HOUSE RESOLUTION NO. 65

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

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such office, is repealed.

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

"11A. (1) There is hereby created the House of
Representatives Management Committee (hereinafter Management
Committee) to be composed of * * * the Speaker, who shall be ex
officio a voting member thereof, and eight (8) other
representatives, two (2) from each congressional district of
Mississippi as constituted on January 1, 2003, to be elected by
caucus of the representatives from each such district. The place
of residence of a representative shall determine the congressional
district caucus in which the representative shall participate and
from which the representative may hold membership on the
Management Committee. The members of the Management Committee
shall select, from among its members, a chairman, a vice chairman
and secretary, but the Speaker shall not be eligible to serve as
chairman or vice chairman of the Management Committee.

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

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

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

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

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

(6) The committee shall function on a year-round basis and
when the Legislature is not in session, members of the committee
shall be compensated as provided in Section 25-3-69, Mississippi
Code of 1972, for each day spent in actual discharge of their
duties and shall be reimbursed for mileage and actual expenses
incurred in the performance of their duties. No committee member
may incur per diem, travel or other expenses unless authorized by
vote at a meeting of the committee, which action shall be recorded
in the official minutes of the committee.

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

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

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

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

(d) Staff interim committees;

(e) Staff standing committees; and

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

(8) The Management Committee shall have the authority to
designate a director, who may also serve as Director of the House
Legislative Services Office, and who shall carry out the
directives of the Management Committee and shall perform any and
all duties of the Management Committee delegated to him. The
Management Committee may employ other personnel as may be
necessary to discharge its duties and responsibilities. All such
personnel shall serve at the pleasure of the Management Committee.

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

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

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

(10) The Management Committee, upon request of the chairman
of any standing committee of the House of Representatives, may
authorize expenses, to include per diem, mileage, meals and
lodging, to be paid for members attending the meeting of any
standing committee or subcommittees thereof during the period in
which the Legislature is not in session, which shall not exceed the compensation provided for members of the Management Committee provided for in subsection (6) of this rule. The Management Committee shall adopt rules and regulations concerning time, places and number of meetings that may be held for which members will be compensated, such rules and regulations to require prior approval of meetings in order for members to be compensated.

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

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

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

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

(i) Bill research;
(ii) Bill drafting;
(iii) Bill analysis;
(iv) Preparation and writing of standing and interim committee reports; and
(v) Such other duties as prescribed by the Management Committee.

(d) The House Legislative Services Office must be authorized, in writing, by a House member to prepare a draft before it undertakes the preparation thereof.
(e) No employee of the House Legislative Services Office shall:

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

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

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

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

A violation of any provision of this section by an employee shall be sufficient cause for his or her immediate dismissal.

However, this paragraph shall not be a limitation on the authority of the Management Committee to dismiss or change its employees.

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

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

(14) At such time as there may be created in the Senate of the State of Mississippi a corresponding management committee with like duties and responsibilities of the House Management Committee, the House Management Committee is authorized to meet jointly with such corresponding Senate Management Committee in order to more effectively carry out the provisions of this rule.
BE IT FURTHER RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE
STATE OF MISSISSIPPI, That Rule 7 of the 2000-2004 Rules of the
House is amended as follows:

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

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

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

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

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

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

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

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