

HOUSE No. 3930

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 6, 2021.

The committee on Rules, reports, under the provisions of House Rule 7C, that the accompanying Order relative to the proposed House Rules for the 192nd General Court governing the 2021-2022 legislative sessions (House, No. 3930), ought to be adopted.

For the committee,

WILLIAM C. GALVIN

HOUSE No. 3930

Order (filed by Mr. Galvin of Canton) for the adoption of permanent House Rules for the 192nd General Court governing the 2021-2022 legislative sessions (House, No. 3930). July 6, 2021.

The Commonwealth of Massachusetts



House of Representatives, July 6, 2021

In the One Hundred and Ninety-Second General Court
(2021-2022)

1 *Ordered*, That the rules of the House of Representatives for the years 2021-2022 be
2 adopted, as follows:

3 SPEAKER.

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

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

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

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

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

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

The Speaker may permit photographs or videos during special occasions, which shall include, but shall not be limited to, swearing-in ceremonies and addresses by constitutional officers or other dignitaries. The use of audio-visual aids including, without limitation, videos, computers, posters, displays or charts shall be permitted only upon approval of the Speaker.

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

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

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

38 [Amended Jan. 11, 1985.]

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

40 [Amended Jan. 11, 1985.]

41 4A. The Speaker shall appoint a Speaker pro Tempore. The Speaker pro Tempore shall
42 assist the Speaker in the coordination of policy development and the ceremonial functions of the
43 House and shall perform such duties assigned to them by the Speaker. Upon a vacancy in the
44 office of Speaker, the office of Speaker pro Tempore shall be considered vacant.

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

46 4B. (a) As used in this Rule, the following words shall have the following meanings:-

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

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

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

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

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

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

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

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

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

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

SCHEDULING.

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

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

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

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

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

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

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

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

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

121 7C. The committee on Rules may consider and make recommendations designed to improve
122 and expedite the business and procedures of the House and its committees, and to recommend to
123 the House any amendments to the Rules deemed necessary; provided that a majority of the
124 members of the House present and voting shall be required to approve such recommendations.

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

126 [Adopted Jan. 14, 1997.]

127 7D. The Speaker shall, in consultation with the committee on Rules and the committee on
128 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize
129 to the greatest extent possible scheduling conflicts for members of committees.

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

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

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

139 MONITORS.

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

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

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

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

149 9A. There shall be established a Floor Division Committee for each of the four divisions of
150 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.
151 Said committee shall consist of the members assigned to the respective divisions.

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

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

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

165 [Adopted Jan. 14, 1997.]

166 CLERK.

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

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

174 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

175 [Adopted Jan. 9, 1991.]

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

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

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

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

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

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

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

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

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

208 13A. The Clerk shall make available to all members electronically and, to the public via the
209 Internet, the text of all bills introduced and admitted for consideration in the House.

210 [Adopted, Feb. 11, 2009.]

211 COUNSEL

212 13B. (a) The House shall employ a full-time Counsel pursuant to section 51 of chapter 3 of the
213 General Laws. The committee on Rules shall appoint a qualified person to act as Counsel at such
214 compensation as the committee on Rules shall approve.

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

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

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

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

228 MEMBERS.

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

234 14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

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

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

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

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

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

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

247 ETHICS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CODE OF ETHICS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16B. The Committee on Human Resources and Employee Engagement shall develop and conduct an ethics law training program for every member, officer and employee of the House; provided further, that said training program shall include, without limitation, a review of the requirements and prohibitions of chapter 268A and chapter 268B of the General Laws, and the regulations of the State Ethics Commission, as they apply to legislators and legislative staff; and provided further, that said training program shall be offered virtually or in-person and shall be mandatory for all members, officers and employees.

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

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

COMMITTEES.

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

A committee on Rules;

(to consist of 15 members).

A committee on Ways and Means;

(to consist of 35 members).

A committee on Bills in the Third Reading;

383 (to consist of 3 members).

384 A committee of each Floor Division;

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

386 A committee on Ethics;

387 (to consist of 11 members).

388 A committee on Human Resources and Employee Engagement ;

389 (to consist of 13 members).

390 A committee on Post Audit and Oversight;

391 (to consist of 11 members).

392 A committee on Steering, Policy and Scheduling;

393 (to consist of 11 members).

394 A committee on Global Warming and Climate Change;

395 (to consist of 11 members).

396 A committee on Federal Stimulus and Census Oversight;

397 (to consist of 11 members).

398 A committee on Operations, Facilities and Security;

399 (to consist of 11 members).

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

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

404 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly
405 requires otherwise, have the following meanings:

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

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

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

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

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

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

422 (b) All meetings, except executive conferences, of House standing and special committees,
423 shall be open to the public and any person shall be permitted to attend any meeting except as
424 otherwise provided pursuant to this rule or Rule 7A. Members of any House standing or special
425 committee shall be permitted to participate remotely by telephone, teleconference, or other
426 electronic means in all meetings, except executive conferences, of said committees. The public
427 may also be permitted to participate remotely in all such committee meetings, except for
428 executive conferences, by the same means made available by the committee. The chair of House
429 standing or special committee shall have the discretion to determine the appropriate means and
430 level of remote participation for all meetings, except executive conferences, of said committees.

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

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

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

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

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

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

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

(e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the bulletin board outside the Clerk's Office and in such other places as are designated in advance for such purpose by said Clerk, made available to all members electronically and made available to the public via the Internet at least forty-eight hours, including Saturdays, but not Sundays and legal holidays, prior to the time of such meeting and a list of the bills, petitions, and resolutions to be considered for a vote or other action by the committee. The notice shall include the date, time and place of such meeting. Such filing and posting shall be the responsibility of the committee scheduling such meeting. If public testimony is being solicited, agendas may include an electronic mail address and physical mail address for the submission of testimony and the committee shall make reasonable efforts to ensure diversity among those from whom testimony is solicited. The notice and posting requirements shall not apply to executive conferences held pursuant to clause (i) or clause (ii) of part (c) of this rule unless the member, officer or employee subject to the executive conference requests that the executive conference be open to the public.

(f) A committee shall maintain accurate records of its meetings and hearings setting forth the date, time and place thereof, and recording any action taken at each meeting, hearing, executive conference or executive session. All votes requested to be taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. The

record of each meeting shall become a public record and be available to the public; provided, however, that the records of any executive conference shall remain secret as long as publication may defeat the lawful purposes of the executive conference.

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

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

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

17B. Whenever any member of a House committee present at the committee meeting so requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of the full committee. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action; provided that votes may also be recorded in LAWS. The

506 record of all such roll calls shall be kept in the offices of the committee and shall the aggregate
507 tally of members voting in the affirmative, members voting in the negative, members not voting
508 or members reserving their rights on an individual bill shall be posted on the website of the
509 General Court within 48 hours of the vote for public inspection.

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

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

516 17C. There shall be a committee on Human Resources and Employee Engagement on the part
517 of the House consisting of thirteen members.

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

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

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

526 The committee on Human Resources and Employee Engagement may from time to time make
527 changes in the assignment of office space for committees and the various staffs in accordance
528 with the established standards.

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

532 For each person who is employed or is to be employed by a joint or standing committee on
533 the part of the House, each committee chair shall nominate each such person and the House
534 members of the committee by a majority vote shall vote on whether to approve each said
535 nominee. The House members of the committee shall approve such persons whose character and
536 qualifications are acceptable to the majority of the House members of the committee and are in
537 accordance with the qualifications established by the Human Resources and Employee
538 Engagement committee.

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

542 (1) engage in any work other than legislative business during business hours unless pursuant
543 to the pro-bono service policy or charitable and community service activity policy established by
544 the committee on Human Resources and Employee Engagement pursuant to Rule 90(h)(2); and

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

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

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

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

553 17D. [Omitted Jan. 26, 2005.]

554 17E. [Omitted Jan. 26, 2005.]

555 17F. [Omitted Jan. 26, 2005.]

556 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro
557 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader and two Second Assistant
558 Majority Floor Leaders. The Minority Leader shall appoint, and may recommend the removal of,
559 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and two Third
560 Assistant Minority Floor Leaders, Ranking minority member of Ways and Means, Assistant
561 Ranking minority member of the Ways and Means committee, Ranking minority member of the
562 committee on Rules, Ranking minority member of the committee on Financial Services, Ranking
563 minority member of the committee on Health Care Financing, Ranking minority member of the
564 committee on the Judiciary, Ranking minority member of the committee on Bonding, Capital
565 Expenditures, and State Assets, Ranking minority member of the committee on Public Safety
566 and Homeland Security, Ranking minority member of the committee on Transportation and

567 Ranking minority member of the committee on Economic Development and Emerging
568 Technologies. The Minority Leader shall be that member of the minority party who is selected
569 for that position by the members of their party.

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

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

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

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

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

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

594 [Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23,
595 2007; Feb. 11, 2009; Jan 23, 2013; Jan. 29, 2015; Feb. 19, 2015.]

596 18A. There shall be 1 member of the minority party on all committees of conference and 1 on
597 the committee on Bills in the Third Reading. On all other standing and joint committees, the
598 percent of minority party membership shall be at least equal to the percent of minority party
599 membership in the House of Representatives as of the first day of the session; provided, further,
600 that where such percentage results in a fraction of a number, the fraction shall be rounded off to
601 the nearest whole; provided, however, that the minority party shall under no circumstances have
602 less than 4 members on the committee on Ethics, 4 on the committee on Human Resources and
603 Employee Engagement , 3 on the committee on Rules and 7 on the committee on Ways and
604 Means. In no case shall minority party representation be less than 2 members on all other
605 standing and joint committees.

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

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

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

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

622 18B. All votes on ratification by the caucus required by these rules shall be by written ballot
623 and shall require a majority of those present and voting; provided, however, that if a motion to
624 ratify the appointments by acclamation is made and seconded, no written ballot shall be required.
625 [Adopted Jan. 11, 1985.]

626 18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

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

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

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

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

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

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

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

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

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

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

658 20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation
659 Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by 5
660 o'clock P.M. within the close of 3 business days of said General Appropriation bill being made
661 available in a format to be determined by the Clerk and release of said document by said Clerk if
662 the release of said document occurs by 2 o'clock P.M. Otherwise, the day following the release
663 shall be considered the first business day. The Clerk, with the assistance of the committee on
664 Ways and Means, shall categorize the subject-matter of the amendments and arrange such
665 amendments for consideration sequentially by subject as appearing in the published version of
666 the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and
667 Means, shall categorize the subject-matter of the amendments and arrange such subject matters
668 for consideration as determined by the committee on Ways and Means. Debate on the General
669 Appropriation Bill shall not commence until a date and time to be determined by the House
670 which is subsequent to the designated time established for filing of amendments.

671 Before the main question on the General Appropriation Bill is placed before the House, an
672 amendment may be postponed or withdrawn at the request of the primary sponsor of the
673 amendment or postponed by the committee on Ways and Means; provided, that further
674 consideration of any amendment so postponed shall take place immediately subsequent to
675 consideration of the amendments within the particular subject-matter to which the postponed

676 amendment was assigned according to the provisions of paragraph one of said rule; provided,
677 that if more than one amendment is so postponed, subsequent consideration of said amendments
678 shall be in the order determined by the committee on Ways and Means; provided further, an
679 amendment so postponed shall not be subsequently considered outside of its assigned subject-
680 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
681 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
682 said Clerk and shall include an original copy only; and provided further, that perfecting or
683 substitute amendments, including, but not limited to an amendment consolidating more than one
684 amendment, may be submitted by the committee on Ways and Means during consideration of the
685 subject category to which the amendment or amendments were assigned; provided, however, that
686 an amendment may be removed from the consolidated amendment at the request of the sponsor
687 of said amendment for the purpose of it being offered as a further amendment to the consolidated
688 amendment.

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

691 20B. When the General Appropriation Bill is reported by the committee on Ways and Means, it
692 shall be made available to all members electronically and to the public via the Internet in a
693 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways
694 and Means shall provide the membership with a copy of its proposed text of said General
695 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
696 a short summary of each outside section prior to full House consideration of such bill. When the
697 House considers said General Appropriation Bill, it shall be read a second time and forthwith

698 ordered to a third reading without any amendments. The bill shall be immediately read a third
699 time and then be open to amendments as previously determined by the House.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

791 (iv) a resolution recognizing, honoring, commending, celebrating or commemorating a class
792 reunion;

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

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

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

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

798 (3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A,
799 7B, or 9 shall be referred by the Clerk to the committee on Rules. Petitions and other papers so
800 filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to
801 the procedure required by said rule, be referred by the Clerk to the committee on Rules. The

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

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

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

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

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

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

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

830 [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29,
831 2015.]

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

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

844 [Amended Feb. 11, 2009.]

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

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

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

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

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

(3) Matters discharged under the provisions of this rule shall be placed in the Orders of the Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered

867 as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall
868 be placed in the Orders of the Day for the next sitting.

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

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

874 (6) As an alternative procedure to that provided under the provisions of this rule, the members
875 of the House may, by filing a petition signed by a majority of the members elected to the House,
876 discharge the House committee on Ways and Means, the House committee on Bills in the Third
877 Reading, and the House committee on Rules from further consideration of a legislative matter.
878 Seven days following the filing of the petition with the House Clerk, the committee shall be
879 discharged from further consideration of the legislative matter specified in the petition and the
880 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the
881 House is meeting.

882 (7) For the purpose of this rule, matters not appearing on the Calendar which are not before
883 any committee shall be deemed to be before the Rules committee. Notwithstanding the previous
884 sentence, a bill which has been engrossed by the House and Senate shall be placed before the
885 House for enactment. Any member may request to the House that a matter engrossed in the
886 House and Senate, returned for final passage by the engrossing division, and reviewed and
887 released by the Committee on Bills in Third Reading be placed before the House for enactment.

888 The Speaker shall, in response to such a request of a member, put the matter before the House at
889 the conclusion of the matter then pending.

890 (8) This rule shall not be suspended unless by unanimous consent of the members present.
891 (27C, 32A.)

892 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,
893 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

894 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later
895 than 45 days following the day the matter was referred to it. The Clerk shall indicate on the
896 Calendar entry of every matter before the Committee on Bills in the Third Reading the date that
897 said matter was referred to said committee.

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

899 REGULAR COURSE OF PROCEEDINGS.

900 Petitions.

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

903 [Amended Jan. 11, 1985.]

904 Motions Contemplating Legislation, etc.

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

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

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

915 [Amended Jan. 24, 2001.]

916 Bills and Resolves.

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

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

923 32. If a committee to which a bill is referred reports that the same ought not to pass, the
924 question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if
925 it has been read but once, shall be placed in the Orders of the Day for the next sitting for a
926 second reading without question; otherwise it shall be placed in the Orders of the Day for the

927 next sitting, pending the question on ordering to a third reading, or to engrossment, as the case
928 may be. [43.] (30.)

929 32A. [Omitted Jan. 26, 2005.]

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

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

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

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

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

948 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in
949 consultation with the Clerk, to all members of the House and the public at least 24 hours in
950 advance of consideration by the House; provided further that, to the extent practicable, a
951 summary of any bill containing meaningful policy changes to be considered by the House in a
952 formal session shall be made available by the chair of the committee reporting the bill, to all
953 members of the House prior to the commencement of roll calls for the formal session in which
954 the bill will be considered. ;

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

961 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,
962 1995]; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

963 33B. [Omitted Jan. 26, 2005.]

964 33C. [Omitted Jan. 26, 2005.]

965 33D. [Omitted Jan. 26, 2005.]

966 33E. No consolidated amendment offered by the committee on Ways and Means shall be
967 considered by the House until the expiration of at least 30 minutes after the consolidated

968 amendment shall have been first filed with the Clerk and made available to the members. This
969 rule shall not be suspended unless by unanimous consent of the members present.

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

971 33F. No consolidated amendment shall be adopted except by a roll call vote.

972 [Added February 2, 2017.]

973 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.
974 [45.] (26.)

975 [Amended Jan. 26, 1999.]

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

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

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

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

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

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

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

[Amended Jan. 11, 1985.]

40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion to strike out the enacting clause of a bill shall be received when the bill is before the House for enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be received before the adoption of the emergency preamble and, if suspended, the amendment may contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the Governor with a recommendation of amendment in accordance with the provisions of Article LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills proposed by the Senate and sent to the House for concurrence, which amendments shall be subject to the provisions of Rule 35, provided, however, that an affirmative vote on a motion to suspend this rule shall be required in order to offer an amendment to such an engrossed bill when the question before the House is on adoption of an emergency preamble, re-enactment or enactment, as the case may be. [53.] (49.)

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

41. Bills received from the Senate and bills reported favorably by committees, when not referred to another standing committee of the House, shall, prior to being placed in the Orders of

1010 the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received
1011 from and adopted by the Senate, or reported in the House by committees, shall, if proposed for
1012 joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

1013 [Amended Jan. 14, 1997; Jan. 26, 1999.]

1014 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
1015 adoption, after they are received from the Senate, or made in the House, as the case may be,
1016 shall, unless subject to the provisions of any other House or joint rules, be referred to the
1017 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
1018 be discharged from further consideration of a subject, and recommending that it be referred or
1019 recommitted to another committee, or a report of a committee recommending that a matter be
1020 placed on file, shall be immediately considered. Reports of committees on proposals for
1021 amendments to the Constitution shall be dealt with in accordance with the provisions of Joint
1022 Rule 23. [57.] (36.)

1023 [Amended Jan. 14, 1997; Jan. 29, 2015.]

1024 42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available
1025 by electronic communication or other means, a list of all reports of the committee on Steering,
1026 Policy and Scheduling, asking to be discharged from further consideration of subjects, and
1027 recommending that the subjects be referred to other committees.

1028 [Adopted Jan. 26, 2005; Amended Jan. 29, 2015.]

1029 43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day
1030 for such reading. [58.] (32.)

1031 Special Rules Affecting the Course of Proceedings.

1032 44. The Speaker may designate when an informal session of the House shall be held provided
1033 said Speaker gives notice of such informal session at a prior session of the House. The Speaker
1034 may, in cases of emergency, cancel a session or declare any session of the House to be an
1035 informal session. At an informal session the House shall only consider reports of committees,
1036 papers from the Senate, bills for enactment or resolves for final passage, bills containing
1037 emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at
1038 such informal session shall be placed in the Orders of the Day for the succeeding day, and no
1039 new business shall be entertained, except by unanimous consent.

1040 Formal debate, or the taking of the sense of the House by yeas and nays shall not be
1041 conducted during such informal session.

1042 Upon the receipt of a petition signed by at least a majority of the members elected to the
1043 House, so requesting, the Speaker shall, when the House is meeting in informal session under the
1044 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
1045 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the
1046 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
1047 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the
1048 members present. [59.] (5A.)

1049 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,
1050 2003; Feb. 11, 2009.]

1051 45. After entering upon the consideration of the Orders of the Day, the House shall proceed
1052 with them in regular course as follows: Matters not giving rise to a motion or debate shall first be

1053 disposed of in the order in which they stand in the Calendar; after which the matters that were
1054 passed over shall be considered in like order and disposed. The provisions of this paragraph shall
1055 not be suspended unless by unanimous consent of the members present.

1056 Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the
1057 committee on Ways and Means and the committee on Bills in the Third Reading may present
1058 matters for consideration of the House after approval of two-thirds of the members present and
1059 voting, without debate. [59.] (37.) [See Rule 47.]

1060 [Amended Jan. 12, 1981; Jan. 12, 1983; Feb. 11, 2009.]

1061 46. When the House does not finish the consideration of the Orders of the Day, those which
1062 had not been acted upon shall be the Orders of the Day for the next and each succeeding day
1063 until disposed of, and shall be entered in the Calendar, without change in their order, to precede
1064 matters added under Rule 7A; provided, however, that all other matters shall be listed in
1065 numerical order by Calendar item.

1066 The unfinished business in which the House was engaged at the time of adjournment shall
1067 have the preference in the Orders of the Day for the next day. [60.] (35.)

1068 [Amended Jan. 12, 1987; Jan. 26, 1999.]

1069 47. No matter which has been duly placed in the Orders of the Day shall be discharged
1070 therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

1071 Voting.

1072 48. Members desiring to be excused from voting shall make application to that effect before
1073 the division of the House or the taking of the yeas and nays is begun. Such application may be

1074 accompanied by a brief statement of reasons by the member. The Clerk shall, prior to the first
1075 roll call of the sitting, announce the name of any member who has informed him/her to not call
1076 their name or lock their voting station. The Clerk shall also announce prior to any subsequent
1077 roll call of the sitting the name of any member who had informed their to not call their name or
1078 lock their voting station since the taking of the immediately preceding roll call.

1079 A member absent from the House for a formal session period of a day or longer shall notify the
1080 Clerk in writing of the intended absence. A member absent during a formal session for an
1081 extended period or for the remainder of the session shall notify the Clerk in person. The Clerk
1082 shall provide a written notice to any such absent member.

1083 The Clerk shall disable the voting station of any such member notifying the Clerk of an absence
1084 pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to
1085 answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk
1086 shall reactivate the voting station upon receiving notification of the member's return to the House
1087 Chamber. ([64.] (57.)

1088 [Amended Feb. 11, 2009.]

1089 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea
1090 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their
1091 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a
1092 person who has been elected Speaker pro tempore, may designate some member or a court
1093 officer to cast a vote for him/her on any vote taken on the electronic voting system while such
1094 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro

1095 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker
1096 shall state the pending question before opening the system for voting.

1097 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber,
1098 but who is unable to vote due to a malfunction of their voting station or inability to open their
1099 voting station.

1100 Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented
1101 from voting personally using the electronic voting system because of physical disability, said
1102 member shall, if present in the State House, be excused from so voting and the Speaker shall
1103 assign a court officer to cast said member's vote so long as said physical disability continues;
1104 provided that the Speaker shall announce the action of the Chair to the membership prior to
1105 assigning a court officer to cast the member's vote and provided further that the Speaker shall
1106 announce the action to the membership the first time a vote is cast for that member on each
1107 successive day. [65.]

1108 [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011; Feb. 11,
1109 2009.]

1110 50. When a question is put, the sense of the House shall be taken by the voices of the
1111 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
1112 If the Speaker is unable to decide by the sound of the voices, or if the announcement made
1113 thereupon is doubted by a member rising in their place for that purpose, the Speaker shall order a
1114 division of the number voting in the affirmative and in the negative, without further debate upon
1115 the question. [66.] (55.)

1116 [Amended Jan. 11, 1985; Feb. 11, 2009.]

1117 51. When a return by division of the members voting in the affirmative and in the negative is
1118 ordered, the members for or against the question, when called on by the Speaker, shall rise in
1119 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a
1120 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall
1121 stand. [67.]

1122 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent
1123 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,
1124 state the pending question and, after opening the electronic voting system, instruct the members
1125 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall
1126 close said system and cause totals to be displayed and a record made of how each member
1127 present voted; provided, that if at any time during said voting period any standing, joint or
1128 conference committee is meeting in public or executive sessions, the Speaker shall leave the
1129 electronic voting machine open for not less than 5 minutes.

1130 Any member desiring to be recorded as being "present" when a yea and nay vote is taken on
1131 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and
1132 before the vote is announced.

1133 In the event the electronic voting system is not in operating order, the roll of the House shall
1134 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to
1135 answer "present" who was not on the floor before the vote is declared; provided, however, that a
1136 member, who was in the State House on a previous roll call, may be recorded by reporting to the
1137 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is
1138 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the

1139 member who is speaking on the floor; provided, however, that such request may be announced to
1140 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond
1141 said five minute period. Once the voting has begun it shall not be interrupted except for the
1142 purpose of questioning the validity of a member's vote before the result is announced. Except as
1143 heretofore provided, any member who shall vote or attempt to vote for another member or any
1144 person not a member who votes or attempts to vote for a member, or any member or other person
1145 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting
1146 equipment used by the House, or change the records thereon shall be punished in such manner as
1147 the House determines; and provided further, that such a violation shall be reported to the Ethics
1148 Committee. [68.] (56, 57.)

1149 Upon completion of the tally by the Clerk and the announcement of the vote by the Speaker, the
1150 results of all roll calls conducted shall be conspicuously posted on the General Court website.

1151 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,
1152 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011.]

1153 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been
1154 ordered before the question is put, the proceedings under Rules 50 and 51 relative to verification
1155 of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they
1156 may be called for in lieu of a return by divisions when the Speaker's announcement is doubted by
1157 a member rising in their place, and, if then ordered, the proceedings under Rules 50 and 51 shall
1158 be omitted. [69.] (52.)

1159 [Amended Jan. 26, 1999.]

1160 Reconsideration.

1161 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on
1162 which the vote was taken, or before the Orders of the Day have been taken up on the next day
1163 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion
1164 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the
1165 succeeding day, the motion shall be considered forthwith except that if said motion is moved on
1166 a day on which an informal session has been designated, it shall be placed in the Orders of the
1167 Day for the succeeding day. If reconsideration is moved after July first of the second annual
1168 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
1169 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
1170 time when the main question to which it relates is under consideration; and provided, further,
1171 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
1172 remove the main subject under consideration from before the House, but shall be considered at
1173 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
1174 members present. [70.] (53.)

1175 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1176 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and
1177 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the
1178 following motions:

1179 to recess,

1180 to adjourn,

1181 on sustaining a ruling of the Chair,

1182 to close debate at a specified time,
1183 to postpone if voted in the negative,
1184 to discharge or direct a committee to report,
1185 to commit or recommit,
1186 for second or subsequent legislative days,
1187 for the previous question, or
1188 for suspension of rules.

1189 This rule shall not be suspended unless by unanimous consent of the members present. [71.]
1190 (53.)

1191 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1192 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall
1193 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or
1194 incidental question, debate shall be limited to ten minutes, and no member shall occupy more
1195 than three minutes.

1196 If the House has voted to close debate on any question, a motion to reconsider said question
1197 shall be decided without debate. [72.] (52.)

1198 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1199 RULES OF DEBATE.

1200 57. Every member, when about to speak, shall rise and respectfully address the Speaker and
1201 shall confine himself/herself to the question under debate. [73.] (39.)

1202 [Amended Jan. 11, 1985.]

1203 58. Every member while speaking shall avoid personalities; and shall sit down when finished.
1204 No member shall speak out of their place without leave of the Speaker. [73.] (39.)

1205 When two or more members rise at the same time, the Speaker shall name the member
1206 entitled to the floor, preferring one who rises in their place to one who does not. [74.] (40.)

1207 [Amended Jan. 11, 1985.]

1208 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly
1209 procedure of the House, the Speaker, after warning the member of such violations, shall call the
1210 member to order, and order that member to take their seat. A member so called to order shall lose
1211 the right to speak on the pending subject-matter but shall not be debarred from voting. A member
1212 so called to order shall remain seated until the House begins consideration of another subject-
1213 matter or unless the Speaker earlier returns to the member their rights to the floor.

1214 If a member so called to order refuses to immediately take their seat, the Speaker shall
1215 immediately name that member, who shall be escorted from the Chamber under escort of the
1216 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1217 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1218 its recommendations, which report shall be read and accepted.

1219 Having been named, a member shall not be allowed to resume their seat until said member
1220 has complied with the recommendations of the committee as accepted by the House.

1221 If, after a member is seated or named, the action of the Speaker is appealed, the House shall
1222 decide the case by a majority vote of the members present and voting, but if there is no
1223 immediate appeal, the decision of the Speaker shall be conclusive.

1224 [Amended Jan. 12, 1981; Jan. 11, 1985; Feb. 11, 2009.]

1225 60. No member shall interrupt another while speaking except by rising to a point of order, to a
1226 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking
1227 to yield.

1228 Members may rise to explain matters personal to them by leave of the presiding officer, but
1229 shall not discuss pending questions in such explanations.

1230 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and
1231 conduct of the member in their representative capacities.

1232 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by
1233 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1234 [Amended Jan. 12, 1981; Feb. 11, 2009.]

1235 61. No member shall speak more than once to the prevention of those who have not spoken
1236 and desire to speak on the same question.

1237 This prohibition shall not apply to those members designated by the committee or committees
1238 reporting the bill.

1239 No member shall occupy more than thirty minutes at a time while speaking on any question
1240 where debate is unlimited.

1241 Unless the operation of another rule provides to the contrary (such as previous question,
1242 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any
1243 question when no other member who has not spoken is seeking recognition by the Chair. [76.]
1244 (41.)

1245 Motions.

1246 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1247 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may
1248 be withdrawn by the mover if no objection is made. [78.] (44.)

1249 [Amended Jan. 12, 1981.]

1250 Limit of Debate.

1251 64. A motion to recess or adjourn shall always be first in order, and shall be decided without
1252 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to
1253 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member
1254 shall speak more than three minutes. On the motion to discharge any committee, or on a motion
1255 directing any committee to report matters before it, not exceeding fifteen minutes shall be
1256 allowed for debate, and no member shall speak more than three minutes.

1257 If the main motion is undebatable, any subsidiary or incidental motion made relating to it
1258 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1259 [Amended Jan. 12, 1981.]

1260 64A. Debate on the question on adoption of orders for second and subsequent legislative days
1261 shall be limited to ten minutes, and no member shall speak more than three minutes. After
1262 entering into a second or subsequent legislative day, the House shall immediately proceed to
1263 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of
1264 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1265 [Adopted Jan. 12, 1983.]

1266 65. When a question is before the House, until it is disposed of, the Speaker shall receive no
1267 motion that does not relate to the same, except the motion to recess or adjourn or some other
1268 motion that has precedence either by express rule of the House, or because it is privileged in its
1269 nature; and the Speaker shall receive no motion relating to the same, except,—

1270 for the previous question,

1271 to close debate at a specified time,

1272 to postpone to a time certain,

1273 to commit (or recommit),

1274 to amend, See Rules 66, 67 and 68

1275 See Rules 64, 69 and 70

1276 See Rules 64 and 70

1277 See Rules 64 and 71

1278 See Rules 72, 73, 74 and 75

1279 — which several motions shall have precedence in the order in which they are arranged in
1280 this rule. [80.] (46.)

1281 [Amended Jan. 11, 1985.]

1282 Previous Question.

1283 66. Any member may call for the previous question on the main question.

1284 The previous question shall be put in the following form: "Shall the main question be now
1285 put?" and all debate on the main question shall be suspended until the previous question is
1286 decided.

1287 The adoption of the previous question shall require the affirmative vote of two-thirds of the
1288 members present and voting and shall put an end to all debate, and bring the House to direct vote
1289 upon pending amendments, if any, in their regular order, and then upon the main question.

1290 A motion to reconsider the vote on any of the pending amendments shall be decided without
1291 debate. [81.]

1292 [Amended Jan. 12, 1981.]

1293 67. Any member may call for the previous question on any pending amendment.

1294 The previous question shall be put in the following form: "Shall the question on adoption of
1295 the amendment be now put?" and all debate shall be suspended until the previous question is
1296 decided.

1297 The adoption of the previous question on a pending amendment shall require the affirmative
1298 vote of two-thirds of the members present and voting and shall put an end to all debate and bring
1299 the House to a direct vote upon the pending amendment.

1300 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1301 [Amended Jan. 12, 1981.]

1302 68. The previous question shall be decided without debate.

1303 Motion to Close Debate at a Specified Time.

1304 69. Debate may be closed at any time not less than thirty minutes from the adoption of a
1305 motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1306 members present. [85.] (47.)

1307 Motion to Postpone to a Time Certain.

1308 70. When a motion is made to postpone to a time certain, and different times are proposed,
1309 the question shall first be taken on the most remote time; and the time shall be determined before
1310 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1311 Motion to Commit.

1312 71. When a motion is made to commit, and different committees are proposed, the question
1313 shall be taken in the following order:

1314 a standing committee of the House,

1315 a select committee of the House,

1316 a joint standing committee,

1317 a joint selected committee;

1318 and a subject may be recommitted to the same committee or to another committee at the

1319 pleasure of the House. [88.] (48.)

1320 Motion to Amend.

1321 72. A motion to amend an amendment may be received; but no amendment in the third degree

1322 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members

1323 present. [89.]

1324 [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.)

1328 [Amended Jan. 12, 1987.]

1329 73A. No motion to amend a report from the committee on Ways and Means or a report from

1330 the committee on Bills in the Third Reading, when such an amendment contains an expenditure

1331 of public money or an increase or decrease in taxes, shall be considered unless a brief

1332 explanation of the amendment is stated.

1333 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1334 74. A question containing two or more propositions capable of division shall be divided

1335 whenever desired by any member, if the question includes points so distinct and separate that,

1336 one of them being taken away, the other will stand as a complete proposition. The motion to
1337 strike out and insert shall be considered as one proposition and therefore indivisible. The
1338 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or
1339 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1340 suspended unless by unanimous consent of the members present. [91.] (45.)

1341 [Amended Jan. 12, 1983.]

1342 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule
1343 70.]

1344 Declaration of Recess.

1345 76. The Speaker may declare a recess of 15 minutes duration, or less.

1346 [Amended Jan. 9, 1991; Jan. 29, 2015.]

1347 Appeal.

1348 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and
1349 no other business shall be in order until the question on the appeal has been disposed of. Debate
1350 shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member
1351 shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1352 [Amended Jan. 9, 1989; Jan. 29, 2015.]

1353 Resolves.

1354 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall
1355 apply likewise to such resolves as require the concurrence of the Senate and approval by the
1356 Governor in order to become law and have force as such. [95.]

1357 Seats.

1358 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such
1359 persons as they may employ to assist said Clerk, and that on the left to the use of the chair and
1360 vice-chair of the committee on Bills in the Third Reading.

1361 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other
1362 than seats assigned under paragraph (1) of this rule, shall be their seat for the year and for such
1363 additional years as said member may elect so long as service in the House remains continuous.
1364 An exchange of seats may be made with the approval of the Speaker. [98.]

1365 [Amended Jan. 11, 1985; May 5, 1993.]

1366 Privilege of the Floor.

1367 80. The following persons shall be entitled to admission to the House of Representatives,
1368 during the session thereof, to stand in an area designated by the Speaker in the rear of the
1369 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1370 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary
1371 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,
1372 Attorney-General, Librarian and Assistant Librarian;

1373 (2) The members of the Senate;

1374 (3) Authorized employees of the House and persons in the exercise of an official duty directly
1375 connected with the business of the House; or

1376 (4) Contestants for seats in the House, whose papers are in the hands of a special committee
1377 of the House, may be admitted, while their cases are pending, to seats to be assigned by the
1378 Speaker

1379 No other person shall be admitted to the floor during the session, except upon the permission
1380 of the Speaker.

1381 No legislative agent or counsel may be admitted to the floor of the House Chamber during a
1382 session unless that part of the session is ceremonial in nature in which no other legislative
1383 business is conducted.

1384 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1385 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,
1386 61.)

1387 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1388 Representatives' Chamber and Adjoining Rooms.

1389 81. (a) Use of the Representatives' Chamber members' corridor or adjoining rooms shall be
1390 for official business or educational purposes only and shall be subject to the approval of the
1391 Speaker or the committee on Rules. The provisions of this paragraph shall not apply if the
1392 purpose of admittance is to attend a meeting in an adjoining room to which members of the
1393 general public are allowed to attend.

1394 (b) No legislative agent or counsel shall be admitted to the members' corridor or adjoining
1395 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except
1396 persons entitled to the privileges of the floor of the House unless upon written invitation of a
1397 member bearing the name of the member and the person the member invites. Upon entering, the
1398 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph
1399 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which
1400 members of the general public are allowed to attend.

1401 (c) No person shall be admitted to the north gallery of the House except upon a card of the
1402 Speaker.

1403 (d) Subject to the approval and direction of the committee on Rules during the session and of
1404 the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be
1405 under the control of the organization of legislative reporters known as the Massachusetts State
1406 House Press Association and the State House Broadcasters Association.

1407 (e) Every legislative reporter desiring admission to the reporters' galleries shall state in
1408 writing that they are not the agent or representative of any person or corporation interested in
1409 legislation before the General Court, and will not act as representative of any such person or
1410 corporation while retaining a place in the galleries; but nothing herein contained shall prevent
1411 such legislative reporter from engaging in other employment, provided such other employment is
1412 specifically approved by the committee on Rules and reported to the House.

1413 (f) All formal and informal sessions of the House of Representatives shall be open to both
1414 commercial and public radio and television, except designated times during such sessions, as
1415 determined by the House, reserved for the consideration of non-controversial business which

1416 does not give rise to debate. The manner and conditions of such broadcasts shall be established
1417 by the Speaker. Television, radio or web-broadcasts may be prohibited on any given day by the
1418 Speaker.

1419 All formal and informal sessions shall be broadcast live on House television and
1420 livestreamed on the General Court website. Audio or video recordings of prior formal and
1421 informal sessions for the current biennial session shall be made available to the public on the
1422 General Court website.

1423 The Speaker may arrange for a limited number of remote connections at a location
1424 outside of the Representatives' Chamber for commercial and public radio and television to obtain
1425 audio and visual feeds of formal sessions being recorded or streamed by the House. Video or
1426 audio obtained from such feed shall be used only for reporting purposes. Access to the
1427 connections provided shall be on a first-come-first serve basis; provided, however, that
1428 commercial and public radio and television acquiring access shall be required to share the audio
1429 or video feeds with other any other commercial and public radio and television station seeking
1430 access. The manner and conditions of access shall be established by the Speaker with the
1431 approval of the House. Access may be prohibited by the Speaker with the approval of the House.

1432 Clauses (a) through (e) of this rule shall not be suspended unless by unanimous consent of the
1433 members present. [100.] (59.)

1434 [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23,
1435 2007.]

1436 Quorum.

1437 82. Eighty-one members shall constitute a quorum for the organization of the House and the
1438 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1439 In the event that a quorum is not present, the presiding officer shall compel the attendance of
1440 a quorum. During the absence of a quorum, no other business may be transacted or motions
1441 entertained except a declaration of adjournment or a recess by the Speaker. [105.]

1442 [Amended Jan. 12, 1981; Jan. 14, 1997.]

1443 Debate on Motions for Suspension of Rules.

1444 83. The question of suspension of House Rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83
1445 shall be decided without debate. Debate upon the motion for the suspension of any other House
1446 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no
1447 member shall occupy more than three minutes. This rule shall not be suspended unless by
1448 unanimous consent of the members present. [102.] (52.)

1449 [Amended Jan. 12, 1981; Jan. 9, 1989.]

1450 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,
1451 altered or repealed unless two-thirds of the members present and voting consent thereto. This
1452 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1453 [Amended Jan. 12, 1981.]

1454 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive
1455 any requirement relative to the electronic availability and posting on the internet of any bills,
1456 resolves, summaries or other documents contained herein; provided, however, that if the clerk so
1457 waives any such requirement he shall make paper copies of the documents available to all

1458 members and the public within the limitation established for the electronic availability and
1459 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1460 [Adopted Feb. 11, 2009.]

1461 Reference to Committee on Rules.

1462 85. All motions or orders authorizing committees of the House to travel or to employ
1463 stenographers, all propositions involving special investigations by committees of the House, all
1464 resolutions presented for adoption by the House only, and all motions and orders except those
1465 which relate to the procedure of the House or are privileged in their nature or are authorized by
1466 Rule 65, shall be referred without debate to the committee on Rules, which shall report thereon,
1467 recommending what action should be taken. The committee shall not recommend suspension of
1468 Joint Rule 9, unless evidence satisfactory to the committee is produced that the petitioners have
1469 previously given notice, by public advertisement or otherwise, equivalent to that required by
1470 Chapter 3 of the General Laws. [104.] (13A.)

1471 [Amended Jan. 29, 2015.]

1472 85A. The House Business Manager, with the approval of the Counsel appointed pursuant to
1473 Rule 13B, shall provide that outside, independent audits of House financial accounts be
1474 conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with
1475 balance report from the comptroller of the Commonwealth. The audit shall be conducted in
1476 accordance with auditing standards generally accepted in the United States of America and the
1477 standards applicable to financial audits contained in Government Auditing Standards, issued by
1478 the Comptroller General of the United States. The House Business Manager shall provide the
1479 independent auditor with requested documents for such audit. A copy of such audit shall be filed

1480 with the Clerk of the House and said copies shall be made available to the members and the
1481 general public upon request. The procurement of an independent auditor pursuant to this rule
1482 shall not be subject to rule 87.

1483 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1484 Parliamentary Practice.

1485 86. The rules of parliamentary practice shall govern the House in all cases to which they are
1486 applicable, and in which they are not inconsistent with these rules or the joint rules of the two
1487 branches. (62.)

1488 Procurement.

1489 87. (a) All procurements for goods or services shall be completed by the House Business
1490 Manager.

1491 (b) All procurements for goods or services shall, to the extent practicable, be made pursuant to a
1492 statewide procurement contract established by the operational services division.

1493 (c) Upon certification by the House Business Manager that a necessary procurement cannot be
1494 made using a statewide procurement contract established by the operational services division, the
1495 House Business Manager may procure the required goods or services pursuant to the following:

1496 (i) for a procurement of a supply or service in an amount of less than \$10,000, the House
1497 Business Manager shall use sound business practices;

1498 (ii) for a procurement of a supply or service in an amount of \$10,000, but less than \$100,000,
1499 the House Business Manager shall seek written or oral quotations from no fewer than 3 persons

1500 customarily providing such supply or service. The House Business Manager shall record the
1501 names and addresses of all persons from whom quotations were sought, the names of the persons
1502 submitting quotations and the date and amount of each quotation. The House Business Manager
1503 shall award the contract to the responsible person whose quotation offers the needed quality of
1504 supply or service and which represents the best value for the House;

1505 (iii) for a procurement of a supply or service in an amount exceeding \$100,000, the House
1506 Business Manager shall seek proposals through a competitive bid process established by the
1507 Counsel appointed pursuant Rule 13B, referred to in this rule as “Counsel” ; provided, however,
1508 that the Counsel shall file the competitive bid process with the Clerk of the House no later than
1509 July 31st of the first year of the session.

1510 (d) Notwithstanding subsection (a) and (b), all procurements for legal consulting services and
1511 legal resources shall be handled exclusively by Counsel in compliance with the provisions of this
1512 rule..

1513 (e) The House Business Manager shall maintain a file on each contract not executed using a
1514 statewide procurement contract established by the operational services division and in excess of
1515 \$10,000 and shall include in such file a copy of all documents constituting the agreement for
1516 goods and services and all documents evidencing compliance with this rule. The House Business
1517 Manager shall make the file available for inspection within said office by members of the House
1518 for at least 3 years from the date of final payment under the contract; provided, however, that the
1519 Business Manager, in consultation with Counsel, shall redact from said file any information
1520 which (i) is legally privileged; (ii) is proprietary; (iii) is related to individual members or House
1521 personnel; or (iv) is otherwise protected by state or federal law.

1522 (f) Whenever the time required to comply with a requirement of this rule would endanger the
1523 health, safety or convenience of the members, staff or visitors to the House of Representatives,
1524 the House Business Manager may make an emergency procurement without satisfying the
1525 requirements of this rule; provided, however, that both the House Business Manager and Counsel
1526 certify in writing: (i) that an emergency exists and explain the nature thereof; (ii) that said
1527 emergency procurement is limited to only supplies or services necessary to meet the emergency;
1528 (iii) that said emergency procurement conforms to the requirements of this rule to the extent
1529 practicable under the circumstances; and (iv) shall include each contractor's name, the amount
1530 and the type of each contract, the supplies or services provided under each contract, and (vii) the
1531 basis for determining the need for an emergency procurement. Such certification shall be filed
1532 with the Clerk of the House prior to an emergency procurement. [Adopted Jan. 20, 2011,
1533 Amended Jan. 23, 2013; Jan. 29, 2015; Feb. 19, 2015.]

1534 Professional Standards and Conduct

1535 88. (a) As used in Rules 88 to 99, inclusive, the following terms shall, unless the context
1536 clearly requires otherwise, have the following meanings:-

1537 "Authorized party", a party authorized to receive a complaint of harassment or retaliation
1538 pursuant to Rule 93.

1539 "Counsel", Legal Counsel to the House appointed pursuant to Rule 13B.

1540 "Director", the Director of Human Resources appointed pursuant to Rule 90.

1541 "Discriminatory harassment", verbal or physical conduct that:

1542 (1) demeans, stereotypes, or shows hostility or aversion toward an individual or group because
1543 of the individual's race, color, religion, national origin, sex, ancestry, sexual orientation, age,
1544 disability status, genetic information, gender identity, active military personnel status,
1545 transgender status or membership in any other protected class and;

1546 (2) (i) has the purpose or effect of creating an intimidating, hostile, humiliating or offensive
1547 working environment;

1548 (ii) has the purpose or effect of unreasonably interfering with a member, officer, intern or
1549 employee's work performance or official duties; or

1550 (iii) otherwise adversely affects a member, officer, intern or employee's employment
1551 opportunities or ability to fulfill their official duties or conduct business before the House.

1552 "EEO Officer", the Equal Employment Opportunity Officer appointed pursuant to Rule 89.

1553 "Harassment", discriminatory harassment or sexual harassment engaged in by a member, officer,
1554 intern or employee of the House or by a third party.

1555 "Sexual harassment", sexual advances, requests for sexual favors and verbal or physical conduct
1556 of a sexual nature when:

1557 (1) submission to or rejection of such advances, requests or conduct is made either explicitly or
1558 implicitly a term or condition of employment or as a basis for employment decisions, or as a
1559 term, condition or basis for the support of certain policy objectives, political aspirations or
1560 business before the House; or

1561 (2) such advances, requests or conduct have the purpose or effect of unreasonably interfering
1562 with a member, officer, intern or employee's work performance or official duties by creating an
1563 intimidating, hostile, humiliating or sexually offensive work environment.

1564 Under this definition, direct or implied requests for sexual favors in exchange for actual or
1565 promised (i) employment benefits such as favorable reviews, salary increases, promotions,
1566 increased benefits or continued employment or (ii) support for certain policy objectives, political
1567 aspirations or business before the House, shall constitute sexual harassment.

1568 The definition of sexual harassment is broad and may include other sexually oriented conduct,
1569 whether or not it is intended to violate this Rule, that is unwelcome and has the effect of creating
1570 a workplace environment that is hostile, offensive, intimidating or humiliating to a member,
1571 officer, intern or employee of the same or different gender, or those who do not identify as
1572 gender binary.

1573 "Supervisor", a member, officer or employee having direct authority or oversight over one or
1574 more employees.

1575 "Third party", any person visiting the House of Representatives, or conducting official business
1576 or work with any member, officer or employee of the House.

1577 (b) The House is committed to providing fair and equal opportunity for employment and
1578 advancement to all employees and applicants.

1579 It is our policy and practice to assign, promote and compensate employees on the basis of
1580 qualifications, merit, and competence. Employment practices shall not be influenced nor
1581 affected by virtue of an applicant's or employee's race, color, religion, national origin, sex,

1582 ancestry, sexual orientation, age, disability status, genetic information, gender identity, active
1583 military personnel status, transgender status or membership in any other protected class.

1584 This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, promotion,
1585 transfer, discharge and all other terms and conditions of employment.

1586 Without limiting the applicability of the foregoing, the House is committed to creating and
1587 maintaining a work environment in which all members, officers, interns and employees of the
1588 House, and all third parties, are treated with respect and free from any form of harassment,
1589 including harassment based on an individual's membership in any protected class. To that end,
1590 the House will not tolerate harassment of any kind by any member, officer, intern, employee or
1591 third party in the workplace or otherwise in connection with the official duties or employment
1592 responsibilities of a member, officer, third party, intern or employee. Any individual who
1593 believes that they may have been the object of harassment, or any individual who witnesses
1594 something they think may be harassment, is strongly encouraged to report that information to an
1595 authorized party.

1596 The House shall promote the safety and respectful treatment of all members, officers, interns and
1597 employees of the House, and all third parties, by establishing uniform procedures for making and
1598 receiving complaints of harassment and initiating, conducting and concluding investigations into
1599 complaints of harassment.

1600 A violation of this policy will subject the member, officer, employee or intern to discipline
1601 pursuant to Rule 95 and Rule 96.

1602 (c) (1) Discriminatory harassment may include, but is not limited to, the following conduct:

1603 (i) epithets, slurs, insults or negative stereotyping related to the protected classes;

1604 (ii) acts or jokes that are hostile or demeaning with regard to the protected classes;

1605 (iii) threatening, intimidating or hostile acts that relate to the protected classes;

1606 (iv) displays of written or graphic material that demean, ridicule or show hostility toward an

1607 individual or group because of membership in a protected class, including material circulated or

1608 displayed in the workplace, including District Offices, such as on an employee's desk or

1609 workspace, or on House equipment or bulletin boards, including but not limited to House-issued

1610 computers, laptops and personal device assistants;

1611 (v) verbal or non-verbal innuendo, and micro-aggressions; and

1612 (vi) other conduct that falls within the definition of discriminatory harassment set forth above.

1613 (2) Sexual harassment includes, but is not limited to, the following conduct:

1614 (i) gender-based bullying, including bullying based on transgender or non-gender binary status;

1615 (ii) attempts to coerce an unwilling person into a sexual relationship;

1616 (iii) repeatedly subjecting a person to unwelcome sexual or romantic attention;

1617 (iv) punishing a person's refusal to comply with a request for sexual conduct; and

1618 (v) conditioning a benefit on submitting to sexual advances.

1619 (3) Conduct that, if unwelcome, and depending upon the totality of the circumstances, including

1620 the severity of the conduct and its pervasiveness, may constitute sexual harassment includes, but

1621 is not limited to, the following:

- 1622 (i) unwelcome sexual advances, flirtations or propositions, whether they involve physical
1623 touching or not;
- 1624 (ii) sexual "kidding," epithets, jokes, written or oral references to sexual conduct;
- 1625 (iii) gossip regarding one's sex life;
- 1626 (iv) comment on a person's body or an individual's sexual activity, deficiencies, or prowess;
- 1627 (v) displaying sexually suggestive objects, pictures, posters or cartoons;
- 1628 (vi) unwelcome leering or staring at a person;
- 1629 (vii) sexual gestures and suggestive or insulting sounds, such as whistling or comments with
1630 sexual content or meaning;
- 1631 (viii) uninvited physical contact, such as touching, hugging, purposely brushing against the body,
1632 patting or pinching;
- 1633 (ix) indecent exposure;
- 1634 (x) inquiries into one's sexual experiences;
- 1635 (xi) discussion of one's sexual activities;
- 1636 (xii) sexual emails; and
- 1637 (xiii) sexting, or sexual messages or images posted on social media, for example, texts, instant
1638 messages, Facebook posts, tweets, Snapchat, Instagram or blog entries.
- 1639 (d) No member, officer or employee of the House shall retaliate, including against a member,
1640 officer, intern, or employee of the House who has complained about harassment or participated

1641 in an investigation into an allegation of harassment or retaliation. Any person who believes that
1642 they may have been the subject of retaliation for having complained of harassment or retaliation,
1643 or for having participated in an investigation related to an allegation of harassment or retaliation,
1644 is strongly encouraged to report that information to an authorized party. [Adopted Mar. 15,
1645 2018.]

1646 89. (a) The House shall employ a full-time Equal Employment Opportunity Officer. The
1647 committee on Rules shall appoint a qualified person with expertise in harassment prevention,
1648 conduct of investigations, and identifying barriers to equal employment opportunity to act as the
1649 EEO Officer at such compensation as the committee on Rules shall approve.

1650 The EEO Officer shall serve a term of two years from the date of appointment, unless the EEO
1651 Officer sooner resigns, retires or is removed; provided, however, that the EEO Officer may only
1652 be removed: (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of
1653 Counsel and the Director, and approved by a majority vote of the committee on Rules; or (ii) by
1654 a majority roll call vote of the House.

1655 The EEO Officer may employ such assistants as may be necessary in the discharge of the EEO
1656 Officer's duties, subject to the approval of the committee on Rules, and may expend with like
1657 approval such sums as may be necessary for the discharge of their duties.

1658 (b) The EEO Officer shall receive, review and investigate all complaints alleging a violation of
1659 Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy, including,
1660 but not limited to complaints alleging harassment or retaliation. Complaints shall be received,
1661 reviewed and investigated pursuant to Rules 93 to 96, inclusive.

1662 The EEO Officer shall develop and implement written policies and procedures for receiving,
1663 investigating, resolving and maintaining records of complaints against members, officers, interns
1664 or employees of the House, or against third parties, made in accordance with Rules 93 to 98,
1665 inclusive.

1666 (c) (1) The EEO Officer, in conjunction with the committee on Human Resources and Employee
1667 Engagement and the Director, shall provide for training of members. . Training shall include,
1668 without limitation, instruction on: (i) House equal employment policies, including the complaint
1669 and investigation process; (ii) workplace harassment specifically, including techniques for
1670 bystander intervention and other best practices; (iii) prohibition on retaliation; (iv) best
1671 management practices; (v) professionalism and respect; and (vi) practices for monitoring the
1672 workplace for issues and identifying risk factors. Each member shall make a signed, written
1673 acknowledgement of the member's completion of the training, which shall be retained by the
1674 EEO Officer.

1675 (2) The EEO Officer, in conjunction with the committee on Human Resources and Employee
1676 Engagement and the Director, shall provide for annual training for all appointed officers and
1677 employees. . Training shall include, without limitation, instruction on (i) House equal
1678 employment policies, including the complaint and investigation process; (ii) workplace
1679 harassment specifically, including techniques for bystander intervention and other best practices;
1680 (iii) prohibition on retaliation; and (iv) professionalism and respect.

1681 Separate trainings shall be held for those appointed officers and employees who are supervisors
1682 and those appointed officers and employees who are not supervisors. The content of the training

1683 shall be tailored appropriately to the recipients. Supervisors shall be specifically trained on best
1684 management practices.

1685 Each appointed officer and employee shall make a signed, written acknowledgement of their
1686 completion of the training, which shall be retained by the EEO Officer, who shall provide a copy
1687 to the Director to be maintained in their personnel file.

1688 (3) The EEO Officer shall provide for appropriate additional training to members, officers or
1689 employees at any time that the EEO Officer deems necessary or appropriate, including upon the
1690 request of a member, officer or employee.

1691 (4) The EEO Officer, in conjunction with the Director, shall provide for training for interns
1692 during the intern orientation process. The training shall include without limitation, instruction
1693 on: (i) House equal employment policies, including the complaint and investigation process; (ii)
1694 workplace harassment specifically, including techniques for bystander intervention and other
1695 best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect. Each intern
1696 shall make a signed, written acknowledgement of the intern's completion of the training, which
1697 shall be retained by the EEO Officer, who shall provide a copy to the Director to be maintained
1698 in the Director's records.

1699 (d) The EEO Officer shall develop practices and procedures for auditing House offices, including
1700 random audits, to ensure the maintenance of best practices. Audits may include interviews and
1701 in-office observation. All members, officers, interns and employees shall comply with a request
1702 from the EEO Officer to conduct an audit. [Adopted Mar. 15, 2018.]

1703 90. (a) The House shall employ a full-time Director of Human Resources. The committee on
1704 Rules shall appoint a qualified person to act as the Director at such compensation as the
1705 committee on Rules shall approve.

1706 The Director shall serve a term of two years from the date of appointment, unless the Director
1707 sooner resigns, retires or is removed; provided, however, that the Director may only be removed:
1708 (i) for misfeasance, malfeasance or nonfeasance, as determined by agreement of the EEO Officer
1709 and Counsel and approved by a majority vote of the committee on Rules; or (ii) by a majority
1710 roll call vote of the House.

1711 (b) The Director may employ such assistants as may be necessary in the discharge of the
1712 Director's duties, subject to the approval of the committee on Rules, and may expend with like
1713 approval such sums as may be necessary for the discharge of their duties.

1714 (c) The Director shall develop and oversee standardized practices and procedures, which shall
1715 apply to all applications for employment. The practices and procedures shall include, but shall
1716 not be limited to: (i) a standard application for employment; (ii) mandatory background and
1717 reference checks, the results of which shall be reported by the Director to the applicant's
1718 prospective appointing authority; and (iii) a standard offer letter for each position within the
1719 House.

1720 (d) The Director shall develop and oversee standardized practices and procedures, which shall
1721 apply to all employees and appointed officers of the House. These practices and procedures shall
1722 include or address, without limitation: (i) regular meetings between the Director, the EEO
1723 Officer and employees who are supervisors, including an initial meeting within 14 days of the
1724 employee assuming such a role; (ii) guidelines for conducting employee performance reviews;

1725 (iii) a program of progressive discipline; and (iv) separations from employment including exit
1726 interviews for terminated employees.

1727 (e) The Director shall develop employee classifications, which shall include written job
1728 descriptions, salary ranges and schedules. The classifications shall be published in the employee
1729 and supervisor handbooks. The Director may develop a seniority system on which employee
1730 salaries may be based. A seniority system shall be published in the employee handbook.

1731 (f) The Director shall develop practices and procedures for receiving, investigating and
1732 resolving personnel complaints unrelated to Rule 88, the House Anti-Harassment Policy, or the
1733 House Equal Employment Policy.

1734 (g) The Director shall annually publish: (i) an Employee Handbook; and (ii) an Intern
1735 Handbook. Each handbook shall be developed with the advice and approval of the EEO Officer
1736 and Counsel, and shall be submitted to the committee on Human Resources and Employee
1737 Engagement for review and approval at least 14 days prior to publication.

1738 The handbooks shall be available as follows:

1739 (i) the Director shall post both handbooks on the human resources web portal;

1740 (ii) the Director shall email an electronic copy of the Employee Handbook to each employee
1741 within 10 days of its publication and require that each employee sign a written acknowledgement
1742 of receipt and return such acknowledgement to the Director within 5 days;

1743 (iii) the Director shall email an electronic copy of the Employee Handbook to each new
1744 employee within 5 days of the employee's start date and require that the employee sign a written
1745 acknowledgement of receipt and return such acknowledgement to the Director within 5 days;

1746 (iv) the committee on Human Resources and Employee Engagement shall provide an Intern
1747 Handbook to each intern on the first day of their internship. Upon receipt of the Intern
1748 Handbook the intern shall sign a written acknowledgement of receipt that day, which shall be
1749 maintained by the committee, with a copy sent to the Director;

1750 (vi) hard copies of each handbook shall be available in the offices of the Director, the EEO
1751 Officer, Counsel and the Clerk;

1752 (vi) the Director shall cause electronic copies of each handbook to be downloaded onto the
1753 desktop of each House computer; and

1754 (vii) in formats accessible to all members, officers and employees.

1755 (h) (1) The Committee on Human Resources and Employee Engagement , in consultation with
1756 the Director, shall develop policies to address individuals who provide services to the House in a
1757 volunteer capacity or otherwise without receiving compensation

1758 (2) The Committee on Human Resources and Employee Engagement , in consultation with the
1759 Director and subject to the approval of Counsel, shall develop policies pro-bono service and
1760 charitable and community service activities by members, officers and employees of the House.
1761 [Adopted Mar. 15. 2018.]

1762 91. The Director shall, in consultation with the EEO Officer, create and maintain an internal web
1763 portal for members, officers and employees. The web portal shall provide relevant information
1764 on human resource policies and procedures, including, without limitation, the Rules of the
1765 House, each handbook published by the Director, explanations of complaint and investigation
1766 procedures, contact information for the Director, the EEO Officer and Counsel, training

1767 opportunities and schedules and the directory of committee staff required pursuant to Rule 92. .
1768 [Adopted Mar. 15, 2018.]

1769 92. (a) The House shall employ a full-time Director of Employee Engagement. The committee
1770 on Human Resources and Employee Engagement shall appoint a qualified person to act as the
1771 Director of Employee Engagement at such compensation as the committee on Human Resources
1772 and Employee Engagement shall approve.

1773 (b) The Director of Employee Engagement shall, in consultation with the Director of Human
1774 Resources: (i) develop methods for enhancing the skills and professional development of
1775 employees including skills for providing constituent services and engaging with, and ensuring
1776 the privacy of, members of the public who visit the State House; (ii) explore and develop
1777 partnerships with national trade organizationsto maximize the opportunities for professional
1778 development available to employees; and (iv) engage employees in roundtable discussions on
1779 issues of importance or concern.

1780 (c) The Director of Employee Engagement shall assist the committee on Human Resources
1781 and Employee Engagement with duties as may be assigned by the committee or the Director of
1782 Human Resources.

1783 (d) The Director of Employee Engagement shall prepare and publish on the house intranet a
1784 directory of committee staff. [Adopted Mar. 15, 2018.]

1785 93. (a) (1) A member who believes that they have been the object of harassment or retaliation,
1786 who witnesses harassment or retaliation, or who becomes aware of harassment or retaliation
1787 may make a complaint, either orally or in writing with the EEO Officer, Counsel, or the Director.
1788 Upon receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer

1789 shall forthwith provide a detailed account of the complaint to the EEO Officer for assessment
1790 pursuant to Rule 94.

1791 (2) An appointed officer, employee or intern of the House who believes that they have been
1792 the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes
1793 aware of harassment or retaliation may make a complaint, either orally or in writing, to any of
1794 the officer's, employee's or intern's supervisors, the Director, the EEO Officer or Counsel. Upon
1795 receipt of a complaint pursuant to this subsection, a recipient other than the EEO Officer shall
1796 forthwith provide a detailed account of the complaint to the EEO Officer for assessment pursuant
1797 to Rule 94.

1798 (3) A third party who believes that they have been the object of harassment, or who witnesses
1799 harassment or retaliation may make a complaint, either orally or in writing, with the EEO
1800 Officer. Upon receipt of a complaint pursuant to this subsection, the EEO Officer shall assess
1801 the complaint pursuant to Rule 94.

1802 (b) The EEO Officer shall provide guidance for authorized parties who may receive
1803 complaints under subsection (a), both in the form of the training referenced in Rule 89 and
1804 otherwise. The guidance shall instruct authorized parties on the proper way to receive
1805 complaints and to advise complainants on issues including, but not limited to, confidentiality,
1806 prohibition on retaliation and the availability of additional resources and avenues for action for
1807 the complainant, including possible criminal action where appropriate.

1808 (c) If a complaint, made pursuant to subsection (a), is against the EEO Officer or an employee
1809 appointed by the EEO Officer, the recipient of the complaint shall notify Counsel, who shall, in
1810 consultation with the Director, investigate the complaint pursuant to Rules 94 to 96, inclusive.

1811 (d) If, based on the nature and circumstances of the complaint, the EEO Officer believes that
1812 they cannot objectively assess or investigate a complaint made pursuant to subsection (a) the
1813 EEO Officer shall refer the matter to Counsel who shall assume responsibility for the assessment
1814 or investigation or refer the complaint to outside counsel for investigation. The EEO Officer
1815 shall consult with Counsel to establish guidelines used to identify matters that should be referred
1816 to Counsel or outside counsel pursuant to this subsection. [Adopted Mar. 15, 2018.]

1817 94. (a)(1) All complaints alleging harassment or retaliation by or against a member, officer,
1818 intern or employee of the House, or by or against a third party, received by any member, officer
1819 or employee of the House, shall be immediately referred to the EEO Officer for assessment.

1820 (2) Upon receiving a complaint alleging harassment or retaliation by or against a member, officer
1821 or employee of the House, or by or against a third party, the EEO Officer shall promptly
1822 undertake an assessment to determine whether the complaint is plausible and requires
1823 investigation. Such assessment shall be completed within two weeks from the date of receiving a
1824 complaint.

1825 Upon a determination by the EEO Officer that a complaint is plausible and requires
1826 investigation, the EEO Officer shall commence an investigation of the complaint.

1827 Upon a determination by the EEO Officer that a complaint is not plausible and does not require
1828 investigation, the EEO Officer shall submit a report to Counsel and the Director describing the
1829 complaint and the EEO Officer's basis for determining that the complaint lacked plausibility and
1830 did not require investigation. If either Counsel or the Director objects to the EEO Officer's
1831 determination, the EEO Officer shall commence an investigation of the complaint.

1832 (b) The EEO Officer shall assess complaints and conduct investigations pursuant to written
1833 policies and procedures, which shall be established by the EEO Officer pursuant to Rule 98 and
1834 published on the human resources web portal. The policies and procedures shall ensure that all
1835 assessments, investigations and reports are confidential to the fullest extent practicable under the
1836 circumstances and shall include, without limitation, the following: trauma-informed techniques;
1837 mechanisms for investigating complaints made by witnesses or third parties; standards for
1838 collecting and maintaining evidence; consideration of interim measures; and methods to tailor
1839 each investigation to the specific needs of the complainant and particular circumstances of the
1840 complaint.

1841 (c) The EEO Officer shall complete investigations within 90 days; provided, that the EEO
1842 Officer may extend the investigation in extraordinary circumstances. The EEO Officer shall
1843 regularly, but no less frequently than every 2 weeks, update the complainant on the status of the
1844 investigation. If the EEO Officer believes that interim measures are warranted to protect
1845 complainants during the investigation, then the EEO shall recommend such measures to the
1846 appropriate supervisory individual or body.

1847 (d) Upon the conclusion of an investigation, the EEO Officer shall prepare a report summarizing
1848 the complaint, the EEO Officer's investigation, findings and recommendations, if any, for
1849 disciplinary, remedial or preventative action, or any combination thereof. [Adopted Mar. 15,
1850 2018.]

1851 95. (a) (1) If after completion of an investigation pursuant to Rule 94, the EEO Officer
1852 determines that a member has violated Rule 88, the EEO Officer shall recommend disciplinary,

1853 remedial or preventative action, or any combination thereof, as is appropriate and proportional
1854 under the circumstances, subject to the limitations set forth in paragraphs (2) and (3).

1855 (2) Where the EEO Officer's action recommended pursuant to paragraph (1) does not include
1856 reprimand, censure, removal from position as a chair or other position of authority, or expulsion,
1857 prior to imposing such action the EEO Officer shall notify the member of the action and provide
1858 the member with a copy of the EEO Officer's report. The member may, within 10 days of
1859 receiving notice, request in writing that the Speaker and Minority Leader appoint a special
1860 committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer.
1861 Upon receipt of said request, the Speaker and Minority Leader shall convene a special committee
1862 pursuant to Rule 96.

1863 If the member fails to request the appointment of a special committee pursuant to Rule 96 within
1864 10 days, the EEO Officer shall implement the recommended action.

1865 (3) If the action recommended pursuant to subsection (a) includes reprimand, censure, removal
1866 from position as a chair or other position of authority, or expulsion, the EEO Officer shall
1867 request that the Speaker and Minority Leader convene a special committee pursuant to Rule 96
1868 to review the findings and recommendations of the EEO Officer. Upon receipt of said request
1869 from the EEO Officer, the Speaker and Minority Leader shall appoint a special committee
1870 pursuant to Rule 96.

1871 (4) Upon the request for a special committee made by the EEO Officer or a member pursuant to
1872 this subsection, the EEO Officer shall provide the Speaker and Minority Leader with a copy of
1873 the EEO Officer's report.

1874 (b) (1) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that
1875 an appointed officer, intern or employee has violated Rule 88, the EEO Officer shall notify the
1876 appointing authority for the appointed officer, intern or employee and recommend and
1877 implement remedial, preventative or disciplinary action, or any combination thereof, as is
1878 appropriate and proportional under the circumstances, subject to the limitations set forth in
1879 paragraph (2). Notwithstanding Rule 97, the appointing authority may inform any other
1880 supervisors of the appointed officer, intern or employee of the remedial, preventative or
1881 disciplinary action if the appointing authority believes that sharing such information is necessary
1882 for maintaining proper supervision of the appointed officer, intern or employee.

1883 (2) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that an
1884 appointed officer, intern or employee has violated Rule 88 and the EEO Officer's action
1885 recommended pursuant to paragraph (1) includes termination of employment or internship, the
1886 EEO Officer shall forward the recommendation, with all supporting documentation, to Counsel
1887 for review and approval. Counsel shall have two business days to review the EEO Officer's
1888 recommendation. If Counsel approves the recommendation, Counsel shall notify the EEO
1889 Officer and the Director and the Director shall immediately terminate the individual's
1890 employment or internship. If Counsel rejects the EEO Officer's recommendation, he shall notify
1891 the EEO Officer and the Speaker and the Speaker shall determine the action to be implemented.
1892 [Adopted Mar. 15, 2018.]

1893 96. (a) Upon receipt of a request pursuant to Rule 95, the Speaker and Minority Leader shall
1894 confidentially convene a Special Committee on Professional Conduct, which shall consist of 7
1895 members, 5 of whom shall be appointed by the Speaker and 2 of whom shall be appointed by the
1896 Minority Leader. To the extent practicable, membership on the special committee shall be

1897 apportioned in a way that takes into account the nature of the complaint and the commitment of
1898 the House to providing fair and equal opportunity in employment. The Speaker shall appoint a
1899 member to serve as chair. No member who has declared their candidacy for any other local,
1900 state or federal office shall be appointed to a special committee. Upon appointment of members
1901 to the committee, the Speaker and Minority Leader shall notify the EEO Officer and the member
1902 who is the subject of the complaint of the identity of the members appointed. The existence of
1903 the committee and the identity of the members appointed to the committee shall otherwise
1904 remain confidential.

1905 (b) The EEO Officer shall provide the members of the special committee with all records
1906 relevant to the investigation. The special committee shall review all records and may further
1907 investigate, to the extent that it is necessary to resolve the complaint. The special committee
1908 may summon witnesses, administer oaths, take testimony and compel the production of books,
1909 papers, documents and other evidence in connection with its review.

1910 (c) In the case of a special committee convened under this section upon the request for a review
1911 by a member pursuant to paragraph (2) of subsection (a) of Rule 95, the committee shall
1912 determine whether the EEO Officer's intended action is proportional and appropriate under the
1913 circumstances. If a majority of the committee so finds, it shall order that the action
1914 recommended by EEO Officer be implemented, along with any additional disciplinary, remedial
1915 or preventative action, or any combination thereof, the committee determines to be proportional
1916 and appropriate under the circumstances, subject to the limitations set forth in subsection (d). If
1917 a majority of the committee finds that the intended action was not proportional or appropriate
1918 under the circumstances, it may make a new recommendation for disciplinary, remedial or

preventative action, or any combination thereof, subject to the limitations set forth in said subsection (d). All determinations of the committee pursuant to this subsection shall be final.

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

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

(3) All findings and determinations of the committee, including instances where the special committee does not file a report with the Clerk pursuant to paragraph (1), shall be reported to the EEO Officer and shall be final. The EEO Officer shall maintain confidential records of such findings and determinations, except that a report filed pursuant to paragraph (1) shall be public.

[Adopted Mar. 15, 2018.]

1941 (e) The committee may consult with Counsel, the EEO Officer or the Director in discharging its
1942 duties pursuant to Rules 88 to 97, inclusive.

1943 97. (a) Any information obtained by a member or employee in their official capacity and relating
1944 to a complaint or investigation of harassment pursuant to Rules 93 to 96, inclusive, and any
1945 records of such information shall be confidential to the fullest extent possible. Confidentiality
1946 shall be specifically subject to subsections (b), (c), (d) and (e).

1947 (b) (1) The EEO Officer, in reviewing a complaint and conducting an investigation, shall keep
1948 the complaint confidential and shall not disclose the identity of the complainant or the person
1949 against whom the complaint is made or any other details of the complaint with any member or
1950 employee; provided, however, that the EEO Officer may share information to the extent
1951 necessary to interview witnesses or parties to the investigation or to consult with Counsel if the
1952 EEO Officer determines that such consultation is required in connection with the investigation.

1953 (2) In the case of a complaint against a staff person, the EEO Officer shall maintain
1954 confidentiality throughout their investigation and implement all remedial actions and discipline
1955 short of termination confidentially, without sharing the identity of the complainant or the person
1956 against whom the complaint is made or any other details of the complaint with any member or
1957 employee; provided, however, that the EEO Officer may share information to the extent
1958 necessary to implement any remedial actions or discipline or to consult with Counsel if the EEO
1959 Officer determines that such consultation is required in connection with the investigation. This
1960 paragraph shall not limit the EEO Officer's ability to transmit the resolution of a complaint,
1961 including any discipline resulting therefrom, to the Director for inclusion in the employee's
1962 personnel file.

1963 (3) In the case of a complaint against a staff person, where the EEO Officer recommends
1964 termination, the EEO Officer shall share information with Counsel for review. If Counsel and
1965 the EEO Officer disagree as to whether termination is the appropriate discipline, confidentiality
1966 shall only be expanded to the extent needed to inform the Office of the Speaker and reach a
1967 resolution.

1968 (4) In the case of a complaint against a member, the EEO officer shall maintain confidentiality
1969 throughout their investigation by: (i) not disclosing information to any member or employee who
1970 is not a witness or party to the investigation, except to consult with Counsel if the EEO Officer
1971 determines that such consultation is required in connection with the investigation; and (ii)
1972 confidentially recommending all remedial actions short of reprimand, censure, removal from
1973 position as a chair or other position of authority, or expulsion of a member. This paragraph shall
1974 not limit the EEO Officer's ability to: (i) share their report with the Office of the Speaker and the
1975 Minority Leader upon the request for a special committee pursuant to Rule 95; and (ii) share any
1976 records relevant to the investigation with the special committee convened pursuant to Rule 96;
1977 provided, that when sharing their report with the Office of the Speaker and the Minority Leader,
1978 the EEO Officer may use pseudonyms, redaction and other methods the EEO Officer considers
1979 appropriate to address the needs of a complainant or the circumstances of a complaint.

1980 (c) (1) The establishment of a special committee pursuant to Rule 96 shall be completely
1981 confidential, except that the Speaker and Minority Leader shall disclose the names of their
1982 respective appointments to the EEO Officer. The EEO Officer shall maintain a confidential
1983 record of the membership of each special committee that is convened.

1984 (2) All proceedings of a special committee convened pursuant to Rule 96 shall be confidential
1985 and members of the committee shall not share any information about the complaint and
1986 investigation for which the committee was convened with any other member or employee,
1987 including their own appointed staff; provided, however, that the committee may consult with
1988 Counsel if the chair of the committee determines that such consultation is required in connection
1989 with the investigation.

1990 (3) A special committee convened pursuant to Rule 96 shall implement all actions short of
1991 reprimand, censure, removal from position as a chair or other position of authority, or expulsion
1992 of a Member confidentially, except that the special committee shall submit a final report to the
1993 EEO Officer and may consult with Counsel if the chair of the committee determines that such
1994 consultation is required in connection with their recommended action. The committee's
1995 recommendation, if any, for reprimand, censure, removal from position as a chair or other
1996 position of authority, or expulsion of a member, shall be a public document; provided, however,
1997 that the committee may use pseudonyms to conceal the identity of the complainant if the
1998 circumstances of the complaint so warrant.

1999 (d) All authorized parties shall keep complaints confidential, except to share the complaint with
2000 the EEO Officer.

2001 (e) Nothing in this Rule shall limit the ability of the EEO Officer to share information with a
2002 complainant, to the extent appropriate, in order to properly conclude the complaint or
2003 investigation process. [Adopted Mar. 15, 2018.]

2004 98. The EEO Officer and the Director shall establish all policies, procedures and guidelines
2005 required by Rules 88 to 97, inclusive, and may develop supplemental policies, procedures and

2006 guidelines necessary to implement or enforce Rules 88 to 97, inclusive; provided, that no policy,
2007 procedure or guideline shall take effect without the prior review and written approval of Counsel
2008 and the committee on Human Resources and Employee Engagement. Where appropriate, these
2009 policies, procedures and guidelines shall be included in the handbooks.

2010 The EEO Officer and the Director may consult with each other, Counsel, and the committee on
2011 Human Resources and Employee Engagement to carry out the requirements of Rules 88 to 97,
2012 inclusive. [Adopted Mar. 15, 2018.]

2013 99. In the event of a vacancy in the office of EEO Officer appointed pursuant to Rule 89,
2014 Counsel may, notwithstanding House Rule 87 and utilizing sound business practices, procure the
2015 services of an Equal Employment Opportunity Officer, hereinafter the Contract EEO Officer, to
2016 perform the duties of the EEO Officer established in Rules 88 to 100, inclusive, during said
2017 vacancy as required.

2018 Notwithstanding Rules 88 to 100, inclusive, all complaints alleging a violation of Rule 88, the
2019 House Policy Prohibiting Discrimination, Harassment and Retaliation, or the House Equal
2020 Employment Policy, including, but not limited to complaints alleging harassment or retaliation
2021 shall be referred to the Contract EEO Officer for review and, if necessary, investigation pursuant
2022 to Rules 88 through 100.

2023 Counsel shall consult with the Chair of the House Committee on Rules prior to executing a
2024 contract for services pursuant to this Rule.

2025

2026 100. (a) No member, officer or employee shall execute any agreement to settle any legal claim or
2027 potential legal claim by any current or former member, officer or employee unless said
2028 agreement is executed pursuant to this rule.

2029 (b) No member, officer or employee shall execute any agreement to settle any legal claim or
2030 potential legal claim brought by any current or former member, officer or employee without the
2031 approval of Counsel, the Director and the EEO Officer. Counsel, the Director and the EEO
2032 Officer shall each independently review the claim or potential legal claim brought by any current
2033 or former member, officer or employee and confirm that the claim or potential claim does not
2034 relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel, the
2035 Director and the EEO Officer shall not approve any settlement of a legal claim or potential legal
2036 claim brought by any current or former member, officer or employee pursuant to this subsection
2037 if Counsel, the Director or the EEO Officer reasonably believes such legal claim or potential
2038 legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

2039 (c) No member, officer or employee shall execute any agreement to settle any legal claim or
2040 potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal
2041 claim of sexual harassment, by any current or former member, officer or employee unless said
2042 agreement is executed pursuant to this subsection.

2043 No member, officer or employee shall execute any agreement to settle a legal claim or potential
2044 legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of
2045 sexual harassment, by any current or former member, officer or employee unless:

2046 1. the request to negotiate said agreement was initiated, in writing, by the person filing or eligible
2047 to file the legal claim or potential legal claim or a person legally authorized to represent that
2048 person;

2049 2. the person filing the legal claim or eligible to file the legal claim is given 15 days to review
2050 and consider the agreement;

2051 3. the duration of any non-disclosure or non-disparagement provision of the agreement to settle
2052 the legal claim or potential legal claim is for a finite period of time as agreed to by the parties;

2053 4. the agreement to settle the legal claim or potential legal claim specifically provides that no
2054 provision of the agreement, including any non-disclosure or non-disparagement provision of the
2055 agreement, shall preclude any party from participating in an investigation by Counsel, the
2056 Director, the EEO Officer, a Committee on Professional Conduct or any law enforcement
2057 agency; and

2058 5. the agreement is approved in writing by Counsel, the Director and the EEO Officer.

2059 (d) In the case of an agreement to settle any legal claim or potential legal claim of sexual
2060 harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a
2061 Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member
2062 shall be required to personally reimburse the House for all or part of the settlement amount.
2063 Upon a determination by the Special Committee that the member shall be required to personally
2064 reimburse the House for all or part of the settlement amount, it shall determine the amount to be
2065 reimbursed and immediately notify the member of that amount

2066 (e) Upon request of the party described in paragraph numbered 1 above or the complainant,
2067 Counsel shall waive any non-disclosure or non-disparagement provision of any agreement
2068 executed prior to the effective date of this Rule by the House and any current or former member,
2069 officer or employee, to allow said current or former member, officer or employee to report or
2070 discuss a claim of sexual harassment or retaliation based on sexual harassment. [Adopted Mar.
2071 15, 2018.]

2072 101. The following temporary emergency rules for the operation of the House of Representatives
2073 in the event of a declared state of emergency by the House of Representatives. A state of
2074 emergency in the House of Representatives shall only be declared, and the Temporary
2075 Emergency Rules shall only be activated, upon the adoption of an Order by the House declaring
2076 a state of emergency:

2077 Temporary Emergency Rules for the Operation of the House of Representatives

2078 Emergency Rule 1. As used in Temporary Emergency Rules 1 through 18, inclusive, the
2079 following terms shall have the following meanings:-

2080 “Clerk”, the Clerk of the House of Representatives.

2081 “Formal session”, a formal session of the House during a declared state of emergency within the
2082 House.

2083 “House”, the House of Representatives.

2084 “House Chamber”, the House Chamber within the Massachusetts State House in Boston or the
2085 location to which the House at its previous formal or informal session adjourned to meet.

2086 “Member”, a Member of the House of Representatives.

2087 “Monitor”, one of the Members appointed by the Speaker pursuant to Standing Rule 8.

2088 “Participating remotely” or “remotely present”, participating by telephone, teleconference, video
2089 conference or other means.

2090 “Present”, a Member either physically present in the House Chamber for a formal session or
2091 remotely present, and participating in a formal session.

2092 “Quorum”, eighty-one Members present for a formal session.

2093 “Speaker”, the Speaker of the House or the Member presiding at the formal session of the House
2094 after being appointed by the Speaker to perform the duties of the Chair pursuant to Standing Rule
2095 5.

2096 “Standing rules”, House Rules 1 through 100, inclusive.

2097 Emergency Rule 2. (a)(1) During a state of emergency within the House, the House may
2098 assemble in a formal session with Members participating remotely. Members participating
2099 remotely in a formal session may vote on any question or other matter before the House.
2100 Members participating remotely in a formal session shall be considered present and in attendance
2101 at the formal session for all purposes, including for purposes of determining a quorum pursuant
2102 to Article XXXIII of the Amendments to the Constitution of the Commonwealth or any standing
2103 rules and for purposes of appearing before the governor and council pursuant to Part the Second,
2104 Chapter VI, Article I of the Constitution of the Commonwealth.

2105 (2) A Member participating remotely in a formal session shall have the same privileges, rights
2106 and responsibilities as if the Member were physically present in the House Chamber, including
2107 without limitation, the right, privilege and responsibility to cast votes on all questions or other

2108 matters brought to a vote and the ability to take the oath required pursuant to Part the Second,
2109 Chapter VI, Article I of the Constitution of the Commonwealth (3)

2110 (4) At the commencement of a formal session, the Speaker shall take the Chair at the hour to
2111 which the House stands adjourned, call the House to order and immediately order a quorum roll
2112 call.

2113 (5) (i) The House shall not be called to order before the hour of 10:00 A.M. nor meet beyond the
2114 hour of midnight unless by unanimous consent of the Members present.

2115 (ii) All votes taken on the enactment of any bill or resolve during any formal session where
2116 Members are participating remotely shall be by roll call vote.

2117 (6) The Clerk shall prepare a Journal for the House for any formal session of the House held
2118 during the state of emergency within the House. The Journal for the House may reflect that the
2119 formal session was convened pursuant to emergency rules, but shall not deviate in any
2120 substantive manner from the Journal of the House required to be prepared by the Clerk pursuant
2121 to Standing Rule 10. The Journal of the House for any formal session of the House held during
2122 the state of emergency within the House shall not specify which Members participated remotely.

2123 (b)(1) The Speaker shall preside from within the House Chamber over any formal session of the
2124 House where any Member is participating remotely. The Minority Leader, Chair of the
2125 committee on Ways and Means, Ranking Minority Member of the committee on Ways and
2126 Means, the House Chair and Ranking Minority Member of the joint committee from which any
2127 bill being debated at the formal session has been reported, or their designees, and the division
2128 monitors may also be physically present. All other Members are strongly encouraged to
2129 participate remotely in a formal session.

2130 (2) Officers and employees essential to the conduct of the formal session may be present in the
2131 House Chamber during a formal session with the express authorization of the Speaker in
2132 consultation with the Minority Leader. The Speaker and Minority Leader may have one
2133 employee from their office present in the House Chamber during a formal session. No other
2134 officer or employee shall be physically present in the House Chamber unless deemed essential to
2135 the conduct of the formal session by the Speaker.

2136 (3) All Members, officers and employees physically present in the House Chamber during a
2137 formal session shall, at the direction of the Speaker, undertake any mitigation measures ordered
2138 by the Speaker. Court Officers shall strictly enforce mitigation measures directed by the Speaker
2139 by and between Members, officers and employees in and around the House Chamber. Any
2140 Member, officer or employee in violation of the mitigation measures ordered by the Speaker
2141 shall be removed from the House Chamber.

2142 Emergency Rule 3. (a) For purposes of this emergency rule, “bill or resolve” shall mean any bill
2143 or resolve, other than the General Appropriation Bill.

2144 (b)(1) Any bill or resolve to be considered by the House at a formal session shall be available to
2145 all Members electronically and to the public via the Internet in a format to be determined by the
2146 Speaker in consultation with the Clerk no later than 12:00 P.M. the day prior to consideration
2147 thereof by the House in a formal session.

2148 (2) When the House considers any bill or resolve, it shall be read a second time and, subsequent
2149 to the consideration of any amendments recommended by a committee or committees, it shall
2150 forthwith be considered by the House, the question being on ordering it to a third reading,
2151 without any other amendments. A bill or resolve so ordered to a third reading shall be

2152 immediately referred to the committee on Bills in the Third Reading and, upon being released by
2153 said committee, it shall be read a third time and shall then be open to amendments, the main
2154 question being on passing the bill or resolve to be engrossed.

2155 (c)(1) Notwithstanding Standing Rule 33A, amendments to any bill or resolve to be considered
2156 by the House at a formal session shall be filed with the Clerk in a format to be determined by the
2157 Clerk by 5:00 P.M. on the day the bill is made available to the Members pursuant to subsection
2158 (b). The Clerk shall print each amendment so filed and such printed copy shall be considered to
2159 be the official amendment for that bill.

2160 (2) Notwithstanding Standing Rule 33A, the committee on Ways and Means may direct the
2161 Clerk to categorize, with the assistance of the committee, the subject-matter of amendments to
2162 any bill or resolve to be considered at a formal session and arrange such amendments for
2163 consideration sequentially by subject as appearing in the bill or resolve or as otherwise
2164 determined by the committee.

2165 (3) Before the main question on any bill or resolve is placed before the House, an amendment
2166 may be postponed or withdrawn at the request of the primary sponsor of the amendment or
2167 postponed by the committee on Ways and Means. In the event that the committee on Ways and
2168 Means directs the Clerk to categorize amendments pursuant to paragraph (2), further
2169 consideration of any amendment so postponed shall take place immediately subsequent to
2170 consideration of the amendments within the particular subject-matter to which the postponed
2171 amendment was assigned pursuant to paragraph (2); provided, that if more than 1 amendment is
2172 so postponed, subsequent consideration of said amendments shall be in the order determined by
2173 the committee on Ways and Means; and provided further, an amendment so postponed shall not

2174 be subsequently considered outside of its assigned subject-matter. The committee on Ways and
2175 Means may submit perfecting or substitute amendments for any bill or resolve to be considered
2176 by the House at a formal session, including, but not limited to, an amendment consolidating more
2177 than 1 amendment; provided, however, that an amendment may be removed from a consolidated
2178 amendment at the request of the primary sponsor of said amendment for the purpose of it being
2179 offered as an amendment in the first degree to the bill under consideration.

2180 (4) Except for consolidated amendments or perfecting amendments offered by the committee on
2181 Ways and Means pursuant to paragraph (3), no proposition on a subject different from the
2182 amendment under consideration shall be admitted under color of a further amendment to the bill
2183 being considered by the House.

2184 (5) Any amendment may be removed from a consolidated amendment offered pursuant to
2185 paragraph (3) by the primary sponsor of the amendment. Any such amendment so removed from
2186 a consolidated amendment shall be offered as an amendment to the bill being considered by the
2187 House, to be acted upon in the first degree before action is taken on the consolidated amendment,
2188 except that any amendment so removed from the consolidated amendment may be moved by the
2189 committee on Ways and Means from 1 subject category to any category not yet disposed of in
2190 consideration of the resolve or bill.

2191 (6) Notwithstanding Standing Rule 74, consolidated amendments offered pursuant to paragraph
2192 (3) may not be divided.

2193 (7) Any amendment not complying with this emergency rule shall be considered withdrawn.

2194 Emergency Rule 4. (a) A Member participating remotely may make any motion authorized
2195 pursuant to the standing rules, raise a point of order, raise a point of personal privilege, or raise a

2196 point of parliamentary inquiry. Members participating remotely shall notify their division
2197 monitor of their desire to make a motion, raise a point of order, raise a point of personal privilege
2198 or raise a point of parliamentary inquiry. The division monitor shall immediately notify the
2199 Speaker who shall recognize the Member seeking to make a motion, raise a point of order, raise
2200 a point of personal privilege or raise a point of parliamentary inquiry. No Member shall interrupt
2201 another Member while that Member is speaking, including to request that the Member speaking
2202 yield, except for the reasons authorized herein.

2203 (b) A vote on any motion made pursuant to subsection (a) shall be conducted by voice vote as
2204 prescribed by subsection (b) of Emergency Rule 6, unless the Constitution or the standing rules
2205 specifically require a roll call vote.

2206 (c) A motion made by a Member participating remotely may be made and submitted by the
2207 division monitor for the floor division of the House wherein the seat assigned to said Member
2208 pursuant to Standing Rule 79 is located.

2209 Emergency Rule 5. (a) A Member participating remotely wishing to speak on any question
2210 before the House shall notify the monitor for the floor division of the House wherein the seat
2211 assigned to said Member pursuant to Standing Rule 79 is located as follows:

2212 (i) A Member wishing to speak on a bill, resolve or the General Appropriation Bill, or an
2213 amendment thereto, shall notify their floor division monitor no later than 10:00 A.M. on the day
2214 that the bill, resolve, General Appropriation Bill, or amendment thereto, is scheduled to be
2215 considered by the House. Said notification shall include: (1) the number of the bill, resolve
2216 General Appropriation Bill, or amendment thereto, that the Member wishes to speak to; and (2)

2217 whether the Member wishes to speak in favor of or in opposition to the bill, resolve, General
2218 Appropriation Bill, or amendment thereto.

2219 (ii) A Member wishing to speak on a consolidated amendment shall notify their floor division
2220 monitor no later than 45 minutes after the consolidated amendment shall have been first filed
2221 with the Clerk and made available electronically to the Members. Said notification shall include:
2222 (1) the number or letter of the consolidated amendment the Member wishes to speak to; and (2)
2223 whether the Member wishes to speak in favor of or in opposition to the consolidated amendment.

2224 (iii) A Member wishing to speak on a conference committee report filed pursuant to Joint Rule
2225 11B shall notify their floor division monitor no later than 10:00 A.M. on the day the conference
2226 committee report is scheduled to be considered by the House. Said notification shall include: (1)
2227 the bill number of the conference committee report; and (2) whether the Member wishes to speak
2228 in favor of, or in opposition to the report. The provisions of this paragraph shall be inoperative if
2229 the conference committee report is filed later than 8:00 P.M. on the day preceding its
2230 consideration by the House.

2231 (b) The monitor for each division shall prepare a list of Members of their division notifying the
2232 monitor of said Member's desire to speak in favor of a question before the House and a list of
2233 Members of their division notifying the monitor of said Member's desire to speak in opposition
2234 to a question before the House. Each list shall be arranged in order of the time the monitor
2235 received the notification with the notification received the earliest being first.

2236 (c) Upon completion of the lists required pursuant to subsection (b), the monitors for each
2237 division shall transmit the lists to the Speaker and the Minority Leader. The Speaker shall
2238 combine the lists received from each of the division monitors and, in consultation with the

2239 Minority Leader, shall prepare a consolidated list of Members notifying their monitor of the
2240 Member's desire to speak in favor of a question before the House and a consolidated list of
2241 Members of their division notifying the monitor of said Member's desire to speak in opposition
2242 to a question before the House.

2243 (d) The Speaker shall distribute the lists compiled pursuant to subsection (c) to all Members
2244 electronically prior to the commencement of the formal session. The Speaker shall distribute the
2245 list compiled pursuant to subsection (a)(ii) as soon as practicable upon completion.

2246 (e) The consolidated lists prepared by the Speaker pursuant to subsection (c) and distributed to
2247 the membership pursuant to subsection (d) shall be the order in which Members are recognized
2248 during the debate of the respective question. In recognizing Members from said lists, the Speaker
2249 shall, to the extent practicable, alternate between Members wishing to speak in favor of the
2250 question and Members wishing to speak in opposition to the question.

2251 (f) A Member participating remotely may, in lieu of speaking on a bill, resolve, amendment,
2252 consolidated amendment or a conference committee report, submit written remarks in favor of,
2253 or in opposition to, any bill, resolve, amendment, consolidated amendment or conference
2254 committee report to the Clerk before the adjournment of the formal session in which said bill,
2255 resolve, amendment, consolidated amendment or conference committee report was considered by
2256 the House. Said remarks shall be transmitted to the Clerk electronically in a format prescribed by
2257 the Clerk. The Clerk shall include any remarks submitted by a Member participating remotely
2258 pursuant to this section in the Journal of the House required to be kept by the Clerk pursuant to
2259 Standing Rule 10 and Emergency Rule 2.

2260 Emergency Rule 6. (a) Notwithstanding Standing Rules 50 through 52, inclusive, during a formal
2261 session where Members are participating remotely a vote on any question shall be by either a
2262 voice vote of the Members present and voting pursuant to subsection (b) or a roll call vote of the
2263 Members present and voting pursuant to subsection (c). Any question that would require a
2264 standing vote under the Standing Rules shall be decided by a voice vote of the Members present
2265 and voting pursuant to subsection (b).

2266 (b) When a question is put, the sense of the House shall be taken by the voices of the Members,
2267 and the Speaker shall first announce the vote as it appears to the Speaker by the sound. If the
2268 Speaker is unable to decide by the sound of the voices, or if the announcement made thereupon is
2269 doubted by a Member, the Speaker shall order the division monitors to ascertain the number of
2270 Members within in their division voting in the affirmative and the number of Members within in
2271 their division voting in the negative, without further debate upon the question. The division
2272 monitors shall report the total vote of their division count to the Speaker. After receiving the
2273 reports of the total vote counts from each of the division monitors, the Speaker shall tally said
2274 votes and then announce the vote.

2275 (c) The sense of the House shall be taken by yeas and nays whenever required by 10 percent of
2276 the Members elected or when required pursuant to the Constitution of the Commonwealth. The
2277 Speaker shall state the pending question and shall order the division monitors to commence the
2278 roll call of the Members. The division monitors shall call the roll of the Members assigned to
2279 said division in alphabetical order. The division monitors shall record the votes of each Member
2280 on a form prescribed by the Clerk. Upon completion of the roll call, the division monitors shall
2281 sign the form upon which the roll call for their division was recorded and submit the completed
2282 form to the Clerk. The Clerk shall tally the votes of the Members of each division and shall enter

2283 the votes into the electronic roll call machine. Upon completion of the tally and the entry of the
2284 votes into the electronic roll call machine, the Clerk shall notify the Speaker that the vote has
2285 been completed. Upon instruction from the Speaker, the Clerk shall display the tally of the vote
2286 on the 2 monitors in the House Chamber. The Speaker shall then announce the vote.

2287 (d) If a Member doubts the presence of a quorum, the Speaker shall order the division monitors
2288 to ascertain the number of Members within in their divisions who are present. Any Member
2289 confirmed by the division monitor to be participating remotely shall be considered present. The
2290 division monitors shall report the total number of Members present to the Speaker. After
2291 receiving the reports of the total number of Members present from each of the division monitors,
2292 the Speaker shall tally the numbers and then announce the number of Members present. If, after
2293 tallying the numbers from each of the division monitors a quorum is not present, the Speaker
2294 shall order a roll call vote pursuant to subsection (c).

2295 (e) The call for yeas and nays shall be decided without debate. If the yeas and nays have been
2296 ordered before the question is put, the proceedings under subsection (b) shall be omitted.

2297 (f) Except as heretofore provided, any Member who shall vote or attempt to vote for another
2298 Member or any person not a Member who votes or attempts to vote for a Member, or any
2299 Member or other person who willfully tampers with or attempts to impair or destroy in any
2300 manner whatsoever the voting equipment used by the House, or change the records thereon shall
2301 be punished in such manner as the House determines; and provided further, that such a violation
2302 shall be reported to the committee on Ethics.

2303 Emergency Rule 7. No consolidated amendment to any bill offered by the committee on Ways
2304 and Means shall be considered by the House until the expiration of at least 30 minutes after the

2305 consolidated amendment shall have been first filed with the Clerk and made available
2306 electronically to the Members. This rule shall not be suspended unless by unanimous consent of
2307 the Members present.

2308 Emergency Rule 8. No consolidated amendment to any bill offered by the committee on Ways
2309 and Means shall be adopted except by a roll call vote.

2310 Emergency Rule 9. Notwithstanding any standing rule to the contrary, with the approval of the
2311 Speaker, a Member, officer or employee may take photographs and videos of, and in, the House
2312 Chamber provided said photographs or videos are to facilitate the remote participation in the
2313 formal session by a Member.

2314 Emergency Rule 10. (a) Notwithstanding any standing rule to the contrary, unless authorized
2315 pursuant to subsection (b) or subsection (c), no Member participating in a formal session shall be
2316 recognized more than once on any question before the House without unanimous consent or on
2317 any question before the House for more than 10 minutes without unanimous consent.

2318 (b) The following Members may, notwithstanding subsection (a), be recognized more than once
2319 on any question before the House: (1) the Minority Leader; (2) the Member carrying the report of
2320 the committee; (3) and the Ranking Minority Member of the committee reporting the bill.

2321 (c) Notwithstanding subsection (a), after all Members have been recognized pursuant to
2322 Emergency Rule 5, a Member who is the primary sponsor of a bill, resolve or an amendment, or
2323 a designee of said Member, may, in addition to being recognized pursuant to Emergency Rule 5,
2324 be recognized for purposes of providing rebuttal or further explanation. If a Member who is the
2325 primary sponsor of a bill, resolve or amendment or their designee is recognized pursuant to this
2326 subsection a Member from the opposite political party designated by the Member carrying the

2327 report of the committee or the Ranking Minority Member of the committee reporting the bill
2328 may also be recognized in addition to being recognized pursuant to Emergency Rule 5. No
2329 Member shall be recognized pursuant to this subsection for more than 5 minutes without
2330 unanimous consent.

2331 Emergency Rule 11. Notwithstanding any standing rule to the contrary, any formal session
2332 where Members are participating remotely shall be webcast live on the General Court website.
2333 Audio or video recordings of all such sessions shall be made available to the public on the
2334 General Court website. All House sessions conducted by electronic means shall be broadcast on
2335 House television.

2336 Emergency Rule 12. Notwithstanding any standing rule to the contrary, no technical failure that
2337 breaks the remote connection of a Member or Members of the House of Representatives
2338 participating remotely in a formal session shall invalidate any action taken by the House of
2339 Representatives.

2340 Emergency Rule 13. Notwithstanding Standing Rule 49, Members participating remotely may
2341 vote in a quorum roll call.

2342 Emergency Rule 14. Standing Rule 1A, Standing Rule 80 and Standing Rule 82 are hereby
2343 waived for the duration of an emergency.

2344 Emergency Rule 15. Except as otherwise indicated, Emergency Rules 1 through 18, inclusive,
2345 shall not be suspended unless by a 2/3 vote of the Members present and voting. Debate upon a
2346 motion for the suspension of Emergency Rules 1 through 18, inclusive, shall be limited to 15
2347 minutes and no Member shall speak for more than 3 minutes.

2348 Emergency Rule 16. The provisions of any standing or emergency rules pertaining to procedures
2349 of the House may be suspended and alternative procedures may be used if said alternative
2350 methods are approved by a 2/3 majority of the committee on Rules and approved, in writing, by
2351 the Speaker and the Minority Leader. The Clerk shall enter any such approvals in the House
2352 Journal for the formal session required to be kept by the Clerk pursuant to Standing Rule 10 and
2353 Emergency Rule 18.

2354 Emergency Rule 17. Except to the extent that they conflict with Emergency Rules 1 through 18,
2355 inclusive, the standing rules shall remain in full force and effect.

2356 Emergency Rule 18. Emergency Rules 1 through 18, inclusive, shall remain activated = for no
2357 longer than 30 days after the adoption of the Order declaring a state of emergency or until (i) a
2358 majority of the House adopts a subsequently Order declaring that the state of emergency
2359 continues to exist in which the Emergency Rules shall remain activated for another 30 days; or
2360 (ii) a majority of the House adopts an Order declaring that the state of emergency within the
2361 House has ceased.

2362 102. These rules shall take effect on Friday, October 1, 2021