

By: Representative Horne

To: Rules

## HOUSE RESOLUTION NO. 65

1 A RESOLUTION TO REPEAL RULE 10A OF THE HOUSE RULES WHICH  
2 CREATES THE OFFICE OF SPEAKER PRO TEMPORE OF THE MISSISSIPPI HOUSE  
3 OF REPRESENTATIVES AND PRESCRIBES THE POWERS AND DUTIES OF SUCH  
4 OFFICE; TO AMEND RULE 11A OF THE HOUSE RULES TO REMOVE REFERENCES  
5 TO THE SPEAKER PRO TEMPORE AS A MEMBER OF THE HOUSE MANAGEMENT  
6 COMMITTEE AND TO REDUCE THE NUMBER OF MEMBERS OF THE COMMITTEE AS  
7 A RESULT OF THE REDUCTION IN THE NUMBER OF CONGRESSIONAL DISTRICTS  
8 IN MISSISSIPPI; AND TO AMEND RULES 7, 11 AND 56 OF THE HOUSE RULES  
9 IN CONFORMITY WITH THE PROVISIONS OF THIS RESOLUTION.

10 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE  
11 OF MISSISSIPPI, That Rule 10A of the 2000-2004 Rules of the House,  
12 which creates the Office of Speaker Pro Tempore of the Mississippi  
13 House of Representatives and prescribes the powers and duties of  
14 such office, is repealed.

15 BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE  
16 STATE OF MISSISSIPPI, That Rule 11A of the 2000-2004 Rules of the  
17 House is amended as follows:

18 "11A. (1) There is hereby created the House of  
19 Representatives Management Committee (hereinafter Management  
20 Committee) to be composed of \* \* \* the Speaker, who shall be ex  
21 officio a voting member thereof, and eight (8) other  
22 representatives, two (2) from each congressional district of  
23 Mississippi as constituted on January 1, 2003, to be elected by  
24 caucus of the representatives from each such district. The place  
25 of residence of a representative shall determine the congressional  
26 district caucus in which the representative shall participate and  
27 from which the representative may hold membership on the  
28 Management Committee. The members of the Management Committee  
29 shall select, from among its members, a chairman, a vice chairman



30 and secretary, but the Speaker shall not be eligible to serve as  
31 chairman or vice chairman of the Management Committee.

32 The members of the Management Committee elected in the year  
33 1987 shall be elected within ten (10) calendar days following the  
34 adoption of this rule. The members of the Management Committee  
35 thereafter shall be elected during the first calendar week of each  
36 regular session having one hundred twenty-five (125) calendar  
37 days. Members shall serve a term of four (4) years, and each  
38 member's term shall end on the date on which the member's term in  
39 the House of Representatives expires.

40 (2) No member of the Management Committee shall serve  
41 concurrently as a member of the House Rules Committee, except that  
42 the Speaker \* \* \* shall serve on the Rules Committee as provided  
43 in Rule 11."

44 (3) Any vacancy of a congressional district position  
45 occurring during a regular annual legislative session shall be  
46 filled by election by the appropriate caucus within ten (10)  
47 calendar days after the vacancy occurs. Any vacancy occurring  
48 between regular annual legislative sessions shall be filled by  
49 election by the appropriate caucus during the first five (5)  
50 calendar days of the next succeeding regular or special session of  
51 the Legislature.

52 (4) The Management Committee shall meet at such times as are  
53 necessary for the proper exercise of its functions, and shall have  
54 the authority to adopt rules and regulations, not inconsistent  
55 with these rules, as it deems necessary for the efficient  
56 operation of the committee.

57 (5) Action by a majority vote of the Management Committee  
58 shall control and be conclusive on any matter properly concerning  
59 the House of Representatives.

60 (6) The committee shall function on a year-round basis and  
61 when the Legislature is not in session, members of the committee  
62 shall be compensated as provided in Section 25-3-69, Mississippi



63 Code of 1972, for each day spent in actual discharge of their  
64 duties and shall be reimbursed for mileage and actual expenses  
65 incurred in the performance of their duties. No committee member  
66 may incur per diem, travel or other expenses unless authorized by  
67 vote at a meeting of the committee, which action shall be recorded  
68 in the official minutes of the committee.

69 (7) The Management Committee shall, in addition to its other  
70 responsibilities, perform the following duties:

71 (a) Conduct the business affairs of the House of  
72 Representatives;

73 (b) Investigate the feasibility of new and additional  
74 staff agencies and make recommendations to the House of  
75 Representatives;

76 (c) Assign such space in the Capitol or in such other  
77 buildings or parts thereof as may be reserved for the House of  
78 Representatives and have complete control, authority and  
79 jurisdiction over such rooms, chambers, offices and other areas.  
80 Any assignment of space shall be subject to change by the  
81 Management Committee. No other branch of the government, or a  
82 department or agency thereof, shall use any room, chamber, office  
83 or other area without specific written authorization from the  
84 Management Committee. The Management Committee is hereby  
85 authorized to delegate its powers with regard to any such room,  
86 chamber, office or other area in connection with the maintenance,  
87 repairing, construction, reconstruction and refurbishing thereof  
88 in such a manner as it deems advisable;

89 (d) Staff interim committees;

90 (e) Staff standing committees; and

91 (f) Continually assess ways and means to improve the  
92 organization, procedures, facilities and working conditions of the  
93 House of Representatives.

94 (8) The Management Committee shall have the authority to  
95 designate a director, who may also serve as Director of the House



96 Legislative Services Office, and who shall carry out the  
97 directives of the Management Committee and shall perform any and  
98 all duties of the Management Committee delegated to him. The  
99 Management Committee may employ other personnel as may be  
100 necessary to discharge its duties and responsibilities. All such  
101 personnel shall serve at the pleasure of the Management Committee.

102 The Management Committee shall also have the authority to fix  
103 the salaries of all personnel employed by the House of  
104 Representatives.

105 All employees of the House of Representatives required to  
106 travel in the performance of official duties shall be reimbursed  
107 for actual subsistence and travel expenses incurred by them while  
108 on official business as provided by law, provided such travel has  
109 prior approval of the Management Committee or the director under  
110 such authority as may be granted to him by the Management  
111 Committee.

112 (9) In providing for the staffing of the Speaker's staff and  
113 of committees, the Management Committee shall have the  
114 responsibility for determining the necessity of any staff  
115 positions requested by the Speaker or the chairman of any  
116 committee, as the case may be. The persons to be employed for  
117 such positions approved by the Management Committee shall be hired  
118 with approval of the Speaker or the chairman of the committee  
119 concerned, as the case may be. The Speaker or the committee  
120 chairman, as the case may be, shall recommend the compensation to  
121 be paid to the Speaker's staff or committee staff members, as the  
122 case may be, and the Management Committee shall consider these  
123 recommendations when fixing such salaries.

124 (10) The Management Committee, upon request of the chairman  
125 of any standing committee of the House of Representatives, may  
126 authorize expenses, to include per diem, mileage, meals and  
127 lodging, to be paid for members attending the meeting of any  
128 standing committee or subcommittees thereof during the period in



129 which the Legislature is not in session, which shall not exceed  
130 the compensation provided for members of the Management Committee  
131 provided for in subsection (6) of this rule. The Management  
132 Committee shall adopt rules and regulations concerning time,  
133 places and number of meetings that may be held for which members  
134 will be compensated, such rules and regulations to require prior  
135 approval of meetings in order for members to be compensated.

136 (11) The Management Committee shall have general  
137 administrative powers and the responsibility for the proper  
138 operation of the House Legislative Services Office.

139 (a) The director, subject to approval of the Management  
140 Committee, shall employ full-time professional, technical,  
141 clerical and stenographic assistance as may be necessary to carry  
142 out the provisions of this subsection.

143 (b) The House Legislative Services Office shall  
144 cooperate with the State Librarian in maintaining a reference  
145 library which shall contain, but shall not be limited to, study  
146 reports and information gathered by the departments and the  
147 various committees of the Legislature so as to provide a  
148 continuity of information from year to year.

149 (c) The House Legislative Services Office shall assist  
150 the House of Representatives, its committees, commissions and  
151 individual members of the House of Representatives as follows in:

152 (i) Bill research;  
153 (ii) Bill drafting;  
154 (iii) Bill analysis;  
155 (iv) Preparation and writing of standing and  
156 interim committee reports; and

157 (v) Such other duties as prescribed by the  
158 Management Committee.

159 (d) The House Legislative Services Office must be  
160 authorized, in writing, by a House member to prepare a draft  
161 before it undertakes the preparation thereof.



162 (e) No employee of the House Legislative Services  
163 Office shall:

164 (i) Reveal to any person outside his office the  
165 contents or nature of any request for services made by any member  
166 of the House except with the written consent of the person making  
167 such request;

168 (ii) Urge, oppose or attempt to influence any  
169 legislation;

170 (iii) Give legal advice on any subject to any  
171 person, firm or corporation, except members of the House; nor

172 (iv) During his employment be associated or  
173 interested in the private practice of law in any matter without  
174 prior approval of the Management Committee.

175 A violation of any provision of this section by an employee  
176 shall be sufficient cause for his or her immediate dismissal.  
177 However, this paragraph shall not be a limitation on the authority  
178 of the Management Committee to dismiss or change its employees.

179 (12) The Office of General Services shall cooperate with the  
180 Management Committee in making space available either in the  
181 Capitol or in any other buildings easily accessible to members of  
182 the Legislature.

183 (13) The funds necessary to carry out the provisions of this  
184 rule shall be paid from the funds appropriated to the House of  
185 Representatives Contingent Fund made by the Legislature for the  
186 purposes herein set out.

187 (14) At such time as there may be created in the Senate of  
188 the State of Mississippi a corresponding management committee with  
189 like duties and responsibilities of the House Management  
190 Committee, the House Management Committee is authorized to meet  
191 jointly with such corresponding Senate Management Committee in  
192 order to more effectively carry out the provisions of this rule.



193 BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE  
194 STATE OF MISSISSIPPI, That Rule 7 of the 2000-2004 Rules of the  
195 House is amended as follows:

196 "7. He shall have the right to name any member to perform  
197 the duties of the chair \* \* \*, but such substitution shall not  
198 extend beyond three (3) legislative days; provided, however, that  
199 in the case of his illness or unavoidable absence \* \* \*, he may  
200 make such appointment for a period not exceeding five (5) days,  
201 with the approval of the House at the time the same is made, and  
202 in his absence and omission to make such appointment, the House  
203 shall proceed to elect a Speaker Pro Tempore to act during his  
204 absence."

205 BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE  
206 STATE OF MISSISSIPPI, That Rule 11 of the 2000-2004 Rules of the  
207 House is amended as follows:

208 "11. From and after December 31, 2003, the Rules Committee  
209 shall be composed of the Speaker, who shall be ex officio a voting  
210 member thereof, \* \* \* one (1) member from the state at large  
211 appointed by the Speaker, and eight (8) other members, two (2)  
212 from each congressional district as constituted on January 1,  
213 2003, to be selected by the members from their respective  
214 congressional districts by caucus. The place of residence of a  
215 member representing such district shall determine the  
216 congressional district caucus in which he shall participate and  
217 for which he may hold membership on the Rules Committee. The  
218 Speaker shall appoint the chairman and the vice chairman from  
219 among the members of the Rules Committee, but \* \* \* the  
220 Speaker \* \* \* shall not be eligible to serve as chairman or vice  
221 chairman of the Rules Committee.

222 Any vacancy of a congressional district position occurring  
223 during a regular annual legislative session shall be filled by  
224 election of the appropriate caucus within ten (10) calendar days  
225 after the vacancy occurs. Any such vacancy occurring between



226 regular annual sessions shall be filled by caucus election during  
227 the first five (5) calendar days of the next succeeding regular or  
228 special session of the Legislature.

229 No member of the Rules Committee shall concurrently serve as  
230 a member of the House Management Committee, except that the  
231 Speaker \* \* \* shall serve on the Management Committee as provided  
232 in Rule 11A."

233 BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE  
234 STATE OF MISSISSIPPI, That Rule 56 of the 2000-2004 Rules of the  
235 House is amended as follows:

236 "56. In all cases in forming a Committee of the Whole, which  
237 shall be done by a two-thirds (2/3) vote of the members present  
238 and voting, the Speaker shall leave his chair, after appointing a  
239 chairman to preside, who shall, in case of disturbance or  
240 disorderly conduct in the gallery or lobby, have the power to  
241 cause the same to be cleared, but the member making the motion to  
242 go into Committee of the Whole shall not be called to the chair."

243 BE IT FURTHER RESOLVED, That this resolution shall take  
244 effect and be in force from and after December 31, 2003.

