

HOUSE No. 2013

Order (filed by Mr. Binienda of Worcester) relative to House Rules governing the 2013-2014 legislative sessions (House, No. 2013). January 16, 2013.

The Commonwealth of Massachusetts

House of Representatives, [Journal Date]



In the Year Two Thousand Thirteen

1 **Ordered**, That the rules of the House of Representatives for the years 2013-2014 be
2 adopted, as follows:

3

4 **SPEAKER.**

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

7 1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet
8 beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in
9 session, the Speaker shall interrupt the business then pending and shall, without debate, place
10 before the House the question on suspension of this rule which shall be decided by a majority of
11 members present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said
12 vote shall permit the House to remain in session until the hour of midnight; provided that the
13 session shall not continue beyond the hour of midnight, unless by unanimous consent of the
14 members present. The House shall then return to the pending business; and if no matter was
15 pending, to the next order of business. However, if the vote is in the negative, the Speaker shall
16 forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten
17 o'clock A.M. on the next succeeding calendar day.

18 [Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16,
19 2000.]

20 2. The Speaker shall preserve decorum and order in the House Chamber. While in the House
21 Chamber, members and staff shall be required to dress in proper and appropriate attire and to
22 refrain from the use of cellular telephones, beepers and pagers. The use of visual aids including,
23 without limitation, posters, displays, or charts shall be permitted only upon approval of the
24 Speaker. The Speaker also may speak to points of order in preference to other members; and
25 shall decide all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to
26 appeals, see Rule 77.]

27 [Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011.]

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

30 [Amended Jan. 11, 1985.]

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

32 [Amended Jan. 11, 1985.]

33 4A. The Speaker may appoint a Speaker pro tempore. The Speaker pro tempore shall assist
34 the Speaker in the coordination of policy development and the ceremonial functions of the House
35 and shall perform such duties assigned to him by the Speaker. Upon a vacancy in the office of
36 Speaker, the office of Speaker pro tempore shall be considered vacant.

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

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

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

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

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

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

53 [Amended Jan. 11, 1985.]

54 SCHEDULING.

55 7A. There shall be appointed a standing committee on Steering, Policy and Scheduling
56 consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A,
57 but shall be authorized to meet from time to time at the call of the Chair for the purpose of
58 assisting the members of the House of Representatives in identifying the major matters pending
59 before the General Court, the relative urgency and priority for consideration of such matters, and
60 alternative methods of responding to such matters by the General Court. Said committee shall
61 schedule legislative matters in a manner that will provide for an even distribution and orderly
62 consideration of reports of legislative committees on the daily Calendar.

63 The committee on Steering, Policy and Scheduling shall not be authorized to recommend
64 changes or amendments to legislation or recommend that a matter ought to pass or ought not to
65 pass, but shall only report asking to be discharged from further consideration of a bill, and
66 recommending that it be referred or recommitted to another committee, provided, however, that
67 it shall not recommend that a matter be referred or recommitted to the committee on Rules or the
68 committees on Rules of the two branches, acting concurrently, or what date a matter shall be
69 scheduled for consideration by the House and placed in the Orders of the Day. All reports by the
70 committee on petitions filed or approved by the voters of a city or town, or by the mayor and city
71 council, or other legislative body of a city or the town meeting of a town with respect to a law
72 relating to that city or town shall be read and considered by the House at a formal or informal
73 session before being accepted, rejected or otherwise acted upon.

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

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

85 7B. The committee on Rules shall be authorized to originate and report special orders for the
86 scheduling and consideration of legislation on the floor of the House. Said committee shall not
87 be subject to the notification provisions contained in Rule 17A but may hold public hearings and
88 shall accept testimony only from the members of the House. A majority of the members
89 appointed to the committee shall constitute a quorum. When reported, such orders may be

90 amended by a two-thirds vote of the members present and voting, and shall be subject to
91 approval by a majority of the members of the House present and voting. Debate on the question
92 on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this
93 paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
94 orders shall not be subject to reconsideration.

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

96 7C. The committee on Rules may consider and make recommendations designed to improve
97 and expedite the business and procedures of the House and its committees, and to recommend to
98 the House any amendments to the Rules deemed necessary; provided that a majority of the
99 members of the House present and voting shall be required to approve such recommendations.

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

101 [Adopted Jan. 14, 1997.]

102 7D. The Speaker shall, in consultation with the committee on Rules and the committee on
103 Steering, Policy and Scheduling, establish a committee scheduling system that would minimize
104 to the greatest extent possible scheduling conflicts for members of committees.

105 The Speaker shall determine a schedule for the House for each week relative to formal and
106 informal sessions and shall make such schedule available to the members by Thursday of the
107 preceding week; provided, however, that the Speaker may make, notwithstanding the provisions
108 of Rule 7A, changes in the schedules to facilitate the business of the House in an efficient and
109 timely fashion. The Speaker shall communicate notice of any such scheduling change to the
110 members in writing or by way of electronic mail as soon as practicable, and whenever possible,
111 the Speaker shall provide such notice not less than twenty-four hours before the event so
112 rescheduled is set to commence.

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

114 MONITORS.

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

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

120 It shall be the duty of a monitor to report his or her knowledge of the occurrence of a member
121 voting for another member, in his or her division of the House, to the Speaker of the House and
122 to the Minority Leader. [10.] [See Rules 16 and 16A.]

123 [Amended Jan. 9, 1991; May 5, 1993.]

124 9A. There shall be established a Floor Division Committee for each of the four divisions of
125 the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions.
126 Said committee shall consist of the members assigned to the respective divisions.

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

132 In addition to the legislative duties, chairpersons shall oversee the physical appearance of the
133 Chamber and the various areas under the jurisdiction of the House of Representatives. Said
134 chairpersons shall be authorized to act as a committee and may meet at any time at the request of
135 at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the
136 appropriate agencies and historical commissions of the Commonwealth for the purpose of
137 requesting expeditious appraisals and necessary repairs and renovations to the interior and
138 exterior of the State House. The committee of chairpersons shall report directly to the Speaker
139 the results of all consultations.

140 [Adopted Jan. 14, 1997.]

141 CLERK.

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

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

149 10A. The Clerk shall be the official parliamentarian of the House of Representatives.

150 [Adopted Jan. 9, 1991.]

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

154 12. The Clerk shall prepare and make available on each day of formal session a Calendar of
155 matters in order for consideration and such other memoranda as the House or the Speaker may
156 direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a

157 bill or resolve notwithstanding the objections of His Excellency the Governor which may be
158 considered forthwith at the direction of the House or Speaker.

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

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

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

171 As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under
172 this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is
173 generally available to all members and their staff, and reasonably promptly thereafter he shall
174 cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.)
175 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24,
176 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

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

179 13A. The clerk shall make available to all members electronically and, to the public via the
180 Internet, the text of all bills introduced and admitted for consideration in the House.

181 MEMBERS.

182 14. No member shall stand up, to the inconvenience of others, while a member is speaking; or
183 be involved in disturbing conversation while another member is speaking in debate; or pass
184 unnecessarily between the Speaker of the House and the member speaking; or stand in the
185 passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in
186 progress. [16.]

187 [Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

188 14A. No member shall hold, for more than eight consecutive years, the office of Speaker of the
189 House. For purposes of this rule, the counting of consecutive years shall commence on January
190 7, 2009.

191 15. When it appears to the presiding officer that the presence of a quorum is endangered, the
192 Chair shall order the doors closed. If a quorum is doubted the Chair shall order the doors closed
193 and thereafter no member shall enter or leave the House until an initial determination has been
194 made as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is
195 present, no member shall leave the House unless by permission of the presiding officer, but
196 members shall be admitted, at any time.

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

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

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

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

202 ETHICS.

203 16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee
204 shall consist of eleven members, seven of whom shall be appointed by the Speaker, four of
205 whom shall be appointed by the Minority Leader.

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

208 The committee shall investigate and evaluate, at the direction of the Speaker, by a sworn written
209 complaint filed and delivered by a member, officer or employee to the chairman, or by a majority
210 vote of the members appointed to the Ethics committee, any matters relative to alleged violations
211 of Rule 16A by a member, officer or employee.

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

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

219 All proceedings including the filing of the initial complaint shall be considered confidential
220 information.

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

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

225 If a majority appointed finds that any member of the House, officer, or employee has violated
226 any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a
227 reprimand, censure, removal from a chairmanship or other position of authority, or expulsion;
228 and in the case of an officer or employee, a majority appointed may recommend a reprimand,
229 suspension, or removal from employment.

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

233 Any member, officer, or employee of the House may request in writing from the House
234 committee on Ethics an advisory opinion concerning any contemplated personal action or
235 potential personal conflict. The committee on Ethics shall issue written advisory opinions and
236 clarification in response to said written request. The committee shall respond within sixty days of
237 receipt of such a request, unless the General Court has prorogued. In that event, the committee
238 shall respond within thirty days following the opening of the new session.

239 No member, officer, or employee of the House shall be penalized in any manner for having
240 acted within the guidelines of an advisory opinion, provided that all pertinent facts are stated in
241 the original request for an advisory opinion. Any advisory opinion issued by the committee on
242 Ethics shall be valid only for biennial session in which it was issued.

243 The chairman of the Ethics committee may convene the committee at any time.

244 The chairman shall also convene the committee at the written request of at least five members
245 of the committee.

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

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

256 [Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20,
257 2011.]

258 CODE OF ETHICS.

259 16A. (1.) While members, officers and employees should not be denied those opportunities
260 available to all other citizens to acquire and retain private, economic and other interests,
261 members, officers, and employees should exercise prudence in any and all such endeavors and
262 make every reasonable effort to avoid transactions, activities, or obligations, which are in
263 substantial conflict with or will substantially impair their independence of judgment.

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

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

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

271 (5.) No member, officer or employee shall accept employment or engage in any business or
272 professional activity, which will require the disclosure of confidential information gained in the
273 course of, and by reason of, his or her official position.

274 (6.) No member, officer or employee shall willfully and knowingly disclose or use
275 confidential information gained in the course of his or her official position to further his or her
276 own economic interest or that of any other person.

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

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

284 (9.) No member, officer or employee shall employ anyone from public funds who does not
285 perform tasks which contribute substantially to the work of the House and which are
286 commensurate with the compensation received; and no officer or full time employee of the
287 House shall engage in any outside business activity during regular business hours, whether the
288 House is in session or not. All employees of the House are assumed to be full time unless their
289 personnel record indicates otherwise.

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

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

296 (12.) No member, officer or employee shall knowingly accept any gifts from any legislative
297 or executive agent.No member, officer or employee shall accept any gift from any person or
298 entity having a direct interest in legislation before the General Court (For the purpose of this
299 paragraph, the definitions of “gift” and “person” are defined in chapter 268B, section 1(g) and
300 1(m)).

301 (13.) No member shall convert campaign funds to personal use in excess of reimbursements
302 for legitimate and verifiable campaign expenditures. Members shall consider all proceeds from
303 testimonial dinners and other fund raising activities as campaign funds.

304 (14.) No member shall serve on any committee or vote on any question in which his/her
305 private right is immediately concerned, distinct from the public interest. [19.]

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

308 [Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001.]

309 16B. The Committee on Personnel and Administration shall develop and conduct an ethics
310 law training program for every member, officer and employee of the House; provided further,
311 that said training program shall include, without limitation, a detailed review of the requirements
312 and prohibitions of chapter 268A and chapter 268B of the General Laws; and provided further,
313 that said training program shall be offered no later than July 1 of the first biennial session of the
314 General Court and shall be mandatory for all members, officers and employees.

315 [Adopted Jan. 9, 2003, Amended Jan 20, 2011.]

316 16C. Bills involving lobbyists’ reporting laws, and laws pertaining to the ethical conduct of
317 public officials shall, after their first reading, be referred to the committee on Ethics, for report
318 on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to
319 such measures by the committee, unless directly pertaining to ethics.

320 COMMITTEES.

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

323 A committee on Rules;

324 (to consist of fifteen members).

325 A committee on Ways and Means;

326 (to consist of thirty-two members).

327 A committee on Bills in the Third Reading;

328 (to consist of three members).

329 A committee of each Floor Division;

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

331 A committee on Ethics;

332 (to consist of eleven members).

333 A committee on Personnel and Administration;

334 (to consist of thirteen members).

335 A committee on Post Audit and Oversight;

336 (to consist of eleven members).

337 A committee on Steering, Policy and Scheduling;

338 (to consist of eleven members).

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

340 (to consist of eleven members).

341 A committee on Global Warming and Climate Change;

342 (to consist of eleven members).

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

345 [Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6,
346 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005.]

347 17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly
348 requires otherwise, have the following meanings:

349 “Deliberation”, a verbal exchange between a quorum of members of a committee attempting
350 to arrive at a decision on any public business within its jurisdiction.

351 “Emergency”, a sudden generally unexpected occurrence or set of circumstances demanding
352 immediate action.

353 “Executive conference”, any meeting or part of a meeting of a committee which is closed to
354 certain persons for deliberation on certain matters.

355 “Executive session”, any meeting or part of a meeting of a committee wherein the committee is
356 voting on legislation and where public participation is limited to observance.

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

362 “Quorum”, a simple majority of a committee unless otherwise defined by constitution, rule or
363 law applicable to such committee; provided further, that a quorum shall be presumed to be
364 present unless otherwise doubted.

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

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

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

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

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

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

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

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

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

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

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

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

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

436 17B. Whenever any member of a House committee present at the committee meeting so
437 requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of
438 the full committee. Such votes shall be recorded on appropriate forms that show all votes for and
439 against the particular committee action. The record of all such roll calls shall be kept in the
440 offices of the committee and shall be available for public inspection.

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

446 [Adopted Nov. 17, 1983; Amended Jan. 12, 1987.]

447 17C. There shall be a committee on Personnel and Administration on the part of the House
448 consisting of thirteen members. Said committee shall be responsible for the allocation of office
449 space as equitably as possible among the various members and joint and standing committees on
450 the part of the House and their respective staff.

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

453 The Speaker may make temporary office assignments in accordance with the foregoing
454 principles.

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

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

461 For each person who is employed or is to be employed by a joint or standing committee on
462 the part of the House, each committee chairman shall nominate each such person and the House
463 members of the committee by a majority vote shall vote on whether to approve each said
464 nominee. The House members of the committee shall approve such persons whose character and
465 qualifications are acceptable to the majority of the House members of the committee and are in
466 accordance with the qualifications established by the Personnel and Administration committee.

467 The chairman of each standing committee shall have the authority to discharge an employee.

468 The House staff members of each committee shall be appointed solely on the basis of fitness
469 to perform the duties of their respective positions and consistent with section four of chapter one
470 hundred fifty-one B of the General Laws. The committee staff shall not:

471 (1) engage in any work other than committee business during business hours; and

472 (2) be assigned any duties other than those pertaining to committee business.

473 The committee shall meet on request of the chairman or any three members of the committee.
474 Any such meeting requested shall be convened on or within the fifth business day following such
475 request. All such requests shall be in writing and forwarded to the chairman and each member of
476 the committee.

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

478 [Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991.]

479 17D. [Omitted Jan. 26, 2005.]

480 17E. [Omitted Jan. 26, 2005.]

481 17F. [Omitted Jan. 26, 2005.]

482 17G. The committee on Bonding, Capital Expenditures and State Assets shall review all
483 legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see
484 Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said
485 committee shall be responsible for evaluating such legislation and determining the
486 appropriateness of enacting legislation containing increased bond authorizations for the

487 Commonwealth. The committee shall periodically review and hold open public hearings,
488 accepting oral and written testimony on the status of the bonds and notes of the Commonwealth,
489 including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation
490 debt. The committee shall also, in its continuing study of the state's bonding practices, review
491 the Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and
492 (3) indirect obligations.

493 Any bill providing for borrowing for new projects, and requiring the Commonwealth to issue
494 bonds for such purpose, shall, prior to its reference to the committee on Ways and Means, be
495 referred to the committee on Bonding, Capital Expenditures and State Assets for report on its
496 relationship to the finances of the Commonwealth. A measure may initially be referred to a joint
497 committee with jurisdiction over the subject matter before being referred to the committee on
498 Bonding, Capital Expenditures and State Assets.

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

503 The committee on Bonding, Capital Expenditures and State Assets shall be authorized to
504 conduct hearings relative to the statutory authority of the executive branch and the Treasurer and
505 Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital
506 funds by the various agencies and authorities of the Commonwealth. The committee shall
507 determine whether such laws, administrative regulations and programs are being implemented in
508 accordance with the intent of the General Court. The committee shall be authorized to make
509 recommendations for statutory changes and changes in the Constitution which would grant
510 discretion to the General Court over the allotment and expenditure of fund authorized by capital
511 appropriations.

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

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

519 18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro
520 Tempore, the Majority Floor Leader, Assistant Majority Floor Leader, and Second Assistant
521 Majority Floor Leader. The Minority Leader shall appoint, and may recommend the removal of,
522 the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and Third

523 Assistant Minority Floor Leader. The Minority Leader shall be that member of the minority party
524 who is selected for that position by the members of his/her party.

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

529 The Speaker shall appoint, and may recommend the removal of, the chair of each standing
530 committee. The Speaker shall appoint, and may recommend the removal of, the vice chair and
531 assistant vice chair of the Ways and Means committee and the vice chair of the Post Audit and
532 Oversight committee.

533 The majority party shall then vote to accept or reject each such appointment and/or
534 recommendation for removal by a majority vote.

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

539 The Speaker and the Minority Leader may, without a majority vote of their respective
540 parties, remove a member appointed to pursuant to this rule who has been criminally indicted by
541 a court of competent jurisdiction.

542 [Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997, Jan. 23,
543 2007.]

544 18A. There shall be one member of the minority party on all committees of conference and
545 one on the committee on Bills in the Third Reading. On all other standing and joint committees,
546 the percent of minority party membership shall be at least equal to the percent of minority party
547 membership in the House of Representatives as of the first day of the session; provided, further,
548 that where such percentage results in a fraction of a number, the fraction shall be rounded off to
549 the nearest whole; provided, however, that the minority party shall under no circumstances have
550 less than four members on the committee on Ethics, four on the committee on Personnel and
551 Administration, three on the committee on Rules and six on the committee on Ways and Means.
552 In no case shall minority party representation be less than two members on all other standing and
553 joint committees.

554 The Speaker and the Minority Leader shall appoint the members of their respective party
555 caucuses to be assigned to each standing committee. The Speaker shall appoint the vice chair of
556 each standing committee. The appointments, except those to which Rule 18 applies, shall be

557 voted upon together and shall be subject to ratification by majority vote of the appropriate party
558 caucus.

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

566 The Speaker shall announce committee appointments of majority party members, and the
567 member first named shall be chairman, and the second named member shall be vice-chairman.
568 The Minority Leader shall announce committee appointments of minority party members. (13.)

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

570 18B. All votes on ratification by the caucus required by these rules shall be by written ballot
571 and shall require a majority of those present and voting.

572 [Adopted Jan. 11, 1985.]

573 19. A majority and minority party caucus may be called by the Speaker or Minority Leader,
574 respectively, or upon petition of twenty-five percent of the members of the respective party
575 caucus. A caucus may entertain resolutions, motions, or other means of ascertaining the sense of
576 the respective party members on any subject. (13B.)

577 [Adopted Nov. 17, 1983; Amended Jan. 11, 1985.]

578 19A. The majority party and minority party shall establish caucus rules that shall dictate the
579 procedures of each caucus.

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

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

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

585 20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation
586 Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by five
587 o'clock P.M. within the close of three business days of said General Appropriation bill being
588 made available in a format to be determined by the Clerk and release of said document by said
589 Clerk if the release of said document occurs by two o'clock P.M. Otherwise, the day following

590 the release shall be considered the first business day. The Clerk, with the assistance of the
591 committee on Ways and Means, shall categorize the subject-matter of the amendments and
592 arrange such amendments for consideration sequentially by subject as appearing in the published
593 version of the General Appropriation Bill, or the Clerk, with the assistance of the committee on
594 Ways and Means, shall categorize the subject-matter of the amendments and arrange such
595 subject matters for consideration as determined by the committee on Ways and Means. Debate
596 on the General Appropriation Bill shall not commence until a date and time to be determined by
597 the House which is subsequent to the designated time established for filing of amendments.

598 Before the main question on the General Appropriation Bill is placed before the House, an
599 amendment may be postponed or withdrawn at the request of the primary sponsor of the
600 amendment or postponed by the committee on Ways and Means; provided that further
601 consideration of any amendment so postponed shall take place immediately subsequent to
602 consideration of the amendments within the particular subject-matter to which the postponed
603 amendment was assigned according to the provisions of paragraph one of said rule; provided that
604 if more than one amendment is so postponed, subsequent consideration of said amendments shall
605 be in the order determined by the committee on Ways and Means; provided further, an
606 amendment so postponed shall not be subsequently considered outside of its assigned subject-
607 matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments
608 submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with
609 said Clerk and shall include an original copy only; and provided further that perfecting or
610 substitute amendments, including, but not limited to an amendment consolidating more than one
611 amendment, may be submitted by the committee on Ways and Means during consideration of the
612 subject category to which the amendment or amendments were assigned; provided, however, that
613 an amendment may be removed from the consolidated amendment at the request of the sponsor
614 of said amendment for the purpose of it being offered as a further amendment to the consolidated
615 amendment.

616 [Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 20, 2011.]

617 20B. When the General Appropriation Bill is reported by the committee on Ways and Means it
618 shall be made available to all members electronically and to the public via the Internet in a
619 format to be determined by the Speaker in consultation with the Clerk. The committee on Ways
620 and Means shall provide the membership with a copy of its proposed text of said General
621 Appropriation Bill, and an executive summary which shall include a list of outside sections, and
622 a short summary of each outside section prior to full House consideration of such bill. When the
623 House considers said General Appropriation Bill, it shall be read a second time and forthwith
624 ordered to a third reading without any amendments. The bill shall be immediately read a third
625 time and then be open to amendments as previously determined by the House.

626 [Adopted Jan. 9, 2003, Jan. 23, 2007.]

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

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

639 The committee may consolidate into one bill any two or more related bills referred to it,
640 whenever legislation may be simplified thereby.

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

644 Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House
645 for concurrence, shall, subsequently to the procedure required by rule thirty-five in respect to
646 amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

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

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

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

663 23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House,
664 after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to
665 be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on
666 enactment or final passage or adopting an emergency preamble shall be taken thereon, without
667 further reading, unless specifically ordered.

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

678 [Amended Jan. 12, 1983.]

679 23A. No member of the House, except the Speaker, Speaker pro tempore, Majority Leader,
680 Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant
681 Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-
682 Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the
683 Committee on Ways and Means and committee chairmen with respect to committee business,
684 shall receive privileges or compensation for postage which is greater than seventy-five percent of
685 the amount allowed as standard practice during the 186th biennial session of the General Court,
686 as determined by the House Business Manager. [Adopted Jan. 11, 1985; Amended Jan. 24,
687 2001; Jan. 26, 2005; Jan. 20, 2011.]

688 24. (1) Petitions, recommendations and reports of state officials, departments, commissions
689 and boards, special reports including legislation initiated by the Committee on Ethics Pursuant to
690 Rule 16, legislation initiated by the committee on Bonding, Capital Expenditures and State
691 Assets pursuant to Rule 17G and reports of special committees and commissions, shall be filed
692 with the Clerk in a format to be determined by said Clerk, who shall, unless they are subject to
693 other provisions of these rules or the rules of the two branches, refer them, with the approval of
694 the Speaker, to the appropriate committees, subject to such change of reference as the House
695 may make. The reading of all such documents may be dispensed with, but they shall be entered
696 in the Journal of the same or the next legislative day after such reference except as provided in
697 joint rule thirteen.

698 (2) All orders, including motions or orders proposed for joint adoption, resolutions and other
699 papers intended for presentation, except those hereinbefore mentioned, shall be filed with the

700 Clerk in a format to be determined by said Clerk, who shall, prior to the procedure required by
701 other provisions of these rules or of the rules of the two branches, refer them to the committee on
702 Rules.

703 (3) Petitions and other papers so filed which are subject to the provisions of joint rule seven
704 A, seven B, or nine, shall be referred by the Clerk to the committee on Rules. Petitions and other
705 papers so filed, which are subject to the provisions of the second paragraph of Joint Rule 12,
706 shall, prior to the procedure required by said rule, be referred by the Clerk to the committee on
707 Rules. The reading of all such papers may be dispensed with, but they shall be entered in the
708 Journal of the same or the next legislative day after such reference.

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

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

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

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

726 (8) Debate upon the suspension of this rule shall be limited to ten minutes, three minutes for
727 each member, and the Speaker shall recognize the member presenting the order, resolution or
728 petition first; provided, however, that suspension of this rule shall require unanimous consent of
729 the members present. Any order, except such order that would amend the Rules of the House,
730 resolution or petition referred to the committee on Rules after the question of suspension of this
731 rule has been negatived, or any order, resolution or petition filed after the beginning of the
732 session and referred to the committee on Rules, shall not be discharged from said committee
733 except by unanimous consent of the House. Motions to discharge the committee on Rules shall
734 be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

735 [Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005.]

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

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

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

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

755 27A. [Omitted Jan. 23, 2007.]

756 28. (1) Motions directing the committee on Ways and Means to report certain matters to the
757 House, or motions discharging said committees from further consideration of certain matters,
758 shall not be considered until the expiration of seven calendar days and shall require a majority
759 vote of the members present and voting for adoption. Committees so directed to report shall file
760 a report with the Clerk within four legislative days. The committee on Ways and Means may not
761 be directed to report or be discharged from further consideration of any appropriation or capital
762 outlay measure.

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

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

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

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

777 (6) As an alternative procedure to that provided under the provisions of this rule, the members
778 of the House may, by filing a petition signed by a majority of the members elected to the House,
779 discharge the House committee on Ways and Means, the House committee on Bills in the Third
780 Reading, and the House committee on Rules from further consideration of a legislative matter.
781 Seven days following the filing of the petition with the House Clerk, the committee shall be
782 discharged from further consideration of the legislative matter specified in the petition and the
783 House Clerk shall place the matter in the Orders of the Day for the next calendar day that the
784 House is meeting.

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

793 (8) This rule shall not be suspended unless by unanimous consent of the members present.
794 (27C, 32A.)

795 [Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9,
796 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

797 28A. The committee on Bills in the Third Reading shall report on a legislative matter not later
798 than forty-five days following the day the matter was referred to it. The Clerk shall indicate on
799 the Calendar entry of every matter before the Committee on Bills in the Third Reading the date
800 that said matter was referred to said committee.

801 [Adopted Jan. 11, 1985; Amended Jan. 9, 2003.]

802 REGULAR COURSE OF PROCEEDINGS.

803 Petitions.

804 29. The member presenting a petition shall endorse his/her name thereon; and the reading
805 thereof shall be dispensed with, unless specially ordered. [37.] (18.)

806 [Amended Jan. 11, 1985.]

807 Motions Contemplating Legislation, etc.

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

809 The committee on Ways and Means may originate and report appropriation bills as provided
810 in rule twenty. Messages from the Governor shall, unless otherwise ordered, be referred to the
811 appropriate committee, which may report by bill or otherwise thereon. A similar disposition
812 shall, unless otherwise ordered, be made of reports by state officers and committees authorized to
813 report to the Legislature, and similar action may be had thereon.

814 Messages from the Governor returning appropriation bills, or parts of appropriation bills, with
815 objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report
816 of the committee on Ways and Means. [40.] (19.)

817 [Amended Jan. 24, 2001.]

818 Bills and Resolves.

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

824 [Amended Jan. 9, 2003; Jan. 26, 2005.]

825 32. If a committee to which a bill is referred reports that the same ought not to pass, the
826 question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if
827 it has been read but once, shall go to a second reading without question; otherwise it shall be
828 placed in the Orders of the Day for the next day, pending the question on ordering to a third
829 reading, or to engrossment, as the case may be. [43.] (30.)

830 32A. [Omitted Jan. 26, 2005.]

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

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

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

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

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

849 33A. Copies of all bills shall be available, in a format to be determined by the Speaker in
850 consultation with the Clerk, to all members of the House and the public at least twenty-four
851 hours in advance of consideration by the House.

852 All amendments offered by members to any legislative matter in the House shall be submitted
853 in a format to be determined by the Speaker in consultation with the Clerk; and shall be
854 considered chronologically as submitted to the Clerk, except for an amendment in the second
855 degree; provided that all of said amendments shall be double spaced and drafted in proper form;
856 and provided further that there shall be available to the members a duplicate copy of each
857 amendment. (33A.)

858 [Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17,
859 1995]; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

860 33B. [Omitted Jan. 26, 2005.]

861 33C. [Omitted Jan. 26, 2005.]

862 33D. [Omitted Jan. 26, 2005.]

863 33E. No consolidated amendment offered by the committee on ways and means shall be
864 considered by the House until the expiration of at least thirty minutes after the consolidated
865 amendment shall have been first filed with the Clerk and made available to the members. This
866 rule shall not be suspended unless by unanimous consent of the members present.

867 [Added Feb. 4, 2010.]

868 34. Bills from the Senate, after their first reading, shall be referred to a committee of the House.
869 [45.] (26.)

870 [Amended Jan. 26, 1999.]

871 35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall
872 be referred to the committee on Bills in Third Reading, provided that amendments affecting state
873 finances shall be referred to the committee on Ways and Means on the part of the House. [46.]
874 (36.)

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

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

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

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

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

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

889 [Amended Jan. 11, 1985.]

890 40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion
891 to strike out the enacting clause of a bill shall be received when the bill is before the House for
892 enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be
893 received before the adoption of the emergency preamble and, if suspended, the amendment may
894 contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the
895 Governor with a recommendation of amendment in accordance with the provisions of Article
896 LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills
897 proposed by the Senate and sent to the House for concurrence, which amendments shall be
898 subject to the provisions of rule thirty-five, provided, however, that a motion to suspend this rule
899 shall be required in order to amend such an engrossed bill when the question before the House is
900 on adoption of an emergency preamble, re-enactment or enactment, as the case may be.. [53.]
901 (49.) [Amended, Jan. 23, 2007; Jan. 20, 2011.]

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

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

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

908 42. Reports of committees, not by bill or resolve, including orders if proposed for joint
909 adoption, after they are received from the Senate, or made in the House, as the case may be,
910 shall, unless subject to the provisions of any other House or joint rules, be referred to the
911 committee on Steering, Policy and Scheduling; provided that the report of a committee asking to
912 be discharged from further consideration of a subject, and recommending that it be referred or
913 recommitted to another committee, or a report of a committee recommending that a matter be
914 placed on file, shall be immediately considered. Reports of committees on proposals for
915 amendments to the Constitution shall be dealt with in accordance with the provisions of joint rule
916 twenty-three. [57.] (36.)

917 [Amended Jan. 14, 1997.]

918 42A. The Clerk shall, prior to three o'clock P.M., on the day preceding a session, make
919 available by electronic communication or other means, a list of all reports of the committee on
920 Steering, Policy and Scheduling, asking to be discharged from further consideration of subjects,
921 and recommending that the subjects be referred to other committees.

922 [Adopted Jan. 26, 2005.]

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

925 Special Rules Affecting the Course of Proceedings.

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

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

936 Upon the receipt of a petition signed by at least a majority of the members elected to the
937 House, so requesting, the Speaker shall, when the House is meeting in informal session under the

938 provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said
939 receipt, for the purpose of considering the question of passage of a bill, notwithstanding the
940 objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the
941 Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the
942 members present. [59.] (5A.)

943 [Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9,
944 2003.]

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

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

954 [Amended Jan. 12, 1981; Jan. 12, 1983.]

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

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

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

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

965 Voting.

966 48. Members desiring to be excused from voting shall make application to that effect before
967 the division of the House or the taking of the yeas and nays is begun. Such application may be
968 accompanied by a brief statement of reasons by the member. A member absent from the House
969 for a formal session period of a day or longer shall notify the Clerk in writing of the intended
970 absence. A member absent during a formal session for an extended period or for the remainder of

971 the session shall notify the Clerk in person. The Clerk shall provide a written notice to any such
972 absent member.

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

978 49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea
979 and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their
980 seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a
981 person who has been elected Speaker pro tempore, may designate some member or a court
982 officer to cast a vote for him/her on any vote taken on the electronic voting system while such
983 member is presiding. Said designated member performing the duties of the Chair, or Speaker pro
984 tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker
985 shall state the pending question before opening the system for voting.

986 The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber, but
987 who is unable to vote due to a malfunction of his/her voting station or inability to open his/her
988 voting station.

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

997 [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011.]

998 50. When a question is put, the sense of the House shall be taken by the voices of the
999 members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.
1000 If the Speaker is unable to decide by the sound of the voices, or if the announcement made
1001 thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall
1002 order a division of the number voting in the affirmative and in the negative, without further
1003 debate upon the question. [66.] (55.)

1004 [Amended Jan. 11, 1985.]

1005 51. When a return by division of the members voting in the affirmative and in the negative is
1006 ordered, the members for or against the question, when called on by the Speaker, shall rise in
1007 their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a
1008 quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall
1009 stand. [67.]

1010 52. The sense of the House shall be taken by yeas and nays whenever required by ten percent
1011 of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes,
1012 state the pending question and, after opening the electronic voting system, instruct the members
1013 to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall
1014 close said system and cause totals to be displayed and a record made of how each member
1015 present voted; provided, that if at any time during said voting period any standing, joint or
1016 conference committee is meeting in public or executive sessions, the Speaker shall leave the
1017 electronic voting machine open for not less than 5 minutes.

1018 Any member desiring to be recorded as being “present” when a yea and nay vote is taken on
1019 the electronic roll call system shall so notify the Clerk in person after said vote is ordered and
1020 before the vote is announced.

1021 In the event the electronic voting system is not in operating order, the roll of the House shall
1022 be called in alphabetical order; provided, however, that no member shall be allowed to vote or to
1023 answer “present” who was not on the floor before the vote is declared; provided, however, that a
1024 member, who was in the State House on a previous roll call, may be recorded by reporting to the
1025 Clerk within five minutes after such vote is closed, unless objection is made thereto and it is
1026 seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the
1027 member who is speaking on the floor; provided, however, that such request may be announced to
1028 the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond
1029 said five minute period. Once the voting has begun it shall not be interrupted except for the
1030 purpose of questioning the validity of a member’s vote before the result is announced. Except as
1031 heretofore provided, any member who shall vote or attempt to vote for another member or any
1032 person not a member who votes or attempts to vote for a member, or any member or other person
1033 who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting
1034 equipment used by the House, or change the records thereon shall be punished in such manner as
1035 the House determines; and provided further, that such a violation shall be reported to the Ethics
1036 Committee. [68.] (56, 57.)

1037 [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9,
1038 2003; Jan. 26, 2005; Jan 20, 2011.]

1039 53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been
1040 ordered before the question is put, the proceedings under rules fifty and fifty-one relative to
1041 verification of the vote by the voices of the members or by a return of divisions shall be omitted;

1042 if not, they may be called for in lieu of a return by divisions when the Speaker's announcement is
1043 doubted by a member rising in his/her place, and, if then ordered, the proceedings under rules
1044 fifty and fifty-one shall be omitted. [69.] (52.)

1045 [Amended Jan. 26, 1999.]

1046 Reconsideration.

1047 54. No motion to reconsider a vote shall be entertained unless it is made on the same day on
1048 which the vote was taken, or before the Orders of the Day have been taken up on the next day
1049 thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion
1050 shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the
1051 succeeding day, the motion shall be considered forthwith except that if said motion is moved on
1052 a day on which an informal session has been designated, it shall be placed in the Orders of the
1053 Day for the succeeding day. If reconsideration is moved after July first of the second annual
1054 session and thereafter, on any main question, it shall be considered forthwith. This rule shall not
1055 prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any
1056 time when the main question to which it relates is under consideration; and provided, further,
1057 that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not
1058 remove the main subject under consideration from before the House, but shall be considered at
1059 the time when it is made. This rule shall not be suspended unless by unanimous consent of the
1060 members present. [70.] (53.)

1061 [Amended Jan. 12, 1981, Jan. 23, 2007.]

1062 55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and
1063 no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the
1064 following motions:

1065 to recess,

1066 to adjourn,

1067 on sustaining a ruling of the Chair,

1068 to close debate at a specified time,

1069 to postpone if voted in the negative,

1070 to discharge or direct a committee to report,

1071 to commit or recommit,

1072 for second or subsequent legislative days,

1073 for the previous question, or

1074 for suspension of rules.

1075 This rule shall not be suspended unless by unanimous consent of the members present. [71.]
1076 (53.)

1077 [Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1078 56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall
1079 occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or
1080 incidental question, debate shall be limited to ten minutes, and no member shall occupy more
1081 than three minutes.

1082 If the House has voted to close debate on any question, a motion to reconsider said question
1083 shall be decided without debate. [72.] (52.)

1084 [Amended Jan. 12, 1981; Jan. 12, 1987.]

1085 RULES OF DEBATE.

1086 57. Every member, when about to speak, shall rise and respectfully address the Speaker and
1087 shall confine himself/herself to the question under debate. [73.] (39.)

1088 [Amended Jan. 11, 1985.]

1089 58. Every member while speaking shall avoid personalities; and shall sit down when finished.
1090 No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

1091 When two or more members rise at the same time, the Speaker shall name the member
1092 entitled to the floor, preferring one who rises in his/her place to one who does not. [74.] (40.)

1093 [Amended Jan. 11, 1985.]

1094 59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly
1095 procedure of the House, the Speaker, after warning the member of such violations, shall call the
1096 member to order, and order that member to take his/her seat. A member so called to order shall
1097 lose the right to speak on the pending subject-matter but shall not be debarred from voting. A
1098 member so called to order shall remain seated until the House begins consideration of another
1099 subject-matter or unless the Speaker earlier returns to the member his/her rights to the floor.

1100 If a member so called to order refuses to immediately take his/her seat, the Speaker shall
1101 immediately name that member, who shall be escorted from the Chamber under escort of the
1102 Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of
1103 three to be appointed by the Speaker. Said special committee shall make a report to the House of
1104 its recommendations, which report shall be read and accepted.

1105 Having been named, a member shall not be allowed to resume his/her seat until said member
1106 has complied with the recommendations of the committee as accepted by the House.

1107 If, after a member is seated or named, the action of the Speaker is appealed, the House shall
1108 decide the case by a majority vote of the members present and voting, but if there is no
1109 immediate appeal, the decision of the Speaker shall be conclusive.

1110 [Amended Jan. 12, 1981; Jan. 11, 1985.]

1111 60. No member shall interrupt another while speaking except by rising to a point of order, to a
1112 question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking
1113 to yield.

1114 Members may rise to explain matters personal to them by leave of the presiding officer, but
1115 shall not discuss pending questions in such explanations.

1116 Questions of personal privilege shall be limited to questions affecting the rights, reputation, and
1117 conduct of the member in his/her representative capacities.

1118 Members may rise to ask questions of parliamentary inquiry concerning the pending matter by
1119 leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

1120 [Amended Jan. 12, 1981.]

1121 61. No member shall speak more than once to the prevention of those who have not spoken
1122 and desire to speak on the same question.

1123 This prohibition shall not apply to those members designated by the committee or committees
1124 reporting the bill.

1125 No member shall occupy more than thirty minutes at a time while speaking on any question
1126 where debate is unlimited.

1127 Unless the operation of another rule provides to the contrary (such as previous question,
1128 limitation of debate, etc.), no member shall be prohibited from speaking more than once on any
1129 question when no other member who has not spoken is seeking recognition by the Chair. [76.]
1130 (41.)

1131 Motions.

1132 62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

1133 63. A motion need not be seconded, except an appeal from the decision of the Chair, and may
1134 be withdrawn by the mover if no objection is made. [78.] (44.)

1135 [Amended Jan. 12, 1981.]

1136 Limit of Debate.

1137 64. A motion to recess or adjourn shall always be first in order, and shall be decided without
1138 debate; and on the motions to close debate at a specified time, to postpone to a time certain, to
1139 commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member
1140 shall speak more than three minutes. On the motion to discharge any committee, or on a motion
1141 directing any committee to report matters before it, not exceeding fifteen minutes shall be
1142 allowed for debate, and no member shall speak more than three minutes.

1143 If the main motion is undebatable, any subsidiary or incidental motion made relating to it
1144 shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

1145 [Amended Jan. 12, 1981.]

1146 64A. Debate on the question on adoption of orders for second and subsequent legislative days
1147 shall be limited to ten minutes, and no member shall speak more than three minutes. After
1148 entering into a second or subsequent legislative day, the House shall immediately proceed to
1149 consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of
1150 the Day. This rule shall not be suspended unless by unanimous consent of the members present.

1151 [Adopted Jan. 12, 1983.]

1152 65. When a question is before the House, until it is disposed of, the Speaker shall receive no
1153 motion that does not relate to the same, except the motion to recess or adjourn or some other
1154 motion that has precedence either by express rule of the House, or because it is privileged in its
1155 nature; and the Speaker shall receive no motion relating to the same, except,—

1156 for the previous question,

1157 to close debate at a specified time,

1158 to postpone to a time certain,

1159 to commit (or recommit),

1160 to amend, See Rules 66, 67 and 68

1161 See Rules 64, 69 and 70

1162 See Rules 64 and 70

1163 See Rules 64 and 71

1164 See Rules 72, 73, 74 and 75

1165 — which several motions shall have precedence in the order in which they are arranged in
1166 this rule. [80.] (46.)

1167 [Amended Jan. 11, 1985.]

1168 Previous Question.

1169 66. Any member may call for the previous question on the main question.

1170 The previous question shall be put in the following form: “Shall the main question be now
1171 put?” and all debate on the main question shall be suspended until the previous question is
1172 decided.

1173 The adoption of the previous question shall require the affirmative vote of two-thirds of the
1174 members present and voting and shall put an end to all debate, and bring the House to direct vote
1175 upon pending amendments, if any, in their regular order, and then upon the main question.

1176 A motion to reconsider the vote on any of the pending amendments shall be decided without
1177 debate. [81.]

1178 [Amended Jan. 12, 1981.]

1179 67. Any member may call for the previous question on any pending amendment.

1180 The previous question shall be put in the following form: “Shall the question on adoption of
1181 the amendment be now put?” and all debate shall be suspended until the previous question is
1182 decided.

1183 The adoption of the previous question on a pending amendment shall require the affirmative
1184 vote of two-thirds of the members present and voting and shall put an end to all debate and bring
1185 the House to a direct vote upon the pending amendment.

1186 A motion to reconsider the vote on the pending amendment shall be decided without debate.

1187 [Amended Jan. 12, 1981.]

1188 68. The previous question shall be decided without debate.

1189 Motion to Close Debate at a Specified Time.

1190 69. Debate may be closed at any time not less than thirty minutes from the adoption of a
1191 motion to that effect. This rule shall not be suspended unless by unanimous consent of the
1192 members present. [85.] (47.)

1193 Motion to Postpone to a Time Certain.

1194 70. When a motion is made to postpone to a time certain, and different times are proposed,
1195 the question shall first be taken on the most remote time; and the time shall be determined before
1196 the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

1197 Motion to Commit.

1198 71. When a motion is made to commit, and different committees are proposed, the question
1199 shall be taken in the following order:

1200 a standing committee of the House,

1201 a select committee of the House,

1202 a joint standing committee,

1203 a joint selected committee;

1204 and a subject may be recommitted to the same committee or to another committee at the
1205 pleasure of the House. [88.] (48.)

1206 Motion to Amend.

1207 72. A motion to amend an amendment may be received; but no amendment in the third degree
1208 shall be allowed. This rule shall not be suspended unless by unanimous consent of the members
1209 present. [89.]

1210 [Amended Jan. 12, 1983.]

1211 73. No motion or proposition on a subject different from that under consideration shall be
1212 admitted under color of amendment. This rule shall not be suspended unless by unanimous
1213 consent of the members present. [90.] (50.)

1214 [Amended Jan. 12, 1987.]

1215 73A. No motion to amend a report from the committee on Ways and Means or a report from
1216 the committee on Bills in the Third Reading, when such an amendment contains an expenditure
1217 of public money or an increase or decrease in taxes, shall be considered unless a brief
1218 explanation of the amendment is stated.

1219 [Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

1220 74. A question containing two or more propositions capable of division shall be divided
1221 whenever desired by any member, if the question includes points so distinct and separate that,
1222 one of them being taken away, the other will stand as a complete proposition. The motion to
1223 strike out and insert shall be considered as one proposition and therefore indivisible. The
1224 question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or

1225 similar main motions shall be considered as indivisible under this rule. This rule shall not be
1226 suspended unless by unanimous consent of the members present. [91.] (45.)

1227 [Amended Jan. 12, 1983.]

1228 75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule
1229 70.]

1230 Declaration of Recess.

1231 76. The Speaker may declare a recess of fifteen minutes duration, or less.

1232 [Amended Jan. 9, 1991.]

1233 APPEAL.

1234 77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and
1235 no other business shall be in order until the question on the appeal has been disposed of. Debate
1236 shall be limited to fifteen minutes on the question of sustaining a ruling by the Chair, and no
1237 member shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

1238 [Amended Jan. 9, 1989.]

1239 RESOLVES.

1240 78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall
1241 apply likewise to such resolves as require the concurrence of the Senate and approval by the
1242 Governor in order to become law and have force as such. [95.]

1243 SEATS.

1244 79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such
1245 persons as he/she may employ to assist said Clerk, and that on the left to the use of the chairman
1246 and vice-chairman of the committee on Bills in the Third Reading.

1247 (2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other
1248 than seats assigned under paragraph (1) of this rule, shall be his/her seat for the year and for such
1249 additional years as said member may elect so long as service in the House remains continuous.
1250 An exchange of seats may be made with the approval of the Speaker. [98.]

1251 [Amended Jan. 11, 1985; May 5, 1993.]

1252 PRIVILEGE OF THE FLOOR.

1253 80. The following persons shall be entitled to admission to the House of Representatives,
1254 during the session thereof, to stand in an area designated by the Speaker in the rear of the
1255 Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

1256 (1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary
1257 of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth,
1258 Attorney-General, Librarian and Assistant Librarian.

1259 (2) The members of the Senate.

1260 (3) Persons in the exercise of an official duty directly connected with the business of the
1261 House.

1262 (4) Contestants for seats in the House, whose papers are in the hands of a special committee
1263 of the House, may be admitted, while their cases are pending, to seats to be assigned by the
1264 Speaker.

1265 No other person shall be admitted to the floor during the session, except upon the permission
1266 of the Speaker.

1267 No legislative agent or counsel may be admitted to the floor of the House Chamber during a
1268 session unless that part of the session is ceremonial in nature in which no other legislative
1269 business is conducted.

1270 The legislative reporters shall be entitled to the privileges of the reporters' galleries.

1271 This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60,
1272 61.)

1273 [Amended Jan. 9, 1991, Jan. 23, 2007.]

1274 REPRESENTATIVES' CHAMBER AND ADJOINING ROOMS.

1275 81. Use of the Representatives' Chamber shall be subject to the approval of the Speaker or the
1276 committee on Rules.

1277 No legislative agent or counsel shall be admitted to the members' corridor or adjoining
1278 rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except
1279 persons entitled to the privileges of the floor of the House unless upon written invitation of a
1280 member bearing the name of the member and the person the member invites. Upon entering, the
1281 invitation shall be given to the court officer assigned to the area. The provisions of this paragraph
1282 shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which
1283 members of the general public are allowed to attend.

1284 No person shall be admitted to the north gallery of the House except upon a card of the
1285 Speaker.

1286 Subject to the approval and direction of the committee on Rules during the session and of the
1287 Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under
1288 the control of the organization of legislative reporters known as the Massachusetts State House
1289 Press Association and the State House Broadcasters Association.

1290 Every legislative reporter desiring admission to the reporters' galleries shall state in writing
1291 that he/she is not the agent or representative of any person or corporation interested in legislation
1292 before the General Court, and will not act as representative of any such person or corporation
1293 while retaining a place in the galleries; but nothing herein contained shall prevent such
1294 legislative reporter from engaging in other employment, provided such other employment is
1295 specifically approved by the committee on Rules and reported to the House.

1296 All formal sessions of the House of Representatives shall be open to both commercial and
1297 public radio and television, except designated times during such sessions, as determined by the
1298 House, reserved for the consideration of non-controversial business which does not give rise to
1299 debate. The manner and conditions of such broadcasts shall be established by the Speaker.
1300 Television, radio or web-broadcasts may be prohibited on any given day by the Speaker with the
1301 approval of the House.

1302 This rule shall not be suspended unless by unanimous consent of the members present. [100.]
1303 (59.)

1304 [Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23,
1305 2007.]

1306 QUORUM.

1307 82. Eighty-one members shall constitute a quorum for the organization of the House and the
1308 transaction of business. [See amendments to the Constitution, Art. XXXIII.]

1309 In the event that a quorum is not present, the presiding officer shall compel the attendance of
1310 a quorum. During the absence of a quorum, no other business may be transacted or motions
1311 entertained except a declaration of adjournment or a recess by the Speaker. [105.]

1312 [Amended Jan. 12, 1981; Jan. 14, 1997.]

1313 DEBATE ON MOTIONS FOR SUSPENSION OF RULES.

1314 83. The question of suspension of House rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83
1315 shall be decided without debate. Debate upon the motion for the suspension of any other House
1316 rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no

1317 member shall occupy more than three minutes. This rule shall not be suspended unless by
1318 unanimous consent of the members present. [102.] (52.)

1319 [Amended Jan. 12, 1981; Jan. 9, 1989.]

1320 84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended,
1321 altered or repealed unless two-thirds of the members present and voting consent thereto. This
1322 rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

1323 [Amended Jan. 12, 1981.]

1324 84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive
1325 any requirement relative to the electronic availability and posting on the internet of any bills,
1326 resolves, summaries or other documents contained herein; provided, however, that if the clerk so
1327 waives any such requirement he shall make paper copies of the documents available to all
1328 members and the public within the limitation established for the electronic availability and
1329 posting on the internet of any bills, resolves, summaries or other documents contained herein.

1330 REFERENCE TO COMMITTEE ON RULES.

1331 85. All motions or orders authorizing committees of the House to travel or to employ
1332 stenographers, all propositions involving special investigations by committees of the House, all
1333 resolutions presented for adoption by the House only, and all motions and orders except those
1334 which relate to the procedure of the House or are privileged in their nature or are authorized by
1335 rule sixty-five, shall be referred without debate to the committee on Rules, which shall report
1336 thereon, recommending what action should be taken. The committee shall not recommend
1337 suspension of joint rule nine, unless evidence satisfactory to the committee is produced that the
1338 petitioners have previously given notice, by public advertisement or otherwise, equivalent to that
1339 required by Chapter 3 of the General Laws. [104.] (13A.)

1340 85A. The House Business Manager, with the approval of House Counsel, shall provide that
1341 outside, independent audits of House financial accounts be conducted for each fiscal year upon
1342 receipt of the fiscal year end appropriation activity with balance report from the comptroller of
1343 the Commonwealth. The audit shall be conducted in accordance with auditing standards
1344 generally accepted in the United States of America and the standards applicable to financial
1345 audits contained in Government Auditing Standards, issued by the Comptroller General of the
1346 United States. The House Business Manager shall provide the independent auditor with
1347 requested documents for such audit. A copy of such audit shall be filed with the Clerk of the
1348 House and copies shall be made available to the members and the general public.

1349 [Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

1350 PARLIAMENTARY PRACTICE.

1351 86. The rules of parliamentary practice shall govern the House in all cases to which they are
1352 applicable, and in which they are not inconsistent with these rules or the joint rules of the two
1353 branches. (62.)

1354 PROCUREMENT.

1355 87. (a) All procurement for goods or services shall be completed by the House Business
1356 Manager with the approval of House Counsel.

1357 (b) All procurements for goods or services shall, to the extent practicable, be made from the
1358 statewide procurement list established by the operational services division.

1359 (c) Upon certification by the House Business Manager that a necessary procurement cannot be
1360 made using the statewide procurement list established by the operational services division, the
1361 House Business Manager may procure the required goods or services pursuant to the following:

1362 (i) for a procurement of a supply or service in an amount of less than \$5,000, the House
1363 Business Manager shall use sound business practices;

1364 (ii) for a procurement of a supply or service in an amount of \$5,000, but less than \$50,000, the
1365 House Business Manager shall seek written or oral quotations from no fewer than 3 persons
1366 customarily providing such supply or service. The House Business Manager shall record the
1367 names and addresses of all persons from whom quotations were sought, the names of the persons
1368 submitting quotations and the date and amount of each quotation. The House Business Manager
1369 shall award the contract to the responsible person whose quotation offers the needed quality of
1370 supply or service and which represents the best value for the Commonwealth;

1371 (iii) for a procurement of a supply or service in an amount exceeding \$50,000 the business
1372 manager shall seek proposals through a competitive bid process established by the office of
1373 House Counsel; provided, however, that the Office of House Counsel shall file the competitive
1374 bid process with the House Clerk no later than March 31 of the first year of the session.

1375 (d) All procurements for legal and consulting services shall be handled exclusively by the Office
1376 of House Counsel in compliance with the provisions of this rule. Prior to executing a contract for
1377 legal or consulting services, said office shall certify, in writing, to the Clerk of the House of
1378 Representatives that no employee of the House of Representatives possesses the required skills
1379 to complete the service which is the subject of the contract.

1380 (e) The House Business Manager shall maintain a file on each contract not executed using the
1381 statewide procurement list established by the operational services division and in excess of
1382 \$5,000 and shall include in such file a copy of all documents related to the contract. Upon
1383 execution of the contract, the House Business Manager shall transmit the file to the Office of
1384 House Counsel which shall make the file available for inspection within said office by members
1385 of the House for at least 3 years from the date of final payment under the contract; provided,

1386 however, that the Office of House Counsel shall redact from said file any information it which (i)
1387 is legally privileged; (ii) is proprietary; or (iii) related to individual members or House personnel.

1388 (f) Whenever the time required to comply with a requirement of this rule would endanger the
1389 health, safety or convenience of the members, staff or visitors to the House of Representatives
1390 the House Business Manager may make an emergency procurement without satisfying the
1391 requirement of this rules; provided, however, that both the House Business Manager and the
1392 House Counsel certify in writing that: (i) an emergency exists and explain the nature thereof; (ii)
1393 be limited to only supplies or services necessary to meet the emergency; (iii) shall conform to the
1394 requirements of rule to the extent practicable under the circumstances; (iv) each contractor's
1395 name, (v) the amount and the type of each contract; (vi) the supplies or services provided under
1396 each contract; (vii) and basis for determining the need for an emergency procurement. Such
1397 certification shall be filed with the Clerk of the House prior to an emergency procurement.

1398 [Adopted Jan. 20, 2011.]

1399