SENATE . . . . . No. 9

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

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

1 Committees.

2 1. Joint standing committees shall be appointed at the beginning of the biennial session as
3 follows:-

4 A committee on Children, Families and Persons With Disabilities;

5 A committee on Community Development and Small Businesses;

6 A committee on Consumer Protection and Professional Licensure;

7 A committee on Economic Development and Emerging Technologies;

8 A committee on Education;

9 A committee on Elder Affairs;

10 A committee on Election Laws;

11 A committee on Environment, Natural Resources and Agriculture;

12 A committee on Financial Services;

13 A committee on Health Care Financing;

14 A committee on Higher Education;

15 A committee on Housing;

16 A committee on the Judiciary;

17 A committee on Labor and Workforce Development;

18 A committee on Mental Health and Substance Abuse;

A committee on Municipalities and Regional Government;

A committee on Public Health;

A committee on Public Safety and Homeland Security;

A committee on Public Service;

A committee on Revenue;

A committee on State Administration and Regulatory Oversight;

A committee on Telecommunications, Utilities and Energy;

A committee on Tourism, Arts and Cultural Development;

A committee on Transportation;

A committee on Veterans and Federal Affairs

Each to consist of 6 members of the Senate, and 11 of the House except the committees on Economic Development and Emerging Technologies, Health Care Financing and Transportation which shall consist of 7 members of the Senate and 13 of the House.

Within 4 weeks of the appointment of joint standing committees in the first annual session of the General Court, each joint standing committee shall adopt rules of procedure regarding its conduct. Said rules of procedure, together with any amendments, shall be filed with the Clerk of the Senate and the Clerk of the House and shall be available to the public and members of the General Court on the official website for the General Court.

Except as provided by Joint Rule 1E, each matter shall be referred only to 1 joint committee for consideration and all reports of matters by joint committees shall be made to the House or the Senate, under Joint Rule 4, not to another joint committee. The committee to which a matter is initially referred may discharge the matter to another committee with jurisdiction over the matter.

Matters referred by either the Senate or the House to its committee on Ways and Means shall be considered by the respective committees of the 2 branches, acting as a joint committee, when, in the judgment of the chairmen of the respective committees of the 2 branches, the interests of legislation or the expedition of business will be better served by such joint consideration. Matters may also be referred to the committees on Ways and Means, of the 2 branches, as a joint committee.

The committees on Rules, together with the presiding officers of the 2 branches, acting concurrently, may consider and suggest such measures as shall, in their judgment, tend to

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

145 Nothing contained in this rule shall prohibit a joint standing committee or special joint
146 committee of the Senate and the House of Representatives from taking appropriate action
147 including, but not limited to, the exclusion of a person from a committee meeting in order to
148 prevent the disruption of or interference with committee proceedings. All meetings of joint
149 standing committees, and special joint committees of the Senate and House of Representatives,
150 shall be limited to no more than 35 bills to be discussed in a hearing, unless it can be determined
151 that all of the bills being considered are of the same subject matter.

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

156 A meeting of a committee may be recorded by a person in attendance by means of a
157 recorder or any other means of audio/visual reproduction except when a meeting is held in
158 executive session; provided, that a person seeking to record a meeting of a committee notifies the
159 Chairs of the committee prior to commencing such recording; and provided further that during

160 such recording there is no interference with the conduct of the meeting. [Adopted June 3, 1985.
161 Amended June 12, 1995; Feb. 20, 2007.]

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

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

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

184 1F. [Omitted February 12, 2009].

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

194 Any person who receives security clearance under this rule shall sign all confidentiality
195 agreements required by homeland security officials. The breach of any such confidentiality
196 agreement shall constitute a violation of the Joint Rules of the Senate and House of

197 Representatives. Any alleged violation of a confidentiality agreement shall be referred for
198 investigation to the Senate committee on Ethics and Rules or the House committee on Ethics,
199 respectively, and, if appropriate, to law enforcement authorities for potential criminal
200 prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009.]

201 2. No member of either branch shall act as counsel for any party before any committee of
202 the Legislature.

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

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

234 No committee shall travel except at the expense of the Commonwealth. In any case when
235 a committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for
236 members of the committee and the officer accompanying them, and the reasonable traveling
237 expenses of such members and officers only shall be charged to or paid by the Commonwealth.
238 Neither the Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any
239 person to accompa¬ny such committee while in the discharge of its official duties unless invited
240 by vote of the committee.

241 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-
242 Arms to the committee by whom they have been incurred and shall be approved by a majority of
243 said committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;
244 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
245 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

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

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

A vote of a joint standing committee to give legislation a favorable or adverse report shall be conducted by a roll call upon request of 2 committee members present at the committee meeting. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action. The records of all such roll calls shall be kept in the offices of the committee for the duration of the General Court during which said vote was recorded, and shall be available for public inspection upon reasonable notice and during regular office hours. Such roll call votes shall be posted on the official website of the General Court in a clear and conspicuous manner by the Clerk of the branch to which the bill was reported and shall be accompanied by a statement of context, which shall be prepared by the chairs of the joint standing committee.

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

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

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

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

Joint Petitions.

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

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

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

7C. The approval vote required to file a petition, the operation of which is restricted to a particular city or town under Section 8 of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, shall be valid for not more than 2 years, regardless of any intervening action that may be taken by any legislative committee or either branch of the General Court.

Notice to Parties Interested.

8. No legislation affecting the rights of individuals or the rights of a private or municipal corporation, otherwise than as it affects generally the people of the Com¬monwealth or the people of the city or town to which it specifically applies, shall be proposed or introduced except by a petition, nor shall any bill or resolve embodying such legislation be reported by a committee except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee, whether on an original reference or on a recommittal with instructions to hear the parties, until it is made to appear to the satisfaction of the committee that proper notice of the proposed legislation has been given by public advertisement or otherwise to all parties interested, without expense to the Commonwealth, or until evidence satisfactory to the committee is produced that all parties interested have in writing waived notice. A committee reporting adversely due to lack proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to the violation of this rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 1890. Amended Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

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

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

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

Limit of Time allowed for Reports of Committees.

10. All joint committees and the committees on Rules of the two branches, acting concurrently, shall make final report not later than the third Wednesday of March of the second annual session of the General Court on all matters referred to them before the third Wednesday in February of the second annual session and within 30 days on all matters referred to them on and after the third Wednesday in February of the second annual session of the General Court except that the committee on Health Care Financing shall make final report not later than the last Wednesday of April of the second annual session on all matters referred to them on or before the fourth Wednesday of March and within 30 days on all matters referred to it after the fourth Wednesday in March of the second annual session of the General Court. Notwithstanding the previous sentence, all joint committees shall make final report on all petitions filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body of a city, or the town meeting of a town, with respect to a law relating to that city or town, within 60 days of receiving them.

When the time within which said committees are required to report has expired, all matters upon which no report has then been made shall forthwith be reported by the chairman of the committee on the part of the branch in which they were respectively introduced, with an adverse recommendation under this rule. If the chairman fails to make such report by the end of the legislative day next following the expiration date, all matters remaining unreported shall be placed in the Orders of the Day by the Clerk of the branch in which the matter was originally filed with an adverse report under this rule. Matters which have been referred under Joint Rule 29, upon which the chairmen of the committees on Rules fail to make a report, shall be placed by the respective Clerks in the Orders of the Day of the branch in which the subject matter was referred to said committees. Committees to whom are referred subjects of legislation may combine petitions of similar subject matter, or other forms of legislation of similar subject matter, into 1 adverse report, and the report on the petition shall be that said petitions or other forms of legislation "ought NOT to pass," and if the report is accepted, all the matters contained in the report shall be disposed of. However, petitions upon which an adverse report is accepted in only 1 branch may not be combined with other subjects of legislation upon which adverse reports must be accepted, in concurrence. This rule shall not apply to petitions referred to the committees on Rules of the two branches, acting concurrently, under the second paragraph of Joint Rule 12. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon. Notwithstanding Joint Rule 30, this rule shall not be rescinded, amended or suspended more than 3 times except

422 by unanimous consent. [Amended Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec.
423 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955;
424 Jan. 30, 1967; Jan. 7, 1971; Feb. 4, 1974, June 12, 1995; July 17, 2003; Feb. 20, 2007; Feb. 12,
425 2009.]

426 10A. The form for all subjects of legislation receiving a favorable report shall be "ought
427 to pass." The form for all subjects of legislation receiving an adverse report shall be "ought NOT
428 to pass." A committee to whom is referred any other matter may report recommending that the
429 same be placed on file. [Adopted Jan. 7, 1971.]

430 Committees of Conference.

431 11. Committees of conference shall consist of 3 members on the part of each branch,
432 representing its vote; and their report, if agreed to by a majority of each committee, shall be
433 made to the branch asking for the conference, and may be either accepted or rejected, but no
434 other action shall be had, except through a new committee of conference.

435 Committees of conference to whom are referred matters of difference in respect to bills or
436 resolves, shall, before filing their reports, have the same approved or discharged by each
437 committee on Bills in the Third Reading. [Amended April 22, 1937; Feb. 12, 2009; Feb. 3,
438 2011.]

439 11A. Committees of conference to whom are referred matters of difference in respect to
440 appropriation bills, including capital outlay programs, shall, before filing their reports, have the
441 same approved or discharged by each committee on Bills in the Third Reading.

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

449 The report of said committee of conference shall consist of the matters of difference so
450 referred and so identified, showing the amounts appropriated by each of the said branches and
451 other matters in disagreement and the position of each branch with respect to those matters, and
452 shall state said committee's recommendations with respect to the matters so referred. Matters on
453 which there exists no disagreement between the branches shall not be disturbed by the committee
454 on conference.

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

458 11B. No report from a committee of conference shall be considered or acted upon by
459 either branch until the calendar day following the day on which said report shall have been
460 available to the public and to the members of the General Court. The committee shall file its
461 report no later than 8 p.m. on the day preceding its consideration and the General Court shall not
462 consider said report before 1 p.m. on the following day, except that a report from such committee
463 of conference that it is unable to agree may be considered and acted upon at the time that such
464 report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005;
465 Feb. 3, 2011.]

466 11C. Reports, other than those filed under Rule 11A, from a committee of conference
467 shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk.
468 [Adopted Feb. 12, 2009; Feb. 3, 2011.]

469 11D. Upon the filing of a report by a committee of conference the clerk shall, as soon as
470 practicable, make the report and the summary of the report available to all members
471 electronically and to the public on the official website of the General Court. [Adopted Feb. 12,
472 2009; Feb. 3, 2011.]

473 Limit of Time allowed for New Business.

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

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

489 At any special session called under Rule 26A, however, matters relating to the facts
490 constituting the necessity for convening such session shall, if otherwise admissible, be admitted

491 as though filed seasonably under the first sentence of this rule. Any recommendations from the
492 Governor shall be similarly considered. This rule shall not be rescinded, amended or suspended,
493 except by a concurrent vote of two-thirds of the members of each branch present and voting
494 thereon. [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb.
495 15, 19 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30,
496 19 23; Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48;
497 Jan. 30, 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12,
498 1995 ; Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

499 12A. All formal business of the first annual session of the General Court shall be
500 concluded not later than the third Wednesday in November of that calendar year and all formal
501 business of the second annual session shall be concluded not later than the last day of July of that
502 calendar year.

503 In order to assist the Senate and House in its analysis and appraisal of laws enacted by the
504 General Court, each joint standing committee, upon conclusion of the formal business of the
505 annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings to evaluate the
506 effectiveness, application and administration of the subject matter of laws within the jurisdiction
507 of that committee. [Adopted June 12, 1995.]

508 Unfinished Business of the Session.

509 12B. Any matter pending before the General Court at the end of the first annual session
510 and any special session held in the same year shall carry over into the second annual session of
511 the same General Court in the same legislative status as it was at the conclusion of the first
512 annual session or any special session held during that year; provided, however, that any measure
513 making or supplementing an appropriation for a fiscal year submitted to or returned to the
514 General Court by the Governor, under Article LXIII of the Amendments to the Constitution, in
515 the first annual session or in a special session held during that year shall cease to exist upon the
516 termination of the first annual session. [Adopted June 12. 1995.]

517 Papers to be deposited with the Clerks.

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

525 A member may include a brief statement of intent with all papers intended for
526 presentation to the General Court. Upon a favorable report by a joint standing committee, a

527 committee may include a brief written statement of intent. Said statement shall be dated and shall
528 include the scope of the matter presented for consideration; provided, however, this rule shall not
529 be construed to require the presentation of such statement of intent under this rule. [Adopted Feb.
530 7, 1890. Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb.
531 15, 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

532 Dockets of Legislative Counsel and Agents.

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

536 Duties of the Clerk.

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

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

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

554 18. [Omitted in 1971.]

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

559 20. Bills, resolves and other papers requiring the approval of the Governor shall be laid
560 before the Governor for the Governor's approbation by the Senate Clerk and Parliamentarian,

561 who shall enter upon the journal of the Senate the day and date on which the same were so laid
562 before the Governor. [Amended Jan. 28, 1889; Jan. 7, 1971.]

563 20A. The Clerk of the House and the Clerk of the Senate shall make available on the
564 official website of the General Court the results of all roll call votes not later than 48 hours after
565 such vote is taken, not including quorum calls, in a manner easily identifiable, searchable, and
566 conspicuously located. The Clerk shall include the number of the roll call and the title of the
567 matter voted upon.This rule shall take effect not later than May 1, 2013.

568 Presentation and Distribution of Documents.

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

575 Bills, reports and other documents, available under the general order of either branch,
576 may be distributed as follows: copies to each member of the Senate and House of
577 Representatives (to be placed on his file under the direction of the Sergeant-at-Arms, if desired
578 by the member); copies to each Clerk in either branch, and copies to each reporter in regular
579 attendance, to whom a seat has been assigned in either branch; copies to the Executive; copies to
580 the Secretary's office; copies to the State Library; copy to each Public Library in the
581 Commonwealth. [Amended Jan. 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6,
582 1947 ; Apr. 5, 19 67 ; Jan. 7, 1971; Feb. 12, 2009.]

583 Emergency Measures.

584 22. The vote on the preamble of an emergency law, which under the requirements of
585 Article XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall,
586 upon request of 2 members of the Senate or of 5 members of the House of Representatives, be
587 taken by call of the yeas and nays, shall be had after the proposed law has been prepared for final
588 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
589 containing an emergency preamble until it has been determined whether the preamble shall
590 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill
591 may be received in either branch before the adoption of the emergency preamble, and the
592 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the
593 preamble, the bill or resolve shall first be put upon its final passage in the House of
594 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
595 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
596 without the preamble and without any provision that the bill or the resolve shall take effect
597 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules

598 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
599 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

600 22A. Bills and resolves passed to be engrossed by both branches and before being
601 transmitted by the clerks to the Legislative Engrossing Division shall be made available to the
602 committees on Bills in the Third Reading of the two branches, acting jointly, who shall examine
603 them to ensure accuracy in the text; that the legislation is correct as to form; that references to
604 previous amendments to any particular law are correct and to ensure proper consistency with the
605 language of existing statutes. These committees, with the approval of the majority and minority
606 leadership of both branches may make corrections which are not substantive in nature. The
607 clerks of both branches shall be immediately notified, in writing, of any such changes. Errors
608 discovered by the committees of a substantive nature shall be reported to the General Court,
609 which in turn shall take appropriate action under its rules. Upon completion of examination and
610 possible correction of any such bills and resolves, the bills and resolves shall be returned to the
611 clerks, who in turn, shall transmit them to the Legislative Engrossing Division to be prepared for
612 final passage. [Adopted Sept. 16, 1971.]

613 Legislative Amendments to the Constitution.

614 23. All proposals for amendments to the Constitution referred to a joint committee on the
615 first annual session of the General Court shall be reported by said committee not later than the
616 last Wednesday of April in said year, and proposals for amendments to the Constitution referred
617 to a joint committee subsequent to the last Wednesday in April of the first annual session shall be
618 reported by said committee not later than the last Wednesday of April in the second session of
619 the same General Court. The committee shall file its report, either recommending that the
620 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
621 thereto, with the Clerk of the Senate. When the time within which said committees are required
622 to report has expired, all matters upon which no report has been made shall forthwith be placed
623 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
624 placed on file in the office of the Clerk of the Senate. For further information of the members of
625 the Senate and House of Representatives, the respective Clerks shall also place all such matters
626 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch
627 the report shall be read and forthwith placed on file; and no further legislative action shall be
628 taken on the measure unless consideration in joint session is called for by vote of either branch,
629 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
630 Amendments to the Constitution. A joint committee to which is referred any recommendation for
631 an amendment to the Constitution made by the Governor or contained in a report authorized to
632 be made to the General Court may report on the recommendation a proposal for a legislative
633 amendment, which shall be deemed to have been introduced by the member of the Senate who
634 reports for the committee; and the procedure as regards reporting, filing and subsequent action
635 shall be that provided for legislative amendments by this rule. Or the joint committee may report
636 ought not to pass for the reason that no legislation is necessary or that the recommendation ought

637 not to pass; and in such cases the usual procedure as regards similar reports by joint commit¬tees
638 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
639 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
640 proposal, together with the official papers relating to the subject, shall be in the custody of the
641 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
642 together with the other papers, shall be sent to the Senate for its information and shall be kept in
643 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
644 so substituted unless consideration in joint session is called for under the Constitution. If either
645 branch calls for the consideration of any proposal in joint session, notice of its action shall be
646 sent to the other branch; and it shall then be the duty of the Senate and the House of
647 Representatives to arrange for the holding of the joint session not later than the second
648 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
649 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to
650 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
651 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2
652 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
653 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

654 Executive Reorganization Plans.

655 23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under
656 Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the
657 Senate and the House, with the approval of the President and Speaker, to a joint standing
658 committee within 5 days of the presentation of the reorganization plan.

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

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

668 If the committee recommends favorable action, the report shall be that the reorganization
669 plan "ought to be approved”. If the committee recommends adverse action, the report shall be
670 that the reorganization plan “ought NOT to be approved". In each instance, the question shall be
671 “Shall this reorganization plan be approved?”

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

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

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

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

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

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

697 No such reorganization plan presented to the General Court shall be subject to change or
698 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
699 1969; June 12, 1995; Feb. 12, 2009.]

700 Joint Conventions.

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

705 25. When an agreement has been made by the 2 branches to go into Convention, such
706 agreement shall not be altered or annulled, except by concurrent vote, excepting that it shall be in

order to recess the convention from time to time upon a majority vote of said convention. [Amended Jan. 7, 1971 .]

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

Special Sessions.

26A. If written statements of 21 members of the Senate and 81 members of the House of Representatives, that in their opinion it is necessary that the General Court assemble in special session on a particular date and time specified in their statements during a recess of the General Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members of their respective branches to assemble at the State House in Boston, on said date at the time so specified. When so assembled, the first business to be taken up shall be the question of the necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House of Representatives judge by vote taken by call of the yeas and nays that such assembling of the General Court is necessary, specifying in such vote the facts constituting such necessity, the General Court shall then complete its organization as a special session, proceed to the consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds of the members of both branches shall permit the General Court to proceed to the consideration of matters properly before it. Nothing in this rule shall prevent the General Court from assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939. Amended March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September 20, 2005.]

Joint Elections.

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

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

28. [Omitted March 28, 1972 .]

References to the Committees on Rules.

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

30. All motions or orders extending the time within which joint committees and the committees on Rules of the two branches, acting concurrently, are required to report shall be referred without debate to the committees on Rules of the two branches, acting concurrently, who shall report recommending what action should be taken on the motion or order. Such extension shall be granted by a concurrent majority vote if recommended by the committees on Rules of the two branches, acting concurrently; but no such extension shall be granted, against the recommendation of the committees, except by a four-fifths vote of the members of each branch present and voting on the extension. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon. [Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27, 1955; June 7, 1965.]

Members.

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

Accommodations for Reporters.

32. Subject to the approval and direction of the committees on Rules of the two branches, acting concurrently, during the session, and of the President of the Senate and the Speaker of the House of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in the State House shall be under the control of the organizations of legislative reporters known as the Massachusetts State House Press Association and the State House Broadcasters Association. No person shall be permitted to use such rooms or facilities who is not entitled to

778 the privileges of the reporters' galleries of the Senate or of the House. Within 10 days after the
779 General Court convenes the Massachusetts State House Press Association and the State House
780 Broadcasters Association shall each transmit to the President of the Senate, the Speaker of the
781 House of Representatives and the Sergeant-at-Arms a list of the legislative reporters with the
782 principal publication or news service which each represents. [Adopted Jan. 27, 1911. Amended
783 Feb. 24, 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

784 Suspension of Rules.

785 33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by
786 a concurrent vote of two-thirds of the members of each branch present and voting thereon.
787 [Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26,
788 2005.]

789 Audit of Accounts.

790 34. The committees on Rules of the two branches, acting concurrently, shall provide that
791 an outside independent audit of joint financial accounts be conducted by a certified public
792 accountant no less frequently that at the end of each second fiscal year. A copy of such audit
793 shall be filed with the Clerks of the Senate and House of Representatives and made available for
794 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
795 1985.]

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

800 Procurement.

801 36. (a) The House Business Manager and Chief Financial Officer of the Senate shall
802 complete the procurement of all goods and services from the joint legislative account.
803 Procurements for goods or services shall be made from the statewide procurement list
804 established by the operational services division, to the extent practicable, as determined by the
805 House Business Manager and the Chief Financial Officer of the Senate. If the Business Manager
806 and the Chief Financial Officer determine that a procurement cannot be made using the statewide
807 procurement list established by the operational services division, they may procure the required
808 goods or services under subsections (b), (c) or (d).

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

812 (c) If the House Business Manager and the Chief Financial Officer of the Senate seek to
813 procure a supply or service from a vendor not on the statewide procurement list valued at
814 $10,000 or more, but less than $100,000, they shall seek quotations from not fewer than 3
815 persons providing such supply or service. The House Business Manager and the Chief Financial
816 Officer of the Senate shall record the names and addresses of all persons from whom quotations
817 were received, the names of the persons submitting quotations and the date and amount of each
818 quotation. The House Business Manager and the Chief Financial Officer of the Senate shall
819 award the contract to the responsible person whose quotation offers the needed quality of supply
820 or service and which represents the best value for the General Court.

821 (d) If the House Business Manager and the Chief Financial Officer of the Senate seek to
822 procure a supply or service from a vendor not on the statewide procurement list valued at
823 $100,000 or more, the House Business Manager and the Chief Financial Officer of the Senate
824 shall seek proposals through a competitive bid process, which shall be established by the House
825 Business Manager and the Chief Financial Officer of the Senate.

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

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

834 (g) If, in the determination of the House Business Manager and the Chief Financial
835 Officer of the Senate, an emergency procurement of greater than $10,000 is necessary, the House
836 Business Manager and the Chief Financial Officer of the Senate may procure the goods or
837 services immediately and create and maintain a file explaining the nature of the emergency and
838 the goods or services that were procured as a result. The House Business Manager and the Chief
839 Financial Officer of the Senate shall document the goods or services that were procured, the
840 process used to procure the goods or services, the vendors that were contacted and any other
841 information relevant to the procurement, and make that information available to members of the
842 General Court during regular business hours, unless the information is otherwise protected by
843 state or federal law.