

HOUSE No. 3746

Filed by Speaker DiMasi of Boston. February 14, 2007.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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

Committees.

1 **1.** Joint standing committees shall be appointed at the begin-
2 ning of the political year as follows:—

- 3 A committee on *Bonding, Capital Expenditures and State Assets*;
- 4 A committee on *Children, Families and Persons With Disabilities*;
- 5 A committee on *Community Development and Small Businesses*;
- 6 A committee on *Consumer Protection and Professional Licensure*;
- 7 A committee on *Economic Development and Emerging*
- 8 *Technologies*;
- 9 A committee on *Education*;
- 10 A committee on *Elder Affairs*;
- 11 A committee on *Election Laws*;
- 12 A committee on *Environment, Natural Resources and Agriculture*;
- 13 A committee on *Financial Services*;
- 14 A committee on *Health Care Financing*;
- 15 A committee on *Higher Education*;
- 16 A committee on *Housing*;
- 17 A committee on *the Judiciary*;
- 18 A committee on *Labor and Workforce Development*;
- 19 A committee on *Mental Health and Substance Abuse*;
- 20 A committee on *Municipalities and Regional Government*;
- 21 A committee on *Public Health*;
- 22 A committee on *Public Safety and Homeland Security*;
- 23 A committee on *Public Service*;
- 24 A committee on *State Administration and Regulatory Oversight*;

- 25 A committee on *Revenue*;
- 26 A committee on *Telecommunications, Utilities and Energy*;
- 27 A committee on *Tourism, Arts and Cultural Development*;
- 28 A committee on *Transportation*;
- 29 A committee on *Veterans and Federal Affairs*.

30 Each to consist of six members of the Senate, and eleven on the
31 part of the House except the committees on Economic Develop-
32 ment and Emerging Technologies, Health Care Finance and Trans-
33 portation which shall consist of seven members of the Senate and
34 thirteen on the part of the House.

35 Within three calendar days of the opening of each annual ses-
36 sion of the General Court the committees on Rules of the Senate
37 and House of Representatives shall meet concurrently to establish
38 at least one designated day of each week and designated hours
39 during that day which shall be set aside for the holding of formal
40 sessions of the respective branches and during which the joint
41 standing committee shall not hold public hearings or executive
42 sessions of their members from the opening of the first annual ses-
43 sion through the fourth Wednesday in April in that session.

44 Within four weeks of the appointment of joint standing commit-
45 tees in the first annual session of the General Court, each joint
46 standing committee shall adopt rules of procedure regarding the
47 conduct of said committee. Said rules of procedure shall be filed
48 with the Clerk of the Senate and the Clerk of the House and shall
49 be available to the public and members of the General Court.

50 Except as provided by Joint Rules 1E and 1F, each matter shall be
51 referred only to one joint committee for consideration and all
52 reports of matters by joint committees shall be made to the House
53 or the Senate, pursuant to Joint Rule 4, not to another joint com-
54 mittee. The committee to which a matter is initially referred may
55 discharge the matter to another committee with jurisdiction over
56 the matter.

57 Matters referred by either the Senate or the House to its com-
58 mittee on Ways and Means shall be considered by the respective
59 committees of the two branches, acting as a joint committee,
60 when, in the judgment of the chairmen of the respective commit-
61 tees of the two branches, the interests of legislation or the expedi-
62 tion of business will be better served by such joint consideration.

63 Matters may also be referred to the committees on Ways and
64 Means, of the two branches, as a joint committee.

65 The committee on Rules, together with the presiding officers of
66 the two branches, acting concurrently, may consider and suggest
67 such measures as shall, in their judgment, tend to facilitate the
68 business of the session and a majority vote of the two branches
69 shall be required to approve such recommendations.

70 In order to assist the House and the Senate in their (1) consider-
71 ation and enactment of new legislation and of modifications of
72 existing laws, when either are deemed to be appropriate; (2) eval-
73 uation of the effectiveness and administration of laws and pro-
74 grams already enacted in the Commonwealth; and (3) appraisal of
75 conditions and circumstances which may indicate the desirability
76 of enacting new legislation, the various joint committees shall
77 have oversight responsibilities as provided in the following para-
78 graphs:

79 (i) Each joint committee shall review and study, on a continuing
80 basis, the implementation, administration, execution and effective-
81 ness of those laws, or parts of law, the subject matter of which is
82 within the jurisdiction of that committee, the administrative regu-
83 lations adopted to implement those laws, and those state agencies
84 or entities having responsibilities for the administration and exe-
85 cution of such laws.

86 (ii) In carrying out these review and study activities, each com-
87 mittee shall determine whether such laws, administrative regula-
88 tions and programs thereunder are being implemented in
89 accordance with the intent of the General Court and whether such
90 laws, administrative regulations and programs should be con-
91 tinued, curtailed or eliminated.

92 (iii) Each committee shall also review and study any conditions
93 and circumstances which may indicate the necessity or desirability
94 of enacting new legislation within the jurisdiction of that com-
95 mittee (whether or not any matter has been introduced with
96 respect thereto), and shall on a continuing basis undertake
97 research on matters within the jurisdiction of that committee.

98 Committees shall coordinate oversight activities, under the
99 direction of the presiding officers of both branches, for the pur-
100 pose of achieving the maximum objectives of clauses (i), (ii) and
101 (iii).

102 Each committee shall, upon completion of its oversight hear-
103 ings, be authorized to report to the General Court the results of its
104 findings and recommendations, with accompanying corrective
105 legislation, if any, by filing the same with the Clerk of the House
106 of Representatives or the Clerk of the Senate. Copies of such
107 reports shall be printed and be made available for the members
108 and the public. The disposition of said reports shall be determined
109 by the Clerks with the approval of the Speaker and the President.

110 Temporary employees of the general court assigned to a join
111 committee who are students at an accredited education institution
112 or employees or grantees of other non-profit organizations under
113 section 501 (c) (3) of the Internal Revenue Code may receive
114 compensation from such organization, according to that organiza-
115 tion's regular program of providing such compensation for tempo-
116 rary governmental or public service employment. A temporary
117 employee's Senate or House supervisor shall establish the
118 employee's total compensation, shall verify that the sum of the
119 employee's state compensation, if any, and any outside compensa-
120 tion that the employee is to receive under this rule would not
121 exceed this total compensation, and shall file the written terms of
122 the employee's compensation with the Senate Personnel Office or
123 House Human Resources Office, where it shall be available for
124 public inspection. The temporary employee shall sign a confiden-
125 tiality and ethics agreement provided by the Senate Personnel
126 Office or House Human Resources Office.

[Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and
26, 1885; Jan. 8, 18 86; Jan. 12, 18 87; Jan. 9, 18 88; Jan. 28, 18
89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18 92; Feb.
7, 18 93; Jan. 8, 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97;
Jan. 10, 18 98; Jan. 9, 18 99; Jan. 22 and 29, 1901; Jan. 6, 19 02;
Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19 07; Jan. 5, 19
10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan.
1 and 8 and Feb. 21, 19 19; Jan. 7, 19 20; Jan. 5, 19 21; April 17
and 30, 1925; Jan. 5, 19 27; Jan. 7, 19 31; Jan. 6, 19 37; Jan. 4, 19
39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb.
1, 19 49; Jan. 7, 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63;
Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19 66; Jan. 30, 19 67; Jan.
7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3,
1981; Dec. 21, 1981; Mar. 15, 1982; Oct. 3, 1983; June 3, 1985;

Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 , June 12, 1995 ; July 17, 2003; Jan. 26, 2005; July 21 and September 20, 2005.]

1 **1A.** Private or executive meetings of joint committees acting
2 concurrently, Senate and House standing committees, special
3 committees of the Senate and House of Representatives, and joint
4 special committees and committees of conference on the dis-
5 agreeing votes of the two branches shall be open to the public,
6 unless a majority shall vote otherwise.

[Adopted July 17, 1973. Amended July 18, 1974.]

1 **1B.** A joint standing committee must hold a public hearing on
2 each matter referred to it in each legislative session. A joint
3 standing committee may adopt in its rules a provision stating that
4 during the second year of the General Court the committee will
5 accept only written testimony on matters that were heard by that
6 committee during the first year.

[Adopted June 3, 1985.]

1 **1C.** All joint standing committees shall schedule committee
2 hearings and executive sessions so as not to conflict, to the extent
3 feasible, with the schedules of other committees and so as not to
4 conflict with the day of the week and hours of the day which have
5 been designated under Joint Rule 1 as the day of the week and
6 times during that day set aside for formal sessions of the respec-
7 tive branches from the first Wednesday in January through the
8 fourth Wednesday of April in the first annual session.

[Adopted June 3, 1985. Amended June 12, 1995.]

1 **1D.** All meetings of joint standing committees, and special joint
2 committees of the Senate and House of Representatives, shall be
3 open to the public, and any person shall be permitted to attend any
4 such meeting unless such committee convenes in private session,
5 as provided herein. All joint standing committees will determine a
6 schedule for committee hearings to be held from the beginning of
7 the first annual session through the fourth Wednesday in June in
8 said session. These committee schedules shall be submitted to the
9 Sergeant-at-Arms who shall cause them to be published. Estab-
10 lishment of such schedules shall not preclude joint standing com-

11 mittees from scheduling additional hearings or meetings as
12 needed. No private session shall be held except upon extraordi-
13 nary circumstances and only after the committee has first con-
14 vened in an open session for which notice has been given, the
15 presiding officer has stated that the purpose of the private session,
16 a majority of the committee members present has voted to go into
17 private session, the vote of each member has been recorded on a
18 roll call vote, and the presiding officer has stated before the pri-
19 vate session if the committee will reconvene after the private ses-
20 sion. The records of all such roll calls shall be kept in the offices
21 of the committee for the duration of the General Court during
22 which said vote was recorded, and shall be available for public
23 inspection upon reasonable notice and during regular office hours.

24 All joint standing committees, and special joint committees of
25 the Senate and House of Representatives, shall give notice of the
26 time, place and agenda of all public hearings and executive ses-
27 sions no less than forty-eight hours prior to the time of such meet-
28 ings.

29 Nothing contained in this rule shall prohibit any joint standing
30 committee or special joint committee of the Senate and the House
31 of Representatives from taking appropriate action, including but
32 not limited to the exclusion of a person from a committee
33 meeting, in order to prevent the disruption of or interference with
34 committee proceedings.

35 The forty-eight hour requirement shall be suspended in an
36 emergency only after all reasonable efforts have been made to
37 contact all committee members and upon a recorded vote of at
38 least a majority of the members of each branch appointed to the
39 committee, but no less than two-thirds of the members of each
40 branch voting. [Adopted June 3, 1985. Amended June 12, 1995.]

41 A meeting of a committee may be recorded by a person in
42 attendance by means of a recorder or any other means of
43 audio/visual reproduction except when a meeting is held in execu-
44 tive session; provided, that a person notifies the Chairs of the
45 committee prior to commencing such recording; and provided fur-
46 ther that during such recording there is no interference with the
47 conduct of the meeting.

1 **1E.** The joint standing committee on Health Care Financing
2 shall review all legislation relating to health care to evaluate the
3 appropriateness and fiscal effect of such legislation. A matter
4 within the jurisdiction of said committee may, if appropriate, ini-
5 tially be referred to another joint standing committee sharing
6 jurisdiction of the subject-matter. Once reported by such joint
7 standing committee, the matter shall be referred to the joint com-
8 mittee on Health Care Financing, and the matter shall thereafter
9 be reported to the branch in which the bill originated.

10 For all matters initially referred to the joint committee on
11 Health Care Financing and not previously referred to another joint
12 committee, the joint committee on Health Care Financing may
13 make favorable reports to either branch, at the discretion of the
14 committee, except that reports on money bills shall be made to the
15 House.

16 In compliance with the provisions of section 38A of chapter 3
17 of the General Laws, the joint committee on Health Care
18 Financing when reporting on bills referred to them shall include
19 therewith a fiscal note prepared in accordance with the provisions
20 of section 3A of chapter 29 of the General Laws, showing the esti-
21 mated cost or the fiscal effect of the proposed legislation, if, in the
22 opinion of said committee, such cost or fiscal effect exceeds the
23 sum of one hundred thousand dollars ; provided, however, that
24 any matter reported by the committee on Health Care Financing
25 with a fiscal effect that does not exceed one hundred thousand
26 dollars shall not be referred, under the rules, to the committee on
27 Ways and Means.

[Adopted Jan. 26, 2005. Amended May 19, 2005.]

1 **1F.** The joint committee on *Bonding, Capital Expenditures and*
2 *State Assets* shall review all legislation providing for the giving,
3 loaning or pledging of the credit of the Commonwealth (see
4 *Article LXII* of the Amendments to the Constitution, as amended
5 by *Article LXXXIV*). Said committee shall be responsible for eval-
6 uating such legislation and determining the appropriateness of
7 enacting legislation containing increased bond authorizations for
8 the Commonwealth. The committee shall periodically review and
9 hold open public hearings, accepting oral and written testimony
10 on the status of the bonds and notes of the Commonwealth,

11 including (1) general obligation debt; (2) dedicated income tax
12 debt; and (3) special obligation debt. The committee shall also, in
13 its continuing study of the state's bonding practices, review the
14 Commonwealth's liabilities relative to (a) state-supported debt;
15 (b) state-guaranteed debt; and (3) indirect obligations.

16 Any bill providing for borrowing for new projects, and
17 requiring the Commonwealth to issue bonds for such purpose,
18 shall, prior to its reference to the committee on Ways and Means,
19 be referred to the committee on Bonding, Capital Expenditures
20 and State Assets for report on its relationship to the finances of
21 the Commonwealth. A measure may initially be referred to
22 another joint committee with jurisdiction over the subject matter
23 before being referred to the committee on Bonding, Capital
24 Expenditures and State Assets.

25 The joint committee shall consult with the various agencies of
26 the Executive branch and the office of the Treasurer and Receiver-
27 General relative to project expenditures, availability of funds, the
28 sale of new bonds and the resultant debt obligations, federal reim-
29 bursements and other related funding and bonding issues.

30 The joint committee on Bonding, Capital Expenditures and
31 State Assets shall be authorized to conduct hearings relative to the
32 statutory authority of the Executive branch and the Treasurer and
33 Receiver-General in the issuance and sale of bonds and notes and
34 the expenditure of capital funds by the various agencies and
35 authorities of the Commonwealth. The committee shall determine
36 whether such laws, administrative regulations and programs are
37 being implemented in accordance with the intent of the General
38 Court. The committee shall be authorized to make recommenda-
39 tions for statutory changes and changes in the Constitution which
40 would grant discretion to the Legislature over the allotment and
41 expenditure of fund authorized by capital appropriations.

42 The committee on Bonding, Capital Expenditures and State
43 Assets shall be authorized to report to the General Court from
44 time to time on the results of its hearings and to file drafts of leg-
45 islation and proposals for amendments to the Constitution neces-
46 sary to carry its recommendations into effect.

47 Messages from the Governor setting terms of bonds and notes,
48 or for the de-authorization or authorization of bonds and notes
49 shall be referred to the committee on *Bonding, Capital Expendi-
50 tures and State Assets.*

[Adopted Jan. 26, 2005.]

1 **1G.** The Senate and House chairmen and the Senate and House
2 ranking minority members of the *joint committee on Public Safety*
3 *and Homeland Security* shall be authorized to receive security
4 clearance from federal and state homeland security officials in
5 order to be granted access to confidential homeland security brief-
6 ings, information and materials. The committee chairmen and
7 ranking minority members may designate one or more members of
8 their staffs to be authorized to receive such security clearance.
9 Any person who receives security clearance under this provi-
10 sion shall sign any and all confidentiality agreements required by
11 homeland security officials. The breach of any such confiden-
12 tiality agreement shall constitute a violation of the Joint Rules of
13 the Senate and House of Representatives. Any alleged violation of
14 a confidentiality agreement shall be referred for investigation to
15 the *Senate committee on Ethics and Rules* or the *House committee*
16 *on Ethics*, respectively, and, if appropriate, to law enforcement
18 authorities for potential criminal prosecution.

[Adopted Jan. 26, 2005.]

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

1 **2A.** No member of either branch shall purchase, directly or
2 indirectly, the stock or other securities of any corporation or asso-
3 ciation knowing that there is pending before the General Court
4 any measure specially granting to such corporation or association
5 any immunity, exemption, privilege or benefit or any measure pro-
6 viding for the creation of, or directly affecting any, contractual
7 relations between such corporation or association and the Com-
8 monwealth. This rule shall not apply to the purchase of securities
9 issued by the Commonwealth or any political subdivision thereof.
10 [See *G.L. chapter 268, section 10.*]

[Adopted Jan. 16, 1922.]

1 **3.** (a) When the General Court is in session authorization for
2 any committee of the Senate or House of Representatives to travel
3 during the session of the General Court shall be approved by a
4 vote of two-thirds of the members of its branch present and
5 voting. (b) When the General Court is in session, authorization for

6 any committee of the Senate or House of Representatives to sit
7 and travel during the recess of the General Court shall be
8 approved by a vote of two-thirds of the members of each branch
9 present and voting. (c) During the recess of the General Court, the
10 President of the Senate and the Speaker of the House of Represen-
11 tatives may, by written consent, allow standing committees of
12 their respective branches or appoint special committees to sit,
13 travel and incur expenses not exceeding sums authorized in
14 writing by said presiding officers and appropriated for such pur-
15 poses. (d) When the General Court is in session, authorization for
16 any joint committee to travel during the session, or to sit or travel
17 during the recess, of the General Court shall be approved by a
18 vote of two-thirds of the members of each branch present and
19 voting. (e) During the recess of the General Court, the President
20 of the Senate and the Speaker of the House of Representatives,
21 acting jointly, may, by written consent, allow joint committees or
22 appoint joint special committees to sit, travel and incur expenses
23 not exceeding sums authorized in writing by said presiding offi-
24 cers and appropriated for such purposes. The Clerks of the Senate
25 and House of Representatives shall be notified of any appoint-
26 ments made and authorizations granted during the recess for said
27 committees to sit, travel and incur expenses during the recess and
28 the Clerks shall enter such information in the journals for the next
29 year, as soon as may be practicable. Committees authorized by the
30 presiding officers to sit during the recess in the odd numbered
31 year shall report not later than the fourth Wednesday of January
32 during the following year and committees authorized by the pre-
33 siding officers to sit during the recess in the even numbered year
34 shall report not later than the fourth Wednesday of December
35 during the same year.

36 No committee shall travel except at the expense of the Com-
37 monwealth. In any case when a committee is authorized to travel,
38 the Sergeant-at-Arms shall provide transportation only for mem-
39 bers of the committee and the officer accompanying them, and the
40 reasonable traveling expenses of such members and officers only
41 shall be charged to or paid by the Commonwealth. Neither the
42 Sergeant-at-Arms nor the officer detailed by him shall permit any
43 person to accompany such committee while in the discharge of its
44 official duties unless invited by vote of the committee.

45 All bills for the travelling expenses of committees shall be sub-
46 mitted by the Sergeant-at-Arms to the committee by whom they
47 have been incurred and shall be approved by a majority of said
48 committee before being presented to the Comptroller for payment.

[Adopted Feb. 7, 1890. Amended Feb. 2, 1891; Jan. 20, 1904;
April 17, 1925; March 2, 1943; July 27, 1950; Oct. 18, 1971;
March 28, 1972; Jan. 15, 1973.]

1 **3A.** A joint standing committee may, upon the written and
2 signed report of two-thirds of the members of the Senate and
3 two-thirds of the members of the House appointed to said com-
4 mittee, report a bill or other form of legislation without said legis-
5 lation being founded upon petition; provided, however, that
6 matters so reported shall be germane to the subject matters regu-
7 larly referred to the committee. The committee shall hold a public
8 hearing on such bill or other form of legislation before it is
9 reported. A bill or other form of legislation so reported shall be
10 placed in the Orders of the Day by the Clerk of the respective
11 branch wherein it is reported or referred to a standing committee
12 of said branch under the rules. All reports of committees not
13 founded upon petition shall bear the designation “committee bill,
14 resolve, order or resolution”, as the case may be, in the Orders of
15 the Day. Committees to which messages from the Governor,
16 reports of state officers, boards, committees, commissions and
17 others authorized to report to the General Court, may report by
18 bill or otherwise such legislation as may be germane to the subject
19 matter referred to them.

[Adopted June 3, 1985.]

1 **4.** Favorable reports, and adverse reports on subjects of legisla-
2 tion other than petitions, by joint committees may be made to
3 either branch, at the discretion of the committee, having reference
4 to an equal distribution of business between the two branches,
5 except that reports on money bills shall be made to the House; and
6 if adverse reports on matters other than petitions which are
7 accompanied by “money bills” are accepted by the House, this
8 shall constitute final rejection. Adverse reports by joint commit-
9 tees on petitions shall be made to the branch in which the petition

10 was originally introduced, excepting that such adverse reports on
11 petitions accompanied by proposed “money bills” shall be made
12 to the House; and, if accepted by the branch in which they are
13 made, shall be considered as a final rejection. When a report is
14 made from any committee to either branch, and the subject-matter
15 thereof is subsequently referred therein to a joint committee, such
16 committee shall report its action to the branch in which the refer-
17 ence originated. [See also *Joint Rule 5*.]

18 A vote of a joint standing committee to give legislation a favor-
19 able or adverse report shall be conducted by a roll call upon
20 request of two committee members present at the committee
21 meeting. Such votes shall be recorded on appropriate forms that
22 show all votes for and against the particular committee action.
23 The records of all such roll calls shall be kept in the offices of the
24 committee for the duration of the General Court during which said
25 vote was recorded, and shall be available for public inspection
26 upon reasonable notice and during regular office hours.

27 A report of a joint standing committee will not be final and
28 shall not be filed until all committee members have been given the
29 opportunity to sign an appropriate form to accompany said report
30 signifying approval of, dissent or abstention from, said report. No
31 signature shall be valid unless the report to which the signature is
32 affixed includes the substantially complete text of the legislation
33 being reported.

[Amended Jan. 3, 1952; April 8, 1959 ; June 7, 1965; Jan. 7,
1971; March 11, 1974; June 3, 1985.]

1 **4A.** In compliance with the provisions of *section 38A of*
2 *chapter 3* of the General Laws, all joint committees of the General
3 Court when reporting on bills referred to them shall include there-
4 with a fiscal note prepared in accordance with the provisions of
5 *section 3A of chapter 29* of the General Laws, showing the esti-
6 mated cost or the fiscal effect of the proposed legislation, if, in the
7 opinion of said committee, such cost exceeds the sum of one hun-
8 dred thousand dollars.

[Adopted Jan. 15, 1973.]

1 **5.** Matters reported adversely by joint committees and the com-
2 mittees on Rules of the two branches, acting concurrently, may be

3 recommitted to the same committees at the pleasure of the branch
4 acting thereon, and bills or resolves may be recommitted in either
5 branch. If a bill or resolve is laid aside in either branch for the
6 reason that it is declared to be broader in its scope than the sub-
7 ject-matter upon which it is based, the subject-matter shall be
8 recommitted to the committee. A concurrent vote shall, however,
9 be necessary for recommitment, with instructions. After recommit-
10 ment, report shall, in all cases, be made to the branch originating
11 the recommitment.

[Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7,
1953; March 26, 1963; Jan. 30, 1967; Jan. 7, 1971; March 11,
1974.]

1 **6.** Bills and resolves reported by joint committees shall be
2 printed or fairly written in a legible hand, without material erasure
3 or interlineations, and on not less than one sheet of paper, with
4 suitable margins, and with spaces between the several sections.
[Amended Jan. 28, 1889; Jan. 9, 1941; Feb. 8, 1949.]

Joint Petitions.

1 **6A.** A member of the Senate and a member of the House of
2 Representatives may file a joint petition in either branch and shall
3 endorse their name thereon and a brief statement of the nature and
4 object of the instrument; and the reading of the instrument shall be
5 dispensed with, unless specially ordered. The petition shall be
6 filed in the office of the clerk of either the Senate or House of
7 Representatives, depending on whether it is a “Joint Senate-House
8 Petition” or a “Joint House/Senate Petition” but the Journal
9 records in the Senate and House of Representatives shall carry
10 both members’ names as presenters of the petition.

[Adopted Jan. 15, 1973 .]

1 **7.** Whenever, upon any application for an act of incorporation
2 or other legislation, the purpose for which such legislation is
3 sought can be secured without detriment to the public interests by
4 a general law or under existing laws, the committee to which the
5 matter is referred shall report such general law, or “ought not to
6 pass”.

[Amended Feb. 2, 1891 ; Feb. 7, 1893 ; Jan. 7, 1971.]

1 **7A.** A petition for legislation to authorize a county to reinstate
2 in its service a person formerly employed by it, or to retire or pen-
3 sion or grant an annuity to any person, or to increase any retire-
4 ment allowance, pension or annuity, or to pay any sum of money
5 in the nature of a pension or retirement allowance, or to pay any
6 salary which would have accrued to a deceased official or
7 employee but for his death, or to pay any claim for damages or
8 otherwise, or to alter the benefits or change the restrictions of any
9 county retirement or pension law, shall, subsequently to the proce-
10 dure required by Senate Rule No. 20 and by House Rule No. 24,
11 be reported adversely, unless, when filed it be the petition of, or
12 be approved by, a majority of the county commissioners.

[Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec.
22, 1920; May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12,
1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7, 1971;
Jan. 15, 1973.]

1 **7B.** A petition, the operation of which is restricted to a partic-
2 ular city or town (and which does not affect the powers, duties,
3 etc., of state departments, boards, commissions, etc., or which
4 does not affect generally the laws of the Commonwealth) and
5 which is not filed in conformity with Section 8 of Article
6 LXXXIX of the Amendments to the Constitution shall, subse-
7 quent to the procedure required by Senate Rule 20 and House
8 Rule 24, be reported adversely, unless when filed, be on petition
9 filed or approved by the voters of a city or town, or the mayor and
10 city council, or other legislative body, of a city, or the town
11 meeting of a town. A joint committee to which is inadvertently
12 referred a petition or other subject of legislation the operation of
13 which is restricted to a particular city or town and which is not in
14 conformity with Section 8 of Article LXXXIX of the Amend-
15 ments to the Constitution shall report a general law which applies
16 alike to all cities, or to all towns, or to all cities and towns, or to a
17 class of not fewer than two; or shall report “ought not to pass”,
18 with the further endorsement that it “would be unconstitutional to
19 enact such special law”.

[Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920;
May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan.
9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7 and
Mar. 22, 1971 ; Jan. 15, 1973.]

Notice to Parties Interested.

1 **8.** No legislation affecting the rights of individuals or the rights
2 of a private or municipal corporation, otherwise than as it affects
3 generally the people of the whole Commonwealth or the people of
4 the city or town to which it specifically applies, shall be proposed
5 or introduced except by a petition, nor shall any bill or resolve
6 embodying such legislation be reported by a committee except
7 upon a petition duly referred, nor shall such a bill or resolve be
8 reported by a committee, whether on an original reference or on a
9 recommittal with instructions to hear the parties, until it is made
10 to appear to the satisfaction of the committee that proper notice of
11 the proposed legislation has been given by public advertisement
12 or otherwise to all parties interested, without expense to the Com-
13 monwealth, or until evidence satisfactory to the committee is pro-
14 duced that all parties interested have in writing waived notice. A
15 committee reporting adversely for want of proper notice or of a
16 waiver thereof shall set forth this fact in its report and no bill or
17 resolve shall be in order as a substitute for, or amendment of, such
18 report. Objection to the violation of this rule may be taken at any
19 stage prior to that of the third reading.

[Adopted Feb. 7, 1890. Amended Dec. 22, 1920 ; Jan. 12, 1939;
Jan. 15, 1945 ; Jan. 7, 1971.]

1 **9.** A petition for the incorporation of a city or town, for the
2 annexation of one municipality to another, for the consolidation of
3 two or more municipalities or for the division of an existing
4 municipality, or for the incorporation or revival of a railroad,
5 street railway, elevated railroad, canal, telephone, telegraph,
6 water, gas, electric light, power or other public service corpora-
7 tion, for the amendment, alteration or extension of the charter or
8 corporate powers or privileges, or for the change of name, of any
9 such company, whether specially incorporated or organized under
10 general laws, or for authority to take water for a water supply, or
11 relative to building structures in or over navigable or tide waters,
12 shall be placed on file, and not referred to a committee, unless the
13 petitioner has given the notice and followed the procedure
14 required by *section 5 of chapter 3* of the General Laws, as
15 appearing in the Official Edition. But if, no objection being raised,
16 any such petition is referred to a committee without such required

17 notice or procedure, the committee shall forthwith report
18 adversely, setting forth as the reason for such report failure to
19 comply with the provisions of law, unless evidence satisfactory to
20 the committee is produced that all parties interested have in
21 writing waived notice. In case a bill or resolve is reported upon
22 such a petition, after proof of such waiver of notice, this fact shall
23 be set forth in the report of the committee. When an adverse
24 report is made by a committee, on account of failure to give the
25 required notice, no bill or resolve shall be substituted for such
26 report, nor shall such report be recommitted or referred to another
27 committee.

28 A petition for the establishment or revival, or for the amend-
29 ment, alteration or extension of the charter or corporate powers or
30 privileges, or for the change of name, of any corporation, except a
31 petition subject to the provisions of the preceding paragraph, shall
32 be transmitted by the Clerk of the branch in which it is filed to the
33 office of the *State Secretary*. If such a petition is returned by said
34 Secretary with a statement that the petitioner has failed to comply
35 with the requirements of *section 7 of chapter 3* of the General
36 Laws, as appearing in the Official Edition, said petition shall be
37 placed on file, and shall not be referred to a committee.

38 Any petition placed on file for want of proper notice or proce-
39 dure under this rule shall not affect action upon any other measure
40 involving the same subject matter.

[Adopted Feb. 7, 1890. Amended Feb. 2, 1891; Feb. 3, 1898;
Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926; Feb. 27,
1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941;
Jan. 15, 1945; April 8, 1959; Jan. 7, 1963; Jan. 7, 1971; Jan. 15,
1973 , June 12, 1995.]

Limit of Time allowed for Reports of Committees.

1 **10.** All joint committees and the committees on Rules of the
2 two branches, acting concurrently, shall make final report not later
3 than the third Wednesday of March of the second annual session
4 of the General Court on all matters referred to them before the
5 third Wednesday in February of the second annual session and
6 within 30 days on all matters referred to them on and after the

7 third Wednesday in February of the second annual session of the
8 General Court except that the committee on Health Care
9 Financing and the committee on Bonding, Capital Expenditures
10 and State Assets shall make final report not later than the last
11 Wednesday of April of the second annual session on all matters
12 referred to them on or before the fourth Wednesday of March and
13 within 30 days on all matters referred to them after the fourth
14 Wednesday in March of the second annual session of the General
15 Court. When the time within which said committees are required
16 to report has expired, all matters upon which no report has then
17 been made shall forthwith be reported by the chairman of the
18 committee on the part of the branch in which they were respec-
19 tively introduced, with an adverse recommendation under this
20 rule. If the chairman fails to make such report by the end of the
21 legislative day next following the expiration date, all matters
22 remaining unreported shall be placed in the Orders of the Day by
23 the Clerk of the branch in which the matter was originally filed
24 with an adverse report under this rule. Matters which have been
25 referred under the provisions of Joint Rule 29, upon which the
26 chairmen of the committees on Rules fail to make a report, shall
27 be placed by the respective Clerks in the Orders of the Day of the
28 branch in which the subject matter was referred to said commit-
29 tees. Committees to whom are referred subjects of legislation may
30 combine petitions of similar subject matter, or other forms of leg-
31 islation of similar subject matter, into one adverse report, and the
32 report thereon shall be that said petitions or other forms of legisla-
33 tion “ought NOT to pass,” and if the report is accepted, all the
34 matters contained therein shall be disposed of. However, petitions
35 upon which an adverse report is accepted in only one branch may
36 not be combined with other subjects of legislation upon which
37 adverse reports must be accepted, in concurrence. The provisions
38 of this rule shall not apply to petitions referred to the committees
39 on Rules of the two branches, acting concurrently, under the pro-
40 visions of the second paragraph of Joint Rule 12. This rule shall
41 not be rescinded, amended or suspended, except by a concurrent
42 vote of four-fifths of the members of each branch present and
43 voting thereon. Notwithstanding the provisions of Joint Rule 30,

44 this rule shall not be rescinded, amended or suspended more than
45 three times except by unanimous consent.

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

1 **10A.** The form for all subjects of legislation receiving a favor-
2 able report shall be “ought to pass.” The form for all subjects of
3 legislation receiving an adverse report shall be “ought NOT to
4 pass.” A committee to whom is referred any other matter may
5 report recommending that the same be placed on file.

[Adopted Jan. 7, 1971.]

Committees of Conference.

1 **11.** Committees of conference shall consist of three members
2 on the part of each branch, representing its vote; and their report,
3 if agreed to by a majority of each committee, shall be made to the
4 branch asking the conference, and may be either accepted or
5 rejected, but no other action shall be had, except through a new
6 committee of conference.

7 Committees of conference to whom are referred matters of dif-
8 ference in respect to bills or resolves, shall, before filing their
9 reports, have the same approved by the committee on Bills in the
10 Third Reading of the branch to which the report is to be made.

[Amended April 22, 1937.]

1 **11A.** Committees of conference to whom are referred matters of
2 difference in respect to appropriation bills, including capital
3 outlay programs, shall, before filing their reports, have the same
4 approved by the committees on Bills in the Third Reading of the
5 two branches, acting concurrently.

6 Upon the appointment of a committee of conference to whom
7 matters of difference in respect to any appropriation bill or in
8 respect to any bill providing for capital outlay programs and pro-
9 jects are referred, the clerk of the branch requesting said com-
10 mittee of conference shall cause to be printed and made available
11 to members of the General Court a list of the matters in disagree-

12 ment identified by item number and item purpose and showing the
13 amount appropriated therefor by each branch of the General
14 Court, and any other matters in disagreement and the position of
15 each of the said branches with respect thereto.

16 The report of said committee of conference shall consist of the
17 matters of difference so referred and so identified, showing the
18 amounts appropriated therefor by each of the said branches and
19 other matters in disagreement and the position of each branch with
20 respect thereto, and shall state said committee's recommendations
21 with respect to the matters so referred. Matters on which there
22 exists no disagreement between the branches shall not be dis-
23 turbed by the committee on conference.

24 The committees on ways and means of each branch of the
25 General Court shall assist such committee of conference in any
26 and all matters necessary to the preparation and completion of its
27 report.

[Adopted July 30, 1974. Amended Oct. 3, 1983.]

1 **11B.** No report from a committee of conference shall be consid-
2 ered or acted upon by either branch until the calendar day
3 following during which said report shall have been in print and
4 available to the public and to the members of the General Court.
5 The committee shall file its report no later than eight o'clock P.M.
6 on the day preceding its consideration and the General Court shall
7 not consider said report before one o'clock P.M. on the following
8 day, except that a report from such committee of conference that it
9 is unable to agree may be considered and acted upon at the time
10 that such report is file.

[Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and
September 20, 2005.]

Limit of Time allowed for New Business.

1 **12.** Resolutions intended for adoption by both branches of the
2 General Court, petitions, and all other subjects of legislation, shall
3 be deposited with the Clerk of either branch prior to five o'clock
4 in the afternoon on the second Wednesday in January of the first
5 annual session of the General Court.

6 All such matters (except messages from the Governor, reports
7 required or authorized to be made to the Legislature and petitions
8 filed or approved by the voters of a city or town, or the mayor and
9 city council, or other legislative body of a city, or the town
10 meeting of a town, for the enactment of a special law in compli-
11 ance with the requirements of Section 8 of Article LXXXIX of the
12 Amendments to the Constitution and which do not affect the
13 powers, duties, etc., of state departments, boards, commissions,
14 etc., or which do not affect generally the laws of the Common-
15 wealth) deposited with the respective clerks subsequent to five
16 o'clock on the second Wednesday of January of the first annual
17 session of the General Court shall be referred by the Clerks to the
18 committees on the Rules of the two branches, acting concurrently.
19 No such matter shall be admitted for consideration except on
20 report of the committees on Rules of the two branches, acting con-
21 currently, and then upon approval of two thirds of the members of
22 each branch voting thereon. Matters upon which suspension of
23 Joint Rule 12 has been negatived shall be placed on file.

24 At any special session called under Rule 26A, however, matters
25 relating to the facts constituting the necessity for convening such
26 session shall, if otherwise admissible, be admitted as though filed
27 seasonably in accordance with the first sentence of this rule. Any
28 recommendations from the Governor shall be similarly consid-
29 ered. This rule shall not be rescinded, amended or suspended,
30 except by a concurrent vote of two-thirds of the members of each
31 branch present and voting thereon.

[Amended Feb. 7, 1890; Feb. 2, 1891; Feb. 7, 1893; Jan. 10,
1898; Jan. 9, 1899; Feb. 15, 1901; May 4, 1904; Jan. 31, 1910;
Feb. 2, 1917; Dec. 22, 1920; March 30, 1921; Jan. 30, 1923; Feb.
15, 1933; Jan. 12 and Aug. 7, 1939; Jan. 15, 1945; Jan. 6, 1947;
May 27, 1948; Jan. 30, 1967; March 26, 1969; Jan. 7, 1971; Jan.
15 and Oct. 2, 1973; Oct 3, 1983 , June 12, 1995; Jan. 26, 2005;
July 17, 2003; Jan. 26, 2005; July 21 and September 20, 2005.]

12A. All formal business of the first annual session of the
1 General Court shall be concluded no later than the third
2 Wednesday in November of that calendar year and all formal busi-
3 ness of the second annual session shall be concluded no later than
4 the last day of July of that calendar year.

5 In order to assist the Senate and House in its analysis and
6 appraisal of laws enacted by the General Court, each joint
7 standing committee, upon conclusion of the formal business of the
8 annual sessions, shall, as authorized by Joint Rule 1, initiate over-
9 sight hearings for the purpose of evaluating the effectiveness,
10 application and administration of the subject matter of laws within
11 the jurisdiction of that committee.

[Adopted June 12, 1995.]

Unfinished Business of the Session.

1 **12B.** Any matter pending before the General Court at the end of
2 the first annual session and any special session held in the same
3 year shall carry over into the second annual session of the same
4 General Court in the same legislative status as it was at the con-
5 clusion of the first annual session or any special session held
6 during that year; provided, however, that any measure making or
7 supplementing an appropriation for a fiscal year submitted to or
8 returned to the General Court by the *Governor*, under the provi-
9 sions of Article LXIII of the Amendments to the Constitution, in
10 the first annual session or in a special session held during that
11 year shall cease to exist upon the termination of the first annual
12 session.

[Adopted June 12, 1995.]

Papers to be deposited with the Clerks.

1 **13.** Papers intended for presentation to the General Court by
2 any member thereof shall be deposited with the Clerk of the
3 branch to which the member belongs; and all such papers, unless
4 they be subject to other provisions of these rules or of the rules of
5 the Senate or House, shall be referred by the Clerk, with the
6 approval of the President or Speaker, to appropriate committees,
7 subject to such changes as the Senate or House may make. The
8 reading of papers so referred may be dispensed with, but they
9 shall, except as hereinafter provided, be entered in the Journal of
10 the same on the next legislative day after such reference.

11 Papers so deposited previously to the convening of the General
12 Court by any member-elect shall be referred in like manner and

13 shall be printed in advance, conformably to the rules and usages
14 of the Senate or House, and shall be entered in the Journal as soon
15 as may be practicable.

16 A member or member-elect may include a brief written state-
17 ment of intent with all papers intended for presentation to the
18 General Court. Upon a favorable report by a joint standing com-
19 mittee, a committee may include a brief written statement of
20 intent. Said written statement shall be dated and be limited in
21 length to one double-spaced typewritten page and shall include
22 the scope of the matter presented for consideration; provided,
23 however, this rule shall not be construed to require the printing of
24 such statement of intent presented pursuant to this rule.

[Adopted Feb. 7, 18 90 . Amended Feb. 2, 18 91 ; Feb. 7, 1893;
Jan. 25, 1894; Dec. 22, 1920 ; May 25, 1923; Feb. 15, 1933; Jan.
12, 1971; June 3, 1985.]

Dockets of Legislative Counsel and Agents.

1 **14.** The committees on *Rules* of the two branches, acting con-
2 currently, shall have authority to prescribe the manner and form of
3 keeping the dockets of legislative counsel and agents which are
4 required by law.

[Adopted Feb. 2, 1891. Amended Feb. 19, 1920.]

Duties of the Clerk.

1 **15.** If any part of the report of a committee over the signature
2 of the chairman or members of the committee is amended in either
3 branch, the Clerk of that branch shall endorse upon the report such
4 amendment.

1 **16.** All papers, while on their passage between the two
2 branches, may be under the signature of the respective Clerks,
3 except as to the adopting of emergency preambles and the final
4 passage of bills and resolves. Messages may be sent by such per-
5 sons as each branch may direct.

[Amended Feb. 21, 1919.]

1 **17.** After bills and resolves have passed both branches to be
2 engrossed, they shall be in the charge of the Clerks of the two
3 branches, who shall prepare the same for final passage in the
4 manner prescribed by law; and when so prepared the same shall
5 be delivered to the Clerk of the House of Representatives; and
6 when the bills have been passed to be enacted or the resolves have
7 been passed in the House, they shall, in like manner, be delivered
8 to the Senate Clerk and Parliamentarian. If a bill or resolve con-
9 tains an emergency preamble, it shall be delivered in like manner,
10 to the Senate after the preamble has been adopted by the House of
11 Representatives and before the bill or resolve is put upon its final
12 passage in that branch. If the Senate concurs in adopting the pre-
13 amble, the bill or resolve shall be returned to the House to be
14 there first put upon its final passage, in accordance with the
15 requirements of Joint Rule No. 22.

[Amended Feb. 24, 1914; Feb. 21, 1919; Jan. 7, 1971.]

1 **18.** [Omitted in 1971.]

1 **19.** The Clerk of the branch in which a bill or resolve originated
2 shall make an endorsement on the envelope of the engrossed copy
3 thereof, certifying in which branch the same originated, which
4 endorsement shall be entered on the journals by the Clerks respec-
5 tively.

[Amended Jan. 28, 1889; Feb. 24, 1914.]

1 **20.** Bills, resolves and other papers requiring the approval of
2 the Governor shall be laid before him for his approbation by the
3 Senate Clerk and Parliamentarian, who shall enter upon the
4 journal of the Senate the day and date on which the same were so
5 laid before the Governor.

[Amended Jan. 28, 1889; Jan. 7, 1971.]

Printing and Distribution of Documents.

1 **21.** The committees on Rules of the two branches, acting con-
2 currently, may make regulations for the distribution of all docu-
3 ments printed or assigned for the use of the Legislature not
4 otherwise disposed of, and such regulations shall be reported to
5 and be subject to the order of the two branches.

6 Under the general order to print a bill or other document, the
7 number printed shall be determined by the Clerks of the two
8 branches as approved by the *President of the Senate* and the
9 *Speaker of the House of Representatives*, except that such number,
10 not exceeding two thousand, shall be printed as determined by the
11 committee on Rules on the part of the branch in which the report
12 is filed.

13 The Clerks of the Senate and House of Representatives, with
14 the approval of the President and Speaker, may have printed, doc-
15 uments for use of committees.

16 Leave to report in print shall not be construed to authorize the
17 printing of extended reports of evidence.

18 Bills, reports and other documents, printed under the general
19 order of either branch, shall be distributed as follows, to wit: two
20 copies to each member of the Senate and House of Representa-
21 tives (to be placed on his file under the direction of the Sergeant-
22 at-Arms, if desired by the member); three copies to each Clerk in
23 either branch, and three copies to each reporter in regular atten-
24 dance, to whom a seat has been assigned in either branch; twenty
25 copies to the Executive; twenty copies to the Secretary's office;
26 six copies to the State Library; one copy to each Public Library in
27 the Commonwealth, which shall make due application therefor to
28 the Sergeant-at-Arms, and shall make proper provision for the
29 transmission and preservation thereof; and, when the document is
30 the report of a committee, ten copies shall be assigned to the com-
31 mittee making the report. The Sergeant-at-Arms shall preserve as
32 many as may be necessary for the permanent files to be placed in
33 the lobbies, and distribute the remainder under such regulations as
34 may be prescribed by said committees, acting concurrently.

35 The committees on Rules of the two branches, acting concur-
36 rently, may make such changes in distribution of documents as
37 they deem necessary for expediting the work of the legislature.

[Amended Jan. 8, 1886; Jan. 28, 1889; Jan. 27, 1911; Feb. 19,
1920; Jan. 6, 1947; Apr. 5, 1967; Jan. 7, 1971.]

Emergency Measures.

1 **22.** The vote on the preamble of an emergency law, which
2 under the requirements of Article XLVIII, as amended by Article

3 LXVII of the Amendments of the Constitution must, upon request
4 of two members of the Senate or of five members of the House of
5 Representatives, be taken by call of the yeas and nays, shall be
6 had after the proposed law has been prepared for final passage;
7 and neither branch shall vote on the enactment of a bill or on the
8 passage of a resolve containing an emergency preamble until it
9 has been determined whether the preamble shall remain or be
10 eliminated. If the bill contains an emergency preamble, a motion
11 to amend the bill may be received in either branch before the
12 adoption of the emergency preamble, and the amendment may
13 contain a new emergency preamble. If the two branches concur in
14 adopting the preamble, the bill or resolve shall first be put upon
15 its final passage in the House of Representatives. If either branch
16 fails to adopt the preamble, notice of its action shall be sent to the
17 other branch; and the bill or resolve, duly endorsed, shall again be
18 prepared for final passage without the said preamble and without
19 any provision that the bill or the resolve shall take effect earlier
20 than ninety days after it has become law. Procedure shall be other-
21 wise in accordance with the joint rules and the rules of the Senate
22 and the House of Representatives.

[Adopted Feb. 21, 1919. Amended Jan. 30, 1923; Jan. 7, 1971.]

1 **22A.** Bills and resolves passed to be engrossed by both
2 branches and before being transmitted by the clerks to the Legisla-
3 tive Engrossing Division shall be made available to the commit-
4 tees on Bills in the Third Reading of the two branches, acting
5 jointly, who shall examine them to insure accuracy in the text; that
6 the legislation is correct as to form; that references to previous
7 amendments to any particular law are correct and to insure proper
8 consistency with the language of existing statutes. These commit-
9 tees, with the approval of the majority and minority leadership of
10 both branches may make corrections which are not substantive in
11 nature. The clerks of both branches shall be immediately notified,
12 in writing, of any such changes. Errors discovered by the commit-
13 tees of a substantive nature shall be reported to the General Court,
14 which in turn shall take appropriate action under its rules. Upon
15 completion of examination and possible correction of any such
16 bills and resolves, the bills and resolves shall be returned to the

17 clerks, who in turn, shall transmit them to the Legislative
18 Engrossing Division to be prepared for final passage.

[Adopted Sept. 16, 1971.]

Legislative Amendments to the Constitution.

1 **23.** All proposals for amendments to the Constitution referred
2 to a joint committee on the first annual session of the General
3 Court shall be reported by said committee no later than the last
4 Wednesday of April in said year, and proposals for amendments to
5 the Constitution referred to a joint committee subsequent to the
6 last Wednesday in April of the first annual session shall be
7 reported by said committee no later than the last Wednesday of
8 April in the second session of the same General Court. The com-
9 mittee shall file its report, either recommending that the proposal
10 ought to pass or ought not to pass, with any official papers in its
11 possession that relate thereto, with the Clerk of the Senate. When
12 the time within which said committees are required to report has
13 expired, all matters upon which no report has been made shall
14 forthwith be placed in the Journal of the respective branches, with
15 an adverse report under this rule; and shall then be placed on file
16 in the office of the Clerk of the Senate. For further information of
17 the members of the Senate and House of Representatives, the
18 respective Clerks shall also place all such matters under a separate
19 heading in the Calendar of each branch, as soon as is practicable.
20 In each branch the report shall be read and forthwith placed on
21 file; and no further legislative action shall be taken on the measure
22 unless consideration in joint session is called for by vote of either
23 branch, in accordance with the provisions of Section 2 of Part IV
24 of Article XLVIII (as amended by Article LXXXI) of the Amend-
25 ments to the Constitution. A joint committee to which is referred
26 any recommendation for an amendment to the Constitution made
27 by the Governor or contained in a report authorized to be made to
28 the General Court may report thereon a proposal for a legislative
29 amendment, which shall be deemed to have been introduced by
30 the member of the Senate who reports for the committee; and the
31 procedure as regards reporting, filing and subsequent action shall
32 be that provided for legislative amendments by this rule. Or it may
33 report ought not to pass for the reason that no legislation is neces-

34 sary or that the recommendation ought not to pass; and in such
35 cases the usual procedure as regards similar reports by joint com-
36 mittees shall be followed. If such an adverse report is amended in
37 the Senate by substituting a proposal for a legislative amendment,
38 notice of the Senate's action shall be sent to the House and the
39 said proposal, together with the official papers relating to the sub-
40 ject, shall be in the custody of the Clerk of the Senate; and if the
41 said report is so amended in the House, the proposal, duly
42 endorsed, together with the other papers, shall be sent to the
43 Senate for its information and shall be kept in the custody of its
44 Clerk. No further legislative action shall be taken in either branch
45 on a proposal so substituted unless consideration in joint session
46 is called for in accordance with the before mentioned provisions
47 of the Constitution. If either branch calls for the consideration of
48 any proposal in joint session, notice of its action shall be sent to
49 the other branch; and it shall then be the duty of the Senate and
50 the House of Representatives to arrange for the holding of the
51 joint session not later than the second Wednesday in May. Subject
52 to the requirements of the Constitution, joint sessions or continu-
53 ances of joint sessions of the two branches to consider proposals
54 for specific amendments to the Constitution, and all rules or pro-
55 visions concerning procedure therein, shall be determined only by
56 concurrent votes of the two branches. The rules relative to joint
57 conventions shall apply to the joint sessions of the two houses.

[Adopted Feb. 21, 1919. Amended March 30, 1921; April 11,
1935 ; Jan. 12, 1939; Jan. 15, 1945; Nov. 9, 1951; Jan. 15, 1973;
July 1, 1974.]

Executive Reorganization Plans.

1 **23A.** Any reorganization plan (accompanied by a bill) sub-
2 mitted by the Governor under the provisions of Article LXXXVII
3 of the Amendments to the Constitution shall be referred by the
4 Clerks of the Senate and the House, with the approval of the Pres-
5 ident and Speaker, to a joint standing committee within five days
6 of the presentation thereof.

7 Said committee, to which is referred any such reorganization
8 plan, shall, as required by said Article, not later than thirty days
9 after the presentation of such plan by the Governor, hold a public

10 hearing thereon; and shall not later than ten days after such
11 hearing report that it either approves or disapproves such plan.

12 When recommending action, the committee shall make, in each
13 branch, a separate report of its recommendations, and shall file
14 said report together with the committee's recommendations and
15 the reasons therefor in writing. Majority and minority reports shall
16 be signed by the members of said committee. Any official papers
17 in the possession of said committee that relate thereto shall be
18 filed with the Clerk of the Senate.

19 If the committee recommends favorable action, the report shall
20 be that the reorganization plan "ought to be approved". If the
21 committee recommends adverse action, the report shall be that the
22 reorganization plan "ought NOT to be approved". In each
23 instance, the question shall be "Shall this reorganization plan be
24 approved?"

25 In each branch, the report shall be read and forthwith recorded
26 in the Journal. On the legislative day next following the Journal
27 record, the report shall be placed in the Orders of the Day of the
28 Senate and the House.

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

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

41 A motion to discharge any committee to which is referred or to
42 which is recommitted a reorganization plan shall not be in order
43 prior to the expiration of forty days after the Governor's presenta-
44 tion of such plan. After the expiration of said forty days, a motion
45 to discharge a committee shall be decided by a majority vote of
46 the branch in which the motion is made.

47 Unless disapproved by a majority vote of the members of either
48 of the two branches of the General Court present and voting, the
49 General Court not having prorogued within sixty days from the
50 date of presentation by the Governor, the plan shall be approved
51 and shall take effect as provided by Article LXXXVII of the
52 Amendments to the Constitution.

53 Within seven days of the expiration of the sixty days from the
54 date of presentation of said plan by the Governor, unless the ques-
55 tion has already been decided, the Clerks of the Senate and House
56 of Representatives shall place the plan in the Orders of the Day;
57 and no motions except the motions to take a recess, to adjourn,
58 and previous question, or to close debate at a specified time, shall
59 be in order.

60 No such reorganization plan presented to the General Court
61 shall be subject to change or amendment before expiration of such
62 sixty days.

[Adopted June 13, 1967. Amended March 27, 1969; June 12,
1995.]

Joint Conventions.

1 **24.** The President of the Senate shall preside in Conventions of
2 the two branches, and such Conventions shall be held in the Rep-
3 resentatives' Chamber; the Senate Clerk and Parliamentarian shall
4 be the Clerk of the Convention, and a record of the proceedings of
5 the Convention shall be entered at large on the journals of both
6 branches.

1 **25.** When an agreement has been made by the two branches to
2 go into Convention, such agreement shall not be altered or
3 annulled, except by concurrent vote, excepting that it shall be in
4 order to recess the convention from time to time upon a majority
5 vote of said convention.

[Amended Jan. 7, 1971.]

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

Special Sessions.

1 **26A.** If written statements of twenty-one members of the
2 Senate and eighty-one members of the House of Representatives,
3 that in their opinion it is necessary that the General Court
4 assemble in special session on a particular date and time specified
5 therein during a recess of the General Court, are filed with their
6 respective Clerks, such Clerks shall forthwith notify all the mem-
7 bers of their respective branches to assemble at the State House in
8 Boston on said date at the time so specified. When so assembled,
9 the first business to be taken up shall be the question of the neces-
10 sity of so assembling, in accordance with Article I of Section I of
11 Chapter I of Part the Second of the Constitution of the Common-
12 wealth. If twenty-one members of the Senate and eighty-one
13 members of the House of Representatives judge by vote taken by
14 call of the yeas and nays that such assembling of the General
15 Court is necessary, specifying in such vote the facts constituting
16 such necessity, the General Court shall then complete its organiza-
17 tion as a special session, proceed to the consideration of the sus-
18 pension of Joint Rule 12A which if suspended by the required
19 two-thirds of the members of both branches will permit the
20 General Court to proceed to the consideration of matters properly
21 before it. Nothing herein contained shall prevent the General
22 Court from assembling in any other constitutional manner when it
23 judges necessary. [Adopted Aug. 7, 1939. Amended March 2,
24 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and
25 September 20, 2005.]

Joint Elections.

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

1 **27A.** In all cases of elections by ballot a majority of the votes
2 cast shall be necessary for a choice, and where there shall be no
3 such a majority on the first ballot the ballots shall be repeated
4 until a majority is obtained; and in balloting, blanks shall be
5 rejected and not taken into the count in the enumeration of votes,

6 excepting that when the number of blanks shall be more than the
7 number of votes received by the candidate having the highest
8 number of votes, then the election shall be declared void and the
9 balloting shall be repeated as provided herein.

[Adopted March 27, 1969.]

1 **28.** [Omitted March 28, 1972.]

References to the Committees on Rules.

1 **29.** All motions and orders authorizing joint committees to
2 travel or to employ stenographers, or authorizing joint committees
3 or special commissions composed as a whole or in part of mem-
4 bers of the General Court to make investigations or to file special
5 reports, all propositions reported by joint committees which
6 authorize investigations or special reports by joint committees or
7 by special commissions composed as a whole or in part of mem-
8 bers of the General Court, all motions or orders proposed for joint
9 adoption which provide that information be transmitted to the
10 General Court, and all matters referred under the provisions of the
11 second paragraph of Joint Rule 12, shall be referred without
12 debate to the committees on Rules of the two branches, acting
13 concurrently, who shall report thereon, in accordance with the
14 provisions of Joint Rule 10. All matters which have been referred
15 under this rule shall, in each instance, be reported back into the
16 branch making such reference.

[Adopted Jan. 10, 1898. Amended Jan. 20, 1904; Jan. 28, 1913;
Feb. 19 and Dec. 22, 1920; April 11, 1935; April 22, 1937; Jan.
27, 1955; Jan. 30, 1967; Oct. 18, 1971.]

1 **30.** All motions or orders extending the time within which joint
2 committees and the committees on Rules of the two branches,
3 acting concurrently, are required to report shall be referred
4 without debate to the committees on Rules of the two branches,
5 acting concurrently, who shall report recommending what action
6 should be taken thereon. Such extension shall be granted by a con-
7 current majority vote if recommended by the committees on Rules
8 of the two branches, acting concurrently; but no such extension

9 shall be granted, against the recommendation of the said commit-
10 tees, except by a four-fifths vote of the members of each branch
11 present and voting thereon. This rule shall not be rescinded,
12 amended or suspended, except by a concurrent vote of four-fifths
13 of the members of each branch present and voting thereon.

[Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920;
Jan. 6, 1947; Jan. 27, 1955; June 7, 1965.]

Members.

1 **31.** A member of either branch who directly or indirectly
2 solicits for himself or others any position or office within the gift
3 or control of a railroad corporation, street railway company, gas or
4 electric light company, telegraph or telephone company, aqueduct
5 or water company, or other public service corporation, shall be
6 subject to suspension therefor, or to such other penalty as the
7 branch of which he is a member may see fit to impose. [*See G. L.*
8 *271, sec. 40.*]

[Adopted May 22, 1902.]

Accommodations for Reporters.

1 **32.** Subject to the approval and direction of the committees on
2 Rules of the two branches, acting concurrently, during the session,
3 and of the President of the Senate and the Speaker of the House
4 after prorogation, the use of the rooms and facilities assigned to
5 reporters in the State House shall be under the control of the orga-
6 nizations of legislative reporters known as the Massachusetts State
7 House Press Association and the State House Broadcasters Asso-
8 ciation. No person shall be permitted to use such rooms or facili-
9 ties who is not entitled to the privileges of the reporters' galleries
10 of the Senate or of the House. Within ten days after the General
11 Court convenes the Massachusetts State House Press Association
12 and the State House Broadcasters Association shall each transmit
13 to the President of the Senate, the Speaker of the House of Repre-
14 sentatives and the Sergeant-at-Arms a list of the legislative
15 reporters with the principal publication or news service which
16 each represents.

[Adopted Jan. 27, 1911. Amended Feb. 24, 1914; Feb. 19,
1920; April 17, 1925; May 23, 1979.]

Suspension of Rules.

1 **33.** Any joint rule except the tenth and thirtieth may be altered,
2 suspended or rescinded by a concurrent vote of two-thirds of the
3 members of each branch present and voting thereon.

[Amended Feb. 7, 1893 . Adopted in revised form Jan. 9, 1899.
Amended Jan. 16, 1903; Jan. 26, 2005.]

Audit of Accounts.

1 **34.** The committees on Rules of the two branches, acting con-
2 currently, shall provide that an outside independent audit of joint
3 financial accounts be conducted by a certified public accountant
4 no less frequently that at the end of each second fiscal year. A
5 copy of such audit shall be filed with the Clerks of the Senate and
6 House of Representatives and made available for public inspec-
7 tion upon reasonable notice and during regular office hours.

[Adopted May 30, 1985.]

1 **35.** The Committee of Rules of the two branches, acting con-
2 currently, shall reexamine the Joint Rules of the House and Senate
3 as needed, but at least every four years, and shall report to each
4 branch any recommendations it may have to facilitate the work of
5 the respective branches and the joint standing committees.

[Adopted June 12, 1995.]


, Clerk