

By: Bryan

To:

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. He shall take the Chair at the hour to which the Senate
8 shall have adjourned, shall call the Senate to order, and on the
9 appearance of a quorum, shall proceed with the regular order of
10 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. His decision thereon shall be
14 subject to an appeal to the Senate as provided in Rule 112 and may
15 be denied or sustained by a majority of those present and voting.

16 3. The President shall rise to put a question but may state
17 it sitting, and he shall put the question in this form: "As many
18 as are in favor (as the question may be) say 'Aye'," and, after
19 the affirmative voice is had: "As many as opposed, say 'No'." If
20 he doubts or a division is called for, the Senate shall divide,
21 and those in the affirmative shall rise first; then those in the
22 negative. Count of division votes shall be made by the Secretary
23 and announced by the President.

24 4. The President shall call some Senator to the Chair when
25 the Senate goes into Committee of the Whole. He shall have the
26 right also during sessions of the Senate to name a Senator to
27 perform the duties of the Chair, but such substitution shall not
28 extend beyond adjournment of that legislative day. When both the
29 Lieutenant Governor and the President Pro Tempore shall be absent,
30 the Senate may call any Senator to preside from day to day during
31 such absences.

32 5. (Omitted)

33 6. (Omitted)

34 7. The President shall appoint the membership of committees
35 as provided in Rule 37 and Rule 38.

36 8. The President shall sign all bills, resolutions or
37 measures; and all writs, warrants and subpoenas issued by the

Senate shall be signed by him and attested by the Secretary.

PRESIDENT PRO TEMPORE

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

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

11. In the absence of the President, or at his request, the President Pro Tempore shall act in his stead, assuming the duties and responsibilities herein granted to the President.

SECRETARY

12. The Secretary of the Senate shall keep a correct Journal of the proceedings of the Senate as provided by law. The Secretary shall be elected by the Senate and shall serve during the term of the Senate by which he was elected, unless removed as provided by Rule 65.

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

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

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

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

17. The Secretary, with the approval of the Senate Rules Committee, shall provide for the appointment of Pages, whose salaries shall be fixed by the Rules Committee. Not more than six (6) Pages shall serve throughout the session as senior pages, and one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be submitted to the Secretary as soon as possible so that they may be properly scheduled. Pages shall be not less than twelve (12) years of age.

18. (Omitted)

ASSISTANT SECRETARY

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

SERGEANT-AT-ARMS

20. The duties of the Sergeant-at-Arms shall be those enumerated in Section 5-1-35, Mississippi Code of 1972, and such other related duties as may be assigned by the Senate Rules Committee or the Senate. The Sergeant-at-Arms shall be elected by the Senate and shall serve during the term of the Senate by which

he was elected, unless removed as provided by Rule 65.

TIME OF CONVENING

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

QUORUMS

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

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

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

ORDER OF BUSINESS

25. The order of business shall be:

- (1) Roll Call
- (2) Invocation
- (3) Reading of the Journal
- (4) Presentation of petitions
- (5) Reports of standing committees
- (6) Reports of select committees
- (7) Introduction of bills and concurrent resolutions
- (8) Reference of bills and concurrent resolutions
- (9) Presentation of Senate resolutions
- (10) Unfinished business
- (11) Consideration of bills and resolutions
- (12) At midnight on a deadline day, the Senate clock shall determine the end of that calendar day regardless of whether the Senate is then operating under the previous question. Any measure pending before the Senate on a deadline upon which the final vote has not been both taken and announced shall automatically fail, and no announcement to the contrary may be made by the Chair. If the Senate clock is not in working order, the Presiding Officer shall keep the time.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.

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

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

the members present and voting.

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

VISITORS

28. No person shall be entitled to enter upon the floor of the Senate while in session except the following persons: members and their immediate families; elected state officials; former members of the Legislature, unless the former member is a registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others as the Rules Committee may designate by name. The Sergeant-at-Arms shall clear the Senate of all other visitors thirty (30) minutes before each session convenes and shall not allow other visitors on the floor of the Senate for ten (10) minutes after the session has recessed.

RULES - SUSPENSION AND ADOPTION

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

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

DECORUM

31. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order by the presiding officer or a Senator, he shall sit down and shall not proceed without leave of the presiding officer or by a majority vote of the Senate.

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

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

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

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

214 35A. Whenever a Senator is on the floor of the Senate while
215 the Senate is in session, each male Senator shall wear a coat and
216 necktie, and each female Senator shall wear appropriate attire.
217 Whenever a Senator is on the floor of the Senate while the Senate
218 is in session, he or she shall not be allowed to smoke a
219 cigarette, cigar or pipe or consume food.

220 **STANDING COMMITTEES**

221 36. The following shall be standing committees of the
222 Senate:

223	Agriculture.....	13 members
224	Appropriations.....	26 members
225	Business and Financial Institutions.....	13 members
226	Constitution.....	9 members
227	Corrections.....	11 members
228	County Affairs.....	9 members
229	Economic Development, Tourism and Parks.....	15 members
230	Education.....	15 members
231	Elections.....	9 members
232	Environmental Protection, Conservation and	
233	Water Resources.....	15 members
234	Fees, Salaries and Administration.....	13 members
235	Finance.....	26 members
236	Forestry.....	9 members
237	Highways and Transportation.....	19 members
238	Insurance.....	13 members
239	Interstate and Federal Cooperation.....	5 members
240	Judiciary.....	21 members
241	Juvenile Justice.....	13 members
242	Labor.....	9 members
243	Local and Private.....	5 members

244 * * *

245	Municipalities.....	11 members
246	Oil, Gas and Other Minerals.....	11 members
247	Ports and Marine Resources.....	11 members
248	Public Health and Welfare.....	19 members
249	Public Property.....	7 members
250	Public Utilities.....	11 members
251	Rules, as provided for in Rule 65	
252	Universities and Colleges.....	13 members
253	Veterans and Military Affairs.....	7 members
254	Wildlife and Fisheries.....	11 members

255 **JOINT COMMITTEES**

256	Executive Contingent Fund....	(5 Senators, 5 Representatives)
257	Investigate State Offices....	(9 Senators, 9 Representatives)
258	State Library.....	(5 Senators, 5 Representatives)
259	Enrolled Bills.....	(5 Senators, 5 Representatives)

260 **FUNCTION OF COMMITTEES**

261 37. Standing, select and conference committees shall be
262 appointed by the President.

263 38. The first member named on a committee shall be its
264 chairman and the second member named shall be its vice chairman,

265 unless it is specifically provided that they shall be elected.
266 There shall be no further rank on the committees, the remaining
267 members being listed thereon in alphabetical order. In the event
268 of a vacancy in the chairmanship or vice chairmanship, or
269 membership, the vacancies shall be filled by appointment by the
270 President.

271 39. Each committee shall, after its organization,
272 immediately determine by a majority vote what number shall
273 constitute a sufficient quorum for it to proceed to business,
274 which quorum shall not be less than the majority required by Rule
275 23, and shall report that action, together with the name of the
276 secretary of the committee, to the Secretary of the Senate.

277 40. Committee chairmen and secretaries will be held
278 responsible for the return of all bills, resolutions, papers and
279 committee books taken from the Secretary of the Senate's office to
280 the respective committee meetings.

281 41. A committee of the Senate shall report on the
282 sufficiency of the titles of all bills and resolutions before
283 their being put on final passage; and it shall be in order, before
284 the passage of every bill or resolution, to move to commit or
285 recommit for report upon the sufficiency of the title. Titles
286 shall indicate clearly the subject matter of the proposed
287 legislation.

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

291 43. The following named committees shall have preference at
292 any time on matters herein stated, viz: the Committee on Rules,
293 on rules, joint rules and order of business; the Committee on
294 Elections, on the right of a member to take his seat; the
295 Committee on Enrolled Bills, on enrolled bills, except they shall
296 not have precedence over appropriations and revenue bills (see
297 Const. Sec. 68); conference committees may report at any time,
298 except they shall not have precedence over appropriations and
299 revenue bills.

300 44. The chairman of the various standing committees shall
301 announce or lay on the desk of the Secretary, to be read previous
302 to adjournment each day, notice of the time and place of meeting
303 of such committees, and all members of such committees shall be
304 required to attend all such meetings, unless previously excused by
305 the chairman. A quorum must be present when any bill, resolution
306 or measure is reported by such committees. The names of those
307 members present and of those absent must show in the record kept
308 by the committee secretary at each meeting of a committee. The
309 Secretary of the Senate shall post the time of committee meetings
310 on the bulletin board provided for this purpose.

311 45. A committee's request to be discharged from further
312 consideration of a subject, with or without recommendations that
313 it be referred to another committee, shall be immediately
314 considered.

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

318 47. No committee shall be allowed to occupy the Senate
319 Chamber without an affirmative vote of a majority of the Senators

present and voting, except the Committee on Rules.

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

CONFERENCE COMMITTEES

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

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

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

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

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

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

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

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

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

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

COMMITTEE OF THE WHOLE

58. Upon a motion supported by a vote of two-thirds (2/3) of those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent resolution or measure; and if the Committee of the Whole reports

such bill, concurrent resolution or measure favorably, it may be taken up immediately by a suspension of the rules; otherwise, it takes its place on the Calendar along with other favorably reported bills, concurrent resolutions and measures.

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

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

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

SPECIAL COMMITTEES

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

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

MINORITY REPORTS

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

RULES COMMITTEE

65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a non voting member), the President Pro Tempore and five (5) Senators, each having served at least three (3) years in the Senate, one (1) from each congressional district of the state as constituted on January 1, 1996, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which he shall participate and for which he may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee.

* * *

(2) The Rules Committee shall, in addition to the functions

of a standing committee and any other responsibilities assigned by the Senate, perform the following duties:

(a) Conduct the business affairs of the Senate;

(b) Pursuant to authority granted in Section 29-5-2, Mississippi Code of 1972, assign such space in the Capitol or in such other buildings or parts thereof as may be reserved for the Senate and have complete control, authority and jurisdiction over such rooms, chambers, offices and other areas. Any assignment of space shall be subject to change by the Rules Committee. No other branch of the government, or a department or agency thereof, shall use any such room, chamber, office or other area without specific written authorization from the Rules Committee. The Rules Committee may delegate its powers with regard to any such room, chamber, office or other area in connection with the use, maintenance, repairing, construction, reconstruction and refurbishing thereof in such a manner as it deems advisable;

(c) Assign staff for interim and special committees;

(d) Assign staff for standing committees;

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

(f) Except as otherwise provided in subsection (5) for the staffing of the office of the President and the office of the President Pro Tempore, have the authority to employ all personnel necessary to execute the duties and responsibilities of the Senate. Unless otherwise specifically provided, the Rules Committee shall have full and exclusive authority over the Secretary, other officials and employees of the Senate, and all such officials and personnel shall serve at the pleasure of the Rules Committee. Complaints with respect to any misconduct, inefficiency or omission by the Secretary, officials or employees of the Senate shall be heard by the Rules Committee which may discharge the Secretary, officials or employees therefor;

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

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

(i) Authorize the reimbursement of Senators and Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may establish regulations governing such travel which include the prior approval of such travel by the Rules Committee. Senators attending out-of-state conventions or conferences at state expense shall make a report to the Senate, including the purpose, work and recommendations resulting from the out-of-state meeting attended.

If more than one Senator attends such convention or conference, one report may be made as the report of the delegation; and

(j) Upon request of the chairman of any standing or select committee of the Senate, authorize expenses, to include per diem, mileage, meals and lodging, to be paid for members attending the meeting of any such committee or subcommittee thereof during the period in which the Legislature is not in session. The Rules Committee may adopt rules and regulations concerning time, places

485 and number of meetings that may be held for which members will be
486 compensated, such rules and regulations to require prior approval
487 of meetings in order for members to be compensated.

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

492 (4) The committee shall function on a year-round basis; and,
493 when the Legislature is not in session, members of the committee
494 shall be compensated as provided in Section 25-3-69, Mississippi
495 Code of 1972, for each day spent in actual discharge of their
496 duties and shall receive the expense allowance and mileage
497 reimbursement provided in Section 5-1-47, Mississippi Code of
498 1972. No committee member may incur per diem, travel or expense
499 allowance unless authorized by vote at a meeting of the committee,
500 which action shall be recorded in the official minutes of the
501 committee. The Rules Committee shall meet at such times as are
502 necessary for the proper exercise of its functions and may adopt
503 rules and regulations, not inconsistent with the rules of the
504 Senate, as it deems necessary for the efficient operation of the
505 committee. Action by a majority vote of the Rules Committee shall
506 be conclusive on any matter properly within the jurisdiction of
507 the committee.

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

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

522 (c) Persons employed under this subsection to staff the
523 President's office shall serve at the will and pleasure of the
524 President; persons employed to staff the President Pro Tempore's
525 office shall serve at the will and pleasure of the President Pro
526 Tempore.

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

531 (7) The Rules Committee shall cooperate with the House
532 Management Committee in maintaining a Joint Legislative Printing
533 Office and a reference library which shall contain, but shall not
534 be limited to, study reports and information gathered by the
535 departments and the various committees of the Legislature so as to
536 provide a continuity of information from year to year.

537 (8) The Rules Committee shall have the responsibility for
538 the proper operation of the Senate Legislative Services Office.

539 (9) The Rules Committee shall have jurisdiction over any

questions concerning improper or unethical conduct by members of the Senate.

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

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

SPECIAL ORDERS

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

67. Should the consideration as a Special Order of a bill or resolution not be completed by the time set for Special Order of another bill or resolution, the consideration of the first Special Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the succeeding day. In such event another day and hour certain may be set for consideration of the displaced bill or resolution, or it may be regarded as unfinished business of the succeeding legislative day, at the option of the chairman of the committee reporting the bill or resolution. Such option, however, shall be announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority vote of those Senators present and voting.

SPEAKING

68. When any member of the Senate desires to speak or present any matter to the Senate, he shall rise and respectfully address himself to "Mr. President" and, upon being recognized, shall confine himself to the question under debate and avoid personalities.

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

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

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

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

595 **BILLS AND RESOLUTIONS**

596 73. All bills and resolutions must be typewritten, double
597 spaced on 8-1/2 X 14 inch white paper * * *. Titles must be
598 written single spaced and in capital letters. Bills or
599 resolutions must be introduced in original form (not carbon or
600 photocopied) and shall be free from interlineations, corrections
601 and strikeouts, whether with ink, pencil or typewriter. The
602 enacting clause, typed immediately preceding Section 1 of a bill,
603 shall contain the following words in capital letters: "BE IT
604 ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI." No
605 additional enacting words shall be used. The Secretary may
606 decline to accept for introduction a bill or resolution not
607 conforming hereto.

608 74. Senators may introduce bills and concurrent resolutions
609 and Senate resolutions by placing them in the box at the
610 Secretary's desk at any time, or they may send them to the
611 Secretary's desk when the order for introduction is reached. All
612 bills, concurrent resolutions and Senate resolutions placed in the
613 box will be considered as being introduced on the legislative day
614 following the day on which they were placed in the box except for
615 (a) bills and constitutional amendments placed in the box on the
616 day of the deadline for introduction of general bills and
617 constitutional amendments, and (b) appropriation and revenue bills
618 placed in the box on the day before the deadline for original
619 floor action on appropriation and revenue bills originating in the
620 Senate; bills and constitutional amendments described in items (a)
621 and (b) of this sentence will be considered as being introduced on
622 the day on which they are placed in the box. The deadlines
623 referred to in this paragraph shall be those established in the
624 Joint Rules of the Senate and the House, and the determination of
625 what is a revenue bill for purposes of this paragraph shall be as
626 prescribed in the Joint Rules of the Senate and the House.

627 In addition to any other time provided by law or by rule,
628 members of the Senate may file bills or resolutions with the
629 Secretary of the Senate at any time during the period between
630 sessions of the Legislature. Such prefiled bills shall be
631 numbered by the Secretary of the Senate and referred by the
632 President to the appropriate standing committee of the Senate for
633 study. Such prefiled bills shall be introduced in the order filed
634 on the first day of the next succeeding regular session of the
635 Legislature, or extraordinary session if included within the
636 Governor's call, and referred to committee in the regular order of
637 business of the Senate. No bills may be prefiled in any year of a
638 general election until after a member of the Senate has been
639 finally elected in the November general election.

640 75. Upon introduction of Senate bills, the Secretary shall
641 read the titles thereof and then give the bills to the President
642 for his study and reference to proper committees. The President
643 may retain such bills in his possession until the opening of the
644 next succeeding legislative day's session when he shall return
645 such bills to the Secretary with the committee references noted
646 thereon. Whereupon, the Secretary shall give such bills serial
647 numbers, and, at the proper time in the Order of Business, the
648 Secretary shall read the numbers, titles and committee references,
649 and have the titles reproduced for distribution. House bills

received with messages from the House shall be treated likewise regarding references to committees and reading of titles by the Secretary. Provided, however, that the President may, at his option, refer Senate bills immediately upon their introduction and House bills immediately upon their receipt from the House. Provided, further, that a motion is in order for the immediate consideration in Committee of the Whole of any bill or resolution, except bills of Local and Private nature, before such bill or resolution is referred to a standing committee.

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

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

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

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

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

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

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

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

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

85. When a bill or measure has been referred to the Finance Committee or Appropriations Committee, which deals with another major subject as well as finance or appropriations, the committee

may, in its discretion, recommend that it be sent to the related committee for study and recommendation. Such bill shall be reported in the usual manner by the related committee within five (5) legislative days, whereupon the Secretary shall return the bill to the Finance Committee or Appropriations Committee with the report. The final report of the Finance Committee or Appropriations Committee shall govern the status of the bill or resolution.

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

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

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

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

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

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

SENATE RESOLUTIONS

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

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules, * * * which shall report thereon within two (2) days recommending what action should be taken.

CALENDAR

815 These motions shall have precedence in the above order; and
816 any such motion being made and being decided adversely shall not
817 again be entertained on the same day at the same stage of the
818 question.

819 98. A motion to postpone indefinitely opens to debate the
820 merits of the proposition.

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

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

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

831 102. No motion is in order while a point of order is pending
832 unless the President shall announce a delay in his ruling, and
833 then only matters not affected by a ruling on such pending point
834 of order may be considered.

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

840 103A. After a motion to lay a bill on the table subject to
841 call or a motion to table has been adopted, only a member
842 authorized to call up the bill under Rule 79 shall have the right
843 to move to call the bill from the table.

844 **AMENDMENTS**

845 104. Amendments shall be in order after the third reading of
846 a bill or resolution requiring three (3) readings, but no
847 amendment, except committee amendments, shall be considered as
848 pending unless the author of such amendment shall have secured
849 recognition by the President for the purpose of offering such
850 amendment and moving its adoption. Such amendment shall then be
851 sent to the Secretary's desk, and disposition of it shall be made
852 before any additional amendments shall be placed on the
853 Secretary's desk or received by him.

854 105. Amendments to an amendment shall be voted on before a
855 substitute is taken up. Only one amendment to the amendment is in
856 order at one time; but as rapidly as one is disposed of by
857 rejection or adoption, another is in order as long as any member
858 desires to offer one. A substitute amendment may be offered to an
859 amendment. An amendment to the substitute may be offered. No
860 other amendment can be offered since the third degree has been
861 reached. The vote shall be taken in the following order: The
862 amendment to the amendment shall first be voted on; then the
863 amendment to the substitute; then the substitute amendment; and,
864 if the substitute is adopted, then the original amendment shall be
865 regarded as automatically tabled.

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

869 107. When a bill is reported with committee amendments, such

committee amendments shall have precedence for consideration over amendments presented from the floor.

108. Amendments proposed by members or by committees must not be written into a bill or resolution until such amendments shall be adopted and the bill finally passed by the Senate, and then only under the direction of the Secretary and/or the Committee on Engrossed Bills.

109. Amendments to a Senate bill, resolution or measure which have been adopted by the House and sent back to the Senate for concurrence shall be considered as "unfinished business" of the next day after that on which they were received, unless a majority of the Senators present and voting order that such amendments be considered immediately. House amendments to Senate bills or resolutions shall be either concurred in or not concurred in their entirety and not separately.

PREVIOUS QUESTION

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

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

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

POINTS OF ORDER

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

VOTING

113. The presiding officer shall declare all votes. When a question not requiring the yeas and nays is put, the sense of the Senate shall be taken by the voice of the Senators, and the President shall first announce the vote as it appears to him by sound.

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

115. Upon every roll call the names of the members shall be

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

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

117. A Senator who by reason of absence from the Senate chamber fails to vote on any yea and nay call may, during the next succeeding legislative day of his presence, file with the Secretary, for insertion in the Journal, a brief written statement stating how he would have voted thereon. Anticipating his absence, any Senator may file such statement with the Secretary in advance of the yea and nay vote for insertion in the Journal at the proper time.

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

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

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

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

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

123. When a member of the Senate is presiding and a tie vote occurs on any proposition, the decision shall be in the negative.

124. No Senator shall be permitted to act in committee or to vote on a question in which his private interest, distinct from the public interest, is immediately concerned.

125. Unless a certain minimum of votes of Senators is specified in these rules on any vote taken, a majority of those

present and voting shall prevail.

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.

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

128. There shall be no reconsideration of the vote on the question of adjourning or recessing; laying on the table subject to call; laying on the table or taking from the table; recommitting; re-referring; limiting debate; or on the previous question. When a motion for reconsideration has been decided, that decision shall not be reconsidered.

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

VETOES

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

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

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

PERSONAL PRIVILEGE

130. Matters of privilege affecting the rights, safety, dignity and integrity of the Senate, and matters of personal

privilege affecting the rights, reputation and conduct of individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, except motions to adjourn or recess. It is not in order to speak to a question of personal privilege after the previous question has been ordered.

PARLIAMENTARY AUTHORITIES

131. On all questions of order or parliamentary practice not covered by and not in conflict with these rules, the rules of Cannon's Practice in the National House of Representatives and Hind's Precedents shall be the authority.

READING OF DOCUMENTS

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

EXECUTIVE SESSIONS

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

NOMINATIONS

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

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

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

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

SELECTION OF DESKS

1090 138. The seating arrangement in the Senate Chamber shall be
1091 accomplished by personal selections of seats by the Senators, and
1092 such selections may begin upon their nominations. Seats numbered
1093 3 and 4, which are equipped with hearing aids, may be held in
1094 reserve by the Secretary of the Senate for members who may need
1095 hearing aids. Senators elected to consecutive terms shall have
1096 first choice of seats. Upon selection of seats, they shall be
1097 properly marked to indicate that the seats have been so selected.
1098 Nothing in this rule shall prevent the swapping of seats by mutual
1099 agreement of Senators. The Secretary shall prepare and have
1100 printed the permanent seating arrangement for public distribution.

1101 **INSURANCE**

1102 139. The Mississippi State Senate shall become a
1103 self-insurer under the Mississippi Workers' Compensation Act
1104 pursuant to the provisions of Chapter 455, Laws of 1970, being
1105 Section 71-3-5, Mississippi Code of 1972. The Secretary of the
1106 Mississippi State Senate shall notify the Mississippi Workers'
1107 Compensation Commission, as provided by law, of the intention of
1108 the Mississippi State Senate to become a self-insurer, which
1109 notice shall advise the commission that the following are covered
1110 under the provisions of said act: the Lieutenant Governor as
1111 presiding officer of the Mississippi State Senate, all duly
1112 elected Senators, all elected officials and officers of the
1113 Senate, and all employees, staff members, Pages and clerical help
1114 of the Mississippi State Senate.

1115 140. (Omitted)

1116 **CONFIDENTIALITY**

1117 141. (1) No employee of the Senate shall reveal to any
1118 person outside his department the contents or nature of any
1119 request for services made by any member of the Senate except with
1120 the written consent of the person making such request.

1121 (2) All confidential communications between members of the
1122 Senate and staff attorneys are protected by an attorney-client
1123 privilege.