

By: Senator(s) Bryan, Little

To: Adopted

SENATE RESOLUTION NO. 1

1 A RESOLUTION PROVIDING FOR THE PERMANENT RULES OF THE SENATE.
2 BE IT RESOLVED BY THE MISSISSIPPI STATE SENATE, That the
3 following be adopted as permanent rules:

4 **SENATE RULES**

5 **PRESIDENT**

6 1. The Lieutenant Governor shall be the President of the
7 Senate. The President shall take the Chair at the hour to which
8 the Senate shall have adjourned, shall call the Senate to order,
9 and on the appearance of a quorum, shall proceed with the regular
10 order of business.

11 2. The President shall preserve order and decorum, may speak
12 to points of order in preference to other members, and shall
13 decide all questions of order. The President's decision thereon
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
18 it sitting, and the President shall put the question in this form:
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
22 Senate shall divide, and those in the affirmative shall rise
23 first; then those in the negative. Count of division votes shall
24 be made by the Secretary and announced by the President.

25 4. The President shall call some Senator to the Chair when
26 the Senate goes into Committee of the Whole. The President shall

27 have the right also during sessions of the Senate to name a
28 Senator to perform the duties of the Chair, but such substitution
29 shall not extend beyond adjournment of that legislative day. When
30 both the Lieutenant Governor and the President Pro Tempore shall
31 be absent, the Senate may call any Senator to preside from day to
32 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 36 and Rule 37.

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 the President and attested by the
40 Secretary.

41 **PRESIDENT PRO TEMPORE**

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

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

52 11. In the absence of the President, or at the President's
53 request, the President Pro Tempore shall act in the President's
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

60 the term of the Senate by which the Secretary 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.

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

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

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

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

91 18. (Omitted)

92

ASSISTANT SECRETARY

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.

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, the Senator 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
201 convene, a majority of such number is empowered to direct the
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 his
209 own request or at the request of another Senator.

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

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

219 35A. Whenever a Senator is on the floor of the Senate while
220 the Senate is in session, each male Senator shall wear a coat and
221 necktie, and each female Senator shall wear appropriate attire.
222 Whenever a Senator is on the floor of the Senate while the Senate
223 is in session, he or she shall not be allowed to smoke a
224 cigarette, cigar or pipe or consume food.

| | | |
|-----|--|-------------------|
| 258 | Water Resources..... | 15 members |
| 259 | Fees, Salaries and Administration..... | 13 members |
| 260 | Finance..... | 26 members |
| 261 | Forestry..... | 9 members |
| 262 | Highways and Transportation..... | 19 members |
| 263 | Insurance..... | 13 members |
| 264 | Interstate and Federal Cooperation..... | 5 members |
| 265 | Judiciary, <u>Division A</u> | <u>15</u> members |
| 266 | <u>Judiciary, Division B</u> | <u>15</u> members |
| 267 | Labor..... | 9 members |
| 268 | Local and Private..... | 5 members |
| 269 | * * * | |
| 270 | Municipalities..... | 11 members |
| 271 | Oil, Gas and Other Minerals..... | 11 members |
| 272 | Ports and Marine Resources..... | 11 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..... | 7 members |
| 279 | <u>Wildlife, Fisheries and Parks</u> | 11 members |

JOINT COMMITTEES

| | | |
|-----|-------------------------------|---------------------------------|
| 281 | Executive Contingent Fund.... | (5 Senators, 5 Representatives) |
| 282 | Investigate State Offices.... | (9 Senators, 9 Representatives) |
| 283 | State Library..... | (5 Senators, 5 Representatives) |
| 284 | Enrolled Bills..... | (5 Senators, 5 Representatives) |

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 its
289 chairman and the second member named shall be its vice chairman,
290 unless it is specifically provided that they shall be elected.

291 There shall be no further rank on the committees, the remaining
292 members being listed thereon in alphabetical order. In the event
293 of a vacancy in the chairmanship or vice chairmanship, or
294 membership, the vacancies shall be filled by appointment by the
295 President.

296 39. Each committee shall, after its organization,
297 immediately determine by a majority vote what number shall
298 constitute a sufficient quorum for it to proceed to business,
299 which quorum shall not be less than the majority required by Rule
300 23, and shall report that action, together with the name of the
301 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.

355 50. When a bill is sent to conference, only matters in
356 disagreement between the Houses are subject to consideration by
357 the conference committee. However, when one House strikes out of
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 51. No report from a conference committee or other joint
364 committee shall be acted upon in the Senate unless subscribed to
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.

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

379 54. It is legislatively recognized that it is the function
380 of a conference committee to submit a compromise of the difference
381 between the Houses, which might be acceptable to both, and liberal
382 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.

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
429 the committee meeting at which the bill or resolution was
430 reported. Minority Reports must be filed within three (3)
431 legislative days after the bill or resolution has been reported by
432 the committee. Minority reported bills and resolutions shall be
433 placed on the Calendar at the heel of favorably reported bills and
434 resolutions and shall not be considered until all favorably
435 reported bills and resolutions are disposed of, except by a vote
436 of two-thirds (2/3) of the Senators present and voting.

437 **RULES COMMITTEE**

438 65. (1) There shall be a standing Committee on Rules which
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,
443 2004, to be selected by the Senators from their respective
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.

452 (2) The Rules Committee shall, in addition to the
453 functions of a standing committee and any other responsibilities
454 assigned by the Senate, perform the following duties:

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. Any
461 assignment of space shall be subject to change by the Rules
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 (c) Assign staff for interim and special
471 committees;

472 (d) Assign staff for standing committees;

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
482 Secretary, other officials and employees of the Senate, and all
483 such officials and personnel shall serve at the pleasure of the
484 Rules Committee. Complaints with respect to any misconduct,

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;

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

494 (i) Authorize the reimbursement of Senators and
495 Senate officials and employees who are required to travel in the
496 performance of their official duties. The Rules Committee may
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,
503 one report may be made as the report of the delegation; and

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 session. The Rules Committee may adopt rules and regulations
510 concerning time, places and number of meetings that may be held
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.

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

518 (4) The committee shall function on a year-round basis;
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
527 of the committee. The Rules Committee shall meet at such times as
528 are necessary for the proper exercise of its functions and may
529 adopt rules and regulations, not inconsistent with the rules of
530 the Senate, as it deems necessary for the efficient operation of
531 the committee. Action by a majority vote of the Rules Committee
532 shall be conclusive on any matter properly within the jurisdiction
533 of the committee.

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

541 (b) In providing for the staffing of the President
542 Pro Tempore's office, the Rules Committee shall fill one (1) staff
543 position as requested by the President Pro Tempore, and the person
544 employed for such position shall be hired with the approval of the
545 President Pro Tempore. The President Pro Tempore shall recommend
546 the compensation to be paid to the person so employed, and the
547 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

551 Tempore's office shall serve at the will and pleasure of the
552 President Pro Tempore.

553 (6) In providing for the staffing of committees, the
554 Rules Committee shall have the responsibility for determining the
555 necessity of any staff positions requested by the chairman of a
556 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**

575 66. A bill, resolution or measure may be made a Special
576 Order for a day and hour certain by a majority vote of Senators
577 present and voting. Upon the arrival of such time, the President
578 shall lay before the Senate the bill, resolution or measure under
579 Special Order, and the Senate shall proceed to its consideration
580 on third reading until it has been temporarily or permanently
581 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

584 another bill or resolution, the consideration of the first Special
585 Order shall continue until disposition is made, even though it may
586 run over the time set for the second Special Order, or into the
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
589 may be regarded as unfinished business of the succeeding
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
593 Special Order was originally set, with the approval of a majority
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, the Senator shall rise and
598 respectfully address himself or herself to "Mr./Madam 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)

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

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

622 **BILLS AND RESOLUTIONS**

623 73. All bills and resolutions must be typewritten, double
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,
628 whether with ink, pencil or typewriter. The enacting clause,
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 74. Senators may introduce bills and concurrent resolutions
635 and Senate resolutions by placing them in the box at the
636 Secretary's desk at any time, or they may send them to the
637 Secretary's desk when the order for introduction is reached. All
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
642 motion has been adopted to dispense with the reading of the titles
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
647 before the deadline for original floor action on appropriation and
648 revenue bills originating in the Senate; bills and constitutional
649 amendments described in items (a), (b) and (c) of this sentence

650 will be considered as being introduced on the day on which they
651 are placed in the box. The deadlines referred to in this
652 paragraph shall be those established in the Joint Rules of the
653 Senate and the House, and the determination of what is a revenue
654 bill for purposes of this paragraph shall be as prescribed in the
655 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
659 sessions of the Legislature. Such prefiled bills shall be
660 numbered by the Secretary of the Senate and referred by the
661 President to the appropriate standing committee of the Senate for
662 study. Such prefiled bills shall be introduced in the order filed
663 on the first day of the next succeeding regular session of the
664 Legislature, or extraordinary session if included within the
665 Governor's call, and referred to committee in the regular order of
666 business of the Senate. No bills may be prefiled in any year of a
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
672 may retain such bills in his possession until the opening of the
673 next succeeding legislative day's session when the President shall
674 return such bills to the Secretary with the committee references
675 noted thereon. Whereupon, the Secretary shall give such bills
676 serial numbers, and, at the proper time in the Order of Business,
677 the Secretary shall read the numbers, titles and committee
678 references, and have the titles reproduced for distribution.
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

683 and House bills immediately upon their receipt from the House.
684 Provided, further, that a motion is in order for the immediate
685 consideration in Committee of the Whole of any bill or resolution,
686 except bills of Local and Private nature, before such bill or
687 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
692 consideration in numerical order as revealed by item numbers on
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

716 chairman of the first named committee shall have the option of
717 handling the bill or resolution on the floor.

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

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

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

730 85. When a bill or measure has been referred to the Finance
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 report. The final report of the Finance Committee or
739 Appropriations Committee shall govern the status of the bill or
740 resolution.

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

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

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

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

827 MOTIONS

828 97. Order of Precedence:

829 (1) To adjourn.

830 (2) To lay on the table.

831 (3) To lay on the table subject to call, when five (5)
832 minutes' debate shall be allowed the Senator making the motion and
833 five (5) minutes' debate shall be allowed the Senator having the
834 measure in charge, unless the Senator(s) shall yield the floor to
835 another Senator.

836 (4) For the previous question.

837 (5) To limit debate.

838 (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.

844 These motions shall have precedence in the above order; and
845 any such motion being made and being decided adversely shall not

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 the
849 merits of the proposition.

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

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

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

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

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

869 103A. After a motion to lay a bill on the table subject to
870 call or a motion to table has been adopted, only a member
871 authorized to call up the bill under Rule 79 shall have the right
872 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
876 amendment, except committee amendments, shall be considered as
877 pending unless the author of such amendment shall have secured
878 recognition by the President for the purpose of offering such

879 amendment and moving its adoption. Such amendment shall then be
880 sent to the Secretary's desk, and disposition of it shall be made
881 before any additional amendments shall be placed on the
882 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
886 rejection or adoption, another is in order as long as any member
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 reached. The vote shall be taken in the following order: 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
917 is debatable, any of which shall be considered as the main
918 question for the purpose of applying the previous question. All
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
922 otherwise, without debate.

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
934 order shall be subject to an appeal to the Senate without debate,
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 the
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.

952 115. Upon every roll call the names of the members shall be
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
959 the President shall not entertain a request to record a vote,
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
965 may have his vote recorded if the Senator so desires. Any Senator
966 may have the privilege of explaining his vote, which explanation
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 the Senator would have voted thereon. Anticipating an

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.

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RECONSIDERATION

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

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

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

1108 Senate of any nomination or other matter until the expiration of
1109 the time limit for entering a motion to reconsider, unless
1110 otherwise ordered by the Senate, subject to Section 65 of the
1111 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
1122 reserve by the Secretary of the Senate for members who may need
1123 hearing aids. Senators elected to consecutive terms shall have
1124 first choice of seats. Upon selection of seats, they shall be
1125 properly marked to indicate that the seats have been so selected.
1126 Nothing in this rule shall prevent the swapping of seats by mutual
1127 agreement of Senators. The Secretary shall prepare and have
1128 printed the permanent seating arrangement for public distribution.

1129 **INSURANCE**

1130 139. The Mississippi State Senate shall become a
1131 self-insurer under the Mississippi Workers' Compensation Act
1132 pursuant to the provisions of Chapter 455, Laws of 1970, being
1133 Section 71-3-5, Mississippi Code of 1972. The Secretary of the
1134 Mississippi State Senate shall notify the Mississippi Workers'
1135 Compensation Commission, as provided by law, of the intention of
1136 the Mississippi State Senate to become a self-insurer, which
1137 notice shall advise the commission that the following are covered
1138 under the provisions of said act: the Lieutenant Governor as
1139 presiding officer of the Mississippi State Senate, all duly
1140 elected Senators, all elected officials and officers of the

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.

1149 (2) All confidential communications between members of
1150 the Senate and staff attorneys are protected by an attorney-client
1151 privilege.