

Revere City Council

Rules of Order



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RULE 1 - PRESIDENT, POWERS AND DUTIES AND QUORUM

The President shall take the chair at the hour to which the Council has adjourned, shall call the Council to order and, on the appearance of a majority of all of the members of the City Council, a **quorum, (six councillors)** shall proceed to business. In the absence of the President, the Vice President shall call the Council to order and serve as President, pro-tempore for the meeting. An affirmative vote of a majority of all of the members of the City Council shall be necessary to adopt any motion, resolution or ordinance. M.G.L. CH 43, Sec. 18

RULE 2 - PRESIDENT AND VICE PRESIDENT, ELECTION

Pursuant to Massachusetts General Laws, **Chapter 43, Section 59**, the Council shall annually elect a President. After a President has been elected a Vice-President shall then be elected. Upon the election of President and Vice President members of the City Council shall be assigned seats in the alphabetical order of their surname. The member of the City Council with the longest seniority shall be President Pro-tempore.

RULE 3 - PRESERVATION OF ORDER - APPEALS

The President shall preserve order and decorum, may speak to points of order in preference to other Councillors, and shall decide all questions of order, subject to an appeal to the Council on a motion of any Councillor and no other business shall be in order until the question on the appeal shall have been decided. The questions shall be put as follows: "**Shall the decision of the President be Overruled?**"

RULE 4 - QUESTIONS - ORDER

The President shall propound all questions in the order in which they are moved, unless the subsequent motion is previous in its nature, except that in naming sums or fixing times, the largest sums and the longest times shall be put first.

RULE 5 – COLLECTIVE BARGAINING AGREEMENTS APPROVAL OF APPROPRIATION

The Mayor shall submit to the City Council, within thirty days after the date upon which a collective bargaining agreement is executed by the parties, a request for an appropriation necessary to fund the cost items contained in the agreement. If the City Council duly rejects the Mayor's request for an appropriation necessary to fund the cost items, such cost items shall be returned to the parties for further bargaining. An affirmative vote of a majority of all of the members of the City Council shall be necessary to approve the appropriation. M.G.L. CH 150E, Sec. 7.

RULE 6 - ADDRESSING PRESIDENT

When a Councillor desires to address the Council, the Councillor shall respectfully address the President as "**Mr. President**" or "**Madam President**" and the Councillor shall confine his or her remarks to the question under debate and shall avoid personalities.

RULE 7 - SPEAKING DECORUM

No Councillor shall be interrupted while speaking except by a call to order or for an explanation. Any Councillor on being called to order shall cease debate until the point of order is decided unless allowed by the President to explain. All questions addressed by one Councillor to another shall be stated through the President. The City Council President shall **not** speak from the chair if he or she wishes to speak on an issue. The Council Vice President shall assume the chair until the debate on the specific issue has been voted, tabled or referred to a committee.

RULE 8 - DEBATE LIMITATIONS

No Councillor shall speak for more than three minutes and more than **twice** on the same matter without leave of the Council, nor more than **once** until all other Councillors desiring to speak have spoken. No Councillor shall speak on more than **three** motions, which he or she introduces at each meeting. The **three** motions shall include those motions submitted as "late or late-late motions".

RULE 9 - MOTIONS, PROCEDURE DURING DEBATE

When a question is under debate, the President shall receive no motion but:

- (a) to adjourn
- (b) to lay on the table
- (c) for a previous question
- (d) to limit or extend debate
- (e) to postpone to a day certain
- (f) to refer
- (g) to amend
- (h) to postpone indefinitely

which several motions shall have precedence in the order in which they are arranged.

RULE 10 - MOTION TO LAY ON TABLE, PREVIOUS QUESTION

The motion to lay on the table, to take from the table, or the previous question shall be decided without debate.

RULE 11 - PREVIOUS QUESTION

The President shall put the previous question in the following manner: **"Shall the main question be now put?"** All debate on the main question and pending amendments shall be suspended until the previous question is decided. After adoption of the previous question by a **two-thirds vote**, the vote shall forthwith be taken upon amendments pending in the regular order and then upon the main question.

RULE 12 - MOTION TO ADJOURN, WHEN NOT IN ORDER, NOT DEBATABLE

A motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion
- (b) When made as an interruption of a Councillor while speaking
- (c) When the previous question has been ordered
- (d) While a vote is being taken

A motion to adjourn is debatable only as to the time to which the meeting is adjourned. A majority vote of all of the members of the City Council shall be required to adopt a motion to adjourn.

RULE 13 - VOTING

Every Councillor present when a question is put may vote either **"YES"**, **"NO"**, or **"PRESENT"**. (M.G.L. CH 43, Sec. 18)

RULE 14 - ROLL CALL, REQUEST

The President shall decide all votes, but if any Councillor doubts the vote, the President, without further debate, shall call for a vote of the Council, which shall be taken a roll call.

An affirmative vote of a majority of all of the members of the City Council shall be necessary to adopt any motion, resolution, or ordinance, (M.G.L. CH 43, Sec. 18). Two-thirds vote for zoning amendments and special permits, (M.G.L. CH 40A, Sec. 5 and 9). Two-thirds vote for certain appropriations and transfers, (M.G.L. CH 44, Sec. 7, 8, 33, 33A, 33B and 68), M.G.L. CH 40, Sec. 5B (stabilization fund) two-thirds vote required. M.G.L. CH 150E Sec 7 (Collective Bargaining Agreements Majority Vote). M.G.L. CH 40,

Sec 14 Appropriation of money by loan or otherwise for the purpose of purchase or taking of land for municipal purpose by two-thirds vote of City Council.

All final votes of the City Council on questions involving the expenditures of **\$1,000.00** or more, or upon the request of any Councillor on any vote of the City Council, shall be by roll call and shall be entered into the records.

Prior to the announcement by the President of the result of a roll call vote, any Councillor may ask to have his or her name called again in order to be recorded differently.

It shall not be in order for Councillors to explain their votes during the call of the roll.

RULE 15 - PERSONAL PRIVILEGE

The right of a Councillor to address the Council on a question of personal privilege shall be limited to cases in which the integrity, character of motives of a Councillor have been assailed, questioned or impugned.

RULE 16 - RECONSIDERATION

A question having been taken, it shall not be in order to move a reconsideration thereof at the same meeting, but a motion to reconsider may be made at the next regular meeting provided written or electronic notice of such motion shall be filed with the City Clerk prior to **4:00 P.M.**, of the day following; but no more than one motion for reconsideration of any vote shall be entertained. In case more than one written or electronic notice of intent to move for reconsideration on any question is filed with the City Clerk, the Council shall accept a motion for reconsideration by the Councillor whose notice shows the earliest date and hour of filing. There shall be no debate on a motion for reconsideration. A motion to reconsider may be made by any member of the Council present and voting. An affirmative vote of a majority of all of the members of the City Council shall be necessary to approve a motion of reconsideration.

RULE 17 - ORDER OF BUSINESS

Section 1. At every regular meeting of the City Council held on the **first, second, or third** Mondays of each month, the order of business shall be as follows:

- (a)** Salute to the Flag
- (b)** Roll Call of Councillors
- (c)** Approval of the Journal of the previous meeting
- (d)** Unfinished Business of the previous meeting
- (e)** Citizens Petitions and/or Letters
- (f)** Reports of the Sub-Committees

- (g) Communication from the Mayor
- (h) Communications, Petitions and Reports from City Offices
- (i) Motions, Orders or Resolutions
- (j) Late Communications

Section 2. At every Public Hearing meeting of the City Council held on the **fourth** Monday of each month, the order of business shall be as follows:

- (a) Salute to the Flag
- (b) Roll Call of Members
- (c) Approval of the Journal of the previous meeting
- (d) Public presentation of Certificates of Award, Appreciation, Merit, Commemoration, Memorium, Resolutions and Honorary Citizenship
- (e) Hearings

Notwithstanding the foregoing, if the City Council is not in session on the third Monday of the month the order of business on the fourth Monday of the month shall be the same order of business as a regular meeting of the city Council as described in **Rule 17, Section 1.**

The order of business shall not be departed from except by a majority vote of those Councillors present. All questions pertaining to a change in the Rules of Order shall be voted upon without debate. Notwithstanding the foregoing order of business, whenever, the Mayor, members of the General Court, Department Heads, City, State or Federal Officials, are requested to appear before the city Council, the aforementioned shall be scheduled in the order of business, immediately following the approval of the Journal of the previous meeting.

RULE 18 - COMMUNICATIONS, PETITIONS, ETC.

All memorials and other papers addressed to the City Council shall be presented by the President, and read by the Clerk of the Council and they shall be disposed of in the order in which they are presented. All petitions submitted by residents of the City of Revere will be read in accordance with **Rule 17** and the petitioners will be allowed three minutes in which to address the Council. In cases of a petition signed and presented by a group; only three of the group shall address the council.

All Memorials, Petitions and other communications shall, if they relate to a matter which may be properly considered and reported on by a sub-committee of the council shall be referred thereto by the President, unless the Council otherwise directs.

No matter, upon which a public hearing has been held, shall be acted upon by the Council without first laying the matter on the table or referring such matter to an appropriate sub-committee.

The reading of any paper may be waived by a majority vote of the Council.

Late Communications shall not be introduced to the City Council unless **two-thirds** of the members of the City Council so rule; Late Communications are defined as any communications received in the City Clerk's Office after **5:00 P.M.**, on the Thursday preceding the City Council meeting of the following Monday.

Late Motions may be submitted to the Clerk's Office by Councillors no later than **5:00 P.M.** the night of the Council meeting and copies of said motions shall be distributed to members of the City Council by the Clerk's staff.

All Communications received by the City Clerk, addressed to the City Council, submitted prior to **11:00 A.M.** on **Friday** preceding the Monday City Council meeting shall be forwarded to the members of the City Council.

Any communication received by the City Council requesting the opportunity to address City Council must state the topics or issues to be presented. (Also see **Rule 34**)

RULE 19 - ANONYMOUS COMMUNICATIONS

Unsigned communication shall not be introduced to the Council.

RULE 20 - PRESENTATION OF AWARDS

Every order, resolution, certificate of appreciation, award, certificate of merit, or honorary citizenship conferred by the City Council in recognition of achievement commemoration or memorial shall be first presented to the City Council in the form of a motion and shall be voted upon and then entered into the Journal of the City Council. Unless otherwise specified upon the approval of the aforementioned order, resolution, certificates or honorary citizenship, the Clerk of the Council shall transmit a certified copy of the order to the recipient or to his or her family at the address provided by the maker of the motion.

Where the maker of the motion stipulates a public presentation of the order resolution in the City Council, the Clerk of the Council shall schedule the presentation of the aforementioned order, resolution, certificates of honorary citizenship at the public hearing meeting of the City Council described in **Section 2 of Rule 17** of the Rules of Order of the Revere City Council at **6:00 P.M.**, the maker of the motion shall be required to provide the Clerk of the Council with the names and address of all recipients described herein.

RULE 21 - MEETING OF THE COUNCIL

Regular meetings, special meetings and various committee meetings of the City Council shall be held on the date and at the time and location designated by the Council or the chairperson of the respective sub-committees of the Council, which shall be given in notice of the call of the meeting.

Regular meetings, special meetings and various sub-committee meetings of the City Council shall be called to order at the designated time and shall not be adjourned until at least fifteen minutes after the convening.

RULE 22 - SUB-COMMITTEES

The President may from time to time create special sub-committees of the Council as may be necessary to deal with special issues or administrative matters. Sub-committees of the Council may consist of as many members of the Council as the President deems necessary.

RULE 23 - REPORTS OF VARIOUS COUNCIL SUB-COMMITTEES

Any sub-committee of the Council when a subject is referred to it shall report thereon within **ninety (90) days** from the time such subject has been referred to it. If any sub-committee of the Council fails to report as required as above, the Clerk of the Council shall place the subject matter on the Calender with a recommendation which shall read "**That pursuant to Rule 23 of the Rules of Order the subject matter be placed on file**", and the subject matter shall be scheduled on the council calendar for the next meeting of the Council and shall be taken up and acted upon in the same manner as if a report of any sub-committee has been made.

"Any matter which has been referred back to committee by the City Council, upon the expiration of the time period enumerated herein, shall be thereafter reported from committee within thirty (30) days and the matter shall be once again placed upon the City Council Calendar at the conclusion of thirty days pursuant to this rule, to be placed on file and said matter shall not thereafter be referred back to committee without the unanimous consent of the City Council."

The number of signatures necessary for a report of any sub-committee of the Council shall be a majority of the sub-committee.

RULE 24 - HEARINGS, CONDUCT OF

In all hearings before the Council or a committee thereof, the case of the petitioner shall be heard first, except in matters affecting the acceptance of highways or taking by eminent domain.

There shall be no speaking by any Councillor for or against any proposition which requires a public hearing during the testimony of a proponent or opponent, except that any Councillor may direct questions to a proponent or opponent at the conclusion of said proponent's or opponent's testimony. Proponents or opponents may speak for a maximum of five minutes. An **additional five minutes** may be granted by a **majority vote** of the Council. Questions by Councillors to witnesses shall be limited to two (2) minutes in duration, or at the discretion of the chair.

RULE 25 - LEGISLATION

Any ordinance, order, or resolution of a legislative nature may be passed through all its states of legislation at one session, provided that no member of the Council objects thereto; but if any Councillor objects, the measure shall be postponed for the meeting. Such objection shall take the form of any objection to the second reading and shall be in order only when final passage is postponed at the meeting at which the measure received its first reading and when the measure is not an emergency ordinance as

defined in Massachusetts Laws, **Chapter 43, Section 20** and declared by the City Council thereunder. **M.G.L. Chapter 43, Section 22.**

RULE 26 - RESUBMISSION OF ORDINANCES, ORDERS OR RESOLUTIONS

When any ordinance, order, or resolution has been finally rejected by the Council, no ordinance, order or resolution embodying substantially the same subject shall be presented to the Council within **three months** of its previous rejection, unless a majority of the membership of the Council approve, in writing, its resubmission immediately.

RULE 27 - ENACTING STYLE

All ordinances passed by the City Council shall be entitled ordinances and the enacting style shall be **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REVERE**. In all votes wherein the City Council expresses anything by order or command, the enacting style shall be **ORDERED** and in all votes by which the City Council expresses opinion, principles, facts or purposes, the enacting style shall be **RESOLVED**.

RULE 28 - CALENDAR

All communication, petitions, memorials, and motions to be considered, by the Council at a regular meeting shall be filed in the Office of the City Clerk no later than **5:00 P.M.**, of the **Thursday** preceding such regular meeting, except late motions introduced in writing by members of the City Council on the night of the meeting and approved for consideration by a **two-thirds vote** of the City Council. The Clerk of the Council shall prepare a brief synopsis of matters to be considered by the Council and send a copy of the calendar to the residence of each Councillor **forty-eight hours** prior to City Council meetings.

The Clerk shall be required to prepare a calendar for Special Meetings of the Council. The notice of a Special Meeting of the Council shall state the purpose for which said meeting is called, and no business other than that specified in the notice shall be in order.

A City Councillor may withdraw his or her motion from consideration by the City Council by withdrawing his or her motion from the City Council docket no later than **5:00 P.M.**, of the **Thursday** preceding such regular meeting.

The calendar of the City Council shall contain a section entitled Motions, each motion shall be printed in the City Council Calendar and assigned a separate docket number. At the point in the Order of Business of the City Council, when the City Council considers Motions, Orders or Resolutions, the President of the City Council shall propound the following questions:

"In accordance with the provisions of Rule 28 if there are no objections all of the motions, orders or resolutions printed in the City Council Calendar of the meeting of _____ shall be approved as printed."

If a member of the City Council wishes to have a motion, order or resolution considered separately, the Council member shall seek the recognition of the President and request that the President "**Hold**" the particular item, identifying the item by its docket number, for separate consideration. All motions, orders or resolutions which are not held for separate consideration shall be approved on an affirmative vote of the City Council. Thereupon the City Council shall then consider the items held for separate consideration in numerical order by docket number.

No new Council calendar item may be undertaken after **11:00 P.M.** unless by majority vote of the Council. All remaining Calendar items will be placed on the Calendar for the next meeting.

The Clerk of the City Council shall provide the news media with a copy of the City Council Calendar on Friday, preceding regular City Council meetings and request the media to publish by print or electronic means a synopsis of the City Council meeting.

The Clerk of the City Council shall electronically post on the City of Revere website the Calendar and approved Journals of the City Council.

Any motion introduced by a member of the City Council which does not comply with the provisions of Rule 37 shall be placed upon the City Council Calendar with the notation: "Rule 37 Motion" and shall not be commented upon and shall be automatically referred to the Committee on Public Works until such time as the councillor who has introduced the motion complies with the provisions of Rule 37.

Members of the City Council shall restrict their remarks on motions which they introduce to not more than **three** motions. The three motions shall include those motions submitted as late or late-late motions.

RULE 29 - PRIVILEGE OF FLOOR

Persons other than members of the Council, city officers and news reporters shall not be permitted upon the floor of the Council.

At regular meetings of the City Council, held on the **first, second or third** Mondays of the month, when there is no matter being considered by the Council, no person shall be allowed to address the Council without the unanimous consent of the Councillors **present.**

At public hearing meetings of the Council held on the **fourth** Monday of the month, when there is no matter being considered by the Council, upon introduction by a member of the Council, with the consent of a majority of the Council present, any person shall be permitted to address the Council. The President shall limit the time for the remarks of such persons, and such remarks shall be confined to the subject matter for which such person(s) were introduced.

If anyone, other than a city official, desires to speak to a member of the Council while the Council is in session, the Councillor, if agreeable to the request, shall leave his or her seat and retire to the rear of the Council Chamber or elsewhere until the conversation is finished.

RULE 30 - MOTIONS

No motion of any Councillor need be seconded.

Any motion may be withdrawn before the question is put and such motion shall then be out of order unless upon inquiry from the President. Any motion may be renewed by another Councillor. An affirmative vote of a majority of all of the members of the City Council shall be necessary to adopt a motion. (M.G.L. CH 43, Sec 18.) Members of the City Council shall introduce not more than five (5) motions at any meeting of the City Council. The five motion limitation shall include those motions submitted as late motions.”

RULE 31 - RULES, AMENDMENT OR SUSPENSION

The City Council shall from time to time establish rules of its proceedings. (M.G.L. CH 43, Sec. 18.) No rules shall be suspended except by a **two-thirds** vote of all of the members of the Council, nor shall any rules of order be repealed or amended without giving a least **one week's notice** thereof, nor unless **two-thirds** of all of the members of the Council concur thereto.

RULE 32 - PARLIAMENTARY AUTHORITY

The City Council shall be the sole judge of its rules and proceedings.

RULE 33 - PARLIAMENTARY PRACTICE

The rules contained in "**Demeter's Manual of Parliamentary Law**" (latest edition) shall govern in all cases to which they are applicable and in which they are no inconsistent with the rules of the City Council.

RULE 34 - CHAPTER 402, ACT OF 1965, IMPLEMENTATION

When a matter is being considered by the Council at any meeting open to the public, and the Council declares that the provisions of **Chapter 402, Massachusetts Act of 1965** be carried out in the following manner: Also See (M.G.L. CH 39, Sec. 23A-23D.)

(1) No citizens or employee of the City shall be allowed to speak on any matter, other than a public hearing, until debate by the Council has been closed. After debate by the Council has been closed any citizen or employee who wishes to express any opinion on a matter under consideration shall rise and respectfully address the President and wait until he is recognized; shall confine himself or herself to the question under consideration and avoid personalities.

(2) The time allowed for each person and employee to express his or her opinion on any matter shall be limited by the President.

(3) No citizen or employee shall address any Councillor by name or engage in debate with any member or members of the Council.

(4) Rule 7 "**Speaking Decorum**" shall apply to all persons speaking under authority of this section.

(5) If a person behaves in a disorderly manner during any meeting of the City Council, and after notice from the President persists therein, the President may order the constable or any other persons to take the person from the meeting.

(6) The person so refusing to withdraw when requested as provided by the preceding section shall for such offense be punished as provided in **Chapter 1, Section 6** of the Revised Ordinances.

RULE 35 - PROCEDURE TO VOTE ON VETO MESSAGE

Every order, Ordinance, Resolution and vote relative to the affairs of the City, adopted or passed by the City Council shall be presented to the Mayor for approval. If the Mayor, approves it, the Mayor shall sign it. If the Mayor disapproves it, the Mayor shall return it, with a written objection to the City Council, which shall enter the objections at large on its records and again consider it. If the City Council notwithstanding such disapproval of the Mayor shall again pass such order, ordinance, resolution or vote by a **two-thirds vote** of all its members, it shall then be in force, but such vote shall not be taken for seven days after its return to the City Council. At the time of the vote, the question shall be propounded to the City Council as follows: "**Shall this matter be passed over the Mayor's objections?**" A **YES** vote is to **override** the Mayor's veto. A **NO** vote is to **sustain** the Mayor's veto. This rule does not apply to budgets submitted under section thirty-two of chapter forty-four or to appropriations by the City Council, under section thirty-three of said chapter.

RULE 36 - ADVERTISEMENTS

No advertisement for Committee meetings shall be placed in the local newspaper without the majority vote of the Council, and when approval is granted said advertisement shall be signed by the Council President.

RULE 37 - WORK REQUESTS

Any minor public works request shall not be accepted as a motion by the City Council unless the motion is accompanied by a work order which has not been responded to for a period of not less than two weeks.

Any motion or resolution requesting a department to provide certain information or to undertake a specific work assignment shall not be accepted as a motion by the City Council where a work request or direct communication with a department head will provide the Councillor with the necessary information, action or response.

RULE 38 - ORIGINAL COMMUNICATIONS

All original copies of communications shall be made available to all City Councillors on the original date that they are received and shall not be reproduced by the Clerk of Council.

RULE 39 - FRIDAY WORK ASSIGNMENTS

The Members of the City Council shall refrain from submitting work and research assignments to the City Council staff on Fridays, due to the heavy workload on that day preparing the Calendar and Journals for the City Council meetings.

RULE 40 - RESTRICTION ON MATTERS BEFORE THE CITY COUNCIL WHEN A MEMBER IS ABSENT

Any Council Order or Communication involving a member of the Council, which comes before the Council when a Councillor concerned is not present, shall be tabled until the next regular meeting, on the Councillor's request (oral or written) as a courtesy to allow the Councillor involved the opportunity to speak on the subject matter.

RULE 41 - APPEARANCE BEFORE THE CITY COUNCIL BY DEPARTMENT HEADS

When any department head requests the City Council to take a particular action or makes a recommendation to the City Council effecting a matter under consideration by the City Council the Department Head shall be required to appear before the City Council to explain the request or recommendation, except requests or recommendations for transfers under **one thousand dollars (\$1,000.00)**.

When the Mayor, Members of the General Court, Department Heads or other officials are requested to appear before the City Council, the aforementioned shall appear first on the order of business on the City Council Calendar.

RULE 42 - CORRECTIONS TO JOURNALS

Any Councillor wishing to make corrections to any journal presented to the Council for approval shall submit said corrections in writing to the Clerk of the Council and all members of the Council prior to the commencement of each Council meeting.

RULE 43 - SPECIAL RULE RELATIVE TO ZONING AMENDMENTS

When the City Council is considering, debating and adopting amendments to the Zoning Ordinances of the City, the required vote for the adoption of all amendments, including parliamentary amendments leading to the final ordaining, shall be by a vote of not less than **two-thirds** of all of the members of the City Council or **eight** votes, and when an objection is filed with the City Clerk, as provided for by Section 5 of Chapter 40A M.G.L., the required vote for the adoption of all amendments including parliamentary amendments leading to the final ordaining shall be by vote of not less than **three-fourths** of all of the members of the City Council or **nine** votes.

RULE 44 - OPERATION OF CELL PHONES AND/OR PAGERS

Operation of Cell Phones and/or pagers shall not be actively operated within the City Councillor Joseph A. DelGrosso City Council Chamber during any and all meetings of the Revere City Council. The City Clerk shall announce at the beginning of any and all Revere City Council meetings that all cell phones and pagers must be placed on silent mode during City Council proceedings. Appropriate signs shall be posted at the entrance of all access points to the City Councillor Joseph A. DelGrosso City Council Chamber relative to the foregoing rule.

RULE 45 – EXECUTIVE SESSIONS

Executive Sessions of the City Council shall be held only after the City Council has first convened in an open session for which proper notice has been given, a majority of the members of the City Council have voted to go into executive session and the vote of

each member of the City Council is recorded on a roll call vote and entered into the journal of the City Council. The Councillor requesting the executive session shall state the specific purpose of requesting the executive session and said executive session may only be held for one of the purposes stipulated by Massachusetts General Laws, Chapter 39, Section 23B sub-sections 1 through 9.