

By: Senator(s) Kirby

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



67 13. The Secretary shall insert in an appendix to the Journal
68 the Rules of the Senate and the Joint Rules of the two (2)
69 branches, and the constitutional provisions governing the powers
70 and procedures of the Legislature.

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

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

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

87 17. The Secretary, with the approval of the Senate Rules
88 Committee, shall provide for the appointment of Pages, whose
89 salaries shall be fixed by the Rules Committee. Not more than six
90 (6) Pages shall serve throughout the session as Senior Pages, and
91 one (1) of these six (6) shall be designated as Head Page by the



92 Secretary. Nominations of Pages by members of the Senate shall be
93 submitted to the Secretary as soon as possible so that they may be
94 properly scheduled. Pages shall be not less than fourteen (14)
95 years of age.

96 18. (Omitted)

97 **ASSISTANT SECRETARY**

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

102 **SERGEANT-AT-ARMS**

103 20. The duties of the Sergeant-at-Arms shall be those
104 enumerated in Section 5-1-35, Mississippi Code of 1972, and such
105 other related duties as may be assigned by the Senate Rules
106 Committee or the Senate. The Sergeant-at-Arms shall be elected by
107 the Senate and shall serve during the term of the Senate by which
108 the Sergeant-at-Arms was elected. The Sergeant-at-Arms may be
109 removed from office at any time by a vote of at least
110 three-fourths (3/4) of the members of the Senate present and
111 voting.

112 20A. (Omitted)

113 **TIME OF CONVENING**

114 21. The time of convening of the Senate, unless otherwise
115 ordered by a majority vote of the Senators elected, shall be at
116 ten o'clock a.m. each legislative day, except on Mondays when the



117 time shall be four o'clock p.m. and Fridays when the time shall be
118 9:00 a.m.; and there shall be no Saturday or Sunday meetings
119 unless specifically ordered by a majority vote of the Senators
120 elected.

121 QUORUMS

122 22. A quorum of the Senate shall consist of not less than
123 twenty-seven (27) Senators.

124 23. A quorum of any standing committee, subcommittee or
125 special committee shall consist of not less than a majority
126 thereof.

127 24. Upon the appearance of lack of a quorum, the President
128 or any Senator may demand a call of the Senate, but no such call
129 shall be in order after the voting on any question has begun nor
130 while any Senator is speaking. It shall be the duty of the
131 Sergeant-at-Arms to search for absentee members and notify them of
132 such call. By majority vote of Senators present and voting the
133 Senate may direct the Sergeant-at-Arms to compel the attendance of
134 absent Senators.

135 ORDER OF BUSINESS

136 25. The order of business shall be:

137 (1) Roll Call

138 (2) Invocation

139 (3) Pledge of Allegiance to the Flag of the United
140 States of America

141 (4) Reading of the Journal



- 142 (5) Presentation of petitions
143 (6) Reports of standing committees
144 (7) Reports of select committees
145 (8) Introduction of bills and concurrent resolutions
146 (9) Reference of bills and concurrent resolutions
147 (10) Presentation of Senate resolutions
148 (11) Unfinished business
149 (12) Consideration of bills and resolutions
150 (13) At midnight on a deadline day, the Senate clock
151 shall determine the end of that calendar day regardless of whether
152 the Senate is then operating under the previous question. Any
153 measure pending before the Senate on a deadline upon which the
154 final vote has not been both taken and announced shall
155 automatically fail, and no announcement to the contrary may be
156 made by the Chair. If the Senate clock is not in working order,
157 the Presiding Officer shall keep the time.

158 26. When the order of unfinished business is reached, the
159 unfinished business in which the Senate was engaged at the time of
160 last adjournment shall have precedence in the consideration of
161 bills and resolutions, except as to special orders which shall
162 have precedence.

163 27. The order of business for any day may be changed by a
164 two-thirds (2/3) vote of the Senators present and voting; but when
165 the Senate shall have passed from one (1) order to another, no



166 action shall be had on those passed except by a two-thirds (2/3)
167 vote of the members present and voting.

168 27A. No Senator shall be allowed to interrupt the business
169 for purposes of introducing guests. At appropriate times during
170 the transacting of business, the Presiding Officer shall announce
171 an opportunity for the Senators to recognize and introduce their
172 guests.

173 VISITORS

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

189 RULES - SUSPENSION AND ADOPTION



215 quorum shall have convened, deems sufficient, in which case the
216 expense shall be paid out of the Senate Contingent Fund.

217 33. Leave of absence may be granted to any Senator at his
218 own request or at the request of another Senator.

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

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

228 35A. Whenever a Senator is on the floor of the Senate while
229 the Senate is in session, each male Senator shall wear a coat and
230 necktie, and each female Senator shall wear appropriate attire.
231 Whenever a Senator is on the floor of the Senate while the Senate
232 is in session, he or she shall not be allowed to smoke a
233 cigarette, cigar or pipe or consume food.

234 35B. Smoking shall not be permitted in the Senate Chamber,
235 the Senate Gallery or in any office of the New Capitol Building
236 under the jurisdiction of the Senate at any time. As used in this
237 rule, "smoking" means to inhale, exhale, burn, carry or otherwise
238 possess any lighted cigarette, cigar, pipe or any other object or
239 device of any form that contains lighted tobacco or any other



240 smoking product. The Sergeant-at-Arms shall enforce the
241 provisions of this Rule 35B.

242 35C. No person except for members of the news media with
243 proper credentials issued by the Rules Committee may be admitted
244 to the press table on the floor of the Senate for the purpose of
245 transcribing the debates and proceedings of the Senate. No person
246 except for news media with proper credentials issued by the Rules
247 Committee shall take any photograph or transcribe debates and
248 proceedings of the Senate in the Senate Gallery while the Senate
249 is in session. No person shall be allowed to consume food or
250 display any banner or sign in the Senate Gallery while the Senate
251 is in session. No member of the audience shall be allowed to
252 consume food or display any banner or sign in Senate committee
253 rooms while the committee meetings are taking place.

254 35D. Effective with the 2020 Regular Session, the Committee
255 on Rules shall * * * webcast on the internet the regular floor
256 proceedings of the Mississippi Senate and any committee meetings
257 designated by the Rules Committee or by the chairman of the
258 relevant committee. During floor proceedings, cameras used in
259 making such webcasts may only be allowed to show the Senator
260 speaking at the podium and the Presiding Officer. Reporters and
261 technicians to effectuate such webcasts may be admitted to the
262 chamber and committee rooms for this purpose, but no camera,
263 apparatus or procedure shall be used which will interfere with the
264 usual procedure of the Senate, and all such webcasting shall be



265 done from areas reserved or set aside for such activities by the
266 Committee on Rules. * * *

267 **STANDING COMMITTEES**

268 36. The following shall be standing committees of the
269 Senate:

270	Accountability, Efficiency and Transparency.....	11 members
271	Agriculture.....	13 members
272	Appropriations.....	26 members
273	Business and Financial Institutions.....	13 members
274	Constitution.....	9 members
275	Corrections.....	11 members
276	County Affairs.....	9 members
277	Drug Policy.....	11 members
278	Economic and Workforce Development.....	11 members
279	Education.....	15 members
280	Elections.....	9 members
281	Energy.....	15 members
282	Environmental Protection, Conservation and 283 Water Resources.....	11 members
284	Ethics.....	9 members
285	Finance.....	26 members
286	Forestry.....	9 members
287	Gaming.....	9 members
288	<u>Government Structure.....</u>	<u>7 members</u>
289	Highways and Transportation.....	19 members



290 Housing..... 7 members

291 Insurance.....13 members

292 Interstate and Federal Cooperation..... 5 members

293 Judiciary, Division A.....15 members

294 Judiciary, Division B.....15 members

295 Labor..... 9 members

296 Local and Private..... 5 members

297 Medicaid.....11 members

298 Municipalities.....11 members

299 Ports and Marine Resources.....11 members

300 Public Health and Welfare.....19 members

301 Public Property..... 7 members

302 Rules, as provided for in Rule 65

303 Technology.....7 members

304 Tourism.....11 members

305 Universities and Colleges.....13 members

306 Veterans and Military Affairs..... 7 members

307 Wildlife, Fisheries and Parks.....11 members

JOINT COMMITTEES

309 Executive Contingent Fund..... (5 Senators, 5 Representatives)

310 Investigate State Offices..... (9 Senators, 9 Representatives)

311 State Library..... (5 Senators, 5 Representatives)

312 Enrolled Bills..... (5 Senators, 5 Representatives)

FUNCTION OF COMMITTEES



314 37. Standing, select and conference committees shall be
315 appointed by the President.

316 38. The first member named on a committee shall be its
317 chairman and the second member named shall be its vice chairman,
318 unless it is specifically provided that they shall be elected.
319 There shall be no further rank on the committees, the remaining
320 members being listed thereon in alphabetical order. In the event
321 of a vacancy in the chairmanship or vice chairmanship, or
322 membership, the vacancies shall be filled by appointment by the
323 President.

324 39. Each committee shall, after its organization,
325 immediately determine by a majority vote what number shall
326 constitute a sufficient quorum for it to proceed to business,
327 which quorum shall not be less than the majority required by Rule
328 23, and shall report that action, together with the name of the
329 secretary of the committee, to the Secretary of the Senate.

330 40. Committee chairmen and secretaries will be held
331 responsible for the return of all bills, resolutions, papers and
332 committee books taken from the Secretary of the Senate's office to
333 the respective committee meetings.

334 41. A committee of the Senate shall report on the
335 sufficiency of the titles of all bills and resolutions before
336 their being put on final passage; and it shall be in order, before
337 the passage of every bill or resolution, to move to commit or
338 recommit for report upon the sufficiency of the title. Titles



339 shall indicate clearly the subject matter of the proposed
340 legislation.

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

344 43. The following named committees shall have preference at
345 any time on matters herein stated, viz: the Committee on Rules,
346 on rules, joint rules and order of business; the Committee on
347 Enrolled Bills, on enrolled bills, except they shall not have
348 precedence over appropriations and revenue bills (see Const. Sec.
349 68); conference committees may report at any time, except they
350 shall not have precedence over appropriations and revenue bills.

351 44. The chairman of the various standing committees shall
352 announce or lay on the desk of the Secretary, to be read previous
353 to adjournment each day, notice of the time and place of meeting
354 of such committees, and all members of such committees shall be
355 required to attend all such meetings, unless previously excused by
356 the chairman. A quorum must be present when any bill, resolution
357 or measure is reported by such committees. The names of those
358 members present and of those absent must show in the record kept
359 by the committee secretary at each meeting of a committee. The
360 Secretary of the Senate shall post the time of committee meetings
361 on the * * * Legislature's website.

362 45. A committee's request to be discharged from further
363 consideration of a subject, with or without recommendations that



364 it be referred to another committee, shall be immediately
365 considered.

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

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

372 47A. (Omitted)

373 **CONFERENCE COMMITTEES**

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

378 49. A motion to instruct conferees is not in order until
379 their conference report has failed of adoption.

380 50. When a bill is sent to conference, only matters in
381 disagreement between the Houses are subject to consideration by
382 the conference committee. However, when one (1) House strikes out
383 of a bill all after the enacting clause and inserts new germane
384 text as an amendment thereto, the conferees may disregard the text
385 of the original bill and the amendment and exercise wide
386 discretion in the incorporation of germane text and may even
387 report a new bill on the germane subject matter of the original
388 bill.



389 51. No report from a conference committee or other joint
390 committee shall be acted upon in the Senate unless subscribed to
391 by a majority of the members of the Senate acting on the
392 committee. No matter reported on the recommendation of a joint
393 committee or conference committee of the two (2) Houses shall be
394 in order for consideration by the Senate if it shall appear that
395 the members of such joint committee on the part of the Senate, if
396 in attendance on the Legislature, shall not have been notified,
397 and for that reason not present, when the matter was acted on by
398 the committee.

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

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

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

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



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

416 57. When conference results in disagreement, conferees
417 reporting such disagreement are thereby discharged, and new
418 conferees may be appointed.

419 **COMMITTEE OF THE WHOLE**

420 58. Upon a motion supported by a vote of two-thirds (2/3) of
421 those Senators present and voting, the Senate may resolve itself
422 into a Committee of the Whole to consider a bill, concurrent
423 resolution or measure; and if the Committee of the Whole reports
424 such bill, concurrent resolution or measure favorably, it may be
425 taken up immediately by a suspension of the rules; otherwise, it
426 takes its place on the Calendar along with other favorably
427 reported bills, concurrent resolutions and measures.

428 59. Motions for forming a Committee of the Whole for the
429 immediate consideration of any Senate bill or resolution at the
430 time of their introduction, or of House bills or resolutions at
431 the time of their receipt from the House, except bills of local
432 and private nature, should be made before such bills or
433 resolutions are referred to standing committees, as provided by
434 Rule 75.

435 60. In forming a Committee of the Whole, the President shall
436 call some Senator to preside, and rules governing the Committee of



437 the Whole shall be the rules of the Senate so far as they may be
438 made applicable.

439 61. A Committee of the Whole may, during any session
440 thereof, consider more than one (1) bill or resolution; no
441 additional bills or resolutions may be so considered unless the
442 Senate has by a two-thirds (2/3) vote previously agreed thereto.

443 **SPECIAL COMMITTEES**

444 62. Special committees shall in all cases report to the
445 Senate a state of facts and their opinion or recommendation on the
446 subject matter referred to them. Such reports may on motion be
447 incorporated in the Journal.

448 63. No Senator offering a motion or resolution for the
449 appointment of a special committee shall be appointed chairman of
450 such committee.

451 **MINORITY REPORTS**

452 64. Bills and resolutions unfavorably reported by committees
453 shall not be placed on the Calendar at all unless accompanied by a
454 Minority Report signed by one or more members who were present at
455 the committee meeting at which the bill or resolution was
456 reported. Minority Reports must be filed within three (3)
457 legislative days after the bill or resolution has been reported by
458 the committee. Minority reported bills and resolutions shall be
459 placed on the Calendar at the heel of favorably reported bills and
460 resolutions and shall not be considered until all favorably



461 reported bills and resolutions are disposed of, except by a vote
462 of two-thirds (2/3) of the Senators present and voting.

463 **RULES COMMITTEE**

464 65. (1) There shall be a standing Committee on Rules which
465 shall consist of the President (who shall be a nonvoting member),
466 the President Pro Tempore, and four (4) Senators, each having
467 served at least four (4) years in the Senate, one (1) from each
468 Congressional District of the State as constituted on January 1,
469 2004, to be selected by the Senators from their respective
470 congressional districts by caucus. The voting precinct of the
471 Senator representing such district shall determine the
472 congressional district caucus in which the Senator shall
473 participate and for which the Senator may hold membership on the
474 Rules Committee. The President Pro Tempore shall serve as
475 chairman of the committee; the vice chairman shall be appointed by
476 the President Pro Tempore from among the Senators on the
477 committee.

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

481 (a) Conduct the business affairs of the Senate;

482 (b) Pursuant to authority granted in Section

483 29-5-2, Mississippi Code of 1972, assign such space in the Capitol
484 or in such other buildings or parts thereof as may be reserved for
485 the Senate and have complete control, authority and jurisdiction



486 over such rooms, chambers, offices and other areas. Any
487 assignment of space shall be subject to change by the Rules
488 Committee. No other branch of the government, or a department or
489 agency thereof, shall use any such room, chamber, office or other
490 area without specific written authorization from the Rules
491 Committee. The Rules Committee may delegate its powers with
492 regard to any such room, chamber, office or other area in
493 connection with the use, maintenance, repairing, construction,
494 reconstruction and refurbishing thereof in such a manner as it
495 deems advisable;

496 (c) Assign staff for interim and special
497 committees;

498 (d) Assign staff for standing committees;

499 (e) Continually assess ways and means to improve
500 the organization, procedures, facilities and working conditions of
501 the Senate;

502 (f) Except as otherwise provided in subsection (5)
503 for the staffing of the office of the President and the office of
504 the President Pro Tempore, the Rules Committee shall have the
505 authority to employ all personnel necessary to execute the duties
506 and responsibilities of the Senate. Unless otherwise specifically
507 provided, the Rules Committee shall have full and exclusive
508 authority over the employees of the Senate. All such employees
509 shall serve at the pleasure of the Rules Committee. Complaints
510 with respect to any misconduct, inefficiency or omission by the



511 Secretary, the Sergeant-at-Arms or employees of the Senate shall
512 be heard by the Rules Committee, which may discharge the employees
513 therefor and may recommend to the full Senate the discharge of the
514 Secretary and the Sergeant-at-Arms;

515 (g) Fix the salaries of the Senate officials and
516 employees;

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

521 (i) Authorize the reimbursement of Senators and
522 Senate officials and employees who are required to travel in the
523 performance of their official duties. The Rules Committee may
524 establish regulations governing such travel which include the
525 prior approval of such travel by the Rules Committee. Senators
526 attending out-of-state conventions or conferences at state expense
527 shall make a report to the Senate, including the purpose, work and
528 recommendations resulting from the out-of-state meeting attended.
529 If more than one (1) Senator attends such convention or
530 conference, one (1) report may be made as the report of the
531 delegation; and

532 (j) Upon request of the chairman of any standing
533 or select committee of the Senate, authorize expenses, to include
534 per diem, mileage, meals and lodging, to be paid for members
535 attending the meeting of any such committee or subcommittee



536 thereof during the period in which the Legislature is not in
537 session. The Rules Committee may adopt rules and regulations
538 concerning time, places and number of meetings that may be held
539 for which members will be compensated, such rules and regulations
540 to require prior approval of meetings in order for members to be
541 compensated.

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

546 (4) The committee shall function on a year-round basis;
547 and, when the Legislature is not in session, members of the
548 committee shall be compensated as provided in Section 25-3-69,
549 Mississippi Code of 1972, for each day spent in actual discharge
550 of their duties and shall receive the expense allowance and
551 mileage reimbursement provided in Section 5-1-47, Mississippi Code
552 of 1972. No committee member may incur per diem, travel or
553 expense allowance unless authorized by vote at a meeting of the
554 committee, which action shall be recorded in the official minutes
555 of the committee. The Rules Committee shall meet at such times as
556 are necessary for the proper exercise of its functions and may
557 adopt rules and regulations, not inconsistent with the rules of
558 the Senate, as it deems necessary for the efficient operation of
559 the committee. Action by a majority vote of the Rules Committee



560 shall be conclusive on any matter properly within the jurisdiction
561 of the committee.

562 (5) (a) In providing for the staffing of the
563 President's office, the Rules Committee shall fill up to eight (8)
564 positions when requested by the President, and the persons
565 employed for such positions shall be hired with the approval of
566 the President. The President shall recommend the compensation to
567 be paid to the President's staff, and the Rules Committee may pay
568 the compensation so established.

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

576 (c) Persons employed under this subsection to
577 staff the President's office shall serve at the will and pleasure
578 of the President; persons employed to staff the President Pro
579 Tempore's office shall serve at the will and pleasure of the
580 President Pro Tempore.

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



635 70. If any Senator be called to order by another for words
636 spoken, the exceptional words shall immediately be taken down in
637 writing by the Secretary so that the Presiding Officer may be
638 better able to judge the matter.

639 71. No Senator shall speak more than twice to the same
640 question, except as elsewhere provided, except by majority vote of
641 those Senators present and voting, nor more than once until every
642 Senator wishing to speak shall have spoken, and no longer than
643 twenty (20) minutes to the main question. When a subsidiary
644 question is under debate, the time limit shall be five (5)
645 minutes. When the time of a Senator is extended, it must be for a
646 specific time.

647 72. No Senator shall, before resuming his or her seat after
648 speaking to a question, make a motion cutting off or limiting
649 debate.

650 **BILLS AND RESOLUTIONS**

651 73. All bills and resolutions must be typewritten, double
652 spaced on white paper. Titles must be typewritten single spaced
653 and in capital letters. Bills or resolutions must be introduced
654 in original form (not carbon or photocopied) and shall be free
655 from interlineations, corrections and strikeouts, whether with
656 ink, pencil or typewriter. The enacting clause, typed immediately
657 preceding Section 1 of a bill, shall contain the following words
658 in capital letters: "BE IT ENACTED BY THE LEGISLATURE OF THE
659 STATE OF MISSISSIPPI." No additional enacting words shall be



660 used. The Secretary may decline to accept for introduction a bill
661 or resolution not conforming hereto.

662 74. Senators may introduce bills and concurrent resolutions
663 and Senate resolutions by placing them in the box at the
664 Secretary's desk at any time, or they may send them to the
665 Secretary's desk when the order for introduction is reached. All
666 bills, concurrent resolutions and Senate resolutions placed in the
667 box or sent to the Secretary's desk will be considered as being
668 introduced on the legislative day following the day on which they
669 were placed in the box except for (a) legislative days where the
670 motion has been adopted to dispense with the reading of the titles
671 of bills and concurrent resolutions, (b) bills and constitutional
672 amendments placed in the box on the day of the deadline for
673 introduction of general bills and constitutional amendments, and
674 (c) appropriation and revenue bills placed in the box on the day
675 before the deadline for original floor action on appropriation and
676 revenue bills originating in the Senate; bills and constitutional
677 amendments described in items (a), (b) and (c) of this sentence
678 will be considered as being introduced on the day on which they
679 are placed in the box. The deadlines referred to in this
680 paragraph shall be those established in the Joint Rules of the
681 Senate and the House, and the determination of what is a revenue
682 bill for purposes of this paragraph shall be as prescribed in the
683 Joint Rules of the Senate and the House.



684 In addition to any other time provided by law or by rule,
685 members of the Senate may file bills or resolutions with the
686 Secretary of the Senate at any time during the period between
687 sessions of the Legislature. Such prefiled bills shall be
688 numbered by the Secretary of the Senate and referred by the
689 President to the appropriate standing committee of the Senate for
690 study. Such prefiled bills shall be introduced in the order filed
691 on the first day of the next succeeding regular session of the
692 Legislature, or extraordinary session if included within the
693 Governor's call, and referred to committee in the regular order of
694 business of the Senate. No bills may be prefiled in any year of a
695 general election until after a member of the Senate has been
696 finally elected in the November general election.

697 75. Upon introduction of Senate bills, the Secretary shall
698 read the titles thereof and then give the bills to the President
699 for his study and reference to proper committees. The President
700 may retain such bills in his possession until the opening of the
701 second succeeding legislative day's session when the President
702 shall return such bills to the Secretary with the committee
703 references noted thereon. Whereupon, the Secretary shall give
704 such bills serial numbers, and, at the proper time in the Order of
705 Business, the Secretary shall read the numbers, titles and
706 committee references, and have the titles reproduced for
707 distribution. House bills received with messages from the House
708 shall be treated likewise regarding references to committees and



709 reading of titles by the Secretary. Provided, however, that the
710 President may, at his option, refer Senate bills immediately upon
711 their introduction and House bills immediately upon their receipt
712 from the House. Provided, further, that a motion is in order for
713 the immediate consideration in Committee of the Whole of any bill
714 or resolution, except bills of Local and Private nature, before
715 such bill or resolution is referred to a standing committee.

716 76. Every bill and concurrent resolution and all reports of
717 committees, except the report of the Committee of the Whole, shall
718 lie on the table one (1) day before being considered by the
719 Senate.

720 77. General bills and resolutions shall be called up for
721 consideration in numerical order as revealed by item numbers on
722 the Calendar. When a bill or resolution is reached on the
723 Calendar and it is not then considered, it shall go to the heel of
724 the Calendar unless by a vote of a majority of the Senators
725 present and voting it retains its place on the Calendar.

726 Appropriation bills and resolutions reported by the Appropriations
727 Committee and revenue bills and resolutions reported by the
728 Finance Committee or other committees shall be subject to Section
729 68 of the Constitution. Bills and resolutions reported by the
730 Rules Committee shall have precedence above all others, except
731 appropriations and revenue bills and resolutions.

732 78. No bill, concurrent resolution or measure (except Senate
733 resolutions which may be called up for consideration any time by



734 suspension of the rules) shall be considered or voted upon by the
735 Senate unless the same shall have been referred to a committee,
736 considered and reported by a majority of a quorum of the committee
737 to which it was referred, subject to the provisions of Rule 64.

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

741 80. Complete titles of bills and resolutions shall be used
742 upon introductions, but abbreviated titles may be used elsewhere.

743 81. When a bill or concurrent resolution is originally
744 referred to two (2) committees and favorably reported by both, the
745 chairman of the first named committee shall have the option of
746 handling the bill or resolution on the floor.

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

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

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



759 85. When a bill or measure has been referred to the Finance
760 Committee or Appropriations Committee, which deals with another
761 major subject as well as finance or appropriations, the committee
762 may, in its discretion, recommend that it be sent to the related
763 committee for study and recommendation. Such bill shall be
764 reported in the usual manner by the related committee within five
765 (5) legislative days, whereupon the Secretary shall return the
766 bill to the Finance Committee or Appropriations Committee with the
767 report. The final report of the Finance Committee or
768 Appropriations Committee shall govern the status of the bill or
769 resolution.

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

777 87. No bill, resolution, concurrent resolution or measure
778 having been referred to a committee shall be taken from such
779 committee, or the committee be discharged from the consideration
780 thereof, other than by a motion signed by a majority of all
781 Senators elected; except that during the last six (6) days of a
782 session, a majority of the Senators present and voting may call a



783 bill, resolution or concurrent resolution from a committee by a
784 signed motion.

785 88. All bills, concurrent resolutions or measures
786 originating in the House and passed by that body and sent to the
787 Senate for consideration shall pursue the same course and shall be
788 subject to the same rules as though such bills, concurrent
789 resolutions or measures had originated in the Senate.

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

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

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

804 **SENATE RESOLUTIONS**

805 92. Senate resolutions may be considered without having been
806 referred to or reported by a committee, except as provided in Rule
807 30. However, such resolutions may be referred to a committee by



808 majority vote of Senators present and voting, or the President may
809 refer them on the President's own initiative.

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

815 CALENDAR

816 94. The Secretary each day shall prepare a Calendar of all
817 matters in order for consideration. Such Calendar * * * shall be
818 placed on the desk of each Senator prior to the hour of convening.
819 Any Senator may request a copy of any or all bills or resolutions
820 shown on the Calendar, in which case such copy or copies shall be
821 placed on the Senator's desk as soon as possible. Titles of bills
822 and resolutions shall clearly indicate the subject matter thereof,
823 but such titles may be abbreviated. General bills and resolutions
824 favorably reported by committees shall be given an item number in
825 sequence and placed on the Calendar from day to day in order as
826 they are reported and placed under the head of "General Calendar."
827 Bills and resolutions favorably reported by committees on Finance,
828 on Appropriations, on Rules and on Local and Private Legislation;
829 and bills and resolutions subject to secondary considerations,
830 shall be shown separately under appropriate headings, with item
831 numbers in sequence.



832 The Rules Committee is hereby authorized to create a
833 "Noncontroversial Calendar" for the consideration of
834 noncontroversial bills, resolutions or measures. Senate bills,
835 resolutions or measures shall be placed on the Noncontroversial
836 Calendar upon the written request of the chairman of the committee
837 reporting the measure, the primary author, and by a majority vote
838 of the Rules Committee; House bills, resolutions or measures shall
839 be placed upon the Noncontroversial Calendar on the request of the
840 chairman of the committee reporting the measure and by a majority
841 vote of the Rules Committee. A bill, resolution or measure shall
842 be removed from the Noncontroversial Calendar upon the demand of
843 six (6) or more Senators made in open session. Any such demand
844 shall require the bill or resolution to be placed at the heel of
845 the General Calendar.

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

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



856 necessity may be advanced on the Calendar by the Committee on
857 Rules.

858 **MOTIONS**

859 97. Order of Precedence:

860 (1) To adjourn.

861 (2) To lay on the table.

862 (3) To lay on the table subject to call, when five (5)
863 minutes' debate shall be allowed the Senator making the motion and
864 five (5) minutes' debate shall be allowed the Senator having the
865 measure in charge, unless the Senator(s) shall yield the floor to
866 another Senator.

867 (4) For the previous question.

868 (5) To limit debate.

869 (6) To close debate at a specific time.

870 (7) To postpone to a day certain.

871 (8) To recommit.

872 (9) To re-refer.

873 (10) To amend.

874 (11) To postpone indefinitely.

875 These motions shall have precedence in the above order; and
876 any such motion being made and being decided adversely shall not
877 again be entertained on the same day at the same stage of the
878 question.

879 98. A motion to postpone indefinitely opens to debate the
880 merits of the proposition.



905 104. Amendments shall be in order after the third reading of
906 a bill or resolution requiring three (3) readings, but no
907 amendment, except committee amendments, shall be considered as
908 pending unless the author of such amendment shall have secured
909 recognition by the President for the purpose of offering such
910 amendment and moving its adoption. Such amendment shall then be
911 sent to the Secretary's desk, and disposition of it shall be made
912 before any additional amendments shall be placed on the
913 Secretary's desk or received by him.

914 105. Amendments to an amendment shall be voted on before a
915 substitute is taken up. Only one (1) amendment to the amendment
916 is in order at one time; but as rapidly as one (1) is disposed of
917 by rejection or adoption, another is in order as long as any
918 member desires to offer one (1). A substitute amendment may be
919 offered to an amendment. An amendment to the substitute may be
920 offered. No other amendment can be offered since the third degree
921 has been reached. The vote shall be taken in the following order:
922 The amendment to the amendment shall first be voted on; then the
923 amendment to the substitute; then the substitute amendment; and,
924 if the substitute is adopted, then the original amendment shall be
925 regarded as automatically tabled.

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



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

983 115. Upon every roll call the names of the members shall be
984 called alphabetically by surname, except when two (2) or more have
985 the same surname, in which case the number of the district shall
986 be added; and if there be two (2) such members from the same
987 district, the name or initials shall be called. After the roll
988 has been once called, the Secretary shall call, in their
989 alphabetical order, the names of those not voting, and thereafter
990 the President shall not entertain a request to record a vote,
991 except that any Senator whose vote was recorded may change his
992 vote before the result is announced by the President.

993 116. The sense of the Senate shall be taken by yeas and nays
994 on any question whenever six (6) of the Senators present demand,
995 and, if the call for yeas and nays be not sustained, any Senator
996 may have his vote recorded if the Senator so desires. Any Senator
997 may have the privilege of explaining his vote, which explanation
998 containing not more than one hundred (100) words shall be written
999 and handed to the Secretary before the approval of the Journal of
1000 the day such vote was taken, and such explanation shall be spread
1001 upon the Journal.

1002 117. A Senator who by reason of absence from the Senate
1003 Chamber fails to vote on any yea and nay call may, during the next



1004 succeeding legislative day of his presence, file with the
1005 Secretary, for insertion in the Journal, a brief written statement
1006 stating how the Senator would have voted thereon. Anticipating an
1007 absence, any Senator may file such statement with the Secretary in
1008 advance of the yea and nay vote for insertion in the Journal at
1009 the proper time.

1010 118. Any Senator may request a division vote. The President
1011 shall call for those in the affirmative to rise first, then those
1012 in the negative. The counts shall be made by the Secretary. If
1013 the absence of a quorum is indicated, the Secretary shall make a
1014 quorum count; and, if a quorum is present, the vote shall stand as
1015 announced by the President.

1016 119. Immediately following the second call of the yeas and
1017 nays but before the * * * Presiding Officer announces the result
1018 of the vote * * *, Senators may announce pairs, which pairs shall
1019 be entered in the Journal, and * * * Senators whose votes have
1020 been recorded may change their votes. Any Senator announcing a
1021 pair must have previously secured the permission of the Senator
1022 with whom he or she is pairing.

1023 120. No Senator shall be allowed to approach the desk of the
1024 Secretary to ascertain the vote cast on any question or measure
1025 before such vote has been announced.

1026 121. No Senator shall have the Journal amended so as to have
1027 the record of his vote changed; however, a Senator may change his
1028 vote before the result of a roll call is announced.



1054 reconsideration of a vote on a subsidiary, incidental or dependent
1055 matter at any time when the main question to which it relates is
1056 under consideration; and a motion to reconsider a vote on any
1057 subsidiary, incidental or dependent question shall not remove the
1058 main question under consideration from before the Senate, but such
1059 incidental question shall be considered at the time the motion is
1060 made.

1061 On a motion to table a motion to reconsider or on a motion
1062 that the Senate do not reconsider or on a motion that the Senate
1063 do reconsider, or any substitute for any such motion, five (5)
1064 minutes total time shall be allowed the Senators speaking for the
1065 affirmative side and five (5) minutes total time shall be allowed
1066 the Senators speaking for the negative side of the question, such
1067 time herein allowed to be allotted between Senators speaking on
1068 each side of the question. This rule shall also apply to any
1069 motion or substitute motion of similar import to the above
1070 motions.

1071 When a motion to table a motion to reconsider fails, or when
1072 a motion "do not reconsider" fails, the item stays on the Motion
1073 to Reconsider Calendar.

1074 When a motion to reconsider fails, the question is no longer
1075 before the Senate and no further action by the Senate is in order.

1076 128. There shall be no reconsideration of the vote on the
1077 question of adjourning or recessing; laying on the table subject
1078 to call; laying on the table or taking from the table;



1079 recommitting; re-referring; limiting debate; or on the previous
1080 question. When a motion for reconsideration has been decided,
1081 that decision shall not be reconsidered.

1082 129. A motion to reconsider having been properly made and
1083 entered in the Journal shall become the property of the Senate and
1084 may be called up by any member of the Senate.

1085 **VETOES**

1086 129A. After a veto message is read, two (2) motions are in
1087 order in the following precedence:

1088 (a) To refer the reconsideration of the bill to a
1089 committee; and

1090 (b) To pass the bill, the Governor's veto
1091 notwithstanding.

1092 **PERSONAL PRIVILEGE**

1093 130. Matters of privilege affecting the rights, safety,
1094 dignity and integrity of the Senate, and matters of personal
1095 privilege affecting the rights, reputation and conduct of
1096 individual members of the Senate, in their senatorial capacities
1097 only, shall have precedence over all other matters or motions,
1098 except motions to adjourn or recess. It is not in order to speak
1099 to a question of personal privilege after the previous question
1100 has been ordered.

1101 **PARLIAMENTARY AUTHORITIES**

1102 131. On all questions of order or parliamentary practice not
1103 covered by and not in conflict with these rules, the rules of



1104 Cannon's Practice in the National House of Representatives and
1105 Hind's Precedents shall be the authority.

1106 **READING OF DOCUMENTS**

1107 132. When the reading of a document other than a bill or
1108 resolution is proposed or called for and the same is objected to
1109 by any Senator, it shall be determined by a majority vote of the
1110 Senators present and voting, without debate.

1111 **EXECUTIVE SESSIONS**

1112 133. The Senate shall conduct all business in open session,
1113 except that the Senate may resolve itself into executive session
1114 by majority vote of the Senators elected. Upon entering executive
1115 session, the Senate shall be cleared of all persons except
1116 Senators and officials thereof. Executive sessions should,
1117 whenever practicable, be held immediately prior to recess or
1118 adjournment of open sessions.

1119 **NOMINATIONS**

1120 134. When nominations from the Governor shall be received by
1121 the Senate, the Secretary of the Senate shall read the message
1122 from the Governor to the Senate, and nominations shall be referred
1123 to the appropriate committee by the President unless the Senate by
1124 a two-thirds (2/3) vote of the Senators present and voting orders
1125 otherwise. The committee considering such nomination may, upon a
1126 vote of a majority of the committee, consider the nomination in
1127 open committee meeting or hearing. Upon receiving the report of
1128 the committee to which the nomination was referred, the Senate



1129 shall proceed to consider the nomination in open session, unless
1130 executive session is invoked as provided in Rule 133.

1131 135. When a nomination or any other matter is confirmed,
1132 consented to or rejected, any Senator may move for a
1133 reconsideration. Such motion to reconsider confirmation or
1134 rejection of any name submitted to the Senate for any position or
1135 office, or any other matter, may be made on the legislative day in
1136 which the vote is taken or on the next legislative day thereafter,
1137 and not later.

1138 136. The Governor shall not be officially notified by the
1139 Secretary of the confirmation, consent to or rejection by the
1140 Senate of any nomination or other matter until the expiration of
1141 the time limit for entering a motion to reconsider, unless
1142 otherwise ordered by the Senate, subject to Section 65 of the
1143 Constitution.

1144 137. All executive matters submitted by the Governor which
1145 were not considered, as well as those on which actions were taken
1146 and were under pending motions to reconsider, shall fail at the
1147 time of sine die adjournment and the Secretary shall so notify the
1148 Governor thereof.

1149 **SELECTION OF DESKS**

1150 138. The seating arrangement in the Senate Chamber shall be
1151 accomplished by personal selections of seats by the Senators, and
1152 such selections may begin upon their nominations. Seats numbered
1153 3 and 4, which are equipped with hearing aids, may be held in



1154 reserve by the Secretary of the Senate for members who may need
1155 hearing aids. Senators elected to consecutive terms shall have
1156 first choice of seats. Upon selection of seats, they shall be
1157 properly marked to indicate that the seats have been so selected.
1158 Nothing in this rule shall prevent the swapping of seats by mutual
1159 agreement of Senators. The Secretary shall prepare and have
1160 printed the permanent seating arrangement for public distribution.

1161 **INSURANCE**

1162 139. (Omitted)

1163 140. (Omitted)

1164 **CONFIDENTIALITY**

1165 141. (1) No employee of the Senate shall reveal to any
1166 person outside his department the contents or nature of any
1167 request for services made by any member of the Senate except with
1168 the written consent of the person making such request.

1169 (2) All confidential communications between members of
1170 the Senate and staff attorneys are protected by an attorney-client
1171 privilege.

