

HOUSE No. 3510

The joint rules of the Senate and House of Representatives for the 191st General Court for the 2019-2020 legislative session, being the text of a further amendment (offered by Mr. Galvin of Canton) to the Senate amendment, striking out the text of House document numbered 2021, amended, and inserting in place thereof the text contained in Senate document numbered 19 [containing an index]. March 7, 2019.

The Commonwealth of Massachusetts



House of Representatives, March 7, 2019.

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

1 *Committees.*

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

4 A committee on Cannabis Policy;

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

6 A committee on Community Development and Small Businesses;

7 A committee on Consumer Protection and Professional Licensure;

8 A committee on Economic Development and Emerging Technologies;

- 9 A committee on Education;
- 10 A committee on Elder Affairs;
- 11 A committee on Election Laws;
- 12 A committee on Environment, Natural Resources and Agriculture;
- 13 A committee on Export Development;
- 14 A committee on Financial Services;
- 15 A committee on Health Care Financing;
- 16 A committee on Higher Education;
- 17 A committee on Housing;
- 18 A committee on the Judiciary;
- 19 A committee on Labor and Workforce Development;
- 20 A committee on Mental Health, Substance Use and Recovery;
- 21 A committee on Municipalities and Regional Government;
- 22 A committee on Public Health;
- 23 A committee on Public Safety and Homeland Security;
- 24 A committee on Public Service;
- 25 A committee on Revenue;

26 A committee on State Administration and Regulatory Oversight;

27 A committee on Telecommunications, Utilities and Energy;

28 A committee on Tourism, Arts and Cultural Development;

29 A committee on Transportation; and

30 A committee on Veterans and Federal Affairs.

31 Each to consist of 6 members of the Senate, and 11 on the part of the House except the
32 committees on Economic Development and Emerging Technologies, Public Safety and
33 Homeland Security, Mental Health, Substance Use and Recovery, Health Care Financing and
34 Transportation which shall consist of 7 members of the Senate and 13 of the House.

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

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

44 Matters referred by either the Senate or the House to its committee on Ways and Means shall be
45 considered by the respective committees of the 2 branches, acting as a joint committee, when, in
46 the judgment of the chairs of the respective committees of the 2 branches, the interests of

47 legislation or the expedition of business will be better served by such joint consideration. Matters
48 may also be referred to the committees on Ways and Means, of the 2 branches, as a joint
49 committee.

50 The committees on Rules, together with the presiding officers of the 2 branches, acting
51 concurrently, may consider and suggest such measures as shall, in their judgment, tend to
52 facilitate the business of the session and a majority vote of the 2 branches shall be required to
53 approve such recommendations.

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

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

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

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

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

74 Each committee may, upon completion of its oversight hearings, report to the General Court the
75 results of its findings and recommendations together with accompanying corrective legislation, if
76 any, by filing the same with the Clerk of the House of Representatives or the Clerk of the Senate.

77 Copies of such reports shall be, whenever practicable, made available to all members
78 electronically and to the public via the Internet. The disposition of said reports shall be
79 determined by the Clerks with the approval of the Speaker and the President.

80 The Senate and House chairs of a joint committee may appoint subcommittees to investigate and
81 study any matter referred to said subcommittee. Any subcommittee so established shall be co-
82 chaired by a majority member of the Senate and a majority member of the House who are
83 members of the joint standing committee appointing the subcommittee. The composition of the
84 subcommittee shall be proportional to the composition of the appointing joint committee;
85 provided, however, that not less than 10 per cent of the subcommittee's members shall be from
86 the minority party. Chairs of subcommittees shall not be considered chairs under section 9B of
87 chapter 3 of the General Laws. A subcommittee may, upon completion of an investigation and
88 study, report the results of the investigation and study together with legislation, if any, by filing
89 the same with the Senate and House chairs of the appointing joint committee.

90 Temporary employees of the general court assigned to a joint committee who are students at an
91 accredited education institution or employees or grantees of other non-profit organizations under
92 section 501 (c) (3) of the Internal Revenue Code may receive compensation from such
93 organization, according to that organization's regular program of providing such compensation
94 for temporary governmental or public service employment. A temporary employee's Senate or
95 House supervisor shall establish the employee's total compensation, shall verify that the sum of
96 the employee's state compensation, if any, and that any outside compensation the employee is to
97 receive under this rule would not exceed this total compensation, and shall file the written terms
98 of the employee's compensation with the Senate or House Human Resources Office, where it
99 shall be available for public inspection. The temporary employee shall sign a confidentiality and
100 ethics agreement provided by the Senate Personnel Office or House Human Resources Office.

101 The Senate and House Offices of Human Resources shall publish an employee handbook for
102 joint employees of both branches of the general court. The handbook shall be developed with
103 the advice and approval of both the Counsel to the Senate and the Counsel to the House. The
104 handbook shall address access by joint employees to the human resource related services and
105 programs of each branch of the general court. Joint employees shall complete any training
106 required by either branch of the general court, as may be agreed upon by the Senate and House
107 Offices of Human Resources.

108 [Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18 86; Jan. 12,
109 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.
110 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;
111 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.
112 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,

113 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
114 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,
115 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;
116 Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec. 21,
117 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 ,
118 June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005; Feb. 20, 2007;
119 Feb 12, 2009; Feb. 15, 2017; Mar 7, 2019.]

120 1A. All meetings of joint committees acting concurrently, Senate and House standing
121 committees, special committees of the Senate and House of Representatives, and joint special
122 committees and committees of conference on the disagreeing votes of the 2 branches shall be
123 open to the public, unless a majority shall vote otherwise. [Adopted July 17, 1973. Amended
124 July 18, 1974; Feb. 12, 2009.]

125 1B. A joint standing committee shall hold a public hearing on each matter referred to it in each
126 legislative session. [Adopted June 3, 1985; Amended Feb. 12, 2009.]

127 1C. All joint standing committees shall schedule committee hearings and executive sessions
128 upon agreement of the chairs and so as not to conflict, to the extent feasible, with the schedules
129 of other committees and, to the extent feasible, the day of the week and times during that day set
130 aside for formal sessions by the respective branches from the first Wednesday in January through
131 the fourth Wednesday of April in the first annual session. [Adopted June 3, 1985; Amended June
132 12, 1995; Mar. 7, 2019.]

133 1D. All meetings of joint standing committees, and special joint committees of the Senate and
134 House of Representatives, shall be open to the public, and any person shall be permitted to attend

135 any such meeting unless such committee convenes in executive session, as provided herein. All
136 joint standing committees shall determine a schedule for committee hearings to be held from the
137 beginning of the first annual session through the fourth Wednesday in June in said session. These
138 committee schedules shall be submitted to the Clerk of the House who shall cause them to be
139 published on the official website for the General Court. Establishment of such schedules shall
140 not preclude joint standing committees from scheduling additional hearings or meetings as
141 needed. No executive session shall be held except upon extraordinary circumstances and only
142 after the committee has first convened in an open session for which notice has been given, the
143 presiding officer has stated the purpose of the executive session, a majority of the committee
144 members present has voted to go into executive session, the vote of each member has been
145 recorded on a roll call vote, and the presiding officer has stated before the executive session if
146 the committee will reconvene after the executive session. The records of all such roll calls shall
147 be kept in the offices of the committee for the duration of the General Court during which said
148 vote was recorded, and shall be available for public inspection upon reasonable notice and during
149 regular office hours.

150 Committees shall provide to members of the committee either the text or comprehensive
151 summaries of the bills or other forms of legislative matters prior to the beginning of an executive
152 session or poll. All joint standing committees, and special joint committees of the Senate and
153 House of Representatives, shall notify the Sergeant-at-Arms of the time, place and agenda of all
154 public hearings and executive sessions not less than 72 hours prior to the time of such meetings.
155 If public testimony is being solicited, agendas shall include an electronic mail address and
156 physical mail address for the submission of testimony. The Sergeant-at-Arms shall notify the

157 clerk, who shall inform all members electronically and publish such information on the official
158 website of the General Court whenever practicable.

159 Nothing contained in this rule shall prohibit a joint standing committee or special joint
160 committee of the Senate and the House of Representatives from taking appropriate action
161 including, but not limited to, the exclusion of a person from a committee meeting in order to
162 prevent the disruption of or interference with committee proceedings. All meetings of joint
163 standing committees, and special joint committees of the Senate and House of Representatives,
164 shall be limited to no more than 50 bills to be discussed in a hearing, unless it can be determined
165 that all of the bills being considered are of the same subject matter.

166 The 72 hour requirement shall be suspended in an emergency only after all reasonable efforts
167 have been made to contact all committee members and upon a recorded vote of at least a
168 majority of the members of each branch appointed to the committee, but not less than two-thirds
169 of the members of each branch voting.

170 A meeting of a committee may be recorded by a person in attendance by means of a recorder or
171 any other means of audio/visual reproduction except when a meeting is held in executive session;
172 provided, that a person seeking to record a meeting of a committee notifies the Chairs of the
173 committee prior to commencing such recording; and provided further that during such recording
174 there is no interference with the conduct of the meeting.

175 The Chairs of each committee shall preserve decorum and order during each committee hearing.
176 Persons attending hearings shall be required to refrain from the use of cellular telephones,
177 beepers and pagers. The use of visual aids including, without limitation, posters, displays, or

178 charts shall be permitted only upon approval of the Chairs. [Adopted June 3, 1985. Amended
179 June 12, 1995; Feb. 20, 2007; Mar. 14, 2013; Mar. 7, 2019.]

180 1E. The joint standing committee on Health Care Financing shall review all legislation relating
181 to health care to evaluate the appropriateness and fiscal effect of such legislation. A matter
182 within the jurisdiction of said committee may, if appropriate, initially be referred to another joint
183 standing committee sharing jurisdiction of the subject-matter. Any matter reported favorably by
184 such joint standing committee shall be referred to the joint committee on Health Care Financing;
185 provided, however, that notwithstanding any rule to the contrary, any such matter so reported
186 shall not be read a first time in the branch in which the report was received. The next favorable
187 report on any such matter, if made by a joint committee, may be made to either branch. Such
188 next favorable report shall be considered the first reading. The branch of origin for any such bill
189 so reported shall be the branch receiving such favorable report.

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

194 In compliance with section 38A of chapter 3 of the General Laws, the joint committee on Health
195 Care Financing when reporting on bills shall include a fiscal note prepared under section 3A of
196 chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the proposed
197 legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the sum of
198 \$100,000; provided, however, that any matter reported by the committee on Health Care
199 Financing with a fiscal effect of less than \$100,000 shall not be referred, under the rules, to the

200 committee on Ways and Means.[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007;
201 Feb. 12, 2009.]

202 1F. [Omitted February 12, 2009].

203 1G. The President of the Senate, the Speaker of the House of Representatives, Minority Leader
204 of the Senate, Minority Leader of the House of Representatives, the Senate and House chairs and
205 the Senate and House ranking minority members of the joint committee on Public Safety and
206 Homeland Security may receive security clearance from federal and state homeland security
207 officials in order to be granted access to confidential homeland security briefings, information
208 and materials. The President of the Senate, the Speaker of the House of Representatives, the
209 Senate and House committee chairs and the Senate and House ranking minority members may
210 designate 1 or more members of their staff who may receive such security clearance.

211 Any person who receives security clearance under this rule shall sign all confidentiality
212 agreements required by homeland security officials. The breach of any such confidentiality
213 agreement shall constitute a violation of the Joint Rules of the Senate and House of
214 Representatives. Any alleged violation of a confidentiality agreement shall be referred for
215 investigation to the Senate committee on Ethics and Rules or the House committee on Ethics,
216 respectively, and, if appropriate, to law enforcement authorities for potential criminal
217 prosecution. [Adopted Jan. 26, 2005; Amended Feb. 12, 2009; Mar. 7, 2019.]

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

220 2A. No member of either branch shall purchase, directly or indirectly, the stock or other
221 securities of any corporation or association knowing that there is pending before the General

222 Court any measure specially granting to such corporation or association any immunity,
223 exemption, privilege or benefit or any measure providing for the creation of, or directly affecting
224 any, contractual relations between such corporation or association and the Commonwealth. This
225 rule shall not apply to the purchase of securities issued by the Commonwealth or any political
226 subdivision of the Commonwealth. [See G.L. chapter 268, section 10.] [Adopted Jan. 16, 1922.]

227 3. When the General Court is in session, authorization for any committee of the Senate or House
228 of Representatives to travel during the session of the General Court shall be approved by a vote
229 of two-thirds of the members of its branch present and voting. When the General Court is in
230 session, authorization for any committee of the Senate or House of Representatives to sit and
231 travel during the recess of the General Court shall be approved by a vote of two-thirds of the
232 members of each branch present and voting. During the recess of the General Court, the
233 President of the Senate and the Speaker of the House of Representatives may, by written consent,
234 allow standing committees of their respective branches or appoint special committees to sit,
235 travel and incur expenses not exceeding sums authorized in writing by said presiding officers and
236 appropriated for such purposes. When the General Court is in session, authorization for any joint
237 committee to travel during the session, or to sit or travel during the recess, of the General Court
238 shall be approved by a vote of two-thirds of the members of each branch present and voting.
239 During the recess of the General Court, the President of the Senate and the Speaker of the House
240 of Representatives, acting jointly, may, by written consent, allow joint committees or appoint
241 joint special committees to sit, travel and incur expenses not exceeding sums authorized in
242 writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate
243 and House of Representatives shall be notified of any appointments made and authorizations
244 granted during the recess for said committees to sit, travel and incur expenses during the recess

245 and the Clerks shall enter such information in the journals for the next year, as soon as may be
246 practicable. Committees authorized by the presiding officers to sit during the recess in the odd
247 numbered year shall report not later than the fourth Wednesday of January during the following
248 year and committees authorized by the presiding officers to sit during the recess in the even
249 numbered year shall report not later than the fourth Wednesday of December during the same
250 year.

251 No committee shall travel except at the expense of the Commonwealth. In any case when a
252 committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for
253 members of the committee and the officer accompanying them, and the reasonable traveling
254 expenses of such members and officers only shall be charged to or paid by the Commonwealth.
255 Neither the Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any
256 person to accompany such committee while in the discharge of its official duties unless invited
257 by vote of the committee.

258 All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms to
259 the committee by whom they have been incurred and shall be approved by a majority of said
260 committee before being presented to the Comptroller for payment. [Adopted Feb. 7, 1890;
261 Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18,
262 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

263 3A. A joint standing committee may, upon the written and signed report of two-thirds of the
264 members of the Senate and two-thirds of the members of the House appointed to said committee,
265 report a bill or other form of legislation without said legislation being founded upon petition;
266 provided, however, that matters so reported shall be germane to the subject matters regularly

267 referred to the committee. The committee shall hold a public hearing on such bill or other form
268 of legislation before it is reported. A bill or other form of legislation so reported shall be placed
269 in the Orders of the Day by the Clerk of the respective branch to which it is reported or referred
270 to a standing committee of said branch under the rules. All reports of committees not founded
271 upon petition shall bear the designation 'committee bill', 'resolve', 'order' or 'resolution', as the
272 case may be, in the Orders of the Day. Committees to which messages from the Governor,
273 reports of state officers, boards, committees, commissions and others authorized to report to the
274 General Court, may report by bill or otherwise such legislation as may be germane to the subject
275 matter referred to them. [Adopted June 3, 1985.]

276 4. Favorable reports, and adverse reports on subjects of legislation other than petitions, by joint
277 committees shall be made to the branch in which the matter was originally introduced, unless the
278 committee decides otherwise under its own rules and, except that reports on money bills shall be
279 made to the House and if adverse reports on matters other than petitions which are accompanied
280 by money bills are accepted by the House, this shall constitute final rejection. Adverse reports by
281 joint committees on petitions shall be made to the branch in which the petition was originally
282 introduced, except that such adverse reports on petitions accompanied by proposed money bills
283 shall be made to the House; and, if accepted by the branch in which they are made, shall be
284 considered as a final rejection. When a report is made from any committee to either branch, and
285 the subject-matter of the report is subsequently referred to a joint committee, such committee,
286 except for the committee on Health Care Financing, shall report its action to the branch in which
287 the reference originated. [See also Joint Rule 5.]

288 A vote of a joint standing committee to give legislation a favorable or adverse report shall be
289 conducted by a roll call upon request of 2 committee members present at the committee meeting.

290 Such votes shall be recorded on appropriate forms that show all votes for and against the
291 particular committee action. The records of all such roll calls shall be kept in the offices of the
292 committee for the duration of the General Court during which said vote was recorded, and shall
293 be available for public inspection upon reasonable notice and during regular office hours.

294 All committee members shall have an opportunity to sign a form accompanying a report of the
295 committee signifying approval of, dissent or abstention from a report of a joint standing
296 committee before the report is final or filed. No signature shall be valid unless the report to
297 which the signature is affixed includes the substantially complete text of the legislation being
298 reported. [Amended Jan. 3, 1952; April 8, 1959; June 7, 1965; Jan. 7, 1971; March 11, 1974;
299 June 3, 1985; Feb. 20, 2007; Feb. 15, 2017.]

300 4A. In compliance with section 38A of chapter 3 of the General Laws, all joint committees of the
301 General Court when reporting on bills referred to them shall include a fiscal note prepared under
302 section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of
303 the proposed legislation, if, in the opinion of said committee, such cost exceeds \$100,000. Such
304 fiscal note shall be filed electronically in the office of the clerk to which the report is being
305 made, and shall be promptly made available on the official website of the General Court.

306 [Adopted Jan. 15, 1973.]

307 5. Matters reported adversely by joint committees and the committees on Rules of the two
308 branches, acting concurrently, may be recommitted to the same committees at the pleasure of the
309 branch acting on the report, and bills or resolves may be recommitted in either branch. If a bill or
310 resolve is laid aside in either branch for the reason that it is declared to be broader in its scope
311 than the subject-matter upon which it is based, the subject-matter shall be recommitted to the

312 committee. A concurrent vote shall, however, be necessary for re-committal, with instructions.
313 After recommitment, report shall, in all cases, be made to the branch originating the
314 recommitment. [Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 19 53; March 26,
315 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

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

319 *Joint Petitions.*

320 6A. A member of the Senate and a member of the House of Representatives may file a joint
321 petition in either branch and shall endorse their name on the petition and a brief statement of the
322 nature and object of the instrument and the reading of the instrument shall be dispensed with,
323 unless specially ordered. The petition shall be filed in the office of the clerk of either the Senate
324 or House of Representatives, depending on whether it is a 'Joint Senate/House Petition' or a
325 'Joint House/Senate Petition' but the Journal records in the Senate and House of Representatives
326 shall carry both members' names as presenters of the petition. [Adopted Jan. 15, 1973.]

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

331 7A. A petition for legislation to authorize a county to reinstate in its service a person formerly
332 employed by it, or to retire or pension or grant an annuity to any person, or to increase any
333 retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension

334 or retirement allowance, or to pay any salary which would have accrued to a deceased official or
335 employee but for their death, or to pay any claim for damages or otherwise, or to alter the
336 benefits or change the restrictions of any county retirement or pension law, shall, subsequently to
337 the procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely,
338 unless, when filed it be the petition of, or be approved by, a majority of the county
339 commissioners. [Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920; May 24,
340 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967;
341 Jan. 7, 1971; Jan. 15, 1973; Mar. 7, 2019.]

342 7B. A petition, the operation of which is restricted to a particular city or town (and which does
343 not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does
344 not affect generally the laws of the Commonwealth) and which is not filed in conformity with
345 Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the
346 procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be on
347 petition filed or approved by the voters of a city or town, or the mayor and city council, or other
348 legislative body, of a city, or the town meeting of a town. A joint committee to which is
349 inadvertently referred a petition or other subject of legislation the operation of which is restricted
350 to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of
351 the Amendments to the Constitution shall report a general law which applies alike to all cities, or
352 to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report ‘ought not
353 to pass’, with the further endorsement that it ‘would be unconstitutional to enact such special
354 law’.

355 Any petition that subsequently conforms to Section 8 of Article LXXXIX of the Amendments to
356 the Constitution after filing, which have followed the procedures set forth in Senate Rule 20 or

357 House Rule 24, shall be forthwith reported from the committee on Rules and be referred by the
358 Clerk to an appropriate committee.[Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920;
359 May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb.
360 20, 1951; Jan. 30, 1967; Jan. 7 and Mar. 22, 1971 ; Jan. 15, 1973; March 14, 2013.]

361 7C. The approval vote required to file a petition, the operation of which is restricted to a
362 particular city or town under Section 8 of Article LXXXIX of the Amendments to the
363 Constitution of the Commonwealth, shall not expire prior to the final day of the next immediate
364 biennial session in which the petition was filed and no additional vote shall be required to file a
365 petition unless a vote to rescind such approval is passed by the voters of a city or town, or the
366 mayor and city council or other legislative body of a city, or the board of selectmen and the town
367 meeting or other legislative body of the town. [Adopted, Mar. 14, 2013; Amended Feb. 15,
368 2017.]

369 7D. The approval of a substantive amendment to a petition restricted to a single city or town and
370 requiring a vote of the city of town before enactment of the petition shall be provided to the
371 General Court before the enactment of the petition and shall be reviewed by House Counsel and
372 Senate Counsel prior to the enactment of the petition in either branch. [Adopted , Feb. 15, 2017.]

373 *Notice to Parties Interested.*

374 8. No legislation affecting the rights of individuals or the rights of a private or municipal
375 corporation, otherwise than as it affects generally the people of the Commonwealth or the people
376 of the city or town to which it specifically applies, shall be proposed or introduced except by a
377 petition, nor shall any bill or resolve embodying such legislation be reported by a committee
378 except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee,

379 whether on an original reference or on a re-committal with instructions to hear the parties, until it
380 is made to appear to the satisfaction of the committee that proper notice of the proposed
381 legislation has been given by public advertisement or otherwise to all parties interested, without
382 expense to the Commonwealth, or until evidence satisfactory to the committee is produced that
383 all parties interested have in writing waived notice. A committee reporting adversely due to lack
384 proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall
385 be in order as a substitute for, or amendment of, such report. Objection to the violation of this
386 rule may be taken at any stage prior to that of the third reading. [Adopted Feb. 7, 1890. Amended
387 Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971.]

388 9. A petition for the incorporation of a city or town, for the annexation of 1 municipality to
389 another, for the consolidation of 2 or more municipalities or for the division of an existing
390 municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad,
391 canal, telephone, telegraph, water, gas, electric light, power or other public service corporation,
392 for the amendment, alteration or extension of the charter or corporate powers or privileges, or for
393 the change of name, of any such company, whether specially incorporated or organized under the
394 General Laws, or for authority to take water for a water supply, or relative to building structures
395 in or over navigable or tide waters, shall be placed on file, and not referred to a committee ,
396 unless the petitioner has given the notice and followed the procedure required by section 5 of
397 chapter 3 of the General Laws . But if, no objection being raised, any such petition is referred to
398 a committee without such required notice or procedure, the committee shall forthwith report
399 adversely, setting forth as the reason for such report failure to comply with the law, unless
400 evidence satisfactory to the committee is produced that all parties interested have in writing
401 waived notice. In case a bill or resolve is reported upon such a petition, after proof of such

402 waiver of notice, this fact shall be set forth in the report of the committee. When an adverse
403 report is made by a committee, on account of failure to give the required notice, no bill or resolve
404 shall be substituted for such report, nor shall such report be recommitted or referred to another
405 committee.

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

413 Any petition placed on file for want of proper notice or procedure under this rule shall not affect
414 action upon any other measure involving the same subject matter. [Adopted Feb. 7, 1890.
415 Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926;
416 Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8,
417 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009; Mar. 7, 2019.]

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

419 10. All joint committees and the committees on Rules of the two branches, acting concurrently,
420 shall make final report not later than the first Wednesday in February of the second annual
421 session of the General Court on all matters referred to them before the first day of the second
422 annual session and within 30 days on all matters referred to them on and after the first day of the
423 second annual session of the General Court except that the committee on Health Care Financing

424 shall make final report not later than the last Wednesday of March of the second annual session
425 on all matters referred to them on or before the fourth Wednesday of February and within 30
426 days on all matters referred to it after the fourth Wednesday in February of the second annual
427 session of the General Court. When the time within which said committees are required to report
428 has expired, all matters upon which no report has then been made shall forthwith be reported by
429 the chair of the committee on the part of the branch in which they were respectively introduced,
430 with an adverse recommendation under this rule. If the chair fails to make such report by the end
431 of the legislative day next following the expiration date, all matters remaining unreported shall
432 be placed in the Orders of the Day by the Clerk of the branch in which the matter was originally
433 filed with an adverse report under this rule. Matters which have been referred under Joint Rule
434 29, upon which the chairs of the committees on Rules fail to make a report, shall be placed by
435 the respective Clerks in the Orders of the Day of the branch in which the subject matter was
436 referred to said committees. Committees to whom are referred subjects of legislation may
437 combine petitions of similar subject matter, or other forms of legislation of similar subject
438 matter, into 1 adverse report, and the report on the petition shall be that said petitions or other
439 forms of legislation 'ought NOT to pass,' and if the report is accepted, all the matters contained
440 in the report shall be disposed of. However, petitions upon which an adverse report is accepted in
441 only 1 branch may not be combined with other subjects of legislation upon which adverse reports
442 must be accepted, in concurrence. This rule shall not apply to petitions referred to the
443 committees on Rules of the two branches, acting concurrently, under the second paragraph of
444 Joint Rule 12. This rule shall not be rescinded, amended or suspended, except by a concurrent
445 vote of four-fifths of the members of each branch present and voting thereon. Notwithstanding
446 Joint Rule 30, this rule shall not be rescinded, amended or suspended more than 3 times except

447 by unanimous consent. [Amended Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec.
448 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955;
449 Jan. 30, 1967; Jan. 7, 1971; Feb. 4, 1974, June 12, 1995; July 17, 2003; Feb. 20, 2007; Feb. 12,
450 2009; Feb. 15, 2017; Mar. 7, 2019.]

451 10A. The form for all subjects of legislation receiving a favorable report shall be ‘ought to pass.’
452 The form for all subjects of legislation receiving an adverse report shall be ‘ought NOT to pass.’
453 A committee to whom is referred any other matter may report recommending that the same be
454 placed on file. [Adopted Jan. 7, 1971.]

455 *Committees of Conference.*

456 11. Committees of conference shall consist of 3 members on the part of each branch, one
457 member of each branch being a member of the minority party representing its vote; and their
458 report, if agreed to by a majority of each committee, shall be made to the branch asking for the
459 conference, and may be either accepted or rejected, but no other action shall be had, except
460 through a new committee of conference.

461 Committees of conference to whom are referred matters of difference in respect to bills or
462 resolves, shall, after filing their reports, but before consideration by either branch, have the same
463 approved or discharged by each committee on Bills in the Third Reading [Amended April 22,
464 1937; Feb. 12, 2009; Feb. 3, 2011; Feb. 15, 2017; Mar. 7, 2019.]

465 11A. Committees of conference to whom are referred matters of difference in respect to
466 appropriation bills, including capital outlay programs, shall, after filing their reports but before
467 consideration by either branch have the same approved or discharged by each committee on Bills
468 in the Third Reading.

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

475 The report of said committee of conference shall consist of the matters of difference so referred
476 and so identified, showing the amounts appropriated by each of the said branches and other
477 matters in disagreement and the position of each branch with respect to those matters, and shall
478 state said committee's recommendations with respect to the matters so referred. Matters on which
479 there exists no disagreement between the branches shall not be disturbed by the committee on
480 conference.

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

484 11B. No report from a committee of conference shall be considered or acted upon by either
485 branch until the calendar day following the day on which said report shall have been available to
486 the public and to the members of the General Court. The committee shall file its report no later
487 than 8 p.m. on the day preceding its consideration and the General Court shall not consider said
488 report before 1 p.m. on the following day, except that a report from such committee of
489 conference that it is unable to agree may be considered and acted upon at the time that such

490 report is filed. [Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005;
491 Feb. 3, 2011.]

492 11C. Reports, other than those filed under Rule 11A, from a committee of conference shall,
493 whenever practicable, be accompanied by a summary which shall be filed with the clerk.
494 [Adopted Feb. 12, 2009; Feb. 3, 2011.]

495 11D. Upon the filing of a report by a committee of conference the clerk of the branch in which
496 the committee of conference filed its report shall make the report and the summary of the report
497 available to all members electronically and to the public on the official website of the General
498 Court by 9 p.m. on the day preceding its consideration. [Adopted Feb. 12, 2009; Feb. 3, 2011.]

499 11E. Subsequent to the filing of a report of a committee of conference, an addendum may be
500 submitted to the clerk of the branch in which the report had been filed. The addendum shall
501 indicate that it contains only matters inadvertently omitted from or included in the report, and
502 shall be signed by all of members of the House and Senate who had signed the conference
503 committee report. The addendum shall be approved by both the Counsel to the House and the
504 Counsel to the Senate. The addendum, having been approved by both the Counsel to the House
505 and the Counsel to the Senate, shall be posted to the official website of the General Court
506 immediately upon receipt by the clerk of the branch to which it was submitted. [Adopted Mar.
507 14, 2013.]

508 *Limit of Time allowed for New Business.*

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

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

524 At any special session called under Rule 26A, however, matters relating to the facts constituting
525 the necessity for convening such session shall, if otherwise admissible, be admitted as though
526 filed seasonably under the first sentence of this rule. Any recommendations from the Governor
527 shall be similarly considered. This rule shall not be rescinded, amended or suspended, except by
528 a concurrent vote of two-thirds of the members of each branch present and voting thereon.

529 [Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19
530 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30, 19 23;
531 Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan. 30,
532 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ;
533 Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

534 12A. All formal business of the first annual session of the General Court shall be concluded not
535 later than the third Wednesday in November of that calendar year and all formal business of the
536 second annual session shall be concluded not later than the last day of July of that calendar year.

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

542 *Unfinished Business of the Session.*

543 12B. Any matter pending before the General Court at the end of the first annual session and any
544 special session held in the same year shall carry over into the second annual session of the same
545 General Court in the same legislative status as it was at the conclusion of the first annual session
546 or any special session held during that year; provided, however, that any measure making or
547 supplementing an appropriation for a fiscal year submitted to or returned to the General Court by
548 the Governor, under Article LXIII of the Amendments to the Constitution, in the first annual
549 session or in a special session held during that year shall cease to exist upon the termination of
550 the first annual session. [Adopted June 12, 1995.]

551 *Papers to be deposited with the Clerks.*

552 13. Information intended for presentation to the General Court by any Representative or Senator
553 shall be deposited with the Clerk of the branch to which the member belongs; and all such
554 information, unless they be subject to other rules or of the rules of the Senate or House, shall be
555 referred by the Clerk, with the approval of the President or Speaker, to appropriate committees,

556 subject to such changes as the Senate or House may make. The reading of information so
557 referred may be dispensed with, but they shall, except as provided in these rules, be entered in
558 the Journal of the same on the next legislative day after such reference.

559 A member may include a brief statement of intent with all papers intended for presentation to the
560 General Court. Upon a favorable report by a joint standing committee, a committee may include
561 a brief written statement of intent. Said statement shall be dated and shall include the scope of
562 the matter presented for consideration; provided, however, this rule shall not be construed to
563 require the presentation of such statement of intent under this rule. [Adopted Feb. 7, 1890.
564 Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb. 15,
565 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009.]

566 *Dockets of Legislative Counsel and Agents.*

567 14. The committees on Rules of the two branches, acting concurrently, may prescribe the manner
568 and form of keeping the dockets of legislative agents which are required by law. [Adopted Feb.
569 2, 1891; Amended Feb. 19, 1920.]

570 *Duties of the Clerk.*

571 15. If any part of the report of a committee over the signature of the chair or members of the
572 committee is amended in either branch, the Clerk of that branch shall endorse upon the report
573 such amendment. [Amended Mar. 7, 2019.]

574 16. All papers, while on their passage between the 2 branches, may be under the signature of the
575 respective Clerks, except as to the adopting of emergency preambles and the final passage of

576 bills and resolves. Messages may be sent by such persons as each branch may direct. [Amended
577 Feb. 21, 1919.]

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

588 18. [Omitted in 1971.]

589 19. The Clerk of the branch in which a bill or resolve originated shall make an endorsement on
590 the envelope of the engrossed copy of the bill, certifying in which branch the bill originated,
591 which endorsement shall be entered on the journals by the Clerks respectively. [Amended Jan.
592 28, 1889; Feb. 24, 1914.]

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

597

Presentation and Distribution of Documents.

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

604 The Clerks of the House of Representatives and the Senate shall be responsible for publishing
605 the journals of their respective chamber, the book Public Officers of Massachusetts, the
606 committee book and any other publications per order of the committees on Rules. [Amended Jan.
607 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7,
608 1971; Feb. 12, 2009; Mar. 14, 2013.]

609

Emergency Measures.

610 22. The vote on the preamble of an emergency law, which under the requirements of Article
611 XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon
612 request of 2 members of the Senate or of 5 members of the House of Representatives, be taken
613 by call of the yeas and nays, shall be had after the proposed law has been prepared for final
614 passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve
615 containing an emergency preamble until it has been determined whether the preamble shall
616 remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill
617 may be received in either branch before the adoption of the emergency preamble, and the
618 amendment may contain a new emergency preamble. If the 2 branches concur in adopting the

619 preamble, the bill or resolve shall first be put upon its final passage in the House of
620 Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to
621 the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage
622 without the preamble and without any provision that the bill or the resolve shall take effect
623 earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules
624 and the rules of the Senate and the House of Representatives. [Adopted Feb. 21, 1919. Amended
625 Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

626 22A. Bills and resolves passed to be engrossed by both branches and before being transmitted by
627 the clerks to the Legislative Engrossing Division shall be made available to the committees on
628 Bills in the Third Reading of the two branches, acting jointly, who shall examine them to ensure
629 accuracy in the text; that the legislation is correct as to form; that references to previous
630 amendments to any particular law are correct and to ensure proper consistency with the language
631 of existing statutes. These committees, with the approval of the majority and minority leadership
632 of both branches may make corrections which are not substantive in nature. The clerks of both
633 branches shall be immediately notified, in writing, of any such changes. Errors discovered by the
634 committees of a substantive nature shall be reported to the General Court, which in turn shall
635 take appropriate action under its rules. Upon completion of examination and possible correction
636 of any such bills and resolves, the bills and resolves shall be returned to the clerks, who in turn,
637 shall transmit them to the Legislative Engrossing Division to be prepared for final passage.
638 [Adopted Sept. 16, 1971.]

639

Legislative Amendments to the Constitution.

640 23. All proposals for amendments to the Constitution referred to a joint committee on the first
641 annual session of the General Court shall be reported by said committee not later than the last
642 Wednesday of April in said year, and proposals for amendments to the Constitution referred to a
643 joint committee subsequent to the last Wednesday in April of the first annual session shall be
644 reported by said committee not later than the last Wednesday of April in the second session of
645 the same General Court. The committee shall file its report, either recommending that the
646 proposal ought to pass or ought not to pass, with any official papers in its possession that relate
647 thereto, with the Clerk of the Senate. When the time within which said committees are required
648 to report has expired, all matters upon which no report has been made shall forthwith be placed
649 in the Journal of the respective branches, with an adverse report under this rule; and shall then be
650 placed on file in the office of the Clerk of the Senate. For further information of the members of
651 the Senate and House of Representatives, the respective Clerks shall also place all such matters
652 under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch
653 the report shall be read and forthwith placed on file; and no further legislative action shall be
654 taken on the measure unless consideration in joint session is called for by vote of either branch,
655 under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the
656 Amendments to the Constitution. A joint committee to which is referred any recommendation for
657 an amendment to the Constitution made by the Governor or contained in a report authorized to
658 be made to the General Court may report on the recommendation a proposal for a legislative
659 amendment, which shall be deemed to have been introduced by the member of the Senate who
660 reports for the committee; and the procedure as regards reporting, filing and subsequent action
661 shall be that provided for legislative amendments by this rule. Or the joint committee may report

662 ought not to pass for the reason that no legislation is necessary or that the recommendation ought
663 not to pass; and in such cases the usual procedure as regards similar reports by joint committees
664 shall be followed. If such an adverse report is amended in the Senate by substituting a proposal
665 for a legislative amendment, notice of the Senate's action shall be sent to the House and said
666 proposal, together with the official papers relating to the subject, shall be in the custody of the
667 Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed,
668 together with the other papers, shall be sent to the Senate for its information and shall be kept in
669 the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal
670 so substituted unless consideration in joint session is called for under the Constitution. If either
671 branch calls for the consideration of any proposal in joint session, notice of its action shall be
672 sent to the other branch; and it shall then be the duty of the Senate and the House of
673 Representatives to arrange for the holding of the joint session not later than the second
674 Wednesday in May. Subject to the requirements of the Constitution, joint sessions or
675 continuances of joint sessions of the 2 branches to consider proposals for specific amendments to
676 the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the
677 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2
678 houses. [Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan.
679 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

680 *Executive Reorganization Plans.*

681 23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under Article
682 LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate
683 and the House, with the approval of the President and Speaker, to a joint standing committee
684 within 5 days of the presentation of the reorganization plan.

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

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

694 If the committee recommends favorable action, the report shall be that the reorganization plan
695 'ought to be approved'. If the committee recommends adverse action, the report shall be that the
696 reorganization plan 'ought NOT to be approved'. In each instance, the question shall be 'Shall
697 this reorganization plan be approved?'

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

701 When the time within which a joint committee is required to report on a reorganization plan has
702 expired, a matter upon which no report has been made shall forthwith be placed in the Orders of
703 the Day by the Clerks of each branch and the question shall be 'Shall this reorganization plan be
704 approved?'

705 When such plan is before either branch, no motion relating to said plan shall be allowed except
706 the motions to lay on the table (only in the Senate), to postpone to a time certain, or to commit or

707 recommit (at the pleasure of either branch). The motions to take a recess, to adjourn, the previous
708 question (if provided in the branch debating the issue), to close debate at a specified time, and
709 the motion to reconsider shall also be in order.

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

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

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

723 No such reorganization plan presented to the General Court shall be subject to change or
724 amendment before expiration of such 60 days. [Adopted June 13, 1967; Amended March 27,
725 1969; June 12, 1995; Feb. 12, 2009.]

726

Joint Conventions.

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

731 25. When an agreement has been made by the 2 branches to go into Convention, such agreement
732 shall not be altered or annulled, except by concurrent vote, excepting that it shall be in order to
733 recess the convention from time to time upon a majority vote of said convention. [Amended Jan.
734 7, 1971.]

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

737

Special Sessions.

738 26A. If written statements of 21 members of the Senate and 81 members of the House of
739 Representatives, that in their opinion it is necessary that the General Court assemble in special
740 session on a particular date and time specified in their statements during a recess of the General
741 Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members
742 of their respective branches to assemble at the State House in Boston, on said date at the time so
743 specified. When so assembled, the first business to be taken up shall be the question of the
744 necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the
745 Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House
746 of Representatives judge by vote taken by call of the yeas and nays that such assembling of the
747 General Court is necessary, specifying in such vote the facts constituting such necessity, the

748 General Court shall then complete its organization as a special session, proceed to the
749 consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds
750 of the members of both branches shall permit the General Court to proceed to the consideration
751 of matters properly before it. Nothing in this rule shall prevent the General Court from
752 assembling in any other constitutional manner when it judges necessary. [Adopted Aug. 7, 1939.
753 Amended March 2, 1943; March 27, 1969; May 5, 1979; July 17, 2003; July 21 and September
754 20, 2005.]

755 *Joint Elections.*

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

758 27A. In all cases of elections by ballot a majority of the votes cast shall be necessary for a
759 choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated
760 until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count
761 in the enumeration of votes, excepting that when the number of blanks shall be more than the
762 number of votes received by the candidate having the highest number of votes, then the election
763 shall be declared void and the balloting shall be repeated as provided herein. [Adopted March 27,
764 1969.]

765 28. [Omitted March 28, 1972 .]

766 *References to the Committees on Rules.*

767 29. All motions and orders authorizing joint committees to travel or to employ stenographers, or
768 authorizing joint committees or special commissions composed as a whole or in part of members

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

779 29A. Meetings of any special commission, special legislative commission, task force or other
780 group authorized or required by a statute, resolve, rule, or order to make or conduct an
781 investigation or study of any issue shall be conducted openly and transparently. Meetings of any
782 special commission, special legislative commission, task force or other group authorized or
783 required by a statute, resolve, rule, or order to make or conduct an investigation or study of any
784 issue and which are chaired by members of the general court shall be posted and conducted
785 pursuant to the rules of the senate and house of representatives and shall be conducted according
786 to the following requirements:

- 787 a.) Meetings shall be open to the public;
- 788 b.) Meetings shall be announced by appropriate notice at least 72 hours in advance;
- 789 c.) Any documents used in a meeting be provided to the public upon request in a manner to
790 be determined by the chair;

791 d.) Public testimony shall be accepted in a manner to be determined by the chair;
792 e.) The chair shall maintain a summary of the subjects discussed at each meeting, a list of
793 documents and other exhibits used at the meetings, and shall maintain a record of proceedings,
794 including a record of all votes. For the purposes of this rule a video or audio recording made
795 available to the public shall be considered an adequate record of the proceedings. [Adopted, Feb.
796 15, 2017; Amended Mar. 7, 2019.]

797 30. All motions or orders extending the time within which joint committees and the committees
798 on Rules of the two branches, acting concurrently, are required to report shall be referred without
799 debate to the committees on Rules of the two branches, acting concurrently, who shall report
800 recommending what action should be taken on the motion or order. Such extension shall be
801 granted by a concurrent majority vote if recommended by the committees on Rules of the two
802 branches, acting concurrently; but no such extension shall be granted, against the
803 recommendation of the committees, except by a four-fifths vote of the members of each branch
804 present and voting on the extension. This rule shall not be rescinded, amended or suspended,
805 except by a concurrent vote of four-fifths of the members of each branch present and voting
806 thereon. [Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27,
807 1955; June 7, 1965.]

808 *Members.*

809 31. A member of either branch who directly or indirectly solicits for such member or others any
810 position or office within the gift or control of a railroad corporation, street railway company, gas
811 or electric light company, telegraph or telephone company, aqueduct or water company, or other
812 public service corporation, shall be subject to suspension for such solicitation, or to such other

813 penalty as the branch of which the person is a member may see fit to impose. [See G. L. 271, sec.
814 40.] [Adopted May 22, 1902.]

815 *Accommodations for Reporters.*

816 32. Subject to the approval and direction of the committees on Rules of the two branches, acting
817 concurrently, during the session, and of the President of the Senate and the Speaker of the House
818 of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in
819 the State House shall be under the control of the organizations of legislative reporters known as
820 the Massachusetts State House Press Association and the State House Broadcasters Association.
821 No person shall be permitted to use such rooms or facilities who is not entitled to the privileges
822 of the reporters' galleries of the Senate or of the House. Within 10 days after the General Court
823 convenes the Massachusetts State House Press Association and the State House Broadcasters
824 Association shall each transmit to the President of the Senate, the Speaker of the House of
825 Representatives and the Sergeant-at-Arms a list of the legislative reporters with the principal
826 publication or news service which each represents. [Adopted Jan. 27, 1911. Amended Feb. 24,
827 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

828 *Suspension of Rules.*

829 33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by a
830 concurrent vote of two-thirds of the members of each branch present and voting thereon.
831 [Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26,
832 2005.]

833

Audit of Accounts.

834 34. The committees on Rules of the two branches, acting concurrently, shall provide that an
835 outside independent audit of joint financial accounts be conducted by a certified public
836 accountant no less frequently than at the end of each second fiscal year. A copy of such audit
837 shall be filed with the Clerks of the Senate and House of Representatives, and made available for
838 public inspection upon reasonable notice and during regular office hours. [Adopted May 30,
839 1985.]

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

844

Procurement.

845 36. (a) The House Business Manager and Chief Financial Officer of the Senate shall complete
846 the procurement of all goods and services from the joint legislative account. Procurements for
847 goods or services shall be made pursuant to a statewide procurement contract established by the
848 operational services division, to the extent practicable, as determined by the House Business
849 Manager and the Chief Financial Officer of the Senate. If the Business Manager and the Chief
850 Financial Officer determine that a procurement cannot be made using a statewide procurement
851 contract established by the operational services division, they may procure the required goods or
852 services under subsections (b), (c) or (d).

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

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

865 (d) If the House Business Manager and the Chief Financial Officer of the Senate seek to procure
866 a supply or service from a vendor not on a statewide procurement contract valued at \$100,000 or
867 more, the House Business Manager and the Chief Financial Officer of the Senate shall seek
868 proposals through a competitive bid process, which shall be established by the House Business
869 Manager and the Chief Financial Officer of the Senate.

870 (e) The House Business Manager and the Chief Financial Officer of the Senate shall maintain a
871 file on each procurement not executed using a statewide procurement contract established by the
872 operational services division and in excess of \$10,000 and shall include in such file all
873 documents constituting the agreement for goods and services and all documents required by
874 subsection (c) or (d). The files maintained shall be available for inspection by members of the

875 General Court during regular business hours unless the information is otherwise protected by
876 state or federal law.

877 (f) Whenever the time required to comply with a requirement of this rule would endanger the
878 health, safety or convenience of the members, staff or visitors to the House of Representatives or
879 Senate the House Business Manager and the Senate Chief Financial Officer may make an
880 emergency procurement without satisfying the requirement of this rules; provided, however, that
881 both the House Business Manager and the Senate Chief Financial Officer certify in writing that:
882 (i) an emergency exists and explain the nature thereof; (ii) the emergency procurement is limited
883 to only supplies or services necessary to meet the emergency; (iii) shall conform to the
884 requirements of rule to the extent practicable under the circumstances; (iv) each contractor's
885 name, (v) the amount and the type of each contract; (vi) the supplies or services provided under
886 each contract; (vii) and basis for determining the need for an emergency procurement.

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

889 (h) If, in the determination of the House Business Manager and the Chief Financial Officer of the
890 Senate, an emergency procurement of greater than \$10,000 is necessary, the House Business
891 Manager and the Chief Financial Officer of the Senate may procure the goods or services
892 immediately and create and maintain a file explaining the nature of the emergency and the goods
893 or services that were procured as a result. The House Business Manager and the Chief Financial
894 Officer of the Senate shall document the goods or services that were procured, the process used
895 to procure the goods or services, the vendors that were contacted and any other information
896 relevant to the procurement, and make that information available to members of the General

897 Court during regular business hours, unless the information is otherwise protected by state or
898 federal law. [Adopted Mar. 14, 2013; Amended Feb. 15, 2017; Mar. 7, 2019].

899 House of Representatives, March 7, 2019.

900 Adopted.

901 Steven T. James, Clerk

902 Senate, March 7, 2019

903 Adopted, in concurrence.

904 Michael D. Hurley, Clerk

905

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