating, conducting and concluding investigations into  
1625 complaints of harassment.

1626 A violation of this policy will subject the member, officer, employee or intern to discipline  
1627 pursuant to Rule 95 and Rule 96.

1628 (c) (1) Discriminatory harassment may include, but is not limited to, the following conduct:

1629 (i) epithets, slurs, insults or negative stereotyping related to the protected classes;

1630 (ii) acts or jokes that are hostile or demeaning with regard to the protected classes;

1631 (iii) threatening, intimidating or hostile acts that relate to the protected classes;

1632 (iv) displays of written or graphic material that demean, ridicule or show hostility toward an  
1633 individual or group because of membership in a protected class, including material circulated or  
1634 displayed in the workplace, including District Offices, such as on an employee's desk or  
1635 workspace, or on House equipment or bulletin boards, including but not limited to House-issued  
1636 computers, laptops and personal device assistants;

1637 (v) verbal or non-verbal innuendo, and micro-aggressions; and

1638 (vi) other conduct that falls within the definition of discriminatory harassment set forth above.

1639 (2) Sexual harassment includes, but is not limited to, the following conduct:

1640 (i) gender-based bullying, including bullying based on transgender or non-gender binary status;



- 1641 (ii) attempts to coerce an unwilling person into a sexual relationship;
- 1642 (iii) repeatedly subjecting a person to unwelcome sexual or romantic attention;
- 1643 (iv) punishing a person's refusal to comply with a request for sexual conduct; and
- 1644 (v) conditioning a benefit on submitting to sexual advances.
- 1645 (3) Conduct that, if unwelcome, and depending upon the totality of the circumstances, including
- 1646 the severity of the conduct and its pervasiveness, may constitute sexual harassment includes, but
- 1647 is not limited to, the following:
- 1648 (i) unwelcome sexual advances, flirtations or propositions, whether they involve physical
- 1649 touching or not;
- 1650 (ii) sexual "kidding," epithets, jokes, written or oral references to sexual conduct;
- 1651 (iii) gossip regarding one's sex life;
- 1652 (iv) comment on a person's body or an individual's sexual activity, deficiencies, or prowess;
- 1653 (v) displaying sexually suggestive objects, pictures, posters or cartoons;
- 1654 (vi) unwelcome leering or staring at a person;
- 1655 (vii) sexual gestures and suggestive or insulting sounds, such as whistling or comments with
- 1656 sexual content or meaning;
- 1657 (viii) uninvited physical contact, such as touching, hugging, purposely brushing against the body,
- 1658 patting or pinching;
- 1659 (ix) indecent exposure;

1660 (x) inquiries into one's sexual experiences;

1661 (xi) discussion of one's sexual activities;

1662 (xii) sexual emails; and

1663 (xiii) sexting, or sexual messages or images posted on social media, for example, texts, instant  
1664 messages, Facebook posts, tweets, Snapchat, Instagram or blog entries.

1665 (d) No member, officer or employee of the House shall retaliate, including against a member,  
1666 officer, intern, or employee of the House who has complained about harassment or participated  
1667 in an investigation into an allegation of harassment or retaliation. Any person who believes that  
1668 they may have been the subject of retaliation for having complained of harassment or retaliation,  
1669 or for having participated in an investigation related to an allegation of harassment or retaliation,  
1670 is strongly encouraged to report that information to an authorized party. [Adopted Mar. 15,  
1671 2018.]

1672 89. (a) The House shall employ a full-time Equal Employment Opportunity Officer. The  
1673 committee on Rules shall appoint a qualified person with expertise in harassment prevention,  
1674 conduct of investigations, and identifying barriers to equal employment opportunity to act as the  
1675 EEO Officer at such compensation as the committee on Rules shall approve.

1676 The EEO Officer shall serve a term of two years from the date of appointment, unless the EEO  
1677 Officer sooner resigns, retires or is removed; provided, however, that the EEO Officer may only  
1678 be removed: (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of  
1679 Counsel and the Director, and approved by a majority vote of the committee on Rules; or (ii) by  
1680 a majority roll call vote of the House.

1681 The EEO Officer may employ such assistants as may be necessary in the discharge of the EEO  
1682 Officer's duties, subject to the approval of the committee on Rules, and may expend with like  
1683 approval such sums as may be necessary for the discharge of their duties.

1684 (b) The EEO Officer shall receive, review and investigate all complaints alleging a violation of  
1685 Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy, including,  
1686 but not limited to complaints alleging harassment or retaliation. Complaints shall be received,  
1687 reviewed and investigated pursuant to Rules 93 to 96, inclusive.

1688 The EEO Officer shall develop and implement written policies and procedures for receiving,  
1689 investigating, resolving and maintaining records of complaints against members, officers, interns  
1690 or employees of the House, or against third parties, made in accordance with Rules 93 to 98,  
1691 inclusive.

1692 (c) (1) The EEO Officer, in conjunction with the committee on Personnel and Administration  
1693 and the Director, shall provide for training of members. Members shall be required to complete  
1694 training within 30 days of being sworn in and annually thereafter. Training shall be in-person  
1695 and shall include, without limitation, instruction on: (i) House equal employment policies,  
1696 including the complaint and investigation process; (ii) workplace harassment specifically,  
1697 including techniques for bystander intervention and other best practices; (iii) prohibition on  
1698 retaliation; (iv) best management practices; (v) professionalism and respect; and (vi) practices for  
1699 monitoring the workplace for issues and identifying risk factors. Each member shall make a  
1700 signed, written acknowledgement of the member's completion of the training, which shall be  
1701 retained by the EEO Officer.

1702 (2) The EEO Officer, in conjunction with the committee on Personnel and Administration and  
1703 the Director, shall provide for training for all appointed officers and employees. Appointed  
1704 officers and employees shall be required to complete training within 30 days of initial hire or  
1705 appointment and annually thereafter. Training shall be in person and shall include, without  
1706 limitation, instruction on (i) House equal employment policies, including the complaint and  
1707 investigation process; (ii) workplace harassment specifically, including techniques for bystander  
1708 intervention and other best practices; (iii) prohibition on retaliation; and (iv) professionalism and  
1709 respect.

1710 Separate trainings shall be held for those appointed officers and employees who are supervisors  
1711 and those appointed officers and employees who are not supervisors. The content of the training  
1712 shall be tailored appropriately to the recipients. Supervisors shall be specifically trained on best  
1713 management practices.

1714 Each appointed officer and employee shall make a signed, written acknowledgement of their  
1715 completion of the training, which shall be retained by the EEO Officer, who shall provide a copy  
1716 to the Director to be maintained in their personnel file.

1717 (3) The EEO Officer shall provide for appropriate additional training to members, officers or  
1718 employees at any time that the EEO Officer deems necessary or appropriate, including upon the  
1719 request of a member, officer or employee.

1720 (4) The EEO Officer, in conjunction with the Director, shall provide for training for interns  
1721 during the intern orientation process. The training shall include without limitation, instruction  
1722 on: (i) House equal employment policies, including the complaint and investigation process; (ii)  
1723 workplace harassment specifically, including techniques for bystander intervention and other

1724 best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect. Each intern  
1725 shall make a signed, written acknowledgement of the intern's completion of the training, which  
1726 shall be retained by the EEO Officer, who shall provide a copy to the Director to be maintained  
1727 in the Director's records.

1728 (d) The EEO Officer shall develop practices and procedures for auditing House offices, including  
1729 random audits, to ensure the maintenance of best practices. Audits may include interviews and  
1730 in-office observation. All members, officers, interns and employees shall comply with a request  
1731 from the EEO Officer to conduct an audit. [Adopted Mar. 15, 2018.]

1732 90. (a) The House shall employ a full-time Director of Human Resources. The committee on  
1733 Rules shall appoint a qualified person to act as the Director at such compensation as the  
1734 committee on Rules shall approve.

1735 The Director shall serve a term of two years from the date of appointment, unless the Director  
1736 sooner resigns, retires or is removed; provided, however, that the Director may only be removed:  
1737 (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of the EEO Officer  
1738 and Counsel and approved by a majority vote of the committee on Rules; or (ii) by a majority  
1739 roll call vote of the House.

1740 (b) The Director may employ such assistants as may be necessary in the discharge of the  
1741 Director's duties, subject to the approval of the committee on Rules, and may expend with like  
1742 approval such sums as may be necessary for the discharge of their duties.

1743 (c) The Director shall develop and oversee standardized practices and procedures, which shall  
1744 apply to all applications for employment. The practices and procedures shall include, but shall  
1745 not be limited to: (i) a standard application for employment; (ii) mandatory background and

1746 reference checks, the results of which shall be reported by the Director to the applicant's  
1747 prospective appointing authority; and (iii) a standard offer letter for each position within the  
1748 House.

1749 (d) The Director shall develop and oversee standardized practices and procedures, which shall  
1750 apply to all employees and appointed officers of the House. These practices and procedures shall  
1751 include or address, without limitation: (i) regular meetings between the Director, the EEO  
1752 Officer and employees who are supervisors, including an initial meeting within 14 days of the  
1753 employee assuming such a role; (ii) guidelines for conducting employee performance reviews;  
1754 (iii) a program of progressive discipline; and (iv) separations from employment including exit  
1755 interviews for terminated employees.

1756 (e) The Director shall develop employee classifications, which shall include written job  
1757 descriptions, salary ranges and schedules. The classifications shall be published in the employee  
1758 and supervisor handbooks. The Director may develop a seniority system on which employee  
1759 salaries may be based. A seniority system shall be published in the employee handbook.

1760 (f) The Director shall develop practices and procedures for receiving, investigating and  
1761 resolving personnel complaints unrelated to Rule 88, the House Anti-Harassment Policy, or the  
1762 House Equal Employment Policy.

1763 (g) The Director shall annually publish: (i) an Employee Handbook; and (ii) an Intern  
1764 Handbook. Each handbook shall be developed with the advice and approval of the EEO Officer  
1765 and Counsel, and shall be submitted to the committee on Personnel and Administration for  
1766 review and approval at least 14 days prior to publication.

1767 The handbooks shall be available as follows:

- 1768 (i) the Director shall post both handbooks on the human resources web portal;
- 1769 (ii) the Director shall email an electronic copy of the Employee Handbook to each employee  
1770 within 10 days of its publication and require that each employee sign a written acknowledgement  
1771 of receipt and return such acknowledgement to the Director within 5 days;
- 1772 (iii) the Director shall email an electronic copy of the Employee Handbook to each new  
1773 employee within 5 days of the employee's start date and require that the employee sign a written  
1774 acknowledgement of receipt and return such acknowledgement to the Director within 5 days;
- 1775 (iv) the committee on Personnel and Administration shall provide an Intern Handbook to each  
1776 intern on the first day of their internship. Upon receipt of the Intern Handbook the intern shall  
1777 sign a written acknowledgement of receipt that day, which shall be maintained by the committee,  
1778 with a copy sent to the Director;
- 1779 (vi) hard copies of each handbook shall be available in the offices of the Director, the EEO  
1780 Officer, Counsel and the Clerk;
- 1781 (vi) the Director shall cause electronic copies of each handbook to be downloaded onto the  
1782 desktop of each House computer; and
- 1783 (vii) in formats accessible to all members, officers and employees.
- 1784 (h) (1) The Committee on Personnel and Administration, in consultation with the Director, shall  
1785 develop policies to address individuals who provide services to the House in a volunteer capacity  
1786 or otherwise without receiving compensation
- 1787 (2) The Committee on Personnel and Administration, in consultation with the Director and  
1788 subject to the approval of Counsel, shall develop policies pro-bono service and charitable and

1789 community service activities by members, officers and employees of the House. [Adopted Mar.  
1790 15, 2018.]

1791 91. The Director shall, in consultation with the EEO Officer, create and maintain an internal web  
1792 portal for members, officers and employees. The web portal shall provide relevant information  
1793 on human resource policies and procedures, including, without limitation, the Rules of the  
1794 House, each handbook published by the Director, explanations of complaint and investigation  
1795 procedures, contact information for the Director, the EEO Officer and Counsel, and training  
1796 schedules. [Adopted Mar. 15, 2018.]

1797 92. (a) The House shall employ a full-time Director of Employee Engagement. The committee  
1798 on Personnel and Administration shall appoint a qualified person to act as the Director of  
1799 Employee Engagement at such compensation as the committee on Personnel and Administration  
1800 shall approve.

1801 (b) The Director of Employee Engagement shall, in consultation with the Director of Human  
1802 Resources: (i) develop methods for enhancing the skills and professional development of  
1803 employees; and (ii) engage employees in roundtable discussions on issues of importance or  
1804 concern.

1805 (c) The Director of Employee Engagement shall assist the committee on Personnel and  
1806 Administration with duties as may be assigned by the committee or the Director of Human  
1807 Resources. [Adopted Mar. 15, 2018.]

1808 93. (a) (1) A member who believes that they have been the object of harassment or retaliation,  
1809 who witnesses harassment or retaliation, or who becomes aware of harassment or retaliation  
1810 may make a complaint, either orally or in writing with the EEO Officer, Counsel, or the Director.



1811 Upon receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer  
1812 shall forthwith provide a detailed account of the complaint to the EEO Officer for assessment  
1813 pursuant to Rule 94.

1814 (2) An appointed officer, employee or intern of the House who believes that they have been  
1815 the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes  
1816 aware of harassment or retaliation may make a complaint, either orally or in writing, to any of  
1817 the officer's, employee's or intern's supervisors, the Director, the EEO Officer or Counsel. Upon  
1818 receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer shall  
1819 forthwith provide a detailed account of the complaint to the EEO Officer for assessment pursuant  
1820 to Rule 94.

1821 (3) A third party who believes that they have been the object of harassment, or who witnesses  
1822 harassment or retaliation may make a complaint, either orally or in writing, with the EEO  
1823 Officer. Upon receipt of a complaint pursuant to this subsection, the EEO Officer shall assess  
1824 the complaint pursuant to Rule 94.

1825 (b) The EEO Officer shall provide guidance for authorized parties who may receive  
1826 complaints under subsection (a), both in the form of the training referenced in Rule 89 and  
1827 otherwise. The guidance shall instruct authorized parties on the proper way to receive  
1828 complaints and to advise complainants on issues including, but not limited to, confidentiality,  
1829 prohibition on retaliation and the availability of additional resources and avenues for action for  
1830 the complainant, including possible criminal action where appropriate.

1831 (c) If a complaint, made pursuant to subsection (a), is against the EEO Officer or an employee  
1832 appointed by the EEO Officer, the recipient of the complaint shall notify Counsel, who shall, in  
1833 consultation with the Director, investigate the complaint pursuant to Rules 94 to 96, inclusive.

1834 (d) If, based on the nature and circumstances of the complaint, the EEO Officer believes that  
1835 they cannot objectively assess or investigate a complaint made pursuant to subsection (a) the  
1836 EEO Officer shall refer the matter to Counsel who shall assume responsibility for the assessment  
1837 or investigation or refer the complaint to outside counsel for investigation. The EEO Officer  
1838 shall consult with Counsel to establish guidelines used to identify matters that should be referred  
1839 to Counsel or outside counsel pursuant to this subsection. [Adopted Mar. 15, 2018.]

1840 94. (a)(1) All complaints alleging harassment or retaliation by or against a member, officer,  
1841 intern or employee of the House, or by or against a third party, received by any member, officer  
1842 or employee of the House, shall be immediately referred to the EEO Officer for assessment.

1843 (2) Upon receiving a complaint alleging harassment or retaliation by or against a member, officer  
1844 or employee of the House, or by or against a third party, the EEO Officer shall promptly  
1845 undertake an assessment to determine whether the complaint is plausible and requires  
1846 investigation. Such assessment shall be completed within two weeks from the date of receiving a  
1847 complaint.

1848 Upon a determination by the EEO Officer that a complaint is plausible and requires  
1849 investigation, the EEO Officer shall commence an investigation of the complaint.

1850 Upon a determination by the EEO Officer that a complaint is not plausible and does not require  
1851 investigation, the EEO Officer shall submit a report to Counsel and the Director describing the  
1852 complaint and the EEO Officer's basis for determining that the complaint lacked plausibility and

1853 did not require investigation. If either Counsel or the Director objects to the EEO Officer's  
1854 determination, the EEO Officer shall commence an investigation of the complaint.

1855 (b) The EEO Officer shall assess complaints and conduct investigations pursuant to written  
1856 policies and procedures, which shall be established by the EEO Officer pursuant to Rule 98 and  
1857 published on the human resources web portal. The policies and procedures shall ensure that all  
1858 assessments, investigations and reports are confidential to the fullest extent practicable under the  
1859 circumstances and shall include, without limitation, the following: trauma-informed techniques;  
1860 mechanisms for investigating complaints made by witnesses or third parties; standards for  
1861 collecting and maintaining evidence; consideration of interim measures; and methods to tailor  
1862 each investigation to the specific needs of the complainant and particular circumstances of the  
1863 complaint.

1864 (c) The EEO Officer shall complete investigations within 90 days; provided, that the EEO  
1865 Officer may extend the investigation in extraordinary circumstances. The EEO Officer shall  
1866 regularly, but no less frequently than every 2 weeks, update the complainant on the status of the  
1867 investigation. If the EEO Officer believes that interim measures are warranted to protect  
1868 complainants during the investigation, then the EEO shall recommend such measures to the  
1869 appropriate supervisory individual or body.

1870 (d) Upon the conclusion of an investigation, the EEO Officer shall prepare a report summarizing  
1871 the complaint, the EEO Officer's investigation, findings and recommendations, if any, for  
1872 disciplinary, remedial or preventative action, or any combination thereof. [Adopted Mar. 15,  
1873 2018.]

1874 95. (a) (1) If after completion of an investigation pursuant to Rule 94, the EEO Officer  
1875 determines that a member has violated Rule 88, the EEO Officer shall recommend disciplinary,  
1876 remedial or preventative action, or any combination thereof, as is appropriate and proportional  
1877 under the circumstances, subject to the limitations set forth in paragraphs (2) and (3).

1878 (2) Where the EEO Officer's action recommended pursuant to paragraph (1) does not include  
1879 reprimand, censure, removal from position as a chair or other position of authority, or expulsion,  
1880 prior to imposing such action the EEO Officer shall notify the member of the action and provide  
1881 the member with a copy of the EEO Officer's report. The member may, within 10 days of  
1882 receiving notice, request in writing that the Speaker and Minority Leader appoint a special  
1883 committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer.  
1884 Upon receipt of said request, the Speaker and Minority Leader shall convene a special committee  
1885 pursuant to Rule 96.

1886 If the member fails to request the appointment of a special committee pursuant to Rule 96 within  
1887 10 days, the EEO Officer shall implement the recommended action.

1888 (3) If the action recommended pursuant to subsection (a) includes reprimand, censure, removal  
1889 from position as a chair or other position of authority, or expulsion, the EEO Officer shall  
1890 request that the Speaker and Minority Leader convene a special committee pursuant to Rule 96  
1891 to review the findings and recommendations of the EEO Officer. Upon receipt of said request  
1892 from the EEO Officer, the Speaker and Minority Leader shall appoint a special committee  
1893 pursuant to Rule 96.

1894 (4) Upon the request for a special committee made by the EEO Officer or a member pursuant to  
1895 this subsection, the EEO Officer shall provide the Speaker and Minority Leader with a copy of  
1896 the EEO Officer's report.

1897 (b) (1) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that  
1898 an appointed officer, intern or employee has violated Rule 88, the EEO Officer shall notify the  
1899 appointing authority for the appointed officer, intern or employee and recommend and  
1900 implement remedial, preventative or disciplinary action, or any combination thereof, as is  
1901 appropriate and proportional under the circumstances, subject to the limitations set forth in  
1902 paragraph (2). Notwithstanding Rule 97, the appointing authority may inform any other  
1903 supervisors of the appointed officer, intern or employee of the remedial, preventative or  
1904 disciplinary action if the appointing authority believes that sharing such information is necessary  
1905 for maintaining proper supervision of the appointed officer, intern or employee.

1906 (2) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that an  
1907 appointed officer, intern or employee has violated Rule 88 and the EEO Officer's action  
1908 recommended pursuant to paragraph (1) includes termination of employment or internship, the  
1909 EEO Officer shall forward the recommendation, with all supporting documentation, to Counsel  
1910 for review and approval. Counsel shall have two business days to review the EEO Officer's  
1911 recommendation. If Counsel approves the recommendation, Counsel shall notify the EEO  
1912 Officer and the Director and the Director shall immediately terminate the individual's  
1913 employment or internship. If Counsel rejects the EEO Officer's recommendation, he shall notify  
1914 the EEO Officer and the Speaker and the Speaker shall determine the action to be implemented.  
1915 [Adopted Mar. 15, 2018.]

1916 96. (a) Upon receipt of a request pursuant to Rule 95, the Speaker and Minority Leader shall  
1917 confidentially convene a Special Committee on Professional Conduct, which shall consist of 7  
1918 members, 5 of whom shall be appointed by the Speaker and 2 of whom shall be appointed by the  
1919 Minority Leader. To the extent practicable, membership on the special committee shall be  
1920 apportioned in a way that takes into account the nature of the complaint and the commitment of  
1921 the House to providing fair and equal opportunity in employment. The Speaker shall appoint a  
1922 member to serve as chair. No member who has declared their candidacy for any other local,  
1923 state or federal office shall be appointed to a special committee. Upon appointment of members  
1924 to the committee, the Speaker and Minority Leader shall notify the EEO Officer and the member  
1925 who is the subject of the complaint of the identity of the members appointed. The existence of  
1926 the committee and the identity of the members appointed to the committee shall otherwise  
1927 remain confidential.

1928 (b) The EEO Officer shall provide the members of the special committee with all records  
1929 relevant to the investigation. The special committee shall review all records and may further  
1930 investigate, to the extent that it is necessary to resolve the complaint. The special committee  
1931 may summon witnesses, administer oaths, take testimony and compel the production of books,  
1932 papers, documents and other evidence in connection with its review.

1933 (c) In the case of a special committee convened under this section upon the request for a review  
1934 by a member pursuant to paragraph (2) of subsection (a) of Rule 95, the committee shall  
1935 determine whether the EEO Officer's intended action is proportional and appropriate under the  
1936 circumstances. If a majority of the committee so finds, it shall order that the action  
1937 recommended by EEO Officer be implemented, along with any additional disciplinary, remedial  
1938 or preventative action, or any combination thereof, the committee determines to be proportional

1939 and appropriate under the circumstances, subject to the limitations set forth in subsection (d). If  
1940 a majority of the committee finds that the intended action was not proportional or appropriate  
1941 under the circumstances, it may make a new recommendation for disciplinary, remedial or  
1942 preventative action, or any combination thereof, subject to the limitations set forth in said  
1943 subsection (d). All determinations of the committee pursuant to this subsection shall be final.

1944 (d) (1) If a majority of the committee finds that a member has violated Rule 88, it may take any  
1945 disciplinary, remedial or preventative action, or any combination thereof, as it determines to be  
1946 proportional and appropriate under the circumstances; provided, however, that if the committee  
1947 determines that reprimand, censure, removal from position as a chair or other position of  
1948 authority, or expulsion is proportional and appropriate under the circumstances, it shall file a  
1949 report with the Clerk recommending that the House vote to implement the disciplinary action.

1950 (2) Upon the filing of a report pursuant to paragraph (1), the Clerk shall promptly: (i) make the  
1951 report available to all members electronically; (ii) cause the report to be posted on the website of  
1952 the General Court; and (iii) place the matter in first position in the Orders of the Day for the next  
1953 calendar day that the House is meeting; provided, however, that no business shall be conducted  
1954 on that calendar day or any day thereafter until the question of acceptance or rejection of the  
1955 special committee's recommendation for discipline is decided by a majority of the members  
1956 voting and present by a recorded roll call vote. If a majority of the members vote to accept the  
1957 recommendation for discipline, the member shall be disciplined in the manner so recommended.  
1958 Unless a majority of the members vote to accept the report, the member shall not be disciplined.

1959 (3) All findings and determinations of the committee, including instances where the special  
1960 committee does not file a report with the Clerk pursuant to paragraph (1), shall be reported to the

1961 EEO Officer and shall be final. The EEO Officer shall maintain confidential records of such  
1962 findings and determinations, except that a report filed pursuant to paragraph (1) shall be public.

1963 [Adopted Mar. 15, 2018.]

1964 (e) The committee may consult with Counsel, the EEO Officer or the Director in discharging its  
1965 duties pursuant to Rules 88 to 97, inclusive.

1966 97. (a) Any information obtained by a member or employee in their official capacity and relating  
1967 to a complaint or investigation of harassment pursuant to Rules 93 to 96, inclusive, and any  
1968 records of such information shall be confidential to the fullest extent possible. Confidentiality  
1969 shall be specifically subject to subsections (b), (c), (d) and (e).

1970 (b) (1) The EEO Officer, in reviewing a complaint and conducting an investigation, shall keep  
1971 the complaint confidential and shall not disclose the identity of the complainant or the person  
1972 against whom the complaint is made or any other details of the complaint with any member or  
1973 employee; provided, however, that the EEO Officer may share information to the extent  
1974 necessary to interview witnesses or parties to the investigation or to consult with Counsel if the  
1975 EEO Officer determines that such consultation is required in connection with the investigation.

1976 (2) In the case of a complaint against a staff person, the EEO Officer shall maintain  
1977 confidentiality throughout their investigation and implement all remedial actions and discipline  
1978 short of termination confidentially, without sharing the identity of the complainant or the person  
1979 against whom the complaint is made or any other details of the complaint with any member or  
1980 employee; provided, however, that the EEO Officer may share information to the extent  
1981 necessary to implement any remedial actions or discipline or to consult with Counsel if the EEO  
1982 Officer determines that such consultation is required in connection with the investigation. This



1983 paragraph shall not limit the EEO Officer's ability to transmit the resolution of a complaint,  
1984 including any discipline resulting therefrom, to the Director for inclusion in the employee's  
1985 personnel file.

1986 (3) In the case of a complaint against a staff person, where the EEO Officer recommends  
1987 termination, the EEO Officer shall share information with Counsel for review. If Counsel and  
1988 the EEO Officer disagree as to whether termination is the appropriate discipline, confidentiality  
1989 shall only be expanded to the extent needed to inform the Office of the Speaker and reach a  
1990 resolution.

1991 (4) In the case of a complaint against a member, the EEO officer shall maintain confidentiality  
1992 throughout their investigation by: (i) not disclosing information to any member or employee who  
1993 is not a witness or party to the investigation, except to consult with Counsel if the EEO Officer  
1994 determines that such consultation is required in connection with the investigation; and (ii)  
1995 confidentially recommending all remedial actions short of reprimand, censure, removal from  
1996 position as a chair or other position of authority, or expulsion of a member. This paragraph shall  
1997 not limit the EEO Officer's ability to: (i) share their report with the Office of the Speaker and the  
1998 Minority Leader upon the request for a special committee pursuant to Rule 95; and (ii) share any  
1999 records relevant to the investigation with the special committee convened pursuant to Rule 96;  
2000 provided, that when sharing their report with the Office of the Speaker and the Minority Leader,  
2001 the EEO Officer may use pseudonyms, redaction and other methods the EEO Officer considers  
2002 appropriate to address the needs of a complainant or the circumstances of a complaint.

2003 (c) (1) The establishment of a special committee pursuant to Rule 96 shall be completely  
2004 confidential, except that the Speaker and Minority Leader shall disclose the names of their

2005    respective appointments to the EEO Officer. The EEO Officer shall maintain a confidential  
2006    record of the membership of each special committee that is convened.

2007    (2) All proceedings of a special committee convened pursuant to Rule 96 shall be confidential  
2008    and members of the committee shall not share any information about the complaint and  
2009    investigation for which the committee was convened with any other member or employee,  
2010    including their own appointed staff; provided, however, that the committee may consult with  
2011    Counsel if the chair of the committee determines that such consultation is required in connection  
2012    with the investigation.

2013    (3) A special committee convened pursuant to Rule 96 shall implement all actions short of  
2014    reprimand, censure, removal from position as a chair or other position of authority, or expulsion  
2015    of a Member confidentially, except that the special committee shall submit a final report to the  
2016    EEO Officer and may consult with Counsel if the chair of the committee determines that such  
2017    consultation is required in connection with their recommended action. The committee's  
2018    recommendation, if any, for reprimand, censure, removal from position as a chair or other  
2019    position of authority, or expulsion of a member, shall be a public document; provided, however,  
2020    that the committee may use pseudonyms to conceal the identity of the complainant if the  
2021    circumstances of the complaint so warrant.

2022    (d) All authorized parties shall keep complaints confidential, except to share the complaint with  
2023    the EEO Officer.

2024    (e) Nothing in this Rule shall limit the ability of the EEO Officer to share information with a  
2025    complainant, to the extent appropriate, in order to properly conclude the complaint or  
2026    investigation process. [Adopted Mar. 15, 2018.]

2027 98. The EEO Officer and the Director shall establish all policies, procedures and guidelines  
2028 required by Rules 88 to 97, inclusive, and may develop supplemental policies, procedures and  
2029 guidelines necessary to implement or enforce Rules 88 to 97, inclusive; provided, that no policy,  
2030 procedure or guideline shall take effect without the prior review and written approval of Counsel  
2031 and the committee on Personnel and Administration. Where appropriate, these policies,  
2032 procedures and guidelines shall be included in the handbooks.

2033 The EEO Officer and the Director may consult with each other, Counsel, and the committee on  
2034 Personnel and Administration to carry out the requirements of Rules 88 to 97, inclusive.

2035 [Adopted Mar. 15, 2018.]

2036 99. (a) Pending the appointment of an EEO Officer, a complaint alleging a violation of Rule 88  
2037 by a member shall be referred directly to a Special Committee on Professional Conduct, which  
2038 shall conduct itself pursuant to Rule 96 except as modified by this Rule.

2039 Pending the appointment of an EEO Officer and notwithstanding Rule 87 and utilizing sound  
2040 business practices, the chair of a Special Committee on Professional Conduct convened pursuant  
2041 to this Rule shall have the exclusive authority and discretion to retain outside legal and  
2042 consulting experts, as the chair may deem appropriate to assist the chair and the committee with  
2043 the investigation and evaluation of a complaint received by said committee.

2044 Counsel shall, at the request of the chair, assist the chair and the Special Committee on  
2045 Professional Conduct with the investigation and evaluation of a complaint received by the  
2046 committee. [Adopted Mar. 15, 2018.]

2047 (b) Pending the appointment of an EEO Officer pursuant to Rule 89, Counsel in conjunction with  
2048 the Committee on Personnel and Administration and the Director, shall provide for the training  
2049 required for all appointed officers, employees and interns pursuant to said Rule 89.

2050 100. (a) No member, officer or employee shall execute any agreement to settle any legal claim or  
2051 potential legal claim by any current or former member, officer or employee unless said  
2052 agreement is executed pursuant to this rule.

2053 (b) No member, officer or employee shall execute any agreement to settle any legal claim or  
2054 potential legal claim brought by any current or former member, officer or employee without the  
2055 approval of Counsel, the Director and the EEO Officer. Counsel, the Director and the EEO  
2056 Officer shall each independently review the claim or potential legal claim brought by any current  
2057 or former member, officer or employee and confirm that the claim or potential claim does not  
2058 relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel, the  
2059 Director and the EEO Officer shall not approve any settlement of a legal claim or potential legal  
2060 claim brought by any current or former member, officer or employee pursuant to this subsection  
2061 if Counsel, the Director or the EEO Officer reasonably believes such legal claim or potential  
2062 legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

2063 (c) No member, officer or employee shall execute any agreement to settle any legal claim or  
2064 potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal  
2065 claim of sexual harassment, by any current or former member, officer or employee unless said  
2066 agreement is executed pursuant to this subsection.

2067 No member, officer or employee shall execute any agreement to settle a legal claim or potential  
2068 legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of  
2069 sexual harassment, by any current or former member, officer or employee unless:

2070 1. the request to negotiate said agreement was initiated, in writing, by the person filing or eligible  
2071 to file the legal claim or potential legal claim or a person legally authorized to represent that  
2072 person;

2073 2. the person filing the legal claim or eligible to file the legal claim is given 15 days to review  
2074 and consider the agreement;

2075 3. the duration of any non-disclosure or non-disparagement provision of the agreement to settle  
2076 the legal claim or potential legal claim is for a finite period of time as agreed to by the parties;

2077 4. the agreement to settle the legal claim or potential legal claim specifically provides that no  
2078 provision of the agreement, including any non-disclosure or non-disparagement provision of the  
2079 agreement, shall preclude any party from participating in an investigation by Counsel, the  
2080 Director, the EEO Officer, a Committee on Professional Conduct or any law enforcement  
2081 agency; and

2082 5. the agreement is approved in writing by Counsel, the Director and the EEO Officer.

2083 (d) In the case of an agreement to settle any legal claim or potential legal claim of sexual  
2084 harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a  
2085 Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member  
2086 shall be required to personally reimburse the House for all or part of the settlement amount.

2087 Upon a determination by the Special Committee that the member shall be required to personally

2088 reimburse the House for all or part of the settlement amount, it shall determine the amount to be  
2089 reimbursed and immediately notify the member of that amount

2090 (e) Upon request of the party described in paragraph numbered 1 above or the complainant,  
2091 Counsel shall waive any non-disclosure or non-disparagement provision of any agreement  
2092 executed prior to the effective date of this Rule by the House and any current or former member,  
2093 officer or employee, to allow said current or former member, officer or employee to report or  
2094 discuss a claim of sexual harassment or retaliation based on sexual harassment. [Adopted Mar.  
2095 15, 2018.]