

**JOINT COMMITTEE ON CHILDREN, FAMILIES AND PERSONS WITH DISABILITIES**  
Committee Rules for 2011-2012 Legislative Sessions

**A. Public Hearing Procedures:**

1. All bills assigned to the Joint Committee on Children, Families and Persons with Disabilities shall be scheduled for a Public Hearing, except that the Chairs may agree to discharge bills inappropriately assigned to the Committee.
2. Whenever possible, bills that are referred to the Committee should be scheduled according to subject matter. The House and Senate Chairs shall be responsible for determining the schedule for all Public Hearings and Executive Sessions, and for determining the agenda for each Public Hearing and Executive Session. The House Chair, in consultation with the Senate Chair, shall be responsible for notifying the Committee members and keeping all records of Committee activity.
- 3.) At least 48 hours in advance of any Public Hearing or Executive Session, excluding Saturdays, Sundays and legal holidays, all members of the committee shall receive by electronic message an official notice including copies of bills and summaries. An electronic message should also be sent to all members informing them of the date, time, location and agenda. Notice shall be distributed to the House and Senate Clerks at least 48 hours prior to the hearing. The Chairs may suspend the 48-hour requirement in an emergency pursuant to Joint Rule 1D.

**B. Public Hearing Conduct:**

- 1.) The House or Senate Chair, as determined by said Chairs prior to each hearing, shall serve as the Presiding Chair and conduct the order of business for the public hearings. In the absence of the House or Senate Chair, a Vice-Chair shall preside.
- 2.) Committee members may question individuals testifying before the Committee only after being recognized by the Presiding Chair. All questions shall be pertinent to the subject matter.
- 3.) At the discretion of the Presiding Chair, legislators and other elected public officials wishing to testify may be recognized at any time during the public hearing.
- 4.) Oral testimony will be accepted on all matters before the Committee as they appear on the agenda. Proponents will be recognized by the Presiding Chair prior to individuals wishing to testify in opposition.
- 5.) Unless waived by the Presiding Chair, all persons testifying before the Committee shall furnish and state the following information prior to testifying:

Bill number and title  
Name  
Title (if applicable)

Organization (if applicable)  
Address  
Telephone Number

- 6.) Written statements should be submitted to the Committee no later than the hearing date and not read during the public hearing unless allowed by the Presiding Chair.
- 7.) After giving due consideration to the importance of the subject matter, number of bills, number of witnesses and the length of time available, the Presiding Chair may reasonably limit the length of questioning by each member and the testimony of witnesses.
- 8.) At the discretion of the Chairs, agencies may be asked to submit their written responses to proposals affecting their agency no later than the scheduled hearing date. In addition, a representative of said agency may be requested to prepare oral testimony for the day of the hearing and to be on hand to answer questions at the Public Hearing and the Executive Session.

### **C. Executive Sessions:**

- 1.) Executive Sessions shall be held after each public hearing or at other appropriate times as determined by the House and Senate Chairs. Whenever an Executive Session is held at a time other than after a Public Hearing, each member of the Committee shall be furnished with adequate advance notice of the date, time, location, bill numbers and subject of such session. Notice shall be distributed to the House and Senate Clerks. Adequate advance notice shall mean at least 48 hours, excluding Saturdays, Sundays, and legal holidays.
- 2.) All Executive Sessions shall be open to the public, unless a majority of the Committee members present votes to close such session in accordance with Joint Rule 1D. In addition, the public may not comment at an Executive Session unless specifically questioned by the presiding Chair.
- 3.) All Executive Sessions must be attended by both the Senate and House Chair.
- 4.) The members of the Committee may appropriately discuss each bill and vote by choosing one of the following recommendations:
  1. Ought to pass.
  2. Ought to pass with amendment(s).
  3. Ought to pass - Committee redraft.
  4. Ought to pass - accompanied study order.
  5. Ought to pass - accompanied similar petition.
  6. Ought not to pass.

The vote of a majority of the members present, including the House and Senate Chairs, shall constitute the recommendation of the Committee.

- 5.) Any member of the Committee shall have the right to be listed as approving of, dissenting from, or reserving his/her rights on any report, provided such member notifies the House

and Senate Chairs before 4:45 p.m. on the day of the Executive Session or, if the vote occurred after 4:45 p.m., then before 9:15 a.m. of the next business day.

- 6.) Bills reported by the Committee shall be sent to the branch of the Legislature in which the matter originated, unless the Chairs determine otherwise.
- 7.) Any member of the Committee present at an Executive Session may move for reconsideration of an Executive Session vote after such session has closed, provided that written notice is given to the House and Senate Chairs before 4:45 p.m. on the same day as the Executive Session or, if the vote occurred after 4:45 p.m., then before 9:15 a.m. of the next business day. Only one such motion for reconsideration shall be permitted for each bill. At the discretion of the Chairs, the vote for reconsideration may be taken at the same session or at a later Executive Session.
- 8.) There are two instances in which a poll may be conducted to determine the recommendation of the Committee on any specific bill:
  - 1.) A poll shall be conducted on a bill that has had a hearing, should two members of the Committee request it. The two members so requesting a poll must make such request, in person, at the Executive Session during which the Committee's vote originally was to have been determined.
  - 2.) A poll may be conducted in regards to a bill that has not had a hearing, with the consent of both Chairs. A copy of the bill and a summary thereof shall be distributed to each member of the Committee, together with a memorandum containing the subject of the poll and a deadline for responding.

In both of the above-mentioned instances, the House and Senate Chairs may waive the 48-hour notice requirement for polls. The votes shall be recorded on appropriate forms and the record of all such roll calls shall be kept in the office of the Committee. The votes of a majority of those members responding to the poll shall constitute the official recommendation of the Committee.

#### **D. Miscellaneous:**

- 1.) A notice and agenda of every public hearing of the Committee shall be filed with the Clerk of the Senate and Clerk of the House and publicly posted in such places as are designated in advance for such purpose by said Clerks, at least 48 hours prior to the time of such meeting, excluding Saturdays, Sundays and legal holidays. The notice shall include the date, time and place of such meeting.
- 2.) A copy of these rules shall be on file with the Senate and House Clerks and shall be made available to the public at the offices of the Senate and House Committee Chairs and at all public hearings and Executive Sessions of the Committee.
- 3.) Pursuant to Joint Rule 3A, all matters requiring legislation shall be founded upon petition, excepting that the Committee on Children and Families acting concurrently, upon written and signed report of two-thirds of the members of the Senate and two-thirds of the members of the House appointed to the Committee, may report a bill or other form of legislation without said petition, provided however, that matters so reported shall be

germane to the subject matters regularly referred to said Committee, and the Committee shall hold a public hearing on such bill or other form of legislation before it is reported.

- 4.) Any rule contained herein may be amended upon written and signed report of two-thirds of the members appointed to the Committee on Children, Families and Persons with Disabilities. Any rule contained herein may be suspended by two-thirds of the members present and voting at any meeting of the Committee.

**Adopted Unanimously: March 3, 2011**



THE COMMONWEALTH OF MASSACHUSETTS  
JOINT COMMITTEE ON COMMUNITY DEVELOPMENT AND SMALL BUSINESS  
STATE HOUSE, BOSTON 02133

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**Rules of the Joint Committee on  
Community Development and Small Businesses for 2011-2012**

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***A. General Rules for Public Hearings***

- 1) All matters referred to the Committee in each legislative session shall be given a public hearing. All public hearings shall be conducted by the Senate Chair or the House Chair according to a schedule established by the Chairs. The Committee need not hold public hearings, however, in cases where:
  - 1.1 a public hearing on the bill has already been held before another joint committee with jurisdiction over the subject matter and a second public hearing before the Committee is not otherwise required;
  - 1.2 the Chairs agree to waive the public hearing requirement based on their joint determination that public necessity so requires.
- 2) In the absence of both Chairs, the hearing shall be conducted by the Vice-Chairs.
- 3) In the absence of the Chairs and Vice-Chairs, the hearing shall be conducted by a member of the Committee as designated by the Chairs.
- 4) Except in an emergency, a notice and an agenda of each meeting of the Committee shall be sent to all Committee members and shall be filed with the clerks of both branches and publicly posted by said clerks in such places as are designated in advance for such purpose, at least 48 hours, excluding Saturdays, Sundays, and legal holidays, prior to the time of each meeting.
- 5) The Chairs shall use their discretion in scheduling the order of petitions to be heard at any public hearing or executive session of the Committee. Whenever possible, petitions involving a similar subject matter may be heard as a group and petitions shall be heard in the sequence appearing on the Committee hearing calendar.

- 6) Both Chairs must be notified beforehand of any intended use of electronic recording devices at a committee hearing, and the Chairs must notify the members of the Committee that such devices will be used during such hearing or meeting.
- 7) All cell phones and pagers must be turned off or silenced during hearings and executive sessions.

### ***B. Conduct of Hearings***

- 1) The presiding Chair shall have general supervision of all hearings before the Committee.
- 2) All testimony before the Committee shall be accepted in written and/or oral form at the time of the hearing. All persons submitting written testimony shall furnish at least two copies of such testimony to the Committee.
- 3) All persons testifying before the Committee shall furnish the following information to the Committee staff: name, organization, address, telephone number, and bill number upon which they are testifying.
- 4) The presiding Chair may permit Members of the General Court and other public officials to testify out of order. The presiding Chair may call persons testifying without reference to the position of their names on the sign-up sheet.
- 5) Persons testifying will be asked to limit their testimony to a three minute time period and to summarize their written testimony at the discretion of the presiding Chair.
- 6) Committee members may question persons testifying when they have been recognized by the presiding Chair for that purpose. The presiding Chair, at his or her discretion, may limit the time of questioning by each member after giving due consideration to the extent to which the member has already asked questions of the person testifying, the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.
- 7) All questions put to persons testifying before the Committee shall be pertinent to the subject matter before the Committee.

### ***C. Executive Session***

- 1) Executive sessions may be held after each public hearing and at other appropriate times as selected by the Chairs. Whenever an executive session is held at a time other than after a public hearing, each member of the Committee shall be furnished with adequate, advance notice of the date, time and subject of such executive session. Adequate notice shall mean at least 24 hours, excluding Saturdays, Sundays, and legal holidays. The Chairs shall set the agenda for all executive sessions.
- 2) All executive sessions shall be open to the public unless the Committee votes to close any session pursuant to Joint Rule 1A.
- 3) All executive sessions must be attended by both the Senate and House Chair, and no executive session may be held in the absence of either Chair. This requirement may be waived by mutual agreement of both Chairs.

- 4) Executive sessions and hearings may be held in the absence of a quorum.
- 5) The Senate and House Chair shall make an appropriate recommendation for each petition to be considered during the executive session. Each recommendation must be seconded by another Committee member. The Senate and House Chair shall then take a voice vote of all Committee members present and determine what shall constitute the final majority recommendations of the Committee. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.
- 6) Any Committee member present at the executive session, seconded by another Committee member, may request that a formal vote be taken on a particular petition. The Senate and House Chair shall then poll each individual member of the Committee. All votes shall be recorded by noon on the following business day. Said votes shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.
- 7) In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct a poll of each Committee member to determine the recommendation of the Committee on any specific petition. A reasonable amount of time, as determined by the Chairs, shall be given for members to record their votes, and the deadline for recording votes shall be announced to each member. All votes received prior to the closing of the poll shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.
- 8) Any committee member may dissent from the majority recommendation of the Committee, provided such member notifies both Chairs in writing by noon of the business day following the executive session at which the recommendation was made. This dissent shall be recorded on the appropriate form and deposited with the Senate or House Clerk.
- 9) At the request of any Committee member present at an executive session, seconded by another Committee member, a motion for reconsideration of an executive session committee recommendation may be made and must be given to the Chairs of the Committee on the same calendar day of the Committee's decision on said matter. Such motion shall be taken up at the next regularly scheduled executive session, provided that only one such motion for reconsideration shall be permitted for any petition. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.
- 10) The Senate and House Chairs, by mutual agreement, may discharge a bill referred to this Committee to a more appropriate Committee without a public hearing.
- 11) In voting on bills or other matters before it, the Committee shall choose one of the following recommendations:
  - 11.1 Ought to Pass
  - 11.2 Ought to Pass with amendments

11.3 Ought not to pass

11.4 Study/referral/discharge

***D. Copy of Rules***

- 1) A copy of these rules shall be made available to the public from the offices of the Senate and House Committee Chairs and at all public hearings of the Committee.

***E. Adoption, Suspension or Modification of Committee Rules***

- 1) On the motion of either Chair, adoption, suspension or modification of these rules shall be made by a concurrence of 2/3 members of each branch present and voting.

**JOINT COMMITTEE ON CONSUMER PROTECTION AND PROFESSIONAL  
LICENSURE COMMITTEE RULES**

**2011-2012 LEGISLATIVE SESSION**

**General Rules For Public Hearings:**

1. The co-chairmen of the Committee shall alternate in presiding over the public hearings and executive sessions in a manner agreed to by the two co-chairmen; provided, that reasonable effort is made that each co-chairman shall preside over an equal number of public hearings. In the absence of both Chairmen, the hearing shall be conducted by either the Vice-Chairman or both; provided, that both chairmen agree by mutual consent to do so.
2. The co-chairmen of the Committee shall be responsible for providing to the Committee members, prior to a public hearing or executive session, a synopsis of all legislative documents which are the subject of such public hearing or executive session. The co-chairmen shall ensure that copies of the legislative documents subject to public hearing on a given day are made available to the Committee members.
3. For the purpose of expediting the hearing process, groups of similar bills shall be called together, and bills shall be called for hearing in numerical sequence within such group, Senate numbers first or in a sequence of the chairman's choosing. The co-chairmen shall establish a public hearing schedule and shall determine the groupings of similar bills to be heard on each hearing date.
4. At each public hearing, oral testimony shall be received in the order posted on each hearing sheet. No person may, without the permission of the chairman presiding over the public hearing, read from prepared remarks. The chairman presiding over the public hearing shall distribute any prepared remarks to all members of the Committee when presented. The presiding chairman shall make special provisions regarding the application of this provision for persons with disabilities.
5. Legislators and other government officials may testify out of turn on any matter before the Committee at that session at the beginning of the hearing. The presiding chairman shall use discretion in limiting the amount of time for a legislator so testifying.
6. The chairman at his/her discretion may limit the time of testimony by witnesses before the Committee after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.
7. Before concluding the public hearing, the presiding chairman shall make a final call for all persons who wish to testify.
8. Both chairmen must be notified beforehand of any intended use of electronic recording devices at a Committee hearing, and he/she, in turn, must notify members of the Committee that such devices will be used during a public hearing.
9. The chairman shall have general supervision of all hearings before the Committee.

**General Rules for Executive Sessions:**

1. Executive sessions of the Committee shall be called by the co-chairmen in the usual manner. An executive session may be held after a public hearing. Each Committee member shall receive adequate notice of the executive session. Unless waived pursuant to a joint agreement by the co-chairmen, no executive session of the Committee shall proceed unless both co-chairmen are present. The Committee shall hold executive sessions in accordance with the Joint Rules adopted by both branches.
2. Both Chairmen must be notified beforehand of any intended use of electronic recording devices at an executive session, and he/she, in turn, must notify members of the Committee that such devices will be used during executive session.
3. At the request of any member of the Committee in attendance at an executive session, or at the request of either chairman, a poll of each Committee member shall be taken to determine the recommendation/report of the Committee on any specific legislative petition or motion. The chairmen by mutual agreement shall set the length of time of when the poll begins and ends.

**Other Provisions:**

1. The co-chairmen shall be responsible to the Committee for the administration of Committee work and the orderly conduct of public hearings, meetings, and executive sessions.
2. The co-chairmen shall have wide latitude in the enforcement of these rules in the conduct of these obligations.
3. In the absence of any other rules then the Joint Rules adopted by both branches shall control.

**JOINT COMMITTEE ON ECONOMIC DEVELOPMENT**  
**AND EMERGING TECHNOLOGIES**

*Rules of Operation for the*  
*2011-2012 Legislative Session*

**A. General Provisions for Committee Meetings**

1. The House and Senate chairs of the committee shall alternate in presiding over the public hearings and executive sessions in a manner agreed to by the two chairs; provided that reasonable effort is made that each chair shall preside over an equal number of public hearings.
2. In the absence of both chairs, hearings shall be conducted by the House or Senate vice-chair present or a committee member designated by the presiding chair.
3. Except in an emergency, a notice of each meeting of the committee, including executive sessions, shall be sent to all committee members at least 48 hours prior to the time of such meeting.
4. The chairs shall establish a public hearing schedule. For the purpose of expediting the hearing process, groups of similar bills shall be called together.
5. The committee shall maintain accurate records of its meetings setting forth the date, time, place, roll calls and actions taken, if any.
6. The committee shall hold all meetings in accordance with the Joint Rules of the Senate and House of Representatives.

**B. Conduct of Public Hearings**

1. All persons giving testimony before the committee may be required to furnish the following information to committee staff: (a) whether the person is testifying as an individual or part of a panel; (b) name; (c) organization and group represented, if any; (d) contact information; (e) bill number and subject matter on which person is testifying; and (f) whether the person is testifying as an opponent or proponent of the bill.
2. Oral testimony shall be received in the order posted on each hearing sheet unless the presiding chair determines that circumstances warrant a change in such order. No person may, without the permission of the presiding chair, read from prepared remarks. Committee staff shall distribute any materials to members of the committee when presented. The presiding chair shall make special provisions regarding the application of this provision for persons with disabilities.
3. The presiding chair shall use discretion in limiting the amount of time allotted for testimony and may limit the number of questions allowed each member. All questions put to witnesses before the committee shall be pertinent to the subject matter at hand. No one shall be allowed to speak

at any meeting without first being recognized by the presiding chair. Before concluding the public hearing, the presiding chair shall make a final call for all persons who wish to testify.

4. All cell phones and pagers must be turned off or silenced during hearings and executive sessions. The chairs must be notified in advance and may approve the use of electronic recording devices at a public hearing or executive session.

### **C. Executive Sessions**

1. Executive sessions of the committee may be scheduled by the chairs at appropriate times. Unless waived pursuant to a joint agreement by the chairs, no executive session of the committee shall proceed unless both chairs are present.
2. The Senate and House chair shall make a recommendation for each petition to be considered during the executive session. In lieu of an executive session, the Senate and House chairs, by mutual agreement, may conduct a poll of each committee member to determine the recommendation of the committee on a petition.
3. Unless a committee member in attendance at an executive session requests that a poll be taken on a petition under consideration in executive session, a majority vote of the members present shall constitute the recommendation of the committee.
4. If such a poll is requested, each member shall be so polled, in the manner prescribed by the chairs, to determine the committee's recommendation. A majority vote is required to establish the will of the committee. Only those votes received prior to the deadline set by the chairs shall be included in the tally. In the event of a tie vote, the petition shall remain in committee and the Senate or House chair, seconded by another committee member, may move to take up the matter at a later executive session.
5. Executive sessions may be waived by the chairs on petitions referred to the committee after Joint Rule 10 has gone into effect, and on any matter retained by the committee after said rule has gone into effect, pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted in the manner prescribed by and agreed to by both chairs, in order to determine the committee's recommendation.
6. The chairs may use electronic forms of communication, including but not limited to electronic mail, to distribute committee information including, but not limited to, bill summaries, polls, and other related materials. Communications related to the vote of a committee member shall be maintained by the committee and available for public inspection upon reasonable notice and during regular office hours.

2-18-11  
9:17am  
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## JOINT COMMITTEE ON EDUCATION RULES OF PROCEDURE 2011-2012

### PUBLIC HEARINGS

- 1) All public hearings shall be conducted by the House or Senate Chair of the Joint Committee on Education (hereinafter referred to as the "Committee") according to a schedule established by the Chairs.
- 2) In the absence of the Committee Chairs, the hearing shall be conducted by the House or Senate Vice-Chair of the Committee with permission of the Committee Chairs. Where neither Committee Vice-Chairs nor Committee Chairs are present, the hearing shall be conducted by such other Committee member as the Committee Chairs may determine.
- 3) The Committee Chairs shall develop a schedule for hearings and executive sessions and determine a list of the matters and the order in which they will be considered at any public hearing or executive session of the Committee. Except in the case of emergencies, such lists shall be written or electronic and distributed to Committee members 48 hours prior to the hearing, Saturdays, Sundays, and holidays not included. This list shall also be made available at the hearing to attendees.
- 4) Each person testifying before the Committee shall furnish his or her name, organization (if applicable), and address. The presiding Committee Chair or acting presiding member (hereinafter referred to as the "Chair") shall follow the order in which petitions shall be heard at the hearing or executive session established by the Committee Chairs, unless the Chair determines that circumstances warrant a change in such order. No one shall be allowed to speak at any hearing without first being recognized by the Chair.
- 5) While ensuring that every person who wishes to testify has the opportunity to do so, the Chair may limit the time available to each witness after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available. Any person may submit testimony in writing to the Committee at the time of the hearing or within such time as the Committee Chairs determine.
- 6) In hearing testimony, the Chair may alternate testimony from the public with testimony from legislators in order to ensure that the general public will have adequate time to address the Committee. Testimony from legislators and other public officials may be taken at any time at the discretion of the Chair. The Chair shall have general supervision of the Committee hearing and shall preserve order and decorum.

- 7) Committee members may question witnesses only when they have been recognized for that purpose by the Chair. All committee members' questions shall be directed through the Chair. The Chair may limit the time for questioning witnesses after giving due consideration to the importance of the subject matter, the number of petitions scheduled for a hearing, and the length of time available. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee.
- 8) Audio and video recording of committee hearings is permitted in accordance with Joint Rule 1D.
- 9) The Chair shall be notified in advance of any intended use of electronic recording devices at a Committee hearing, and he/she, in turn, shall notify the members of the Committee that such devices will be used during such hearing. Each person making such electronic recordings at a Committee hearing shall furnish his or her name, organization (if applicable), and address to the Committee staff.
- 10) All cellular telephones and pagers must be turned off or silenced during hearings and executive sessions of the Committee.

### **EXECUTIVE SESSIONS**

- 11) Executive sessions of the Committee shall be called by the Committee Chairs. An executive session may be held after a public hearing. Each Committee member shall receive adequate notice of the date, time, location, and subject matter of each executive session.
- 12) All executive sessions shall be open to the public and the media, except that the Committee may hold a private session in accordance with Joint Rule 1D.
- 13) Both Chairs shall be notified beforehand of any intended use of electronic recording devices at an executive session, and they, in turn, shall notify members of the Committee that such devices will be used during executive session. Each person making such electronic recordings at an executive session shall furnish his or her name, organization (if applicable), and address to the Committee staff.
- 14) Except for Committee members, no person shall address the Committee during an executive session unless specifically requested to do so by the Chair.
- 15) No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Committee Chairs.

- 16) The presiding Committee Chair shall determine which member shall sign each report of the Committee and shall determine to which branch of the Legislature the report shall be sent. Any member of the Committee shall have the right to be listed as dissenting from the Committee recommendations.
- 17) Motions on any matter, including requests for recorded roll calls, shall be entertained only if they are seconded by another member.
- 18) The Chair may accept a motion for referral from any Committee member present at the executive session. Motions must take the form of one of the following recommendations:
  - Ought to pass – referred to House of Representatives for further consideration
  - Ought to pass – referred to the Senate for further consideration
  - Ought to pass, as redrafted, - referred to House of Representatives for further consideration
  - Ought to pass, as redrafted, - referred to Senate for further consideration
  - Ought not to pass
  - Study order
  - Discharge to (insert committee)
- 19) Unless a poll of Committee members is requested by a member in attendance at an executive session, a majority vote of the members present at the executive session, including the Senate and House Chairs, shall determine the recommendation of the Committee.
- 20) At the request of a member in attendance at an executive session or on their own initiative, the Committee Chairs may poll the Committee members to determine the recommendation of the Committee on any specific action. Such poll shall be conducted at the direction of the Committee Chairs. Polls conducted by the Committee shall remain open for 24 hours or until such time as all members have responded to the poll, whichever is sooner. In the case of an emergency, as determined jointly by the Committee Chairs, a shorter deadline for responding to the poll may be established and communicated to the members by the Committee Chairs. Only those votes received prior to the deadline set by the Chairs shall be included in the tally.
- 21) At the request of any member of the Committee, a motion for reconsideration of any Committee recommendation may be made. Notice, either written or oral, that such motion will be made must be given to a Committee Chair by 5:00 p.m. on the same day such recommendation is made. Such motion shall be taken up at the next executive session; provided, that only one such motion for reconsideration shall be permitted for any recommendation of the Committee.

## **LATE-FILE BILLS**

- 22) The foregoing rules may be waived by the Committee Chairs in the case of "late-file" bills or bills referred to the Committee after the deadline as outlined in Joint Rule 12.
- 23) After the deadline as established in Joint Rule 10 for making final reports, all such late-file bills shall be placed in a study order upon the expiration of the twenty-ninth day following its referral to Committee, unless the Committee in executive session takes prior alternative action.

## **GENERAL PROVISIONS**

- 24) Records of the business of the Committee, including written testimony submitted at hearings and all recorded votes or polls, along with dates and times, shall be maintained in the Committee's office, at least until the end of the biennial legislative session in which the action transpired.
- 25) The Committee Chairs by mutual agreement may discharge a bill referred to the Committee to a more appropriate committee without a public hearing or executive session.
- 26) Any Committee rule may be suspended by a two-thirds vote of the members of each branch voting and present.
- 27) Executive sessions and hearings may be held in the absence of a quorum.
- 28) Copies of these rules shall be available to the public from the offices of the House and Senate Committee Chairs and at all public hearings of the Committee. Copies shall also be transmitted to the Clerk of the House and the Clerk of the Senate.

**JOINT COMMITTEE ON ELDER AFFAIRS****COMMITTEE RULES****A. GENERAL RULE AND CONDUCT OF PUBLIC HEARINGS**

1. All public hearings shall be conducted by either the Senate or House Chairs. The Chairs shall determine which of them will preside at each public hearing or meeting of the Joint Committee on Elder Affairs.
2. In the absence of both Chairs, the hearing shall be conducted by the Senate or House Vice Chairperson.
3. In the absence of the Chairs and Vice Chairs, the hearings shall be conducted by the ranking senior member of the majority party, as determined by years of service in the General Court.
4. The Chairperson shall have general supervision of all Committee hearings and shall preserve order and decorum. Committee members may question witnesses only when they have been recognized for that purpose by the Chair. All Committee members' questions shall be directed through the Chair. The Chair may limit the time for questioning witnesses after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.
5. The Chairs shall use their discretion in scheduling the order in which proposals shall be heard at any public hearing of the Committee.
6. All persons intending to submit written testimony to the Committee shall furnish copies of such written testimony to the Committee staff.
7. All persons testifying orally before the Committee shall furnish the following information to the Committee staff before each hearing:
  1. Name
  2. Organization
  3. Address
  4. Telephone number
8. The testimony of any witness shall be limited to three minutes. The Chairs, at their discretion, may extend the length of oral testimony after giving due

consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.

9. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee. The pertinence shall be determined by the Chair.

10. Public hearings may be held in the absence of a quorum.

11. As far as is practical, the Chairs shall give priority to members of the General Court, the Judiciary, and the Executive Branch who testify before the Committee.

12. The Chair must be notified in advance and may approve the use of electronic recording devices at a public hearing and, if so approved, must inform the members of the Committee and witnesses of the use of such device.

## B. EXECUTIVE SESSIONS

1. Whenever an Executive Session is held at a time other than on a public hearing day, each member of the Joint Committee on Elder Affairs shall be furnished with adequate notice of the date, time, and subject of such Executive Session.

2. All Executive Sessions shall be open to the public, except that the Committee may hold a private meeting in accordance with Joint Rule 1D.

3. All Executive Sessions shall be attended by the Senate and House Chairs, and no Executive Session may be held in the absence of either Chairperson. This requirement may be waived only by mutual agreement of both Chairs.

4. Executive Sessions may be held in the absence of a quorum.

5. Except for Committee members, no person shall address the Committee during an Executive Session unless specifically requested to do so by the Chairs.

6. The members of the Committee shall appropriately discuss each petition and shall vote each petition choosing one of the following recommendations:

1. Ought to pass
2. Ought to pass, with amendment or as redrafted
3. Ought not to pass
4. Study/referral/discharge

Unless a poll of Committee members is requested on any matter by a member in attendance at an Executive Session, a majority vote of the members present shall constitute the recommendation of the Committee. If such poll is requested, each member shall be so polled, in the manner prescribed by the Chairs, in order to determine the Committee recommendation on any petition.

7. Any member of the Committee shall have the right to be listed as “dissenting” on the report of the Committee on any bill provided such member notifies either of the Chairs within 24 Hours of the Committee’s decision on said matter.

8. The Senate and House Chairs by mutual agreement shall determine the branch of the Legislature to which a favorable report shall be sent.

9. Executive Sessions may be waived by the Chairs on petitions referred to the Committee after Joint Rule 10 has gone into effect, and on matters retained by the Committee after said rule has gone into effect pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted, in the manner prescribed by the Chairs, in order to determine the Committee’s recommendation.

### C. MISCELLANEOUS

1. Whenever possible, a notice and agenda of every public hearing of a Committee subject to these rules shall be filed with the Senate and House Clerks and publicly posted in such places as are designated in advance for such purpose by said Clerks, at least one week prior to the time of such meeting. The notice shall be printed in easily readable type and shall include the date, time, and place of such meeting. Such filing and posting shall be the responsibility of the Chair calling such meetings.

2. A copy of these rules shall be on file with the Senate and House Clerks and shall be available to the public from the offices of the Senate and House Committee Chairs and at all public hearings and Executive Sessions of the Joint Committee on Elder Affairs.

**JOINT COMMITTEE ON ELECTION LAWS**  
**COMMITTEE RULES 2011-2012**

**A. GENERAL RULES FOR PUBLIC HEARINGS**

1. The Committee shall give notice of the time, place and agenda of all public hearings no less than forty-eight hours prior to the calling of such meetings. Such notice shall be written and/or emailed and distributed to the committee members and written and distributed to the House and Senate clerk. The forty-eight hour requirement may be suspended in an emergency by the chairmen, provided reasonable efforts have been made to contact all committee members.
2. All public hearings shall be conducted by the Senate chairman or the House chairman according to a schedule established by the chairs. If the chairman scheduled to preside is unable to do so, the other chairman shall conduct the public hearing.
3. In the absence of and with the consent of both chairs, the hearing shall be conducted by a vice-chairman or a designee.
4. All persons intending to submit written testimony to the committee shall furnish at least two copies of such written testimony to the committee no later than the hearing date, unless granted an extension of time by both chairmen.
5. Agencies are asked to submit their written responses to proposals affecting their agency to the committee staff two full work days before the scheduled hearing. In addition, a representative of said agency is requested to prepare oral testimony for the day of a hearing and to be on hand to answer questions at the public hearing and executive session.
6. All persons testifying before the committee shall furnish the committee with his or her name, organization, if any, address and telephone number. All persons testifying shall also enter the above information in the committee attendance log and shall clearly state his or her name and affiliation, if any, prior to giving testimony. This requirement may be waived by the presiding chair of the hearing.
7. The presiding chairman shall use his discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the committee.

## **B. CONDUCT OF PUBLIC HEARINGS**

1. The presiding chairman shall have general supervision of all hearings before the committee. Committee members may only question witnesses when they have been recognized by the presiding chairman for that purpose.
2. The presiding chairman, at his discretion, may limit the time of questioning for each member, after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.
3. All questions put to witnesses before the committee shall be pertinent to the subject matter before the committee.
4. The chairs must give approval for any use of electronic recording devices at any committee meetings and they, in turn, shall notify committee members if such devices will be used during such hearings.

## **C. EXECUTIVE SESSIONS**

1. Executive sessions may be held after each public hearing or at other appropriate times to be selected by the chairs. Whenever an executive session is held at a time other than on a public hearing day, each member of the committee shall be furnished with a forty-eight hour notice of the date, time, place and subject matter(s) of each such executive session.
2. All executive sessions must be attended by both the Senate and House chairs, and no executive session may be held in the absence of either chairman. This requirement may be waived by mutual agreement of both chairs.
3. All executive sessions shall be open to the public unless the committee votes to close such session. During executive sessions that remain open to the public, the public may not comment unless specifically questioned by a presiding chairman.
4. A majority vote of the members present, including the presiding chair(s), shall constitute the recommendation of the committee.
5. Any member of the committee present at an executive session during which the recommendation of the committee has been voted on, may move to reconsider such recommendation. At the discretion of the chair(s), the vote for reconsideration may be taken at the same session or at a later executive session.
6. Any member of the committee shall have the right to be listed as dissenting from the committee report, provided such member notifies both chairs in writing by 5:00 p.m. of the legislative day following the executive session at which the recommendation was made.

7. Either Chairman, or any member with a second, who is in attendance at an executive session, may request a poll to be taken to determine the recommendation of the committee on any specific petition or amendment to the same. A poll of committee members shall be completed by 5:00 p.m. on the legislative day following the request for such a poll.
8. In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct an electronic or telephone poll of each committee member to determine the recommendations of the committee. Members shall be allotted forty-eight hours to record their votes in response to a poll. In the event of an emergency session a reasonable amount of time, as determined by the Chairs, shall be allotted for members to record their votes. Each member shall be notified of the deadline to record such votes.

**D. ADOPTION, SUSPENSION, OR AMENDMENT OF COMMITTEE RULES**

1. Adoption, suspension, or amendment of these rules shall be by a majority vote of the committee members present and voting.
2. Rules C5 and C6 may be waived by the chairs in the case of late-filed bills or bills referred to the committee.

*The Commonwealth of Massachusetts*

Joint Committee on the Environment, Natural Resources, and Agriculture

Massachusetts General Court

State House, Rm 473F, Boston, MA

(617) 722-2210

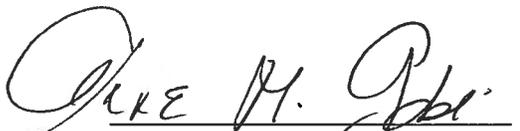
Anne M. Gobi  
House Chair

Marc R. Pacheco  
Senate Chair  
Rm. 312B (617) 722-1551

Dear Clerks:

Attached please find the Committee on Environment, Natural Resources and Agriculture's Rules for the 2011-2012 Session. As required by Joint Rules 1, each standing joint committee shall adopt rules of procedure regarding the conduct of said committee. Said rules of procedure shall be filed with the Clerk of the Senate and the Clerk of the House and shall be available to the public and members of the General Court.

Sincerely,

  
Representative Anne M. Gobi

  
Senator Marc R. Pacheco

Joint Committee on the Environment, Natural Resources, and Agriculture

Massachusetts General Court

State House, Rm 473F, Boston, MA

(617) 722-2210

Anne M. Gobi  
House Chair

Marc R. Pacheco  
Senate Chair  
Rm. 312B (617) 722-1551

## **COMMITTEE RULES**

**2011 – 2012**

### **A. Public Hearings**

1. All bills assigned to the Joint Committee on the Environment, Natural Resources and Agriculture shall be scheduled for a public hearing, by the Committee Chairs except as herein provided. Upon mutual agreement, the Committee Chairs may agree to discharge bills assigned to the Committee or otherwise dispose of bills assigned to the Committee by electronic or voice poll.
2. The Senate Chair and House Chair shall agree between themselves who will chair each hearing. In the absence of both Chairpersons, the Vice Chair present or a Committee member designated by a Chair shall conduct hearing.
3. All Persons testifying before the Committee shall furnish the following information to the Committee:
  - A) Name
  - B) Organization

- c) Address
- D) Telephone number
- E) Bill number and subject matter on which the person is testifying
- f) Whether proponent or opponent of the subject matter or bill.

4. The presiding Chair, or acting presiding member (hereafter "the Chair"), shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
5. No one shall be allowed to speak at any meeting without first being recognized by the Chair. The Chair shall use discretion in setting a time limit for oral testimony. All questions by members of the Committee to persons testifying before the Committee shall be addressed through the Chair and shall be pertinent to the subject matter before the Committee. The Chair may limit the number of questions and the amount of questions and time allowed each member.
6. Each member of the committee will receive, electronically, a schedule of the public hearings on legislation referred to the committee. The schedule will group legislation by category, noting the hearing date, time and location. Each member of the committee will be notified electronically of any public hearing or executive session at least 36 hours prior to the meeting date, excluding Saturdays, Sundays and legal holidays.

**B. Executive Session**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with adequate advance notice (Part A, #6) of the date, time, place and subject of such executive session.
2. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Chairs. The Chair presiding will have general supervision of the executive session.
3. All executive sessions of the Committee shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close such sessions.

4. A majority vote of the members present at the executive session shall constitute the recommendations of the Committee.
5. Any member of the Committee shall have the right to be recorded as dissenting from or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the executive session.
6. Upon a motion made by any member of the Committee in attendance at an executive session and seconded by another member of the Committee in attendance, a poll of the full Committee shall be taken to determine the recommendation of the full Committee on any specific matter before said Committee. In the event that a poll is taken the members shall be given 24 hours to respond to the poll. The votes of the majority of those members responding to the poll shall constitute the recommendation of the committee. The House and Senate Chairs may waive the 36 hour notice requirement for polls.
7. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.

**C. Adoptions and Suspensions**

1. These rules shall be adopted by a majority vote of Committee members present and voting.
2. Except for Part B, #2, any rule may be suspended by a two-thirds vote of Committee members present and voting.

*The Commonwealth of Massachusetts*

Joint Committee on Financial Services

Massachusetts General Court

State House, Room 254, Boston, MA

(617) 722-2220

Michael A. Costello  
House Chair

Anthony Petruccelli  
Senate Chair  
Rm. 413B (617) 722-1634

Dear Clerks:

Attached please find the Rules for the Joint Committee on Financial Services for the 2011-2012 Session. As required by Joint Rule 1, each standing joint committee shall adopt rules of procedure regarding the conduct of said committee. Said rules of procedure shall be filed with the Clerk of the Senate and the Clerk of the House and shall be available to the public and members of the General Court.

Sincerely,

---

Chairman Michael A. Costello

---

Chairman Anthony Petruccelli

Joint Committee on Financial Services  
Massachusetts General Court  
State House, Room 254, Boston, MA  
(617) 722-2220

Michael A. Costello  
House Chair

Anthony Petruccelli  
Senate Chair  
Rm. 413B (617) 722-1634

## **COMMITTEE RULES**

**2011 – 2012**

### **A. Public Hearings**

1. All bills assigned to the Joint Committee on Financial Services shall be scheduled for a public hearing by the Committee Chairs except as herein provided. Upon mutual agreement, the Committee Chairs may agree to discharge bills assigned to the Committee or otherwise dispose of bills assigned to the Committee by electronic or voice poll.
2. The Senate Chair and House Chair shall agree between themselves who will chair each hearing. In the absence of both Chairpersons, the Vice Chair from the Senate or House shall chair the hearing. In the absence of both Vice-Chairs, a Committee member designated by a Chair shall conduct the hearing.
3. All Persons testifying before the Committee shall furnish the following information to the Committee:
  - A) Name

- B) Organization – if applicable
- C) Address
- D) Telephone number
- E) Email address – if applicable
- F) Bill number and subject matter on which the person is testifying
- G) Whether proponent or opponent of the subject matter or bill

4. All persons intending to submit written testimony to the committee shall furnish copies of such written testimony to committee staff.
5. The presiding Chair, or acting presiding member (hereafter “the Chair”), shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
6. No one shall be allowed to speak at any hearing without first being recognized by the Chair. The testimony of any witness shall be limited to three minutes and shall be pertinent to the subject matter before the committee. The Chair, at his/her discretion, may extend the length of oral testimony for any witness. All questions by members of the Committee to persons testifying before the Committee shall be addressed through the Chair and shall be pertinent to the subject matter before the Committee. The Chair may limit the number of questions and the amount of questions and time allowed each member after giving due consideration to the importance of the subject matter, the number of petitions scheduled for a hearing, and the length of time available.
7. Each member of the committee will receive, electronically, a schedule of the public hearings on legislation referred to the committee. The schedule will group legislation by category, noting the hearing date, time and location. Each member of the committee shall be given adequate notice of any public hearing or executive session.
8. Public hearings may be held in the absence of a quorum.
9. As far as is practical, the Chair shall give priority to members of the General Court, the Judiciary, and the Executive Branch who wish to testify before the committee.

**B. Executive Session**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times as determined by the Chairs. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with adequate notice of the date, time, place and subject of such executive session.
2. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Chairs. The Chair presiding will have general supervision of the executive session. Both Chairs must consent to the agenda of the executive session, and if a bill is pulled from that day's hearing list to be placed on the agenda of that day's executive session, then both Chairs must consent to this action.
3. All executive sessions of the Committee shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close such sessions.
4. Executive sessions may be held in the absence of a quorum.
5. A majority vote of the members present at the executive session shall constitute the recommendations of the Committee.
6. Any member of the Committee shall have the right to be recorded as dissenting from or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the executive session.
7. Upon a motion made by any member of the Committee in attendance at an executive session and seconded by another member of the Committee in attendance, a poll of the full Committee shall be taken to determine the recommendation of the full Committee on any specific matter before said Committee. In the event that a poll is taken, the members shall be given adequate time to respond to the poll. The votes of the majority of those members responding to the poll shall constitute the recommendation of the committee. All records of polls shall be recorded and kept in the Committee for

the duration of the legislative session, and be available for inspection after the voting is completed.

8. At the request of any member of the committee, a motion for reconsideration of an executive session recommendation may be made. Written notice that such motion will be made must be given within 24 hours of a committee's decision on said matter. Such motion shall be taken up at the next executive session, provided that only one such motion for reconsideration shall be permitted for any petition.
9. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.
10. Executive sessions may be waived by the Chairs on petitions referred to the committee after Joint Rule 10 has gone into effect, and on any matter retained by the committee after said rule has gone into effect, pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted in the manner prescribed by the mutual agreement of the Chairs in order to determine the committee's recommendation.

**C. Adoptions and Suspensions**

1. These rules shall be adopted by a majority vote of Committee members present and voting.
2. Except for Part B, #2, any rule may be suspended by a majority vote of Committee members present and voting.

# JOINT COMMITTEE ON HEALTH CARE FINANCING

## COMMITTEE RULES FOR 2011-2012 LEGISLATIVE SESSION

### I. GENERAL RULES FOR PUBLIC HEARINGS AND MEETINGS

#### A. Rules Relative to the Public

1. All bills originally assigned to the Joint Committee on Health Care Financing shall be scheduled for a public hearing. The Chairpersons may, however, mutually agree to discharge bills which have been inappropriately assigned to the Committee. Additionally, the Chairpersons may mutually agree, at their discretion, schedule for hearing any bill referred to the Committee that had previously been referred to another committee, including bills heard by such other committee(s).
2. All persons testifying before the Committee shall furnish the following information:
  - Name
  - Organization
  - Address (Email or street)
  - Telephone Number
  - Bill #
  - Position on Bill
3. For bills referred to the Committee that were the subject of a public hearing held by another committee, only written testimony will be accepted unless the Chairpersons announce their intention to accept oral as well as written testimony when hearings are scheduled subject to the provisions of Rule 1.A.1.
4. The length of oral testimony of any witness shall be limited to three minutes or a reasonable time, to be determined by the Chair.
5. The Chairpersons shall develop a schedule of hearings and executive sessions, determine the matters to be considered, and prescribe the order in which scheduled matters will be considered at any public hearing or executive session of the Committee.
6. Legislators and other public officials wishing to testify on any matter scheduled for hearing may be recognized by the Chair and their testimony taken out of order.
7. The Chair must be notified before any intended use of electronic recording devices at a committee hearing. Only credentialed members of the popular press may record, videotape or film committee hearings, and only when they have received prior approval from the Chair(s). Except with the prior approval of the Chair(s), members of the public, private and non-profit organizations and legislative agents are prohibited from videotaping

or filming committee hearings. Hearings may be videotaped by the Legislative Services Bureau at the request of the Chairs.

8. All cell phones and pagers shall be turned off or placed on silent during public hearings.

#### B. Rules Relative to the Committee

1. The Chairpersons shall determine which of them will preside at each public hearing or meeting of the Committee.
2. In the absence of both Chairpersons, the hearing or meeting shall be chaired by either Vice-chairperson.
3. In the absence of both Chairpersons and both Vice-chairpersons, a member of the majority party shall be designated by the Chairpersons to chair the meeting.
4. The Chair shall have general supervision of all hearings before the Committee. Committee members may only question witnesses when they have been recognized by the Chair for that purpose.
5. The Chair, at his or her discretion, may limit the time of questioning by each member after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing and the length of time available.

## II. GENERAL RULES FOR EXECUTIVE SESSIONS

#### A. Rules Relative to the Public

1. All executive sessions shall, except as hereinafter provided, be open to the public and the media, except that the Committee may hold a private meeting in accordance with Joint Rule 1D.
2. Except for the Committee members, no person shall address the Committee during an executive session unless specifically requested to do so by the Chairperson.

#### B. Rules Relative to Committee Members

1. Each member of the Committee shall receive reasonable notice of the date, time, place and subject matter of executive sessions.
2. Both Chairpersons must attend executive sessions and no such session shall be held if either is absent. This requirement may be waived by agreement of both Chairpersons.

3. A quorum shall be presumed to be present at all Executive Sessions, unless doubted by a member of the Committee.
4. Unless a poll of Committee members is requested on any matter by a member in attendance at an executive session, a majority vote of the members present shall constitute the recommendation of the Committee. If such poll is requested, each member shall be so polled, in the manner prescribed by the Chairpersons, in order to determine the committee recommendation on any petition.
5. Any member of the Committee shall have the right to be listed as dissenting to the Committee report, and may reserve his or her rights at the time of the executive session.
6. The Chairpersons shall determine the branch of the Legislature into which a favorable committee report shall be filed and shall designate the member, if other than a Chairperson, who will carry such report.
7. Executive Sessions may be waived by the Chairpersons, unless objection thereto is made by three or more members of the Committee, on petitions referred to the Committee after Joint Rule 10 has gone into effect pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted, in the manner prescribed by the Chairpersons, in order to determine the Committee's recommendation.

### III. GENERAL RULES FOR ELECTRONIC POLLING

1. In lieu of an Executive Session, the Chairpersons may electronically poll the membership on matters before the Committee. Electronic Polls must be released by mutual agreement of the Chairpersons. A majority vote of the members participating in the poll shall constitute the recommendations of the Committee.
2. Each member of the committee shall receive at least 24 hours to review the entire poll.
3. Each Chairperson shall be responsible for ascertaining the vote of the membership from their respective branch.

### IV. OTHER RULES

1. Copies of these rules are on file in the offices of the Clerk of the Senate and the Clerk of the House of Representatives and shall be available at the offices of the Chairpersons of the Committee.

### V. ADOPTION, SUSPENSION, MODIFICATION PROVISION

1. On motion of either Chair, adoption, suspension, or modification of these rules shall be made by a concurrence of 2/3 members present and voting.

## **JOINT COMMITTEE ON HIGHER EDUCATION RULES OF PROCEDURE 2011-2012**

### **PUBLIC HEARINGS**

1. All public hearings shall be conducted by the House or Senate Chair of the Joint Committee on Higher Education (hereinafter referred to as the “Committee”) according to a schedule established by the Committee Chairs. The Committee shall hold a public hearing on each matter referred to the Committee except in cases where: (a) a public hearing has already been held before another joint committee with jurisdiction over the subject matter and a second public hearing before the Committee is not otherwise required; or (b) the Committee Chairs agree to waive the public hearing requirement based on their joint determination that public necessity so requires.
2. In the absence of the Committee Chairs, the hearing shall be conducted by the House or Senate Vice-Chair of the Committee with permission of the Committee Chairs. Where neither Committee Vice-Chairs nor Committee Chairs are present, the hearing shall be conducted by such other Committee member as the Committee Chairs may determine.
3. The Committee Chairs shall develop a schedule for hearings and executive sessions and determine a list of the matters and the order in which they will be considered at any public hearing or executive session of the Committee. Whenever possible, petitions involving a similar subject matter may be heard as a group. Except in the case of emergencies, such lists shall be written and distributed to Committee members 48 hours prior to the hearing, Saturdays, Sundays, and holidays not included. This list shall also be made available at the hearing to attendees.
4. Each person testifying before the Committee shall furnish to the Committee staff before the start of the hearing: (a) his or her name, organization (if applicable), address, telephone number, e-mail address; and (b) the bill number and subject matter upon which the person will testify, and whether the person is an opponent or proponent of the subject matter of the bill. The presiding Committee Chair or acting presiding member, hereinafter referred to as the “Chair”, shall follow the order in which petitions shall be heard at the hearing or executive session established by the Committee Chairs, unless the Chair determines that circumstances warrant a change in such order. No one shall be allowed to speak at any hearing without first being recognized by the Chair.
5. While ensuring that every person who wishes to testify has the opportunity to do so, the Chair may limit the time available to each witness after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing and the length of time available. Any person may submit testimony in writing to the Committee at the time of the hearing, or within such time as the Committee Chairs determine.

6. In hearing testimony, the Chair may alternate testimony from the public with testimony from legislators in order to ensure that the general public will have adequate time to address the Committee; provided, that legislators and other public officials may be taken out of turn at the discretion of the Chair.
7. The Chair shall have general supervision of the Committee hearing and shall preserve order and decorum. All questions shall be directed through the Chair. The Chair shall be notified beforehand of any intended use of electronic recording devices at a Committee hearing and shall determine if such devices will be permitted, and, if permitted, he/she, in turn, shall notify the members of the Committee that such devices will be used during such hearing.
8. All cell phones and pagers shall be turned off or silenced during hearings and executive sessions.

### **EXECUTIVE SESSIONS**

9. All executive sessions shall be open to the public and the media, except that the Committee may hold an executive session in accordance with Joint Rule 1D.
10. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Committee Chairs.
11. The House Chair and the Senate Chair of the Committee shall make an appropriate recommendation for each petition to be considered during the executive session. The Committee Chairs shall then take a voice vote of all Committee members present and determine what shall constitute the final majority recommendations of the Committee. The House and the Senate Chair of the Committee shall determine which member shall sign each report of the Committee and shall determine to which branch of the Legislature the recommendation shall be sent. Any member of the Committee shall have the right to be listed as dissenting from or reserving one's rights from the Committee recommendations. This rule may be waived by the Committee Chairs in the case of a bill referred to the Committee after the third Wednesday of February of the second annual session.
12. Motions on any matter, including requests for recorded roll calls, shall be entertained only if they are seconded by another Committee member.
13. In lieu of an executive session, the Committee Chairs, by mutual agreement, may poll the Committee members to determine the recommendation of the Committee on any specific action. Such poll shall be conducted at the direction of the Committee Chairs. A reasonable amount of time, as jointly determined by the Committee Chairs, shall be given for Committee members to record their votes, and the Committee members shall be notified of the subject matter involved and the deadline for responding to the poll.

14. At the request of any member of the Committee, a motion for reconsideration of any Committee recommendation may be made. Notice, either written or oral, that such motion will be made must be given to a Committee Chair by 5:00 p.m. on the same day such recommendation is made. Such motion shall be taken up at the next executive session; provided, that only one such motion for reconsideration shall be permitted for any recommendation of the Committee.
15. Records of the business of the Committee, including written testimony submitted at hearings and all recorded votes or polls, along with dates and times, shall be maintained in the Committee's office, at least until the end of the biennial legislative session in which the action transpired, and shall be available for public inspection upon reasonable notice and during regular business hours.

### **LATE-FILE BILLS**

16. The foregoing rules may be waived by the Committee Chairs in the case of "late-file" bills or bills referred to the Committee after the deadline as outlined in Joint Rule 12.
17. After the deadline as outlined in Joint Rule 10, all such bills shall be placed in a study order upon the expiration of the twenty-ninth day following its referral to Committee, unless the Committee takes prior alternative action.

### **GENERAL PROVISIONS**

18. Any Committee rule may be suspended by a two-thirds vote of the members present and voting.
19. Executive sessions and hearings may be held in the absence of a quorum.
20. The Committee Chairs by mutual agreement may discharge a bill referred to the Committee to a more appropriate committee without a public hearing or executive session.
21. Copies of these rules shall be available to the public from the offices of the House and Senate Committee Chairs and at all public hearings of the Committee. Copies shall also be transmitted to the Clerk of the House and the Clerk of the Senate, and shall, to the extent practicable, be posted on the Legislative web page. The Committee may adopt amendments to these rules during the biennial legislative session. Any such amendments shall be filed with the Clerk of the House and the Clerk of the Senate.
22. All correspondence from the Committee shall be approved by both Committee Chairs prior to distribution.

2-16-11  
2:30 PM

**JOINT COMMITTEE ON HOUSING  
COMMITTEE RULES  
2011-2012**

**A. Public Hearings.**

1. All bills assigned to the Joint Committee on Housing shall be scheduled for a public hearing, except as provided herein or the Joint Rules. The Committee Chairs may agree to discharge any bills inappropriately assigned to the Committee.
2. All public hearings shall be held on Tuesdays, beginning at 10:00 a.m. and adjourning at 1:00 p.m. and in the case that the hearings may interfere with formal sessions, the Chair may recess, continue or adjourn said hearings.
3. Public Hearings may be held in the absence of a quorum.
4. Each member of the committee shall receive a schedule of the public hearings on legislation referred to the committee. The schedule shall group legislation by category, noting the hearing date, time and location. All dates, times and locations are subject to change at the discretion of the Committee Chairs. Each member of the Committee shall receive an information packet at least 24 hours prior to the public hearing, listing the bill number and title and summary of each bill.
5. The Committee Chairs shall determine which of them will preside at each public hearing or meeting of the Committee. In the absence of both Chairs, the hearing or meeting shall be chaired by either Vice-Chair, or whoever else the chair appoints.
6. The Chairperson shall have general supervision of all hearings before the Committee. The Chairperson shall use his or her discretion in scheduling the order in which proposals shall be heard at any Public Hearing or Executive Session of this Committee.
7. While ensuring that every person who wishes to testify has the opportunity to do so, testimony of any witness shall be limited to three (3) minutes. The Chairperson, at their discretion, may extend the time of oral testimony available to each witness after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available.
8. Committee members may only question witnesses when they have been recognized by the Chairperson for the purpose. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee. The pertinence shall be determined by the Chair.
9. Priority may be given, whenever possible, to other members of the General Court, other elected municipal officials, or members of the Executive or Judiciary Branches, when the Chairperson schedules order for testimony.

10. Agencies are asked to submit their written response to the proposals affecting their agency two full work days before the scheduled hearing to the Committee staff. In addition, a representative of the agency is requested to prepare oral testimony for the day of the Hearing and be available to answer questions at the Public Hearing or Executive Session.

11. All persons testifying before the Committee shall furnish the following information to the Committee:

- a. Name;
- b. Organization;
- c. Address;
- d. Telephone Number;
- e. Bill number and subject matter on which the person is testifying; and
- f. A statement of position regarding the legislation, whether proponent or opponent of the subject matter or bill.

12. The Committee Chairs shall be provided adequate advance notice of the use of any electronic recording devices during a public hearing. It shall be the decision of the Committee Chairs whether the electronic recording or transmission device may be used in an executive session.

**B. Executive Session.**

1. Executive sessions may be scheduled after a public hearing and at other appropriate times at the discretion of the Committee Chairs.

2. Except for Committee members, no person shall address the Committee during an Executive Session unless specifically requested to do so by the Committee Chairs.

3. No Executive Session may be scheduled, nor may any bill be considered at any Executive Session, except by agreement of both Committee Chairs.

4. Executive Sessions may be held in the absence of a quorum.

5. The Chairperson will announce the bill title, explanation may be provided by staff, and discussion will follow by the members. Following any discussion, a motion shall be made, accepted, and appropriate action shall be taken.

6. Unless a poll of Committee members is requested on any matter by a Committee member prior to or in attendance at an Executive Session, a majority vote of the members present, including the Committee Chair(s), shall constitute the recommendation of the Committee. If such poll is requested, each member shall be so polled, in the manner prescribed by the Chairs, in order to determine the Committee recommendation on any petition. A reasonable amount of time, as jointly determined by the Committee Chairs, shall be given for Committee members to record their votes, and the Committee members shall be notified of the subject matter involved and the deadline for responding to the poll.

7. Any member of the Committee shall have the right to be listed as dissenting from, or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the Executive Session.

8. No motion to reconsider shall be entertained.

9. Records of written testimony submitted at hearings and all recorded votes or polls shall be maintained as public records in the Committee offices, at least until the end of the biennial legislative session in which the action transpired.

10. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.

11. Executive Sessions may be waived by the Chairs on petitions referred to the Committee after Joint Rule 10 has gone into effect, and on matters retained by the Committee after said rule has gone into effect pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted, in the manner prescribed by the Chairs, in order to determine the Committee's recommendation.

12. A vote of the committee shall be conducted by a roll call upon request of two committee members present at the committee meeting.

#### **C. Subcommittees.**

As provided in the Joint Rules the Committee Chairs may initiate and form subcommittees regarding the subject matter of any legislative matter or any other subject matter under the jurisdiction of the committee. Such subcommittee shall make a report of its findings and recommendations to the Committee Chairs prior to the end of the biennium or at a date to be determined by the Committee Chairs.

#### **D. Adoptions, Amendments and Suspensions.**

1. Once adopted, these rules may be amended by a majority vote of Committee Members present and voting.

2. Any rule may be suspended by a majority vote of Committee Members present and voting.

# JOINT COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT

## Committee Rules for the 2011-2012 Legislative Session

### A. General Rules

1. All meetings of the Committee shall be open to the public.
2. Except in an emergency, a notice and an agenda of each meeting of the Committee shall be sent to all Committee members to be filed with the Clerks of the Senate and House and made available, whenever possible, to each Committee member at least 48 hours, not including weekends or legal holidays, prior to the time of such meeting.
3. The Committee shall maintain accurate records of its meetings, setting forth the date, time, place, roll calls and actions taken. These records shall be available for public inspection.
4. The Senate Chairman and House Chairman shall agree among themselves who will chair each hearing. In the absence of both Chairmen, hearings shall be conducted by the Vice Chairman present or a Committee member designated by a Chairman.
5. The presiding Chairmen, or acting presiding member (hereafter "the Chairman") shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
6. All persons giving testimony before the Committee shall be required to furnish the following written information to the Committee Staff:
  - a. Name
  - b. Organization (if such testimony is purported to be representative of the opinions of the same group)
  - c. Address
  - d. Telephone number
  - e. Bill number and subject matter on which person is testifying
  - f. Whether proponent or opponent of subject matter or bill.
7. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee.
8. All persons intending to submit written testimony to the Committee shall furnish copies of such written testimony to the Committee staff no later than the day of the hearing at which such testimony is to be considered, unless otherwise requested or authorized by the Committee.

**B. Conduct of Hearings and Other Meetings**

1. The Chairman may limit oral testimony to three minutes per individual. The Chairman may limit the number of questions and the amount of question time allowed each member. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee. No one shall be allowed to speak at any meeting without first being recognized by the Chairman.
2. No electronic recording or transmission devices may be used in a Committee hearing or Executive Session without the prior approval of the House and Senate Chairs, who shall notify the members that such devices are being used. This provision shall not apply to television coverage provided to the Legislature by contractual arrangement.
3. Motions on any matter, including requests for recorded roll calls shall be entertained only if they are seconded by another member. Upon said motion the vote on any bill shall be recorded.
4. Hearings may be held in the absence of a quorum. Executive sessions may be held in the absence of a quorum only when adequate advance notice has been given to members. Adequate advance notice shall mean at least 48 hours, excluding Saturdays, Sundays and legal holidays.

**C. Adoption, Amendment and Suspension.**

1. These rules shall be adopted by a majority vote of the Members present and voting.
2. Once adopted, these rules may be amended by a two-thirds vote of the Senate members present and voting, and a two-thirds vote of the House members present and voting.
3. Any rule may be suspended by a two-thirds vote of the Senate members present and voting, and a two-thirds vote of the House members present and voting.

**D. Executive Sessions.**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with adequate advance notice of the date, time and subject of such executive session. Adequate advance notice shall mean at least 48 hours, excluding Saturdays, Sundays and legal holidays.
2. All executive sessions must be attended by both the Senate and House Chairman, and no executive session may be held in the absence of either chairman. This requirement may be waived by prior mutual agreement of the chairmen. In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct a poll of each

Committee member to determine the recommendation of the Committee on any specific petition. A reasonable amount of time, as determined by the Chairs, shall be given for members to record their votes, and the deadline for recording votes shall be announced to each member. All votes received, including electronic mail, prior to the closing of the poll shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.

3. The Senate or House Chairman present and voting on the prevailing side shall sign the final draft of each favorable report of the Committee and shall determine which branch of the Legislature the favorable report shall be sent; provided, however, that any member may choose to dissent. If the Chairmen decline or dissent, another member may be designated by the Chairs to carry the report.
4. The Senate and House Chair shall make an appropriate recommendation for each petition to be considered during the executive session. Each recommendation must be seconded by another Committee member. The Senate and House Chair shall then take a voice vote of all Committee members present and determine what shall constitute the final majority recommendations of the Committee. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.
5. At the request of any Committee member present at an executive session, seconded by another Committee member, a motion for reconsideration of an executive session committee recommendation may be made and must be given to the Chairs of the Committee on the same calendar day of the Committee's decision on said matter. Such motion shall be taken up at the next regularly scheduled executive session, provided that only one such motion for reconsideration shall be permitted for any petition. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.
6. Subject to notification of all Committee members, the chairmen may, by mutual agreement, vote to discharge any matter before the Committee to another committee.

2-17-11  
2:34pm  
emt



THE GENERAL COURT OF MASSACHUSETTS  
STATE HOUSE, BOSTON 02133-1053

February 17, 2011

The Honorable Steven T. James  
Clerk of the House of Representatives  
Room 145, State House  
Boston, MA 02135

Dear Mr. Clerk,

Pursuant to Rule 1 of the Joint Rules of the Senate and House of Representatives we have attached for your file a copy of the 2011-2012 Rules for the Joint Committee on Mental Health and Substance Abuse that were adopted on February 16, 2011.

Sincerely,

Handwritten signature of Liz Malia in black ink.

Liz Malia  
House Chair

Handwritten signature of John F. Keenan in black ink.

John F. Keenan  
Senate Chair

**THE COMMONWEALTH OF MASSACHUSETTS  
JOINT COMMITTEE ON MENTAL HEALTH AND SUBSTANCE ABUSE**

**John F. Keenan**  
Senator  
Senate Chair  
Room 413-D  
(617) 722-1494

**Liz Malia**  
Representative  
House Chair  
Room 33  
(617) 722-2060

**COMMITTEE RULES FOR 2011-2012 LEGISLATIVE SESSION**

1. Hearings, meetings and executive sessions of the Joint Committee on Mental Health and Substance Abuse ("Committee") shall be conducted jointly by the House and Senate Chairpersons ("Chairs"). The Chairs will alternate which one of them will preside at each hearing, meeting or executive session; however, the Chairs may mutually agree to change the order.
2. In the absence of the Chairs, hearings or meetings shall be conducted jointly by the House and Senate Vice Chairpersons ("Vice Chairs").
3. In the absence of the Chairs and Vice Chairs, hearings or meetings shall be conducted by a committee member of the majority party designated by the Chairs.
4. The Chairs shall schedule and have general supervision of all Committee hearings, meetings and executive sessions.
5. Committee members shall be furnished with notice of the date, time, place and agenda of hearings, meetings and executive session at least forty-eight (48) hours in advance. The forty-eight (48) hour requirement shall be suspended by the Chairs in an emergency only after all reasonable efforts have been made to contact committee members.
6. Each bill assigned to the Committee shall be scheduled for a public hearing. The Chairs may use their discretion in scheduling the order of bills to be heard. The Chairs may mutually agree to discharge a bill initially referred to the Committee to another committee with jurisdiction over the bill.
7. Testimony before the Committee shall be accepted in written and/or oral form.
8. Persons testifying before the Committee shall provide the following information to the committee staff prior to testifying:
  - a. Bill number;
  - b. Position on the bill;
  - c. Name;
  - d. Title and Organization;
  - e. Mailing address;
  - f. Telephone number; and
  - g. Email address.

9. Legislators and other public officials wishing to testify on any matter before the Committee may be recognized by the presiding Chair and their testimony taken out of order.
10. The length of time for oral testimony of a witness shall be limited to three (3) minutes; additional time may be granted at the discretion of the presiding Chair.
11. Committee members may question witnesses only after they have been recognized by the presiding Chair for that purpose.
12. The presiding Chair may limit the time of questioning by each committee member after giving due consideration to the extent to which the committee member has already asked questions of the witness, the importance of the subject matter, the number of bills scheduled for hearing and the length of time available.
13. A Committee hearing may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction provided that a person seeking to record the hearing notifies the Chairs prior to commencing such recording; and provided further that during such recording there is no interference with the conduct of the hearing. Committee members shall be notified by the Chair before the start of the hearing that a recording device will be used.
14. All electronic devices are required to be turned off or silenced during hearings, meetings and executive sessions.
15. The Chairs are required to attend executive sessions and no executive session may be held in the absence of either Chair. This requirement may be waived by mutual agreement of the Chairs.
16. The Committee shall hold an executive session to take action on bills heard before the Committee. The Chairs, by mutual agreement, may poll the committee members instead of holding an executive session. Each committee member shall be polled in the manner prescribed by the Chairs to determine the Committee's decision on the bill. Records of polls and executive session votes shall be kept in the office of the Committee and shall be available for public inspection upon reasonable notice and during regular office hours.
17. Executive sessions may be held regardless of the number of committee members present, subject to Committee Rule 15 and 16.
18. Executive sessions shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close the executive session.
19. Except for the committee members, no person shall address the Committee during an executive session unless requested to do so by the Chairs.

20. At an executive session, the presiding Chair shall announce the bill for consideration by number, title, and sponsor. The presiding Chair shall then make or request to be made a motion to take a particular action on the bill. Upon a second of the motion and discussion, a vote on the motion shall be taken. A majority vote of the committee members present shall constitute the decision of the Committee.
21. A committee member may be listed as "dissenting" on the report of the Committee provided that the committee member notifies the Chairs by 5:00 p.m. on the next business day following the vote on said bill.
22. A committee member may make a motion for reconsideration of an executive session decision. If the motion is not made during the executive session the committee member has until 5:00 p.m. on the next business day to notify the Chairs in writing. The motion shall be taken up at the next executive session. Only one motion for reconsideration shall be permitted for each bill.
23. The Chairs shall determine which branch a favorable committee report shall be filed in and shall designate the committee member, if other than a Chair, who will carry the report.
24. A copy of the committee rules shall be made available to the public by filing a copy with the Clerk of the Senate and the Clerk of the House and by retaining a copy at the office of the Committee.
25. The committee rules shall be adopted by a majority vote of those committee members present and voting.
26. Once adopted, the committee rules may be amended by a two-thirds vote of those committee members present and voting.
27. A committee rule may be suspended by a two-thirds vote of those committee members present and voting.

**JOINT COMMITTEE  
ON MUNICIPALITIES AND REGIONAL GOVERNMENT  
COMMITTEE RULES  
2011-2012 LEGISLATIVE SESSION**

**PUBLIC HEARING PROCEDURES**

1. Public hearings are to be scheduled at times that generally do not conflict with formal sessions of the House or Senate. Such hearings are to be conducted until all timely-filled legislation receives a hearing. Public hearings are to be scheduled for all bills that are referred after the Joint Rule 10 deadline, except as otherwise provided for in committee rule 19.
2. Whenever possible, bills that are referred to the committee should be scheduled according to subject matter. The House and Senate Chairs shall be responsible for determining the schedule for all public hearings and executive sessions, and for determining the agenda for each public hearing and executive session. The House Chair, in consultation with the Senate Chair, shall be responsible for notifying the committee members and keeping all records of committee activity.

For time-sensitive/emergency matters concerning a locally approved petition, a committee poll may take place in lieu of a public hearing. In such an instance, all committee members shall receive official notice of this action and be provided with the legislation and its corresponding information. Committee members are to be given 24 hours to respond to poll. Committee polls may be conducted via email, telephone or in person.

3. Whenever possible, all members of the committee shall receive an official notice including copies of bills and summaries at least 48 hours in advance of any public hearing, excluding Saturdays, Sundays and legal holidays. An electronic message will also be sent to all members informing them of the date, time, location and agenda.

**PUBLIC HEARING CONDUCT**

4. The House or Senate Chair, as determined by said Chairs prior to each hearing, shall serve as the Presiding Chair and conduct the order of business for the public hearings. In the absence of the House or Senate Chair, a Vice-Chair shall preside. In the absence of the Vice-Chair, a senior ranking member from the majority party who is present shall preside. Any member may question individuals testifying before the committee after being recognized by the Presiding Chair. All questions shall be pertinent to the subject matter.
5. No electronic recording or transmission devices may be used in a committee hearing or executive session without the prior approval of the House and Senate Chairs, who shall notify the members that such devices are being used. This provision shall not apply to television coverage provided to the Legislature by contractual arrangement.

6. At the discretion of the Presiding Chair, legislators and other elected public officials wishing to testify may be recognized at any time during the public hearing.
7. Oral testimony will be accepted on all matters before the committee as they appear on the agenda. Proponents will be recognized by the Presiding Chair prior to individuals wishing to testify in opposition.
8. All persons testifying before the committee shall furnish the following information:
  - Name
  - Title (if applicable)
  - Organization (if applicable)
  - Address
  - Telephone Number
  - E-mail Address
  - Indication of support or opposition
  - Bill number and Title
9. Written statements should be submitted to the committee and not read during the public hearing unless allowed by Presiding Chair.
10. Any person testifying before the committee should confine his or her comments to the pending subject matter and present testimony either for or against the specific legislation.
11. After giving due consideration to the importance of the subject matter, number of bills, number of witnesses and the length of time available, the Presiding Chair may reasonably limit the length of questioning by each member and the testimony of witnesses.

#### **EXECUTIVE SESSIONS**

12. Executive sessions may be held after each public hearing or at other appropriate times as determined by the House and Senate Chairs. Whenever an executive session is held at a time other than after a public hearing, each member of the committee shall be furnished with adequate advance notice of the date, time and subject of such executive session. Whenever possible, adequate advance notice shall mean at least 48 hours, excluding Saturdays, Sundays and legal holidays.
13. All executive sessions shall be open to the public, unless a majority of the committee members present votes to close such session in accordance with Joint Rule 1D.
14. All executive sessions must be conducted by both the House and Senate Chairs. This requirement may be waived by mutual agreement of both Chairs.
15. The members of the committee may appropriately discuss each bill and vote by choosing one of the following recommendations:

- a. Ought to pass
- b. Ought to pass with amendments
- c. Ought to pass - committee redraft
- d. Ought to pass - accompanied study order
- e. Ought to pass - accompanied similar petition
- f. Ought not to pass

The vote of a majority of the members present, including the House and Senate Chairs, shall constitute the recommendation of the committee.

16. Any member of the committee shall have the right to be listed as dissenting from the committee report, or may choose to reserve his/her rights on any report, provided such member notifies the House and Senate Chairs before 4:45pm on the day of the executive session or, if the vote occurred after 5:00pm, before 9:15am of the next business day.
17. Bills reported by the committee shall be sent to the branch of the Legislature in which the matter originated, unless the committee votes otherwise.
18. Any member of the committee may move for reconsideration of an executive session vote, provided that written notice is given to the House and Senate Chairs before 4:45pm on the same day as the executive session or, if the vote occurred after 5:00pm, before 9:15am of the next business day. Such motion shall be taken up at the next executive session, provided that only one such motion for reconsideration shall be permitted for each bill.
19. With the consent of both the House and Senate Chairs, a poll may be conducted to determine the recommendation of the committee on any specific bill. Any two members of the committee in attendance at any executive session may require such a poll. Such votes shall be recorded on appropriate forms. The record of all roll calls shall be kept in the office of the committee and shall be available for public inspection.

Committee polls may be conducted via email, telephone or in person. A copy of the bill and a summary shall be distributed to each member of the committee together with a memorandum containing the subject of the poll and a deadline for responding. Members shall be given 24 hours to respond to poll. The votes of a majority of those members responding to the poll shall constitute the official recommendation of the committee. The House and Senate Chairs may waive the 48 hour notice requirement for polls.

#### **MISCELLANEOUS**

20. A notice and agenda of every public hearing of the committee shall be filed with the Clerk of the Senate and the Clerk of the House and publicly posted in such places as are designated in advance for such purpose by said Clerks, at least 48 hours prior to the time of such meeting, excluding Saturdays, Sundays and legal holidays, whenever possible. The notice shall be printed in easily readable type and shall include the date, time and place of such meeting.

21. A copy of these rules shall be on file with the Senate and House Clerks and shall be made available to the public at the offices of the Senate and House Committee Chairs and at all public hearings and executive sessions of the committee.
22. Pursuant to Joint Rule 3A, all matters requiring legislation shall be founded upon petition, excepting that the Committee on Municipalities and Regional Government acting concurrently, upon written and signed report of two-thirds of the members of the Senate and two-thirds of the members of the House appointed to the committee, may report a bill or other form of legislation without said petition, provided however, that matters so reported shall be germane to the subject matters regularly referred to said committee, and the committee shall hold a public hearing on such bill or other form of legislation before it is reported.
23. Any matter before the committee may, by a majority vote of the members present, be discharged to another committee. Such discharge shall be made pursuant to Senate Rule 36 for matters reported into the Senate and shall be made pursuant to House Rule 42 for matters reported into the House.
24. Any matter recommitted to the committee shall be reported out of committee within 30 days of said recommitment with the same recommendation unless such matter has been acted upon pursuant to committee rules relative to executive sessions.
25. Any rule contained herein may be amended upon written and signed report of two-thirds of the members appointed to the Committee on Municipalities and Regional Government. Any rule contained herein may be suspended by two-thirds of the members present and voting at any meeting of the committee.

# **JOINT COMMITTEE ON PUBLIC HEALTH**

## **Committee Rules for 2011-2012 Legislative Session**

### **A. Public Hearing Procedures:**

- 1.) Public hearings will be scheduled at times that generally do not conflict with formal sessions of the House or Senate. Such hearings will be conducted until all timely filed legislation receives a hearing. Public hearings will be scheduled for all bills that are referred after the Joint Rule 10 deadline, except as otherwise provided for in committee rule C-8.
- 2.) Whenever possible, bills that are referred to the committee should be scheduled according to subject matter. The Chairs shall be responsible for scheduling all public hearings and executive sessions, and for determining the agenda for each public hearing and executive session. The House Chair, in consultation with the Senate Chair, shall be responsible for notifying the committee members, and keeping all records of committee activity.
- 3.) At least 48 hours in advance of any public hearing, each member of the committee shall receive an official notice of the date, time, location, and tentative agenda of the hearing, including bills and summaries.

### **B. Public Hearing Conduct:**

- 1.) The House or Senate Chair, as determined by said chairs prior to each hearing, shall serve as the Presiding Chair and conduct the order of business for the public hearings. In the absence of the House or Senate presiding Chair, a Vice-Chair shall preside. In the absence of a Vice-Chair, a senior ranking member from the majority party who is present shall preside. The presiding Chair may designate a member as Acting Chair during a public hearing. Any member may question individuals testifying before the committee after being recognized by the presiding Chair. All questions shall be pertinent to the subject matter.
- 2.) After giving due consideration to the subject matter, number of bills, number of witnesses and the length of time available, the presiding Chair shall determine the order of testimony during the public hearing.
- 3.) At the discretion of the presiding Chair, legislators and other elected public officials wishing to testify may be recognized at any time during the public hearing.
- 4.) All persons testifying before the committee shall furnish the following information to the Chairs on the appropriate forms as proscribed by the Chairs:

Number and Title of Legislation of Interest  
Position on the Legislation of Interest  
Name  
Occupation  
Professional Affiliation (if applicable)  
Mailing Address  
Web Address (if applicable)  
Telephone Number  
E-Mail Address

At the discretion of the Chairs, persons testifying before the committee may not be required to submit certain information.

- 5.) All persons testifying before the committee shall confine his or her remarks to the pending subject matter and present oral testimony either for or against the specific legislation.
- 6.) Written statements should be submitted to the committee and not read during the public hearing without prior approval from the presiding Chair.
- 7.) After giving due consideration to the importance of the subject matter, number of bills, number of witnesses and the length of time available, at the determination of the House and Senate Chairs, the committee may reasonably limit the length of questioning by each member and the testimony of witnesses.

**C. Executive Sessions:**

- 1.) Executive sessions may be held after each public hearing or at other appropriate times as determined by the House and Senate Chairs. Whenever an executive session is held at a time other than after a public hearing, each member of the committee shall be furnished with adequate advance notice of the date, time and subject of such executive session.
- 2.) All executive sessions shall be open to the public, unless a majority of the committee members present votes to close such session in accordance with Joint Rule 1D.
- 3.) Both Chairs must attend executive sessions and no such session shall be held if either is absent. This requirement may be waived by agreement of both Chairs.
- 4.) The members of the committee may appropriately discuss each matter and vote to report the matter with the following recommendations:

1. Ought to pass.
2. Ought to pass – with changes or amendments.
3. Ought to pass – committee redraft.
4. Ought to pass – carrying similar petitions.
5. Ought to pass – accompanying a similar petition.
6. To be included in a study order.
7. To be discharged to another committee.
8. Ought not to pass.

A majority of the members present shall constitute the recommendation of the committee.

- 5.) Any member of the committee shall have the right to be listed as dissenting from the committee report, or may choose to reserve his/her rights on any report, provided such member notifies the Chairs before 5 p.m. on the day of the executive session or, if the vote occurred after 5 p.m., then before 9 a.m. of the next business day.
- 6.) Bills reported by the committee shall be sent to the branch of the legislature in which the matter originated. This requirement may be waived by agreement of both Chairs.
- 7.) Any member of the committee may move for reconsideration of an executive session vote, provided that written notice is given to the Chairs before 5 p.m. on the same day as the executive session or, if the vote occurred after 5 p.m., then before 9 a.m. on the next business day. Such motions shall be taken up at the next executive session, provided that only one such motion for reconsideration shall be permitted for each bill.
- 8.) With the consent of both the House and Senate Chairs, the committee may poll each member to determine the recommendation of the committee on any specific bill. Any two members of the committee in attendance at any executive session may request such a poll. Such votes shall be recorded on appropriate forms. The record of all such roll calls shall be kept in the office of the committee and shall be available for public inspection.

A copy of the bill and a summary shall be distributed to each member of the committee together with a memorandum containing the subject of the poll and a deadline for responding. The votes of a majority of those members responding to the poll shall constitute the official recommendation of the committee.

**D. Miscellaneous:**

- 1.) A notice and agenda of each public hearing of the committee shall be filed with the Clerk of the House and the Clerk of the Senate and publicly

posted in such places as are designated in advance for such purposes by said Clerks, at least 48 hours prior to the time of such meeting. The notice shall be printed in easily readable type and shall include the date, time, and place of such meeting.

- 2.) A copy of these rules shall be on file with the Senate and House Clerks and shall be available to the public at the offices of the Senate and House Committee Chairs and at all public hearings and executive sessions of the committee.
- 3.) All matters requiring legislation shall be founded upon petition, excepting that the Committee on Public Health acting concurrently, upon written and signed report of two-thirds of the members of the Senate and two-thirds of the members of the House appointed to the committee, may report a bill or other form of legislation without said petition provided, however, that matters so reported shall be germane to the subject matters regularly referred to said committee, and the committee shall hold public hearings on such bill or other form of legislation before it is reported.
- 4.) Any rule contained herein may be amended upon written and signed report of two-thirds of the members appointed to the Committee on Public Health. Any rule contained herein may be suspended by a two-thirds vote of the members present.
- 5.) Any such matter before the committee may, by a majority vote of the committee present, be discharged to another committee. Such discharge shall be made pursuant to Senate Rule 36 for matters reported into the Senate and shall be made pursuant to House Rule 42 for matters reported into the House.
- 6.) Any matter recommitted to the committees shall be reported out of committee within ten days of said recommitment with the same recommendation unless such matter has been acted upon pursuant to Part C of the committee rules.

The Commonwealth of Massachusetts

Joint Committee on Public Safety and Homeland Security

Massachusetts General Court

Harold P. Naughton, Jr.  
House Chair  
Rm. 167  
617-722-2230

James E. Timilty  
Senate Chair  
Rm. 507  
617-722-1222

**2011-2012 LEGISLATIVE SESSION**  
**GENERAL RULES FOR COMMITTEE PROCEEDINGS**

**A. PUBLIC HEARINGS**

1. All public hearings shall be conducted by either the Senate or House Chair.
2. In the absence of both Chairs, the hearing shall be conducted by the Senate or House Vice-Chair.
3. In the absence of the Chairs and Vice-Chairs, the hearings shall be conducted by the ranking senior member of the majority party, as determined by years of service on the committee.
4. The presiding member shall open and close Committee proceedings, shall have general supervision of all committee hearings and shall preserve order and decorum. The presiding member shall use his/her discretion in scheduling the order in which proposals shall be heard at any public hearing of the committee.
5. No electronic audio or visual recording devices may be operated during a Committee proceeding without prior consent of both Chairmen, or the presiding Chairman if only one Chairman is present. If neither Chairman is present at the hearing, no electronic audio or visual recording devices may be operated.

6. The testimony of any witness shall be limited to three minutes. The presiding member, at his/her discretion, may extend the length of oral testimony for any witness.

7. Committee members may question witnesses only when they have been recognized for that purpose by the presiding member. All committee members' questions shall be directed through the presiding member. The presiding member may limit the time for questioning witnesses after giving due consideration to the importance of the subject matter, the number of petitions scheduled for a hearing and the length of time available.

8. All questions put to witnesses before the committee shall be pertinent to the subject matter before the committee, and all testimony given by witnesses shall be pertinent to the subject matter before the committee.

9. After giving due consideration to the complexity and potential impact of the matter before the Committee, the number of matters scheduled to be heard by the Committee and the available time, the presiding member may restrict repetitive testimony and may limit both the time allowed for testimony and questioning by Committee members.

10. All persons intending to submit written testimony to the committee shall furnish copies of such written testimony to the committee staff at least 24 hours in advance.

11. All persons testifying orally before the committee shall furnish the following information to the committee staff before each hearing:

1. Name
2. Organization – if any
3. Address
4. Telephone number
5. Email address – if applicable
6. The bill on which the person is testifying
7. His or her position on the bill – support or oppose

12. Public hearings may be held in the absence of a quorum.

13. The Committee need not hold public hearings, however, in cases where:

1. A public hearing on the bill has already been held before another joint committee with jurisdiction over the subject matter and a second public hearing before the Committee is not otherwise required;
2. The Chairs agree to waive the public hearing requirement based on their joint determination that public necessity so requires it; or

3. The Chairs jointly agree to discharge a bill that has been inappropriately assigned to the Committee.

## **B. EXECUTIVE SESSIONS**

1. Executive sessions shall be held immediately after a public hearing or on other occasions as prescribed by the agreement of Chairs. Whenever an executive session is held at a time other than following a public hearing, each member of the committee shall be furnished with adequate notice of the date, time, location and subject of such executive session.
2. All executive sessions shall be open to the public, except that the committee may hold private meetings by a vote of the majority of members present.
3. All executive sessions shall be attended by both the Senate and House Chair, and no executive session may be held in the absence of either Chair. This requirement may be waived only by mutual agreement of both Chairs.
4. Executive sessions may be held in the absence of a quorum, provided that at least two members of the committee are present.
5. Except for committee members, no person shall address the committee during an executive session unless specifically requested to do so by the Chair.
6. The Chair may accept a motion for referral from any committee member present at the executive session. Motions must take the form of one of the following recommendations:
  1. Ought to pass – referred to House of Representatives for further consideration
  2. Ought to pass – referred to Senate for further consideration
  3. Ought to pass, as redrafted, - referred to House of Representatives for further consideration
  4. Ought to pass, as redrafted, - referred to Senate for further consideration
  5. Ought not to pass
  6. Study order
  7. Discharge to (insert committee)
  8. Hold/ No Action
7. Unless a poll of committee members is requested by a member in attendance at an executive session, a majority vote of the members present at the executive session, including the Senate and House Chairs, shall determine the recommendation of the committee.
8. If such a poll is requested, each member shall be so polled, in the manner agreed to and prescribed by the Chairs, to determine the committee's recommendation. A majority vote is required to establish

the will of the committee. Only those votes received prior to the deadline set by the Chairs shall be included in the tally.

9. Any member of the committee shall have the right to be listed as “Dissenting” on the report of the committee on any bill, provided such member notifies either Chair within 24 hours of the committee’s decision on said matter.

10. At the request of any member of the committee, a motion for reconsideration of an executive session recommendation may be made. Notice, whether written or oral, that such motion will be made, must be given within 24 hours of the committee’s decision on said matter. Such motion shall be taken up at the next executive session, provided that only one such motion for reconsideration shall be permitted for any petition.

11. Executive sessions may be waived by the Chairs on petitions referred to the committee after Joint Rule 10 has gone into effect, and on any matter retained by the committee after said rule has gone into effect, pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted in the manner prescribed by the Chair, in order to determine the committee’s recommendation.

### **C. MISCELLANEOUS**

1. Whenever possible, a notice and agenda of every public hearing of a committee subject to these rules shall be filed with the Clerk of the Senate and the Clerk of the House and publicly posted in such places as are designated in advance for such purpose by said Clerks, at least one week prior to the time of such meeting. The notice shall be printed in easily readable type and shall include the date, time and place of such meeting. Such filing and posting shall be the responsibility of the officer calling such meetings.

2. A copy of these rules shall be on file with the Senate and House Clerks and shall be available to the public from the offices of the Senate and House Chairs, and at all public hearings and executive sessions of the committee.

3. In certain cases, where exigent circumstances may present themselves, the Chairs may agree to call an oversight hearing of the Committee. All oversight hearings shall be attended by both the Senate and House Chair, and no oversight hearing may be held in the absence of either Chair. This requirement may be waived only by mutual agreement of both Chairs.

4. The Chairs, at their discretion, may form subcommittees comprised of an individual member or members of the Committee. Upon agreement of the Chairs, a Chair of the subcommittee shall be appointed. All subcommittees must present a written report to the Committee upon completion of their research.



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# JOINT COMMITTEE ON PUBLIC SERVICE

## Committee Rules 2011-2012

### A. Public Hearings

1. All bills assigned to the Joint Committee on Public Service shall be scheduled for a public hearing, except as herein provided. The Committee may, by mutual agreement of the Chairs, decide to discharge bills inappropriately assigned to the Committee.
2. The Senate Chair and House Chair shall agree between themselves who will chair each hearing. In the absence of both Chairmen, the Vice Chair present or a Committee member designated by a Chair shall conduct hearings.
3. All persons testifying before the Committee shall furnish the following information to the Committee.
  - a) Name
  - b) Organization & Occupation
  - c) Address
  - d) Telephone number
  - e) Email Address
  - f) Bill number and subject matter on which the person is testifying
  - g) Whether proponent or opponent of the subject matter or bill.
4. The presiding Chair, or acting presiding member (hereafter "the Chair") shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
5. No one shall be allowed to speak at any meeting without first being recognized by the Chair. The Chair may limit oral testimony to three minutes per individual. All questions by members of the Committee to witnesses before the Committee shall be addressed through the Chair and shall be pertinent to the subject matter before the Committee. The Chair may limit the number of questions and the amount of question time allowed each member.
6. Each member of the committee will receive a schedule of the public hearings on legislation referred to the committee. The schedule will group legislation by category, noting the hearing date, time and location. Each member of the committee will be notified of any public hearing or executive session. The hearing schedule will be subject to amendment by mutual agreement of the chairs.

7. The Chair must be notified and approve of the use of electronic recording devices at a committee hearing. Hearings may be videotaped by the Legislature's television service at the request of the Chairs.
8. At the discretion of the chair, Members of the General Court or other officer of the Commonwealth may be taken out of turn, but, out of respect for the public in attendance, Members and officers may be asked to limit their remarks to three minutes and, to the extent possible, contact the chair in advance of the hearing to schedule a time certain to appear before the committee so that interruptions of public testimony will be as brief as possible.

**B. Executive Session**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with 48 hours advance notice of the date, time, place and subject of such executive session in accordance with rule 6 of section A.
2. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Chairs. The Chair presiding will have general supervision of the executive session.
3. All executive sessions of the Committee shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close such sessions.
4. The presiding Chair shall announce the bill for consideration by number and title, and shall, after opening the floor for discussion among Committee members on said bill, make, or request to be made, a motion to take a particular action or no action on said bill. Upon a second motion to take the same action or no action, a vote on said motions shall be taken forthwith.
5. The members of the Committee shall vote upon each petition by choosing one of the following recommendations: a) Ought to pass; b) Ought to pass with amendments; c) Ought not to pass; d) Discharge to another Committee; e) Held for further consideration; f) Ordered to Study.

6. A majority vote of the members present at the executive session shall constitute the recommendations of the Committee.
7. Any member of the Committee shall have the right to be listed as dissenting from, or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the Executive Session.
8. In lieu of an executive session, the Committee Chairs, by mutual agreement, may poll the Committee members to determine the recommendation of the Committee on any specific action. Such poll shall be conducted at the direction of the Committee Chairs. A reasonable amount of time, as jointly determined by the Committee Chairs, shall be given for Committee members to record their votes, and the Committee members shall be notified of the subject matter involved and the deadline for responding to the poll.
9. Action to be taken by the Committee on any bill may be reconsidered upon a motion by not less than two Committee members before the executive session during which the vote to take action or no action on the subject bill is closed. Such motion, upon being made and seconded, shall void the initial vote on the subject bill and cause the bill to be reconsidered during a future executive session in accordance with Rules 4, 5 and 6. Action voted to be taken on any bill shall be reconsidered not more than once.
10. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.
11. The Committee must hold an executive session to take action on any bill; provided, upon the approval of both Chairmen, the requirement to hold an executive session may be suspended and the members may be polled instead. The committee members shall be given at least 24 hours to record their votes and the deadline for recording votes shall be announced to each member. All votes received prior to the closing of the poll shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.

**C. Criteria for Bill Consideration**

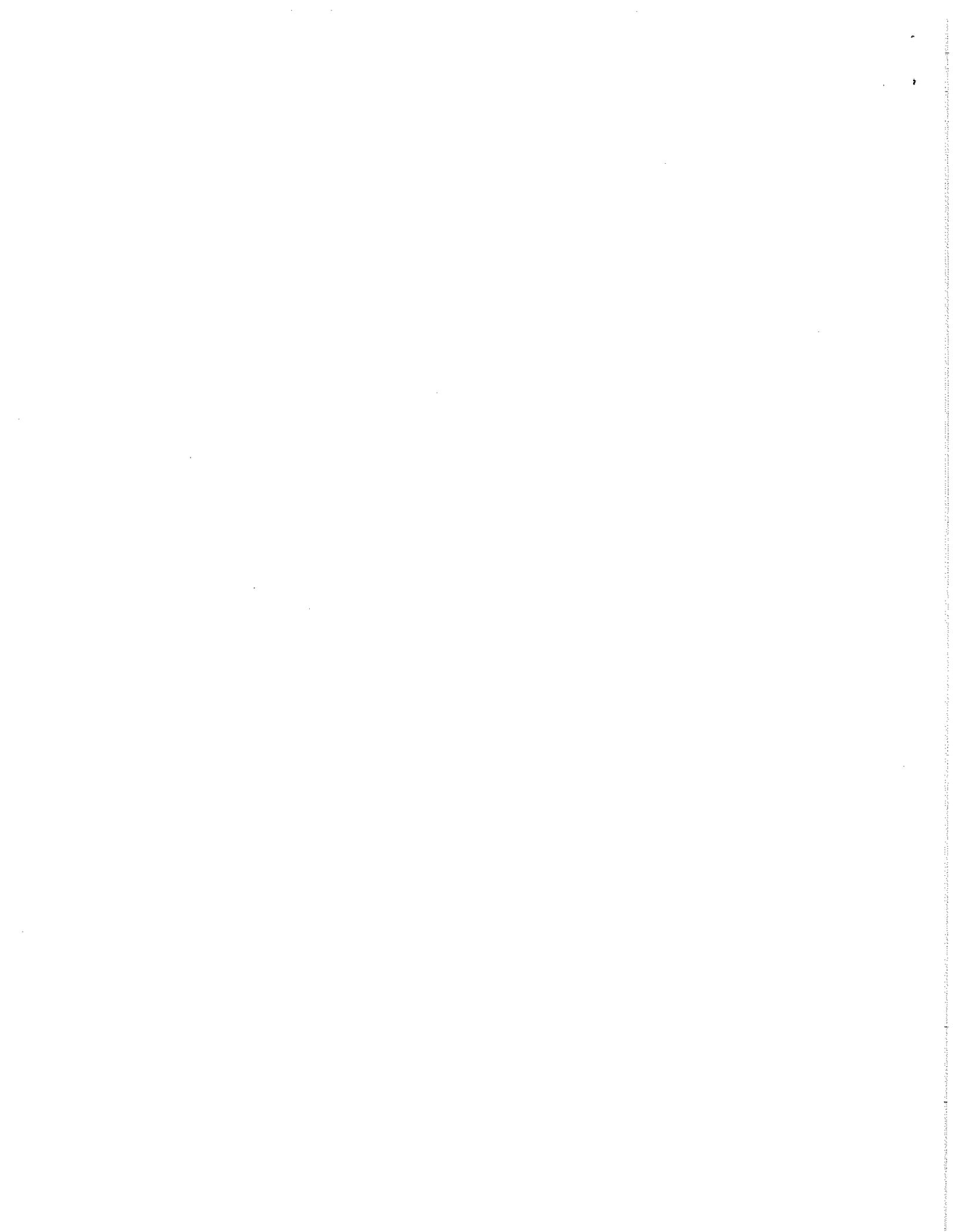
All bills regarding group classification must meet the following criteria to be considered for a favorable recommendation by the Joint Committee on Public Service.

1. All requests should be accompanied by a cost estimate that shows the impact of the reclassification on the retirement system's unfunded liability. Bill sponsors will be responsible for contacting the retirement board directly and acquiring such an estimate. The estimate should be submitted as written testimony prior to or during the hearing in which the bill is scheduled. Estimates will be accepted after the hearing date but a bill will not be considered at executive session without such estimate.
2. Any reclassification bill that is not accompanied by a cost estimate will not be considered during executive session, until the estimate is received by the Committee.
3. The criteria for movement to a higher group is based on job responsibilities -- not job title.
4. The criteria for movement to a different group is based on an argument that the current position is too demanding to be sustained until a given age and that sufficient suitable alternative jobs do not exist for workers with the skills that are exercised in current jobs.
5. The basis for classification for Group 2 is that the daily physical exertion of the job makes it impossible to safely and effectively carry out the functions beyond age 60.
6. The basis for classification for Group 4 is that the daily physical exertion of the job makes it impossible to safely and effectively carry out the functions beyond age 55.
7. Training, certification, and exposure to hazardous substances are not justifications for movement to Group 2 or Group 4.
8. The fact that employees doing similar work happen to currently be in a higher group does not justify reclassification.

**D. Adoptions, Amendments, and Suspensions**

1. These rules shall be adopted by a majority vote of the Senate members present and voting, and a majority of the House members present and voting.
2. Once adopted, these rules may be amended by two-thirds vote of the Senate members present and voting, and a two-thirds majority of the House members present and voting.

3. Any rule may be suspended by a two-thirds vote of Senate members present and voting, and a two-thirds vote of House Members present and voting.
4. The Co-Chairmen shall have wide latitude in the enforcement of these rules in the conduct of these obligations.



**JOINT COMMITTEE ON REVENUE**  
**Committee Rules**  
**2011-2012**

**Public Hearings**

1. All bills assigned to the Joint Committee on Revenue shall be scheduled for a public hearing, except as herein provided. The Committee Chairs may however, agree to discharge bills inappropriately assigned to the Committee.
2. The Senate Chair and House Chair shall agree between themselves who will chair each hearing. In the absence of both Chairs, the Vice Chair present shall or a Committee member designated by a Chair shall conduct hearings.
3. All persons testifying before the Committee shall furnish the following information to the Committee.
  - a) Name
  - b) Organization
  - c) Address
  - d) Telephone number
  - e) Bill number and subject matter on which the person is testifying
  - f) Whether proponent or opponent of the subject matter or bill
4. The presiding Chair or acting presiding member (hereafter the “Chair”) shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
5. The Chairs may create subcommittees as they may deem necessary and convenient and appoint the chairs and members of each subcommittee. Any such subcommittee may make such investigation or exercise such authority as is delegated to it by the Chairs.
6. No one shall be allowed to speak at any meeting without first being recognized by the Chair. The Chair may limit oral testimony to three minutes per individual. All questions by members of the Committee to witnesses before the Committee shall be addressed through the Chair and shall be pertinent to the subject matter before the Committee. The Chair may limit the number of questions and the amount of question time allowed each member.
7. Each member of the committee will receive a schedule of the public hearings on legislation referred to the committee. The schedule will group

legislation by category, noting the hearing date, time and location. Each member of the committee will be notified of any public hearing or executive session.

8. The Chair must be notified and approve of the use of electronic recording devices at a committee hearing. Hearings may be videotaped by the Legislature's broadcast service at the request of the Chairs.
9. All testimony offered before the Committee shall be directly germane to the particular matter then before the Committee, and any Member present may object to the hearing of testimony on the grounds that it is not directly germane to the particular matter then before the Committee. The Chair will rule on this objection and this decision shall stand. Those testifying on proposed changes to the Massachusetts tax laws should be prepared to provide a clear accounting of the anticipated costs and benefits of the proposed change.
10. At the discretion of the chair, Members of the General Court or other officer of the Commonwealth may be taken out of turn, but, out of respect for the public in attendance, Members and officers may be asked to limit their remarks to three minutes and, to the extent possible, contact the chair in advance of the hearing to schedule a time certain to appear before the committee so that interruptions of public testimony will be as brief as possible. The chair may set aside the first thirty minutes of each hearing for public testimony only; this will be noted on the public notice of hearings.

### **Executive Session**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with adequate advance notice of the date, time, place and subject of such executive session in accordance with rule 6 of section A.
2. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Chairs. The Chair presiding will have general supervision of the executive session.
3. All executive sessions of the Committee shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close such sessions.

4. The presiding Chair shall announce the bill for consideration by number and title, and shall, after opening the floor for discussion among Committee members on said bill, make, or request to be made, a motion to take a particular action or no action on said bill. Upon a second motion to take the same action or no action, a vote on said motions shall be taken forthwith.
5. The members of the Committee shall vote upon each petition by choosing one of the following recommendations: a) Ought to pass; b) Ought to pass with amendments; c) Ought not to pass; d) Discharge to another Committee; e) Held for further consideration; f) Ordered to Study.
6. A majority vote of the members present at the executive session shall constitute the recommendations of the Committee.
7. Any member of the Committee shall have the right to be listed as dissenting from, or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the Executive Session.
8. At the request of either Chairman in attendance at an executive session, a poll recording the vote of Committee members shall be taken to determine the recommendation of the Committee on any specific petition. The members of the Committee shall vote upon such petition in accordance with Rule 5. In the event that a poll is taken, the Chair(s) shall notify the State House office of each absent member that he/she may indicate his/her vote on the legislation. All records of polls shall be recorded and kept in the committee and be available for inspection.
9. Action to be taken by the Committee on any bill may be reconsidered upon a motion by not less than two Committee members before the executive session during which the vote to take action or no action on the subject bill is closed. Such motion, upon being made and seconded, shall void the initial vote on the subject bill and cause the bill to be reconsidered during a future executive session in accordance with Rules 4, 5 and 6. Action voted to be taken on any bill shall be reconsidered not more than once.
10. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.
11. The Committee must hold an executive session to take action on any bill; provided, upon the approval of both Chairs, the requirement to

hold an executive session may be suspended and the members may be polled instead.

### **Adoptions, Amendments, and Suspensions**

1. These rules shall be adopted by a majority vote of Committee members of each branch present and voting.
2. Once adopted, these rules may be amended by two-thirds vote of Committee members of each branch present and voting.
3. Any rule may be suspended by a two-thirds vote of Committee members of each branch present and voting.
4. The Co-Chairs shall have wide latitude in the enforcement of these rules in the conduct of these obligations.



The Commonwealth of Massachusetts  
**Joint Committee on State Administration and Regulatory Oversight**  
STATE HOUSE, BOSTON 02133-1053

Kenneth J. Donnelly  
Senator  
Senate Chair  
Room 416 A  
(617) 722-1432

Peter V. Kocot  
Representative  
House Chair  
Room 23  
(617) 722-2140

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**Rules of the Joint Committee on State Administration and Regulatory Oversight for 2011-2012**

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*A. General Rules for Public Hearings*

- (1) All public hearings shall be conducted by the Senate Chair or House Chair according to a schedule established by the Chairs.
- (2) In the absence of both Chairs, the hearing shall be conducted by the Vice-Chairs.
- (3) In the absence of the Chairs and Vice-Chairs, the hearing shall be conducted by a member of the Committee designated by the Chairs.
- (4) Except in an emergency, a notice and an agenda of each meeting of the Committee shall be sent to all Committee members and shall be filed with the clerks of both branches and publicly posted by said clerks in such places as are designated in advance for such purpose, at least 48 hours, excluding Saturdays, Sundays, and legal holidays, prior to the time of each meeting.
- (5) All matters referred to the Committee in each Legislative session shall be given a public hearing. The Chairs shall use their discretion in scheduling the order of petitions to be heard at any public hearing or executive session of the Committee. Whenever possible, petitions involving a similar subject matter may be heard as a group and petitions shall be heard in the sequence appearing on the Committee hearing calendar.
- (6) Both Chairs must be notified beforehand of any intended use of electronic recording devices at a committee hearing, and the Chairs must notify the members of the Committee that such devices will be used during such hearing or meeting.
- (7) All cell phones and pagers must be turned off or silenced during hearings and executive sessions. Any use of a cell phone or pager during hearings and executive sessions, including calls, emailing and text messaging, is prohibited.

*B. Conduct of Hearings*

- (1) The presiding Chair shall have general supervision of all hearings before the Committee.

- (2) All testimony before the Committee shall be accepted in written and/or oral form at the time of the hearing. All persons submitting written testimony shall furnish at least two copies of such testimony to the Committee.
- (3) All persons testifying before the Committee shall furnish the following information to the Committee staff: name, organization, address, telephone number, and bill number upon which they are filing.
- (4) The presiding Chair may permit Members of the General Court and other public officials to testify out of order. The presiding Chair may call persons testifying without reference to the position of their names on the sign-up sheet.
- (5) Persons testifying can be asked to limit their time period and to summarize their written testimony at the discretion of the presiding Chair.
- (6) Committee members may question persons when testifying when they have been recognized by the presiding Chair for that purpose. The presiding Chair, at his or her discretion, may limit the time of questioning by each member after giving due consideration to the extent to which the member has already asked questions of the person testifying, the importance of the subject matter, the number of petitions scheduled for a hearing, and the length of time available.
- (7) All questions put to persons testifying before the Committee shall be pertinent to the subject matter before the Committee.

### *C. Executive Session*

- (1) Executive sessions may be held after each public hearing and at other appropriate times as selected by the Chairs. Whenever an executive session is held at a time other than after a public hearing, each member of the Committee shall be furnished with adequate, advance notice of the date, time and subject of such executive session. Adequate notice shall mean at least 48 hours, excluding Saturdays, Sundays, and legal holidays. The Chairs shall set the agenda for all executive sessions.
- (2) All executive sessions shall be open to the public unless the Committee votes to close any session pursuant to Joint Rule 1A.
- (3) All executive sessions must be attended by both the Senate and House Chair, and no executive session may be held in the absence of either Chair. This requirement may be waived by mutual agreement of both Chairs.
- (4) Executive sessions and hearings may be held in the absence of a quorum.
- (5) The Senate and House Chair shall make an appropriate recommendation for each petition to be considered during the executive session. Each recommendation must be seconded by another Committee member. The Senate and House Chair shall then take a voice vote of all Committee members present and determine what shall constitute the final majority recommendations of the Committee. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.

- (6) Any Committee member present at the executive session, seconded by another Committee member, may request that a formal vote be taken on a particular petition. The Senate and House Chair shall then poll each individual member of the Committee. All votes shall be recorded by noon on the following business day. Said votes shall be kept in the offices of the Committee and shall be available for public inspection.
- (7) In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct a poll of each Committee member to determine the recommendation of the Committee on any specific petition. A reasonable amount of time, as determined by the Chairs, shall be given for member to record their votes, and the deadline for recording votes shall be announced to each member. All votes received prior to the closing of the poll shall be announced to each member. All votes received prior to the closing of the poll shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.
- (8) Any committee member may dissent from the majority recommendation of the Committee, provided such member notifies both Chairs in writing by noon of the business day following the executive session at which the recommendation was made. This dissent shall be recorded on the appropriate form and deposited with the Senate or House Clerk.
- (9) At the request of any Committee member present at an executive session, seconded by another Committee member, a motion for reconsideration of an executive session Committee recommendation may be made and must be given to the Chairs of the Committee on the same calendar day of the Committee's decision on said matter. Such motion shall be taken up at the next regularly scheduled executive session, provided that only one such motion for reconsideration shall be permitted for any petition. This rule may be waived by the Chairs in the case of bills referred to the Committee after the third Wednesday of February of the second annual session.
- (10) The Senate and House Chairs, by mutual agreement, may discharge a bill referred to this Committee to a more appropriate Committee without a public hearing.

*D. Copy of Rules*

- (1) A copy of these rules shall be made available to the public from the offices of the Senate and House Committee Chairs and at all public hearings of the Committee.

*E. Adoption, Suspension or Modification of Rules*

- (1) On the motion of either Chair, adoption, suspension or modification of these rules shall be made by a concurrence of 2/3 of members present and voting.

Joint Committee on Telecommunications, Utilities and Energy  
Committee Rules

2011-2012 Legislative Session

General Rules for Public Hearings:

1. The co-chairmen of the committee shall alternate in presiding over the public hearings and executive sessions in a manner agreed to by the two co-chairmen; provided that reasonable effort is made that each co-chairman shall preside over an equal number of public hearings.
2. In the absence of both chairs, the hearing shall be conducted by the Senate or House vice-chair, or the senior member of the Committee present at the hearing.
3. The co-chairmen of the Committee shall be responsible for providing to the Committee members, prior to a public hearing or executive session, a synopsis of all legislative documents which are the subject of such public hearing or executive session. The co-chairmen shall ensure that copies of the legislative documents subject to public hearing on a given day are made available to the Committee members. The co-chairmen may distribute copies of such documents via electronic means.
4. A notice and agenda for every public hearing of a Committee subject to these rules shall be filed with the Clerk of the Senate and the Clerk of the House and publicly posted in such places as are designated in advance for such purpose by said Clerks, 48 hours prior to the time of such meeting. The notice shall be printed in easily readable type and shall include the date, time and place of such meeting. Such filing and posting shall be responsibility of the officer calling such meetings. When possible, such notice shall be posted on the General Court's website in a timely matter.
5. For the purpose of expediting the hearing process, groups of similar bills may be called together, and bills may be called for hearing in numerical sequence within such group, Senate numbers first. The co-chairmen shall establish a public hearing schedule and shall determine the groupings of similar bills to be heard on each hearing date.
6. At each public hearing, oral testimony shall be received in the order posted on each hearing sheet. The chairman presiding may limit oral testimony to three minutes per individual. No person may, without the permission of the chairman presiding over the public hearing, read from prepared remarks. The chairman presiding over the public hearing shall distribute any prepared remarks to all members of the Committee when presented and may do so via electronic means. The presiding chairman shall make special provisions regarding the application of this provision for persons with disabilities.
7. Legislators and other government officials may testify out of turn on any matter before the Committee at that session at the beginning of the hearing. The presiding chairman shall use discretion in limiting the amount of time for a legislator so testifying.
8. Before concluding the public hearing, the presiding chairman shall make a final call for all persons who wish to testify.

9. The co-chairmen must be notified and approve of the use of electronic recording devices at a committee hearing. Hearings may be videotaped by the Legislature's broadcast service at the request of the chairmen.

#### Executive Sessions

1. Executive sessions of the Committee shall be called by the co-chairmen in the usual manner. Unless waived pursuant to a joint agreement by the co-chairmen, no executive session of the Committee shall proceed unless both co-chairmen are present. The Committee shall hold executive sessions in accordance with the Joint Rules adopted by both branches.
2. Any Committee member present at an executive session may request a poll of committee members on any bill, provided that the poll will begin with those members in attendance, and the vote tally may be provided to committee members when polled. Any Committee member may dissent from the majority recommendation of the Committee and this shall be recorded on the appropriate form.
3. If such a poll is requested, each member shall be so polled, in the manner prescribed by the co-chairmen, including via electronic mail, to determine the committee's recommendation. A majority vote is required to establish the will of the Committee. Only those votes received prior to the deadline set by the co-chairmen shall be included in the tally. All records of polls shall be recorded and kept in the committee and be available for inspection.
4. By mutual agreement, the co-chairmen may conduct a poll of committee members on any bill via electronic mail, in absence of an executive session.
5. Executive sessions may be waived by the co-chairmen on petitions referred to the Committee after Joint Rule 10 has gone into effect, and on any matter retained by the Committee after said rule has gone into effect, pursuant to extension orders adopted in the Senate and the House of Representatives. In any such instance, a poll of the members shall be conducted in the manner prescribed by and agreed to by both co-chairmen, in order to determine the Committee's recommendation.
6. The co-chairmen shall determine the branch of the Legislature to which a report or redraft shall be sent.

#### Adoptions, Amendments, and Suspensions

1. These rules shall be adopted by a majority vote of Committee members of each branch present and voting.
2. Once adopted, these rules may be amended by two-thirds vote of Committee members of each branch present and voting.
3. Any rule may be suspended by a two-thirds vote of Committee members of each branch present and voting.

4. The Co-Chairmen shall have wide latitude in the enforcement of these rules in the conduct of these obligations.

#### Miscellaneous

1. The co-chairmen shall be responsible to the Committee for the administration of Committee work and the orderly conduct of public hearings, meetings, and executive sessions.
2. The co-chairmen shall have wide latitude in the enforcement of these rules in the conduct of these obligations, and shall rely on the Rules adopted by the House and Senate to interpret any matters not covered by the Committee Rules.

# *The Commonwealth of Massachusetts*

JOINT COMMITTEE ON TOURISM, ARTS AND CULTURAL DEVELOPMENT  
MASSACHUSETTS STATE HOUSE  
BOSTON, MASSACHUSETTS 02133-1054

**Eileen Donoghue**  
SENATE CHAIR  
Room 112  
(617) 722-1630

**Sarah K. Peake**  
HOUSE CHAIR  
Room 195  
(617) 722-2015

## COMMITTEE RULES - 2011-2012

### I PUBLIC HEARINGS

A. All public hearings shall be conducted by the Senate or House Chair (the “Presiding Chair”). The Chairs shall alternate in presiding over the public hearings and executive sessions in a manner agreed to by the two Chairs; provided that reasonable effort is made that each Chair preside over an equal number of public hearings.

B. In the absence of both Chairs the hearing shall be conducted by the Senate or House Vice-Chair, as determined by the Chairs. In the absence of both Chairs and both Vice-Chairs, the hearing shall be conducted by a member of the Committee as designated by the Chairs.

C. The Presiding Chair shall have general supervision in all hearings before the Committee and shall preserve order and decorum. Committee members may question witnesses only when they have been recognized by the Chair for that purpose.

D. Except in an emergency, a notice and agenda of every meeting of the Committee shall be sent to all committee members and shall be filed with the clerks of both branches and publicly posted in such places as are designated in advance for such purpose by said clerks, at least 48 hours, excluding Saturdays, Sundays and legal holidays, prior to that time of such meeting. The Chairs, by mutual agreement, shall determine the agenda for any given meeting.

E. The Presiding Chair may use his or her discretion in scheduling the order of petitions to be heard at any public hearing or executive session of the Committee. However, as a general rule, petitions shall be heard in the sequence appearing on the Committee hearing calendar, except that petitions that involve a similar subject matter may be heard as a group.

F. The Committee shall hold public hearings on each matter referred to it in each legislative session.

G. Both Chairs must be notified prior to a Committee hearing or meeting of any intended use of electronic recording devices at such Committee hearing or meeting, and the Chairs, in turn, must notify the members of the Committee that such devices will be used during such hearing or meeting. The Presiding Chair may prohibit the use of any recording deemed to interfere or to be likely to

interfere with the conduct of the hearing. Notwithstanding the foregoing, State House authorized web-streaming shall be permitted.

H. Before each hearing, anyone intending to testify shall register the following information on a witness sign-up sheet; name, address, telephone number, email, organization and bill number.

I. All testimony before the Committee shall be accepted in written and/or oral form.

J. The Presiding Chair may limit the length of testimony and the time for questioning witnesses by each Committee member.

K. All questions put to witnesses before the Committee shall be pertinent to the subject matter before the Committee. All questions of witnesses by Committee members shall be directed through the Chairs.

L. The Presiding Chair may ask persons testifying to limit their time period and to summarize their written testimony.

M. The Presiding Chair shall permit members of the General Court and may permit other public officials to testify out of order, and may call witnesses without reference to the presence or position of their names on the witness sign-up sheet. The Chair reserves the right to re-open closed portions of the hearing to permit testimony of any late arriving witnesses.

N. Anyone may record a written opinion for the Committee and present the testimony to the Committee staff at the time of the public hearing or within 48 hours before an executive session on the matter.

O. Whenever a member of the Committee present at a committee meeting so requests, the vote to give any legislation a recommendation shall be recorded on appropriate forms that show all votes for and against the particular committee action. The record of all such roll calls shall be available for public inspection. In voting on bills or other matters before it, the Committee and each Committee member, as appropriate, shall choose one of the following recommendations: Ought to Pass; Ought to Pass with Amendments; Ought Not to Pass; Study Order; or Discharge.

P. All cell phones and pagers must be turned off or silenced during hearings and executive sessions.

## II EXECUTIVE SESSIONS

A. Executive sessions may be held after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than after a public hearing, each member of the committee shall be furnished with adequate, advance notice of the date, time and subject of such executive session. The Chairs by mutual agreement shall set the agenda for all executive sessions. Adequate notice shall mean at least 48 hours excluding, Saturdays, Sundays and legal holidays, prior to that time of such meetings.

B. Every executive session shall be open to the public, unless the committee votes to close any such session pursuant to Joint Rule A1.

C. All executive sessions must be attended by both the Senate and House Chair, and no executive session may be held in the absence of either Chair. This requirement may be waived by mutual agreement of both Chairs.

D. Executive sessions and hearings may be held in the absence of quorum. A simple majority shall constitute a quorum.

E. The Senate and House Chair by mutual agreement shall make an appropriate recommendation for each petition to be considered during the executive session. Each recommendation must be seconded by another committee member. The Senate and House Chair shall then take a voice vote of all committee members present and determine what shall constitute the final majority recommendations of the Committee.

F. Any committee member present at the executive session may request that a formal vote be taken on a particular petition. The Senate and House Chair shall then poll each individual member of the committee. All votes shall be recorded by noon the following business day. Said votes shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.

G. Prior to a vote, at the request of either Chair, an informal poll of each committee member shall be taken to determine the inclination of the Committee on any specific bill.

H. Any member of the Committee may be listed as "dissenting" on the report of the committee on any bill, provided such member notifies either Chair before 5:00 pm on the day of the executive session on said bill.

I. At the request of any committee member, a motion for reconsideration of an executive session committee recommendation may be made and must be seconded by another committee member. Written notice that such motion must be given to the Chairs of the committee on the same calendar day of the committee's decision on said matter. Such motion for reconsideration shall be permitted for any petition. This rule may be waived by the Chairs in the case of late filed bill or bills referred to the committee after the third Wednesday of February of the second annual session.

J. In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct a poll of each Committee member to determine the recommendation of the Committee on any specific petition. A reasonable amount of time, as determined by the Chairs, shall be given for members to record their votes, and the deadline for recording votes shall be announced to each Committee member. All votes received prior to the deadline shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.

K. The Chairs may designate any committee member to manage the progress on the House or Senate floor of any bill which the committee reports favorably.

L. Adoption, suspension or modification of these rules shall be made by a concurrence of 2/3 of all members present and voting.

M. The foregoing rules may be waived by the Committee Chairs in the case of “late-file” bills or bills referred to the Committee after the deadline as outlined in Joint Rule 12. After the deadline as established in Joint Rule 10 for making final reports, all such late-file bills shall be placed in a study order upon the expiration of the twenty-ninth day following its referral to Committee, unless the Committee in executive session takes prior alternative action.

Joint Committee on Transportation  
Massachusetts General Court  
State House, Room 134, Boston, MA  
(617) 722-2400

William Straus  
House Chair

Thomas McGee  
Senate Chair

Dear Clerks:

Attached please find the Joint Committee on Transportation Rules for the 2011-2012 Session. As required by Joint Rules 1, each standing Joint Committee shall adopt rules of procedure regarding the conduct of said Committee. Said rules of procedure shall be filed with the Clerk of the Senate and the Clerk of the House and shall be available to the public and members of the General Court.

Sincerely,

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Chairman William Straus

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Chairman Thomas McGee

Joint Committee on Transportation  
Massachusetts General Court  
State House, Room 134, Boston, MA  
(617) 722-2400

William Straus  
House Chair

Thomas McGee  
Senate Chair

## **COMMITTEE RULES**

**2011 – 2012**

### **A. Public Hearings**

1. All petitions referred to the Committee shall be given a public hearing, by the Committee Chairs except as herein provided. Upon mutual agreement, the Committee Chairs may agree to discharge bills assigned to the Committee or otherwise dispose of bills assigned to the Committee by electronic or voice poll. Public hearings may be held in the absence of a quorum.
2. The Senate Chair and House Chair shall agree between themselves who will chair each hearing. In the absence of both Chairpersons, the Vice Chair present or a Committee member designated by a Chair shall conduct hearing.
3. All cell phones and pagers must be turned off or silenced during hearings and executive sessions. The Chairmen must be notified in advance and may approve the use of electronic recording devices at a public hearing or executive session.
4. All Persons testifying before the Committee shall furnish the following information to the Committee:
  - A) Name

- B) Organization
- c) Address
- D) Telephone number
- e) Bill number and subject matter on which the person is testifying
- f) Whether proponent or opponent of the subject matter or bill.

5. All questions put to persons testifying before the Committee shall be pertinent to the subject matter before the Committee. The pertinence of the subject matter shall be determined by the Chairmen.
6. The presiding Chair, or acting presiding member (hereafter "the Chair"), shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session of the Committee.
7. No one shall be allowed to speak at any meeting without first being recognized by the Chair. The Chair shall use discretion in setting a time limit for oral testimony. All questions by members of the Committee to persons testifying before the Committee shall be addressed through the Chair and shall be pertinent to the subject matter before the Committee. The Chairmen may, if necessary, limit the time of questioning by each member after giving due consideration to the importance of the subject matter, the number of petitions scheduled for hearing, and the length of time available to the Committee.
8. Each member of the Committee will receive, electronically, a schedule of the public hearings on legislation referred to the committee. The schedule will group legislation by category, noting the hearing date, time and location. Each member of the committee will be notified electronically of any public hearing or executive session at least 36 hours prior to the meeting date, excluding Saturdays, Sundays and legal holidays.

**B. Executive Session**

1. Executive sessions may be scheduled after each public hearing and at other appropriate times. Whenever an executive session is held at a time other than on the day of a public hearing, each member of the Committee shall be furnished with adequate advance notice (See Part A, 8) of the date, time, place and subject of such executive session.

2. No executive session may be held in the absence of either Committee Chair, except by mutual agreement of both Chairs. The Chair presiding will have general supervision of the executive session.
3. All executive sessions of the Committee shall be open to the public unless the Committee, in accordance with Joint Rule 1A, votes to close such sessions.
4. A majority vote of the members present at the executive session shall constitute the recommendations of the Committee.
5. Any member of the Committee shall have the right to be recorded as dissenting from or abstaining from the Committee recommendation provided that the Committee Chairs have been informed of this desire by the end of the executive session.
6. Upon a motion made by any member of the Committee in attendance at an executive session and seconded by another member of the Committee in attendance, a poll of the full Committee shall be taken to determine the recommendation of the full Committee on any specific matter before said Committee. In the event that a poll is taken the members shall be given 24 hours to respond to the poll. The votes of the majority of those members responding to the poll shall constitute the recommendation of the committee. The House and Senate Chairs may waive the 36 hour notice requirement for polls.
7. In lieu of an executive session, the Senate and House Chairs, by mutual agreement, may conduct a poll of each Committee member to determine the recommendation of the Committee on any specific petition. A reasonable amount of time, as determined by the Chairs, shall be given for members to record their votes, and the deadline for recording votes shall be announced to each member. All votes received prior to the closing of the poll shall be recorded on the appropriate form and the record of all such roll calls shall be kept in the offices of the Committee and shall be available for public inspection.
8. The Committee Chairs shall determine the branch of the Legislature to which a report or redraft shall be sent.

**C. Adoptions and Suspensions**

1. These rules shall be adopted by a majority vote of Committee members.
2. Except for Part B, #2, any rule may be suspended by a two-thirds vote of Committee members present and voting.



**THE GENERAL COURT OF MASSACHUSETTS**  
**JOINT COMMITTEE ON VETERANS & FEDERAL AFFAIRS**  
Room 174, State House, Boston, MA 02133-1054  
Tel. (617) 722-2877 • Fax (617) 722-9278

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SENATOR MICHAEL F. RUSH  
Senate Chair

REPRESENTATIVE JAMES E. VALLEE  
House Chair

SENATOR THOMAS M. MCGEE  
Designated Senate Chair

**JOINT COMMITTEE ON VETERANS & FEDERAL AFFAIRS**

**COMMITTEE RULES**  
**2011-2012 SESSION**

**A. GENERAL RULES FOR COMMITTEE MEETINGS**

1. Public hearings shall be conducted by the House or Senate Chair, or designated Chair, in accordance with the Joint Rules of the House and Senate for the years 2011-2012. In the absence of both Chairs or designated Chairs, the hearing shall be conducted by a Vice-Chair or someone appointed by either Chair or designated Chair.
2. Each member of the Committee will receive a hearing package at least 48 hours in advance of a public hearing. The package will contain the date, time, and location for the hearing. Also included in the package will be a bill summary for each bill scheduled to be heard on that day. Members are responsible for bringing the package to the hearing. Each member of the Committee shall also be given at least 48 hours written notice of the date, time, location, and list of bills to be considered at an executive session. Only in the event of an emergency, as declared by either Chair, or designated Chair, may the 48 hour requirement be suspended in accordance with the Joint Rules.
3. Whenever possible, a notice and agenda of every public hearing or executive session of the Committee shall be filed with the Clerk of the Senate and the Clerk of the House and publicly posted in such places as are designated in advance for such purpose by said Clerks 48 hours prior to the time of such meeting. The notice shall be printed in easily readable type and shall include the date, time, and place of such meeting.

4. All persons intending to submit written testimony to the Committee shall furnish copies of such written testimony to the Committee staff no later than the time of the hearing at which such testimony is to be considered.
5. Agencies are asked to submit their written response to proposals affecting their agency no later than 48 hours prior to the hearing. In addition, a representative of the agency is requested to prepare oral testimony for the day of the hearing and be available to answer questions at the public hearing.
6. The Chair, or presiding designated Chair, shall use his or her discretion in scheduling the order in which proposals shall be heard at any public hearing or executive session. Groups of similar bills may be called together.
7. All cell phones and pagers must be turned off or silenced and text messaging and E-mailing are prohibited during hearings and executive sessions.
8. The Chair, or designated Chair, must be given adequate notice beforehand of any intended use of electronic recording devices or cameras at a Committee hearing or executive session. It is the decision of the presiding Chair, or designated Chair, whether said devices may be used.
9. Public hearings and executive sessions may be held in the absence of a quorum.
10. The Chairs, or designated Co-Chairs, when in agreement, may discharge to other committees those matters which have been inappropriately referred to the Joint Committee on Veterans & Federal Affairs.

## **B. CONDUCT OF PUBLIC HEARINGS**

1. The Co-Chairs or designated Co-Chairs of the Committee shall share the role of presiding over the public hearings and executive sessions in a manner agreed to by the two Co-Chairs, or designated Co-Chairs; provided that a reasonable effort is made by each Co-Chair or designated Co-Chairs to preside over an equal number of public hearings.
2. The presiding Chair or designated Chair shall have general supervision of all hearings before the Committee. Testimony by each person on each bill may be limited to three minutes by the presiding Chair, or designated Chair. The presiding Chair, or designated Chair, may, at his or her discretion, may waive the time limit on testimony. Committee members may only question witnesses when they have been recognized by the presiding Chair, or designated Chair. The presiding Chair, or designated Chair, may, at his or her discretion, limit the time for questioning.
3. At each public hearing, witnesses may give oral testimony and shall be received as each bill is considered based on the order they signed in on the hearing sign-in sheet.

Legislators, other government officials, and other persons identified by the presiding Chair or designated Chair may testify out of turn, with the approval of the Chair or designated Chair or presiding member, on any matter scheduled for a hearing before the Committee on that day.

4. All questions asked of witnesses before the Committee should be germane to the subject matter before the Committee.
5. Before concluding the public hearing, the presiding Chair or designated Chair may make a final call for all persons who wish to testify.

### **C. ADOPTION, AMENDMENT, AND SUSPENSION**

1. These rules shall be adopted by a majority vote of the Senate members present and Voting, and a majority vote of the House members present and voting.
2. Once adopted, these rules may be amended by a two-thirds vote of the Senate members present and voting, and a two-thirds vote of the House members present and voting.
3. Any rule may be suspended by a two-thirds vote of the Senate members present and voting, and a two-thirds vote of the House members present and voting.

### **D. EXECUTIVE SESSIONS**

1. Executive sessions of the Committee shall be called by the Co-Chairs, or designated Co-Chairs. The Co-Chairs or designated Co-Chairs shall set the agenda for executive sessions by mutual agreement. Unless waived pursuant to a joint agreement by the Co-Chairs, or designated Co-Chairs, no executive session of the Committee shall proceed unless both Co-Chairs or designated Co-Chairs are present.
2. All executive sessions are open to the public at the discretion of the presiding Chair, or designated Chair. Public testimony or comment is not allowed at executive sessions.
3. The members of the Committee shall appropriately discuss each petition and shall vote thereafter. A majority of members present, including the Chairs, or designated Chairs, shall constitute the recommendation of the Committee.
4. Committee members' questions and comments shall pertain to the subject matter of the legislation being considered. The Committee may vote on the legislation before it by choosing one of the following recommendations:

-Ought to pass

- Ought to pass with amendments
- Ought not to pass
- Study/Referral

Committee members may also choose to reserve their rights and abstain from voting.

Additionally, the Co-Chairs or designated Chairs may file an extension order, if so needed.

5. Any member of the Committee has the right to be listed as dissenting from the Committee report. A report of the Committee will not be final and shall not be filed until all Committee members have been given a period of 24 hours in which to indicate their dissent from said report. Senate members shall file any dissenting views with the Senate Chair or designated Chair and House members shall file any dissenting views with the House Chair or designated Chair.
6. In lieu of an executive session, the Committee Chairs, or designated Chairs, by mutual agreement, may poll the Committee members to determine the recommendation of the Committee on any specific action. Such poll shall be conducted at the direction of the Committee Chairs, or designated Chairs. A reasonable amount of time, as jointly determined by the Committee Chairs, or designated Chairs, shall be given for Committee members to record their votes, and the Committee members shall be notified of the subject matter involved and the deadline for responding to the poll.
7. Upon agreement of the Co-Chairs, or designated Chairs, action may also be taken on a bill after advance written notification of at least 48 hours to all members regarding the intended action. A majority vote is required to establish the will of the Committee. Votes may be cast in person, by email, or by phone.
8. The record of any roll call votes shall be made available to the public upon request.
9. The Co-Chairs, or designated Chairs, shall rely on the Joint Rules adopted by the House and Senate to interpret any matters not covered by the Committee Rules.