HOUSE . . . . . No. 6506

The Commonwealth of Massachusetts

INTERIM REPORT

OF THE

JOINT SPECIAL COMMITTEE

ESTABLISHED

TO PREPARE PERMANENT RULES

FOR THE GOVERNING OF THE TWO BRANCHES

OF THE

GENERAL COURT

June 21, 1983.

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HOUSE No. 5934

House, March 21, 1983 Offered by Representative George Keverian

Ordered, That a joint special committee, to consist of five members of the Senate and ten members of the House, be appointed to prepare permanent rules for the governing of the two branches.

Said committee may report its recommendations from time to time but shall file its final report, with its recommendations, with the Clerk of the House of Representatives on or before the first Wednesday of November in the current year.

Adopted in the House
March 21, 1983
Adopted in the Senate
March 23, 1983

MEMBERS OF THE JOINT SPECIAL COMMITTEE APPOINTED RELATIVE TO THE RULES OF THE TWO BRANCHES.

Sen. PATRICIA McGOVERN
Sen. JOHN A. BRENNAN, Jr.
Sen. ANNA P. BUCKLEY
Sen. LINDA MELCONIAN
Sen. DAVID H. LOCKE March 31, 1983

Rep. GEORGE KEVERIAN
Rep. JOHN E. MURPHY, Jr.
Rep. VINCENT J. PIRO
Rep. ROBERT B. AMBLER
Rep. RICHARD T. MOORE
Rep. DORIS BUNTE
Rep. SALVATORE CICCARELLI
Rep. SUSAN C. TUCKER
Rep. STEVEN D. PIERCE
Rep. HADEN G. GREENHALGH April 4, 1983

The Commonwealth of Massachusetts

To the Honorable Senate and House of Representatives:

The Joint Special Committee established relative to the Rules of the General Court hereby submits its initial report.

While not required to submit a final report until the first Wednesday of November in the current year, the committee envisions that the scope of its investigation and study will require several reports.

Therefore, it is the intent of the Committee to continue its deliberations and to file recommendations in a manner most conducive to timely implementation by the General Court.

These initial recommendations are offered at this stage of the Committee's deliberations due to the timeliness of the proposal regarding conference committees and the advance notice required regarding those changes concerning petition filing and committee operations.

The following recommendations by the Committee are offered with the same sense of purpose and spirit of cooperation which has characterized the endeavors of the Committee.

Respectfully submitted,

Senator Patricia McGovern
Representative George Keverian

I.

In congruence with the scope and nature of its mandate, the Joint Special Committee has met regularly since its establishment.

Accordingly, the Committee has undertaken an extensive review of the Joint Rules, possible changes thereto and the ramifications thereof. Prior legislative studies and recommendations as well as academic labors and other sources continue to be consulted. Equally, the Joint Committee has proceeded in the context of prior reforms and those very changes already incorporated into the rules of each branch during this session. (See H. 1500, H. 1504 of 1983; S. 1880 of 1983.)

Central to the labors of the Joint Committee are the goals of expediting and facilitating the legislative process for both members of the General Court and the citizens of the Commonwealth.

Among matters under consideration by the Joint Committee are: the workload of the General Court and the implications thereof, potential means of increased copetitioning and bill consolidation, institution of a legislative carry-over mechanism, facets of the public hearing process, the operations of legislative committees, calendarization, aspects of the conference committee process, various options regarding session organization and potential means of increasing the legislative oversight.

This Committee fully intends to solicit the views and perspectives of many diverse sources and review both traditional and nontraditional approaches to legislative betterment. However, while cognizant of the tensions occasioned by the Commonwealth's tradition of an open and democratic legislative process and the demand for efficiency in addressing the complex problems of contemporary society, the Committee is equally aware that the legislature is an enduring and evolving institution. Thus, the Joint Committee will seek practical solutions compatible with the many salutary features already present in the Rules of two branches.

II.

Recommendations of the Joint Special Committee.

Final dates for filing legislative petitions

Undeniably the General Court is one of the busiest and most active state legislatures in the nation. The workload of the General Court far surpasses that of most other legislatures. Thus, it is fitting that this Joint Committee address the logistical problems associated with this workload in its initial recommendations.

It is the considered opinion of this Committee that the annual inordinate burdens commonly associated with the processing of legislative petitions could be alleviated by moving the filing deadline for members of the General Court from the current first Wednesday in December to the first Wednesday in November prior to the second year.

Reduction of the proximity of the filing date to the January commencement of the new legislative year would assist in the drafting, processing, referencing and consequent printing of legislative petitions.

Both members of the General Court and the citizenry of the Commonwealth would benefit from the increased facility with which said legislative documents could be procured. Similarly the legislative institution would be enabled to better apportion its resources and manage the flow of legislative business due to said earlier filing date and consequent earlier committee hearings.

Accordingly, the Joint Committee equally recommends that the current statutory provision that executive agencies file legislative recommendations on or before the first Wednesday in November be amended to establish a new departmental filing deadline of the first Wednesday in October.

Availability of Conference Committee Reports

The Joint Committee recommends that the Joint Rules also be amended in reference to conference reports to insure the availabiity of said legislative documents to both members of the General Court and the public for a reasonable period of time prior to any debate regarding such reports.

While a requirement regarding the printing of committee of conference reports on appropriation bills already exists (Joint Rule 11A), the Joint Committee recommends that said printing requirement be extended to all reports of committees of conference and that there exist a reasonable period of time between the availablility of such reports and the initiation of any debate thereto.

In accordance with existing Joint Rule 33, the Joint Committee recommends that suspension of the aforementioned Joint Rule require a two-thirds vote.

Availability of Joint Standing Committee Rules of Procedure

The Joint Committee recommends that each joint standing committee of the General Court, upon organization, shall be required to file those rules of committee procedure so formulated and adopted with the Clerk of the House and the Clerk of the Senate within a reasonable time thereof. Said addition to the Joint Rules can but facilitate the operations of the various joint standing committees.

The Commonwealth of Massachusetts

Ordered, That the Joint Rules of the two branches be amended as follows: —

In Joint Rule 1 by inserting after the second paragraph the following paragraph:

"Within four weeks of the opening of the 1984 session and within the first four weeks of the first year of each General Court thereafter, each joint standing 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.";

In Joint Rule 11A by striking out the last paragraph;

By inserting after Joint Rule 11A the following new rule:

"11B. No report from a committee of conference shall be considered or acted upon by either branch until the calendar day following during which said report shall have been in print and available to the public and to the members of the General Court ahd provided further that in no case shall less than twelve hours expire between such availability and consideration, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is filed.";

In Joint Rule 12 by striking out the first paragraph and inserting in place thereof the following paragraph:

"Resolutions intended for adoption by both branches of the General Court, petitions, and all other subjects of legislation, shal be deposited with the Clerk of either branch prior to five o'clock in the afternoon on the first Wednesday in December preceding the first annual session of the General Court and prior to five o'clock in the afternoon on the first Wednesday in November preceding the second annual session of the General Court."; and

In the second paragraph of said Joint Rule 12 by striking out the words "preceding the annual session of the General Court" and inserting in place thereof the words "preceding the first annual session of the General Court or deposited with the respective clerks subsequent to five o'clock on the first Wednesday of November preceding the second annual session of the General Court."

For the committee,

Senators.	*Representatives.*
Senator Patricia McGovern	Representative George Keverian
Senator John A. Brennan, Jr.	Representative John E. Murphy, Jr.
Senator Anna P. Buckley	Representative Vincent J. Piro
Senator Linda Melconian	Representative Robert B. Ambler
	Representative Richard T. Moore
	Representative Doris Bunte
	Representative Salvatore Ciccarelli
	Representative Susan C. Tucker
	Representative Steven D. Pierce
	Representative Haden G. Greenhalgh