

Report of the committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment of the House Order relative to the adoption of permanent Joint Rules 10, 11B, 12, 12A and 26A for the 2003-2004 General Court (House, No. 2005) (striking out the text contained therein and inserting in place thereof the text contained in Senate document numbered 1927), recommending that Joint Rules 10, 11B, 12, 26A and the first two sentences of Joint Rule 23 be adopted as the permanent text of said rules, as follows:

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

1 Striking out the text contained therein and inserting in place
2 thereof the following:

3 *“Ordered*, That the following rules be adopted as the permanent
4 Joint Rules 10, 11B, 12 and 26A for the 2003-2004 General
5 Court:—

6 10. All joint committees and the committee on Rules of the two
7 branches, acting concurrently, shall make final report not later
8 than the third Wednesday in March of the second annual session
9 of the General Court on all matters referred to them before the
10 third Wednesday in February of the second annual session and
11 within 30 days on all matters referred to them on and after the
12 third Wednesday in February of the second annual session of the
13 General Court. When the time within which said committees are
14 required to report has expired, all matters upon which no report
15 has then been made shall forthwith be reported by the chairman of
16 the committee on the part of the branch in which they were
17 respectively introduced, with an adverse recommendation under
18 this rule. If the chairman fails to make such report by the end of
19 the legislative day next following the expiration date, all matters
20 remaining unreported shall be placed in the Orders of the Day by
21 the Clerk of the branch in which the matter was originally filed
22 with an adverse report under this rule. Matters which have been
23 referred under the provisions of Joint Rule 29, upon which the
24 chairmen of the committees on Rules fail to make a report, shall

25 be placed by the respective Clerks in the Orders of the Day of the
26 branch in which the subject matter was referred to said commit-
27 tees. Committees to whom are referred subjects of legislation may
28 combine petitions of similar subject matter, or other forms of leg-
29 islation of similar subject matter, into one adverse report, and the
30 report thereon shall be that said petitions or other forms of legisla-
31 tion "ought NOT to pass," and if the report is accepted, all the
32 matters contained therein shall be disposed of. However, petitions
33 upon which an adverse report is accepted in only one branch may
34 not be combined with other subjects of legislation upon which
35 adverse reports must be accepted, in concurrence. The provisions
36 of this rule shall not apply to petitions referred to the committees
37 on Rules of the two branches, acting concurrently, under the pro-
38 visions of the second paragraph of Joint Rule 12. This rule shall
39 not be rescinded, amended or suspended, except by a concurrent
40 vote of four-fifths of the members of each branch present and
41 voting thereon. Notwithstanding the provisions of Joint Rule 30,
42 this rule shall not be rescinded, amended or suspended more than
43 three times except by unanimous consent.

44 11B. No report from a committee of conference shall be consid-
45 ered or acted upon by either branch until the calendar day
46 following during which said report shall have been in print and
47 available to the public and to the members of the General Court.
48 The committee shall file its report no later than eight o'clock P.M.
49 on the day preceding its consideration and the General Court shall
50 not consider said report before one o'clock P.M., on the following
51 day, except that a report from such a committee of conference that
52 is unable to agree may be considered and acted upon at the time
53 that such report is filed.

54 12. Resolutions intended for adoption by both branches of the
55 General Court, petitions, and all other subjects of legislation, shall
56 be deposited with the Clerk of either branch prior to five o'clock
57 in the afternoon on the first Wednesday in December preceding
58 the first annual session of the General Court.

59 All such matters (except messages from the Governor, reports
60 required or authorized to be made to the Legislature and petitions
61 filed or approved by the voters of a city or town, or the mayor and
62 city council, or other legislative body of a city, or the town
63 meeting of a town, for the enactment of a special law in compli-

64 ance with the requirements of Section 8 of Article LXXXIX of the
65 Amendments to the Constitution and which do not affect the
66 powers, duties, etc., of state departments, boards, commissions, etc.,
67 or which do not affect generally the laws of the Commonwealth)
68 deposited with the respective clerks subsequent to five o'clock on
69 the first Wednesday of December preceding the first annual ses-
70 sion of the General Court shall be referred by the Clerks to the
71 committees on the Rules of the two branches, acting concurrently.
72 No such matter shall be admitted for consideration except on
73 report of the committees on Rules of the two branches, acting con-
74 currently, and then upon approval of two-thirds of the members of
75 each branch voting thereon. Matters upon which suspension of
76 Joint Rule 12 has been negated shall be placed on file.

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

85 26A. If written statements of twenty-one members of the
86 Senate and eighty-one members of the House of Representatives,
87 that in their opinion it is necessary that the General Court
88 assemble in special session on a particular date and time specified
89 therein during a recess of the General Court, are filed with their
90 respective Clerks, such Clerks shall forthwith notify all the mem-
91 bers of their respective branches to assemble at the State House in
92 Boston on said date at the time so specified. When so assembled,
93 the first business to be taken up shall be the question of the neces-
94 sity of so assembling, in accordance with Article I of Section I of
95 Chapter I of Part the Second of the Constitution of the Common-
96 wealth. If twenty-one members of the Senate and eighty-one
97 members of the House of Representatives judge by a vote taken
98 by call of the yeas and nays that such assembling of the General
99 Court is necessary, specifying in such a vote the facts constituting
100 such necessity, the General Court shall then complete its organiza-
101 tion as a special session and proceed to the consideration of the
102 suspension of Joint Rule 12A, which if suspended by the required

103 two-thirds of the members of both branches, will permit the
104 General Court to proceed to consideration of matters properly
105 before it. Nothing herein contained shall prevent the General
106 Court from assembling in any other constitutional manner when it
107 judges necessary.”; and that Joint Rule 23 be amended by striking
108 out the first and second sentences thereof and inserting in place
109 thereof the following two sentences: “All proposals for amend-
110 ments to the Constitution referred to a joint committee in the first
111 annual session of the General Court shall be reported by said com-
112 mittee no later than the last Wednesday of April in said year, and
113 proposals for amendments to the Constitution referred to a joint
114 committee subsequent to the last Wednesday in April of the first
115 annual session shall be reported by said committee no later than
116 the last Wednesday of April in the second session of the same
117 General Court. The committee shall file its report, either recom-
118 mending that the proposal ought to pass or ought not to pass, with
119 any official papers in its possession that relate thereto, with the
120 Clerk of the Senate.”; and that the Senate concur in the further
121 amendment.