

HOUSE No. 2020

House order No. 2019, the Rules of the House of Representatives for the 191st General Court, governing the 2019-2020 legislative sessions [Including an Index] , as amended and adopted by the House. January 30, 2019.

The Commonwealth of Massachusetts



House of Representatives January 30, 2019.

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

Ordered, That the Rules of the House of Representatives for the years 2019-2020 be as follows:

SPEAKER.

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

3 1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet
4 beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in session,
5 the Speaker shall interrupt the business then pending and shall, without debate, place before the
6 House the question on suspension of this rule which shall be decided by a majority of members
7 present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said vote

8 shall permit the House to remain in session until the hour of midnight; provided that the session
9 shall not continue beyond the hour of midnight, unless by unanimous consent of the members
10 present. The House shall then return to the pending business; and if no matter was pending, to
11 the next order of business. However, if the vote is in the negative, the Speaker shall forthwith,
12 and without further debate, adjourn or recess the House to a time not earlier than ten o'clock
13 A.M. on the next succeeding calendar day. [Adopted Jan. 12, 1983; Amended Jan. 11, 1985;
14 Jan. 12, 1987; Jan. 14, 1997; May 16, 2000.]

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

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

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

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

29 The Speaker also may speak to points of order in preference to other members; and shall
30 decide all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals,
31 see Rule 77.] [Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011; Jan. 29, 2015; Jan 30, 2019.]

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

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

35 4A. The Speaker shall appoint a Speaker pro Tempore. The Speaker pro Tempore shall
36 assist the Speaker in the coordination of policy development and the ceremonial functions of the
37 House and shall perform such duties assigned to them by the Speaker. Upon a vacancy in the
38 office of Speaker, the office of Speaker pro Tempore shall be considered vacant. [Adopted Jan.
39 26, 2005, Amended, Jan. 23, 2007; Jan 30, 2019.]

40 4B. (a) As used in this Rule, the following words shall have the following meanings:-

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

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

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

45 (1) affiliating with or being employed by a firm, partnership, association, corporation or other
46 entity that provides professional services involving a fiduciary relationship;

47 (2) permitting their name to be used by such a firm, partnership, association, corporation or
48 other entity;

49 (3) receiving compensation for practicing a profession that involves a fiduciary relationship;
50 or

51 (4) serving as an officer or member of the board of an association, corporation or other entity.

52 (c) The provisions of this rule shall take effect on August 1, 2017. [Amended Jan 30, 2019,]

53 5. The Speaker may appoint a member to perform the duties of the Chair. In the event the
54 Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro Tempore
55 shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in the office
56 of Speaker occurs. In the event that the Speaker pro Tempore is absent or is unable to perform
57 the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the Second
58 Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.) [Amended
59 April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005.]

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

65 7. At the beginning of the first year of the two-year General Court, the Speaker may, unless
66 the House otherwise directs, appoint a Chaplain; and the Speaker shall promptly fill any vacancy
67 in the office of Chaplain. [7A.] (4.) [Amended Jan. 11, 1985; Jan. 29, 2015.]

68 **SCHEDULING.**

69 7A. There shall be appointed a standing committee on Steering, Policy and Scheduling
70 consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A,
71 but shall be authorized to meet from time to time at the call of the Chair for the purpose of
72 assisting the members of the House of Representatives in identifying the major matters pending
73 before the General Court, the relative urgency and priority for consideration of such matters, and
74 alternative methods of responding to such matters by the General Court. Said committee shall
75 schedule legislative matters in a manner that will provide for an even distribution and orderly
76 consideration of reports of legislative committees on the daily Calendar.

77 The committee on Steering, Policy and Scheduling shall not be authorized to recommend
78 changes or amendments to legislation or recommend that a matter ought to pass or ought not to
79 pass, but shall only report asking to be discharged from further consideration of a bill, and
80 recommending that it be referred or recommitted to another committee; provided, however, that
81 it shall not recommend that a matter be referred or recommitted to the committee on Rules or the
82 committees on Rules of the two branches, acting concurrently, or what date a matter shall be
83 scheduled for consideration by the House and placed in the Orders of the Day. All reports by the
84 committee on petitions filed or approved by the voters of a city or town, or by the mayor and city
85 council, or other legislative body of a city or the town meeting of a town with respect to a law
86 relating to that city or town shall be read and considered by the House at a formal or informal
87 session before being accepted, rejected or otherwise acted upon. Any such petition and any
88 attachment to the petition shall be filed in both paper and electronic format approved by the
89 Clerk.

90 All matters received from the Senate or reported from standing committees of the House and
91 joint standing committees of the General Court shall, unless subject to provisions of any other

92 House or joint rules, be referred to the committee on Steering, Policy and Scheduling. All
93 matters reported by said committee on Steering, Policy and Scheduling recommending that a
94 matter shall be scheduled for consideration by the House shall be placed in the Orders of the Day
95 for the next sitting. Said committee may report on a legislative matter within thirty days
96 following the day the matter was referred. If the committee fails to report a matter within thirty
97 days following the date of its reference, the Clerk shall place the matter on the Calendar of the
98 House as if it had been scheduled for consideration by said committee on Steering, Policy and
99 Scheduling. [Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan.
100 26, 2005.]

101 7B. The committee on Rules shall be authorized to originate and report special orders for the
102 scheduling and consideration of legislation on the floor of the House. Said committee shall not
103 be subject to the notification provisions contained in Rule 17A but may hold public hearings and
104 shall accept testimony only from the members of the House. A majority of the members
105 appointed to the committee shall constitute a quorum. When reported, such orders may be
106 amended by a two-thirds vote of the members present and voting, and shall be subject to
107 approval by a majority of the members of the House present and voting. Debate on the question
108 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this
109 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
110 orders shall not be subject to reconsideration.

111 The committee on Rules shall not be subject to the provisions of Rule 17A, but may meet in
112 private to discuss or consider the appointment, discipline or dismissal of any individual the
113 committee is authorized by law or rule to appoint, discipline or dismiss. [Adopted Jan. 14, 1997;
114 Amended Jan. 24, 2001; Feb. 11, 2009; Jan 30, 2019.]

115 7C. The committee on Rules may consider and make recommendations designed to improve
116 and expedite the business and procedures of the House and its committees, and to recommend to
117 the House any amendments to the Rules deemed necessary; provided that a majority of the
118 members of the House present and voting shall be required to approve such recommendations.

119 The committee shall be privileged to report at any time. [Adopted Jan. 14, 1997.]

120 7D. The Speaker shall, in consultation with the committee on Rules and the committee on
121 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize
122 to the greatest extent possible scheduling conflicts for members of committees.

123 The Speaker shall determine a schedule for the House for each week relative to formal and
124 informal sessions and shall make such schedule available to the members in writing or by
125 electronic mail by 5pm on Friday of the preceding week; provided, however, that the Speaker
126 may make, notwithstanding the provisions of Rule 7A, changes in the schedules to facilitate the
127 business of the House in an efficient and timely fashion. The Speaker shall communicate notice
128 of any such scheduling change to the members in writing or by electronic mail as soon as
129 practicable, and whenever possible, the Speaker shall provide such notice not less than twenty-
130 four hours before the event so rescheduled is set to commence. [Adopted Jan. 14, 1997; January
131 9, 2003; Jan 30, 2019.]

132 **MONITORS.**

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

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

138 It shall be the duty of a monitor to report their knowledge of the occurrence of a member
139 voting for another member, in their division of the House, to the Speaker of the House and to the
140 Minority Leader. [10.] [See Rules 16 and 16A.] [Amended Jan. 9, 1991; May 5, 1993; Feb. 11,
141 2009; Jan 30, 2019.]

142 9A. There shall be established a Floor Division Committee for each of the four divisions of
143 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.
144 Said committee shall consist of the members assigned to the respective divisions.

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

150 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the
151 Chamber and the various areas under the jurisdiction of the House of Representatives. Said
152 chairpersons shall be authorized to act as a committee and may meet at any time at the request of
153 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the
154 appropriate agencies and historical commissions of the Commonwealth for the purpose of
155 requesting expeditious appraisals and necessary repairs and renovations to the interior and
156 exterior of the State House. The committee of chairpersons shall report directly to the Speaker
157 the results of all consultations. [Adopted Jan. 14, 1997.]

158

CLERK.

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

166 10A. The Clerk shall be the official parliamentarian of the House of Representatives.
167 [Adopted Jan. 9, 1991.]

168 10B. The Clerk shall be the official keeper of records of the House of Representatives for
169 legislative records that remain in the office of said Clerk at the end of each biennial session, and
170 until such time as said records are transferred to the State Archives or destroyed in accordance
171 with law. [Adopted Jan. 29, 2015.]

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

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

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

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

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

192 As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under
193 this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is
194 generally available to all members and their staff, and reasonably promptly thereafter he shall
195 cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.)
196 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24,
197 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 30, 2019.]

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

200 13A. The Clerk shall make available to all members electronically and, to the public via the
201 Internet, the text of all dockets and bills introduced and admitted for consideration in the House.
202 [Adopted, Feb. 11, 2009; Jan 30, 2019.]

203 **COUNSEL**

204 13B. (a) The House shall employ a full-time Counsel pursuant to section 51 of chapter 3 of the
205 General Laws. The committee on Rules shall appoint a qualified person to act as Counsel at such
206 compensation as the committee on Rules shall approve.

207 Counsel shall serve a term of two years from the date of appointment, unless the Counsel
208 sooner resigns, retires or is removed; provided, however, that the Counsel may only be removed:
209 (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of the Equal
210 Employment Opportunity Officer appointed pursuant to Rule 89 and the Director of Human
211 Resources appointed pursuant to Rule 90 and approved by a majority vote of the committee on
212 Rules; or (ii) by a majority roll call vote of the House.

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

216 (b) Counsel shall be the chief legal officer of the House and shall perform all duties generally
217 required of a counsel to an organization and specifically those required pursuant to any general
218 or special law, rule, regulation, or order of the House. Counsel shall provide legal and legislative
219 drafting services to all members regardless of party or seniority. [Adopted Jan 30, 2019.]

220 **MEMBERS.**

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

226 14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

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

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

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

237 Members answering a quorum call shall vote "YES" on the roll call system. [17.] (11.)
238 [Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991.]

239 **ETHICS.**

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

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

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

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

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

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

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

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

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

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

271 Any member, officer, or employee of the House may request in writing from the House
272 committee on Ethics or from the Counsel to the House appointed pursuant to Rule 13B a
273 confidential written advisory opinion on the requirements of chapters 268A and 268B of the
274 General Laws as well as an opinion on any other general or special law, rule or regulation
275 applicable to their official position or concerning any contemplated personal action which may
276 conflict with their official position. The committee on Ethics or the Counsel to the House shall
277 issue confidential written advisory opinions and clarification in response to said written request.

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

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

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

287 The chair shall also convene the committee at the written request of at least 5 members of the
288 committee.

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

296 Upon convening of the first annual session of the General Court and after the adoption of
297 rules, all members, officers and employees of the House shall be provided with a current copy of
298 the Code of Ethics contained in Rule 16A. [19.] (12A.) [Amended Jan. 12, 1987; May 5, 1993;
299 Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20, 2011; Feb. 11, 2009; Jan. 29, 2015; Jan 30,
300 2019.]

301 **CODE OF ETHICS.**

302 16A. (1.) While members, officers and employees should not be denied those opportunities
303 available to all other citizens to acquire and retain private, economic and other interests;
304 members, officers, and employees should exercise prudence in any and all such endeavors and
305 make every reasonable effort to avoid transactions, activities, or obligations, which are in
306 substantial conflict with or will substantially impair their independence of judgment.

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

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

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

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

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

320 (7.) Except as provided in Rule 49, no member shall cast a vote for any other member, nor
321 shall any officer or employee vote for any member, except that the Clerk or an assistant Clerk
322 may record a vote for a member who votes late under the provisions of Rule 52, or is prohibited

323 from voting from his desk due to a malfunction of the electronic roll call voting system; provided
324 the Clerk's action shall not be construed as voting for said member.

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

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

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

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

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

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

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

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

351 (16.) Members, officers and employees may utilize public resources to support charitable and
352 community service activities consistent with the Conflict of Interest Law, G.L. c. 268A, pursuant
353 to policies established by Committee on Personnel and Administration pursuant to Rule 90(h)(2).
354 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Feb. 11, 2009; Jan. 29, 2015; Jan 30,
355 2019.]

356 16B. The Committee on Personnel and Administration shall develop and conduct an ethics
357 law training program for every member, officer and employee of the House; provided further,
358 that said training program shall include, without limitation, a review of the requirements and
359 prohibitions of chapter 268A and chapter 268B of the General Laws, and the regulations of the
360 State Ethics Commission, as they apply to legislators and legislative staff; and provided further,
361 that said training program shall be offered no later than July 1 of the first biennial session of the
362 General Court and shall be mandatory for all members, officers and employees. [Adopted Jan. 9,
363 2003, Amended Feb. 11, 2009; Jan 20, 2011.]

364 16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of
365 public officials shall, after their first reading, be referred to the committee on Ethics, for report

366 on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to
367 such measures by the committee, unless directly pertaining to ethics. [Adopted Feb. 11, 2009.]

368 **COMMITTEES.**

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

371 A committee on Rules;

372 (to consist of 15 members).

373 A committee on Ways and Means;

374 (to consist of 35 members).

375 A committee on Bills in the Third Reading;

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

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

378 A committee on Ethics;

379 (to consist of 11 members).

380 A committee on Personnel and Administration;

381 (to consist of 13 members).

382 A committee on Post Audit and Oversight;

383 (to consist of 11 members).

384 A committee on Steering, Policy and Scheduling;

385 (to consist of 11 members).

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

387 (to consist of 11 members).

388 A committee on Global Warming and Climate Change;

389 (to consist of 11 members).

390 A committee on Redistricting;

391 (to consist of 11 members).

392 A committee on Technology and Intergovernmental Affairs;

393 (to consist of 11 members).

394 Committee meetings, insofar as practicable, shall not be scheduled in conflict with formal
395 sessions of the House of Representatives. [20.] (12, 12A, 12B.) [Amended March 6, 1979; Sept.
396 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6, 1993; May 23, 1996; Jan. 14, 1997;
397 Jul. 17, 2003; Jan. 26, 2005, Feb. 11, 2009; Jan. 29, 2015.]

398 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly
399 requires otherwise, have the following meanings:

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

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

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

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

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

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

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

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

421 No executive session shall be held until: (i) the committee has first convened in an open
422 session for which notice has been given; (ii) the presiding officer has stated the authorized

423 purpose of the executive session; (iii) a majority of the members of the committee present have
424 voted to go into executive session and the vote of each member has been recorded on a roll call
425 vote and entered into the minutes: and (iv) the presiding officer has stated before the executive
426 session if the committee will reconvene after the executive session.

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

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

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

442 A member, officer or employee subject to an executive conference pursuant to clause (i) or
443 clause (ii) shall have the right to: (a) be present at such executive conference during discussions
444 or considerations which involve that member, officer or employee; (b) have counsel or a

445 representative of their own choosing present and attending for the purpose of advising said
446 member, officer or employee; provided, however, that said counsel or representative shall not
447 actively participate in the executive conference; and (c) to speak on their own behalf to the
448 committee assembled in executive conference.

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

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

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

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

481 (h) Copies of all redrafted bills that are to be voted on at an executive session by the House
482 Ways and Means Committee shall be available to all members of the committee electronically in
483 the form they will be considered no less than twenty-four hours prior to their consideration;
484 provided, however, that said committee may vote on a bill that has not been available for said
485 period of time by vote of a majority of the committee members present. [Adopted Nov. 17,
486 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995; Jan. 14, 1997; Jan. 9,
487 2003, Jan. 23, 2007, Feb. 11, 2009; Jan 30, 2019.]

488 17B. Whenever any member of a House committee present at the committee meeting so
489 requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of
490 the full committee. Such votes shall be recorded on appropriate forms that show all votes for and
491 against the particular committee action; provided that votes may also be recorded in LAWS. The
492 record of all such roll calls shall be kept in the offices of the committee and shall be posted on
493 the website of the General Court within 48 hours of the vote for public inspection.

494 No report of a House committee on any legislation shall be final until those members of the
495 committee present and voting with the majority have been given the opportunity to sign such
496 appropriate forms before the report is made to the House. No signature shall be valid unless the
497 forms to which the signatures are affixed include the substantially complete text of the legislation
498 being reported. [Adopted Nov. 17, 1983; Amended Jan. 12, 1987, Amended Jan. 29, 2015.]

499 17C. There shall be a committee on Personnel and Administration on the part of the House
500 consisting of thirteen members.

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

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

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

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

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

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

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

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

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

528 The committee shall meet on request of the chair or any 3 members of the committee. Any
529 such meeting requested shall be convened on or within the fifth business day following such

530 request. All such requests shall be in writing and forwarded to the chair and each member of the
531 committee.

532 Funds shall be allocated from the budget to carry out the determination of the committee.
533 [Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Feb. 11, 2009; Jan.
534 29, 2015; Jan 30, 2019.]

535 17D. [Omitted Jan. 26, 2005.]

536 17E. [Omitted Jan. 26, 2005.]

537 17F. [Omitted Jan. 26, 2005.]

538 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all
539 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see
540 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said
541 committee shall be responsible for evaluating such legislation and determining the
542 appropriateness of enacting legislation containing increased bond authorizations for the
543 Commonwealth. The committee shall periodically review and hold open public hearings,
544 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,
545 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation
546 debt. The committee shall also, in its continuing study of the state's bonding practices, review the
547 Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and (3)
548 indirect obligations.

549 Any bill providing for borrowing for new projects, and requiring the Commonwealth to issue
550 bonds for such purpose, shall, prior to its reference to the committee on Ways and Means, be

551 referred to the committee on Bonding, Capital Expenditures and State Assets for report on its
552 relationship to the finances of the Commonwealth. A measure may initially be referred to a joint
553 committee with jurisdiction over the subject matter before being referred to the committee on
554 Bonding, Capital Expenditures and State Assets.

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

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

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

572 Messages from the Governor setting terms of bonds and notes, or for the de-authorization or
573 authorization of bonds and notes shall be referred to the committee on Bonding, Capital
574 Expenditures and State Assets. [Adopted Feb. 11, 2009.]

575 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro
576 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader and two Second Assistant
577 Majority Floor Leaders. The Minority Leader shall appoint, and may recommend the removal of,
578 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and two Third
579 Assistant Minority Floor Leaders, Ranking minority member of Ways and Means, Assistant
580 Ranking minority member of the Ways and Means committee, Ranking minority member of the
581 committee on Rules, Ranking minority member of the committee on Financial Services, Ranking
582 minority member of the committee on Health Care Financing, Ranking minority member of the
583 committee on the Judiciary, Ranking minority member of the committee on Bonding, Capital
584 Expenditures, and State Assets, Ranking minority member of the committee on Public Safety
585 and Homeland Security, Ranking minority member of the committee on Transportation and
586 Ranking minority member of the committee on Economic Development and Emerging
587 Technologies. The Minority Leader shall be that member of the minority party who is selected
588 for that position by the members of their party.

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

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

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

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

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

610 The Speaker and the Minority Leader may, without a majority vote of their respective
611 parties, remove a member appointed to a leadership position from said position pursuant to this
612 rule if the member has been criminally indicted by a court of competent jurisdiction. [Amended
613 Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23, 2007; Feb. 11,
614 2009; Jan 23, 2013; Jan. 29, 2015; Feb. 19, 2015; Jan 30, 2019.]

615 18A. There shall be 1 member of the minority party on all committees of conference and 1 on
616 the committee on Bills in the Third Reading. On all other standing and joint committees, the
617 percent of minority party membership shall be at least equal to the percent of minority party
618 membership in the House of Representatives as of the first day of the session; provided, further,
619 that where such percentage results in a fraction of a number, the fraction shall be rounded off to
620 the nearest whole; provided, however, that the minority party shall under no circumstances have
621 less than 4 members on the committee on Ethics, 4 on the committee on Personnel and
622 Administration, 3 on the committee on Rules and 7 on the committee on Ways and Means. In no
623 case shall minority party representation be less than 2 members on all other standing and joint
624 committees.

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

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

637 The Speaker shall announce committee appointments of majority party members, and the
638 member first named shall be chair, and the second named member shall be vice-chair. The
639 Minority Leader shall announce committee appointments of minority party members. (13.)
640 [Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997; Feb. 11, 2009; Jan
641 30, 2019.]

642 18B. All votes on ratification by the caucus required by these rules shall be by written ballot
643 and shall require a majority of those present and voting; provided, however, that if a motion to
644 ratify the appointments by acclamation is made and seconded, no written ballot shall be required.
645 [Adopted Jan. 11, 1985.]

646 18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

647 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,
648 respectively, or upon petition of 25 percent of the members of the respective party caucus. A
649 caucus may entertain resolutions, motions, or other means of ascertaining the sense of the
650 respective party members on any subject. (13B.) [Adopted Nov. 17, 1983; Amended Jan. 11,
651 1985; Jan. 29, 2015.]

652 19A. The majority party and minority party shall establish caucus rules that shall dictate the
653 procedures of each caucus. [Adopted Nov. 17, 1983; Amended Jan. 14, 1997.]

654 19B. Any member caucus or group of members organized around a common legislative
655 agenda that utilizes House resources, including staff time, shall register with the House
656 Committee on Rules as a Legislative Member Organization, unless it is a party caucus. The chair
657 of the House Committee on Rules shall notify the Clerk of the House of any Legislative Member

658 Organization registering with the Committee and shall maintain a list of all Legislative Member
659 Organizations.

660 Registration shall include the name of the Legislative Member Organization, its statement of
661 purpose, identification of its officers, and a certification signed by its chair that any state
662 resources used for the purposes of the Legislative Member Organization shall be not be used for
663 any partisan political end.

664 A Legislative Member Organization may not include a non-legislator. Senators may belong to
665 the Legislative Member Organization, but in order to use House resources at least one House
666 member shall be an officer of the Legislative Member Organization. A Legislative Member
667 Organization may, without limitation, sponsor informational or educational events, may invite
668 outside speakers and groups to make presentations to the members of the Legislative Member
669 Organization and others, and may distribute any report, analysis, or other research material
670 prepared by others provided that the identity of the person or organization authoring the work is
671 fully disclosed.

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

674 A Legislative Member Organization may accept contributions or gifts exclusively for public
675 purposes, provided that the contribution or gift is directed to the House for use by the Legislative
676 Member Organization, and any funds are held in a dedicated account and financial accounting is
677 managed by the House Business Office. No gifts accepted by a Legislative Member Organization
678 shall be used for salaries of employees of the House. If a Legislative Member Organization
679 wishes to accept contributions or gifts of goods or services valued at \$50 or more from private

680 organizations or individuals said contribution or gift shall be approved by Counsel appointed
681 pursuant to Rule 13B. [Adopted Jan. 30, 2019.]

682 20. The committee on Ways and Means shall report in appropriation bills the total amount
683 appropriated. The General Appropriation Bill shall be available to the members at least 7
684 calendar days prior to consideration thereof by the House. [25.] (27A.) [Amended Jan. 11, 1985;
685 Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005; Jan. 29, 2015.]

686 20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation
687 Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by 5
688 o'clock P.M. within the close of 3 business days of said General Appropriation bill being made
689 available in a format to be determined by the Clerk and release of said document by said Clerk if
690 the release of said document occurs by 2 o'clock P.M. Otherwise, the day following the release
691 shall be considered the first business day. The Clerk, with the assistance of the committee on
692 Ways and Means, shall categorize the subject-matter of the amendments and arrange such
693 amendments for consideration sequentially by subject as appearing in the published version of
694 the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and
695 Means, shall categorize the subject-matter of the amendments and arrange such subject matters
696 for consideration as determined by the committee on Ways and Means. Debate on the General
697 Appropriation Bill shall not commence until a date and time to be determined by the House
698 which is subsequent to the designated time established for filing of amendments.

699 Before the main question on the General Appropriation Bill is placed before the House, an
700 amendment may be postponed or withdrawn at the request of the primary sponsor of the
701 amendment or postponed by the committee on Ways and Means; provided, that further

702 consideration of any amendment so postponed shall take place immediately subsequent to
703 consideration of the amendments within the particular subject-matter to which the postponed
704 amendment was assigned according to the provisions of paragraph one of said rule; provided,
705 that if more than one amendment is so postponed, subsequent consideration of said amendments
706 shall be in the order determined by the committee on Ways and Means; provided further, an
707 amendment so postponed shall not be subsequently considered outside of its assigned subject-
708 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
709 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
710 said Clerk and shall include an original copy only; and provided further, that perfecting or
711 substitute amendments, including, but not limited to an amendment consolidating more than one
712 amendment, may be submitted by the committee on Ways and Means during consideration of the
713 subject category to which the amendment or amendments were assigned; provided, however, that
714 an amendment may be removed from the consolidated amendment at the request of the sponsor
715 of said amendment for the purpose of it being offered as a further amendment to the consolidated
716 amendment. [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan
717 20, 2011; Jan. 29, 2015.]

718 20B. When the General Appropriation Bill is reported by the committee on Ways and Means, it
719 shall be made available to all members electronically and to the public via the Internet in a
720 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways
721 and Means shall provide the membership with a copy of its proposed text of said General
722 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
723 a short summary of each outside section prior to full House consideration of such bill. When the
724 House considers said General Appropriation Bill, it shall be read a second time and forthwith

725 ordered to a third reading without any amendments. The bill shall be immediately read a third
726 time and then be open to amendments as previously determined by the House. [Adopted Jan. 9,
727 2003, Jan. 23, 2007; Feb. 11, 2009.]

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

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

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

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

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

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

752 If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-
753 thirds vote because it contains an emergency preamble, or if it provides for the borrowing of
754 money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of
755 the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit
756 of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended
757 by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation
758 of the Governor, for a special law relating to an individual city or town and comes within the
759 provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution
760 or provides for environmental protection within the provisions of Article XLIX as amended by
761 Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve,
762 or on a wrapper or label attached thereto. [26.] (33.) [Amended Jan. 12, 1983; Jan. 11, 1985;
763 May 5, 1993; Jan. 29, 2015.]

764 23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House,
765 after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to
766 be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on

767 enactment or final passage or adopting an emergency preamble shall be taken thereon, without
768 further reading, unless specifically ordered.

769 When a bill prepared for final passage contains an emergency preamble or when it provides
770 for the borrowing of money by the Commonwealth and comes within the provisions of Section 3
771 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or
772 pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of
773 Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or
774 provides, upon recommendation of the Governor, for a special law relating to an individual city
775 or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the
776 Amendments to the Constitution, or provides for environmental protection within the provisions
777 of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the
778 envelope thereof. [27.] (34.) [See Rule 40.] [Amended Jan. 12, 1983; Jan. 29, 2015.]

779 23A. No member of the House, except the Speaker, Speaker pro Tempore, Majority Leader,
780 Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant
781 Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-
782 Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the
783 Committee on Ways and Means and committee chairmen with respect to committee business,
784 shall receive privileges or compensation for postage which is greater than seventy-five percent of
785 the amount allowed as standard practice during the 186th biennial session of the General Court,
786 as determined by the House Business Manager. [Adopted Jan. 11, 1985; Amended Jan. 24, 2001;
787 Jan. 26, 2005; Jan. 20, 2011.]

788 24. (1) Petitions, recommendations and reports of state officials, departments, commissions
789 including legislative commissions, and boards, special reports including legislation initiated by
790 the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding,
791 Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees
792 and commissions including legislative commissions, shall be filed with the Clerk in a format to
793 be determined by said Clerk, who shall, unless they are subject to other provisions of these rules
794 or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate
795 committees, subject to such change of reference as the House may make. The reading of all such
796 documents may be dispensed with, but they shall be entered in the Journal of the same or the
797 next legislative day after such reference except as provided in Joint Rule 13.

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

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

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

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

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

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

815 (iii) a resolution recognizing, honoring, commending, celebrating or commemorating an
816 anniversary of an organization of less than 20 years;

817 (iv) a resolution recognizing, honoring, commending, celebrating or commemorating a class
818 reunion;

819 (v) a resolution recognizing, honoring, commending, celebrating or commemorating a for-
820 profit organization;

821 (iv) a resolution proclaiming certain days, weeks or months;

822 (vii) a resolution that includes a statement of policy or ideology.

823 (e) Suspension of this rule shall require unanimous consent of the members present.

824 (3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A,
825 7B, or 9 shall be referred by the Clerk to the committee on Rules. Petitions and other papers so
826 filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to
827 the procedure required by said rule, be referred by the Clerk to the committee on Rules. The

828 reading of all such papers may be dispensed with, but they shall be entered in the Journal of the
829 same or the next legislative day after such reference.

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

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

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

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

847 (8) Debate upon the suspension of this rule shall be limited to 10 minutes, 3 minutes for each
848 member, and the Speaker shall recognize the member presenting the order, resolution or petition
849 first; provided, however, that suspension of this rule shall require unanimous consent of the

850 members present. Any order, except such order that would amend the Rules of the House,
851 resolution or petition referred to the committee on Rules after the question of suspension of this
852 rule has been negatived, or any order, resolution or petition filed after the beginning of the
853 session and referred to the committee on Rules, shall not be discharged from said committee
854 except by unanimous consent of the House. Motions to discharge the committee on Rules shall
855 be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]
856 [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29,
857 2015; Jan. 30, 2019.]

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

860 26. When the object of an application can be secured without a special act under existing
861 laws, or, without detriment to the public interests, by a general law, the committee to which the
862 matter is referred shall report such general law or ought not to pass, as the case may be. The
863 committee may report a special law on matters referred to it upon (1) a petition filed or approved
864 by the voters of a city or town, or the mayor and city council, or other legislative body, of a city,
865 or the town meeting of a town, with respect to a law relating to that city or town; (2) a
866 recommendation by the Governor; or (3) matters relating to erecting and constituting
867 metropolitan or regional entities, embracing any two or more cities and towns, or established
868 with other than existing city or town boundaries, for any general or special public purpose or
869 purposes. [30.] (16.) [See Joint Rule 7.] [Amended Feb. 11, 2009.]

870 27. With the exception of matters referred to the committee on Rules under the provisions of
871 paragraph (3) of Rule 24, committees shall report on all matters referred to them. The committee

872 on Ways and Means shall report the General Appropriation Bill not later than the second
873 Wednesday of May; and provided further that said committee shall make available to the
874 members all data compiled for justification of budgetary recommendations in all appropriation
875 bills. [33.] [Amended April 18, 1979; Jan. 14, 1997; Jan. 29, 2015.]

876 27A. [Omitted Jan. 23, 2007.]

877 28. (1) Motions directing the committee on Ways and Means to report certain matters to the
878 House, or motions discharging said committees from further consideration of certain matters,
879 shall not be considered until the expiration of seven calendar days and shall require a majority
880 vote of the members present and voting for adoption. Committees so directed to report shall file
881 a report with the Clerk within 4 legislative days. The committee on Ways and Means may not be
882 directed to report or be discharged from further consideration of any appropriation or capital
883 outlay measure.

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

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

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

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

898 (6) As an alternative procedure to that provided under the provisions of this rule, the members
899 of the House may, by filing a petition signed by a majority of the members elected to the House,
900 discharge the House committee on Ways and Means, the House committee on Bills in the Third
901 Reading, and the House committee on Rules from further consideration of a legislative matter.
902 Seven days following the filing of the petition with the House Clerk, the committee shall be
903 discharged from further consideration of the legislative matter specified in the petition and the
904 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the
905 House is meeting.

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

914 (8) This rule shall not be suspended unless by unanimous consent of the members present.
915 (27C, 32A.) [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11,
916 1985; Jan. 9, 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan.
917 29, 2015.]

918 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later
919 than 45 days following the day the matter was referred to it. The Clerk shall indicate on the
920 Calendar entry of every matter before the Committee on Bills in the Third Reading the date that
921 said matter was referred to said committee. [Adopted Jan. 11, 1985; Amended Jan. 9, 2003; Jan.
922 29, 2015.]

923 **REGULAR COURSE OF PROCEEDINGS.**

924 *Petitions.*

925 29. The member presenting a petition shall endorse their name thereon; and the reading
926 thereof shall be dispensed with, unless specially ordered. [37.] (18.) [Amended Jan. 11, 1985;
927 Jan. 30, 2019.]

928 *Motions Contemplating Legislation, etc.*

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

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

935 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with
936 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report
937 of the committee on Ways and Means. Messages or recommendations from the Governor shall
938 be filed with the Clerk in a format to be determined by the Clerk. [40.] (19.) [Amended Jan. 24,
939 2001.]

940 *Bills and Resolves.*

941 31. Bills shall be drafted in a format approved by the Counsel to the House and submitted in a
942 format to be determined by the Clerk. Bills amending existing laws shall not provide for striking
943 words from, or inserting words in, such laws, unless such course is best calculated to show
944 clearly the subject and nature of the amendment. No repealed law, and no part of any repealed
945 law, shall be re-enacted merely by reference. [42.] (17.) [Amended Jan. 9, 2003; Jan. 26, 2005;
946 Jan. 29, 2015.]

947 32. If a committee to which a bill is referred reports that the same ought not to pass, the
948 question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if
949 it has been read but once, shall be placed in the Orders of the Day for the next sitting for a
950 second reading without question; otherwise it shall be placed in the Orders of the Day for the
951 next sitting, pending the question on ordering to a third reading, or to engrossment, as the case
952 may be. [43.] (30.) [Amended Jan. 30, 2019.]

953 32A. [Omitted Jan. 26, 2005.]

954 33. Bills involving an expenditure of public money or grant of public property, or otherwise
955 affecting the state finances, unless the subject matter has been acted upon by the joint committee

956 on Ways and Means, shall, after their first reading, be referred to the committee on Ways and
957 Means, for report on their relation to the finances of the Commonwealth.

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

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

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

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

972 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in
973 consultation with the Clerk, to all members of the House and the public at least 24 hours in
974 advance of consideration by the House.

975 All amendments offered by members to any legislative matter in the House shall be submitted
976 in a format to be determined by the Speaker in consultation with the Clerk; and shall be

977 considered chronologically as submitted to the Clerk, except for an amendment in the second
978 degree; provided that all of said amendments shall be drafted in proper form acceptable to the
979 clerk; and provided further that there shall be available to the members a duplicate copy of each
980 amendment. (33A.) [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9,
981 1991; Jan. 17, 1995; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

982 33B. [Omitted Jan. 26, 2005.]

983 33C. [Omitted Jan. 26, 2005.]

984 33D. [Omitted Jan. 26, 2005.]

985 33E. No consolidated amendment offered by the committee on Ways and Means shall be
986 considered by the House until the expiration of at least 30 minutes after the consolidated
987 amendment shall have been first filed with the Clerk and made available to the members. This
988 rule shall not be suspended unless by unanimous consent of the members present. [Adopted Feb.
989 4, 2010; Amended Jan. 29, 2015.]

990 33F. No consolidated amendment shall be adopted except by a roll call vote. [Adopted
991 February 2, 2017.]

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

994 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall be
995 referred to the committee on Bills in Third Reading, provided that the journal shall reflect the
996 referral; and provided further that subsequent to a report from said committee, the amendments

997 shall be considered forthwith. [46.] (36.) [Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005,
998 Jan. 23, 2007; Jan. 23, 2013.]

999 36. No bill shall be proposed or introduced unless received from the Senate, reported by a
1000 committee, or moved as an amendment to the report of a committee. [47.] (36.)

1001 37. Bills, resolves and other papers that have been, or, under the rules or usage of the House,
1002 are to be made available in a format to be determined by the Speaker in consultation with the
1003 Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority
1004 of those members present and voting. [Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.]
1005 (29.)

1006 38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of
1007 by the House, no measure substantially the same shall be introduced by any committee or
1008 member during the same session. This rule shall not be suspended unless by unanimous consent
1009 of the members present. [49.] (54.)

1010 39. No bill shall be passed to be engrossed without having been read on three separate
1011 legislative days. [51.] (28.) [Amended Jan. 11, 1985.]

1012 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion
1013 to strike out the enacting clause of a bill shall be received when the bill is before the House for
1014 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be
1015 received before the adoption of the emergency preamble and, if suspended, the amendment may
1016 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the
1017 Governor with a recommendation of amendment in accordance with the provisions of Article
1018 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills

1019 proposed by the Senate and sent to the House for concurrence, which amendments shall be
1020 subject to the provisions of Rule 35, provided, however, that an affirmative vote on a motion to
1021 suspend this rule shall be required in order to offer an amendment to such an engrossed bill when
1022 the question before the House is on adoption of an emergency preamble, re-enactment or
1023 enactment, as the case may be. [53.] (49.) [Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23,
1024 2013; Jan. 29, 2015.]

1025 41. Bills received from the Senate and bills reported favorably by committees, when not
1026 referred to another standing committee of the House, shall, prior to being placed in the Orders of
1027 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received
1028 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for
1029 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)
1030 [Amended Jan. 14, 1997; Jan. 26, 1999.]

1031 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
1032 adoption, after they are received from the Senate, or made in the House, as the case may be,
1033 shall, unless subject to the provisions of any other House or joint rules, be referred to the
1034 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
1035 be discharged from further consideration of a subject, and recommending that it be referred or
1036 recommitted to another committee, or a report of a committee recommending that a matter be
1037 placed on file, shall be immediately considered. Reports of committees on proposals for
1038 amendments to the Constitution shall be dealt with in accordance with the provisions of Joint
1039 Rule 23. [57.] (36.) [Amended Jan. 14, 1997; Jan. 29, 2015.]

1040 42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available
1041 by electronic communication or other means, a list of all reports of the committee on Steering,
1042 Policy and Scheduling, asking to be discharged from further consideration of subjects, and
1043 recommending that the subjects be referred to other committees. [Adopted Jan. 26, 2005;
1044 Amended Jan. 29, 2015.]

1045 43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day
1046 for such reading. [58.] (32.)

1047 *Special Rules Affecting the Course of Proceedings.*

1048 44. The Speaker may designate when an informal session of the House shall be held provided
1049 said Speaker gives notice of such informal session at a prior session of the House. The Speaker
1050 may, in cases of emergency, cancel a session or declare any session of the House to be an
1051 informal session. At an informal session the House shall only consider reports of committees,
1052 papers from the Senate, bills for enactment or resolves for final passage, bills containing
1053 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at
1054 such informal session shall be placed in the Orders of the Day for the succeeding day, and no
1055 new business shall be entertained, except by unanimous consent.

1056 Formal debate, or the taking of the sense of the House by yeas and nays shall not be
1057 conducted during such informal session.

1058 Upon the receipt of a petition signed by at least a majority of the members elected to the
1059 House, so requesting, the Speaker shall, when the House is meeting in informal session under the
1060 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
1061 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the

1062 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
1063 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the
1064 members present. [59.] (5A.) [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14,
1065 1997; Jan. 24, 2001; Jan. 9, 2003; Feb. 11, 2009.]

1066 45. After entering upon the consideration of the Orders of the Day, the House shall proceed
1067 with them in regular course as follows: Matters not giving rise to a motion or debate shall first be
1068 disposed of in the order in which they stand in the Calendar; after which the matters that were
1069 passed over shall be considered in like order and disposed. The provisions of this paragraph shall
1070 not be suspended unless by unanimous consent of the members present.

1071 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the
1072 committee on Ways and Means and the committee on Bills in the Third Reading may present
1073 matters for consideration of the House after approval of two-thirds of the members present and
1074 voting, without debate. [59.] (37.) [See Rule 47.] [Amended Jan. 12, 1981; Jan. 12, 1983; Feb.
1075 11, 2009.]

1076 46. When the House does not finish the consideration of the Orders of the Day, those which
1077 had not been acted upon shall be the Orders of the Day for the next and each succeeding day
1078 until disposed of, and shall be entered in the Calendar, without change in their order, to precede
1079 matters added under Rule 7A; provided, however, that all other matters shall be listed in
1080 numerical order by Calendar item.

1081 The unfinished business in which the House was engaged at the time of adjournment shall
1082 have the preference in the Orders of the Day for the next day. [60.] (35.) [Amended Jan. 12,
1083 1987; Jan. 26, 1999.]

1084 47. No matter which has been duly placed in the Orders of the Day shall be discharged
1085 therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

1086 *Voting.*

1087 48. Members desiring to be excused from voting shall make application to that effect before
1088 the division of the House or the taking of the yeas and nays is begun. Such application may be
1089 accompanied by a brief statement of reasons by the member. The Clerk shall, prior to the first
1090 roll call of the sitting, announce the name of any member who has informed him/her to not call
1091 their name or lock their voting station. The Clerk shall also announce prior to any subsequent
1092 roll call of the sitting the name of any member who had informed their to not call their name or
1093 lock their voting station since the taking of the immediately preceding roll call.

1094 A member absent from the House for a formal session period of a day or longer shall notify
1095 the Clerk in writing of the intended absence. A member absent during a formal session for an
1096 extended period or for the remainder of the session shall notify the Clerk in person. The Clerk
1097 shall provide a written notice to any such absent member.

1098 The Clerk shall disable the voting station of any such member notifying the Clerk of an
1099 absence pursuant to this Rule. The Clerk shall also disable the voting station of any member
1100 failing to answer the first non-quorum roll call of a legislative sitting; provided, however, that the
1101 Clerk shall reactivate the voting station upon receiving notification of the member's return to the
1102 House Chamber. ([64.] (57.) [Amended Feb. 11, 2009; Jan. 30, 2019.]

1103 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea
1104 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their
1105 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a

1106 person who has been elected Speaker pro tempore, may designate some member or a court
1107 officer to cast a vote for him/her on any vote taken on the electronic voting system while such
1108 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro
1109 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker
1110 shall state the pending question before opening the system for voting.

1111 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber,
1112 but who is unable to vote due to a malfunction of their voting station or inability to open their
1113 voting station.

1114 Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented
1115 from voting personally using the electronic voting system because of physical disability, said
1116 member shall, if present in the State House, be excused from so voting and the Speaker shall
1117 assign a court officer to cast said member's vote so long as said physical disability continues;
1118 provided that the Speaker shall announce the action of the Chair to the membership prior to
1119 assigning a court officer to cast the member's vote and provided further that the Speaker shall
1120 announce the action to the membership the first time a vote is cast for that member on each
1121 successive day. [65.] [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan.
1122 20, 2011; Feb. 11, 2009; Jan. 30, 2019.]

1123 50. When a question is put, the sense of the House shall be taken by the voices of the
1124 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
1125 If the Speaker is unable to decide by the sound of the voices, or if the announcement made
1126 thereupon is doubted by a member rising in their place for that purpose, the Speaker shall order a

1127 division of the number voting in the affirmative and in the negative, without further debate upon
1128 the question. [66.] (55.) [Amended Jan. 11, 1985; Feb. 11, 2009; Jan. 30, 2019.]

1129 51. When a return by division of the members voting in the affirmative and in the negative is
1130 ordered, the members for or against the question, when called on by the Speaker, shall rise in
1131 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a
1132 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall
1133 stand. [67.]

1134 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent
1135 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,
1136 state the pending question and, after opening the electronic voting system, instruct the members
1137 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall
1138 close said system and cause totals to be displayed and a record made of how each member
1139 present voted; provided, that if at any time during said voting period any standing, joint or
1140 conference committee is meeting in public or executive sessions, the Speaker shall leave the
1141 electronic voting machine open for not less than 5 minutes.

1142 Any member desiring to be recorded as being "present" when a yea and nay vote is taken on
1143 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and
1144 before the vote is announced.

1145 In the event the electronic voting system is not in operating order, the roll of the House shall
1146 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to
1147 answer "present" who was not on the floor before the vote is declared; provided, however, that a
1148 member, who was in the State House on a previous roll call, may be recorded by reporting to the

1149 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is
1150 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the
1151 member who is speaking on the floor; provided, however, that such request may be announced to
1152 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond
1153 said five minute period. Once the voting has begun it shall not be interrupted except for the
1154 purpose of questioning the validity of a member's vote before the result is announced. Except as
1155 heretofore provided, any member who shall vote or attempt to vote for another member or any
1156 person not a member who votes or attempts to vote for a member, or any member or other person
1157 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting
1158 equipment used by the House, or change the records thereon shall be punished in such manner as
1159 the House determines; and provided further, that such a violation shall be reported to the Ethics
1160 Committee. [68.] (56, 57.) [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991;
1161 Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011.]

1162 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been
1163 ordered before the question is put, the proceedings under Rules 50 and 51 relative to verification
1164 of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they
1165 may be called for in lieu of a return by divisions when the Speaker's announcement is doubted by
1166 a member rising in their place, and, if then ordered, the proceedings under Rules 50 and 51 shall
1167 be omitted. [69.] (52.) [Amended Jan. 26, 1999; Jan. 30, 2019.]

1168 *Reconsideration.*

1169 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on
1170 which the vote was taken, or before the Orders of the Day have been taken up on the next day

1171 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion
1172 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the
1173 succeeding day, the motion shall be considered forthwith except that if said motion is moved on
1174 a day on which an informal session has been designated, it shall be placed in the Orders of the
1175 Day for the succeeding day. If reconsideration is moved after July first of the second annual
1176 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
1177 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
1178 time when the main question to which it relates is under consideration; and provided, further,
1179 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
1180 remove the main subject under consideration from before the House, but shall be considered at
1181 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
1182 members present. [70.] (53.) [Amended Jan. 12, 1981, Jan. 23, 2007.]

1183 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and
1184 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the
1185 following motions:

1186 to recess,

1187 to adjourn,

1188 on sustaining a ruling of the Chair,

1189 to close debate at a specified time,

1190 to postpone if voted in the negative,

1191 to discharge or direct a committee to report,

1192 to commit or recommit,
1193 for second or subsequent legislative days,
1194 for the previous question, or
1195 for suspension of rules.

1196 This rule shall not be suspended unless by unanimous consent of the members present. [71.]
1197 (53.) [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1198 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall
1199 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or
1200 incidental question, debate shall be limited to ten minutes, and no member shall occupy more
1201 than three minutes.

1202 If the House has voted to close debate on any question, a motion to reconsider said question
1203 shall be decided without debate. [72.] (52.) [Amended Jan. 12, 1981; Jan. 12, 1987.]

1204 **RULES OF DEBATE.**

1205 57. Every member, when about to speak, shall rise and respectfully address the Speaker and
1206 shall confine himself/herself to the question under debate. [73.] (39.) [Amended Jan. 11, 1985.]

1207 58. Every member while speaking shall avoid personalities; and shall sit down when finished.
1208 No member shall speak out of their place without leave of the Speaker. [73.] (39.)

1209 When two or more members rise at the same time, the Speaker shall name the member
1210 entitled to the floor, preferring one who rises in their place to one who does not. [74.] (40.)
1211 [Amended Jan. 11, 1985; Jan. 30, 2019.]

1212 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly
1213 procedure of the House, the Speaker, after warning the member of such violations, shall call the
1214 member to order, and order that member to take their seat. A member so called to order shall lose
1215 the right to speak on the pending subject-matter but shall not be debarred from voting. A member
1216 so called to order shall remain seated until the House begins consideration of another subject-
1217 matter or unless the Speaker earlier returns to the member their rights to the floor.

1218 If a member so called to order refuses to immediately take their seat, the Speaker shall
1219 immediately name that member, who shall be escorted from the Chamber under escort of the
1220 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1221 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1222 its recommendations, which report shall be read and accepted.

1223 Having been named, a member shall not be allowed to resume their seat until said member has
1224 complied with the recommendations of the committee as accepted by the House.

1225 If, after a member is seated or named, the action of the Speaker is appealed, the House shall
1226 decide the case by a majority vote of the members present and voting, but if there is no
1227 immediate appeal, the decision of the Speaker shall be conclusive. [Amended Jan. 12, 1981; Jan.
1228 11, 1985; Feb. 11, 2009; Jan. 30, 2019.]

1229 60. No member shall interrupt another while speaking except by rising to a point of order, to a
1230 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking
1231 to yield.

1232 Members may rise to explain matters personal to them by leave of the presiding officer, but
1233 shall not discuss pending questions in such explanations.

1234 Questions of personal privilege shall be limited to questions affecting the rights, reputation,
1235 and conduct of the member in their representative capacities.

1236 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by
1237 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.) [Amended
1238 Jan. 12, 1981; Feb. 11, 2009; Jan. 30, 2019.]

1239 61. No member shall speak more than once to the prevention of those who have not spoken
1240 and desire to speak on the same question.

1241 This prohibition shall not apply to those members designated by the committee or committees
1242 reporting the bill.

1243 No member shall occupy more than thirty minutes at a time while speaking on any question
1244 where debate is unlimited.

1245 Unless the operation of another rule provides to the contrary (such as previous question,
1246 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any
1247 question when no other member who has not spoken is seeking recognition by the Chair. [76.]
1248 (41.)

1249 *Motions.*

1250 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1251 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may
1252 be withdrawn by the mover if no objection is made. [78.] (44.) [Amended Jan. 12, 1981.]

1253 *Limit of Debate.*

1254 64. A motion to recess or adjourn shall always be first in order, and shall be decided without
1255 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to
1256 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member
1257 shall speak more than three minutes. On the motion to discharge any committee, or on a motion
1258 directing any committee to report matters before it, not exceeding fifteen minutes shall be
1259 allowed for debate, and no member shall speak more than three minutes.

1260 If the main motion is undebatable, any subsidiary or incidental motion made relating to it
1261 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.] [Amended Jan. 12,
1262 1981.]

1263 64A. Debate on the question on adoption of orders for second and subsequent legislative days
1264 shall be limited to ten minutes, and no member shall speak more than three minutes. After
1265 entering into a second or subsequent legislative day, the House shall immediately proceed to
1266 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of
1267 the Day. This rule shall not be suspended unless by unanimous consent of the members present.
1268 [Adopted Jan. 12, 1983.]

1269 65. When a question is before the House, until it is disposed of, the Speaker shall receive no
1270 motion that does not relate to the same, except the motion to recess or adjourn or some other
1271 motion that has precedence either by express rule of the House, or because it is privileged in its
1272 nature; and the Speaker shall receive no motion relating to the same, except,—

1273 for the previous question,

1274 to close debate at a specified time,

1275 to postpone to a time certain,

1276 to commit (or recommit),

1277 to amend, See Rules 66, 67 and 68

1278 See Rules 64, 69 and 70

1279 See Rules 64 and 70

1280 See Rules 64 and 71

1281 See Rules 72, 73, 74 and 75

1282 — which several motions shall have precedence in the order in which they are arranged in
1283 this rule. [80.] (46.) [Amended Jan. 11, 1985.]

1284 *Previous Question.*

1285 66. Any member may call for the previous question on the main question.

1286 The previous question shall be put in the following form: "Shall the main question be now
1287 put?" and all debate on the main question shall be suspended until the previous question is
1288 decided.

1289 The adoption of the previous question shall require the affirmative vote of two-thirds of the
1290 members present and voting and shall put an end to all debate, and bring the House to direct vote
1291 upon pending amendments, if any, in their regular order, and then upon the main question.

1292 A motion to reconsider the vote on any of the pending amendments shall be decided without
1293 debate. [81.] [Amended Jan. 12, 1981.]

1294 67. Any member may call for the previous question on any pending amendment.

1295 The previous question shall be put in the following form: "Shall the question on adoption of
1296 the amendment be now put?" and all debate shall be suspended until the previous question is
1297 decided.

1298 The adoption of the previous question on a pending amendment shall require the affirmative
1299 vote of two-thirds of the members present and voting and shall put an end to all debate and bring
1300 the House to a direct vote upon the pending amendment.

1301 A motion to reconsider the vote on the pending amendment shall be decided without debate.
1302 [Amended Jan. 12, 1981.]

1303 68. The previous question shall be decided without debate.

1304 *Motion to Close Debate at a Specified Time.*

1305 69. Debate may be closed at any time not less than thirty minutes from the adoption of a
1306 motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1307 members present. [85.] (47.)

1308 *Motion to Postpone to a Time Certain.*

1309 70. When a motion is made to postpone to a time certain, and different times are proposed,
1310 the question shall first be taken on the most remote time; and the time shall be determined before
1311 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1312 *Motion to Commit.*

1313 71. When a motion is made to commit, and different committees are proposed, the question
1314 shall be taken in the following order:
1315 a standing committee of the House,
1316 a select committee of the House,
1317 a joint standing committee,
1318 a joint selected committee;
1319 and a subject may be recommitted to the same committee or to another committee at the
1320 pleasure of the House. [88.] (48.)

1321 *Motion to Amend.*

1322 72. A motion to amend an amendment may be received; but no amendment in the third degree
1323 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members
1324 present. [89.] [Amended Jan. 12, 1983.]

1325 73. No motion or proposition on a subject different from that under consideration shall be
1326 admitted under color of amendment. This rule shall not be suspended unless by unanimous
1327 consent of the members present. [90.] (50.) [Amended Jan. 12, 1987.]

1328 73A. No motion to amend a report from the committee on Ways and Means or a report from
1329 the committee on Bills in the Third Reading, when such an amendment contains an expenditure
1330 of public money or an increase or decrease in taxes, shall be considered unless a brief
1331 explanation of the amendment is stated. [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1332 74. A question containing two or more propositions capable of division shall be divided
1333 whenever desired by any member, if the question includes points so distinct and separate that,
1334 one of them being taken away, the other will stand as a complete proposition. The motion to
1335 strike out and insert shall be considered as one proposition and therefore indivisible. The
1336 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or
1337 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1338 suspended unless by unanimous consent of the members present. [91.] (45.) [Amended Jan. 12,
1339 1983.]

1340 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule
1341 70.]

1342 *Declaration of Recess.*

1343 76. The Speaker may declare a recess of 15 minutes duration, or less. [Amended Jan. 9, 1991;
1344 Jan. 29, 2015.]

1345 *Appeal.*

1346 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and
1347 no other business shall be in order until the question on the appeal has been disposed of. Debate
1348 shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member
1349 shall occupy more than three minutes. [94.] (43A.) [See Rule 2.] [Amended Jan. 9, 1989; Jan.
1350 29, 2015.]

1351 *Resolves.*

1352 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall
1353 apply likewise to such resolves as require the concurrence of the Senate and approval by the
1354 Governor in order to become law and have force as such. [95.]

1355 *Seats.*

1356 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such
1357 persons as they may employ to assist said Clerk, and that on the left to the use of the chair and
1358 vice-chair of the committee on Bills in the Third Reading.

1359 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other
1360 than seats assigned under paragraph (1) of this rule, shall be their seat for the year and for such
1361 additional years as said member may elect so long as service in the House remains continuous.
1362 An exchange of seats may be made with the approval of the Speaker. [98.] [Amended Jan. 11,
1363 1985; May 5, 1993; Jan. 30, 2019.]

1364 *Privilege of the Floor.*

1365 80. The following persons shall be entitled to admission to the House of Representatives,
1366 during the session thereof, to stand in an area designated by the Speaker in the rear of the
1367 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1368 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary
1369 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,
1370 Attorney-General, Librarian and Assistant Librarian;

1371 (2) The members of the Senate;

1372 (3) Authorized employees of the House and persons in the exercise of an official duty directly
1373 connected with the business of the House; or

1374 (4) Contestants for seats in the House, whose papers are in the hands of a special committee
1375 of the House, may be admitted, while their cases are pending, to seats to be assigned by the
1376 Speaker

1377 No other person shall be admitted to the floor during the session, except upon the permission
1378 of the Speaker.

1379 No legislative agent or counsel may be admitted to the floor of the House Chamber during a
1380 session unless that part of the session is ceremonial in nature in which no other legislative
1381 business is conducted.

1382 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1383 This rule shall not be suspended unless by unanimous consent of the members present. [99.]

1384 (60, 61.) [Amended Jan. 9, 1991, Jan. 23, 2007; Jan. 30, 2019.]

1385 *Representatives' Chamber and Adjoining Rooms.*

1386 81. (a) Use of the Representatives' Chamber members' corridor or adjoining rooms shall be
1387 for official business or educational purposes only and shall be subject to the approval of the
1388 Speaker or the committee on Rules. The provisions of this paragraph shall not apply if the
1389 purpose of admittance is to attend a meeting in an adjoining room to which members of the
1390 general public are allowed to attend.

1391 (b) No legislative agent or counsel shall be admitted to the members' corridor or adjoining
1392 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except

1393 persons entitled to the privileges of the floor of the House unless upon written invitation of a
1394 member bearing the name of the member and the person the member invites. Upon entering, the
1395 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph
1396 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which
1397 members of the general public are allowed to attend.

1398 (c) No person shall be admitted to the north gallery of the House except upon a card of the
1399 Speaker.

1400 (d) Subject to the approval and direction of the committee on Rules during the session and of
1401 the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be
1402 under the control of the organization of legislative reporters known as the Massachusetts State
1403 House Press Association and the State House Broadcasters Association.

1404 (e) Every legislative reporter desiring admission to the reporters' galleries shall state in
1405 writing that they are not the agent or representative of any person or corporation interested in
1406 legislation before the General Court, and will not act as representative of any such person or
1407 corporation while retaining a place in the galleries; but nothing herein contained shall prevent
1408 such legislative reporter from engaging in other employment, provided such other employment is
1409 specifically approved by the committee on Rules and reported to the House.

1410 (f) All formal sessions of the House of Representatives shall be open to both commercial and
1411 public radio and television, except designated times during such sessions, as determined by the
1412 House, reserved for the consideration of non-controversial business which does not give rise to
1413 debate. The manner and conditions of such broadcasts shall be established by the Speaker.

1414 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker.

1415 The Speaker may arrange for a limited number of remote connections at a location
1416 outside of the Representatives' Chamber for commercial and public radio and television to obtain
1417 audio and visual feeds of formal sessions being recorded or streamed by the House. Video or
1418 audio obtained from such feed shall be used only for reporting purposes. Access to the
1419 connections provided shall be on a first-come-first serve basis; provided, however, that
1420 commercial and public radio and television acquiring access shall be required to share the audio
1421 or video feeds with other any other commercial and public radio and television station seeking
1422 access. The manner and conditions of access shall be established by the Speaker with the
1423 approval of the House. Access may be prohibited by the Speaker with the approval of the House.

1424 Clauses (a) through (e) of this rule shall not be suspended unless by unanimous consent of the
1425 members present. [100.] (59.) [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9,
1426 1991; Jan. 26, 1999, Jan. 23, 2007; Jan. 30, 2019.]

1427 *Quorum.*

1428 82. Eighty-one members shall constitute a quorum for the organization of the House and the
1429 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1430 In the event that a quorum is not present, the presiding officer shall compel the attendance of
1431 a quorum. During the absence of a quorum, no other business may be transacted or motions
1432 entertained except a declaration of adjournment or a recess by the Speaker. [105.] [Amended Jan.
1433 12, 1981; Jan. 14, 1997.]

1434 *Debate on Motions for Suspension of Rules.*

1435 83. The question of suspension of House Rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83
1436 shall be decided without debate. Debate upon the motion for the suspension of any other House
1437 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no
1438 member shall occupy more than three minutes. This rule shall not be suspended unless by
1439 unanimous consent of the members present. [102.] (52.) [Amended Jan. 12, 1981; Jan. 9, 1989.]

1440 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,
1441 altered or repealed unless two-thirds of the members present and voting consent thereto. This
1442 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)
1443 [Amended Jan. 12, 1981.]

1444 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive
1445 any requirement relative to the electronic availability and posting on the internet of any bills,
1446 resolves, summaries or other documents contained herein; provided, however, that if the clerk so
1447 waives any such requirement he shall make paper copies of the documents available to all
1448 members and the public within the limitation established for the electronic availability and
1449 posting on the internet of any bills, resolves, summaries or other documents contained herein.
1450 [Adopted Feb. 11, 2009.]

1451 *Reference to Committee on Rules.*

1452 85. All motions or orders authorizing committees of the House to travel or to employ
1453 stenographers, all propositions involving special investigations by committees of the House, all
1454 resolutions presented for adoption by the House only, and all motions and orders except those
1455 which relate to the procedure of the House or are privileged in their nature or are authorized by
1456 Rule 65, shall be referred without debate to the committee on Rules, which shall report thereon,

1457 recommending what action should be taken. The committee shall not recommend suspension of
1458 Joint Rule 9, unless evidence satisfactory to the committee is produced that the petitioners have
1459 previously given notice, by public advertisement or otherwise, equivalent to that required by
1460 Chapter 3 of the General Laws. [104.] (13A.) [Amended Jan. 29, 2015.]

1461 85A. The House Business Manager, with the approval of the Counsel appointed pursuant to
1462 Rule 13B, shall provide that outside, independent audits of House financial accounts be
1463 conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with
1464 balance report from the comptroller of the Commonwealth. The audit shall be conducted in
1465 accordance with auditing standards generally accepted in the United States of America and the
1466 standards applicable to financial audits contained in Government Auditing Standards, issued by
1467 the Comptroller General of the United States. The House Business Manager shall provide the
1468 independent auditor with requested documents for such audit. A copy of such audit shall be filed
1469 with the Clerk of the House and said copies shall be made available to the members and the
1470 general public upon request. The procurement of an independent auditor pursuant to this rule
1471 shall not be subject to rule 87. [Adopted Jan. 11, 1985, Amended Jan. 20, 2011; Jan. 30, 2019.]

1472 *Parliamentary Practice.*

1473 86. The rules of parliamentary practice shall govern the House in all cases to which they are
1474 applicable, and in which they are not inconsistent with these rules or the joint rules of the two
1475 branches. (62.)

1476 *Procurement.*

1477 87. (a) All procurements for goods or services shall be completed by the House Business
1478 Manager.

1479 (b) All procurements for goods or services shall, to the extent practicable, be made pursuant to
1480 a statewide procurement contract established by the operational services division.

1481 (c) Upon certification by the House Business Manager that a necessary procurement cannot be
1482 made using a statewide procurement contract established by the operational services division, the
1483 House Business Manager may procure the required goods or services pursuant to the following:

1484 (i) for a procurement of a supply or service in an amount of less than \$10,000, the House
1485 Business Manager shall use sound business practices;

1486 (ii) for a procurement of a supply or service in an amount of \$10,000, but less than \$100,000,
1487 the House Business Manager shall seek written or oral quotations from no fewer than 3 persons
1488 customarily providing such supply or service. The House Business Manager shall record the
1489 names and addresses of all persons from whom quotations were sought, the names of the persons
1490 submitting quotations and the date and amount of each quotation. The House Business Manager
1491 shall award the contract to the responsible person whose quotation offers the needed quality of
1492 supply or service and which represents the best value for the House;

1493 (iii) for a procurement of a supply or service in an amount exceeding \$100,000, the House
1494 Business Manager shall seek proposals through a competitive bid process established by the
1495 Counsel appointed pursuant Rule 13B, referred to in this rule as “Counsel” ; provided, however,
1496 that the Counsel shall file the competitive bid process with the Clerk of the House no later than
1497 March 31 of the first year of the session.

1498 (d) Notwithstanding subsection (a) and (b), all procurements for legal consulting services and
1499 legal resources shall be handled exclusively by Counsel in compliance with the provisions of this
1500 rule..

1501 (e) The House Business Manager shall maintain a file on each contract not executed using a
1502 statewide procurement contract established by the operational services division and in excess of
1503 \$10,000 and shall include in such file a copy of all documents constituting the agreement for
1504 goods and services and all documents evidencing compliance with this rule. The House Business
1505 Manager shall make the file available for inspection within said office by members of the House
1506 for at least 3 years from the date of final payment under the contract; provided, however, that the
1507 Business Manager, in consultation with Counsel, shall redact from said file any information
1508 which (i) is legally privileged; (ii) is proprietary; (iii) is related to individual members or House
1509 personnel; or (iv) is otherwise protected by state or federal law.

1510 (f) Whenever the time required to comply with a requirement of this rule would endanger the
1511 health, safety or convenience of the members, staff or visitors to the House of Representatives,
1512 the House Business Manager may make an emergency procurement without satisfying the
1513 requirements of this rule; provided, however, that both the House Business Manager and Counsel
1514 certify in writing: (i) that an emergency exists and explain the nature thereof; (ii) that said
1515 emergency procurement is limited to only supplies or services necessary to meet the emergency;
1516 (iii) that said emergency procurement conforms to the requirements of this rule to the extent
1517 practicable under the circumstances; and (iv) shall include each contractor's name, the amount
1518 and the type of each contract, the supplies or services provided under each contract, and (vii) the
1519 basis for determining the need for an emergency procurement. Such certification shall be filed
1520 with the Clerk of the House prior to an emergency procurement. [Adopted Jan. 20, 2011,
1521 [Amended Jan. 23, 2013; Jan. 29, 2015; Feb. 19, 2015; Jan. 30, 2019.]

1522 *Professional Standards and Conduct*

1523 88. (a) As used in Rules 88 to 99, inclusive, the following terms shall, unless the context
1524 clearly requires otherwise, have the following meanings:-

1525 "Authorized party", a party authorized to receive a complaint of harassment or retaliation
1526 pursuant to Rule 93.

1527 "Counsel", Legal Counsel to the House appointed pursuant to Rule 13B.

1528 "Director", the Director of Human Resources appointed pursuant to Rule 90.

1529 "Discriminatory harassment", verbal or physical conduct that:

1530 (1) demeans, stereotypes, or shows hostility or aversion toward an individual or group because
1531 of the individual's race, color, religion, national origin, sex, ancestry, sexual orientation, age,
1532 disability status, genetic information, gender identity, active military personnel status,
1533 transgender status or membership in any other protected class and;

1534 (2) (i) has the purpose or effect of creating an intimidating, hostile, humiliating or offensive
1535 working environment;

1536 (ii) has the purpose or effect of unreasonably interfering with a member, officer, intern or
1537 employee's work performance or official duties; or

1538 (iii) otherwise adversely affects a member, officer, intern or employee's employment
1539 opportunities or ability to fulfill their official duties or conduct business before the House.

1540 "EEO Officer", the Equal Employment Opportunity Officer appointed pursuant to Rule 89.

1541 "Harassment", discriminatory harassment or sexual harassment engaged in by a member, officer,
1542 intern or employee of the House or by a third party.

1543 "Sexual harassment", sexual advances, requests for sexual favors and verbal or physical
1544 conduct of a sexual nature when:

1545 (1) submission to or rejection of such advances, requests or conduct is made either explicitly
1546 or implicitly a term or condition of employment or as a basis for employment decisions, or as a
1547 term, condition or basis for the support of certain policy objectives, political aspirations or
1548 business before the House; or

1549 (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering
1550 with a member, officer, intern or employee's work performance or official duties by creating an
1551 intimidating, hostile, humiliating or sexually offensive work environment.

1552 Under this definition, direct or implied requests for sexual favors in exchange for actual or
1553 promised (i) employment benefits such as favorable reviews, salary increases, promotions,
1554 increased benefits or continued employment or (ii) support for certain policy objectives, political
1555 aspirations or business before the House, shall constitute sexual harassment.

1556 The definition of sexual harassment is broad and may include other sexually oriented conduct,
1557 whether or not it is intended to violate this Rule, that is unwelcome and has the effect of creating
1558 a workplace environment that is hostile, offensive, intimidating or humiliating to a member,
1559 officer, intern or employee of the same or different gender, or those who do not identify as
1560 gender binary.

1561 "Supervisor", a member, officer or employee having direct authority or oversight over one or
1562 more employees.

1563 "Third party", any person visiting the House of Representatives, or conducting official business
1564 or work with any member, officer or employee of the House.

1565 (b) The House is committed to providing fair and equal opportunity for employment and
1566 advancement to all employees and applicants.

1567 It is our policy and practice to assign, promote and compensate employees on the basis of
1568 qualifications, merit, and competence. Employment practices shall not be influenced nor
1569 affected by virtue of an applicant's or employee's race, color, religion, national origin, sex,
1570 ancestry, sexual orientation, age, disability status, genetic information, gender identity, active
1571 military personnel status, transgender status or membership in any other protected class.

1572 This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, promotion,
1573 transfer, discharge and all other terms and conditions of employment.

1574 Without limiting the applicability of the foregoing, the House is committed to creating and
1575 maintaining a work environment in which all members, officers, interns and employees of the
1576 House, and all third parties, are treated with respect and free from any form of harassment,
1577 including harassment based on an individual's membership in any protected class. To that end,
1578 the House will not tolerate harassment of any kind by any member, officer, intern, employee or
1579 third party in the workplace or otherwise in connection with the official duties or employment
1580 responsibilities of a member, officer, third party, intern or employee. Any individual who
1581 believes that they may have been the object of harassment, or any individual who witnesses
1582 something they think may be harassment, is strongly encouraged to report that information to an
1583 authorized party.

1584 The House shall promote the safety and respectful treatment of all members, officers, interns
1585 and employees of the House, and all third parties, by establishing uniform procedures for making
1586 and receiving complaints of harassment and initiating, conducting and concluding investigations
1587 into complaints of harassment.

1588 A violation of this policy will subject the member, officer, employee or intern to discipline
1589 pursuant to Rule 95 and Rule 96.

1590 (c) (1) Discriminatory harassment may include, but is not limited to, the following conduct:

1591 (i) epithets, slurs, insults or negative stereotyping related to the protected classes;

1592 (ii) acts or jokes that are hostile or demeaning with regard to the protected classes;

1593 (iii) threatening, intimidating or hostile acts that relate to the protected classes;

1594 (iv) displays of written or graphic material that demean, ridicule or show hostility toward an
1595 individual or group because of membership in a protected class, including material circulated or
1596 displayed in the workplace, including District Offices, such as on an employee's desk or
1597 workspace, or on House equipment or bulletin boards, including but not limited to House-issued
1598 computers, laptops and personal device assistants;

1599 (v) verbal or non-verbal innuendo, and micro-aggressions; and

1600 (vi) other conduct that falls within the definition of discriminatory harassment set forth above.

1601 (2) Sexual harassment includes, but is not limited to, the following conduct:

1602 (i) gender-based bullying, including bullying based on transgender or non-gender binary status;

- 1603 (ii) attempts to coerce an unwilling person into a sexual relationship;
- 1604 (iii) repeatedly subjecting a person to unwelcome sexual or romantic attention;
- 1605 (iv) punishing a person's refusal to comply with a request for sexual conduct; and
- 1606 (v) conditioning a benefit on submitting to sexual advances.
- 1607 (3) Conduct that, if unwelcome, and depending upon the totality of the circumstances,
- 1608 including the severity of the conduct and its pervasiveness, may constitute sexual harassment
- 1609 includes, but is not limited to, the following:
- 1610 (i) unwelcome sexual advances, flirtations or propositions, whether they involve physical
- 1611 touching or not;
- 1612 (ii) sexual "kidding," epithets, jokes, written or oral references to sexual conduct;
- 1613 (iii) gossip regarding one's sex life;
- 1614 (iv) comment on a person's body or an individual's sexual activity, deficiencies, or prowess;
- 1615 (v) displaying sexually suggestive objects, pictures, posters or cartoons;
- 1616 (vi) unwelcome leering or staring at a person;
- 1617 (vii) sexual gestures and suggestive or insulting sounds, such as whistling or comments with
- 1618 sexual content or meaning;
- 1619 (viii) uninvited physical contact, such as touching, hugging, purposely brushing against the
- 1620 body, patting or pinching;
- 1621 (ix) indecent exposure;

1622 (x) inquiries into one's sexual experiences;

1623 (xi) discussion of one's sexual activities;

1624 (xii) sexual emails; and

1625 (xiii) sexting, or sexual messages or images posted on social media, for example, texts, instant
1626 messages, Facebook posts, tweets, Snapchat, Instagram or blog entries.

1627 (d) No member, officer or employee of the House shall retaliate, including against a member,
1628 officer, intern, or employee of the House who has complained about harassment or participated
1629 in an investigation into an allegation of harassment or retaliation. Any person who believes that
1630 they may have been the subject of retaliation for having complained of harassment or retaliation,
1631 or for having participated in an investigation related to an allegation of harassment or retaliation,
1632 is strongly encouraged to report that information to an authorized party. [Adopted Mar. 15, 2018;
1633 Amended Jan. 30, 2019.]

1634 89. (a) The House shall employ a full-time Equal Employment Opportunity Officer. The
1635 committee on Rules shall appoint a qualified person with expertise in harassment prevention,
1636 conduct of investigations, and identifying barriers to equal employment opportunity to act as the
1637 EEO Officer at such compensation as the committee on Rules shall approve.

1638 The EEO Officer shall serve a term of two years from the date of appointment, unless the EEO
1639 Officer sooner resigns, retires or is removed; provided, however, that the EEO Officer may only
1640 be removed: (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of
1641 Counsel and the Director, and approved by a majority vote of the committee on Rules; or (ii) by
1642 a majority roll call vote of the House.

1643 The EEO Officer may employ such assistants as may be necessary in the discharge of the EEO
1644 Officer's duties, subject to the approval of the committee on Rules, and may expend with like
1645 approval such sums as may be necessary for the discharge of their duties.

1646 (b) The EEO Officer shall receive, review and investigate all complaints alleging a violation of
1647 Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy, including,
1648 but not limited to complaints alleging harassment or retaliation. Complaints shall be received,
1649 reviewed and investigated pursuant to Rules 93 to 96, inclusive.

1650 The EEO Officer shall develop and implement written policies and procedures for receiving,
1651 investigating, resolving and maintaining records of complaints against members, officers, interns
1652 or employees of the House, or against third parties, made in accordance with Rules 93 to 98,
1653 inclusive.

1654 (c) (1) The EEO Officer, in conjunction with the committee on Personnel and Administration
1655 and the Director, shall provide for training of members. Members shall be required to complete
1656 training within 30 days of being sworn in and annually thereafter. Training shall be in-person
1657 and shall include, without limitation, instruction on: (i) House equal employment policies,
1658 including the complaint and investigation process; (ii) workplace harassment specifically,
1659 including techniques for bystander intervention and other best practices; (iii) prohibition on
1660 retaliation; (iv) best management practices; (v) professionalism and respect; and (vi) practices for
1661 monitoring the workplace for issues and identifying risk factors. Each member shall make a
1662 signed, written acknowledgement of the member's completion of the training, which shall be
1663 retained by the EEO Officer.

1664 (2) The EEO Officer, in conjunction with the committee on Personnel and Administration and
1665 the Director, shall provide for training for all appointed officers and employees. Appointed
1666 officers and employees shall be required to complete training within 30 days of initial hire or
1667 appointment and annually thereafter. Training shall be in person and shall include, without
1668 limitation, instruction on (i) House equal employment policies, including the complaint and
1669 investigation process; (ii) workplace harassment specifically, including techniques for bystander
1670 intervention and other best practices; (iii) prohibition on retaliation; and (iv) professionalism and
1671 respect.

1672 Separate trainings shall be held for those appointed officers and employees who are supervisors
1673 and those appointed officers and employees who are not supervisors. The content of the training
1674 shall be tailored appropriately to the recipients. Supervisors shall be specifically trained on best
1675 management practices.

1676 Each appointed officer and employee shall make a signed, written acknowledgement of their
1677 completion of the training, which shall be retained by the EEO Officer, who shall provide a copy
1678 to the Director to be maintained in their personnel file.

1679 (3) The EEO Officer shall provide for appropriate additional training to members, officers or
1680 employees at any time that the EEO Officer deems necessary or appropriate, including upon the
1681 request of a member, officer or employee.

1682 (4) The EEO Officer, in conjunction with the Director, shall provide for training for interns
1683 during the intern orientation process. The training shall include without limitation, instruction
1684 on: (i) House equal employment policies, including the complaint and investigation process; (ii)
1685 workplace harassment specifically, including techniques for bystander intervention and other

1686 best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect. Each intern
1687 shall make a signed, written acknowledgement of the intern's completion of the training, which
1688 shall be retained by the EEO Officer, who shall provide a copy to the Director to be maintained
1689 in the Director's records.

1690 (d) The EEO Officer shall develop practices and procedures for auditing House offices,
1691 including random audits, to ensure the maintenance of best practices. Audits may include
1692 interviews and in-office observation. All members, officers, interns and employees shall comply
1693 with a request from the EEO Officer to conduct an audit. [Adopted Mar. 15, 2018.]

1694 90. (a) The House shall employ a full-time Director of Human Resources. The committee on
1695 Rules shall appoint a qualified person to act as the Director at such compensation as the
1696 committee on Rules shall approve.

1697 The Director shall serve a term of two years from the date of appointment, unless the Director
1698 sooner resigns, retires or is removed; provided, however, that the Director may only be removed:
1699 (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of the EEO Officer
1700 and Counsel and approved by a majority vote of the committee on Rules; or (ii) by a majority
1701 roll call vote of the House.

1702 (b) The Director may employ such assistants as may be necessary in the discharge of the
1703 Director's duties, subject to the approval of the committee on Rules, and may expend with like
1704 approval such sums as may be necessary for the discharge of their duties.

1705 (c) The Director shall develop and oversee standardized practices and procedures, which shall
1706 apply to all applications for employment. The practices and procedures shall include, but shall
1707 not be limited to: (i) a standard application for employment; (ii) mandatory background and

1708 reference checks, the results of which shall be reported by the Director to the applicant's
1709 prospective appointing authority; and (iii) a standard offer letter for each position within the
1710 House.

1711 (d) The Director shall develop and oversee standardized practices and procedures, which shall
1712 apply to all employees and appointed officers of the House. These practices and procedures shall
1713 include or address, without limitation: (i) regular meetings between the Director, the EEO
1714 Officer and employees who are supervisors, including an initial meeting within 14 days of the
1715 employee assuming such a role; (ii) guidelines for conducting employee performance reviews;
1716 (iii) a program of progressive discipline; and (iv) separations from employment including exit
1717 interviews for terminated employees.

1718 (e) The Director shall develop employee classifications, which shall include written job
1719 descriptions, salary ranges and schedules. The classifications shall be published in the employee
1720 and supervisor handbooks. The Director may develop a seniority system on which employee
1721 salaries may be based. A seniority system shall be published in the employee handbook.

1722 (f) The Director shall develop practices and procedures for receiving, investigating and
1723 resolving personnel complaints unrelated to Rule 88, the House Anti-Harassment Policy, or the
1724 House Equal Employment Policy.

1725 (g) The Director shall annually publish: (i) an Employee Handbook; and (ii) an Intern
1726 Handbook. Each handbook shall be developed with the advice and approval of the EEO Officer
1727 and Counsel, and shall be submitted to the committee on Personnel and Administration for
1728 review and approval at least 14 days prior to publication.

1729 The handbooks shall be available as follows:

- 1730 (i) the Director shall post both handbooks on the human resources web portal;
- 1731 (ii) the Director shall email an electronic copy of the Employee Handbook to each employee
1732 within 10 days of its publication and require that each employee sign a written acknowledgement
1733 of receipt and return such acknowledgement to the Director within 5 days;
- 1734 (iii) the Director shall email an electronic copy of the Employee Handbook to each new
1735 employee within 5 days of the employee's start date and require that the employee sign a written
1736 acknowledgement of receipt and return such acknowledgement to the Director within 5 days;
- 1737 (iv) the committee on Personnel and Administration shall provide an Intern Handbook to each
1738 intern on the first day of their internship. Upon receipt of the Intern Handbook the intern shall
1739 sign a written acknowledgement of receipt that day, which shall be maintained by the committee,
1740 with a copy sent to the Director;
- 1741 (v) hard copies of each handbook shall be available in the offices of the Director, the EEO
1742 Officer, Counsel and the Clerk;
- 1743 (vi) the Director shall cause electronic copies of each handbook to be downloaded onto the
1744 desktop of each House computer; and
- 1745 (vii) in formats accessible to all members, officers and employees.
- 1746 (h) (1) The Committee on Personnel and Administration, in consultation with the Director, shall
1747 develop policies to address individuals who provide services to the House in a volunteer capacity
1748 or otherwise without receiving compensation
- 1749 (2) The Committee on Personnel and Administration, in consultation with the Director and
1750 subject to the approval of Counsel, shall develop policies pro-bono service and charitable and

1751 community service activities by members, officers and employees of the House. [Adopted Mar.
1752 15, 2018; Amended Jan. 30, 2019.]

1753 91. The Director shall, in consultation with the EEO Officer, create and maintain an internal
1754 web portal for members, officers and employees. The web portal shall provide relevant
1755 information on human resource policies and procedures, including, without limitation, the Rules
1756 of the House, each handbook published by the Director, explanations of complaint and
1757 investigation procedures, contact information for the Director, the EEO Officer and Counsel, and
1758 training schedules. [Adopted Mar. 15, 2018.]

1759 92. (a) The House shall employ a full-time Director of Employee Engagement. The committee
1760 on Personnel and Administration shall appoint a qualified person to act as the Director of
1761 Employee Engagement at such compensation as the committee on Personnel and Administration
1762 shall approve.

1763 (b) The Director of Employee Engagement shall, in consultation with the Director of Human
1764 Resources: (i) develop methods for enhancing the skills and professional development of
1765 employees; and (ii) engage employees in roundtable discussions on issues of importance or
1766 concern.

1767 (c) The Director of Employee Engagement shall assist the committee on Personnel and
1768 Administration with duties as may be assigned by the committee or the Director of Human
1769 Resources. [Adopted Mar. 15, 2018.]

1770 93. (a) (1) A member who believes that they have been the object of harassment or retaliation,
1771 who witnesses harassment or retaliation, or who becomes aware of harassment or retaliation
1772 may make a complaint, either orally or in writing with the EEO Officer, Counsel, or the Director.

1773 Upon receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer
1774 shall forthwith provide a detailed account of the complaint to the EEO Officer for assessment
1775 pursuant to Rule 94.

1776 (2) An appointed officer, employee or intern of the House who believes that they have been
1777 the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes
1778 aware of harassment or retaliation may make a complaint, either orally or in writing, to any of
1779 the officer's, employee's or intern's supervisors, the Director, the EEO Officer or Counsel. Upon
1780 receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer shall
1781 forthwith provide a detailed account of the complaint to the EEO Officer for assessment pursuant
1782 to Rule 94.

1783 (3) A third party who believes that they have been the object of harassment, or who witnesses
1784 harassment or retaliation may make a complaint, either orally or in writing, with the EEO
1785 Officer. Upon receipt of a complaint pursuant to this subsection, the EEO Officer shall assess
1786 the complaint pursuant to Rule 94.

1787 (b) The EEO Officer shall provide guidance for authorized parties who may receive
1788 complaints under subsection (a), both in the form of the training referenced in Rule 89 and
1789 otherwise. The guidance shall instruct authorized parties on the proper way to receive
1790 complaints and to advise complainants on issues including, but not limited to, confidentiality,
1791 prohibition on retaliation and the availability of additional resources and avenues for action for
1792 the complainant, including possible criminal action where appropriate.

1793 (c) If a complaint, made pursuant to subsection (a), is against the EEO Officer or an employee
1794 appointed by the EEO Officer, the recipient of the complaint shall notify Counsel, who shall, in
1795 consultation with the Director, investigate the complaint pursuant to Rules 94 to 96, inclusive.

1796 (d) If, based on the nature and circumstances of the complaint, the EEO Officer believes that
1797 they cannot objectively assess or investigate a complaint made pursuant to subsection (a) the
1798 EEO Officer shall refer the matter to Counsel who shall assume responsibility for the assessment
1799 or investigation or refer the complaint to outside counsel for investigation. The EEO Officer
1800 shall consult with Counsel to establish guidelines used to identify matters that should be referred
1801 to Counsel or outside counsel pursuant to this subsection. [Adopted Mar. 15, 2018; Amended
1802 Jan. 30, 2019.]

1803 94. (a)(1) All complaints alleging harassment or retaliation by or against a member, officer,
1804 intern or employee of the House, or by or against a third party, received by any member, officer
1805 or employee of the House, shall be immediately referred to the EEO Officer for assessment.

1806 (2) Upon receiving a complaint alleging harassment or retaliation by or against a member,
1807 officer or employee of the House, or by or against a third party, the EEO Officer shall promptly
1808 undertake an assessment to determine whether the complaint is plausible and requires
1809 investigation. Such assessment shall be completed within two weeks from the date of receiving a
1810 complaint.

1811 Upon a determination by the EEO Officer that a complaint is plausible and requires
1812 investigation, the EEO Officer shall commence an investigation of the complaint.

1813 Upon a determination by the EEO Officer that a complaint is not plausible and does not require
1814 investigation, the EEO Officer shall submit a report to Counsel and the Director describing the

1815 complaint and the EEO Officer's basis for determining that the complaint lacked plausibility and
1816 did not require investigation. If either Counsel or the Director objects to the EEO Officer's
1817 determination, the EEO Officer shall commence an investigation of the complaint.

1818 (b) The EEO Officer shall assess complaints and conduct investigations pursuant to written
1819 policies and procedures, which shall be established by the EEO Officer pursuant to Rule 98 and
1820 published on the human resources web portal. The policies and procedures shall ensure that all
1821 assessments, investigations and reports are confidential to the fullest extent practicable under the
1822 circumstances and shall include, without limitation, the following: trauma-informed techniques;
1823 mechanisms for investigating complaints made by witnesses or third parties; standards for
1824 collecting and maintaining evidence; consideration of interim measures; and methods to tailor
1825 each investigation to the specific needs of the complainant and particular circumstances of the
1826 complaint.

1827 (c) The EEO Officer shall complete investigations within 90 days; provided, that the EEO
1828 Officer may extend the investigation in extraordinary circumstances. The EEO Officer shall
1829 regularly, but no less frequently than every 2 weeks, update the complainant on the status of the
1830 investigation. If the EEO Officer believes that interim measures are warranted to protect
1831 complainants during the investigation, then the EEO shall recommend such measures to the
1832 appropriate supervisory individual or body.

1833 (d) Upon the conclusion of an investigation, the EEO Officer shall prepare a report
1834 summarizing the complaint, the EEO Officer's investigation, findings and recommendations, if
1835 any, for disciplinary, remedial or preventative action, or any combination thereof. [Adopted Mar.
1836 15, 2018.]

1837 95. (a) (1) If after completion of an investigation pursuant to Rule 94, the EEO Officer
1838 determines that a member has violated Rule 88, the EEO Officer shall recommend disciplinary,
1839 remedial or preventative action, or any combination thereof, as is appropriate and proportional
1840 under the circumstances, subject to the limitations set forth in paragraphs (2) and (3).

1841 (2) Where the EEO Officer's action recommended pursuant to paragraph (1) does not include
1842 reprimand, censure, removal from position as a chair or other position of authority, or expulsion,
1843 prior to imposing such action the EEO Officer shall notify the member of the action and provide
1844 the member with a copy of the EEO Officer's report. The member may, within 10 days of
1845 receiving notice, request in writing that the Speaker and Minority Leader appoint a special
1846 committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer.
1847 Upon receipt of said request, the Speaker and Minority Leader shall convene a special committee
1848 pursuant to Rule 96.

1849 If the member fails to request the appointment of a special committee pursuant to Rule 96
1850 within 10 days, the EEO Officer shall implement the recommended action.

1851 (3) If the action recommended pursuant to subsection (a) includes reprimand, censure, removal
1852 from position as a chair or other position of authority, or expulsion, the EEO Officer shall
1853 request that the Speaker and Minority Leader convene a special committee pursuant to Rule 96
1854 to review the findings and recommendations of the EEO Officer. Upon receipt of said request
1855 from the EEO Officer, the Speaker and Minority Leader shall appoint a special committee
1856 pursuant to Rule 96.

1857 (4) Upon the request for a special committee made by the EEO Officer or a member pursuant
1858 to this subsection, the EEO Officer shall provide the Speaker and Minority Leader with a copy of
1859 the EEO Officer's report.

1860 (b) (1) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes
1861 that an appointed officer, intern or employee has violated Rule 88, the EEO Officer shall notify
1862 the appointing authority for the appointed officer, intern or employee and recommend and
1863 implement remedial, preventative or disciplinary action, or any combination thereof, as is
1864 appropriate and proportional under the circumstances, subject to the limitations set forth in
1865 paragraph (2). Notwithstanding Rule 97, the appointing authority may inform any other
1866 supervisors of the appointed officer, intern or employee of the remedial, preventative or
1867 disciplinary action if the appointing authority believes that sharing such information is necessary
1868 for maintaining proper supervision of the appointed officer, intern or employee.

1869 (2) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that
1870 an appointed officer, intern or employee has violated Rule 88 and the EEO Officer's action
1871 recommended pursuant to paragraph (1) includes termination of employment or internship, the
1872 EEO Officer shall forward the recommendation, with all supporting documentation, to Counsel
1873 for review and approval. Counsel shall have two business days to review the EEO Officer's
1874 recommendation. If Counsel approves the recommendation, Counsel shall notify the EEO
1875 Officer and the Director and the Director shall immediately terminate the individual's
1876 employment or internship. If Counsel rejects the EEO Officer's recommendation, he shall notify
1877 the EEO Officer and the Speaker and the Speaker shall determine the action to be implemented.
1878 [Adopted Mar. 15, 2018.]

1879 96. (a) Upon receipt of a request pursuant to Rule 95, the Speaker and Minority Leader shall
1880 confidentially convene a Special Committee on Professional Conduct, which shall consist of 7
1881 members, 5 of whom shall be appointed by the Speaker and 2 of whom shall be appointed by the
1882 Minority Leader. To the extent practicable, membership on the special committee shall be
1883 apportioned in a way that takes into account the nature of the complaint and the commitment of
1884 the House to providing fair and equal opportunity in employment. The Speaker shall appoint a
1885 member to serve as chair. No member who has declared their candidacy for any other local,
1886 state or federal office shall be appointed to a special committee. Upon appointment of members
1887 to the committee, the Speaker and Minority Leader shall notify the EEO Officer and the member
1888 who is the subject of the complaint of the identity of the members appointed. The existence of
1889 the committee and the identity of the members appointed to the committee shall otherwise
1890 remain confidential.

1891 (b) The EEO Officer shall provide the members of the special committee with all records
1892 relevant to the investigation. The special committee shall review all records and may further
1893 investigate, to the extent that it is necessary to resolve the complaint. The special committee
1894 may summon witnesses, administer oaths, take testimony and compel the production of books,
1895 papers, documents and other evidence in connection with its review.

1896 (c) In the case of a special committee convened under this section upon the request for a review
1897 by a member pursuant to paragraph (2) of subsection (a) of Rule 95, the committee shall
1898 determine whether the EEO Officer's intended action is proportional and appropriate under the
1899 circumstances. If a majority of the committee so finds, it shall order that the action
1900 recommended by EEO Officer be implemented, along with any additional disciplinary, remedial
1901 or preventative action, or any combination thereof, the committee determines to be proportional

1902 and appropriate under the circumstances, subject to the limitations set forth in subsection (d). If
1903 a majority of the committee finds that the intended action was not proportional or appropriate
1904 under the circumstances, it may make a new recommendation for disciplinary, remedial or
1905 preventative action, or any combination thereof, subject to the limitations set forth in said
1906 subsection (d). All determinations of the committee pursuant to this subsection shall be final.

1907 (d) (1) If a majority of the committee finds that a member has violated Rule 88, it may take any
1908 disciplinary, remedial or preventative action, or any combination thereof, as it determines to be
1909 proportional and appropriate under the circumstances; provided, however, that if the committee
1910 determines that reprimand, censure, removal from position as a chair or other position of
1911 authority, or expulsion is proportional and appropriate under the circumstances, it shall file a
1912 report with the Clerk recommending that the House vote to implement the disciplinary action.

1913 (2) Upon the filing of a report pursuant to paragraph (1), the Clerk shall promptly: (i) make the
1914 report available to all members electronically; (ii) cause the report to be posted on the website of
1915 the General Court; and (iii) place the matter in first position in the Orders of the Day for the next
1916 calendar day that the House is meeting; provided, however, that no business shall be conducted
1917 on that calendar day or any day thereafter until the question of acceptance or rejection of the
1918 special committee's recommendation for discipline is decided by a majority of the members
1919 voting and present by a recorded roll call vote. If a majority of the members vote to accept the
1920 recommendation for discipline, the member shall be disciplined in the manner so recommended.
1921 Unless a majority of the members vote to accept the report, the member shall not be disciplined.

1922 (3) All findings and determinations of the committee, including instances where the special
1923 committee does not file a report with the Clerk pursuant to paragraph (1), shall be reported to the

1924 EEO Officer and shall be final. The EEO Officer shall maintain confidential records of such
1925 findings and determinations, except that a report filed pursuant to paragraph (1) shall be public.
1926 (e) The committee may consult with Counsel, the EEO Officer or the Director in discharging its
1927 duties pursuant to Rules 88 to 97, inclusive. [Adopted Mar. 15, 2018; Amended Jan. 30, 2019.]

1928 97. (a) Any information obtained by a member or employee in their official capacity and
1929 relating to a complaint or investigation of harassment pursuant to Rules 93 to 96, inclusive, and
1930 any records of such information shall be confidential to the fullest extent possible.
1931 Confidentiality shall be specifically subject to subsections (b), (c), (d) and (e).

1932 (b) (1) The EEO Officer, in reviewing a complaint and conducting an investigation, shall keep
1933 the complaint confidential and shall not disclose the identity of the complainant or the person
1934 against whom the complaint is made or any other details of the complaint with any member or
1935 employee; provided, however, that the EEO Officer may share information to the extent
1936 necessary to interview witnesses or parties to the investigation or to consult with Counsel if the
1937 EEO Officer determines that such consultation is required in connection with the investigation.

1938 (2) In the case of a complaint against a staff person, the EEO Officer shall maintain
1939 confidentiality throughout their investigation and implement all remedial actions and discipline
1940 short of termination confidentially, without sharing the identity of the complainant or the person
1941 against whom the complaint is made or any other details of the complaint with any member or
1942 employee; provided, however, that the EEO Officer may share information to the extent
1943 necessary to implement any remedial actions or discipline or to consult with Counsel if the EEO
1944 Officer determines that such consultation is required in connection with the investigation. This
1945 paragraph shall not limit the EEO Officer's ability to transmit the resolution of a complaint,

1946 including any discipline resulting therefrom, to the Director for inclusion in the employee's
1947 personnel file.

1948 (3) In the case of a complaint against a staff person, where the EEO Officer recommends
1949 termination, the EEO Officer shall share information with Counsel for review. If Counsel and
1950 the EEO Officer disagree as to whether termination is the appropriate discipline, confidentiality
1951 shall only be expanded to the extent needed to inform the Office of the Speaker and reach a
1952 resolution.

1953 (4) In the case of a complaint against a member, the EEO officer shall maintain confidentiality
1954 throughout their investigation by: (i) not disclosing information to any member or employee who
1955 is not a witness or party to the investigation, except to consult with Counsel if the EEO Officer
1956 determines that such consultation is required in connection with the investigation; and (ii)
1957 confidentially recommending all remedial actions short of reprimand, censure, removal from
1958 position as a chair or other position of authority, or expulsion of a member. This paragraph shall
1959 not limit the EEO Officer's ability to: (i) share their report with the Office of the Speaker and the
1960 Minority Leader upon the request for a special committee pursuant to Rule 95; and (ii) share any
1961 records relevant to the investigation with the special committee convened pursuant to Rule 96;
1962 provided, that when sharing their report with the Office of the Speaker and the Minority Leader,
1963 the EEO Officer may use pseudonyms, redaction and other methods the EEO Officer considers
1964 appropriate to address the needs of a complainant or the circumstances of a complaint.

1965 (c) (1) The establishment of a special committee pursuant to Rule 96 shall be completely
1966 confidential, except that the Speaker and Minority Leader shall disclose the names of their

1967 respective appointments to the EEO Officer. The EEO Officer shall maintain a confidential
1968 record of the membership of each special committee that is convened.

1969 (2) All proceedings of a special committee convened pursuant to Rule 96 shall be confidential
1970 and members of the committee shall not share any information about the complaint and
1971 investigation for which the committee was convened with any other member or employee,
1972 including their own appointed staff; provided, however, that the committee may consult with
1973 Counsel if the chair of the committee determines that such consultation is required in connection
1974 with the investigation.

1975 (3) A special committee convened pursuant to Rule 96 shall implement all actions short of
1976 reprimand, censure, removal from position as a chair or other position of authority, or expulsion
1977 of a Member confidentially, except that the special committee shall submit a final report to the
1978 EEO Officer and may consult with Counsel if the chair of the committee determines that such
1979 consultation is required in connection with their recommended action. The committee's
1980 recommendation, if any, for reprimand, censure, removal from position as a chair or other
1981 position of authority, or expulsion of a member, shall be a public document; provided, however,
1982 that the committee may use pseudonyms to conceal the identity of the complainant if the
1983 circumstances of the complaint so warrant.

1984 (d) All authorized parties shall keep complaints confidential, except to share the complaint
1985 with the EEO Officer.

1986 (e) Nothing in this Rule shall limit the ability of the EEO Officer to share information with a
1987 complainant, to the extent appropriate, in order to properly conclude the complaint or
1988 investigation process. [Adopted Mar. 15, 2018; Amended Jan. 30, 2019.]

1989 98. The EEO Officer and the Director shall establish all policies, procedures and guidelines
1990 required by Rules 88 to 97, inclusive, and may develop supplemental policies, procedures and
1991 guidelines necessary to implement or enforce Rules 88 to 97, inclusive; provided, that no policy,
1992 procedure or guideline shall take effect without the prior review and written approval of Counsel
1993 and the committee on Personnel and Administration. Where appropriate, these policies,
1994 procedures and guidelines shall be included in the handbooks.

1995 The EEO Officer and the Director may consult with each other, Counsel, and the committee on
1996 Personnel and Administration to carry out the requirements of Rules 88 to 97, inclusive.

1997 [Adopted Mar. 15, 2018.]

1998 99. (a) Pending the appointment of an EEO Officer, a complaint alleging a violation of Rule 88
1999 by a member shall be referred directly to a Special Committee on Professional Conduct, which
2000 shall conduct itself pursuant to Rule 96 except as modified by this Rule.

2001 Pending the appointment of an EEO Officer and notwithstanding Rule 87 and utilizing sound
2002 business practices, the chair of a Special Committee on Professional Conduct convened pursuant
2003 to this Rule shall have the exclusive authority and discretion to retain outside legal and
2004 consulting experts, as the chair may deem appropriate to assist the chair and the committee with
2005 the investigation and evaluation of a complaint received by said committee.

2006 Counsel shall, at the request of the chair, assist the chair and the Special Committee on
2007 Professional Conduct with the investigation and evaluation of a complaint received by the
2008 committee.

2009 (b) Pending the appointment of an EEO Officer pursuant to Rule 89, Counsel in conjunction
2010 with the Committee on Personnel and Administration and the Director, shall provide for the

2011 training required for all appointed officers, employees and interns pursuant to said Rule 89.

2012 [Adopted Mar. 15, 2018; amended Jan. 30, 2019.]

2013 100. (a) No member, officer or employee shall execute any agreement to settle any legal claim
2014 or potential legal claim by any current or former member, officer or employee unless said
2015 agreement is executed pursuant to this rule.

2016 (b) No member, officer or employee shall execute any agreement to settle any legal claim or
2017 potential legal claim brought by any current or former member, officer or employee without the
2018 approval of Counsel, the Director and the EEO Officer. Counsel, the Director and the EEO
2019 Officer shall each independently review the claim or potential legal claim brought by any current
2020 or former member, officer or employee and confirm that the claim or potential claim does not
2021 relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel, the
2022 Director and the EEO Officer shall not approve any settlement of a legal claim or potential legal
2023 claim brought by any current or former member, officer or employee pursuant to this subsection
2024 if Counsel, the Director or the EEO Officer reasonably believes such legal claim or potential
2025 legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

2026 (c) No member, officer or employee shall execute any agreement to settle any legal claim or
2027 potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal
2028 claim of sexual harassment, by any current or former member, officer or employee unless said
2029 agreement is executed pursuant to this subsection.

2030 No member, officer or employee shall execute any agreement to settle a legal claim or potential
2031 legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of
2032 sexual harassment, by any current or former member, officer or employee unless:

2033 1. the request to negotiate said agreement was initiated, in writing, by the person filing or
2034 eligible to file the legal claim or potential legal claim or a person legally authorized to represent
2035 that person;

2036 2. the person filing the legal claim or eligible to file the legal claim is given 15 days to review
2037 and consider the agreement;

2038 3. the duration of any non-disclosure or non-disparagement provision of the agreement to settle
2039 the legal claim or potential legal claim is for a finite period of time as agreed to by the parties;

2040 4. the agreement to settle the legal claim or potential legal claim specifically provides that no
2041 provision of the agreement, including any non-disclosure or non-disparagement provision of the
2042 agreement, shall preclude any party from participating in an investigation by Counsel, the
2043 Director, the EEO Officer, a Committee on Professional Conduct or any law enforcement
2044 agency; and

2045 5. the agreement is approved in writing by Counsel, the Director and the EEO Officer.

2046 (d) In the case of an agreement to settle any legal claim or potential legal claim of sexual
2047 harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a
2048 Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member
2049 shall be required to personally reimburse the House for all or part of the settlement amount.

2050 Upon a determination by the Special Committee that the member shall be required to personally
2051 reimburse the House for all or part of the settlement amount, it shall determine the amount to be
2052 reimbursed and immediately notify the member of that amount

2053 (e) Upon request of the complainant, Counsel shall waive any non-disclosure or non-
2054 disparagement provision of any agreement executed prior to March 1, 2018 by the House and
2055 any current or former member, officer or employee, to allow said current or former member,
2056 officer or employee to report or discuss a claim of sexual harassment or retaliation based on
2057 sexual harassment. [Adopted Mar. 15, 2018; Amended Jan. 30, 2019.]

House of Representatives, January 30, 2019.

A D O P T E D

STEVEN T. JAMES, Clerk

191st GENERAL COURT (2019-2020 SESSION).

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