

# SENATE . . . . . No. 18

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Senate, February 2, 2017, – Text of the Senate Rules of the Senate for 2017-2018.

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## The Commonwealth of Massachusetts

—————  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
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An Act Senate Rules of the Senate for 2017-2018.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 THE PRESIDENT.

2 1. The President shall take the chair at the hour to which the Senate stands adjourned,  
3 shall call the members to order, and, on the appearance of a quorum, shall proceed to business.  
4 [1831; 1888.]

5 1A. Every formal session of the Senate may open with a prayer and shall open with a  
6 recitation of the "Pledge of Allegiance to the Flag". [1989; 2015.]

7 2. The President shall preserve order and decorum, may speak to points of order in  
8 preference to other members, and shall decide all questions of order subject to an appeal to the  
9 Senate. The President shall rise to put a question, or to address the Senate, but may read sitting.  
10 [1817; between 1821 and 1826; 1831; 1888.]

11 3. The President may vote on all questions. [1826.]

12           4. The President may appoint a member to perform the duties of the chair for a period not  
13 exceeding 3 days at any one time. Unless the Senate shall otherwise direct, the President, at the  
14 beginning of each legislative year, may appoint a Chaplain and in case of vacancy in said office,  
15 the President may promptly fill said vacancy. [1831; 1862; 1865; 1888; 1971.]

16           4A. The Senate President shall be elected by roll call on the Senate floor. This rule shall  
17 not be suspended except by a vote of four-fifths of the members present and voting thereon. Rule  
18 63 shall not apply to this case and no other rule shall supersede the requirement of four-fifths  
19 vote to suspend this rule. [1993; 2002.]

20           4B. The Senate President, Majority Leader and the Minority Leader shall, upon  
21 declaration of candidacy for any other state or federal elective office, relinquish said position.  
22 [2003; 2015.]

23           5 In case of a vacancy in the office of President, or in case the President, or the member  
24 appointed by the President to perform the duties of the chair, is absent at the hour to which the  
25 Senate stands adjourned, the longest continuously serving, and in the event that two or more  
26 members equally qualify as longest continuously serving, then the eldest among those members  
27 shall call the Senate to order, and shall preside until a President, or Acting President, is elected  
28 by ballot or by roll call vote as the Senate shall by majority vote determine, and such election  
29 shall be the first business in order. [1831; 1885; 1888; 1971; 1985; 2003; 2013.]

30           5A. In case of extreme emergency, the President of the Senate may for a period not  
31 exceeding 2 days, in conformity with Article 6, Section II, Chapter 1 of the Constitution, cause a  
32 session of the Senate to be cancelled. Each member of the Senate insofar as is practicable shall  
33 be notified of such action. The President may also declare a session informal in nature, with prior

34 notice given. Notice of such action shall be printed in the Journal of the Senate by the Clerk of  
35 the Senate and the printing of a calendar shall be suspended with reference to an informal session  
36 under this rule. Matters considered in an informal session shall have either received a public  
37 hearing or other disposition by a committee of relevant subject matter jurisdiction.

38 In the case of an informal session, only reports of committees and matters not giving rise  
39 to formal motion or debate shall be considered. No motion or order of business shall lose its  
40 precedence but shall be carried over until the next formal session. [1971; 1973.]

41 5B. [Omitted in 2011.]

42 5C. Upon a vacancy in the Senate, with the exception of any vacancy that occurs after  
43 April 1 in an even-numbered year, a date for a special election shall be rescheduled by the  
44 President of the Senate within 20 days after the vacancy occurs and the proposed date of the  
45 special election shall then be put before the members of the Senate for a vote. [2011]

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47 CLERK.

48 6. The Clerk shall keep a journal of the proceedings of the Senate, and shall cause the  
49 same to be presented daily. The Clerk shall, in the journal, make note of all questions of order,  
50 and enter at length the decisions thereon. The Clerk shall insert in an appendix to the journal the  
51 rules of the Senate and the joint rules of the two branches. During informal sessions, each  
52 Senator shall have the opportunity to read into the journal, or cause to be printed in the journal, a  
53 ceremonial speech not to exceed 650 words, provided an electronic copy of the remarks is  
54 supplied to the Clerk. [1882; 1888; 2015.]

55           7. The Clerk, with the approval and direction of the President and the Committee on  
56 Rules, shall prepare and cause to be presented each day a calendar of matters in order for  
57 consideration. The calendar for a session shall be available to the members and the public at least  
58 2 calendar days prior to the start of that session, except when formal sessions are held on  
59 consecutive days. The calendar for any formal session on a day following a formal session shall  
60 be available to the members and to the public as soon as practicable and, in any event, no later  
61 than 2 hours prior to the start of that session. On or before May 31, 2017, the agenda for informal  
62 sessions shall be available to the members and the public at least 1 calendar day prior to the start  
63 of that session, except when informal sessions are held on consecutive days. The presentation of  
64 a calendar may only be suspended by a 2/3 vote of all members present and voting as determined  
65 by a call of the yeas and nays. The calendar shall consist of at least 4 separate sections. One  
66 section shall contain those matters for third reading and engrossment. No matters shall be  
67 considered for third reading that do not appear on this section of the calendar without unanimous  
68 consent. One section shall contain those matters held by the Senate committee on Bills in the  
69 Third Reading. One section shall contain those matters appearing on the Senate Calendar for the  
70 first time. No matters shall be considered for second reading that do not appear on this section of  
71 the calendar without unanimous consent. One section shall contain those matters which shall be  
72 on the Senate Calendar for the first time at the following formal session. No matters shall be  
73 considered for a second reading at a formal session that were not on the Calendar for the  
74 previous formal session. It shall be mandatory, however, that a bill or resolve ordered to third  
75 reading on one calendar day shall appear on the calendar at the following formal session. The  
76 Clerk, with the approval and direction of the President and the Committee on Rules, may prepare  
77 the calendar, with such memoranda as the Clerk may deem necessary, in a form designed to

78 provide complete information and to properly facilitate the business of the Senate. When the  
79 presentation of the calendar required under this rule is suspended under Rule 5A, a session shall  
80 be considered informal and no matter shall be considered if a member at said session objects to  
81 its consideration. After the conclusion of formal business as described in Joint Rule 12A, a  
82 member may object to a particular matter, provided they have placed their request in writing to  
83 the Senate Clerk prior to the start of the session.

84           Upon conclusion of all formal business pursuant to Joint Rule 12A, the Clerk shall not be  
85 required to print of a calendar pursuant to this rule. [1882; 1888; 1945; 1971; 1974; 1985; 1991;  
86 1993; 2015.]

87           7A. To better facilitate the business of the Senate, whenever possible, and  
88 notwithstanding any rules to the contrary, during consideration of the new matters on the  
89 calendar each day, the chair shall first declare a recess so that members may examine the items.  
90 The chair shall then ask for passes on the second reading matters. Second reading matters with  
91 amendments pending will automatically be considered separately. The chair shall direct the  
92 Clerk to dispense with the reading of each title, but the journal for that day shall show that the  
93 bills have been read a second time. The question shall then come on ordering those second  
94 reading matters which have not been passed for debate to a third reading. Matters passed for  
95 debate shall be considered on the second call.

96           The same procedure shall be followed with relation to adverse reports appearing in  
97 groups on the calendar. Adverse reports passed for debate shall be considered on the second call.  
98 The question shall be put by the chair on the acceptance of all remaining adverse reports not  
99 passed for debate. [1975.]

100 7B. The Clerk of the Senate shall be the official parliamentarian of the Senate. [1973.]

101 8. [Omitted in 1969.]

102 8A. The Clerk shall make available on the official website of the General Court the  
103 results of all roll call votes not later than 48 hours after such vote is taken, not including quorum  
104 calls, in a manner easily identifiable, searchable, and conspicuously located. The Clerk shall  
105 include the number of the roll call and the title of the matter voted upon. The Clerk shall as soon  
106 as practicable make available links to the roll calls, which include the text of the amendment or  
107 matter voted on. [2007; 2011; 2013; 2015.]

108 9. When a bill or resolve coming from the other branch does not appear in the form in  
109 which it was passed in that branch, the Clerk shall indicate the amendments on the Orders of the  
110 Day. [1882.]

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112 COUNSEL TO THE SENATE.

113 9A. The Counsel to the Senate and members of the staff of said Counsel shall not engage  
114 in the private practice of law during ordinary business hours or while the Senate is in session.  
115 The Counsel to the Senate and the staff of said Counsel shall be available at all times for  
116 consultation with the President and members of the Senate in relation to matters pending before  
117 the Senate and must at all times act in accordance with the conflict of interest law and the Rules  
118 of Professional Conduct for Lawyers. The Senate Counsel and members of the Counsel's legal  
119 staff shall not simultaneously serve as staff in any Senator's office. [1976; 2015.]

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121 MEMBERS OF THE SENATE.

122 10. No member, officer, or employee shall use or attempt to use improper means to  
123 influence an agency, board, authority, commission of the Commonwealth, any political  
124 subdivision of the Commonwealth, or any other entity. No member, officer, or employee of the  
125 Senate shall receive compensation or permit compensation to accrue to the member, officer or  
126 employee's beneficial interest by virtue of influence improperly exerted from the member,  
127 officer or employee's position in the Senate. Every reasonable effort shall be made to avoid  
128 situations where it might appear that the member, officer or employee is making such use of the  
129 member, officer or employee's official position. Members, officers, and employees should avoid  
130 accepting or retaining an economic interest or opportunity which represents a threat to their  
131 independence of judgment.

132 No member, officer, or employee shall use confidential information gained in the course  
133 of or by reason of the member, officer or employee's official position or activities to further the  
134 member, officer or employee's financial interest or those of any other person.[1977; 2015.]

135 10A. No member, officer, or employee shall employ anyone from state funds who does  
136 not perform tasks which contribute to the work of the Senate and which are commensurate with  
137 the compensation received; and no officer or full time employee of the Senate shall engage in  
138 any outside business activity during regular business hours, whether the Senate is in session or  
139 not. No member of the Senate shall act on a matter before a committee or vote on any question in  
140 which the member's private right is immediately concerned, distinct from the public interest. All  
141 employees of the Senate are assumed to be full time unless their personnel record indicates  
142 otherwise. [1977.]

143           10B. Interns and other temporary employees of the Senate, who are students at an  
144 accredited educational institution and who are employed by the Senate for not more than 6  
145 months, may receive compensation from an educational institution or other non-profit  
146 organization under section 501(c)(3) of the Internal Revenue Code, according to that  
147 organization's regular program of providing such compensation for temporary governmental or  
148 public service employment. A temporary employee's Senate supervisor shall establish the  
149 employee's total compensation, shall verify that the sum of the employee's state compensation,  
150 if any, and any outside compensation that the employee is to receive under this rule would not  
151 exceed this total compensation, and shall file the written terms of the employee's compensation  
152 with the Senate Office of Human Resources, where it shall be available for public  
153 inspection.[2003; 2013.]

154           11. Unless someone doubts the presence of a quorum, the Senate shall not be affected by  
155 the absence of a Senator. [1817; 2015.]

156           11A. Each member of the Senate shall be assigned an office in the State House. Each  
157 member shall have full authority to employ and dismiss personal and committee staff within  
158 written guidelines developed by the Senate Committee on Rules. [1983; 1985; 1993; 2003;  
159 2015.]

160           11B. No member of the Senate shall hold, for more than 8 consecutive years, the office of  
161 President of the Senate. [1993; 2001.]

162           11C. The Committee on Rules shall ensure that each member of the Senate is able to  
163 receive Internet electronic mail from members of the public. [2001; 2003; 2015.]



164 11D. The Committee on Ethics shall sponsor ethics training for members and staff within  
165 90 days of the opening of the biennial session. [2009; 2015.]

166 11E. No member of the Senate shall be compensated for service as vice-chair of more  
167 than 1 committee, and no member of the Senate shall be compensated for service in more than 3  
168 positions, whether as a member of leadership or as chair, vice chair, or ranking member of a  
169 committee.

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171 COMMITTEES.

172 12. The following standing committees shall be appointed by the President, to wit:

173 A Committee on Bills in the Third Reading;

174 To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.

175 A Committee on Bonding, Capital Expenditures and State Assets;

176 To consist of 7 members, 2 of whom shall be appointed by the Minority Leader.

177 A Committee on Post Audit and Oversight;

178 To consist of 8 members, 2 of whom shall be appointed by the Minority Leader.

179 A Committee on Ethics;

180 To consist of 7 members, including 2 members appointed by the Minority Leader.

181 A Committee on Rules;

182 To consist of 7 members, including 2 members appointed by the Minority Leader.

183 A Committee on Global Warming and Climate Change;

184 To consist of 6 members, 1 of whom shall be appointed by the Minority Leader.

185 A Committee on Steering and Policy;

186 To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.

187 A Committee on Ways and Means;

188 To consist of 18 members, including 3 members appointed by the Minority Leader.

189 A Committee on Intergovernmental Affairs;

190 To consist of 6 members, including 1 member appointed by the Minority Leader.

191 A Committee on Redistricting;

192 To consist of 6 members, including 1 member appointed by the Minority Leader.

193 A Committee on Personnel and Administration;

194 To consist of 7 members, including 2 members appointed by the Minority Leader.

195 Committee hearings and executive sessions shall not be scheduled in conflict with formal

196 sessions of the Senate unless the chair submits to the Clerk a written explanation for scheduling

197 the hearing or session in conflict with the formal session and said written explanation shall be

198 published in the senate journal. Committees shall provide to members of the committee either the

199 text or comprehensive summaries of the bills or other forms of legislative matters prior to the

200 beginning of an executive session or poll. All recorded votes and by the committees shall be

201 posted on the website of the General Court as soon as practicable but no later than 48 hours of  
202 the vote being taken; provided in the two weeks prior to the third Wednesday in November  
203 which shall be considered the conclusion of all formal business of the first annual session of the  
204 General Court or the two weeks prior to the last day of July of the second annual session  
205 committees shall post all recorded votes as soon as practicable. [1831; 1836; 1840; 1844; 1847;  
206 1863; 1864; 1870; 1876; 1882; 1885; 1886; 1888; 1891; 1896; 1897; 1920; 1937; 1939; 1941;  
207 1945; 1946; 1957; 1960; 1963; 1965; 1969; 1971; 1972; 1982; 1989; 1991; 1993; 1995, 1997;  
208 2003, 2005; 2007; 2009; 2011; 2015.]

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210 12A. All violations of Rules and all questions of conduct of members, officers and  
211 employees of the Senate shall be referred by order of the Senate to the committee on Ethics.  
212 Such orders shall be as specific as circumstances allow. The committee shall also be empowered  
213 to receive sworn written complaints or evidence regarding violations of Rules 10 and 10A. Until  
214 a hearing, if any, is held, the contents of such complaints or evidence shall be considered  
215 confidential information, unless the contents are already a matter of public record. If no hearing  
216 is held, such contents may be made public by the committee in a final report. Breach of  
217 confidentiality may itself be grounds for disciplinary action.

218 Upon receipt of an order, a sworn written complaint filed under penalties of perjury, or  
219 upon receipt of evidence, the committee may investigate and take written or oral testimony on  
220 any matters specified in the order or covered by Rules 10 and 10A. A majority of committee  
221 members shall be present to receive sworn testimony Upon majority vote of the full Senate, the  
222 committee may require by summons the attendance and testimony of witnesses and the

223 production of books and papers and such other records as said committee may deem relevant. All  
224 testimony before the committee shall be recorded or transcribed and such recordings and  
225 transcriptions must be made available to all members of the committee.

226 Said committee shall consider and may report to the Senate any recommendations  
227 regarding any infringement of the rules and all questions of conduct of members, officers and  
228 employees referred to it. If after investigation a majority of the committee determines that there  
229 has been a violation of the rules, or other misconduct, the committee shall file a report with the  
230 Clerk of the Senate, including a recommendation for disciplinary action, including but not  
231 limited to: in the case of a member, reprimand, censure, temporary or permanent removal from  
232 committee chairmanship or other position of authority, suspension with or without pay, or  
233 expulsion; in the case of an officer or employee, reprimand, suspension or removal. Said report  
234 shall not prevent the Senate from taking any other action as it shall deem advisable and  
235 appropriate.

236 Nothing in this rule shall be construed to require the disclosure of any allegation that the  
237 committee deems frivolous or without merit, if such determination is made by a majority of  
238 members on the committee.

239 If the committee receives a sworn written complaint, evidence, order of the Senate, or  
240 request for an opinion involving a member of the committee, such member shall not participate  
241 in the committee's deliberations on that matter.

242 The committee may, upon written request from a member, officer, or employee of the  
243 Senate, issue written advisory opinions on matters concerning Rules 10 and 10A. Such advisory  
244 opinions may be published, provided that the name of the person requesting the opinion, and any

245 other identifying information shall not be included in the publication. The Senate may not  
246 penalize a member, officer or employee of the Senate for conduct satisfying the guidelines of an  
247 advisory opinion based on factually indistinguishable conduct.

248 A majority of members shall sign all recommendations, advisory opinions, and reports of  
249 the committee. All voting members must certify that they have heard or read all relevant  
250 testimony prior to voting.

251 The committee shall on or before December 31 of the second year of the biennial session,  
252 file a report with the Clerk summarizing its activities for the session. In addition, the committee  
253 may at any time recommend changes in the rules of conduct for the Senate or legislation relating  
254 to the conduct of the Senate, and a majority vote of the Senate shall be required to approve any  
255 such recommended changes. [1977; 1978; 1983; 1991; 2003; 2015.]

256 12B. The committee on Steering and Policy shall meet from time to time at the call of the  
257 chair for the purpose of assisting the President and the Senate in identifying the major matters  
258 which require consideration by the General Court during the pending session and to advise the  
259 President and the Senate on the relative priority of such matters, the relative urgency for  
260 consideration by the General Court of such matters, and alternative methods of responding to  
261 such matters by the General Court, and to assist on scheduling legislative matters for their even  
262 distribution throughout the legislative year. [2009.]

263 12B ½ . The Committee on Rules may initiate legislation consistent with Senate Rule 19,  
264 but no bill shall be initiated over the objection of the Senate Chair of the appropriate committee.  
265 The Committee shall report on what date prior to adjournment of the last formal session the  
266 matter shall be considered by the Senate. In the case of bills removed from study and referred to

267 the Committee on Rules, the bills may be subject to amendments by the committee as well as  
268 reports by the committee that the bills ought to pass or ought not to pass. This rule shall apply  
269 only to bills that have no state fiscal impact. [1983; 1985; 1986; 1991; 1993; 1999; 2003; 2005;  
270 2015.]

271 12C. [Omitted in 1995.]

272 12D. The President of the Senate, the Majority leader and the Minority leader shall  
273 review applications for each member's staff and committee operating requirements and allocate  
274 office space. [1993; 2003.]

275 13. (a) Unless the Senate shall otherwise specially order, the President shall nominate a  
276 candidate for chair of each standing committee, joint standing committee or special committee  
277 and the vice-chair and the assistant vice-chair of the Senate Committee on Ways and Means. The  
278 President may also nominate the majority floor leader, not more than 3 assistant majority floor  
279 leaders, majority whip, the assistant majority whip and a President pro tempore. The President  
280 pro tempore shall assist the President in the coordination of policy development and the  
281 ceremonial functions of the Senate and shall perform such duties as assigned by the President.  
282 The minority party floor leader may nominate not more than 4 persons to minority party floor  
283 leadership positions. Such nominations shall require ratification by a majority vote by the  
284 respective party caucus. The vote shall be by voice vote, roll call or secret ballot, as the majority  
285 vote of the caucus shall determine. In the event a nomination is rejected by such caucus another  
286 nomination may be made by the person designated in this rule to make the initial nomination  
287 which shall be subject to ratification in the same manner. In the case of the election by the Senate

288 of a committee by ballot, the member having the highest number of votes shall act as chairman.  
289 The second named member shall be vice-chairman.

290 (b) Except as provided above or unless the Senate shall otherwise specially order,  
291 committees shall be appointed by the President, with exception of the chair whose nomination  
292 and ratification shall be governed by paragraph (a). The President shall in making such  
293 appointments give consideration to representation of both the majority and minority parties  
294 relative to their respective representation in the Senate and in any event shall reserve at least 2  
295 positions on the Senate Committee on Ways and Means and at least 1 position upon each  
296 standing or special committee for a Senate member of the minority party and appointments to  
297 such positions shall be made by the Senate minority party leader. For the purposes of this rule  
298 and rule 56, the term “minority party” shall mean the political party of those members of the  
299 Senate who, in the aggregate, constitute the second largest group of members of the Senate  
300 affiliated with a political party.

301 (c) A vacancy in any position which is regulated by this rule shall be filled in the same  
302 manner as provided in this rule for the original appointment. Any person in a position which is  
303 regulated by this rule shall be subject to removal only by a majority vote of the respective party  
304 caucus by voice vote, roll call or secret ballot as the majority vote of the caucus shall determine.  
305 [1817; between 1821 and 1826; 1831; 1888; 1973; 1983; 1985; 1991; 2003; 2015.]

306 13A. All motions or orders authorizing committees of the Senate to travel or to employ  
307 stenographers, all propositions involving special investigations by committees of the Senate and  
308 all motions or orders providing that information be transmitted to the Senate shall be referred  
309 without debate to the Committee on Rules, who shall report thereon, recommending what action

310 should be taken. All other motions that create main questions, except those that relate to  
311 privilege, to procedure and kindred matters, or to the subjects referred to in Joint Rules 29 and  
312 30, shall also be referred without debate to the Committee on Rules and be treated in like  
313 manner.

314 The Committee on Rules may originate and report special orders for the scheduling and  
315 consideration of matters on the floor of the Senate. When reported such orders may be amended  
316 by a two-thirds vote of the members present and voting, and shall be subject to approval by a  
317 majority of the members of the Senate present and voting. Debate on the question on adoption of  
318 such orders shall be limited to 30 minutes. Such orders shall not be subject to reconsideration.  
319 [1904; 1913; 1921; 1953; 2003; 2015.]

320 13B. The President of the Senate may call a caucus at any time at which either the  
321 President or a designated member of the majority leadership shall preside unless otherwise voted  
322 by a majority of the caucus. The President shall honor the request of the Minority Leader at any  
323 time while the Senate is in session, to call a minority caucus at which the Minority Leader shall  
324 preside or a designated member of the minority leadership, unless otherwise voted by a majority  
325 of the caucus.

326 A caucus shall also be called if 25 per cent or more of a party's membership requests the  
327 calling of a caucus. Such request shall be made to the Senate President or Minority Leader. In  
328 the instance of such a caucus being called, said caucus may consider any subject matter,  
329 including but not limited to resolutions, motions or other means of ascertaining the sense of party  
330 members on any subject. When the Senate recesses to allow a caucus, the Senate President or



331 presiding officer shall inform the members from the rostrum of a time certain for reconvention.  
332 [1985; 1993.]

333 13C. The Senate Committee on Rules shall provide for an annual fiscal year audit of  
334 Senate financial accounts to be conducted by a certified public accountant experienced in  
335 auditing governmental entities. The audit is not limited to, but shall examine all senate accounts.  
336 The clerk shall notify the members when the audit is available. A copy of the audit shall be filed  
337 with the Senate Clerk and the State Auditor, copies shall be made available upon request by any  
338 member of the Senate or the general public and posted on the general court website. [1985; 2003;  
339 2015.]

340 14. No committee shall be allowed to occupy the Senate Chamber without a vote of the  
341 Senate. [1836; 1863; 1888.]

342 15. No legislation affecting the rights of individuals or the rights of a private or municipal  
343 corporation, otherwise than as it affects generally the people of the whole Commonwealth or the  
344 people of the city or town to which it specifically applies, shall be proposed or introduced except  
345 by a petition, nor shall any bill or resolve embodying such legislation be reported by a  
346 committee, except upon a petition duly referred, nor shall such a bill or resolve be reported by a  
347 committee, whether on an original reference or on a recommittal with instructions to hear the  
348 parties, until it is made to appear to the satisfaction of the committee that proper notice of the  
349 proposed legislation has been given by public advertisement or otherwise to all parties interested,  
350 without expense to the Commonwealth, or until evidence satisfactory to the committee is  
351 produced that all parties interested have in writing waived notice. A committee reporting  
352 adversely for want of proper notice or of a waiver thereof shall set forth this fact in its report, and

353 no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to  
354 the violation of this rule may be taken at any stage prior to that of third reading. [1870; 1871;  
355 1885; 1890; 1921; 1939; 1945; 1971.]

356 16. When the object of an application, by petition can be secured under existing laws, or,  
357 without detriment to the public interests, by a general law, the committee to whom the matter is  
358 referred shall report, ought not to pass, or a general law, as the case may be. The committee may  
359 report a special law on matters referred to it upon (1) a petition filed or approved by the voters of  
360 a city or town, or the mayor and city council, or other legislative body, of a city, or the town  
361 meeting of a town, with respect to a law relating to that city or town; (2) a recommendation by  
362 the Governor; and (3) matters relating to erecting and constituting metropolitan or regional  
363 entities, embracing any 2 or more cities and towns, or establishing with other than existing city  
364 or town boundaries, for any general or special public purpose or purposes. [1882; 1885; 1888;  
365 1891; 1893; 1967; 1971; 1973.]

366 16A. Reports of committees recommending that a matter be placed in a study shall be  
367 reported to the Senate if the matter being reported into a study was originally filed in the Senate.  
368 Matters which have been recommitted to a committee in session shall be reported to the branch  
369 originating the recommitment. [2002.]

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371 FORMS OF BILLS AND RESOLVES.

372 17. Bills, resolves, resolutions and orders shall be prepared under supervision of the  
373 Counsel to the Senate. Bills, resolves, resolutions and orders founded upon petition shall be  
374 presented in an electronic format as prescribed by the Clerk, who shall then prepare such

375 electronically filed documents for printing on official paper. Any petition which presents a bill,  
376 resolve, resolution or order that was before the General Court in the legislative session preceding  
377 that for which it is presented shall be designated as a “refiled petition” by the presenting  
378 member, together with reference to the number assigned such matter in the preceding legislative  
379 session. No repealed law and no law which has expired by limitation, and no part of any such  
380 law, shall be re-enacted by reference merely. [1844; 1857; 1880; 1882; 1885; 1888; 1889; 1947;  
381 1972; 1985, 2001, 2006; 2015.]

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383 INTRODUCTION OF BUSINESS.

384 18. Every petition (excepting as otherwise provided for in the Constitution, or laws of the  
385 Commonwealth), shall be presented by a member, whose name shall be endorsed on the petition,  
386 and a brief statement of the nature and object of the instrument; and the reading of this  
387 instrument shall be dispensed with, unless specially ordered. [1831; 1888; 1972; 1973.]

388 18A. In the event that identical legislation is filed based upon petition, by members of  
389 the Senate, the Clerk of the Senate may make every effort to consolidate the petitions.

390 The Clerk shall include the name of each petitioner; such names shall be placed on the  
391 consolidated petition in the order in which the original petitions were filed with the Clerk.  
392 [1984.]

393 19. All motions contemplating legislation shall be founded upon petition, except as  
394 provided in Joint Rule 3A and except that the committee on Ways and Means and the Committee  
395 on Rules under Rule 12B may report a bill or other form of legislation that is not founded upon

396 petition. Committees to whom messages from the Governor, reports of state officers, boards,  
397 commissions, and others authorized to report to the legislature shall be referred, may report by  
398 bill or otherwise such legislation as may be germane to the subject-matter referred to them.  
399 [1858; 1888; 1891; 1893; 1973; 1999; 2003; 2005; 2015.]

400           20. All petitions for legislation accompanied by bills or resolves embodying the subject-  
401 matter prayed for, which are intended for presentation or introduction to the Senate, reports of  
402 state officials, departments, commissions and boards, and reports of special committees and  
403 commissions shall be filed with the Clerk, who shall, unless they are subject to other rules or of  
404 the rules of the 2 branches, refer them, with the approval and direction of the President, to the  
405 appropriate committees, subject to such change of reference as the Senate may make.

406           Provided, that petitions and other papers so filed, or papers received from the House,  
407 which are subject to Joint Rules 7A, 7B or 9, shall be referred by the Clerk to the Committee on  
408 Rules. Petitions and other papers so filed which are subject to the second paragraph of Joint Rule  
409 12 shall be referred by the Clerk to the Committees on Rules of the two branches, acting  
410 concurrently. The reading of all such documents may be dispensed with, but they shall be  
411 entered in the journal of the same or the next legislative day after such reference, except as  
412 provided in Joint Rule 13.

413           All orders intended for adoption shall be deposited with the Clerk. If the orders relate to  
414 questions of privilege or to procedure and kindred matters, they shall be laid before the Senate by  
415 the President as soon as possible. If they relate to other subjects, except as provided in rule 13A  
416 or in Joint Rules 29 and 30, they shall be inspected by the Committee on Rules and laid before

417 the Senate not later than the fourth legislative day succeeding the day of their deposit with the  
418 committee.

419 All resolutions intended for adoption shall be filed with the Clerk. Resolutions, which are  
420 not reported by committee or received from the House, shall be considered forthwith after having  
421 been reported by the committee on Bills in the Third Reading, under Senate Rule 33.

422 Special reports of state officials, departments, commissions and boards, reports of special  
423 committees and commissions, bills and resolves accompanying petitions and reports, and  
424 resolutions, shall be printed on order of the President, and under the direction of the Clerk. They  
425 shall retain, during all subsequent stages, their original numbers and shall also bear such new  
426 numbers as may be necessary.

427 Matters which have been placed on file may be taken from the files by the Clerk upon  
428 request of any Senator or Senator-elect; and matters so taken from the files shall be referred or  
429 otherwise disposed of as provided for above.

430 The Senate may at any time by order make any other disposition of petitions in the hands  
431 of the Clerk. [1891; 1893; 1894; 1916; 1921; 1925; 1927; 1933; 1939; 1945; 1953; 1963; 1967;  
432 1971; 1973; 1985; 1999; 2003; 2005; 2015.]

433 20A. The Clerk shall make available on the Internet the text of all bills introduced in the  
434 Senate and all late file petitions accompanied by legislation. The bill text for any bill for which  
435 there was a vote on the Senate floor must be made available to the public online within 24 hours  
436 of the session in which that vote occurred, excepting bills passed in consecutive sessions. [2001;  
437 2015.]

438 21. [Omitted in 1943.]

439 22. [Omitted in 1949.]

440 23. No bill or resolve shall be proposed or introduced unless received from the House of  
441 Representatives, reported by a committee, or moved as an amendment to the report of a  
442 committee. [1881; 1882; 1888.]

443 24. The consideration of any order proposed for adoption, or of any motion to suspend  
444 Senate Rule 15, or Joint Rules 8, 9 or 12, shall be postponed without question to the day after  
445 that on which the order is proposed or request made, if any member asks such postponement.  
446 The consideration of any motion to lay a matter on the table or to take a matter from the table  
447 shall be postponed without question to the day after that on which the motion is made (except  
448 during the last 7 calendar days of formal business under Joint Rule 12A). [1885; 1891; 1971;  
449 1973; 1983, 1997; 1999.]

450 25. [Omitted in 1929, the provisions thereof being covered by Joint Rule 9.]

451 \_\_\_\_\_

452 COURSE OF PROCEEDINGS.

453 26. Bills and resolves from the House, after they are read a first time, shall be referred to  
454 a committee of the Senate, unless they have been reported by a joint committee or substituted for  
455 the report of a joint committee. Bills and resolves reported in the Senate, and bills and resolves  
456 from the House reported by joint committees or substituted for the reports of joint committees  
457 shall, after they have been read once, be referred to the Committee on Rules, except as otherwise  
458 provided by Senate Rule 27. Any matter reported in the Senate or received from the House

459 concerning or restricted to a particular city or town which has received the approval of the voters  
460 of the city or town or of the town meeting shall appear on the calendar for the next session for a  
461 second reading notwithstanding any other provisions of this rule. Bills introduced by initiative  
462 petition, when reported in the Senate or received from the House, shall be referred to the  
463 Committee on Rules. Resolutions received from the House, or reported in the Senate, shall be  
464 referred to the Committee on Rules. Bills and Resolves under Senate Rule 27, when reported,  
465 shall be referred to the Committee on Rules. All reports of the Committee on Rules shall be  
466 placed in the Orders of the Day for the next session unless such matter is assigned for special  
467 consideration by said committee as provided for under Senate Rule 12B. [1825; 1885; 1888;  
468 1890; 1891; 1897; 1945; 1985; 1993; 1999; 2005; 2015.]

469 26A. [Omitted in 2005].

470 26B. [Omitted in 2005].

471 26C. There shall be appointed a standing committee on Bonding, Capital Expenditures  
472 and State Assets consisting of 7 members. Said committee shall review all legislation providing  
473 for the giving, loaning or pledging of the credit of the Commonwealth (see Article LXII of the  
474 Amendments to the Constitution, as amended by Article LXXXIV of the Amendments to the  
475 Constitution). Said committee shall be responsible for evaluating such legislation and  
476 determining the appropriateness of enacting legislation containing increased bond authorizations  
477 for the Commonwealth.

478 The committee on Bonding, Capital Expenditures and State Assets shall periodically  
479 review and hold open public hearings, accepting oral and written testimony on the status of the  
480 bonds and notes of the Commonwealth, including: (1) general obligation debt; (2) dedicated

481 income tax debt; and (3) special obligation debt. The committee shall also, in its continuing  
482 study of the Commonwealth's bonding practices, review the Commonwealth's liabilities relative  
483 to: (a) state-supported debt; (b) state-guaranteed debt; and (c) indirect obligations.

484 The committee shall consult with the various agencies of the Executive branch and the  
485 office of the State Treasurer to project expenditures, availability of funds, the sale of new bonds  
486 and the resultant debt obligations, federal reimbursements and other related funding and bonding  
487 issues.

488 The committee on Bonding, Capital Expenditures and State Assets may conduct hearings  
489 relative to the statutory authority of the Executive branch and the State Treasurer and the various  
490 agencies and authorities of the Commonwealth to issue and sell bonds and notes and to expend  
491 capital funds. The committee shall determine whether such laws, administrative regulations and  
492 programs are being implemented in accordance with the intent of the General Court. The  
493 committee may make recommendations for statutory changes and changes in the Constitution  
494 which would grant discretion to the Legislature over the allotment and expenditure of fund  
495 authorized by capital appropriations. The committee on Bonding, Capital Expenditures and State  
496 Assets may initiate legislation consistent with Senate Rule 19.

497 The committee on Bonding, Capital Expenditures and State Assets may report to the  
498 General Court from time to time on the results of its hearings.

499 Any bill providing for the giving, loaning or pledging of the credit of the Commonwealth,  
500 except for the general appropriations bill or other appropriations bill addressed in Senate Rule  
501 27A, shall, prior to its reference to the committee on Ways and Means, be referred to the  
502 committee on Bonding, Capital Expenditures and State Assets for report on its relationship to the



503 finances of the Commonwealth, irrespective of any conflicting committee referral to the House  
504 of Representatives.

505 In compliance with section 38A of chapter 3 of the General Laws, the Committee on  
506 Bonding, Capital Expenditures and State Assets shall include with the bill a fiscal note prepared  
507 under section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal  
508 effect of the proposed legislation if, in the opinion of said committee, such cost exceeds  
509 \$100,000.

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

513 The Committee on Bonding, Capital Expenditures and State Assets may hold oversight  
514 hearings regarding the capital programs of the commonwealth and of any quasi-public entity or  
515 independent authority of the commonwealth. If the committee shall deem special studies or  
516 investigations to be necessary, it may undertake studies or investigations. [2009.]

517 26D. Bills, resolves and other matters pertaining to global warming and climate change  
518 including but not limited to carbon emissions, greenhouse gas emissions and renewable energies,  
519 shall, after the first reading, be referred to the Senate Committee on Global Warming and  
520 Climate Change.

521 The committee shall have the authority to develop and report legislative proposals  
522 pertaining to global warming and climate change.

523           The committee shall include with the bill a fiscal note showing the estimated cost or the  
524 fiscal effect of the proposed legislation if, in the opinion of said committee, such cost exceeds  
525 \$100,000.

526           The committee on Senate Committee on Global Warming and Climate Change shall  
527 provide a copy of its proposed text of any bills or resolves pertaining to global warming and  
528 climate change, to a committee member, upon request, before such bill or resolve is reported to  
529 the Senate for consideration.

530           27. Bills and resolves involving public money, or a grant of public property, unless the  
531 subject-matter has been acted upon by the joint Committee on Ways and Means, shall, after the  
532 first reading, be referred in course to the Senate Committee on Ways and Means, whose duty it  
533 shall be to report on their relation to the finances of the Commonwealth.

534           Orders reported in the Senate or received from the House involving the expenditure of  
535 public money for special committees shall, before the question is taken on the adoption of the  
536 order, be referred to the Senate Committee on Ways and Means, whose duty it shall be to report  
537 on the order's relation to the finances of the Commonwealth.

538           Every such bill involving a capital expenditure for new projects, or an appropriation for  
539 repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds \$100,000,  
540 when reported into the Senate by the Committee on Ways and Means, shall be accompanied by a  
541 fiscal note indicating the amount of public money which will be required to be expended to carry  
542 out the proposed legislation, together with an estimate of the cost of operation and maintenance  
543 for the first year if a new project is involved.

544           When requested by any member, prior to the engrossment of any such bill involving a  
545 capital expenditure for new projects, or an appropriation for repairs, or any legislation, the cost  
546 of which, in the opinion of the committee, can be ascertained in a timely manner, and which  
547 exceeds \$100,000, the chairman of the Committee on Ways and Means, or a member of said  
548 committee, shall verbally disclose during session the amount of public money which will be  
549 required to be expended to carry out the proposed legislation, together with an estimate of the  
550 cost of operation and maintenance for the first year if a new project is involved.

551           The committee on Ways and Means shall provide a copy of its proposed text of any bills  
552 or resolves involving public money, or a grant of public property, to a committee member, upon  
553 request, before such bill or resolve is reported to the Senate for consideration. [1871; 1882; 1887;  
554 1888; 1889; 1896; 1921; 1941; 1946; 1947; 1953; 1963; 1967; 1968; 1971; 1995; 1999; 2015.]

555           27A. When the general appropriations bill is reported by the Senate Committee on Ways  
556 and Means the following information shall be made available:- (a) a prior year's appropriation,  
557 (b) the recommendation, if any, of the Governor, (c) the amount approved by the House, and (d)  
558 the amount recommended by the Senate Committee on Ways and Means. The committee shall  
559 identify with its recommendations for the general appropriations bill all of the tax and non-tax  
560 revenues on which its spending recommendations are premised. The committee shall present  
561 these revenues by type and by the department or agency responsible for collecting them.

562           The committee on Ways and Means shall provide the membership with a copy of its  
563 proposed text of the general appropriations bill, and an executive summary which shall include a  
564 list of outside sections, and a short summary of each outside section not later than the fifth  
565 business day prior to full Senate consideration of such bill. When the Senate considers the

566 general appropriation bill, the bill shall appear in the Orders of the Day for its second-reading.  
567 All amendments to the Ways and Means proposed text shall be second-reading amendments, but  
568 further amendments in the third-degree to such amendments shall be in order. After the bill as  
569 amended is ordered to a third reading, it shall be read a third time and the question shall then  
570 immediately be on passing it to be engrossed. No amendments shall be in order at the third  
571 reading of the bill unless recommended by the committee on Bills in the Third Reading. Each  
572 member shall file any proposed amendments, including those relating to outside sections,  
573 electronically in a form determined by the Clerk, by the time established for that purpose by  
574 order of the Senate. Each amendment shall contain a 1-sentence descriptive title. The Clerk shall  
575 make a list of amendments available to the membership at least 48 hours prior to consideration of  
576 such bill. Such list shall identify the member sponsoring the amendment and include the 1-  
577 sentence descriptive title. The sponsoring member of an amendment, including further  
578 amendments in the third-degree, shall make available at such member's office a copy and a  
579 detailed summary of the amendment. The Clerk shall make available on the Internet the text of  
580 all amendments, including further amendments in the third-degree to such amendments.

581         The committee on Ways and Means shall provide the membership with a copy of its  
582 proposed text of any other appropriations bill, and an executive summary which shall include a  
583 list of outside sections, and a short summary of each outside section not later than the fourth  
584 business day prior to full Senate consideration of such bill. When the Senate considers such an  
585 appropriation bill, the Ways and Means proposed text shall be adopted and the bill shall be  
586 ordered to a third reading without other amendments. The bill shall be immediately read a third  
587 time and then be open to other amendments. Each member shall file any proposed amendments,  
588 including those relating to outside sections, with the Clerk not later than 5:00 p.m. of the third

589 business day before Senate consideration of the bill. Each amendment shall contain a 1-sentence  
590 descriptive title. The Clerk shall make a list of amendments available to the membership at least  
591 24 hours prior to the consideration of such bill. Such list shall identify the member sponsoring  
592 the amendment and include the 1-sentence descriptive title. The sponsoring member shall make  
593 available at such member's office a copy and a detailed summary of the amendment.

594 A member may withdraw an amendment to an appropriation bill after filing it, or may  
595 replace a seasonably filed amendment with a redrafted amendment, which shall be clearly  
596 designated as such.

597 Further amendments and redrafted amendments shall upon request be distributed by the  
598 member offering the amendment to each member at their assigned desk. Members shall be given  
599 a reasonable amount of time for review prior to taking action on any further or redrafted  
600 amendments.

601 This rule shall not be rescinded, amended or suspended, unless four-fifths of the members  
602 present consent thereto. [1974; 1993; 1997; 1999, 2001; 2013; 2015.]

603 27B. [Omitted in 1999.]

604 27C. With the exception of appropriation bills and capital outlay bills, the Committee on  
605 Ways and Means and the Committee on Rules may be discharged from the further consideration  
606 of matters referred to them under the following procedure. The consideration of a motion to  
607 discharge such committees from further consideration of a certain matter shall be postponed  
608 without question to the day after that on which the motion is made. Such motion shall require a  
609 majority vote of the members present and voting for adoption, if made after the expiration of 45  
610 calendar days after referral to said committees, but shall require a vote of two-thirds of the

611 members present and voting, if made prior to the expiration of said 45 calendar days after  
612 referral to said committees. On the motion to discharge such committees, not more than 15  
613 minutes shall be allowed for debate, and no member shall speak more than 3 minutes.

614 In addition to the above procedure, the Committee on Ways and Means shall be  
615 discharged from further consideration of a certain matter upon the written petition of a majority  
616 of the members of such committee presented to the chairman after 45 calendar days following  
617 referral of the matter to said committee. When directed to discharge a certain matter under this  
618 rule said committees shall either report or be discharged of said matter within 5 legislative days  
619 of the vote or petition calling for such discharge. A petition discharged under this rule shall be  
620 considered as favorably reported and the matter accompanying said petition shall be designated  
621 as “discharged”, and shall be placed in the Orders of the Day for the next day for a second  
622 reading or question on adoption, as the case may be, unless subject to Senate Rule 27. [1983;  
623 1985; 2003; 2015.]

624 27D. A Senate bill may be co-sponsored, electronically, at any time during the 2-year  
625 legislative session until debate on the bill begins. [2015.]

626 28. No bill or resolve shall pass to be engrossed without 3 readings on 3 several days.  
627 [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

628 29. Bills and resolves, in their several readings, and resolutions, shall be read by their  
629 titles, unless objection is made. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1890.]

630 30. If a committee to whom a bill or resolve is referred reports that the same ought not to  
631 pass, the question shall be ”Shall this bill (or resolve) be rejected?” If the rejection is negatived,  
632 the bill or resolve, if it has been read but once, shall go to its second reading without a question;

633 and if it has been read more than once it shall be placed in the Orders of the Day for the next day,  
634 pending the question on ordering to a third reading, or engrossment, as the case may be. [1817;  
635 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1897; 1921; 1939; 1945; 1971.]

636           31. If an amendment is offered by any member at the second or third reading of a bill or  
637 resolve, substantially changing the greater part of the bill or resolve, the question shall not be put  
638 forthwith on adopting the amendment to the bill or resolve if formally requested by 2 members,  
639 but the bill or resolve shall be laid over and placed in the Orders of the Day for the next day after  
640 that on which the amendment is offered, with the amendment pending. The proposed amendment  
641 shall be printed in the calendar and in the journal. If an amendment is made at the second or third  
642 reading of a bill or resolve substantially changing the greater part of the bill or resolve, the  
643 question shall not be put forthwith on ordering the bill or resolve to a third reading or to be  
644 engrossed, as the case may be, but the bill or resolve, as amended, shall be placed in the Orders  
645 of the Day for the next day after that on which the amendment is made, and shall then be open to  
646 further amendment before such question is put. In like manner, when an amendment is made in  
647 any proposition of such a nature as to change its character, as from a bill to an order, or the like,  
648 the proposition as amended shall be placed in the Orders of the Day for the next day after that on  
649 which the amendment was made. [1882; 1888; 1971.]

650           31A. Upon recommendation of the Committee on Rules, the Senate may by order require  
651 that all amendments to a designated bill be filed with the Clerk not later than 1 day before  
652 consideration of the bill by the Senate. Such amendments shall be presented in the calendar and  
653 shall not be subject to Rule 31. [1997; 2003; 2015.]

654           32. Bills or resolves ordered to a third reading shall be placed in the Orders of the Day  
655 for the next day for such reading. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

656           32A. (1) The Senate Committee on Bills in the Third Reading may be discharged from  
657 the further consideration of matters referred to it pursuant to the following procedure:

658           (a) The consideration of a motion to discharge said committee from further consideration  
659 of a certain matter shall be postponed without question to the day after that on which the motion  
660 is made.

661           (b) The adoption of such motion shall require a simple majority vote of the members  
662 present and voting.

663           (2) The Senate Committee on Rules may be discharged from the further consideration of  
664 matters referred to it under Rule 26, pursuant to the following procedure:

665           (a) The consideration of a motion to discharge said committee from further consideration  
666 of a certain matter shall be postponed without question to the day after that on which the motion  
667 is made.

668           (b) Such motion shall require a majority vote of the members present and voting for  
669 adoption if made after the expiration of 30 calendar days after referral to said committee, but  
670 shall require a vote of two-thirds of the members present and voting if made prior to the  
671 expiration of said 30 calendar days after referral to said committee.

672           (3) When either committee is directed to discharge a certain matter pursuant to this rule,  
673 such committee shall either report or be discharged of said matter within 5 legislative days of the  
674 vote calling for such discharge. A matter discharged under this rule shall be designated as



675 “discharged” and the matter shall be placed in the Orders of the Day for the next sitting. On the  
676 motion to discharge such committee, not more than 15 minutes shall be allowed for debate and  
677 no member shall speak more than 3 minutes.[1985; 1987; 1989; 1993; 1995; 2005; 2015.]

678 32B. [Omitted in 1995.]

679 33. Bills and resolves when ordered to a third reading, and bills and resolves amended  
680 subsequently to their third reading unless the amendment was reported by the Committee on  
681 Bills in the Third Reading, shall be referred forthwith to that committee, which shall examine  
682 and correct them, to avoid repetitions and unconstitutional provisions, and to ensure accuracy in  
683 the text and references, and consistency with the language of existing statutes, and to give effect  
684 to section 52 of chapter 3 of the General Laws; but any change in the sense of legal effect, or any  
685 material change in construction shall be reported to the Senate as an amendment. The committee  
686 may consolidate into 1 bill any 2 or more related bills referred to it, whenever legislation may be  
687 simplified by such consolidation. Resolutions received from and adopted by the House or  
688 introduced or reported into the Senate, after they are read and before they are adopted, and  
689 amendments of bills, resolves and resolutions adopted by the House and sent to the Senate for  
690 concurrence, shall also be referred, in like manner, to the Committee on Bills in the Third  
691 Reading. When a bill, resolve or resolution has been so referred, no further action shall be taken  
692 until the committee has reported on the bill, resolve or resolution. If a bill or resolve referred to  
693 the Committee on Bills in the Third Reading contains an emergency preamble, changes the  
694 compensation paid to the members of the General Court, provides for the borrowing of money by  
695 the Commonwealth and comes within Section 3 of Article LXII of the Amendments to the  
696 Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and  
697 comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments

698 to the Constitution, or provides, upon recommendation of the Governor, for a special law relating  
699 to an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the  
700 Amendments to the Constitution, the committee shall plainly indicate the fact. [1817; 1836;  
701 1882; 1888; 1890; 1891; 1914; 1919; 1925; 1927; 1929; 1945; 1965; 1967; 1983.]

702 33A. All legislative matters receiving a Senate number shall be presented and made  
703 available to all the members of the Senate and to the public at least 24 hours in advance of  
704 consideration by the Senate.

705 All other amendments recommended by any committee, other than the Committee on  
706 Bills in the Third Reading, shall be subject to this rule.

707 This rule shall be suspended only upon a vote of two-thirds of the members present and  
708 voting. [1985.]

709 34. Bills and resolves prepared for final passage shall be certified by the Senate Clerk and  
710 Parliamentarian, after comparison, to be the same as the bills or resolves passed to be engrossed;  
711 and if found to be properly prepared, the Clerk shall so endorse on the envelope of the bill or  
712 resolve; and the question on enactment or final passage or adopting an emergency preamble shall  
713 be taken on the bill or resolve, without further reading, unless specifically ordered. When a bill  
714 or resolve prepared for final passage contains an emergency preamble, changes the compensation  
715 paid to members of the General Court, provides for the borrowing of money by the  
716 Commonwealth and comes within Section 3 of Article LXII of the Amendments to the  
717 Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and  
718 comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to  
719 the Constitution, or provides, upon recommendation of the Governor, for a special law relating to

720 an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the  
721 Amendments to the Constitution, the Clerk shall plainly indicate the fact. [1817; 1831; 1882;  
722 1888; 1914; 1919; 1965; 1967; 1971; 1983.]

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724 ORDERS OF THE DAY.

725 35. The unfinished business in which the Senate was engaged at the time of the last  
726 adjournment shall have preference in the Orders of the Day next after motions to reconsider.  
727 [1830; 1870.]

728 36. Reports of committees not by bill or resolve shall be referred to the Committee on  
729 Rules; except that the report of a committee asking to be discharged from the further  
730 consideration of a subject and recommending that it be referred to another committee, or a report  
731 of a committee recommending that a matter be placed on file, shall be immediately considered.  
732 All reports of the Committee on Rules shall be placed in the Orders of the Day for the next  
733 session unless such matter is assigned for special consideration by said Committee on some  
734 future date. Amendments to a measure which have been made by the House and sent back to the  
735 Senate for concurrence shall be placed in the Orders of the next day after that on which they are  
736 received; provided that amendments involving state money shall be referred to the Committee on  
737 Ways and Means.

738 Reports of committees on proposals for amendment of the Constitution shall be dealt  
739 with in accordance with Joint Rule 23. [1845; 1853; 1888; 1891; 1919; 1947; 1953; 1965; 1968;  
740 1971; 1985; 1995; 2005; 2015.]

741           37. After entering upon the consideration of the Orders of the Day, the Senate shall  
742 proceed with them in regular course, as follows: Matters not giving rise to a motion or debate  
743 shall first be disposed of in the order in which they stand in the calendar; then the matters that  
744 were passed over shall be considered and disposed of in like order. [1817; 1836; 1841; 1859;  
745 1878; 1882; 1885.]

746           38. No matter which has been duly placed in the Orders of the Day shall be discharged  
747 from the Orders of the Day or considered out of its regular course. [1885.]

748           38A. The Senate shall not continue in session beyond the hour of 8 p.m. This rule shall  
749 not be suspended unless two-thirds of the members present and voting consent to such  
750 suspension on a recorded yea and nay vote. [1983; 2005.]

751           38A 1/2. The Senate shall not continue in session beyond midnight. This rule shall not be  
752 suspended unless two-thirds of the members present and voting consent to such suspension on a  
753 recorded yea and nay vote. [2005.]

754           38B. Debate and consideration on the general appropriation bill shall begin at 10 a.m. and  
755 shall be the only matter placed on the calendar for that day. [1985.]

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758           RULES OF DEBATE.

759           39. When speaking, each member shall stand as able in such member's place and address  
760 the President. When recognized, the member shall confine such member's remarks to the

761 measure and question under debate and shall at all times avoid personalities. [1817; 1831; 1871;  
762 1973.]

763 40. When 2 or more members rise to speak at the same time, the President shall designate  
764 the member who is entitled to the floor.[1831; 1888.]

765 41. No member shall speak more than once to the prevention of any other member who  
766 has not spoken and desires to speak on the same question. [1817; 1886.]

767 42. No member shall interrupt another while speaking, except by rising to call to order or  
768 to rise to a question of personal privilege or parliamentary inquiry. [1817; 1831; 1971.]

769 42A. A member referencing a report or study in debate must make said report or study  
770 readily available either during or within a reasonable time after the debate if requested by  
771 another member. [2015]

772 43. After a question is put to vote no member shall speak to it. [1817.]

773 43A. No appeal from a decision of the President shall be entertained unless it is  
774 seconded; and the question on the appeal shall be disposed of forthwith. [1973.]

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776 MOTIONS.

777 44. Any motion shall be reduced to writing if the President so directs. A motion need not  
778 be seconded and may be withdrawn by the mover if no objection is made. [1817; 1844; 1871;  
779 1888.]

780 44A. [Omitted in 2011.]

781           45. An amendment to any measure filed for debate with the Clerk containing 2 or more  
782 propositions, capable of division, shall be divided whenever desired by any member. When a  
783 motion to strike out and insert is thus divided, the failure of the motion to strike out shall not  
784 preclude amendment; or, if the motion to strike out prevails, the matter proposed to be inserted  
785 shall be open to amendment before the question is taken on inserting it. [1817; 1841; 1888.]

786           45A. The vote on a motion to consider several amendments as one shall be taken by yeas  
787 and nays.

788           46. When a question is under debate the President shall receive no motion that does not  
789 relate to the same, except a motion to adjourn or some other motion which has precedence by  
790 express rule of the Senate, or because it is privileged in its nature; and the President shall receive  
791 no motion relating to the same except:

792           (1) To lay on the table (or take from the table);

793           (2) To close debate at a specified time;

794           (3) To postpone to a day certain;

795           (4) To commit (or recommit);

796           (5) To amend;

797           (6) To postpone indefinitely.

798           These motions shall have preference in the order in which they stand. [Between 1821 and  
799 1826; 1831; 1844; 1870; 1882; 1885; 1888; 1921; 1939; 1945; 1971.]

800           47. Debate may be closed at any time not less than 1 hour from the adoption of a motion  
801 to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no  
802 member shall speak more than 3 minutes. [1882.]

803           48. When motions are made to refer a subject to different committees, the committees  
804 proposed shall be considered in the following order:

805           (1) A standing committee of the Senate;

806           (2) A special committee of the Senate;

807           (3) A joint standing committee of the two branches;

808           (4) A joint special committee of the two branches. [1884; 1888.]

809           49. No engrossed bill or resolve shall be amended; but this rule shall not apply to a bill or  
810 resolve returned by the Governor with a recommendation of amendment under Article LVI of the  
811 Amendments of the Constitution; nor shall it apply to amendments of engrossed bills proposed  
812 by the House and sent to the Senate for concurrence. [1837; 1919; 1931.]

813           50. No motion or proposition of a subject different from that under consideration and no  
814 measure which has been finally rejected or disposed of by the Senate shall be admitted under the  
815 color of an amendment. [1882; 1971.]

816           51. [Omitted in 2011.]

817           52. The motion to adjourn and the call for yeas and nays shall be decided without debate.

818 On the motions to lay on the table and take from the table, to postpone to a time certain,  
819 to commit or recommit (except with instructions), not exceeding 10 minutes shall be allowed for  
820 debate, and no member shall speak more than 3 minutes.

821 On a motion to reconsider, not more than 30 minutes shall be allowed for debate, and no  
822 member shall speak more than 5 minutes; but on a motion to reconsider a vote upon any  
823 subsidiary, incidental or dependent question debate shall be limited to 10 minutes, and no  
824 member shall speak more than 3 minutes.

825 On a motion to suspend any of the joint rules or Senate rules debate shall be limited to 15  
826 minutes, and no member shall speak more than 3 minutes. [1817; 1859; 1870; 1874; 1882; 1885;  
827 1937; 1941.]

828 52A. The Senate President or presiding officer of the Senate may not declare that the  
829 Senate is in recess for more than 30 minutes, without informing the members from the rostrum of  
830 a time certain for reconvention. [1993.]

831 \_\_\_\_\_

832 RECONSIDERATION.

833 53. No motion to reconsider a vote shall be entertained unless it is made on the same day  
834 on which the vote has passed, or on the next day thereafter on which a quorum is present and  
835 before the Orders of the Day for that day have been taken up. If reconsideration is moved on the  
836 same day, the motion shall (except during the last 7 calendar days of formal business under Joint  
837 Rule 12A) be placed first in the Orders of the Day for the succeeding day; but if it is moved on  
838 the succeeding day, the motion shall be considered forthwith; provided, however, that this rule



839 shall not prevent the reconsideration of a vote on a subsidiary, incidental or dependent question  
840 at any time when the main question to which it relates is under consideration; and provided,  
841 further, that a motion to reconsider a vote on any incidental, subsidiary or dependent question  
842 shall not remove the main subject under consideration from before the Senate, but shall be  
843 considered at the time when it is made.

844           There shall be no reconsideration of the vote on the question on adjourning, for the yeas  
845 and nays, on laying on the table or on taking from the table; and when a motion for  
846 reconsideration has been decided, that decision shall not be reconsidered. [1817; between 1821  
847 and 1826; 1858; 1885; 1888; 1891; 1902; 1946; 1999.]

848 \_\_\_\_\_

849           REJECTED MEASURES.

850           54. When any measure has been finally rejected or finally disposed of by the Senate, no  
851 measure substantially the same shall be introduced by any committee or member during the  
852 session, or moved as an amendment to another measure. [1817; dispensed with in 1831; revived  
853 in 1838; amended in 1841; 1844; 1877; 1882; 1971.]

854 \_\_\_\_\_

855           VOTING.

856           55. The President shall declare all votes; but if a member doubts a vote, the President  
857 shall order a return of the number voting in the affirmative, and in the negative, without further  
858 debate. [1831; 1888.]

859           56. The sense of the Senate shall be taken by yeas and nays whenever required by one-  
860 fifth of the members present, or by a number of members equal to the total number of members  
861 of the minority party. The President may wait a period not exceeding 10 minutes before ordering  
862 the Clerk to start the yeas and nays, during which time the members shall be summoned to the  
863 Senate Chamber as the President may direct.

864           Other business of the Senate may be taken up during the 10 minute period. At the end of  
865 the 10 minute interval, the President shall state the question to be roll called and then direct the  
866 Clerk to begin the call. If, after the yeas and nays have been ordered, an advanced notice of at  
867 least 60 minutes is given by the President, the President may set a time certain for the vote to be  
868 taken and the 10 minute waiting period above prescribed may be waived. [1817; 1852; 1888;  
869 1971; 1972, 1997.]

870           57. Whenever a question is taken by yeas and nays, the Clerk shall call the names of all  
871 members, except the President, in alphabetical order, and every member present shall answer to  
872 such member's name, unless excused before the vote was taken. Except in the case of a vote to  
873 ascertain the presence of a quorum, if a member present in the State House is prevented from  
874 voting personally in the Senate Chamber at the member's assigned seat because of disability or  
875 due to a condition related to pregnancy, childbirth or nursing a child that member may be  
876 excused from so voting by the President, who shall assign a court officer to answer the roll call  
877 on behalf of the member so long as the disability or condition continues; provided, however, that  
878 the President shall announce the action of the Chair to the membership prior to assigning a court  
879 officer to cast the member's vote; and provided further, that the President shall announce the  
880 action to the membership the first time a vote is cast for that member on each successive day that

881 the member is absent from the chamber because of the disability or condition. No member shall  
882 be permitted to vote after the decision is announced from the Chair. [1837; 1844; 2008; 2015.]

883 57A. [Omitted in 2011.]

884 57 B. Notwithstanding the provisions of Senate Rule 57 or any other rule to the contrary,  
885 the presiding officer may allow for the use of an electronic voting system when the call of the  
886 yeas and nays is ordered for any question. If an electronic voting system is utilized, the Clerk  
887 shall not need to call the names of the members.

888 Should the electronic voting system fail at any point during a roll call vote or between  
889 roll call votes the Senate would immediately revert to the provisions of Senate Rule 57 and call  
890 each member, except the President, by name, in alphabetical order, and every member present  
891 shall answer to each member's name.

892 If during the session a member makes a motion to discontinue the use of the electronic  
893 voting system for any reason other than mechanical failure of the vote, a majority vote of the  
894 members present and voting would be required to discontinue said use.

895 \_\_\_\_\_

896 ELECTIONS BY BALLOT.

897 58. In all elections by ballot a time shall be assigned for such election, at least 1 day prior  
898 to such election, except in case of an election of President or President pro tempore, under Rule  
899 5. [1831; 1891.]

900 \_\_\_\_\_

901 REPORTERS' GALLERY.

902 59. The use of the reporters' gallery of the Senate Chamber shall be subject to the  
903 approval and direction of the Committee on Rules during the session and of the President after  
904 prorogation. Except in the reporter's official capacity as a reporter, no reporter who is entitled to  
905 the privileges of the reporters' gallery shall seek to influence the action of the Senate or any  
906 member, nor shall such person approach a member to seek to influence such member in any  
907 place from which legislative agents are excluded by Rule 61. Every legislative reporter desiring  
908 admission to the reporters' gallery of the Senate Chamber shall state in writing that such reporter  
909 is not the agent or representative of any person or corporation interested in legislation before the  
910 General Court and will not act as representative of any such person or corporation while such  
911 reporter retains a place in the gallery; but nothing in this rule shall prevent such legislative  
912 reporter from engaging in other employment, provided such other employment is specifically  
913 approved by the Committee on Rules and reported to the Senate. [1847; 1911; 1914; 1925; 1989;  
914 2003; 2015.]

915 59A. Formal sessions of the Senate shall be made accessible to electronic media,  
916 including television, radio and the Internet. The manner, conditions and extent of such access  
917 shall be established by the Committee on Rules.

918 The President and the Clerk shall endeavor to provide that all formal sessions of the  
919 Senate during which the general appropriation bill is considered are broadcast live. If it is not  
920 feasible for such a session to be broadcast live they shall endeavor to provide for its delayed  
921 broadcast. The Committee on Rules may provide for the audio or video transmission via the  
922 Internet of Senate sessions. The committee on Rules may enter into agreements with nonprofit

923 entities, including public and private educational facilities, to provide for audio or video  
924 transmission via the Internet of the Senate sessions.

925 This rule shall not be suspended unless by majority vote of the members present and  
926 voting.

927 If, for any reason, the Senate convenes in a formal session and such session is not  
928 televised live, then the party under the contractual duty to provide the broadcast shall provide to  
929 the Senate President and Minority Leader within 24 hours of the adjournment of such session a  
930 report including, but not limited to an explanation for why the broadcast was not received.

931 Prior to permanent arrangements being entered into for the broadcast of formal Senate  
932 sessions, any television carrier, who wishes to broadcast any formal Senate session shall make  
933 application to the committee on Rules to do so, approval of which shall not be unreasonably  
934 withheld. Any carrier may make arrangements to utilize a pool feed to be provided under  
935 guidelines and conditions set forth by the committee on Rules. [1989, 2001; 2003; 2007; 2015.]

936 59B. The Clerk of the Senate shall deliver a copy of each broadcast Senate session to the  
937 Majority Floor Leader and the Minority Floor Leader not later than 24 hours after such session  
938 has ended.

939 The Clerk of the Senate shall also keep a copy of every broadcast Senate session for  
940 reference purposes. These copies shall be made available to the public upon request. [1993.]

941 59C. The electronic feed that provides the broadcast coverage of the Senate sessions  
942 shall be available to any media outlet. [2002.]

943           59D. (1) The President shall make available to each member of the Senate a copy of the  
944 contract for the broadcast of the Senate formal sessions.

945           (2) Any contracts executed after January 1, 2003 concerning television broadcast of the  
946 formal sessions of the Senate shall require the following information to be reported to the  
947 members of the Senate:

948           (a) a list of all cities and towns to receive live television broadcasts of the sessions of the  
949 Senate;

950           (b) a list of each city and town to receive Senate coverage including the date and time of  
951 the live and pre-recorded broadcasts of each session of the Senate;

952           (c) a list of cities and towns that do not receive live televised broadcasts of the sessions of  
953 the Senate and an explanation for the lack of coverage.

954           The President shall make available said copy of the contract to each member of the  
955 Senate on the first day of the annual session.[2003.]

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#### 957           THE SENATE CHAMBER AND ADJOINING ROOMS

958           60. No person not a member shall be allowed to sit at the Senate table while the Senate is  
959 in session. [1853;1888.]

960           61.No person, except members of the legislative and executive departments of the state  
961 government, persons in the exercise of an official duty directly connected with the business of  
962 the Senate, and reporters who are afforded press privileges by the Senate President, shall, unless

963 invited by the President, be admitted to the floor of the Senate Chamber or to the Senate Reading  
964 room or to the corridor between the Senate Reading room and the Senate Chamber during the  
965 sessions of the Senate, or during the half hour preceding or succeeding said sessions, nor to the  
966 Senate reading room, cloak room or anterooms on any day when a session of the Senate is held,  
967 except upon written invitation bearing the name of the person it is desired to invite and the name  
968 of the Senator extending the invitation, which invitation shall be surrendered when the person  
969 enters one of the otherwise restricted areas.

970           Reporters desiring access to the Senate Chamber shall make written application to the  
971 President stating the purposes for which the privileges are required, and such privileges shall be  
972 granted only upon written approval by the President.

973           No legislative agent shall be admitted to the floor of the Senate Chamber. On any day  
974 when a session of the Senate is held, no legislative agent shall be admitted to the Senate Reading  
975 room, the cloak room, the Senate corridor or anterooms and no person, except members of the  
976 legislative and executive departments of the state government and persons in the exercise of an  
977 official duty directly connected with the business of the Senate shall be permitted to loiter in the  
978 Reading room, the cloak room, the Senate corridor or anterooms at any time. Smoking shall not  
979 be permitted in the Senate Reading room, the cloak room or the anterooms.[1870; 1875; 1886;  
980 1891; 1895; 1896; 1897; 1898; 1907; 1909; 1914; 1916; 1925; 1989.]

981           61A. No person shall be allowed to smoke on the floor of the Senate. [1985.]

982           61B. No person shall talk on a cellular telephone or other mobile electronic device in the  
983 Senate Chamber while the Senate is in session. [2003; 2013.]

984

985 PARLIAMENTARY PRACTICE.

986 62. The rules of parliamentary practice shall govern the Senate in all cases to which they  
987 are applicable, and in which they are not inconsistent with these rules or the joint rules of the 2  
988 branches. [1847; 1858; 1882; 1895; 1963.]

989 62A. [Renumbered in 2013 as Senate Rule 61B.]

990 62B (a) The Chief Financial Officer of the Senate shall complete the procurement of all  
991 goods and services for the Senate. Procurements for goods or services shall be made from the  
992 statewide procurement list established by the operational services division, to the extent  
993 practicable, as determined by the Chief Financial Officer. If the Chief Financial Officer  
994 determines that a procurement cannot be made using the statewide procurement list established  
995 by the operational services division, the Chief Financial Officer may procure the required goods  
996 or services under subsections (b), (c) or (d).

997 (b) Procurement of a supply or service from a vendor not on the statewide procurement  
998 list valued at less than \$10,000 shall be made at the discretion of the Chief Financial Officer.

999 (c) If the Chief Financial Officer seeks to procure a supply or service from a vendor not  
1000 on the statewide procurement list valued at \$10,000 or more, but less than \$100,000, the Chief  
1001 Financial Officer shall seek quotations from not fewer than 3 persons providing such supply or  
1002 service. The Chief Financial Officer shall record the names and addresses of all persons from  
1003 whom quotations were received, the names of the persons submitting quotations and the date and  
1004 amount of each quotation. The Chief Financial Officer shall award the contract to the responsible  
1005 person whose quotation offers the needed quality of supply or service and which represents the  
1006 best value for the Senate.



1007 (d) If the Chief Financial Officer seeks to procure a supply or service from a vendor not  
1008 on the statewide procurement list valued at \$100,000 or more, the Chief Financial Officer shall  
1009 seek proposals through a competitive bid process, which shall be established by the Chief  
1010 Financial Officer

1011 (e) The Chief Financial Officer shall maintain a file on each procurement not executed  
1012 using the statewide procurement list established by the operational services division and in  
1013 excess of \$10,000 and shall include in such file all documents related to the procurement. The  
1014 files maintained shall be available for inspection by members of the Senate during regular  
1015 business hours unless the information is otherwise protected by state or federal law.

1016 (f) In addition to the requirements of this rule, all procurements for legal services shall be  
1017 approved by the Senate Counsel.

1018 (g) If, in the determination of the Chief Financial Officer, an emergency procurement of  
1019 greater than \$10,000 is necessary, the Chief Financial Officer may procure the goods or services  
1020 immediately and create and maintain a file explaining the nature of the emergency and the goods  
1021 or services that were procured as a result. The Chief Financial Officer shall document the goods  
1022 or services that were procured, the process used to procure the goods or services, the vendors that  
1023 were contacted and any other information relevant to the procurement, and make that  
1024 information available to members of the Senate during regular business hours, unless the  
1025 information is otherwise protected by state or federal law. [2013.]

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1027 ALTERATIONS, SUSPENSION OR REPEAL OF RULES.

1028           63. This rule and rules 24, 31, 33, 34 and 53 shall not be suspended if objection is made;  
1029 and no other rule shall be altered, suspended or repealed, except by vote of two-thirds of the  
1030 members present and voting. The Committee on Rules may consider and suggest measures that  
1031 shall, in its judgment, tend to facilitate the business of the Senate, and a majority vote of the  
1032 Senate shall be required to approve such recommendations.

1033           Additionally a measure to repeal, change, add or otherwise modify a rule or rules of the  
1034 Senate may be proposed at any time by either 1/5 of the members or the number of minority  
1035 members, provided that such measure is presented to the clerk in the form of an order. Such  
1036 order shall be referred immediately to the Committee on Rules, which shall report to the Senate  
1037 on such order within 10 days of its referral to the committee. Such report shall be placed in the  
1038 Orders of the Day for the next formal session for consideration by the Senate. [1817; 1841; 1848;  
1039 1882; 1888; 1891; 1893; 1899; 1953; 1973; 2003; 2015.]

1040           64. Twenty-one members shall constitute a quorum for the organization of the Senate and  
1041 the transaction of business. [See Amendments to the Constitution, Art. XXXIII.] [1973.]

1042           65. The Senate shall meet not later than the fourth Friday following the convening of the  
1043 first annual session of a General Court for the purpose of adopting permanent rules of the Senate.  
1044 [1991; 2007.]

1045           66. [Omitted in 1997.]

1046           67. The resignation of a Senator shall become effective within 14 days from submission  
1047 of a letter of resignation or a letter of intent to resign to the Senate President's Office. [2007.]

1048 \_\_\_\_\_

1049 REVIEW PAST SENATE PROCEDURE

1050 68. The President shall establish a commission to examine past rules and practices of the  
1051 Massachusetts State Senate.

1052 This commission shall consist of 3 members: the Senate President pro tempore or a  
1053 designee; the majority leader or a designee; and the minority leader or a designee; and shall  
1054 examine and compare the current rules and practices of the Massachusetts State Senate with the  
1055 body's historic rules and practices. This examination and comparison may include, but not be  
1056 limited to, matters of decorum, attendance, dress and schedule.

1057 The commission shall report its findings and recommendations by September 1 of every  
1058 even numbered year. [2009; 2013.]

1059 69. Meetings of any special commissions, special legislative commissions, task forces or  
1060 other groups authorized or required by statute, resolve, rule or order to make or conduct an  
1061 investigation or study of any issue, and which are chaired by a Senator, shall be conducted  
1062 openly and transparently, and shall conform both to Senate rules and to statutes.