By: Senator(s) Bryan, Little

SENATE RESOLUTION NO. 1

A RESOLUTION PROVIDING FOR THE PERMANENT RULES OF THE SENATE. 1 2 BE IT RESOLVED BY THE MISSISSIPPI STATE SENATE, That the following be adopted as permanent rules: 3 SENATE RULES 4 5 PRESIDENT The Lieutenant Governor shall be the President of the 6 1. 7 Senate. The President shall take the Chair at the hour to which the Senate shall have adjourned, shall call the Senate to order, 8 and on the appearance of a quorum, shall proceed with the regular 9 order of business. 10 2. The President shall preserve order and decorum, may speak 11 12 to points of order in preference to other members, and shall decide all questions of order. The President's decision thereon 13 14 shall be subject to an appeal to the Senate as provided in Rule 15 112 and may be denied or sustained by a majority of those present 16 and voting. 17 3 The President shall rise to put a question but may state it sitting, and the President shall put the question in this form: 18 19 "As many as are in favor (as the question may be) say 'Aye'," and, 20 after the affirmative voice is had: "As many as opposed, say 21 'No'." If the President doubts or a division is called for, the Senate shall divide, and those in the affirmative shall rise 22 first; then those in the negative. Count of division votes shall 23 be made by the Secretary and announced by the President. 24

4. The President shall call some Senator to the Chair when
the Senate goes into Committee of the Whole. <u>The President</u> shall

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have the right also during sessions of the Senate to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment of that legislative day. When both the Lieutenant Governor and the President Pro Tempore shall be absent, the Senate may call any Senator to preside from day to day during such absences.

33 5. (Omitted)

34 6. (Omitted)

35 7. The President shall appoint the membership of committees
36 as provided in Rule <u>36</u> and Rule <u>37</u>.

37 8. The President shall sign all bills, resolutions or
38 measures; and all writs, warrants and subpoenas issued by the
39 Senate shall be signed by <u>the President</u> and attested by the
40 Secretary.

41

PRESIDENT PRO TEMPORE

9. There shall be elected a President Pro Tempore in the manner provided in Section 5-1-15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members.

52 11. In the absence of the President, or at <u>the President's</u> 53 request, the President Pro Tempore shall act in <u>the President's</u> 54 stead, assuming the duties and responsibilities herein granted to 55 the President.

56

SECRETARY

57 12. The Secretary of the Senate shall keep a correct Journal 58 of the proceedings of the Senate as provided by law. The 59 Secretary shall be elected by the Senate and shall serve during 5. R. No. 1 *SS02/R195.4* 04/SS02/R195.4

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60 the term of the Senate by which <u>the Secretary</u> was elected, unless 61 removed as provided by Rule 65.

62 13. The Secretary shall insert in an appendix to the Journal 63 the Rules of the Senate and the Joint Rules of the two (2) 64 branches, and the constitutional provisions governing the powers 65 and procedures of the Legislature.

The Secretary shall retain all bills, resolutions or 66 14. other papers in reference to which any Senator has a right to move 67 a reconsideration until the right to reconsideration has expired. 68 This rule shall not apply when unanimous consent of the Senate 69 70 shall be given to the Secretary to immediately transmit any such bill or resolution to the House of Representatives. However, the 71 72 constitutional rights of Senators to enter motions to reconsider shall not be abridged. 73

15. In the event a bill or resolution is transmitted immediately to the House by unanimous consent and a proper motion to reconsider is later entered, it shall be the duty of the Secretary to recall by message such bill or resolution from the House, whereupon such bill or resolution shall take its proper place on the Calendar.

80 16. The Secretary shall keep a separate and distinct Journal81 of the proceedings of the Senate when in executive session.

17. The Secretary, with the approval of the Senate Rules 82 Committee, shall provide for the appointment of Pages, whose 83 84 salaries shall be fixed by the Rules Committee. Not more than six (6) Pages shall serve throughout the session as Senior Pages, and 85 86 one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be 87 submitted to the Secretary as soon as possible so that they may be 88 properly scheduled. Pages shall be not less than fourteen (14) 89

90 years of age.

18.

91

92

ASSISTANT SECRETARY

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(Omitted)

19. There shall be an Assistant Secretary, and an additional
Assistant Secretary when needed, appointed by the Senate Rules
Committee. The duties of the Assistant Secretary shall be
comparable to those of the Secretary.

97

SERGEANT-AT-ARMS

98 20. The duties of the Sergeant-at-Arms shall be those enumerated in Section 5-1-35, Mississippi Code of 1972, and such 99 100 other related duties as may be assigned by the Senate Rules 101 Committee or the Senate. The Sergeant-at-Arms shall be elected by 102 the Senate and shall serve during the term of the Senate by which 103 the Sergeant-at-Arms was elected, unless removed as provided by 104 Rule 65.

105

TIME OF CONVENING

106 21. The time of convening of the Senate, unless otherwise 107 ordered by a majority vote of the Senators elected, shall be at 108 ten o'clock A.M. each legislative day, except on Mondays when the 109 time shall be two o'clock P.M.; and there shall be no Saturday or 110 Sunday meetings unless specifically ordered by a majority vote of 111 the Senators elected.

112

QUORUMS

113 22. A quorum of the Senate shall consist of not less than114 twenty-seven (27) Senators.

115 23. A quorum of any standing committee, subcommittee or 116 special committee shall consist of not less than a majority 117 thereof.

Upon the appearance of lack of a quorum, the President 118 24 119 or any Senator may demand a call of the Senate, but no such call shall be in order after the voting on any question has begun nor 120 while any Senator is speaking. It shall be the duty of the 121 122 Sergeant-at-Arms to search for absentee members and notify them of 123 such call. By majority vote of Senators present and voting the 124 Senate may direct the Sergeant-at-Arms to compel the attendance of 125 absent Senators.

126	ORDER OF BUSINESS
127	25. The order of business shall be:
128	(1) Roll Call
129	(2) Invocation
130	(3) Pledge of Allegiance to the Flag of the United
131	States of America
132	(4) Reading of the Journal
133	(5) Presentation of petitions
134	(6) Reports of standing committees
135	(7) Reports of select committees
136	(8) Introduction of bills and concurrent resolutions
137	(9) Reference of bills and concurrent resolutions
138	(10) Presentation of Senate resolutions
139	(11) Unfinished business
140	(12) Consideration of bills and resolutions
141	(13) At midnight on a deadline day, the Senate clock
142	shall determine the end of that calendar day regardless of whether
143	the Senate is then operating under the previous question. Any
144	measure pending before the Senate on a deadline upon which the
145	final vote has not been both taken and announced shall
146	automatically fail, and no announcement to the contrary may be
147	made by the Chair. If the Senate clock is not in working order,
148	the Presiding Officer shall keep the time.
149	26. When the order of unfinished business is reached, the
150	unfinished business in which the Senate was engaged at the time of
151	last adjournment shall have precedence in the consideration of
152	bills and resolutions, except as to special orders which shall
153	have precedence.
154	27. The order of business for any day may be changed by a
155	two-thirds (2/3) vote of the Senators present and voting; but when
156	the Senate shall have passed from one order to another, no action
157	shall be had on those passed except by a two-thirds $(2/3)$ vote of

158 the members present and voting.

159 27A. No Senator shall be allowed to interrupt the business 160 for purposes of introducing guests. At appropriate times during 161 the transacting of business, the presiding officer shall announce 162 an opportunity for the Senators to recognize and introduce their 163 guests.

164

VISITORS

165 No person shall be entitled to enter upon the floor of 28. 166 the Senate while in session except the following persons: members 167 and their immediate families; elected state officials; former members of the Legislature, unless the former member is a 168 169 registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; 170 171 joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others 172 as the Rules Committee may designate by name. 173 The 174 Sergeant-at-Arms shall clear the Senate of all other visitors, with the exception of members of the news media with proper 175 176 credentials issued by the Rules Committee, thirty (30) minutes before each session convenes and shall not allow other visitors on 177 178 the floor of the Senate for ten (10) minutes after the session has 179 recessed.

180

RULES - SUSPENSION AND ADOPTION

181 29. The rules of the Senate may be suspended upon motion by 182 an affirmative vote of two-thirds (2/3) of the Senators present 183 and voting, except where prohibited by the Constitution.

Temporary rules of the Senate may be adopted by 184 30. 185 resolution on a majority vote of the Senators present and voting, and such temporary rules may be designated by reference to the 186 187 rules of a certain previous session. Permanent rules may be 188 adopted by majority vote, and any subsequent changes therein or 189 amendments thereto shall require one day's notice thereof by 190 resolution entered in the Journal and adoption by a vote of 191 two-thirds (2/3) of the Senators present and voting.

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192

DECORUM

193 31. If any Senator, in speaking or otherwise, transgresses 194 the rules of the Senate, the presiding officer shall, or any 195 Senator may, call him to order; and when a Senator shall be called 196 to order by the presiding officer or a Senator, <u>the Senator</u> shall 197 sit down and shall not proceed without leave of the presiding 198 officer or by a majority vote of the Senate.

199 32. No Senator shall absent himself from the Senate without 200 leave. In case a less number than a quorum of the Senate shall convene, a majority of such number is empowered to direct the 201 202 Sergeant-at-Arms or authorize any other person or persons to 203 compel the attendance of absent Senators, and at the expense of 204 the absent Senators, respectively, unless such excuse for 205 nonattendance shall be made as the Senate by majority vote, when a 206 quorum shall have convened, deems sufficient, in which case the 207 expense shall be paid out of the Senate Contingent Fund.

208 33. Leave of absence may be granted to any Senator at his209 own request or at the request of another Senator.

34. No Senator shall entertain private discourse while the President is putting a question or addressing the Senate.
Senators shall not be permitted to interrupt another while such other is speaking except by rising to call to order or as provided in Rule No. 69.

35. Members of the Senate, shall be held personally responsible for the return of bills, resolutions and other official records which they may receive from the Secretary's office.

35A. Whenever a Senator is on the floor of the Senate while the Senate is in session, each male Senator shall wear a coat and necktie, and each female Senator shall wear appropriate attire. Whenever a Senator is on the floor of the Senate while the Senate is in session, he or she shall not be allowed to smoke a cigarette, cigar or pipe or consume food.

225	35B. Smoking shall not be permitted in the Senate Chamber,
226	the Senate Gallery or in any office on the third floor of the New
227	Capitol Building under the jurisdiction of the Senate at any time.
228	Each Senate committee has the option to develop a policy regarding
229	smoking in the room in which the committee meets. As used in this
230	rule, "smoking" means to inhale, exhale, burn, carry or otherwise
231	possess any lighted cigarette, cigar, pipe or any other object or
232	device of any form that contains lighted tobacco or any other
233	smoking product. The Sergeant-at-Arms shall enforce the
234	provisions of this Rule 35B.
235	35C. No person except for members of the news media with
236	proper credentials issued by the Rules Committee may be admitted
237	to the press table on the floor of the Senate for the purpose of
238	transcribing the debates and proceedings of the Senate. No person
239	except for news media with proper credentials issued by the Rules
240	Committee shall take any photograph or transcribe debates and
241	proceedings of the Senate in the Senate Gallery while the Senate
242	is in session. No person shall be allowed to consume food or
243	display any banner or sign in the Senate Gallery while the Senate
244	is in session.
245	STANDING COMMITTEES
246	36. The following shall be standing committees of the
247	Senate:
248	Agriculture 13 members
249	Appropriations
250	Business and Financial Institutions
251	Constitution 9 members
252	Corrections 11 members
253	County Affairs 9 members
254	Economic Development <u>and</u> Tourism * * * 15 members
255	Education 15 members
256	Elections 9 members
257	Environmental Protection, Conservation and
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258	Water Resources 15	members
259	Fees, Salaries and Administration	members
260	Finance	members
261	Forestry	members
262	Highways and Transportation	members
263	Insurance 13	members
264	Interstate and Federal Cooperation	members
265	Judiciary <u>, Division A</u> <u>15</u>	members
266	Judiciary, Division B 15	members
267	Labor	members
268	Local and Private 5	members
269	* * *	
270	Municipalities 11	members
271	Oil, Gas and Other Minerals	members
272	Ports and Marine Resources	members
273	Public Health and Welfare 19	members
274	Public Property 7	members
275	Public Utilities 11	members
276	Rules, as provided for in Rule 65	
277	Universities and Colleges 13	members
278	Veterans and Military Affairs	members
279	Wildlife <u>,</u> Fisheries <u>and Parks</u> 11	members
280	JOINT COMMITTEES	
281	Executive Contingent Fund (5 Senators, 5 Represent	atives)
282	Investigate State Offices (9 Senators, 9 Represent	atives)
283	State Library	atives)
284	Enrolled Bills	atives)
285	FUNCTION OF COMMITTEES	
286	37. Standing, select and conference committees shall	be
287	appointed by the President.	
288	38. The first member named on a committee shall be it	S
289	chairman and the second member named shall be its vice chai	rman,
290	unless it is specifically provided that they shall be elect	.ed.
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There shall be no further rank on the committees, the remaining members being listed thereon in alphabetical order. In the event of a vacancy in the chairmanship or vice chairmanship, or membership, the vacancies shall be filled by appointment by the President.

39. Each committee shall, after its organization, immediately determine by a majority vote what number shall constitute a sufficient quorum for it to proceed to business, which quorum shall not be less than the majority required by Rule 23, and shall report that action, together with the name of the secretary of the committee, to the Secretary of the Senate.

302 40. Committee chairmen and secretaries will be held 303 responsible for the return of all bills, resolutions, papers and 304 committee books taken from the Secretary of the Senate's office to 305 the respective committee meetings.

306 41. A committee of the Senate shall report on the 307 sufficiency of the titles of all bills and resolutions before 308 their being put on final passage; and it shall be in order, before 309 the passage of every bill or resolution, to move to commit or 310 recommit for report upon the sufficiency of the title. Titles 311 shall indicate clearly the subject matter of the proposed 312 legislation.

313 42. When motions are made for reference of the same subject 314 to a select committee and a standing committee, the motion for 315 reference to a standing committee shall be first put.

316 43. The following named committees shall have preference at 317 any time on matters herein stated, viz: the Committee on Rules, 318 on rules, joint rules and order of business; * * * the Committee 319 on Enrolled Bills, on enrolled bills, except they shall not have 320 precedence over appropriations and revenue bills (see Const. Sec. 321 68); conference committees may report at any time, except they 322 shall not have precedence over appropriations and revenue bills.

323 44. The chairman of the various standing committees shall 324 announce or lay on the desk of the Secretary, to be read previous to adjournment each day, notice of the time and place of meeting 325 326 of such committees, and all members of such committees shall be 327 required to attend all such meetings, unless previously excused by 328 the chairman. A quorum must be present when any bill, resolution or measure is reported by such committees. The names of those 329 330 members present and of those absent must show in the record kept 331 by the committee secretary at each meeting of a committee. The Secretary of the Senate shall post the time of committee meetings 332 333 on the bulletin board provided for this purpose.

334 45. A committee's request to be discharged from further 335 consideration of a subject, with or without recommendations that 336 it be referred to another committee, shall be immediately 337 considered.

46. No committee, except the Committee on Rules, shall
absent itself from the Senate Chamber while the Senate is in
session, except by unanimous consent of the Senate.

341 47. No committee shall be allowed to occupy the Senate
342 Chamber without an affirmative vote of a majority of the Senators
343 present and voting, except the Committee on Rules.

344 47A. Whenever a Senator is in a committee meeting room while 345 the committee is meeting, he or she shall only be allowed to smoke 346 a cigarette, cigar or pipe at the discretion of the committee 347 chairman.

348

CONFERENCE COMMITTEES

349 48. A conference committee on the part of the Senate shall 350 consist of three (3) Senators, unless otherwise ordered by 351 majority vote of the Senate, and they shall be appointed as 352 provided in Rule 37.

49. A motion to instruct conferees is not in order untiltheir conference report has failed of adoption.

When a bill is sent to conference, only matters in 355 50. 356 disagreement between the Houses are subject to consideration by the conference committee. However, when one House strikes out of 357 358 a bill all after the enacting clause and inserts new germane text 359 as an amendment thereto, the conferees may disregard the text of 360 the original bill and the amendment and exercise wide discretion 361 in the incorporation of germane text and may even report a new 362 bill on the germane subject matter of the original bill.

363 No report from a conference committee or other joint 51. committee shall be acted upon in the Senate unless subscribed to 364 365 by a majority of the members of the Senate acting on the 366 committee. No matter reported on the recommendation of a joint 367 committee or conference committee of the two (2) Houses shall be 368 in order for consideration by the Senate if it shall appear that 369 the members of such joint committee on the part of the Senate, if 370 in attendance on the Legislature, shall not have been notified, 371 and for that reason not present, when the matter was acted on by 372 the committee.

373 52. Conference reports may not be (a) tabled, (b) referred
374 to a committee, or (c) amended.

53. Mere changes in phraseology, without material alteration of the subject matter, are not sufficient to render a conference report subject to point of order that the conferees exceeded their authority.

54. It is legislatively recognized that it is the function of a conference committee to submit a compromise of the difference between the Houses, which might be acceptable to both, and liberal interpretation looking to that end is indicated.

383 55. When a conference report is called up, only three (3) 384 courses are open: (a) adopt, (b) not adopt or (c) recommit to the 385 same or another conference committee, provided adoption of the 386 report has not occurred in the House.

387 56. Should a point of order prevail against consideration of 388 a conference committee report, the bill returns to the status it 389 had before being sent to conference.

390 57. When conference results in disagreement, conferees 391 reporting such disagreement are thereby discharged, and new 392 conferees may be appointed.

393

COMMITTEE OF THE WHOLE

394 Upon a motion supported by a vote of two-thirds (2/3) of 58. 395 those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent 396 397 resolution or measure; and if the Committee of the Whole reports such bill, concurrent resolution or measure favorably, it may be 398 399 taken up immediately by a suspension of the rules; otherwise, it 400 takes its place on the Calendar along with other favorably 401 reported bills, concurrent resolutions and measures.

402 59. Motions for forming a Committee of the Whole for the 403 immediate consideration of any Senate bill or resolution at the 404 time of their introduction, or of House bills or resolutions at 405 the time of their receipt from the House, except bills of local 406 and private nature, should be made before such bills or 407 resolutions are referred to standing committees, as provided by 408 Rule No. 75.

60. In forming a Committee of the Whole, the President shall call some Senator to preside, and rules governing the Committee of the Whole shall be the rules of the Senate so far as they may be made applicable.

413 61. A Committee of the Whole may, during any session 414 thereof, consider more than one bill or resolution; no additional 415 bills or resolutions may be so considered unless the Senate has by 416 a two-thirds (2/3) vote previously agreed thereto.

417

SPECIAL COMMITTEES

418 62. Special committees shall in all cases report to the 419 Senate a state of facts and their opinion or recommendation on the S. R. No. 1 *SS02/R195.4* 04/SS02/R195.4 PAGE 13 420 subject matter referred to them. Such reports may on motion be 421 incorporated in the Journal.

422 63. No Senator offering a motion or resolution for the
423 appointment of a special committee shall be appointed chairman of
424 such committee.

425

MINORITY REPORTS

426 64. Bills and resolutions unfavorably reported by committees 427 shall not be placed on the Calendar at all unless accompanied by a 428 Minority Report signed by one or more members who were present at the committee meeting at which the bill or resolution was 429 430 reported. Minority Reports must be filed within three (3) legislative days after the bill or resolution has been reported by 431 432 the committee. Minority reported bills and resolutions shall be placed on the Calendar at the heel of favorably reported bills and 433 434 resolutions and shall not be considered until all favorably 435 reported bills and resolutions are disposed of, except by a vote of two-thirds (2/3) of the Senators present and voting. 436

437

RULES COMMITTEE

65. (1) There shall be a standing Committee on Rules which 438 439 shall consist of the President (who shall be a nonvoting member), 440 the President Pro Tempore, and four (4) Senators, each having 441 served at least four (4) years in the Senate, one (1) from each 442 Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective 443 444 congressional districts by caucus. The voting precinct of the 445 Senator representing such district shall determine the 446 congressional district caucus in which the Senator shall 447 participate and for which the Senator may hold membership on the 448 Rules Committee. The President Pro Tempore shall serve as 449 chairman of the committee; the vice chairman shall be appointed by 450 the President Pro Tempore from among the Senators on the 451 committee.

The Rules Committee shall, in addition to the 452 (2) 453 functions of a standing committee and any other responsibilities assigned by the Senate, perform the following duties: 454 455 (a) Conduct the business affairs of the Senate; 456 (b) Pursuant to authority granted in Section 457 29-5-2, Mississippi Code of 1972, assign such space in the Capitol 458 or in such other buildings or parts thereof as may be reserved for 459 the Senate and have complete control, authority and jurisdiction 460 over such rooms, chambers, offices and other areas. Anv assignment of space shall be subject to change by the Rules 461 462 Committee. No other branch of the government, or a department or 463 agency thereof, shall use any such room, chamber, office or other 464 area without specific written authorization from the Rules 465 Committee. The Rules Committee may delegate its powers with 466 regard to any such room, chamber, office or other area in 467 connection with the use, maintenance, repairing, construction, 468 reconstruction and refurbishing thereof in such a manner as it 469 deems advisable; 470 Assign staff for interim and special (C) 471 committees; 472 Assign staff for standing committees; (d) 473 (e) Continually assess ways and means to improve 474 the organization, procedures, facilities and working conditions of 475 the Senate; 476 (f) Except as otherwise provided in subsection (5) 477 for the staffing of the office of the President and the office of 478 the President Pro Tempore, have the authority to employ all 479 personnel necessary to execute the duties and responsibilities of 480 the Senate. Unless otherwise specifically provided, the Rules 481 Committee shall have full and exclusive authority over the Secretary, other officials and employees of the Senate, and all 482 483 such officials and personnel shall serve at the pleasure of the 484 Complaints with respect to any misconduct, Rules Committee. *SS02/R195.4* S. R. No. 1 04/SS02/R195.4

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485 inefficiency or omission by the Secretary, officials or employees 486 of the Senate shall be heard by the Rules Committee which may 487 discharge the Secretary, officials or employees therefor;

488 (g) Fix the salaries of the Senate officials and 489 employees;

(h) Assign news, radio and television reporters
wishing to take down or broadcast the debates and proceedings of
the Senate, places in the Senate so as not to interfere with the
convenience of the Senate;

Authorize the reimbursement of Senators and 494 (i) 495 Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may 496 497 establish regulations governing such travel which include the 498 prior approval of such travel by the Rules Committee. Senators 499 attending out-of-state conventions or conferences at state expense 500 shall make a report to the Senate, including the purpose, work and 501 recommendations resulting from the out-of-state meeting attended. 502 If more than one Senator attends such convention or conference, one report may be made as the report of the delegation; and 503

504 (j) Upon request of the chairman of any standing 505 or select committee of the Senate, authorize expenses, to include 506 per diem, mileage, meals and lodging, to be paid for members 507 attending the meeting of any such committee or subcommittee 508 thereof during the period in which the Legislature is not in 509 The Rules Committee may adopt rules and regulations session. concerning time, places and number of meetings that may be held 510 511 for which members will be compensated, such rules and regulations 512 to require prior approval of meetings in order for members to be 513 compensated.

(3) The committee may designate the Secretary of the Senate to be responsible for the day-to-day administration of the duties assigned to the committee and for implementing the policies of the committee adopted pursuant to this rule.

The committee shall function on a year-round basis; 518 (4) 519 and, when the Legislature is not in session, members of the 520 committee shall be compensated as provided in Section 25-3-69, 521 Mississippi Code of 1972, for each day spent in actual discharge 522 of their duties and shall receive the expense allowance and 523 mileage reimbursement provided in Section 5-1-47, Mississippi Code 524 of 1972. No committee member may incur per diem, travel or 525 expense allowance unless authorized by vote at a meeting of the 526 committee, which action shall be recorded in the official minutes of the committee. The Rules Committee shall meet at such times as 527 528 are necessary for the proper exercise of its functions and may adopt rules and regulations, not inconsistent with the rules of 529 530 the Senate, as it deems necessary for the efficient operation of the committee. Action by a majority vote of the Rules Committee 531 532 shall be conclusive on any matter properly within the jurisdiction 533 of the committee.

(5) (a) In providing for the staffing of the
President's office, the Rules Committee shall fill up to four (4)
positions when requested by the President, and the persons
employed for such positions shall be hired with the approval of
the President. The President shall recommend the compensation to
be paid to the President's staff, and the Rules Committee may pay
the compensation so established.

(b) In providing for the staffing of the President Pro Tempore's office, the Rules Committee shall fill one (1) staff position as requested by the President Pro Tempore, and the person employed for such position shall be hired with the approval of the President Pro Tempore. The President Pro Tempore shall recommend the compensation to be paid to the person so employed, and the Rules Committee may pay the compensation so established.

548 (c) Persons employed under this subsection to 549 staff the President's office shall serve at the will and pleasure 550 of the President; persons employed to staff the President Pro S. R. No. 1 *SS02/R195.4* 04/SS02/R195.4 PAGE 17 551 Tempore's office shall serve at the will and pleasure of the 552 President Pro Tempore.

(6) In providing for the staffing of committees, the Rules Committee shall have the responsibility for determining the necessity of any staff positions requested by the chairman of a committee.

557 (7) The Rules Committee shall cooperate with the House 558 Management Committee in maintaining a Joint Legislative Printing 559 Office and a reference library which shall contain, but shall not 560 be limited to, study reports and information gathered by the 561 departments and the various committees of the Legislature so as to 562 provide a continuity of information from year to year.

563 (8) The Rules Committee shall have the responsibility
564 for the proper operation of the Senate Legislative Services
565 Office.

566 (9) The Rules Committee shall have jurisdiction over
567 any questions concerning improper or unethical conduct by members
568 of the Senate.

569 (10) The funds necessary to carry out the provisions of 570 this rule shall be paid from the Senate Contingent Fund.

571 (11) The Rules Committee may meet jointly with the 572 House Management Committee when necessary to more effectively 573 carry out the provisions of this rule.

574

SPECIAL ORDERS

66. A bill, resolution or measure may be made a Special Order for a day and hour certain by a majority vote of Senators present and voting. Upon the arrival of such time, the President shall lay before the Senate the bill, resolution or measure under Special Order, and the Senate shall proceed to its consideration on third reading until it has been temporarily or permanently disposed of.

582 67. Should the consideration as a Special Order of a bill or 583 resolution not be completed by the time set for Special Order of S. R. No. 1 *SS02/R195.4* 04/SS02/R195.4 PAGE 18

another bill or resolution, the consideration of the first Special 584 585 Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the 586 587 succeeding day. In such event another day and hour certain may be 588 set for consideration of the displaced bill or resolution, or it may be regarded as unfinished business of the succeeding 589 590 legislative day, at the option of the chairman of the committee 591 reporting the bill or resolution. Such option, however, shall be 592 announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority 593 594 vote of those Senators present and voting.

595

SPEAKING

596 68. When any member of the Senate desires to speak or 597 present any matter to the Senate, <u>the Senator</u> shall rise and 598 respectfully address himself <u>or herself</u> to "Mr.<u>/Madam</u> President" 599 and, upon being recognized, shall confine himself to the question 600 under debate and avoid personalities.

601 69. Senators shall not be interrupted, when addressing the 602 Senate, by other Senators, except when a Senator seeking 603 information may address the presiding officer, who shall endeavor 604 to secure the consent of the Senator speaking to the offered 605 interruption. The presiding officer shall declare Senators 606 violating this rule out of order.

607 70. If any Senator be called to order by another for words 608 spoken, the exceptional words shall immediately be taken down in 609 writing by the Secretary so that the presiding officer may be 610 better able to judge the matter.

611 71. No Senator shall speak more than twice to the same 612 question, except as elsewhere provided, except by majority vote of 613 those Senators present and voting, nor more than once until every 614 Senator wishing to speak shall have spoken, and no longer than 615 twenty (20) minutes to the main question. When a subsidiary 616 question is under debate, the time limit shall be five (5) *SS02/R195.4* S. R. No. 1 04/SS02/R195.4 PAGE 19

minutes. When the time of a Senator is extended, it must be for a 617 618 specific time.

72. No Senator shall, before resuming his seat after 619 620 speaking to a question, make a motion cutting off or limiting 621 debate.

622

BILLS AND RESOLUTIONS

All bills and resolutions must be typewritten, double 623 73. 624 spaced on 8-1/2 X 14 inch white paper. Titles must be typewritten 625 single spaced and in capital letters. Bills or resolutions must 626 be introduced in original form (not carbon or photocopied) and 627 shall be free from interlineations, corrections and strikeouts, whether with ink, pencil or typewriter. The enacting clause, 628 629 typed immediately preceding Section 1 of a bill, shall contain the 630 following words in capital letters: "BE IT ENACTED BY THE 631 LEGISLATURE OF THE STATE OF MISSISSIPPI." No additional enacting 632 words shall be used. The Secretary may decline to accept for 633 introduction a bill or resolution not conforming hereto.

634 Senators may introduce bills and concurrent resolutions 74. and Senate resolutions by placing them in the box at the 635 636 Secretary's desk at any time, or they may send them to the Secretary's desk when the order for introduction is reached. All 637 638 bills, concurrent resolutions and Senate resolutions placed in the 639 box or sent to the Secretary's desk will be considered as being 640 introduced on the legislative day following the day on which they 641 were placed in the box except for (a) legislative days where the motion has been adopted to dispense with the reading of the titles 642 643 of bills and concurrent resolutions, (b) bills and constitutional 644 amendments placed in the box on the day of the deadline for 645 introduction of general bills and constitutional amendments, and 646 (c) appropriation and revenue bills placed in the box on the day before the deadline for original floor action on appropriation and 647 648 revenue bills originating in the Senate; bills and constitutional 649 amendments described in items (a), (b) and (c) of this sentence *SS02/R195.4* S. R. No. 1 04/SS02/R195.4

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will be considered as being introduced on the day on which they are placed in the box. The deadlines referred to in this paragraph shall be those established in the Joint Rules of the Senate and the House, and the determination of what is a revenue bill for purposes of this paragraph shall be as prescribed in the Joint Rules of the Senate and the House.

656 In addition to any other time provided by law or by rule, 657 members of the Senate may file bills or resolutions with the 658 Secretary of the Senate at any time during the period between sessions of the Legislature. Such prefiled bills shall be 659 660 numbered by the Secretary of the Senate and referred by the President to the appropriate standing committee of the Senate for 661 662 study. Such prefiled bills shall be introduced in the order filed on the first day of the next succeeding regular session of the 663 Legislature, or extraordinary session if included within the 664 665 Governor's call, and referred to committee in the regular order of business of the Senate. No bills may be prefiled in any year of a 666 667 general election until after a member of the Senate has been 668 finally elected in the November general election.

669 75. Upon introduction of Senate bills, the Secretary shall 670 read the titles thereof and then give the bills to the President 671 for his study and reference to proper committees. The President may retain such bills in his possession until the opening of the 672 673 next succeeding legislative day's session when the President shall 674 return such bills to the Secretary with the committee references noted thereon. Whereupon, the Secretary shall give such bills 675 676 serial numbers, and, at the proper time in the Order of Business, 677 the Secretary shall read the numbers, titles and committee references, and have the titles reproduced for distribution. 678 679 House bills received with messages from the House shall be treated 680 likewise regarding references to committees and reading of titles 681 by the Secretary. Provided, however, that the President may, at 682 his option, refer Senate bills immediately upon their introduction *SS02/R195.4* S. R. No. 1 04/SS02/R195.4 PAGE 21

and House bills immediately upon their receipt from the House.
Provided, further, that a motion is in order for the immediate
consideration in Committee of the Whole of any bill or resolution,
except bills of Local and Private nature, before such bill or
resolution is referred to a standing committee.

688 76. Every bill and concurrent resolution and all reports of
689 committees, except the report of the Committee of the Whole, shall
690 lie on the table one day before being considered by the Senate.

691 77. General bills and resolutions shall be called up for consideration in numerical order as revealed by item numbers on 692 693 the Calendar. When a bill or resolution is reached on the 694 Calendar and it is not then considered, it shall go to the heel of 695 the Calendar unless by a vote of a majority of the Senators 696 present and voting it retains its place on the Calendar. 697 Appropriation bills and resolutions reported by the Appropriations 698 Committee and revenue bills and resolutions reported by the 699 Finance Committee or other committees shall be subject to Section 700 68 of the Constitution. Bills and resolutions reported by the 701 Rules Committee shall have precedence above all others, except 702 appropriations and revenue bills and resolutions.

703 78. No bill, concurrent resolution or measure (except Senate 704 resolutions which may be called up for consideration any time by 705 suspension of the rules) shall be considered or voted upon by the 706 Senate unless the same shall have been referred to a committee, 707 considered and reported by a majority of a quorum of the committee 708 to which it was referred, subject to the provisions of Rule 64.

709 79. It is the duty of the chairman or vice chairman of a 710 committee to call up bills and resolutions on the floor or to 711 designate another member of the Senate so to do.

712 80. Complete titles of bills and resolutions shall be used 713 upon introductions, but abbreviated titles may be used elsewhere. 714 81. When a bill or concurrent resolution is originally 715 referred to two (2) committees and favorably reported by both, the S. R. No. 1 *SS02/R195.4* 04/SS02/R195.4 PAGE 22 716 chairman of the first named committee shall have the option of 717 handling the bill or resolution on the floor.

82. When a bill or resolution is called up for final passage, the Senator introducing such measure, if present, shall have the right to open and close the debate. In the event there are several authors of a bill or resolution, they shall agree among themselves which shall open and close the debate and shall so notify the chairman of the committee.

83. When a bill or resolution is being considered by the Senate, it shall be read throughout by the Secretary and then may be again read and debated by clauses, paragraphs or sections, leaving the title to be considered last.

84. It shall always be in order, before the final passage ofa bill or resolution, to move its recommitment.

730 When a bill or measure has been referred to the Finance 85. 731 Committee or Appropriations Committee, which deals with another 732 major subject as well as finance or appropriations, the committee 733 may, in its discretion, recommend that it be sent to the related 734 committee for study and recommendation. Such bill shall be 735 reported in the usual manner by the related committee within five 736 (5) legislative days, whereupon the Secretary shall return the 737 bill to the Finance Committee or Appropriations Committee with the 738 The final report of the Finance Committee or report. 739 Appropriations Committee shall govern the status of the bill or 740 resolution.

86. All motions contemplating legislation shall be founded upon bills or concurrent resolutions; and committees, to which may be referred messages from the Governor, reports of the state officers, boards, commissions and others authorized to report to the Legislature, including petitions for legislation, may report by bill, resolution or written recommendation such legislation as may be germane to the subject matter referred to them.

87. No bill, resolution, concurrent resolution or measure 748 749 having been referred to a committee shall be taken from such 750 committee, or the committee be discharged from the consideration 751 thereof, other than by a motion signed by a majority of all 752 Senators elected; except that during the last six (6) days of a 753 session, a majority of the Senators present and voting may call a 754 bill, resolution or concurrent resolution from a committee by a 755 signed motion.

756 88. All bills, concurrent resolutions or measures 757 originating in the House and passed by that body and sent to the 758 Senate for consideration shall pursue the same course and shall be 759 subject to the same rules as though such bills, concurrent 760 resolutions or measures had originated in the Senate.

89. Any bill, resolution, concurrent resolution or measure recalled from a committee by the method provided in Rule 87 shall be referred to another standing committee, unless the Senate votes to form a Committee of the Whole for the purpose of considering the same.

90. No law shall be repealed by reference to its chapter, bill number or code number only, but there shall be included in its title and in a section within the bill a brief statement of the nature of the law sought to be repealed.

91. In the event of the loss or misplacement of a bill or resolution, the Secretary is authorized to prepare an exact copy thereof which, upon his certification that such bill or resolution is a true and correct copy of the original, shall be considered as though it were the original bill or resolution.

775

SENATE RESOLUTIONS

92. Senate resolutions may be considered without having been referred to or reported by a committee, except as provided in Rule 30. However, such resolutions may be referred to a committee by majority vote of Senators present and voting, or the President may refer them on <u>the President's</u> own initiative.

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules * * *.

786

CALENDAR

787 94. The Secretary each day shall prepare a Calendar of all 788 matters in order for consideration. Such Calendar and a copy of 789 each bill and resolution shown thereon shall be placed on the desk 790 of each Senator prior to the hour of convening. Titles of bills 791 and resolutions shall clearly indicate the subject matter thereof, but such titles may be abbreviated. General bills and resolutions 792 793 favorably reported by committees shall be given an item number in sequence and placed on the Calendar from day to day in order as 794 795 they are reported and placed under the head of "General Calendar." 796 Bills and resolutions favorably reported by committees on Finance, 797 on Appropriations, on Rules and on Local and Private 798 Legislation; * * * and bills and resolutions subject to secondary 799 considerations, shall be shown separately under appropriate 800 headings, with item numbers in sequence.

801 The Rules Committee is hereby authorized to create a 802 "Noncontroversial Calendar" for the consideration of 803 noncontroversial bills, resolutions or measures. Senate bills, 804 resolutions or measures shall be placed on the Noncontroversial 805 Calendar upon the written request of the chairman of the committee reporting the measure, the primary author, and by a majority vote 806 807 of the Rules Committee; House bills, resolutions or measures shall 808 be placed upon the Noncontroversial Calendar on the request of the chairman of the committee reporting the measure and by a majority 809 810 vote of the Rules Committee. A bill, resolution or measure shall 811 be removed from the Noncontroversial Calendar upon the demand of 812 six (6) or more Senators made in open session. Any such demand

813 shall require the bill or resolution to be placed at the heel of 814 the General Calendar.

95. Bills, resolutions, measures or motions reported by committees, and reports of special committees, shall be placed on the Calendar in the regular order of the next day after that on which they were made to the Senate or received from the House, as the case may be.

96. No matter which has been duly placed on the Calendar shall be discharged therefrom or considered out of its regular course except by a two-thirds (2/3) vote of the Senate, subject to the provisions of Section 68 of the Constitution. However, matters affecting the public interest and regarded as of immediate necessity may be advanced on the Calendar by the Committee on Rules.

827

MOTIONS

828 97. Order of Precedence:

829 (1) To adjourn.

830 (2) To lay on the table.

(3) To lay on the table subject to call, when five (5) minutes' debate shall be allowed <u>the Senator making the motion and</u> five (5) minutes' debate shall be allowed the Senator having the measure in charge, unless the Senator(s) shall yield the floor to another Senator.

836

6 (4) For the previous question.

837 (5) To limit debate.

(6) To close debate at a specific time.

839 (7) To postpone to a day certain.

- 840 (8) To recommit.
- 841 (9) To re-refer.
- 842 (10) To amend.
- 843 (11) To postpone indefinitely.

These motions shall have precedence in the above order; and any such motion being made and being decided adversely shall not S. R. No. 1 *SS02/R195.4*

04/SS02/R195.4 PAGE 26 846 again be entertained on the same day at the same stage of the 847 question.

848 98. A motion to postpone indefinitely opens to debate the849 merits of the proposition.

850 99. Any motion shall be reduced to writing if the President851 so directs or a Senator or the Secretary so requests.

100. When a motion is made, it shall be stated by the President or, being in writing, it shall be read aloud by the Secretary.

101. After a motion is stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Senate, and it may be withdrawn only by a majority vote of Senators present and voting at any time before decision or amendment.

102. No motion is in order while a point of order is pending unless the President shall announce a delay in <u>the</u> ruling, and then only matters not affected by a ruling on such pending point of order may be considered.

103. When a question is under debate, the President shall entertain no motion which does not relate to the question except a motion to adjourn or some other motion which has precedence by express rules of the Senate or because it is privileged in its nature.

103A. After a motion to lay a bill on the table subject to call or a motion to table has been adopted, only a member authorized to call up the bill under Rule 79 shall have the right to move to call the bill from the table.

873

AMENDMENTS

874 104. Amendments shall be in order after the third reading of 875 a bill or resolution requiring three (3) readings, but no amendment, except committee amendments, shall be considered as 876 877 pending unless the author of such amendment shall have secured 878 recognition by the President for the purpose of offering such *SS02/R195.4* S. R. No. 1 04/SS02/R195.4 PAGE 27

amendment and moving its adoption. Such amendment shall then be sent to the Secretary's desk, and disposition of it shall be made before any additional amendments shall be placed on the Secretary's desk or received by him.

883 105. Amendments to an amendment shall be voted on before a 884 substitute is taken up. Only one amendment to the amendment is in 885 order at one time; but as rapidly as one is disposed of by rejection or adoption, another is in order as long as any member 886 887 desires to offer one. A substitute amendment may be offered to an 888 amendment. An amendment to the substitute may be offered. No 889 other amendment can be offered since the third degree has been 890 The vote shall be taken in the following order: reached. The 891 amendment to the amendment shall first be voted on; then the 892 amendment to the substitute; then the substitute amendment; and, 893 if the substitute is adopted, then the original amendment shall be 894 regarded as automatically tabled.

895 106. An amendment to a bill or resolution may be adopted by 896 a majority vote, notwithstanding it requires more than a majority 897 vote to pass the bill or resolution sought to be amended.

898 107. When a bill is reported with committee amendments, such 899 committee amendments shall have precedence for consideration over 900 amendments presented from the floor.

901 108. Amendments proposed by members or by committees must 902 not be written into a bill or resolution until such amendments 903 shall be adopted and the bill finally passed by the Senate, and 904 then only under the direction of the Secretary * * *.

905 109. Amendments to a Senate bill, resolution or measure 906 which have been adopted by the House and sent back to the Senate 907 for concurrence shall be considered as "unfinished business" of 908 the next day after that on which they were received, unless a 909 majority of the Senators present and voting order that such 910 amendments be considered immediately. House amendments to Senate

911 bills or resolutions shall be either concurred in or not concurred 912 in their entirety and not separately.

913

PREVIOUS QUESTION

914 110. There may be a motion for the previous question, which 915 shall not be debatable and which may be ordered upon any bill or 916 resolution or section thereof, amendment, motion or question which is debatable, any of which shall be considered as the main 917 question for the purpose of applying the previous question. All 918 919 incidental questions of order arising after a motion for the 920 previous question has been applied and before the vote on the main 921 question has been taken shall be decided, whether on appeal or otherwise, without debate. 922

923 111. When the previous question has been ordered, each side 924 shall have five (5) minutes for debate, the affirmative speaking 925 first; provided that after the previous question shall have been 926 ordered, the only motion in order shall be one motion to recommit 927 or re-refer, which motion shall not be debatable.

928 111A. When the motion to limit debate has been ordered, each 929 side shall have five (5) minutes for debate on each subsidiary or 930 main question, the affirmative speaking first.

931

POINTS OF ORDER

932 112. Every point of order shall be decided by the presiding 933 officer. Any decision of the presiding officer on a point of order shall be subject to an appeal to the Senate without debate, 934 935 unless the presiding officer, in his discretion and for his 936 information, requests debate and/or a brief on any point of order. 937 The presiding officer may require points of order in writing and 938 may take reasonable time to examine and study same before ruling 939 thereon, during which period consideration of that particular 940 subject matter shall be suspended without prejudice and the Senate 941 shall proceed to the next order of business.

942

VOTING

943 113. The presiding officer shall declare all votes. When a 944 question not requiring the yeas and nays is put, the sense of the 945 Senate shall be taken by the voice of the Senators, and the 946 President shall first announce the vote as it appears to <u>the</u> 947 President by sound.

948 114. The yeas and nays shall be taken on the final passage 949 of every bill, concurrent resolution, conference report and House 950 amendments to Senate bills. The President of the Senate may order 951 a yea and nay or division vote on any subsidiary question.

115. Upon every roll call the names of the members shall be 952 953 called alphabetically by surname, except when two (2) or more have 954 the same surname, in which case the number of the district shall 955 be added; and if there be two (2) such members from the same 956 district, the name or initials shall be called. After the roll 957 has been once called, the Secretary shall call, in their 958 alphabetical order, the names of those not voting, and thereafter the President shall not entertain a request to record a vote, 959 960 except that any Senator whose vote was recorded may change his 961 vote before the result is announced by the President.

962 116. The sense of the Senate shall be taken by yeas and nays 963 on any question whenever six (6) of the Senators present demand, 964 and, if the call for yeas and nays be not sustained, any Senator may have his vote recorded if the Senator so desires. Any Senator 965 may have the privilege of explaining his vote, which explanation 966 967 containing not more than one hundred (100) words shall be written 968 and handed to the Secretary before the approval of the Journal of 969 the day such vote was taken, and such explanation shall be spread 970 upon the Journal.

971 117. A Senator who by reason of absence from the Senate 972 Chamber fails to vote on any yea and nay call may, during the next 973 succeeding legislative day of his presence, file with the 974 Secretary, for insertion in the Journal, a brief written statement 975 stating how <u>the Senator</u> would have voted thereon. Anticipating <u>an</u> S. R. No. 1 *SSO2/R195.4* 04/SSO2/R195.4 PAGE 30 976 absence, any Senator may file such statement with the Secretary in 977 advance of the yea and nay vote for insertion in the Journal at 978 the proper time.

979 118. Any Senator may request a division vote. The President 980 shall call for those in the affirmative to rise first, then those 981 in the negative. The counts shall be made by the Secretary. If 982 the absence of a quorum is indicated, the Secretary shall make a 983 quorum count; and, if a quorum is present, the vote shall stand as 984 announced by the President.

985 119. Immediately following the second call of the yeas and 986 nays but before the announcement of the result of the vote by the 987 presiding officer, it will be in order for the announcement of 988 pairs of those Senators present whose votes are not recorded, 989 which pairs shall be entered in the Journal, and for the 990 announcement of change of votes by those Senators who have voted.

991 120. No Senator shall be allowed to approach the desk of the 992 Secretary to ascertain the vote cast on any question or measure 993 before such vote has been announced.

994 121. No Senator shall have the Journal amended so as to have 995 the record of his vote changed; however, a Senator may change his 996 vote before the result of a roll call is announced.

997 122. In the event of a tie vote, by call of the yeas and 998 nays or by division, on any main or subsidiary matter, the 999 President, if presiding at the time such tie vote occurs, shall 1000 cast the deciding vote.

1001 123. When a member of the Senate is presiding and a tie vote 1002 occurs on any proposition, the decision shall be in the negative. 1003 124. No Senator shall be permitted to act in committee or to 1004 vote on a question in which his private interest, distinct from 1005 the public interest, is immediately concerned.

1006 125. Unless a certain minimum of votes of Senators is 1007 specified in these rules on any vote taken, a majority of those 1008 present and voting shall prevail.

1009

RECONSIDERATION

1010 126. When a question has once carried in the affirmative or 1011 negative it shall be in order for any Senator to enter a motion 1012 for the reconsideration thereof. The motion to reconsider a vote 1013 on a proposition having been once agreed to and the vote again 1014 having been taken, a second motion to reconsider may not be made 1015 unless the nature of the proposition has been changed by 1016 amendment.

127. No motion to reconsider a vote shall be entertained 1017 1018 unless it be properly entered on the same day on which such vote 1019 was taken or on the next succeeding legislative day on which a quorum is present. No motion to reconsider shall be withdrawn 1020 1021 without unanimous consent. This rule shall not prevent reconsideration of a vote on a subsidiary, incidental or dependent 1022 1023 matter at any time when the main question to which it relates is under consideration; and a motion to reconsider a vote on any 1024 1025 subsidiary, incidental or dependent question shall not remove the 1026 main question under consideration from before the Senate, but such 1027 incidental question shall be considered at the time the motion is 1028 made.

1029 On a motion to table a motion to reconsider or on a motion 1030 that the Senate do not reconsider or on a motion that the Senate do reconsider, or any substitute for any such motion, five (5) 1031 1032 minutes total time shall be allowed the Senators speaking for the 1033 affirmative side and five (5) minutes total time shall be allowed the Senators speaking for the negative side of the question, such 1034 1035 time herein allowed to be allotted between Senators speaking on 1036 each side of the question. This rule shall also apply to any motion or substitute motion of similar import to the above 1037 1038 motions.

When a motion to table a motion to reconsider fails, or when a motion "do not reconsider" fails, the item stays on the Motion to Reconsider Calendar.

When a motion to reconsider fails, the question is no longer 1042 1043 before the Senate and no further action by the Senate is in order. 128. There shall be no reconsideration of the vote on the 1044 1045 question of adjourning or recessing; laying on the table subject 1046 to call; laying on the table or taking from the table; 1047 recommitting; re-referring; limiting debate; or on the previous question. When a motion for reconsideration has been decided, 1048 that decision shall not be reconsidered. 1049 1050 129. A motion to reconsider having been properly made and 1051 entered in the Journal shall become the property of the Senate and 1052 may be called up by any member of the Senate. VETOES 1053 1054 129A. After a veto message is read, two (2) motions are in 1055 order in the following precedence: (a) To refer the reconsideration of the bill to a 1056 committee; and 1057 (b) To pass the bill, the Governor's veto 1058 1059 notwithstanding. 1060 PERSONAL PRIVILEGE 1061 130. Matters of privilege affecting the rights, safety, 1062 dignity and integrity of the Senate, and matters of personal 1063 privilege affecting the rights, reputation and conduct of 1064 individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, 1065 1066 except motions to adjourn or recess. It is not in order to speak 1067 to a question of personal privilege after the previous question 1068 has been ordered. 1069 PARLIAMENTARY AUTHORITIES On all questions of order or parliamentary practice not 1070 131. covered by and not in conflict with these rules, the rules of 1071 1072 Cannon's Practice in the National House of Representatives and 1073 Hind's Precedents shall be the authority. 1074 READING OF DOCUMENTS *SS02/R195.4*

S. R. No. 1 *SSC 04/SS02/R195.4 PAGE 33 1075 132. When the reading of a document other than a bill or 1076 resolution is proposed or called for and the same is objected to 1077 by any Senator, it shall be determined by a majority vote of the 1078 Senators present and voting, without debate.

1079

EXECUTIVE SESSIONS

1080 133. The Senate shall conduct all business in open session, 1081 except that the Senate may resolve itself into executive session 1082 by majority vote of the Senators elected. Upon entering executive 1083 session, the Senate shall be cleared of all persons except 1084 Senators and officials thereof. Executive sessions should, 1085 whenever practicable, be held immediately prior to recess or 1086 adjournment of open sessions.

1087

NOMINATIONS

1088 134. When nominations from the Governor shall be received by the Senate, the Secretary of the Senate shall read the message 1089 1090 from the Governor to the Senate, and nominations shall be referred 1091 to the appropriate committee by the President unless the Senate by 1092 a two-thirds (2/3) vote of the Senators present and voting orders otherwise. The committee considering such nomination may, upon a 1093 1094 vote of a majority of the committee, consider the nomination in 1095 open committee meeting or hearing. Upon receiving the report of 1096 the committee to which the nomination was referred, the Senate 1097 shall proceed to consider the nomination in open session, unless 1098 executive session is invoked as provided in Rule 133.

1099 135. When a nomination or any other matter is confirmed, 1100 consented to or rejected, any Senator may move for a 1101 reconsideration. Such motion to reconsider confirmation or 1102 rejection of any name submitted to the Senate for any position or 1103 office, or any other matter, may be made on the legislative day in 1104 which the vote is taken or on the next legislative day thereafter, 1105 and not later.

1106 136. The Governor shall not be officially notified by the 1107 Secretary of the confirmation, consent to or rejection by the S. R. No. 1 *SS02/R195.4* 04/SS02/R195.4 PAGE 34 Senate of any nomination or other matter until the expiration of the time limit for entering a motion to reconsider, unless otherwise ordered by the Senate, subject to Section 65 of the Constitution.

1112 137. All executive matters submitted by the Governor which 1113 were not considered, as well as those on which actions were taken 1114 and were under pending motions to reconsider, shall fail at the 1115 time of sine die adjournment and the Secretary shall so notify the 1116 Governor thereof.

1117

SELECTION OF DESKS

1118 138. The seating arrangement in the Senate Chamber shall be 1119 accomplished by personal selections of seats by the Senators, and 1120 such selections may begin upon their nominations. Seats numbered 1121 3 and 4, which are equipped with hearing aids, may be held in reserve by the Secretary of the Senate for members who may need 1122 hearing aids. Senators elected to consecutive terms shall have 1123 1124 first choice of seats. Upon selection of seats, they shall be 1125 properly marked to indicate that the seats have been so selected. Nothing in this rule shall prevent the swapping of seats by mutual 1126 1127 agreement of Senators. The Secretary shall prepare and have 1128 printed the permanent seating arrangement for public distribution.

1129

INSURANCE

139. The Mississippi State Senate shall become a 1130 1131 self-insurer under the Mississippi Workers' Compensation Act 1132 pursuant to the provisions of Chapter 455, Laws of 1970, being Section 71-3-5, Mississippi Code of 1972. The Secretary of the 1133 1134 Mississippi State Senate shall notify the Mississippi Workers' 1135 Compensation Commission, as provided by law, of the intention of the Mississippi State Senate to become a self-insurer, which 1136 notice shall advise the commission that the following are covered 1137 under the provisions of said act: the Lieutenant Governor as 1138 1139 presiding officer of the Mississippi State Senate, all duly elected Senators, all elected officials and officers of the 1140 *SS02/R195.4* S. R. No. 1 04/SS02/R195.4

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1141 Senate, and all employees, staff members, Pages and clerical help 1142 of the Mississippi State Senate.

- 1143 140. (Omitted)
- 1144

CONFIDENTIALITY

1145 141. (1) No employee of the Senate shall reveal to any 1146 person outside his department the contents or nature of any 1147 request for services made by any member of the Senate except with 1148 the written consent of the person making such request.

(2) All confidential communications between members of the Senate and staff attorneys are protected by an attorney-client privilege.