

HOUSE No. 2007

Filed by Speaker DiMasi of Boston on January 22, 2007; and as amended and adopted by the House on January 23, 2007.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

Ordered, That the rules of the House of Representatives for the years 2007-2008 be adopted, as follows:

SPEAKER.

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

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

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

1 **2.** The Speaker shall preserve decorum and order in the House
2 Chamber. While in the House Chamber during formal sessions,

3 members and staff shall be required to dress in proper and appro-
4 priate attire and to refrain from the use of cellular telephones,
5 beepers and pagers. The Speaker also may speak to points of order
6 in preference to other members; and shall decide all questions of
7 order, subject to an appeal to the House. [2.] (2.) [With regard to
8 appeals, see Rule 77.]

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

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

[Amended Jan. 11, 1985.]

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

[Amended Jan. 11, 1985.]

1 **4A.** The Speaker may appoint a Speaker *pro tempore*. The
2 Speaker *pro tempore* shall assist the Speaker in the coordination
3 of policy development and the ceremonial functions of the House
4 and shall perform such duties assigned to him by the Speaker.
5 Upon a vacancy in the office of Speaker, the office of Speaker *pro*
6 *tempore* shall be considered vacant.

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

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

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

1 **6.** In case of a vacancy in the office of Speaker, or in case the
2 Speaker or the member named by said Speaker in accordance with
3 the preceding rule is absent at the hour to which the House stands
4 adjourned, the senior member present shall call the House to

5 order, and shall preside until a Speaker is elected, which shall be
6 the first business in order. [8.] (5.)

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

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

[Amended Jan. 11, 1985.]

SCHEDULING.

1 7A. There shall be appointed a standing committee on Steering,
2 Policy and Scheduling consisting of eleven members. The com-
3 mittee shall not be subject to the provisions of Rule 17A, but shall
4 be authorized to meet from time to time at the call of the Chair for
5 the purpose of assisting the members of the House of Representa-
6 tives in identifying the major matters pending before the General
7 Court, the relative urgency and priority for consideration of such
8 matters, and alternative methods of responding to such matters by
9 the General Court. Said committee shall schedule legislative mat-
10 ters in a manner that will provide for an even distribution and
11 orderly consideration of reports of legislative committees on the
12 daily Calendar.

13 The committee on Steering, Policy and Scheduling shall not be
14 authorized to recommend changes or amendments to legislation or
15 recommend that a matter ought to pass or ought not to pass, but
16 shall only report asking to be discharged from further considera-
17 tion of a bill, and recommending that it be referred or recommitted
18 to another committee, provided, however, that it shall not recom-
19 mend that a matter be referred or recommitted to the committee on
20 Rules or the committees on Rules of the two branches, acting con-
21 currently, or what date a matter shall be scheduled for considera-
22 tion by the House and placed in the Orders of the Day. All reports
23 by the committee on petitions filed or approved by the voters of a
24 city or town, or by the mayor and city council, or other legislative
25 body of a city or the town meeting of a town with respect to a law
26 relating to that city or town shall be read and considered by the
27 House at a formal or informal session before being accepted,
28 rejected or otherwise acted upon.

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

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

1 **7B.** The committee on Rules shall be authorized to originate
2 and report special orders for the scheduling and consideration of
3 legislation on the floor of the House. Said committee shall not be
4 subject to the notification provisions contained in Rule 17A but
5 may hold public hearings and shall accept testimony only from the
6 members of the House. A majority of the members appointed to
7 the committee shall constitute a quorum. When reported, such
8 orders may be amended by a two-thirds vote of the members pre-
9 sent and voting, and shall be subject to approval by a majority of
10 the members of the House present and voting. Debate on the ques-
11 tion on adoption of such orders shall be limited to thirty minutes.
12 No orders adopted pursuant to this paragraph shall limit the
13 powers of the Speaker as provided in Rules 1 to 6, inclusive. Such
14 orders shall not be subject to reconsideration.

[Adopted Jan. 14, 1997; Amended Jan. 24, 2001.]

1 **7C.** The committee on Rules may consider and make recom-
2 mendations designed to improve and expedite the business and
3 procedures of the House and its committees, and to recommend to
4 the House any amendments to the Rules deemed necessary; pro-
5 vided that a majority of the members of the House present and
6 voting shall be required to approve such recommendations.

7 The committee shall be privileged to report at any time.
[Adopted Jan. 14, 1997.]

1 **7D.** The Speaker shall, in consultation with the committee on
2 Rules and the committee on Steering, Policy and Scheduling,
3 establish a committee scheduling system that would minimize to
4 the greatest extent possible scheduling conflicts for members of
5 committees.

6 The Speaker shall determine a schedule for the House for each
7 week relative to formal and informal sessions and shall make such
8 schedule available to the members by Thursday of the preceding
9 week; provided, however, that the Speaker may make, notwith-
10 standing the provisions of Rule 7A, changes in the schedules to
11 facilitate the business of the House in an efficient and timely
12 fashion. The Speaker shall communicate notice of any such sched-
13 uling change to the members in writing or by way of electronic
14 mail as soon as practicable, and whenever possible, the Speaker
15 shall provide such notice not less than twenty-four hours before
16 the event so rescheduled is set to commence.

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

MONITORS.

1 **8.** Two monitors shall be appointed by the Speaker for each
2 division of the House, whose duty it shall be to see to the due
3 observance of the rules, and, on request of the Speaker, to return
4 the number of votes and members in their respective divisions.
5 [9.]

1 **9.** If a member transgress any of the rules after being notified
2 thereof by a monitor, it shall be the duty of such monitor to report
3 the case to the House.

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

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

1 **9A.** There shall be established a Floor Division Committee for
2 each of the four divisions of the House. The Speaker shall appoint
3 a Floor Division chairperson for each of the four divisions. Said
4 committee shall consist of the members assigned to the respective
5 divisions.

6 In order to create a continuous flow of debate, each chairperson
7 shall be responsible for reviewing the daily Calendar and pro-
8 viding advance notice to committee members in the respective
9 divisions of all matters scheduled for consideration in the Orders
10 of the Day. Said committee chairpersons shall provide information
11 to members of their committees on pending legislation and other
12 matters of business before the House.

13 In addition to the legislative duties, chairpersons shall oversee
14 the physical appearance of the Chamber and the various areas
15 under the jurisdiction of the House of Representatives. Said chair-
16 persons shall be authorized to act as a committee and may meet at
17 any time at the request of at least two chairpersons. Said chairper-
18 sons, as a committee, shall be authorized to meet with the appro-
19 priate agencies and historical commissions of the Commonwealth
20 for the purpose of requesting expeditious appraisals and necessary
21 repairs and renovations to the interior and exterior of the State
22 House. The committee of chairpersons shall report directly to the
23 Speaker the results of all consultations.

[Adopted Jan. 14, 1997.]

CLERK.

1 **10.** The Clerk shall keep the Journal of the House. The Clerk
2 shall enter therein a record of each day's proceedings and, when-
3 ever practicable, submit it to the Speaker and the Minority Leader
4 before the hour fixed for the next sitting, and shall cause the same
5 to be available daily in a format to be determined by the Clerk;
6 and provided further that a copy of said Journal shall also be made
7 available to each member of the House. Any objection to the
8 Journal shall be made before the House proceeds to the considera-
9 tion of the Orders of the Day. [11.] (6.)

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

1 **10A.** The Clerk shall be the official parliamentarian of the
2 House of Representatives.
 [Adopted Jan. 9, 1991.]

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

1 **12.** The Clerk shall prepare and make available on each day of
2 formal session a Calendar of matters in order for consideration
3 and such other memoranda as the House or the Speaker may
4 direct. The Clerk shall prepare a Calendar on which shall appear
5 any question on passage of a bill or resolve notwithstanding the
6 objections of His Excellency the Governor which may be consid-
7 ered forthwith at the direction of the House or Speaker.

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

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

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

24 As soon as practicable whenever the Clerk prepares a Calendar
25 or advance Calendar under this rule, he also shall cause a true
26 copy thereof to be posted on the Legislative Web Page that is gen-
27 erally available to all members and their staff, and reasonably
28 promptly thereafter he shall cause the members and their staff to
29 be notified of the same by way of electronic mail. [13.] (7.)

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

1 **13.** Any objection to the Calendar shall be made and disposed
2 of before the House proceeds to the consideration of the Orders of
3 the Day. [14.]

MEMBERS.

1 14. No member shall stand up, to the inconvenience of others,
2 while a member is speaking; or be involved in disturbing conver-
3 sation while another member is speaking in debate; or pass unnec-
4 essarily between the Speaker of the House and the member
5 speaking; or stand in the passages, or in the area in front of the
6 Chair; or stand at the Clerk's desk while a roll call is in progress.
7 [16.]

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

1 **15.** When it appears to the presiding officer that the presence of
2 a quorum is endangered, the Chair shall order the doors closed. If
3 a quorum is doubted the Chair shall order the doors closed and
4 thereafter no member shall enter or leave the House until an initial
5 determination has been made as to the presence of a quorum or
6 lack thereof; and thereafter, provided that no quorum is present,
7 no member shall leave the House unless by permission of the pre-
8 siding officer, but members shall be admitted, at any time.

9 Upon the doubting of a quorum and after ascertaining that a
10 quorum is not present, the Speaker may order a recorded atten-
11 dance roll call to be taken on the electronic roll call machine.

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

14 Members answering a quorum call shall vote "YES" on the roll
15 call machine. [17.] (11.)

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

ETHICS.

1 **16.** There shall be appointed a committee on Ethics as autho-
2 rized by Rule 17 but shall not be subject to the provisions of
3 Rule 17A when the committee is meeting pursuant to an alleged
4 violation of House Rule 16A. The committee shall consist of

5 eleven members, seven of whom shall be appointed by the
6 Speaker, four of whom shall be appointed by the Minority Leader.

7 Any member appointed to this committee shall, upon declara-
8 tion of candidacy for any other state or federal elective office,
9 remove himself/herself from said committee.

10 The House committee on Ethics is empowered to investigate
11 and evaluate, at the direction of the Speaker, by a sworn written
12 complaint filed and delivered by a member, officer or employee to
13 the chairman of the Ethics committee, or by a majority vote of the
14 members appointed to the Ethics committee, any matters relative
15 to alleged violations of the Code of Ethics (Rule 16A) by a
16 member, officer or employee.

17 Upon the receipt of said sworn written complaint, at the direc-
18 tion of the Speaker or by a majority vote of the members
19 appointed to the Ethics committee, the committee shall notify any
20 person named of the nature of the alleged violation and a list of
21 prospective witnesses, and also shall notify said person of the
22 final disposition and the recommendations, if any, of the com-
23 mittee.

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

27 All proceedings including the filing of the initial complaint
28 shall be considered confidential information.

29 If the alleged violation received in the manner described above
30 is deemed to have merit by a majority vote of the members
31 appointed to the committee, the committee shall file a report with
32 the Clerk of the House. Said report shall be a public document.
33 The committee shall not disclose any allegation deemed to be friv-
34 olous or without merit.

35 If a majority appointed finds that any member of the House,
36 officer, or employee has violated any provision of the Code of
37 Ethics, a majority appointed may, in the case of a member, recom-
38 mend a reprimand, censure, removal from a chairmanship or other
39 position of authority, or expulsion; and in the case of an officer or
40 employee, a majority appointed may recommend a reprimand,
41 suspension, or removal from employment.

42 Should such an alleged violation be filed with the committee
43 regarding a member or members of the House Ethics committee,

44 said member or members shall not participate in the committee
45 deliberations on said alleged violation.

46 Any member of the House, officer, or employee may request in
47 writing from the House committee on Ethics an advisory opinion
48 concerning any contemplated personal action or potential personal
49 conflict. The committee on Ethics shall issue written advisory
50 opinions and clarification in response to said written request. The
51 committee shall respond within sixty days of receipt of such a
52 request, unless the General Court has prorogued. In that event, the
53 committee shall respond within thirty days following the opening
54 of the new session.

55 No member, officer, or employee of the House shall be penal-
56 ized in any manner for having acted within the guidelines of an
57 advisory opinion, provided that all pertinent facts are stated in the
58 original request for an advisory opinion.

59 The chairman of the Ethics committee may convene the com-
60 mittee at any time.

61 The chairman shall also convene the committee at the written
62 request of at least five members of the committee.

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

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

CODE OF ETHICS.

1 **16A.** (1.) While members, officers, and employees should not
2 be denied those opportunities available to all other citizens to
3 acquire and retain private, economic and other interests, members,
4 officers, and employees should exercise prudence in any and all
5 such endeavors and make every reasonable effort to avoid transac-
6 tions, activities, or obligations, which are in substantial conflict
7 with or will substantially impair their independence of judgement.

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

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

14 (4.) No member, officer, or employee shall receive any com-
15 pensation or permit any compensation to accrue to his or her ben-
16 efitial interest by virtue of influence improperly exerted from his
17 or her official position in the House.

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

22 (6.) No member, officer, or employee shall willfully and know-
23 ingly disclose or use confidential information gained in the course
24 of his or her official position to further his or her own economic
25 interest or that of any other person.

26 (7.) Except as provided in Rule 49, no member shall cast a vote
27 for any other member, nor shall any officer or employee vote for
28 any member, except that the Clerk or an assistant Clerk may
29 record a vote for a member who votes late under the provisions of
30 Rule 52, or is prohibited from voting from his desk due to a mal-
31 function of the electronic roll call voting machine; provided the
32 Clerk's action shall not be construed as voting for said member.

33 (8.) No member shall use profane, insulting, or abusive lan-
34 guage in the course of public debate in the House Chamber or in
35 testimony before any committee of the General Court.

36 (9.) No member, officer, or employee shall employ anyone
37 from public funds who does not perform tasks which contribute
38 substantially to the work of the House and which are commensu-
39 rate with the compensation received; and no officer or full time
40 employee of the House shall engage in any outside business
41 activity during regular business hours, whether the House is in
42 session or not. All employees of the House are assumed to be full
43 time unless their personnel record indicates otherwise.

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

47 (11.) No member, officer, or employee shall accept or solicit an
48 honorarium for a speech, writing for publication, or other activity

49 from any person, organization, or enterprise having a direct
50 interest in legislation or matters before any agency, authority,
51 board, or commission of the Commonwealth which is in excess of
52 the usual and customary value of such services.

53 (12.) No member of the House, officer, or employee shall
54 knowingly accept any gifts with an aggregate value of \$100.00 or
55 more in a calendar year from any legislative agent.

56 No member of the House, officer, or employee shall accept any
57 gift of cash from any person or entity having a direct interest in
58 legislation before the General Court (For the purpose of
59 paragraph 12, the definitions of “gift” and “person” are defined in
60 Chapter 268B, Section 1(g) and 1(m).).

61 (13.) No member shall convert campaign funds to personal use
62 in excess of reimbursements for legitimate and verifiable cam-
63 paign expenditures. Members shall consider all proceeds from tes-
64 timonial dinners and other fund raising activities as campaign
65 funds.

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

69 (15.) No member, officer or employee shall violate the confi-
70 dentiality of any proceeding before the Ethics committee. [19A.]
[Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001.]

1 **16B.** The Committee on Personnel and Administration shall
2 develop and conduct an ethics law training program to be offered
3 to every member of the House and all House staff personnel bian-
4 nually, commencing on January 1, 2005.

[Adopted Jan. 9, 2003.]

COMMITTEES.

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

3 A committee on Rules;

4 (to consist of fifteen members).
5 A committee on Ways and Means;
6 (to consist of thirty-two members).
7 A committee on Bills in the Third Reading;
8 (to consist of three members).
9 A committee of each Floor Division;
10 (to consist of the members of each division).
11 A committee on Ethics;
12 (to consist of eleven members).
13 A committee on Personnel and Administration;
14 (to consist of thirteen members).
15 A committee on Post Audit and Oversight;
16 (to consist of eleven members).
17 A committee on Steering, Policy and Scheduling;
18 (to consist of eleven members).
19 Committee meetings, insofar as practicable, shall not be sched-
20 uled in conflict with formal sessions of the House of Representa-
21 tives. [20.] (12, 12A, 12B.)
[Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan.
12, 1987; May 5, 1993; Oct. 6, 1993; May 23, 1996; Jan. 14,
1997; Jul. 17, 2003; Jan. 26, 2005.]

1 **17A.** The following terms shall have the following meanings:
2 “*Deliberation*”, a verbal exchange between a quorum of mem-
3 bers of a committee attempting to arrive at a decision on any
4 public business within its jurisdiction.
5 “*Emergency*”, a sudden, generally unexpected occurrence or
6 set of circumstances demanding immediate action.
7 “*Executive session*”, any meeting or part of a meeting of a
8 committee which is closed to certain persons for deliberation on
9 certain matters.
10 “*Meeting*”, any corporal convening and deliberation of a com-
11 mittee for which a quorum is required in order to make a decision
12 at which any public policy matter over which the committee has
13 supervision, control, jurisdiction or advisory power is discussed or
14 considered; but shall not include any on site inspection of any pro-
15 ject or program.

16 “*Quorum*”, a simple majority of a committee unless otherwise
17 defined by constitution, rule or law applicable to such committee.
18 A quorum shall be presumed to be present unless otherwise
19 doubted.

20 All meetings, including hearings and executive sessions, of
21 House standing committees, and special committees of the House
22 of Representatives, shall be open to the public and any person
23 shall be permitted to attend any meeting except as otherwise pro-
24 vided by this rule. Areas for the media and the public may be
25 specifically designated by the presiding officer.

26 No quorum of a committee shall meet in private for the purpose
27 of deciding on deliberating toward a decision on any matter
28 except as provided by this rule.

29 No executive session shall be held until the committee has first
30 convened in an open session for which notice has been given, the
31 presiding officer having stated the authorized purpose of the exec-
32 utive session, a majority of the members of the committee present
33 have voted to go into executive session and the vote of each
34 member recorded on a roll call vote and entered into the minutes,
35 the presiding officer has stated before the executive session if the
36 committee will reconvene after the executive session.

37 Nothing except the limitations contained in this rule shall be
38 construed to prevent the committee from holding an executive ses-
39 sion after an open meeting has been convened and after a recorded
40 vote has been taken to hold an executive session. Executive ses-
41 sions may be held only for the following purposes:

42 (1) To discuss the reputation, character, physical condition or
43 mental health rather than the professional competence of an indi-
44 vidual, provided that the individual to be discussed in such execu-
45 tive session has been notified in writing by the committee, at least
46 forty-eight hours prior to the proposed executive session. Notifi-
47 cation may be waived upon agreement of the parties.

48 A committee shall hold an open meeting if the individual
49 involved requests that the meeting be open. If an executive ses-
50 sion is held, such individual shall have the following rights:

51 (a) to be present at such executive session during discussions or
52 considerations which involve that individual.

53 (b) to have counsel or a representative of his/her own choosing
54 present and attending for the purpose of advising said individual

55 and not for the purpose of active participation in said executive
56 session.

57 (c) to speak in his/her own behalf.

58 (2) To consider the discipline or dismissal of, or to hear com-
59 plaints or charges brought against, a public officer, employee,
60 staff member, or individual, provided that the individual involved
61 in such executive session has been notified in writing by the com-
62 mittee at least forty-eight hours prior to the proposed executive
63 session. Notification may be waived upon agreement of the par-
64 ties. A committee shall hold an open meeting if the individual
65 involved requests that the meeting be open. If an executive ses-
66 sion is held, such individual shall have the following rights:

67 (a) to be present at such executive session during discussions or
68 considerations which involve that individual.

69 (b) to have counsel or a representative of his/her own choosing
70 present and attending for the purpose of advising said individual
71 and not for the purpose of active participation in said executive
72 session.

73 (c) to speak in his/her own behalf.

74 (3) To discuss strategy with respect to litigation if an open
75 meeting may have a detrimental effect on the position of the com-
76 mittee.

77 (4) To consider the purchase, exchange, lease or value of real
78 property, if such discussions may have a detrimental effect on the
79 negotiating position of the Commonwealth and a person, firm or
80 corporation.

81 This rule shall not apply to any chance meeting or social
82 meeting at which matters relating to official business are dis-
83 cussed so long as no final agreement is reached. No chance
84 meeting or social meeting shall be used in circumvention of the
85 spirit or requirements of this section to discuss or act upon a
86 matter over which the committee has supervision, control, juris-
87 diction, or advisory power.

88 Except in an emergency, a notice and agenda of every meeting
89 of a committee subject to this rule shall be filed with the Clerk of
90 the House and publicly posted on the bulletin board outside the
91 Clerk's Office, and, at such time as is feasible, as determined by
92 the Clerk, the Legislative Web Page, and in such other places as
93 are designated in advance for such purpose by said Clerk, at least

94 forty-eight hours, including Saturdays but not Sundays and legal
95 holidays, prior to the time of such meeting and a list of the bills,
96 petitions, and resolutions to be considered for a vote or other
97 action by the committee. The notice shall include the date, time
98 and place of such meeting. Such filing and posting shall be the
99 responsibility of the officer calling such meetings. The Clerk shall
100 furnish copies of such notices, upon request, to members and the
101 public.

102 A committee shall maintain accurate records of its meetings
103 and hearings setting forth the date, time and place thereof, and
104 recording any action taken at each meeting, hearing or executive
105 session. The record of each meeting shall become a public record
106 and be available to the public; provided, however, that the records
107 of any executive session may remain secret as long as publication
108 may defeat the lawful purposes of the executive session, but no
109 longer. All votes requested to be taken in executive sessions shall
110 be recorded roll call votes and shall become a part of the record of
111 said executive sessions.

112 A meeting of a committee may be recorded by a person in
113 attendance by means of a recorder or any other means of
114 audio/visual reproduction except when a meeting is held in execu-
115 tive session; provided, that a person notifies the Chair of the com-
116 mittee prior to commencing such recording; and provided further
117 that during such recording there is no interference with the con-
118 duct of the meeting.

119 Copies of all bills that have been redrafted in a substantial
120 manner and that are to be voted on in Executive Session by the
121 House Ways and Means Committee shall be available to all mem-
122 bers of the committee in the form they will be considered not less
123 than twenty-four hours in advance of consideration by the Ways
124 and Means Committee; provided, however, that said committee
125 may vote on a bill that has not been available for said period of
126 time by vote of a majority of the committee members present and
127 voting to do so.

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

1 **17B.** Whenever any member of a House committee present at
2 the committee meeting so requests, the vote to give any legislation
3 a favorable or adverse report shall be a recorded vote of the full
4 committee. Such votes shall be recorded on appropriate forms that
5 show all votes for and against the particular committee action.
6 The record of all such roll calls shall be kept in the offices of the
7 committee and shall be available for public inspection.

8 No report of a House committee on any legislation shall be
9 final until those members of the committee present and voting
10 with the majority have been given the opportunity to sign such
11 appropriate forms before the report is made to the House. No sig-
12 nature shall be valid unless the forms to which the signatures are
13 affixed include the substantially complete text of the legislation
14 being reported.

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

1 **17C.** There shall be a committee on Personnel and Administra-
2 tion on the part of the House consisting of thirteen members. Said
3 committee shall be responsible for the allocation of office space as
4 equitably as possible among the various members and joint and
5 standing committees on the part of the House and their respective
6 House staffs.

7 The committee shall allocate space among the various commit-
8 tees on the part of the House taking into account the work load,
9 duties and responsibilities and size of staff of each.

10 The Speaker may make temporary office assignments in accor-
11 dance with the foregoing principles.

12 The committee on Personnel and Administration may from time
13 to time make changes in the assignment of office space for com-
14 mittees and the various staffs in accordance with the established
15 standards.

16 Said committee shall establish the staffing levels and positions
17 for each joint and standing committee of the House together with
18 a classification plan for all employees of the House of Representa-
19 tives.

20 For each person who is employed or is to be employed by a
21 joint or standing committee on the part of the House, each com-
22 mittee chairman shall nominate each such person and the House
23 members of the committee by a majority vote shall vote on

24 whether to approve each said nominee. The House members of the
25 committee shall approve such persons whose character and quali-
26 fications are acceptable to the majority of the House members of
27 the committee and are in accordance with the qualifications estab-
28 lished by the Personnel and Administration committee.

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

31 The House staff members of each committee shall be appointed
32 solely on the basis of fitness to perform the duties of their respec-
33 tive positions and consistent with section four of chapter one hun-
34 dred fifty-one B of the General Laws. The said committee staff
35 shall:

36 (1) not engage in any work other than committee business
37 during business hours.

38 (2) not be assigned any duties other than those pertaining to
39 committee business.

40 The committee shall meet on request of the chairman or any
41 three members of the committee. Any such meeting requested
42 shall be convened on or within the fifth business day following
43 such request. All such requests shall be in writing and forwarded
44 to the chairman and each member of the committee.

45 Funds shall be allocated from the budget to carry out the deter-
46 mination of the committee.

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

1 **17D.** [Omitted Jan. 26, 2005.]

1 **17E.** [Omitted Jan. 26, 2005.]

1 **17F.** [Omitted Jan. 26, 2005.]

1 **18.** The Speaker shall appoint, and may recommend the
2 removal of, the Speaker *pro Tempore*, the Majority Floor Leader,
3 Assistant Majority Floor Leader, and Second Assistant Majority
4 Floor Leader. The Minority Leader shall appoint, and may recom-
5 mend the removal of, the Assistant Minority Floor Leader, Second
6 Assistant Minority Floor Leader, and Third Assistant Minority

7 Floor Leader. The Minority Leader shall be that member of the
8 minority party who is selected for that position by the members of
9 his/her party.

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

16 The Speaker shall appoint, and may recommend the removal of,
17 the chair of each standing committee. The Speaker shall appoint,
18 and may recommend the removal of, the vice chair and assistant
19 vice chair of the Ways and Means committee and the vice chair of
20 the Post Audit and Oversight committee.

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

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

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

1 **18A.** There shall be one member of the minority party on all
2 committees of conference and one on the committee on Bills in
3 the Third Reading. On all other standing and joint committees, the
4 percent of minority party membership shall be at least equal to the
5 percent of minority party membership in the House of Representa-
6 tives as of the first day of the session, provided however that the
7 minority party shall under no circumstances have less than four
8 members on the committee on Ethics, four on the committee on
9 Personnel and Administration, three on the committee on Rules
10 and six on the committee on Ways and Means. Where such per-
11 centage results in a fraction of a number, the fraction shall be
12 rounded off to the nearest whole. In no case shall minority party
13 representation be less than two members on all other standing and
14 joint committees.

15 The Speaker and the Minority Leader shall appoint the mem-
16 bers of their respective party caucuses to be assigned to each
17 standing committee. The Speaker shall appoint the vice chair of
18 each standing committee. The appointments, except those to
19 which Rule 18 applies, shall be voted upon together and shall be
20 subject to ratification by majority vote of the appropriate party
21 caucus.

22 No member shall be removed from a standing committee except
23 upon the recommendation of the Speaker or Minority Leader, as
24 the case may be, subject to the ratification by their respective cau-
25 cuses; provided, however if any vacancy occurs in a position to
26 which Rule 18 does not apply, subsequent to the initial ratifica-
27 tion, the Speaker or Minority Leader shall fill such vacancy.

28 The Speaker shall announce committee appointments of
29 majority party members, and the member first named shall be
30 chairman, and the second named member shall be vice-chairman.
31 The Minority Leader shall announce committee appointments of
32 minority party members. (13.)

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

1 **18B.** All votes on ratification by the caucus required by these
2 rules shall be by written ballot and shall require a majority of
3 those present and voting.

[Adopted Jan. 11, 1985.]

1 **19.** A majority and minority party caucus may be called by the
2 Speaker or Minority Leader, respectively, or upon petition of
3 twenty-five percent of the members of the respective party caucus.
4 A caucus may entertain resolutions, motions, or other means of
5 ascertaining the sense of the respective party members on any
6 subject.(13B.)

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

1 **19A.** The majority party and minority party shall establish
2 caucus rules that shall dictate the procedures of each caucus.

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

1 **20.** The committee on Ways and Means shall report in appropri-
2 ation bills the total amount appropriated. The General Appropria-
3 tion Bill shall be available to the members at least seven calendar
4 days prior to consideration thereof by the House. [25.] (27A.)

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

1 **20A.** Notwithstanding the provisions of Rule 33A, amendments
2 to the General Appropriation Bill shall be filed with the Clerk of
3 the House in a format to be determined by the Clerk by five
4 o'clock P.M. within the close of three business days of said
5 General Appropriation bill being made available in a format to be
6 determined by the Clerk and release of said document by said
7 Clerk if the release of said document occurs by two o'clock P.M.
8 Otherwise, the day following the release shall be considered the
9 first business day. The Clerk, with the assistance of the committee
10 on Ways and Means, shall categorize the subject-matter of the
11 amendments and arrange such amendments for consideration
12 sequentially by subject as appearing in the printed version of the
13 General Appropriation Bill, or the Clerk, with the assistance of
14 the committee on Ways and Means, shall categorize the subject-
15 matter of the amendments and arrange such subject matters for
16 consideration as determined by the committee on Ways and
17 Means. Debate on the General Appropriation Bill shall not com-
18 mence until a date and time to be determined by the House which
19 is subsequent to the designated time established for filing of
20 amendments.

21 Before the main question on the General Appropriation Bill is
22 placed before the House, an amendment may be postponed or
23 withdrawn at the request of the primary sponsor of the amendment
24 or postponed by the committee on Ways and Means; provided that
25 further consideration of any amendment so postponed shall take
26 place immediately subsequent to consideration of the amendments
27 within the particular subject-matter to which the postponed
28 amendment was assigned according to the provisions of paragraph
29 one of said rule; provided that if more than one amendment is so
30 postponed, subsequent consideration of said amendments shall be
31 in the order determined by the committee on Ways and Means;
32 provided further, an amendment so postponed shall not be subse-

33 quently considered outside of its assigned subject-matter; and pro-
34 vided further, that notwithstanding the provisions of Rule 33A,
35 amendments submitted to the Clerk shall be in a format to be
36 determined by the Speaker in consultation with said Clerk and
37 shall include an original copy only; and provided further that per-
38 fecting or substitute amendments, including, but not limited to an
39 amendment consolidating more than one amendment, may be sub-
40 mitted by the committee on Ways and Means during consideration
41 of the subject category to which the amendment or amendments
42 were assigned; provided, however, that an amendment may be
43 removed from the consolidated amendment at the request of the
44 sponsor of said amendment for the purpose of it being offered as a
45 further amendment to the consolidated amendment.

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

1 **20B.** When the General Appropriation Bill is reported by the
2 committee on Ways and Means it shall be made available in a
3 format to be determined by the Speaker in consultation with the
4 Clerk. The committee on Ways and Means shall provide the mem-
5 bership with a copy of its proposed text of said General Appropri-
6 ation Bill, and an executive summary which shall include a list of
7 outside sections, and a short summary of each outside section
8 prior to full House consideration of such bill. When the House
9 considers said General Appropriation Bill, it shall be read a
10 second time and forthwith ordered to a third reading without any
11 amendments. The bill shall be immediately read a third time and
12 then be open to amendments as previously determined by the
13 House.

[Adopted Jan. 9, 2003.]

1 **21.** Whenever the committee on Ways and Means reports an
2 appropriation bill or capital outlay bill, it shall make available to
3 the members a report which includes an explanation of any
4 increase or decrease of five percent or more which results in an
5 increase or decrease of one million dollars or more for any item
6 for which the Governor has made a recommendation, and an
7 explanation for the deletion of an item recommended by the Gov-
8 ernor, and for the addition of an item for which the Governor has
9 made no recommendation. [25A.] (27A.)

1 **22.** Bills and resolves when ordered to a third reading shall be
2 referred forthwith to the committee on Bills in the Third Reading,
3 which shall examine and correct them, for the purpose of avoiding
4 repetitions and unconstitutional provisions, and insuring accuracy
5 in the text and references, and consistency with the language of
6 existing statutes; but any change in the sense or legal effect, or
7 any material change in construction, shall be reported to the
8 House as an amendment.

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

12 Resolutions received from and adopted by the Senate or intro-
13 duced or reported into the House, after they are read and before
14 they are adopted, shall be referred to the committee on Bills in the
15 Third Reading.

16 Amendments of bills, resolves and resolutions adopted by the
17 Senate and sent to the House for concurrence, shall, subsequently
18 to the procedure required by rule thirty-five in respect to amend-
19 ments, also be referred, in like manner, to the committee on Bills
20 in the Third Reading.

21 When a bill, resolve or resolution has been so referred, no fur-
22 ther action shall be taken until report thereon has been made by
23 the committee. Accompanying said report shall be a written expla-
24 nation prepared by the committee defining any changes made in a
25 bill, resolve or resolution so as to facilitate the proceedings of the
26 House.

27 If a bill or resolve referred to the committee on Bills in the
28 Third Reading requires a two-thirds vote because it contains an
29 emergency preamble, or if it provides for the borrowing of money
30 by the Commonwealth and comes within the provisions of Section
31 3 of Article LXII of the Amendments to the Constitution, or pro-
32 vides for the giving, loaning or pledging of the credit of the Com-
33 monwealth and comes within the provisions of Section 1 of
34 Article LXII (as amended by Article LXXXIV) of the Amend-
35 ments to the Constitution, or provides, upon recommendation of
36 the Governor, for a special law relating to an individual city or
37 town and comes within the provisions of clause (2) of Section 8 of
38 Article LXXXIX of the Amendments to the Constitution or pro-
39 vides for environmental protection within the provisions of Article

40 XLIX as amended by Article XCVII, the committee shall plainly
41 indicate the fact on the outside of the bill or resolve, or on a
42 wrapper or label attached thereto. [26.] (33.)

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

1 **23.** Bills and resolves prepared for final passage shall be certi-
2 fied by the Clerk of the House, after comparison, to be the same
3 as the bills or resolves passed to be engrossed; and if found to be
4 properly prepared, the Clerk shall so endorse on the envelope
5 thereof; and the question on enactment or final passage or
6 adopting an emergency preamble shall be taken thereon, without
7 further reading, unless specifically ordered.

8 When a bill or resolve prepared for final passage contains an
9 emergency preamble or when it provides for the borrowing of
10 money by the Commonwealth and comes within the provisions of
11 Section 3 of Article LXII of the Amendments to the Constitution,
12 or provides for the giving, loaning or pledging of the credit of the
13 Commonwealth and comes within the provisions of Section 1 of
14 Article LXII (as amended by Article LXXXIV) of the Amend-
15 ments to the Constitution, or provides, upon recommendation of
16 the Governor, for a special law relating to an individual city or
17 town and comes within the provisions of clause (2) of Section 8 of
18 Article LXXXIX of the Amendments to the Constitution, or pro-
19 vides for environmental protection within the provisions of Article
20 XLIX as amended by Article XCVII, the Clerk shall plainly indi-
21 cate the fact on the envelope thereof. [27.] (34.) [See Rule 40.]

[Amended Jan. 12, 1983.]

1 **23A.** No member of the House, except the Speaker, Speaker *pro*
2 *tempore*, Majority Leader, Assistant Majority Leader, Second
3 Assistant Majority Leader, Minority Leader, Assistant Minority
4 Leader, Second Assistant Minority Leader, Third Assistant
5 Minority Leader, Vice-Chairperson of the Committee on Ways and
6 Means, Assistant Vice-Chairperson of the Committee on Ways
7 and Means and committee chairmen with respect to committee
8 business, shall receive privileges or compensation greater than
9 any other member for postage.

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

1 **24.** (1) Petitions, recommendations and reports of state offi-
2 cials, departments, commissions and boards, and reports of special
3 committees and commissions, shall be filed with the Clerk in a
4 format to be determined by said Clerk, who shall, unless they be
5 subject to other provisions of these rules or the rules of the two
6 branches, refer them, with the approval of the Speaker, to the
7 appropriate committees, subject to such change of reference as the
8 House may make. The reading of all such documents may be dis-
9 pensed with, but they shall be entered in the Journal of the same
10 or the next legislative day after such reference except as provided
11 in joint rule thirteen.

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

18 (3) Petitions and other papers so filed which are subject to the
19 provisions of joint rule seven A, seven B, or nine, shall be referred
20 by the Clerk to the committee on Rules. Petitions and other papers
21 so filed, which are subject to the provisions of the second para-
22 graph of Joint Rule 12, shall, prior to the procedure required by
23 said rule, be referred by the Clerk to the committee on Rules. The
24 reading of all such papers may be dispensed with, but they shall
25 be entered in the Journal of the same or the next legislative day
26 after such reference.

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

31 (5) Recommendations and special reports of state officials,
32 departments, commissions and boards, reports of special commit-
33 tees and commissions, bills and resolves accompanying petitions,
34 recommendations and reports, and resolutions shall be made avail-
35 able under the direction of the Clerk, who may cause to be made
36 available, with the approval of the Speaker, any other documents
37 filed as herein provided.

38 (6) All such legislation and reports filed with the Clerk shall be
39 submitted in a format prescribed by said Clerk. Said documents
40 shall contain the name or names of the primary sponsors and a list
41 of the names of all petitioners praying for the legislation. Addi-
42 tional names may be added to the list of the petitioners; provided,
43 however, that, such additional names shall be submitted in a
44 format to be determined by the Clerk.

45 (7) Any petition so submitted that is a refile of a measure sub-
46 mitted in a previous session shall include, in the appropriate space
47 provided, the session year for which the measure was filed and the
48 House or Senate bill number or docket number assigned to such
49 measure in such previous session.

50 (8) Debate upon the suspension of this rule shall be limited to
51 ten minutes, three minutes for each member, and the Speaker shall
52 recognize the member presenting the order, resolution or petition
53 first; provided, however, that suspension of this rule shall require
54 unanimous consent of the members present. Any order, except
55 such order that would amend the Rules of the House, resolution or
56 petition referred to the committee on Rules after the question of
57 suspension of this rule has been negatived, or any order, resolu-
58 tion or petition filed after the beginning of the session and
59 referred to the committee on Rules, shall not be discharged from
60 said committee except by unanimous consent of the House.
61 Motions to discharge the committee on Rules shall be subject to
62 the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36
63 and 85.]

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

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

1 **26.** When the object of an application can be secured without a
2 special act under existing laws, or, without detriment to the public
3 interests, by a general law, the committee to which the matter is
4 referred shall report such general law or ought not to pass, as the
5 case may be. The committee may report a special law on matters
6 referred to it upon (1) a petition filed or approved by the voters of

7 a city or town, or the mayor and city council, or other legislative
8 body, of a city, or the town meeting of a town, with respect to a
9 law relating to that city or town; (2) a recommendation by the
10 Governor; and (3) matters relating to erecting and constituting
11 metropolitan or regional entities, embracing any two or more
12 cities and towns, or established with other than existing city or
13 town boundaries, for any general or special public purpose or pur-
14 poses. [30.] (16.) [See Joint Rule 7.]

1 **27.** With the exception of matters referred to the committee on
2 Rules under the provisions of paragraph (3) of rule twenty-four,
3 committees shall report on all matters referred to them. The com-
4 mittee on Ways and Means shall report the General Appropriation
5 Bill not later than the second Wednesday of May; and provided
6 further that said committee shall make available to the members
7 all data compiled for justification of budgetary recommendations
8 in all appropriation bills. [33.]

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

1 **27A.** [Omitted Jan. 23, 2007.]

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

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

18 (3) Matters discharged under the provisions of this rule shall be
19 placed in the Orders of the Day for the next sitting. Petitions dis-
20 charged under the provisions of this rule shall be considered as
21 favorably reported and the bill, resolve, resolution or order
22 accompanying such petitions shall be placed in the Orders of the
23 Day for the next sitting.

24 (4) During the last week of the session the provisions of para-
25 graphs (1) and (3) of this rule shall be inoperative.

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

29 (6) As an alternative procedure to that provided under the pro-
30 visions of this rule, the members of the House may, by filing a
31 petition signed by a majority of the members elected to the House,
32 discharge the House committee on Ways and Means, the House
33 committee on Bills in the Third Reading, and the House com-
34 mittee on Rules from further consideration of a legislative matter.
35 Seven days following the filing of the petition with the House
36 Clerk, the committee shall be discharged from further considera-
37 tion of the legislative matter specified in the petition and the
38 House Clerk shall place the matter in the Orders of the Day for the
39 next calendar day that the House is meeting.

40 (7) For the purpose of this rule, matters not appearing on the
41 Calendar which are not before any committee shall be deemed to
42 be before the Rules committee. Notwithstanding the previous sen-
43 tence, a bill which has been engrossed by the House and Senate,
44 shall be placed before the House for enactment. Any member may
45 request to the House that a matter, engrossed in the House and
46 Senate, returned for final passage by the engrossing division and
47 reviewed and released by the Committee on Bills in Third
48 Reading be placed before the House for enactment. The Speaker
49 shall, in response to such a request of a member, put the matter
50 before the House at the conclusion of the matter then pending.

51 (8) This rule shall not be suspended unless by unanimous con-
52 sent of the members present. (27C, 32A.)

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

1 **28A.** The committee on Bills in the Third Reading shall report
2 on a legislative matter not later than forty-five days following the
3 day the matter was referred to it. The Clerk shall indicate on the
4 Calendar entry of every matter before the Committee on Bills in
5 the Third Reading the date that said matter was referred to said
6 committee.

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

REGULAR COURSE OF PROCEEDINGS.

Petitions.

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

[Amended Jan. 11, 1985.]

Motions Contemplating Legislation, etc.

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

3 The committee on Ways and Means may originate and report
4 appropriation bills as provided in rule twenty. Messages from the
5 Governor shall, unless otherwise ordered, be referred to the appro-
6 priate committee, which may report by bill or otherwise thereon.
7 A similar disposition shall, unless otherwise ordered, be made of
8 reports by state officers and committees authorized to report to the
9 Legislature, and similar action may be had thereon.

10 Messages from the Governor returning appropriation bills, or
11 parts of appropriation bills, with objections or reductions of sec-
12 tions or items thereof, shall be reconsidered subsequent to a report
13 of the committee on Ways and Means. [40.] (19.)

[Amended Jan. 24, 2001.]

Bills and Resolves.

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

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

1 **32.** If a committee to which a bill is referred reports that the
2 same ought not to pass, the question shall be “Shall this bill be
3 rejected?”. If the question on rejection is negatived, the bill, if it
4 has been read but once, shall go to a second reading without ques-
5 tion; otherwise it shall be placed in the Orders of the Day for the
6 next day, pending the question on ordering to a third reading, or to
7 engrossment, as the case may be. [43.] (30.)

1 **32A.** [Omitted Jan. 26, 2005.]

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

7 New provisions shall not be added to such bills by the com-
8 mittee on Ways and Means, unless directly connected with the
9 financial features thereof.

10 Orders reported in the House or received from the Senate
11 involving the expenditure of public money for special committees,
12 shall, before the question is taken on the adoption thereof, be
13 referred to the committee on Ways and Means, whose duty it shall
14 be to report on their relation to the finances of the Common-
15 wealth.

16 Every such bill involving a capital expenditure for new proj-
17 ects, or an appropriation for repairs, or any legislation, the cost of

18 which, in the opinion of the committee, exceeds the sum of one
19 hundred thousand dollars when reported into the House by the
20 committee on Ways and Means, shall be accompanied by a fiscal
21 note indicating the amount of public money which will be
22 required to be expended to carry out the provisions of the pro-
23 posed legislation, together with an estimate of the cost of opera-
24 tion and maintenance for the first year if a new project is
25 involved. [44.] (27.)

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

1 **33A.** Copies of all bills shall be available, in a format to be
2 determined by the Speaker in consultation with the Clerk, to all
3 members of the House and the public at least twenty-four hours in
4 advance of consideration by the House.

5 All amendments offered by members to any legislative matter
6 in the House shall be submitted in a format to be determined by
7 the Speaker in consultation with the Clerk; and shall be consid-
8 ered chronologically as submitted to the Clerk, except for an
9 amendment in the second degree; provided that all of said amend-
10 ments shall be double spaced and drafted in proper form; and pro-
11 vided further that there shall be available to the members a
12 duplicate copy of each amendment. (33A.)

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

1 **33B.** [Omitted Jan. 26, 2005.]

1 **33C.** [Omitted Jan. 26, 2005.]

1 **33D.** [Omitted Jan. 26, 2005.]

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

[Amended Jan. 26, 1999.]

1 **35.** Amendments proposed by the Senate, and sent back to the
2 House for concurrence, shall be referred to the Committee on

3 Bills in Third Reading provided, that amendments affecting state
4 finances shall be referred to the committee on Ways and Means on
5 the part of the House. [46.] (36.)

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

1 **36.** No bill shall be proposed or introduced unless received
2 from the Senate, reported by a committee, or moved as an amend-
3 ment to the report of a committee. [47.] (36.)

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

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

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

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

[Amended Jan. 11, 1985.]

1 **40.** No engrossed bill shall be amended, except by striking out
2 the enacting clause. A motion to strike out the enacting clause of a
3 bill shall be received when the bill is before the House for enact-
4 ment. If the bill contains an emergency preamble, a motion to
5 amend the bill may be received before the adoption of the emer-
6 gency preamble, and the amendment may contain a new emer-
7 gency preamble. This rule shall not apply to a bill or resolve
8 returned by the Governor with a recommendation of amendment
9 in accordance with the provisions of Article LVI of the Amend-
10 ments to the Constitution; nor shall it apply to amendments of
11 engrossed bills proposed by the Senate and sent to the House for

12 concurrence, which amendments shall be subject to the provisions
13 of rule thirty-five. [53.] (49.)
[Amended, Jan. 23, 2007.]

1 **41.** Bills received from the Senate and bills reported favorably
2 by committees, when not referred to another standing committee
3 of the House, shall, prior to being placed in the Orders of the Day,
4 be referred to the committee on Steering, Policy and Scheduling.
5 Resolutions received from and adopted by the Senate, or reported
6 in the House by committees, shall, if proposed for joint adoption,
7 be referred to said committee on Steering, Policy and Scheduling.
8 [56.] (26.)
[Amended Jan. 14, 1997; Jan. 26, 1999.]

1 **42.** Reports of committees, not by bill or resolve, including
2 orders if proposed for joint adoption, after they are received from
3 the Senate, or made in the House, as the case may be, shall, unless
4 subject to the provisions of any other House or joint rules, be
5 referred to the committee on Steering, Policy and Scheduling; pro-
6 vided that the report of a committee asking to be discharged from
7 further consideration of a subject, and recommending that it be
8 referred or recommitted to another committee, or a report of a
9 committee recommending that a matter be placed on file, shall be
10 immediately considered. Reports of committees on proposals for
11 amendments to the Constitution shall be dealt with in accordance
12 with the provisions of joint rule twenty-three. [57.] (36.)
[Amended Jan. 14, 1997.]

1 **42A.** The Clerk shall, prior to three o'clock P.M., on the day
2 preceding a session, make available by electronic communication
3 or other means, a list of all reports of the committee on Steering,
4 Policy and Scheduling, asking to be discharged from further con-
5 sideration of subjects, and recommending that the subjects be
6 referred to other committees.
[Adopted Jan. 26, 2005.]

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

Special Rules Affecting the Course of Proceedings.

1 **44.** The Speaker may designate when an informal session of the
2 House shall be held provided said Speaker gives notice of such
3 informal session at a prior session of the House. The Speaker may,
4 in cases of emergency, cancel a session or declare any session of
5 the House to be an informal session. At such session the House
6 shall only consider reports of committees, papers from the Senate,
7 bills for enactment or resolves for final passage, bills containing
8 emergency preambles and the matters in the Orders of the Day.
9 Motions to reconsider moved at such informal session shall be
10 placed in the Orders of the Day for the succeeding day, and no
11 new business shall be entertained, except by unanimous consent.

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

14 Upon the receipt of a petition signed by at least a majority of
15 the members elected to the House, so requesting, the Speaker
16 shall, when the House is meeting in formal session under the pro-
17 visions of Joint Rule 12A, designate a formal session, to be held
18 within seven days of said receipt, for the purpose of considering
19 the question of passage of a bill, notwithstanding the objections of
20 the Governor, returned pursuant to Article 2, Section 1, Clause 1,
21 Part 2 of the Massachusetts Constitution. This rule shall not be
22 suspended unless by unanimous consent of the members present.
23 [59.] (5A.)

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

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

9 Notwithstanding the provisions of this rule, during considera-
10 tion of the Orders of the Day, the committee on Ways and Means
11 and the committee on Bills in the Third Reading may present mat-

12 ters for consideration of the House after approval of two-thirds of
13 the members present and voting, without debate. [59.] (37.) [See
14 Rule 47.]

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

1 **46.** When the House does not finish the consideration of the
2 Orders of the Day, those which had not been acted upon shall be
3 the Orders of the Day for the next and each succeeding day until
4 disposed of, and shall be entered in the Calendar, without change
5 in their order, to precede matters added under Rule seven A; pro-
6 vided, however, that all other matters shall be listed in numerical
7 order by Calendar item.

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

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

1 **47.** No matter which has been duly placed in the Orders of the
2 Day shall be discharged therefrom, or considered out of the reg-
3 ular course. [61.] (38.) [See Rule 45.]

Voting.

1 **48.** Members desiring to be excused from voting shall make
2 application to that effect before the division of the House or the
3 taking of the yeas and nays is begun. Such application may be
4 accompanied by a brief statement of reasons by the member
5 making it, but shall be decided without debate, and shall not be
6 subject to the provisions of rule fifty-two. [64.] (57.)

1 **49.** If the presence of a quorum is doubted, a count of the
2 House shall be made. When a yea and nay vote is taken, the mem-
3 bers, with the exception of the Speaker, shall vote only from their
4 seats. A member who has been appointed by the Speaker to per-
5 form the duties of the Chair, or a person who has been elected
6 Speaker *pro tempore*, may designate some member or a court
7 officer to cast a vote for him/her on any vote taken on the elec-
8 tronic voting machine while such member is presiding. Said des-
9 igned member performing the duties of the Chair, or Speaker

10 *pro tempore*, may, if the Speaker is in the State House, cast the
11 vote for the Speaker. The Speaker shall state the pending question
12 before opening the machine for voting.

13 Except in the case of a vote to ascertain the presence of a
14 quorum, if a member is prevented from voting personally on the
15 voting machine at his/her assigned seat because of physical dis-
16 ability, said member shall, if present in the State House, be
17 excused from so voting and the Speaker shall assign a court
18 officer to cast said member's vote so long as said physical dis-
19 ability continues; provided that the Speaker shall announce the
20 action of the Chair to the membership prior to assigning a court
21 officer to cast the member's vote and provided further that the
22 Speaker shall announce the action to the membership the first time
23 a vote is cast for that member on each successive day. [65.]

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

1 **50.** When a question is put, the sense of the House shall be
2 taken by the voices of the members, and the Speaker shall first
3 announce the vote as it appears to said Speaker by the sound. If
4 the Speaker is unable to decide by the sound of the voices, or if
5 the announcement made thereupon is doubted by a member rising
6 in his/her place for that purpose, the Speaker shall order a division
7 of the number voting in the affirmative and in the negative,
8 without further debate upon the question. [66.] (55.)

[Amended Jan. 11, 1985.]

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

1 **52.** The sense of the House shall be taken by yeas and nays
2 whenever required by ten percent of the members elected. The
3 Speaker shall, after waiting up to an interval of twelve minutes,
4 state the pending question and, after opening the electronic voting

5 machine, instruct the members to vote for not less than two min-
6 utes and no more than twenty-two minutes, the Speaker shall close
7 said, machine and cause totals to be displayed and a record made
8 of how each member present voted.

9 Any member desiring to be recorded as being “present” when a
10 yea and nay vote is taken on the roll call machine shall so notify
11 the Clerk in person after said vote is ordered and before the vote is
12 announced.

13 In the event the voting machine is not in operating order, the
14 roll of the House shall be called in alphabetical order but however
15 said vote may be taken no member shall be allowed to vote or to
16 answer “present” who was not on The floor before the vote is
17 declared; provided, however, that a member, who was in the State
18 House on a previous roll call, may be recorded by reporting to the
19 Clerk within five minutes after such vote is closed, unless objec-
20 tion is made thereto and it is seconded; and provided further that
21 the presiding officer shall not, for said purpose, interrupt the
22 member who is speaking on the floor. The Speaker shall not enter-
23 tain any requests beyond said five minute period. Once the voting
24 has begun it shall not be interrupted except for the purpose of
25 questioning the validity of a member’s vote before the result is
26 announced. Except as heretofore provided, any member who shall
27 vote or attempt to vote for another member or any person not a
28 member who votes or attempts to vote for a member, or any
29 member or other person who willfully tampers with or attempts to
30 impair or destroy in any manner whatsoever the voting equipment
31 used by the House, or change the records thereon shall be pun-
32 ished in such manner as the House determines. [68.] (56, 57.)

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

1 **53.** The call for yeas and nays shall be decided without debate.
2 If the yeas and nays have been ordered before the question is put,
3 the proceedings under rules fifty and fifty-one relative to verifica-
4 tion of the vote by the voices of the members or by a return of
5 divisions shall be omitted; if not, they may be called for in lieu of
6 a return by divisions when the Speaker’s announcement is
7 doubted by a member rising in his/her place, and, if then ordered,

8 the proceedings under rules fifty and fifty-one shall be omitted.
9 [69.] (52.)
[Amended Jan. 26, 1999.]

Reconsideration.

1 **54.** No motion to reconsider a vote shall be entertained unless it
2 is made on the same day on which the vote was taken, or before
3 the Orders of the Day have been taken up on the next day there-
4 after on which a quorum is present. If reconsideration is moved on
5 the same day, the motion shall be placed first in the Orders of the
6 Day for the succeeding day; but, if it is moved on the succeeding
7 day, the motion shall be considered forthwith except that if said
8 motion is moved on a day on which an informal session has been
9 designated, it shall be placed in the Orders of the Day for the suc-
10 ceeding day. If reconsideration is moved on after July first ,of the
11 second annual session and thereafter, on any main question, it
12 shall be considered forthwith. This rule shall not prevent the
13 reconsideration of a vote on a subsidiary, incidental or dependent
14 question at any time when the main question to which it relates is
15 under consideration; and provided, further, that a motion to recon-
16 sider a vote on any subsidiary, incidental or dependent question
17 shall not remove the main subject under consideration from before
18 the House, but shall be considered at the time when it is made.
19 This rule shall not be suspended unless by unanimous consent of
20 the members present. [70.] (53.)
[Amended Jan. 12, 1981; Jan. 23, 2007.]

1 **55.** When a motion for reconsideration is decided, that decision
2 shall not be reconsidered, and no question shall be twice reconsid-
3 ered; nor shall any vote be reconsidered upon any of the following
4 motions:
5 to recess,
6 to adjourn,
7 on sustaining a ruling of the Chair,
8 to close debate at a specified time,
9 to postpone if voted in the negative,
10 to discharge or direct a committee to report,
11 to commit or recommit,

12 for second or subsequent legislative days,
13 for the previous question, or
14 for suspension of rules.
15 This rule shall not be suspended unless by unanimous consent
16 of the members present. [71.] (53.)
[Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

1 **56.** Debate on motions to reconsider shall be limited to fifteen
2 minutes, and no member shall occupy more than three minutes,
3 but on a motion to reconsider a vote upon any subsidiary or inci-
4 dental question, debate shall be limited to ten minutes, and no
5 member shall occupy more than three minutes.
6 If the House has voted to close debate on any question, a
7 motion to reconsider said question shall be decided without
8 debate. [72.] (52.)
[Amended Jan. 12, 1981; Jan. 12, 1987.]

RULES OF DEBATE.

1 **57.** Every member, when about to speak, shall rise and respect-
2 fully address the Speaker and shall confine himself/herself to the
3 question under debate. [73.] (39.)
[Amended Jan. 11, 1985.]

1 **58.** Every member while speaking shall avoid personalities; and
2 shall sit down when finished. No member shall speak out of
3 his/her place without leave of the Speaker. [73.] (39.)
4 When two or more members rise at the same time, the Speaker
5 shall name the member entitled to the floor, preferring one who
6 rises in his/her place to one who does not. [74.] (40.)
[Amended Jan. 11, 1985.]

1 **59.** If a member repeatedly violates any of the rules of the
2 House, or disrupts the orderly procedure of the House, the
3 Speaker, after warning the member of such violations, shall call
4 the member to order, and order that said member take his/her seat.
5 A member so called to order shall lose the right to speak on the
6 pending subject-matter but shall not be debarred from voting. A
7 member so called to order shall remain seated until the House

8 begins consideration of another subject-matter or unless the
9 Speaker earlier returns to the member his/her rights to the floor.

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

17 Having been named, a member shall not be allowed to resume
18 his/her seat until said member has complied with the recommen-
19 dations of the committee as accepted by the House.

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

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

1 **60.** No member shall interrupt another while speaking except
2 by rising to a point of order, to a question of personal privilege, to
3 doubt the presence of a quorum, or to ask the person speaking to
4 yield.

5 Members may rise to explain matters personal to themselves by
6 leave of the presiding officer, but shall not discuss pending ques-
7 tions in such explanations.

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

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

[Amended Jan. 12, 1981.]

1 **61.** No member shall speak more than once to the prevention of
2 those who have not spoken and desire to speak on the same ques-
3 tion.

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

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

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

Motions.

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

1 **63.** A motion need not be seconded, except an appeal from the
2 decision of the Chair, and may be withdrawn by the mover if no
3 objection is made. [78.] (44.)
[Amended Jan. 12, 1981.]

Limit of Debate.

1 **64.** A motion to recess or adjourn shall always be first in order,
2 and shall be decided without debate; and on the motions to close
3 debate at a specified time, to postpone to a time certain, to commit
4 or recommit, not exceeding ten minutes shall be allowed for
5 debate, and no member shall speak more than three minutes. On
6 the motion to discharge any committee, or on a motion directing
7 any committee to report matters before it, not exceeding fifteen
8 minutes shall be allowed for debate, and no member shall speak
9 more than three minutes.
10 If the main motion is undebatable, any subsidiary or incidental
11 motion made relating to it shall also be decided without debate.
12 [79.] (52.) [See Rules 56 and 83.]
[Amended Jan. 12, 1981.]

1 **64A.** Debate on the question on adoption of orders for second
2 and subsequent legislative days shall be limited to ten minutes,
3 and no member shall speak more than three minutes. After
4 entering into a second or subsequent legislative day, the House
5 shall immediately proceed to consideration of engrossed bills,
6 reports of committees, papers from the Senate or the Orders of the

7 Day. This rule shall not be suspended unless by unanimous con-
8 sent of the members present.

[Adopted Jan. 12, 1983.]

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

7 for the previous question, See Rules 66, 67 and 68
8 to close debate at a specified time, . . . See Rules 64, 69 and 70
9 to postpone to a time certain, See Rules 64 and 70
10 to commit (or recommit), See Rules 64 and 71
11 to amend, See Rules 72, 73, 74 and 75

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

14 [Amended Jan. 11, 1985.]

Previous Question.

1 **66.** Any member may call for the previous question on the main
2 question.

3 The previous question shall be put in the following form:
4 “*Shall the main question be now put?*” and all debate on the main
5 question shall be suspended until the previous question is decided.

6 The adoption of the previous question shall require the affirma-
7 tive vote of two-thirds of the members present and voting and
8 shall put an end to all debate, and bring the House to direct vote
9 upon pending amendments, if any, in their regular order, and then
10 upon the main question.

11 A motion to reconsider the vote on any of the pending amend-
12 ments shall be decided without debate. [81.]

[Amended Jan. 12, 1981.]

1 **67.** Any member may call for the previous question on any
2 pending amendment.

3 The previous question shall be put in the following form:
4 “*Shall the question on adoption of the amendment be now put?*”
5 and all debate shall be suspended until the previous question is
6 decided.

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

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

[Amended Jan. 12, 1981.]

1 **68.** The previous question shall be decided without debate.

Motion to Close Debate at a Specified Time.

1 **69.** Debate may be closed at any time not less than thirty min-
2 utes from the adoption of a motion to that effect. This rule shall
3 not be suspended unless by unanimous consent of the members
4 present. [85.] (47.)

Motion to Postpone to a Time Certain.

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

Motion to Commit.

1 **71.** When a motion is made to commit, and different commit-
2 tees are proposed, the question shall be taken in the following
3 order:

- 4 a standing committee of the House,
- 5 a select committee of the House,
- 6 a joint standing committee,
- 7 a joint selected committee;

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

Motion to Amend.

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

[Amended Jan. 12, 1983.]

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

[Amended Jan. 12, 1987.]

1 **73A.** No motion to amend a report from the committee on Ways
2 and Means or a report from the committee on Bills in the Third
3 Reading, when such an amendment contains an expenditure of
4 public money or an increase or decrease in taxes, shall be consid-
5 ered unless a brief explanation of the amendment is stated.

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

1 **74.** A question containing two or more propositions capable of
2 division shall be divided whenever desired by any member, if the
3 question includes points so distinct and separate that, one of them
4 being taken away, the other will stand as a complete proposition.
5 The motion to strike out and insert shall be considered as one
6 proposition and therefore indivisible. The question on ordering a
7 bill or resolve to a third reading, or to be engrossed, or to be
8 enacted, or similar main motions shall be considered as indivisible
9 under this rule. This rule shall not be suspended unless by unani-
10 mous consent of the members present. [91.] (45.)

[Amended Jan. 12, 1983.]

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

Declaration of Recess.

1 **76.** The Speaker may declare a recess of fifteen minutes dura-
2 tion, or less.

[Amended Jan. 9, 1991.]

APPEAL.

1 **77.** No appeal from the decision of the Speaker shall be enter-
2 tained unless it is seconded; and no other business shall be in
3 order until the question on the appeal has been disposed of.
4 Debate shall be limited to fifteen minutes on the question of sus-
5 taining a ruling by the Chair, and no member shall occupy more
6 than three minutes. [94.] (43A.) [See Rule 2.]

[Amended Jan. 9, 1989.]

RESOLVES.

1 **78.** Such of these rules as are applicable to bills, whether of the
2 House or of the Senate, shall apply likewise to such resolves as
3 require the concurrence of the Senate and approval by the Gov-
4 ernor in order to become law and have force as such. [95.]

SEATS.

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

5 (2) The Speaker shall assign members to vacant seats. The seat
6 assigned to any member, other than seats assigned under para-
7 graph (1) of this rule, shall be his/her seat for the year and for
8 such additional years as said member may elect so long as service
9 in the House remains continuous. An exchange of seats may be
10 made with the approval of the Speaker. [98.]

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

PRIVILEGE OF THE FLOOR.

1 **80.** The following persons shall be entitled to admission to the
2 House of Representatives, during the session thereof, to stand in
3 an area designated by the Speaker in the rear of the Chamber,
4 unless otherwise invited by said Speaker to occupy seats not num-
5 bered:

6 (1) The Governor and the Lieutenant-Governor, members of the
7 Executive Council, Secretary of the Commonwealth, Treasurer
8 and Receiver-General, Auditor of the Commonwealth, Attorney-
9 General, Librarian and Assistant Librarian.

10 (2) The members of the Senate.

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

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

17 No other person shall be admitted to the floor during the ses-
18 sion, except upon the permission of the Speaker.

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

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

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

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

**REPRESENTATIVES' CHAMBER AND
ADJOINING ROOMS.**

1 **81.** Use of the Representatives' Chamber shall be subject to the
2 approval of the Speaker or the Committee on Rules.

3 No legislative agent or counsel shall be admitted to the mem-
4 bers' corridor or adjoining rooms. No other person shall be
5 admitted to the members' corridor or adjoining rooms, except per-
6 sons entitled to the privileges of the floor of the House unless

7 upon written invitation of a member bearing the name of the
8 member and the person the member invites. Upon entering, the
9 invitation shall be given to the court officer assigned to the area.
10 The provisions of this paragraph shall not apply if the purpose of
11 admittance is to attend a meeting in an adjoining room to which
12 members of the general public are allowed to attend.

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

15 Subject to the approval and direction of the committee on Rules
16 during the session and of the Speaker after prorogation, the use of
17 the reporters' galleries of the House Chamber shall be under the
18 control of the organization of legislative reporters known as the
19 Massachusetts State House Press Association and the State House
20 Broadcasters Association.

21 Every legislative reporter desiring admission to the reporters'
22 galleries shall state in writing that he/she is not the agent or repre-
23 sentative of any person or corporation interested in legislation
24 before the General Court, and will not act as representative of any
25 such person or corporation while retaining a place in the galleries;
26 but nothing herein contained shall prevent such legislative
27 reporter from engaging in other employment, provided such other
28 employment is specifically approved by the committee on Rules
29 and reported to the House.

30 All formal sessions of the House of Representatives shall be
31 open to both commercial and public radio and television, except
32 designated times during such sessions, as determined by the
33 House, reserved for the consideration of non-controversial busi-
34 ness which does not give rise to debate. The manner and condi-
35 tions of such broadcasts shall be established by the Speaker.
36 Television, or radio or web- broadcasts may be prohibited on any
37 given day by the Speaker with the approval of the House.

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

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

QUORUM.

1 **82.** Eighty-one members shall constitute a quorum for the orga-
2 nization of the House and the transaction of business. [See amend-
3 ments to the Constitution, Art. XXXIII.]

4 In the event that a quorum is not present, the presiding officer
5 shall compel the attendance of a quorum. During the absence of a
6 quorum, no other business may be transacted or motions enter-
7 tained except a declaration of adjournment or a recess by the
8 Speaker. [105.]

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

**DEBATE ON MOTIONS FOR
SUSPENSION OF RULES.**

1 **83.** The question of suspension of House rules 45, 47, 56, 61,
2 64, 66, 67, 68, 69, 77 and 83 shall be decided without debate.
3 Debate upon the motion for the suspension of any other House
4 rule, unless otherwise indicated, or any joint rule shall be limited
5 to fifteen minutes and no member shall occupy more than three
6 minutes. This rule shall not be suspended unless by unanimous
7 consent of the members present. [102.] (52.)

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

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

[Amended Jan. 12, 1981.]

REFERENCE TO COMMITTEE ON RULES.

1 **85.** All motions or orders authorizing committees of the House
2 to travel or to employ stenographers, all propositions involving
3 special investigations by committees of the House, all resolutions
4 presented for adoption by the House only, and all motions and
5 orders except those which relate to the procedure of the House or
6 are privileged in their nature or are authorized by rule sixty-five,

7 shall be referred without debate to the committee on Rules, which
8 shall report thereon, recommending what action should be taken.
9 The committee shall not recommend suspension of joint rule nine,
10 unless evidence satisfactory to the committee is produced that the
11 petitioners have previously given notice, by public advertisement
12 or otherwise, equivalent to that required by Chapter 3 of the
13 General Laws. [104.] (13A.)

1 **85A.** The House committee on Rules shall provide that outside,
2 independent audits of House financial accounts be conducted at
3 the end of each fiscal year. A copy of such audit shall be filed
4 with the Clerk of the House and copies shall be made available to
5 the members and the general public. (13C.)

[Adopted Jan. 11, 1985.]

PARLIAMENTARY PRACTICE.

1 **86.** The rules of parliamentary practice shall govern the House
2 in all cases to which they are applicable, and in which they are not
3 inconsistent with these rules or the joint rules of the two branches.
4 (62.)

House of Representatives, January 23, 2007.

Adopted.



, Clerk