

By: Representative Dedeaux

To: Committee of the Whole

HOUSE RESOLUTION NO. 1

1 A RESOLUTION ADOPTING TEMPORARY RULES FOR THE HOUSE OF
2 REPRESENTATIVES.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
4 OF MISSISSIPPI, That the following Rules of the House of
5 Representatives are hereby adopted as the temporary Rules of the
6 House:

7 HOUSE RULES

8 THE SPEAKER AND SPEAKER PRO TEMPORE

9 1. The Speaker, when elected, shall hold office for a term
10 of four (4) years, or until the next regular session of the
11 Legislature following an election for Governor and members of the
12 Legislature, and shall take the chair on every legislative day
13 precisely at the hour to which the House shall have adjourned at
14 the last sitting, immediately call the members to order, cause the
15 roll to be called finally, (late members may file explanations as
16 late but present) and, on the appearance of a quorum, cause the
17 Journal of the proceedings of the last day's sitting to be read,
18 having previously examined and approved the same.

19 2. He shall preserve order and decorum, and, in case of
20 disturbance or disorderly conduct in the galleries or in the
21 lobby, may cause the same to be cleared, may speak to points of
22 order in preference to other members, rising from his seat for
23 that purpose.

24 3. He shall have general control, except as provided by rule
25 or law, of the Hall of the House, and of the corridors and
26 passages and the disposal of the unappropriated rooms in that part

27 of the Capitol assigned to the use of the House, until further
28 order.

29 4. He shall sign all acts, addresses, joint resolutions,
30 writs, warrants and subpoenas of, or issued by order of, the
31 House, and decide all questions of order, subject to an appeal by
32 any member, on which appeal no member shall speak more than once
33 unless by permission of the House. The Speaker may require points
34 of order in writing and may take reasonable time to examine and
35 study same before ruling thereon, during which period
36 consideration of that particular subject matter may be suspended
37 without prejudice and the House proceed to the next order of
38 business.

39 5. He shall rise to put a question, but may state it
40 sitting; and shall put questions in this form, to wit: "As many
41 as are in favor (as the question may be), say 'Aye'"; and after
42 the affirmative voice is expressed, "As many as are opposed, say
43 'No'"; if he doubts, or a division is called for, the House shall
44 divide; those in the affirmative of the question shall first rise
45 from their seats, and then those in the negative; if he still
46 doubts, or a count is required by at least one-fifth (1/5) of the
47 quorum, he shall name one (1) from each side of the question to
48 tell the members in the affirmative and negative, which being
49 reported, he shall rise and state the decision.

50 6. He shall not be required to vote in ordinary legislative
51 proceedings, except where his vote would be decisive, or where the
52 House is engaged in voting by ballot; and in cases of a tie vote
53 for, question shall be decided in the negative.

54 7. He shall have the right to name any member to perform the
55 duties of the chair when the Speaker Pro Tempore shall be unable
56 to do so, but such substitution shall not extend beyond one (1)
57 legislative day; provided, however, that in the case of illness or
58 unavoidable absence of both the Speaker and the Speaker Pro
59 Tempore, he may make such appointment for a period not exceeding

60 five (5) days, with the approval of the House at the time the same
61 is made.

62 8. Upon the death of a member of the House, the Speaker or
63 any member of the House designated by him shall incur such
64 expenses as may be necessary for the purchase on behalf of the
65 House a State Flag for use in connection with the funeral and
66 burial of said member, which flag shall be presented to the family
67 of said member.

68 9. No member or visitor shall visit in the Speaker's stand
69 during the session of the House, except at the instance of the
70 Speaker. The Speaker may call a member to preside when necessary
71 or desirable to confer with a member or visitor.

72 10. All committees, except the Rules Committee and the
73 Management Committee, shall be appointed by the Speaker unless
74 otherwise specially directed by the House.

75 10A. (1) There is hereby created in the House of
76 Representatives the office of Speaker Pro Tempore of the
77 Mississippi House of Representatives (hereinafter Speaker Pro
78 Tempore).

79 (2) The Speaker Pro Tempore shall be elected on the
80 same day as the election of the Speaker of the House of
81 Representatives.

82 (3) The Speaker Pro Tempore shall serve a term of four
83 (4) years, which term as Speaker Pro Tempore shall expire
84 concurrently with the term being served by the Speaker Pro Tempore
85 as a member of the House of Representatives.

86 (4) Any vacancy in the office of Speaker Pro Tempore
87 occurring during a regular or special legislative session shall be
88 filled by election of the House of Representatives within five (5)
89 calendar days after the vacancy occurs. Any vacancy occurring
90 during an interim between legislative sessions shall be filled
91 within the first five (5) calendar days of the next succeeding

92 regular or special session. The person so elected shall serve
93 only the remainder of the unexpired term.

94 (5) The Speaker Pro Tempore shall have the following
95 powers, duties and responsibilities:

96 (a) To serve as Speaker of the House of
97 Representatives during the absence, illness or disability of the
98 Speaker, thereby assuming all powers, duties, responsibilities and
99 privileges conferred upon the Speaker by the Constitution,
100 statute, law or rule;

101 (b) To become Speaker of the House of
102 Representatives in the event of the death of the Speaker, thereby
103 assuming all powers, duties, responsibilities and privileges
104 conferred upon the Speaker by the Constitution, statute, law or
105 rule. However, if the Speaker Pro Tempore becomes the Speaker of
106 the House, a new Speaker Pro Tempore shall be elected;

107 (c) To preside over the House of Representatives
108 when the Speaker is not presiding and to preside over the House
109 when sitting as the Committee of the Whole unless the Speaker Pro
110 Tempore moved that the House go into the Committee of the Whole;

111 (d) To serve as the Chairman of the House
112 Management Committee, having full powers of discussion,
113 participation and voting;

114 (e) To serve as an ex officio member of the Rules
115 Committee, having full powers of discussion, participation and
116 voting;

117 (f) To consult with the Speaker in resolving
118 points of order or other parliamentary matters; and

119 (g) Such other powers, duties and responsibilities
120 as may be conferred upon the Speaker Pro Tempore by law or
121 legislative rule.

122 RULES COMMITTEE

123 11. From and after December 31, 1987, the Rules Committee
124 shall be composed of the Speaker, who shall be ex officio a voting

125 member thereof, the Speaker Pro Tempore, who shall be ex officio a
126 voting member thereof, one (1) member from the state at large
127 appointed by the Speaker, and ten (10) other members, two (2) from
128 each congressional district as constituted on January 1, 1996, to
129 be selected by the members from their respective congressional
130 districts by caucus. The place of residence of a member
131 representing such district shall determine the congressional
132 district caucus in which he shall participate and for which he may
133 hold membership on the Rules Committee. The Speaker shall appoint
134 the chairman and the vice chairman from among the members of the
135 Rules Committee, but neither the Speaker nor the Speaker Pro
136 Tempore shall be eligible to serve as chairman or vice chairman of
137 the Rules Committee.

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

145 No member of the Rules Committee shall concurrently serve as
146 a member of the House Management Committee, except that the
147 Speaker and the Speaker Pro Tempore shall serve on the Management
148 Committee as provided in Rule 11A.

149 MANAGEMENT COMMITTEE

150 11A. (1) There is hereby created the House of
151 Representatives Management Committee (hereinafter Management
152 Committee) to be composed of the Speaker Pro Tempore, who shall
153 serve as ex officio chairman, having full powers of discussion and
154 voting, the Speaker, who shall be ex officio a voting member
155 thereof, and ten (10) other representatives, two (2) from each
156 congressional district of Mississippi as constituted on January 1,
157 1996, to be elected by caucus of the representatives from each

158 such district. The place of residence of a representative shall
159 determine the congressional district caucus in which the
160 representative shall participate and from which the representative
161 may hold membership on the Management Committee. The members of
162 the Management Committee shall select, from among its members, a
163 vice chairman and secretary.

164 The members of the Management Committee elected in the year
165 1987 shall be elected within ten (10) calendar days following the
166 adoption of this rule. The members of the Management Committee
167 thereafter shall be elected during the first calendar week of each
168 regular session having one hundred twenty-five (125) calendar
169 days. Members shall serve a term of four (4) years, and each
170 member's term shall end on the date on which the member's term in
171 the House of Representatives expires.

172 (2) No member of the Management Committee shall serve
173 concurrently as a member of the House Rules Committee, except that
174 the Speaker and the Speaker Pro Tempore shall serve on the Rules
175 Committee as provided in Rule 11.

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

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

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

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

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

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

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

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

221 (d) Staff interim committees;

222 (e) Staff standing committees; and
223 (f) Continually assess ways and means to improve
224 the organization, procedures, facilities and working conditions of
225 the House of Representatives.

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

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

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

244 (9) In providing for the staffing of the Speaker's
245 staff and of committees, the Management Committee shall have the
246 responsibility for determining the necessity of any staff
247 positions requested by the Speaker or the chairman of any
248 committee, as the case may be. The persons to be employed for
249 such positions approved by the Management Committee shall be hired
250 with approval of the Speaker or the chairman of the committee
251 concerned, as the case may be. The Speaker or the committee
252 chairman, as the case may be, shall recommend the compensation to
253 be paid to the Speaker's staff or committee staff members, as the

254 case may be, and the Management Committee shall consider these
255 recommendations when fixing such salaries.

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

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

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

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

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

285 (i) Bill research;

286 (ii) Bill drafting;

287 (iii) Bill analysis;
288 (iv) Preparation and writing of standing and
289 interim committee reports; and
290 (v) Such other duties as prescribed by the
291 Management Committee.

292 (d) The House Legislative Services Office must be
293 authorized, in writing, by a House member to prepare a draft
294 before it undertakes the preparation thereof.

295 (e) No employee of the House Legislative Services
296 Office shall:

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

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

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

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

308 A violation of any provision of this section by an employee
309 shall be sufficient cause for his or her immediate dismissal.
310 However, this paragraph shall not be a limitation on the authority
311 of the Management Committee to dismiss or change its employees.

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

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

353 the House of all visitors one (1) hour before each session
354 convenes and not allow visitors on the Floor of the House for ten
355 (10) minutes after a session has recessed or adjourned. He shall
356 see that the Hall of the House and the Committee Rooms and the
357 Room of the Speaker of the House, the anterooms, lobbies and
358 galleries thereof are clean, comfortable, heated in winter if
359 necessary to comfort, and lighted at night during the sitting of
360 the House, and that all necessary conveniences are supplied to the
361 members, officers and committees. He shall, on the final
362 adjournment of the Legislature, collect all the remaining
363 stationery and furnishings purchased for the use of the House and
364 deliver the same to the Secretary of State. (Statutory)

365 DUTIES OF THE DOORKEEPERS

366 17. The Doorkeepers of the House of Representatives shall
367 keep the doors thereof under their direction, and perform such
368 other duties as may be required of them.

369 DECORUM AND DEBATE

370 18. When any member desires to speak, to make a motion, or
371 deliver any matter to the House, he shall rise at his desk and
372 respectfully address himself to "Mr. Speaker" and, on being
373 recognized, may address the House from any place on the floor and
374 shall confine himself to the question under debate and avoid
375 personalities.

376 18A. Whenever a member is on the floor of the House while
377 the House is in session, each male member of the House shall wear
378 a coat and necktie, except when seated, and each female member of
379 the House shall wear appropriate attire. No visitor or guest on
380 the House floor shall be required to comply with this rule.

381 18B. Smoking shall not be permitted in the House chamber or
382 the House gallery during any daily session of the House from the
383 time the session is convened until the time the session is
384 adjourned; however, the House Management Committee may designate
385 certain locations within the House chamber as smoking areas. The

386 room adjacent to the House chamber, which commonly is referred to
387 as the "cloakroom," and the members' restrooms adjacent to the
388 House chamber, are not considered a part of the House chamber
389 under this rule. Each House committee has the option to develop a
390 policy regarding smoking in the room in which the committee meets.
391 As used in this rule, "smoking" means to inhale, exhale, burn,
392 carry or otherwise possess any lighted cigarette, cigar, pipe or
393 any other object or device of any form that contains lighted
394 tobacco or any other smoking product. The Sergeant at Arms shall
395 enforce the provisions of this rule.

396 19. No member shall call by name another member present in
397 debate.

398 20. If any member, in speaking, or otherwise, transgresses
399 the Rules of the House, the Speaker shall, or any member may on
400 point of order ask the Speaker to call the transgressor to order;
401 and the member called to order shall immediately sit down, unless
402 permitted on motion of another member to explain, and the House if
403 appealed to, shall decide on the case without debate. If the
404 decision be in favor of the member called to order, he shall be at
405 liberty to proceed; if against him and the case requires it, he
406 shall be liable to the censure of the House, or such other
407 punishment as the House may deem proper.

408 21. If a member is called to order for words spoken in
409 debate, the member calling him to order shall indicate the words
410 excepted to, and they shall be taken down in writing at the
411 Clerk's desk and read aloud to the House; but he shall not be held
412 to answer, nor be subject to the censure of the House therefor, if
413 further debate on other business has intervened.

414 22. When two (2) or more members rise at once the Speaker
415 shall name the member who is first to speak.

416 23. No member shall speak more than ten (10) minutes on any
417 main question, or five (5) minutes on an amendment, without leave
418 of the House, unless he be the mover, proposer, or introducer of

419 the matter pending, in which case he shall be permitted to speak
420 in reply, but not until every member choosing to speak shall have
421 spoken. A member who has spoken once, but who has not consumed
422 his whole time shall not be permitted to speak again on the same
423 question until each member that desires to do so shall have
424 spoken.

425 24. After the motion to lay on the table, those in
426 opposition to the motion shall be allowed five (5) minutes for
427 discussion.

428 25. While the Speaker is putting a question, or addressing
429 the House, no member shall walk out of, or across or about the
430 Hall or converse with another, nor when a member is speaking, pass
431 between him and the Chair, or entertain private discourse. And
432 during the session of the House, no member or other person shall
433 remain at the Clerk's desk at any time. No member or others shall
434 expectorate upon the floor of the House, and the Sergeant at Arms
435 and doorkeepers are charged with the strict enforcement of this
436 rule.

437 26. No member shall vote on any question in the result of
438 which he is pecuniarily interested, nor in any other case where he
439 was not present when the question was put.

440 27. Every member who shall be in the House when a question
441 is put shall vote on one (1) side or the other unless the House
442 shall, for special reasons, excuse him.

443 28. No member shall absent himself from the service of the
444 House, unless he shall have leave, or be sick, or unable to
445 attend. Fifteen (15) members shall be authorized to compel the
446 attendance of absent members and order a call of the House.

447 ON MOTIONS, THEIR PRECEDENCE, ETC.

448 29. A motion to adjourn shall always be in order except when
449 operating under the previous question, but a motion to adjourn
450 being lost, shall not be renewed until some business has
451 intervened.

452 30. Every motion made to the House and entertained by the
453 Speaker shall be reduced to writing on the demand of any member,
454 and may be entered on the Journal with the name of the member
455 making the motion.

456 31. When a motion has been made, the Speaker shall state it
457 or (if it be in writing) cause it to be read aloud by the Clerk
458 before being debated, and it shall then be in possession of the
459 House, but may be withdrawn by unanimous consent at any time
460 before a decision or amendment.

461 32. No dilatory motion shall be entertained by the Speaker.

462 33. When a question is under debate, no motion shall be
463 received but:

- 464 (1) To adjourn
- 465 (2) To lay on the table
- 466 (3) For the previous question
- 467 (4) To lay on the table subject to call
- 468 (5) To postpone to a day certain
- 469 (6) To refer
- 470 (7) To amend
- 471 (8) To postpone indefinitely

472 which several motions shall have precedence in the foregoing
473 order; and no motion to postpone to a day certain, to commit, or
474 to postpone indefinitely, being decided, shall be again allowed on
475 the same day at the same stage of the question.

476 34. A motion to postpone a question beyond the time at which
477 it can be considered is equivalent to complete disapproval and
478 should be treated as a motion to postpone indefinitely.

479 The motion to postpone indefinitely is debatable and opens
480 the main question to debate.

481 A majority vote of the members voting is required for the
482 adoption of the motion to postpone indefinitely. The adoption of
483 a motion to postpone indefinitely shall be treated as a vote on

484 the final passage of a measure and shall be subject to
485 reconsideration as such.

486 35. No motion or proposition on a subject different from
487 that under consideration shall be admitted under color of an
488 amendment; nor shall any amendment be adopted changing the
489 original purpose of the bill.

490 36. The adoption of an amendment to a section shall not
491 preclude further amendments to that section. If a measure is
492 being considered section by section or item by item, only
493 amendments to the section or item under consideration shall be
494 made. The Speaker shall, in recognizing members for the purpose
495 of moving the adoption of amendments, endeavor to cause all
496 amendments to Section 1 to be considered first, then all those to
497 Section 2 and so on. After all sections have been considered
498 separately, the whole measure shall be open for amendment.

499 An amendment to strike all after the enacting or resolving
500 clause or to strike out the enacting or resolving clause of a
501 measure shall, if carried, be considered as equivalent to
502 rejection of the measure by the House, and the vote thereon shall
503 be taken by a roll-call vote. Amendments to an amendment shall be
504 voted on before substitute is taken up. Only one (1) amendment to
505 the amendment is in order at one (1) time; but as rapidly as one
506 is disposed of by rejection or adoption, another is in order as
507 long as any member desires to offer one. A substitute amendment
508 may be offered to an amendment. An amendment to the substitute
509 may be offered. No other amendment can be offered since the third
510 degree has been reached. The vote shall be taken in the following
511 order: the amendment to the amendment shall first be voted on;
512 then the amendment to the substitute; then the substitute
513 amendment and if the substitute is adopted, then the original
514 amendment shall be regarded as automatically tabled.

515 An amendment to a pending question requires only a majority
516 vote for its adoption, even though the question may require a vote
517 greater than a majority, for adoption.

518 It is in order for a House bill with Senate amendments to be
519 referred to the proper committee or committees.

520 On all questions, whether in committee or in the House, the
521 last amendment, the most distant day or hour and the largest sum
522 shall be put first.

523 SUSPENSION OF RULES

524 37. No rule shall be suspended except by the concurrence of
525 two-thirds (2/3) of the members present.

526 38. All motions to suspend the rules shall embrace fully the
527 object for which they are to be suspended.

528 39. A motion to suspend the rules shall be deemed a
529 privileged motion, and shall take precedence of all other motions
530 except the motion to adjourn, but it shall not be in order to make
531 a motion to suspend the rules while the House is engaged in the
532 consideration of other business.

533 40. On a motion to suspend the rules for reading a bill a
534 third time, no debate shall be allowed unless the motion prevails.

535 41. An affirmative vote on a motion to suspend the rules for
536 the purpose of taking up any particular bill, or resolution, shall
537 not have the effect of precluding any motion or amendment in
538 relation thereto which would have been in order if the bill or
539 resolution had been brought before the House in the regular order.

540 42. A motion to suspend the rules for a particular purpose
541 having been decided in the negative, it shall not be in order to
542 renew the motion for the same purpose during the same day.

543 MOTION TO REFER

544 43. Bills, resolutions, petitions, memorials, reports, and
545 other papers addressed to the House may be referred upon original
546 reference at the pleasure of the House by suspension of the rules;
547 provided, however, any bill, resolution, petition, memorial,

548 report, or other paper being before the House after the original
549 reference thereof may be referred to a standing or select
550 committee by a majority vote of the members of the House present
551 and voting.

552 44. The vote on a motion to refer to committee may not be
553 reconsidered. A motion to recommit or commit to committee shall
554 be considered a motion to refer.

555 45. Bills, resolutions, petitions, memorials, reports, and
556 other papers addressed to the House may be presented by any member
557 who shall state briefly to the House the contents thereof; and no
558 such bill, resolution, petition, memorial, report or other paper
559 addressed to the House shall be read in full to the House but
560 shall be filed with the Clerk, attention called thereto, and
561 referred to the proper committee, unless by a majority vote of
562 those present in the House should desire the same read.

563 46. Any member upon recognition by the Speaker may object to
564 the reading of any document before the House. After such
565 objection, the question of reading shall be determined without
566 debate by a majority vote of the members present, upon a brief
567 statement of its substance by the Speaker.

568 47. When a bill, resolution, petition, memorial, report and
569 other paper addressed to the House is offered, a motion made to
570 refer any subject, and different committees are proposed, the
571 question shall be taken in the following order:

572 A standing committee

573 A select committee

574 Committee of the Whole

575 When more than one (1) standing committee is proposed, the
576 last proposed shall be the first voted upon as an amendment to
577 strike out and insert.

578 48. Bills, resolutions, petitions, memorials, reports, and
579 other papers addressed to the House shall, upon introduction, be
580 referred by the Speaker to the committee having jurisdiction over

581 the subject matter, and shall be considered by the House only
582 after having been reported by such committee.

583 Provided, however, it shall be in order to consider a bill,
584 resolution, petition, memorial, report, and other papers under the
585 suspension of rules.

586 49. When a bill or concurrent resolution is originally
587 referred to two (2) or more committees and favorably reported by
588 them, the chairman of the first-named committee shall have the
589 option of handling the bill or resolution on the floor.

590 Local and private bills may, in the discretion of the
591 Speaker, be referred to two (2) or more committees, if, in the
592 discretion of the Speaker, the nature and effect of said local and
593 private bill shall require the consideration of another committee.

594 General bills written in such a way as to be local and
595 private in nature shall be referred by the Speaker to the
596 Committee on Local and Private Legislation and/or such other
597 committee as permitted by the rules.

598 READING OF BILLS

599 50. After a bill has been read for the first time, if there
600 is no objection, the rules shall be considered suspended and the
601 bill placed on its second reading.

602 51. After a bill has been read the second time it shall be
603 subject to amendment, but no discussion shall be allowed, or
604 amendment adopted, until the bill shall have been referred to a
605 committee with the proposed amendments thereto.

606 52. When a bill is up for final passage, and two (2) or more
607 major amendments have been adopted, a motion to recommit shall be
608 in order and have precedence over all other business.

609 53. Special order after the reading of the Journal of the
610 preceding day shall be:

611 (1) Senate messages.

612 (2) Senate bills on the first and second reading and
613 for the proper reference to the committees.

614 (3) House bills on second reading.

615 REGULAR ORDER

616 54. The regular order shall be:

617 (1) Report of select committees.

618 (2) Report of standing committees in their order.

619 (3) Introduction of bills and constitutional
620 amendments.

621 (4) Resolutions, petitions, memorials and other papers.

622 (5) Introduction of guests and visitors.

623 (6) Disposition of pending business on previous day,

624 provided that nothing shall be considered under this section
625 except propositions actually pending before the House at the time
626 of adjournment on said previous day.

627 (7) Consideration of conference reports.

628 When a conference report is called up, only three (3) courses
629 are open: (a) agree, (b) disagree, or (c) recommit to the same or
630 another conference committee with or without instructions.

631 Provided, however, only two (2) motions for the three (3) courses
632 are in order: (a) agree, or (b) recommit to the same or another
633 conference committee with or without instructions. If both
634 motions are offered, the motion to recommit shall take precedence.

635 A conference report must be acted on as a whole and dealt
636 with in its entirety.

637 A conference report may not be amended except by a concurrent
638 resolution.

639 When conference results in disagreement, conferees reporting
640 such disagreement in writing are thereby discharged and new
641 conferees may be appointed.

642 (8) Consideration of bills for concurrence.

643 When Senate amendments to a House bill are before the body,
644 they shall be either concurred in or not concurred in their
645 entirety and not separately. The motion that the House do not
646 concur in Senate amendments but invite conference shall take

647 precedence over the motion that the House do concur. The
648 concurrence in amendments adopted by the other house shall require
649 for adoption the same vote as was required for the original
650 passage of the measure and shall be on roll call duly entered and
651 recorded in the Journal of the House.

652 (9) Consideration of motions to reconsider.

653 (10) Consideration and passage of bills and resolutions
654 on the general calendar.

655 (11) The Rules Committee may report at any time.

656 ORDER OF BUSINESS

657 55. The order of business shall not be changed except by
658 two-thirds (2/3) vote of those present and voting, and all
659 questions relating to the priority shall be decided without
660 debate.

661 COMMITTEE OF THE WHOLE

662 56. In all cases in forming a Committee of the Whole, which
663 shall be done by a two-thirds (2/3) vote of the members present
664 and voting, the Speaker shall leave his chair and the Speaker Pro
665 Tempore shall preside. If the Speaker Pro Tempore is absent or if
666 the Speaker Pro Tempore moved to go into the Committee of the
667 Whole, the Speaker shall appoint a chairman to preside, who shall,
668 in case of disturbance or disorderly conduct in the gallery or
669 lobby, have the power to cause the same to be cleared, but the
670 member making the motion to go into Committee of the Whole shall
671 not be called to the chair.

672 57. Upon a bill being referred to the Committee of the
673 Whole, the same shall first be read through by the Clerk, unless
674 the committee shall otherwise order, and then read and debated by
675 sections, leaving the title to be last considered. After report,
676 the bill shall again be subject to debate and amendment before the
677 question of engrossing it be taken.

678 58. The only motions permitted in Committee of the Whole
679 are: to limit debate; to propose amendments; to recommend; to

680 recess committee subject to the call of the chairman; to
681 reconsider, provided said motion to reconsider may be called up
682 immediately or at any time during the time the House is resolved
683 into the Committee of the Whole for the consideration of the
684 matter before the committee; and to rise.

685 59. The rules of the procedure in the House shall be
686 observed in the Committee of the Whole so far as they may be
687 applicable and in all committees, provided standing and select
688 committees may exclude from their committee procedures those House
689 Rules not compatible, in the opinion of said committee, with the
690 proper function of said committee.

691 STANDING COMMITTEES

692 60. (1) The following shall be the standing committees of
693 the House:

694 (a) Rules Committee, as provided for in Rule 11 of
695 these rules;

696 (b) Management Committee, as provided for in Rule
697 11A of these rules;

698 (c) Ethics Committee, as provided for in Rule 63A
699 of these rules;

700	(d) Committee	Number of Members
701	Agriculture	33
702	Apportionment and Elections	17
703	Appropriations	33
704	Banks and Banking	11
705	Conservation and Water Resources	29
706	Constitution	15
707	County Affairs	19
708	Education	31
709	Fees and Salaries of Public Officers	15
710	Game and Fish	15
711	Insurance	17
712	Interstate Cooperation	7

713	Judiciary	50
714	Juvenile Justice	25
715	Labor	11
716	Local and Private Legislation	7
717	Military Affairs	11
718	Municipalities	17
719	Oil, Gas and Other Minerals	17
720	Penitentiary	17
721	Public Buildings, Grounds and Lands	19
722	Public Health and Welfare	28
723	Public Utilities	17
724	Transportation	29
725	Universities and Colleges	11
726	Ways and Means	33

727 (2) No member shall serve on both the Committee on Ways
728 and Means and the Committee on Appropriations. Each member may
729 serve on at least four (4) committees listed in this rule.

730 (3) The Committee on Appropriations and the Committee
731 on Ways and Means each shall consist of thirty-three (33) members
732 appointed by the Speaker, six (6) members from each congressional
733 district as constituted on January 1, 1996, and three (3) members
734 from the state at large. Appointments from the congressional
735 districts shall be made on the basis of seniority. For the
736 purposes of this rule, "seniority" shall mean length of service,
737 continuous or interrupted, in either the House of Representatives
738 or the Senate. However, seniority among members having the same
739 length of service shall be determined as follows: first,
740 continuous, uninterrupted service in the House; second,
741 continuous, uninterrupted service in the House and Senate; third,
742 interrupted service in the House; and fourth, interrupted service
743 in the House and Senate.

744 (4) In order for a member to be eligible for the rights
745 accorded by this subsection (4), a member shall submit a list of

746 his or her committee preferences, setting forth at least ten (10)
747 committees in order of preference with the most preferred being
748 first on the list, to the Clerk of the House by 5:00 p.m. on the
749 third calendar day of the first legislative session immediately
750 following the year in which the members of the Legislature are
751 elected. With regard to committee appointments, the following
752 shall be followed by the Speaker of the House in making such
753 appointments:

754 (a) Each member of the House who has served in the
755 House for less than four (4) years, whether such service be
756 continuous or interrupted, and who is not appointed to be a member
757 of the Committee on Appropriations or the Committee on Ways and
758 Means shall, as a matter of right, be appointed to serve on at
759 least two (2) of the first seven (7) committees on such list, not
760 to include Appropriations and Ways and Means; and

761 (b) Each member of the House who has served in the
762 House for four (4) years or more, whether such service be
763 continuous or interrupted, and who is not appointed to be a member
764 of the Committee on Appropriations or the Committee on Ways and
765 Means shall, as a matter of right, be appointed to serve on at
766 least three (3) of the first seven (7) committees on such list.

767 (5) In making committee appointments, the Speaker shall
768 give consideration to the preferences as expressed by the members
769 on their lists as provided in subsection (4) of this rule, and to
770 the seniority, abilities, and geographic location of the members.

771 61. The first member named on a committee shall be its
772 chairman and the second member named shall be its vice chairman.
773 However, from and after December 31, 1987, no member who serves as
774 chairman or vice chairman of a standing committee shall serve as
775 chairman or vice chairman of another standing committee. There
776 shall be no further rank on committees, the remaining members
777 being listed thereon in alphabetical order. Each committee shall,
778 after its organization, immediately determine by a majority vote

779 what shall constitute a sufficient quorum for it to proceed to
780 business, which quorum shall be not less than a majority of the
781 committee, and shall report said action to the Clerk of the House.

782 62. The Judiciary Committee shall be divided into two (2)
783 divisions to be known as "Division A" and "Division B." The
784 members of each division shall be selected by the Speaker of the
785 House and bills, resolutions and other measures, at the discretion
786 of the Speaker, may be referred to Judiciary en banc, in which
787 event the two (2) divisions shall sit as one (1) committee and be
788 presided over by the Chairman of Division A.

789 63. The chairman of each House committee shall keep a record
790 of meetings and attendance and shall make with his report each
791 time a statement showing the hour his committee met and the hour
792 it adjourned, together with the names of all the members of the
793 committee who were absent from the meeting, who had not been
794 previously excused by him or by the Speaker to attend to other
795 legislative duties.

796 ETHICS COMMITTEE

797 63A. As used in the context of this rule, the word
798 "committee" shall mean the Committee on Ethics of the House of
799 Representatives, and the phrase "majority of the committee" shall
800 mean a majority of the members to which the committee is entitled.

801 The committee shall consist of eight (8) members, one (1)
802 from each congressional district as constituted on January 1,
803 1996, and one (1) from each Supreme Court district, appointed by
804 the Speaker. The Speaker shall appoint from the members a
805 chairman, vice chairman and secretary for the committee.

806 The chairman shall notify all members of the committee at
807 least twenty-four (24) hours in advance of the date, time and
808 place of a meeting. Whenever the chairman shall refuse to call a
809 meeting, a majority of the committee may vote to call a meeting by
810 giving two (2) days' written notice to the Speaker of the House
811 setting forth the time and place for such meeting. Such notice

812 shall be posted in the office of the Clerk of the House, and if
813 such meeting is called while the Legislature is in session the
814 notice shall be read to the House. Thereafter, the meeting shall
815 be held at the time and place specified in such notice.

816 The committee shall conduct its investigations, hearings and
817 meetings relating to a specific investigation or a specific
818 member, officer or employee of the House in closed session, and
819 the fact that such investigation is being conducted or to be
820 conducted, or that hearings or such meetings are being held or are
821 to be held shall be confidential information, unless the person
822 subject to investigation advises the committee in writing that he
823 elects that such hearing shall be held publicly. In the event of
824 such an election, the committee shall furnish such person a public
825 hearing. All other meetings of the committee shall be open to the
826 public.

827 The committee shall receive complaints from any citizen
828 against members, officers and employees of the House alleging
829 improper or unethical conduct. Any such complaint must be in
830 writing signed by the person filing the complaint and acknowledged
831 by a notary public, and must set forth in detail the conduct in
832 question and the section of the Code of Ethics, other House Rule,
833 written policy of the House adopted by the Management Committee,
834 statute, or of the Constitution violated. The person against whom
835 the complaint has been brought shall be notified in writing and
836 given a copy of the complaint. Within fifteen (15) days after
837 receipt of the complaint, such person may file a written answer
838 thereto with the committee. Upon receipt of the answer, by vote
839 of a majority of the committee, the committee shall either dismiss
840 the complaint within ten (10) days or proceed with a formal
841 investigation, to include hearings, not less than ten (10) days
842 nor more than thirty (30) days after notice in writing to the
843 person so charged that the committee is proceeding with a formal
844 investigation. Personal service of such notice shall be made by

845 the Sergeant at Arms of the House of Representatives and a return
846 made thereon to the committee. Failure of the person charged to
847 file an answer shall not be deemed to be an admission or create an
848 inference or presumption that the complaint is true, and such
849 failure to file an answer shall not prohibit a majority of the
850 committee from either proceeding with a formal investigation or
851 dismissing the complaint.

852 A majority of the committee may, on its own, initiate a
853 preliminary investigation of any suspected violation of the Code
854 of Ethics, other House Rule, written policy of the House adopted
855 by the Management Committee, statute, or Constitution by a member,
856 officer or employee of the House. If it is determined by a
857 majority of the committee that a violation of a rule or law may
858 have occurred, the person in question shall be notified in writing
859 of the conduct in question and the section of the Code of Ethics,
860 other House Rule, written policy of the House adopted by the
861 Management Committee, statute or Constitution violated. Within
862 fifteen (15) days, such person may file a written answer thereto.
863 Upon receipt of the answer, by vote of a majority of the
864 committee, the committee shall either dismiss the charges within
865 ten (10) days or proceed with a formal investigation, to include
866 hearings, not less than ten (10) days nor more than thirty (30)
867 days after notice in writing to the person so charged that the
868 committee is proceeding with a formal investigation. Personal
869 service of such notice shall be made by the Sergeant at Arms of
870 the House of Representatives and a return made thereon to the
871 committee. Failure of the person charged to file an answer shall
872 not be deemed to be an admission or create an inference or
873 presumption that the charge is true, and such failure to file an
874 answer shall not prohibit a majority of the committee from either
875 proceeding with a formal investigation or dismissing the charge.

876 In the event that the committee desires to review the
877 statement of economic interest or any other statement filed with

878 the Mississippi Ethics Commission by any member, officer or
879 employee of the House, the commission shall furnish a certified
880 copy of the statement to the committee.

881 In the event that the committee shall elect to proceed with a
882 formal investigation of the conduct of any member, officer or
883 employee of the House, the committee may, in its discretion,
884 employ independent counsel who shall not be employed by the House
885 for any other purpose or in any other capacity during such
886 investigation.

887 Such person shall be entitled to present evidence,
888 cross-examine witnesses, face his accuser, and be represented by
889 counsel.

890 The chairman may continue any hearing for reasonable cause,
891 and upon the vote of a majority of the committee or upon the
892 request of any person subject to investigation, the chairman shall
893 issue subpoenas for the attendance and testimony of witnesses and
894 the production of documentary evidence relating to any matter
895 under formal investigation by the committee.

896 All testimony, documents, records, data, statements or
897 information received by the committee in the course of any
898 investigation shall be private and confidential, except in the
899 case of public hearings or in a report to the House. The
900 committee may release any confidential information, including a
901 report thereon, regarding any member, officer or employee at the
902 request of such member, officer or employee. No report shall be
903 made to the House unless a majority of the committee has made a
904 finding of unethical or improper conduct on the part of the person
905 under investigation. No finding of unethical or improper conduct
906 shall be valid unless signed by at least a majority of the
907 committee. Any such report may include a minority report. No
908 action shall be taken on any finding of improper or unethical
909 conduct nor shall such finding or report containing such finding
910 be made public sooner than seven (7) days after a copy of the

911 finding is sent by certified mail to the member, officer or
912 employee under investigation.

913 The committee may meet with a committee of the Senate to hold
914 investigations or hearings involving employees of the two (2)
915 houses jointly or employees of the Legislative Reference Bureau,
916 the Joint Legislative Committee on Performance Evaluation and
917 Expenditure Review, the Joint Legislative Budget Committee and any
918 other joint committee created by the Legislature; provided,
919 however, no action may be taken at a joint meeting unless it is
920 approved by a majority of the committee.

921 In the event that a member of the committee shall be under
922 investigation, such member shall be temporarily replaced on the
923 committee in a like manner as said member's original appointment.

924 The committee, whether or not at the request of a member,
925 officer or employee concerned about an ethical problem relating to
926 himself alone or in conjunction with others, may render advisory
927 opinions with regard to questions pertaining to legislative ethics
928 or decorum. Such advisory opinions, with such deletions and
929 changes as shall be necessary to protect the identity of the
930 person involved or seeking them, may be published and distributed
931 to all the members of the House.

932 Any member of the committee breaching the confidentiality of
933 materials and events as set forth in this rule shall, by a
934 majority vote of the committee, be removed immediately from the
935 committee and replaced by another member of the House in a like
936 manner as said member's original appointment.

937 Any officer or employee of the House shall be subject to the
938 same restriction of confidentiality as a member of the committee,
939 and a breach of this restriction shall be grounds for dismissal of
940 any officer or employee.

941 The committee may adopt rules of procedure for the orderly
942 conduct of its affairs, investigations, hearings and meetings,
943 which rules are not inconsistent with this rule.

944 The committee shall continue to exist and have authority and
945 power to function after the sine die adjournment of the
946 Legislature, and shall so continue until the expiration of the
947 then current term of office of the members of the committee.

948 CODE OF ETHICS

949 63B. In addition to the other rules of the House of
950 Representatives, and in supplement thereto, the following Code of
951 Ethics is established as a standard of conduct for members.

952 (1) No member, officer or employee of the House shall:

953 (a) Accept employment or engage in any business or
954 professional activity which will require him to disclose
955 confidential information which he has gained by reason of his
956 official position or authority;

957 (b) Improperly disclose confidential information
958 acquired by him in the course of his official duties nor use such
959 information to further his personal interests;

960 (c) Use or attempt to use his official position to
961 secure unwarranted privileges or exemptions for himself or others;

962 (d) Use for private gain any information not
963 available to the public at large and acquired by him solely by
964 virtue of his position, and no information described in this
965 subsection shall be disclosed by a member to others for purposes
966 of their use for private gain.

967 (2) Each member of the House shall file the statement
968 of economic interest or any other statement required to be filed
969 by the Mississippi Ethics Commission which shall be signed under
970 oath as to the accuracy and completeness of the information set
971 forth to the best knowledge of the person submitting such
972 statement.

973 Required statements hereunder shall be filed with the
974 Mississippi Ethics Commission with such information as is required
975 by law. In the event of any substantial change occurring after
976 the time required for filing as to matters covered in this

977 section, a supplemental statement shall be filed within thirty
978 (30) days thereafter reflecting such new information.

979 In addition to the filings required herein, a member may make
980 additional filings with a request for an advisory opinion from the
981 Ethics Committee on any matter which the member feels is subject
982 to interpretation under this rule.

983 (3) Any member who shall undertake to represent or to
984 intervene for any person for compensation before any state agency
985 shall file a statement with the Ethics Committee within thirty
986 (30) days after undertaking said representation. Such statement
987 shall identify the person represented and the nature of the
988 business involved; provided, however, that this provision shall
989 not apply: (a) where such representation involves only the
990 uncontested or routine actions of administrative officers or
991 employees of the state in issuing or renewing a license, charter,
992 certificate or similar document, and (b) where such representation
993 is before the Mississippi Workers' Compensation Commission.

994 (4) In addition to the filings required herein, copies
995 of the statements required to be filed under this rule shall be
996 filed with the Secretary of State. Such statements shall be open
997 to the general public and shall be filed at the same time as
998 filings required hereinabove.

999 64. Appropriation and revenue bills shall, at regular
1000 sessions of the Legislature, have precedence over all other
1001 business and no such bill shall be passed during the last five (5)
1002 days of the session.

1003 65. It shall be the duty of the Committee on Engrossed and
1004 Enrolled Bills to examine all engrossed and enrolled bills,
1005 correct all mistakes therein, and report the bills to the House
1006 and this report shall be in order at any time.

1007 THE PREVIOUS QUESTION

1008 66. There shall be a motion for the previous question, which
1009 being ordered by a majority of members voting, if a quorum be

1010 present, shall have the effect to cut off all debate and bring the
1011 House to a direct vote upon the immediate question, or questions,
1012 on which it has been asked and ordered, except that each side
1013 shall be allowed ten (10) minutes on the main question and five
1014 (5) minutes on any subsidiary question for debate, the affirmative
1015 closing the debate. The previous question may be asked and
1016 ordered upon a single motion, a series of motions allowable under
1017 the rules, or an amendment or amendments, or may be made to
1018 embrace all authorized motions or amendments and include the bill
1019 to its recommitment, passage or rejection. It shall be in order
1020 after the previous question shall have been ordered on its
1021 passage, for the Speaker to entertain and submit a motion without
1022 debate to recommit, with or without instruction, to a standing or
1023 select committee. Provided, however, a motion to reconsider the
1024 vote whereby an amendment has been adopted or rejected shall not
1025 be in order after the previous question has been ordered.

1026 67. If the previous question is lost, the motion may not be
1027 renewed until a subsequent vote has been taken on any matter.

1028 68. All incidental questions of order arising after a motion
1029 is made for the previous question, and pending such motion, shall
1030 be decided, whether an appeal or otherwise, without debate.

1031 ON CALLS OF THE ROLL

1032 69. Upon every roll call the names of the members shall be
1033 called alphabetically by surname, except when two (2) or more have
1034 the same surname, in which case the name of the county shall be
1035 added; and if there be two (2) such members from the same county,
1036 the name and initials shall be called, and after the roll has been
1037 once called, the Clerk shall call in their alphabetical order the
1038 names of those not voting; and thereafter the Speaker shall not
1039 entertain a request to record a vote or announce a pair; and the
1040 yeas and nays on any question shall be entered on the Journal, at
1041 the request of one-tenth (1/10) of the members present; and the

1042 yeas and nays shall be entered on the Journal on the final passage
1043 of every bill.

1044 ABSENCE OF QUORUM

1045 70. In the absence of a quorum, fifteen (15) members,
1046 including the Speaker, if there is one, shall be authorized to
1047 compel the attendance of absent members, and in all calls of the
1048 House the doors shall be closed, the names of the members shall be
1049 called by the Clerk, and the absentees noted; and those for whom
1050 no sufficient excuse is made may, by order of a majority of those
1051 present, be sent for and arrested, wherever they may be found, by
1052 officers appointed by the Sergeant at Arms for that purpose, and
1053 their attendance secured and retained; and the House shall
1054 determine upon what condition they shall be discharged. Members
1055 who voluntarily appear shall, unless the House otherwise direct,
1056 be immediately admitted to the Hall of the House, and they shall
1057 report their names to the Clerk to be entered upon the Journal as
1058 present.

1059 71. On the demand of any member, or at the suggestion of the
1060 Speaker, the names of members sufficient to make a quorum in the
1061 Hall of the House who do not vote shall be noted by the Clerk and
1062 recorded in the Journal, and reported to the Speaker with the
1063 names of the members voting and be counted and announced in
1064 determining the presence of a quorum to do business.

1065 72. Whenever a quorum fails to vote on any question and a
1066 quorum is not present and objection is made for that cause, unless
1067 the House shall adjourn there shall be a call of the House, and
1068 the Sergeant at Arms shall forthwith proceed to bring absent
1069 members, and the yeas and nays on the pending question shall at
1070 the same time be considered as ordered.

1071 The Clerk shall call the roll, and each member as he answers
1072 to his name may vote on the pending question, and, after the roll
1073 call is completed, each member arrested shall be brought by the
1074 Sergeant at Arms before the House, whereupon he shall be noted as

1075 present, discharged from arrest, and given an opportunity to vote
1076 and his vote shall be recorded. If those voting on the question
1077 and those who are present and decline to vote shall together make
1078 a majority of the House, the Speaker shall declare that a quorum
1079 is constituted, and the pending question shall be decided as the
1080 majority of those voting shall appear; and thereupon further
1081 proceedings under the call shall be considered as dispensed with.
1082 At any time after the roll call has been completed, the Speaker
1083 may entertain a motion to adjourn, if seconded by a majority of
1084 those present, to be ascertained by actual count by the Speaker;
1085 and if the House adjourns, all proceedings under this section
1086 shall be vacated.

1087 DIVISION OF QUESTION

1088 73. On demand of any member, before the question is put, a
1089 question shall be divided if it include propositions so distinct
1090 in substance, that one being taken away, a substantive proposition
1091 shall remain.

1092 74. Questions of privilege shall be:

1093 First, those affecting the rights of the House collectively,
1094 its safety, dignity and the integrity of its proceedings.

1095 Second, the rights, reputation and conduct of members
1096 individually in their representative capacity only; and shall have
1097 precedence of all other questions except motions to adjourn.

1098 HOURS OF MEETING AND ADJOURNMENT

1099 75. Two o'clock in the afternoon shall be the standing hour
1100 to which the House shall adjourn.

1101 76. The hour at which every motion to adjourn is made shall
1102 be entered on the Journal.

1103 77. The regular hour for committee meetings shall be at 9:00
1104 o'clock a.m., unless otherwise ordered by the committee and it
1105 shall be the duty of the Rules Committee to prescribe a schedule
1106 for regular meetings of standing committees.

1107 78. Every bill or resolution, when favorably reported by the
1108 proper committee, shall be reproduced with sufficient copies so
1109 that copies thereof may be placed on the desk of every member
1110 before any such bill or resolution shall be placed on final
1111 passage. No bill or resolution shall be considered by the House
1112 unless members have been furnished copies thereof, except by
1113 unanimous consent. When a bill or resolution is being considered
1114 by the House, all amendments offered have been disposed of, and
1115 two (2) or more major amendments have been adopted, any member may
1116 move that the bill be engrossed. If such motion be adopted by a
1117 majority of those present and voting, further consideration of
1118 such bill or resolution shall be suspended until the bill or
1119 resolution has been engrossed and all members present have been
1120 furnished copies of the engrossed bill or resolution. When the
1121 membership shall have been furnished copies of the engrossed bill
1122 or resolution, the bill or resolution shall then become pending
1123 business of the House as soon as the main question then under
1124 consideration shall have been disposed of. The committee or any
1125 member proposing a substitute or an amendment which is, in effect,
1126 a substitute for an entire bill or resolution, shall provide all
1127 members present copies of any such substitute or amendment before
1128 the same shall be voted on for consideration or adoption except on
1129 suspension of the rules.

1130 79. When a bill, memorial or resolution has been finally
1131 rejected in the House, it shall not again be introduced or
1132 considered during the same session without notice of three (3)
1133 days and leave of two-thirds (2/3) of the members present and
1134 voting, and a bill so offered for reintroduction shall be regarded
1135 as the same, if it deals substantially with the same subject
1136 matter.

1137 SPECIAL ORDER

1138 80. Special orders of the day not disposed of on the day
1139 assigned, shall stand for every succeeding day, until disposed of.

1140 81. (1) A motion to postpone to a day certain shall require
1141 a majority of those present and voting for its adoption, but a
1142 motion to postpone to a time certain shall be deemed, and treated
1143 as, a motion to set as a special order. (2) A motion to set a
1144 special order may be amended as to time. It is debatable only as
1145 to the question of setting the special order and does not open up
1146 the main question to debate. (3) A motion to set a special order
1147 shall require a two-thirds (2/3) vote of those members present and
1148 voting. (4) When special orders that have been made at different
1149 times come into conflict, the one that was first made takes
1150 precedence over all special orders made afterwards, although the
1151 latter were made for an earlier hour.

1152 CALENDARS

1153 82. Bills reported by committees shall be given a serial
1154 number by the Clerk and shall be placed on the calendar in the
1155 order in which reported by the committee and shall be called for
1156 consideration in that order. When a bill is called for
1157 consideration in the order in which placed on the calendar and is
1158 not considered by the House, it shall go to the heel of the
1159 calendar; provided, however, that separate calendars shall be kept
1160 for the bills reported by the Committees on Ways and Means,
1161 Appropriations, and Local and Private Legislation.

1162 83. Any committee or individual member of the House may
1163 apply to the Committee on Rules to set a time for the taking up,
1164 ahead of its regular place on the calendar, of any measure
1165 favorably reported by the committee to which the measure has been
1166 referred. The Committee on Rules may grant such request by a
1167 majority vote. The Committee on Rules may designate a day of each
1168 legislative week as a noncontroversial bill day. When such a day
1169 be designated, all bills appearing on the calendar shall be
1170 considered in their regular order provided, however, that should
1171 ten percent (10%) of the membership object to any measure on the
1172 noncontroversial calendar stating that it is of a controversial

1173 nature, that measure shall go to the heel of the General House
1174 Calendar.

1175 84. The calendar shall be made up from day to day.

1176 MINORITY REPORT

1177 85. Bills adversely reported by the committees shall not be
1178 placed on the calendar at all unless accompanied by a minority
1179 report signed by one or more members who were present at the
1180 committee meeting at which the bill was reported. Minority
1181 reports must be filed within three (3) legislative days after the
1182 bill has been reported by the committee; a minority report shall
1183 be placed on the calendar at the heel of favorably reported bills
1184 and shall not be considered until all favorably reported bills are
1185 disposed of, except on a suspension of the rules on a two-thirds
1186 (2/3) vote of those elected to the House and on roll call,
1187 whereupon, the House may proceed immediately to the consideration
1188 thereof.

1189 86. Matters affecting the public interest and regarded as of
1190 immediate necessity may be advanced on the calendar by the Rules
1191 Committee, and such matters may also be advanced on the calendar
1192 by a vote of a majority of the members elected to the House of
1193 Representatives.

1194 RULES

1195 87. The permanent Rules of the House may not be changed or
1196 amended except by three (3) days' notice by a motion entered in
1197 writing and placed on the Journal and by a vote of three-fifths
1198 (3/5) of those present and voting, except that no rule shall be
1199 changed or amended unless at least a majority of the elected
1200 members of the House of Representatives vote for said change or
1201 amendment.

1202 Provided, however, the rules, or a rule, may be amended or
1203 changed by a resolution referred to the Rules Committee, reported
1204 favorably, and adopted by a majority of the elected members of the
1205 House of Representatives, and such resolutions, once reported,

1206 shall not be amended except by a three-fifths (3/5) vote of the
1207 elected members of the House of Representatives.

1208 A motion to reconsider the vote whereby a rule has been
1209 adopted or failed shall not be in order at any time.

1210 88. The current Rules of the House of Representatives of the
1211 United States shall govern in all cases to which they are
1212 applicable and in which they are not inconsistent with the
1213 foregoing rules, the Joint Rules of the Senate and the House of
1214 Representatives, and the Constitution of the State of Mississippi.

1215 89. No person shall be entitled to enter upon the floor of
1216 the House except: Members, their spouses, former members of the
1217 Legislature, unless said former member is a registered lobbyist,
1218 officers and employees of the House; members, officers and
1219 employees of the Senate; members of the news media who have proper
1220 credentials issued by the Rules Committee; ministers invited by
1221 the Speaker or the Clerk; and such others as the Committee on
1222 Rules may designate.

1223 Doors between the lobby and the cloak room, and the door
1224 between the lobby and the Hall of the House shall be kept closed.
1225 Visitors invited and personally accompanied by members are
1226 permitted in the lobby. The Speaker is charged with the
1227 enforcement of this rule, and it shall be the duty of any member,
1228 officer or employee of the House to inform the Speaker of any
1229 violation of this rule. This rule is applicable from one (1) hour
1230 before the House convenes each day until the House adjourns each
1231 day.

1232 90. Privilege of reports from Committee on Rules, and
1233 limitations thereon.

1234 It shall always be in order to call up for consideration a
1235 report from the Committee on Rules (except it shall not be called
1236 up for consideration on the same day it is presented to the House,
1237 unless so determined by a vote of not less than two-thirds (2/3)
1238 of the members voting, but this provision shall not apply during

1239 the last days of the session), and, pending the consideration
1240 thereof, the Speaker may entertain one (1) motion that the House
1241 adjourn; but after the result is announced he shall not entertain
1242 any other dilatory motion until the said report shall have been
1243 fully disposed of.

1244 91. No committee, except the Committee on Rules, shall sit
1245 during the sitting of the House, without special leave.

1246 INTRODUCTION OF BILLS

1247 92. Each member, who desires to introduce a bill shall place
1248 same in box in front of the Clerk's desk at any hour to suit his
1249 convenience, and the Clerk is instructed to take these out at each
1250 session when the order for introduction of bills and
1251 constitutional amendments is reached, and read their titles, and
1252 after the expiration of one (1) legislative day the Speaker shall
1253 refer them to the proper committees; provided, however, that this
1254 shall not prevent the immediate references of said bills or
1255 constitutional amendments under a suspension of the rules.

1256 93. All bills and resolutions must be typewritten or
1257 printed. Bills and resolutions must be introduced in original
1258 form (not carbon, photocopy or facsimile) and should be free from
1259 interlineations, corrections and strikeouts, whether with ink,
1260 pencil or typewriter. Amendments proposed by members or by
1261 committees must not be written into a bill or resolution until
1262 such amendments shall be adopted by the House.

1263 94. In addition to any other time provided by law or by
1264 rule, members of the House may file bills or resolutions with the
1265 Clerk of the House at any time during the period between sessions
1266 of the Legislature. Such prefiled bills shall be numbered by the
1267 Clerk of the House and referred by the Speaker to the appropriate
1268 standing committee of the House for study. Such prefiled bills
1269 shall be introduced in the order filed on the first day of the
1270 next succeeding regular session of the Legislature, or special

1271 session if included within the Governor's call, and referred to
1272 committee in the regular order of business of the House.

1273 WITHDRAW FROM COMMITTEE

1274 95. (1) Except as otherwise provided in subsections (2),
1275 (3) and (4) of this rule, every House bill, resolution or measure
1276 referred to any committee, and not reported therefrom with a
1277 recommendation by the twenty-seventh day of a ninety-day session
1278 and by the sixty-second day of a one-hundred-twenty-five-day
1279 session, and every Senate bill, resolution or measure referred to
1280 any committee, and not reported therefrom by the fifty-fifth day
1281 of a ninety-day session and by the ninetieth day of a
1282 one-hundred-twenty-five-day session, may be withdrawn from said
1283 committee on a motion made in writing, which said motion must be
1284 read by the clerk immediately upon its introduction, setting forth
1285 the reasons why said bill should be withdrawn from the committee,
1286 by a vote of a majority of the members elected to the House. It
1287 may then be taken up and considered by the Committee of the Whole
1288 House in accordance with the procedure set forth in House Rule 56,
1289 or, by a majority vote of those present and voting it may be
1290 recommitted to a standing committee. Provided, that during
1291 extraordinary or special sessions of the Legislature, any bill,
1292 including an appropriation or revenue bill, may be withdrawn from
1293 committee after five (5) days from the date of reference. A
1294 motion to withdraw a bill from a committee shall not be voted upon
1295 by the House on the day which the motion is made, except upon
1296 suspension of the rules by a two-thirds (2/3) vote of those
1297 present and voting.

1298 (2) Any House appropriation bill or revenue bill
1299 referred to the House Appropriations Committee or the House Ways
1300 and Means Committee and not reported therefrom with a
1301 recommendation within ten (10) legislative days after referral may
1302 be withdrawn from the committee in accordance with the procedure
1303 set forth in subsection (1) of this rule if the motion for

1304 withdrawal is made by the fiftieth day of a ninety-day session and
1305 by the eighty-fifth day of a one-hundred-twenty-five-day session.

1306 (3) Any Senate appropriation bill or revenue bill
1307 referred to the House Appropriations Committee or the House Ways
1308 and Means Committee and not reported therefrom with a
1309 recommendation within ten (10) legislative days after referral may
1310 be withdrawn from the committee in accordance with the procedure
1311 set forth in subsection (1) of this rule if the motion for
1312 withdrawal is made by the seventieth day of a ninety-day session
1313 and by the one-hundred-fifth day of a one-hundred-twenty-five-day
1314 session.

1315 (4) For the purposes of this rule, the term 'revenue
1316 bill' shall include only those bills whose primary purpose is to
1317 increase or decrease taxes or to authorize the issuance of bonds
1318 or the borrowing of money. Bills which are primarily for
1319 regulatory purposes which have revenue provisions included shall
1320 not be considered as revenue bills for the purposes of this rule.

1321 BILL'S SHALL LIE ON TABLE ONE DAY

1322 96. Every bill or resolution requiring the signature of the
1323 Governor, all resolutions proposing amendments to the
1324 Constitution, and all reports of committees except the report of
1325 the Committee on Rules, shall lie on the table one (1) day before
1326 being considered except by suspension of the rules.

1327 ROLL CALLS

1328 97. When taking the yeas and nays on any question to be
1329 voted upon, the electrical roll-call system may be used, and, when
1330 so used, shall have the same force and effect as a roll call taken
1331 as otherwise provided in the Rules of the House.

1332 When the House is ready to vote upon any question requiring a
1333 roll call and the vote is to be taken by the electrical roll-call
1334 system, the Speaker shall announce:

1335 "The question is on the passage of (designating the matter to
1336 be voted upon). All in favor of such question shall vote 'yea';
1337 all opposed shall vote 'nay.' The House will now proceed to vote."

1338 When sufficient time has been allowed the members to vote,
1339 the Speaker shall announce: "Have all voted?" And after a short
1340 pause, the Speaker shall direct the Clerk to lock the machine and
1341 record the vote.

1342 The Clerk shall immediately start the vote-recording
1343 equipment and, when the vote is completely recorded, shall advise
1344 the Speaker of the result, and the Speaker shall announce the
1345 result to the House. The Clerk shall enter upon the Journal the
1346 result in the manner provided by the Rules of the House.

1347 After the voting machine has been locked, but prior to the
1348 display of the tabulated vote on the electric voting board of the
1349 result of a roll call, any member may request to (1) change his
1350 vote, or (2) vote. After the vote has been tabulated and
1351 displayed on the electric voting board, a member with unanimous
1352 consent may change his vote on the measure, except that no such
1353 change of vote shall be permitted where such vote would alter the
1354 final vote on the measure.

1355 No member shall vote for another member, nor shall any person
1356 not a member cast a vote for a member. In addition to such
1357 penalties as may be prescribed by law, any member who shall vote
1358 or attempt to vote for another member may be punished in such a
1359 manner as the House may determine. If a person not a member shall
1360 vote or attempt to vote for any member, he shall be barred from
1361 the floor of the House for the remainder of the session and may be
1362 punished further in such manner as the House may deem proper, in
1363 addition to such punishment as may be prescribed by law.

1364 98. Neither the Speaker nor the House exercises jurisdiction
1365 over pairs, and the only cognizance of them taken by the rules is
1366 the provision for the announcement and publication.

1367 99. No member shall be permitted to give an oral
1368 explanation of his vote but may reduce his explanation to writing
1369 in not more than one hundred (100) words, and upon filing with the
1370 Clerk, this explanation shall be spread on the Journal.

1371 MOTION TO RECONSIDER

1372 100. Any member voting on any measure, shall be privileged
1373 to enter a motion to reconsider the vote whereby the measure is
1374 disposed of, at any time within the period prescribed by the rules
1375 of this House.

1376 101. A motion to reconsider having been properly made and
1377 entered in the Journal shall become the property of the House and
1378 may be called up by any member of the House.

1379 When a measure requires more than a majority vote for passage
1380 it may still be reconsidered by a majority vote.

1381 102. When a bill is read the third time in regular order,
1382 and not under suspension of the rules, it shall be considered
1383 engrossed and the House on the next or any succeeding legislative
1384 day may proceed to a vote on its final passage in the same manner
1385 as if the rules had been suspended for its consideration.

1386 PASSAGE OVER VETO

1387 103. (1) Upon return of a bill without the approval of the
1388 Governor accompanied by the Governor's objections to the bill, the
1389 House shall proceed to reconsider the bill by either an immediate
1390 vote on the motion for passage, a Governor's veto notwithstanding,
1391 or by referral to the committee which originally recommended said
1392 bill. The manner of reconsideration shall be determined, upon
1393 proper motion, by majority vote of those present. Should the bill
1394 be reconsidered by referral to the committee of origin, said
1395 committee shall report, with written recommendations, to the full
1396 House not more than three (3) legislative days from the referral
1397 of the bill in question. At the time of the report of such
1398 committee only two (2) courses shall be open:

1399 (a) Allow Governor's veto to stand.

1400 (b) Override Governor's veto.

1401 Only one (1) motion for the two (2) courses shall be in order
1402 and that is the motion for passage, a Governor's veto
1403 notwithstanding. Said motion, while not mandatory, shall be in
1404 order at any time on the same legislative day that the report of
1405 the committee is made but shall not be in order thereafter.

1406 (2) Upon calling up a bill for reconsideration and
1407 passage, a Governor's veto notwithstanding, the question before
1408 the House is not of reconsideration but that of overriding the
1409 Governor's veto.

1410 (3) A two-thirds (2/3) vote of those members present
1411 and voting, a quorum being present, is required to pass a bill
1412 over a Governor's veto.

1413 (4) A motion to reconsider the vote by which a vetoed
1414 bill is passed or rejected is not in order.

1415 104. The space immediately below the Clerk's desk shall be
1416 set aside to accommodate representatives of the press, radio and
1417 television media wishing to report proceedings and such
1418 representatives shall be admitted to such area under such
1419 regulations as the Rules Committee may from time to time
1420 prescribe. The supervision of such portion of the floor shall be
1421 fixed in the Committee on Rules.

1422 (a) The correspondents shall abide by such rules and
1423 regulations as may be adopted by the Rules Committee.

1424 (b) The press table allotted to representatives of the
1425 news media shall be for their exclusive use and persons not
1426 holding correspondents' cards shall not be entitled to admission
1427 thereto.

1428 OPEN MEETINGS

1429 104A. All official meetings of any standing, interim or
1430 special committee of the House of Representatives, but not
1431 including conference committees, unless otherwise provided by this
1432 rule or the Constitution of the United States or the State of

1433 Mississippi, are declared to be public meetings and shall be open
1434 to the public at all times unless declared an executive session as
1435 provided herein. Any such House committee may enter into
1436 executive session for the transaction of public business;
1437 provided, however, all meetings of any such committee shall
1438 commence as an open meeting, and an affirmative vote of a majority
1439 of all members present shall be required to declare an executive
1440 session. The procedure to be followed by such committee in
1441 declaring an executive session shall be as follows: Any member
1442 shall have the right to require a closed determination upon the
1443 issue of whether or not to declare an executive session. Such
1444 member, by motion, shall require the meeting to be closed for a
1445 preliminary determination of the necessity for executive session.
1446 No other business shall be transacted until the discussion of the
1447 nature of the matter requiring executive session has been
1448 completed and a vote taken on the issue. The total vote on the
1449 question of entering into an executive session shall be recorded
1450 and spread upon the minutes of such committee. Any such vote
1451 whereby executive session is declared shall be applicable only to
1452 that particular meeting.

1453 Any such House committee may make and enforce reasonable
1454 rules and regulations for the conduct of persons attending its
1455 meetings.

1456 Minutes shall be kept of all House committees, in open or
1457 executive session, and shall consist of a written record of
1458 attendance and final actions taken at such meetings. Such minutes
1459 shall be open to public inspection during regular business hours
1460 within a reasonable time after adjournment.

1461 During a regular or special session of the Legislature,
1462 notice of meetings of all House committees, other than conference
1463 committees, shall be given by announcement on the loudspeaker
1464 during sessions of the House or by posting on a bulletin board
1465 provided for that purpose.

1466 When not in session, the meeting times and places of all
1467 House committees shall be kept by the Clerk of the House of
1468 Representatives and shall be available at all times during regular
1469 working hours to the public and news media.

1470 CONSTITUTIONAL PROVISIONS

1471 105. Neither house shall, without the consent of the other,
1472 adjourn for more than three (3) days, nor to any other place than
1473 that in which the two (2) houses shall be sitting (Art. 4, Sec.
1474 57, Constitution).

1475 106. No law shall be revived or amended by reference to its
1476 title only, but the section or sections, as amended or revived,
1477 shall be inserted at length. (Art. 4, Sec. 61, Constitution).

1478 107. No appropriation bill shall be passed by the
1479 Legislature which does not fix definitely the maximum sum thereby
1480 authorized to be drawn from the Treasury. (Art. 4, Sec. 63,
1481 Constitution).

1482 108. All votes on the final passage of any measure shall be
1483 subject to reconsideration for at least one (1) whole legislative
1484 day, and no motion to reconsider such vote shall be disposed of
1485 adversely on the day on which the original vote was taken, except
1486 on the last day of the session. (Art. 4, Sec. 65, Constitution).

1487 109. No new bill shall be introduced into either house of
1488 the Legislature during the last three (3) days of the session.
1489 (Art. 4, Sec. 67, Constitution).

1490 110. No law granting a gratuity or donation in favor of any
1491 person or object shall be enacted except by the concurrence of
1492 two-thirds (2/3) of the members-elect of each branch of the
1493 Legislature, nor by any vote for a sectarian purpose or use. (Art.
1494 4, Sec. 66, Constitution).

1495 111. General appropriation bills shall contain only the
1496 appropriations to defray the ordinary expenses of the executive,
1497 legislative and judicial departments of the government; to pay
1498 interest on state bonds and to support the common schools. All

1499 other appropriations shall be made by separate bills, each
1500 embracing but one (1) subject. Legislation shall not be engrafted
1501 on appropriation bills, but the same may prescribe the conditions
1502 on which the money may be drawn, and for what purposes paid. (Art.
1503 4, Sec. 69, Constitution).

1504 112. No revenue bill, or any bill providing for assessments
1505 of property for taxation, shall become a law except by a vote of
1506 at least three-fifths (3/5) of the members of each house present
1507 and voting. (Art. 4, Sec. 70, Constitution).

1508 113. Every bill introduced into the Legislature shall have a
1509 title, and the title ought to indicate clearly the subject matter
1510 or matters of the proposed legislation. Each committee to which a
1511 bill may be referred shall express, in writing, its judgment of
1512 the sufficiency of the title of the bill, and this, too, whether
1513 the recommendation be that the bill do pass or do not pass. (Art.
1514 4, Sec. 71, Constitution).

1515 114. No bill shall become a law until it shall have been
1516 referred to a committee of each house and returned therefrom with
1517 a recommendation in writing. (Art. 4, Sec. 74, Constitution).

1518 115. No bill passed after the adoption of this Constitution
1519 to make appropriations of money out of the State Treasury shall
1520 continue in force more than two (2) months after the expiration of
1521 the fiscal year ending after the meeting of the Legislature at its
1522 next regular session; nor shall such bill be passed except by the
1523 votes of a majority of all the members elected to each house of
1524 the Legislature. (Art. 4, Sec. 64, Constitution).

1525 116. There shall be appointed in each house of the
1526 Legislature a standing committee on Local and Private Legislation;
1527 the House committee to consist of seven (7) Representatives, and
1528 the Senate committee of five (5) Senators. No local or private
1529 bill shall be passed in either house until it shall have been
1530 referred to said committee thereof, and shall have been reported
1531 back with a recommendation in writing that it do pass, stating

1532 affirmatively the reasons therefor, and why the end to be
1533 accomplished should not be reached by a general law, or by a
1534 proceeding in court; or if the recommendation of the committee be
1535 that the bill do not pass, then it shall not pass the house to
1536 which it is so reported unless it be voted by a majority of all
1537 the members elected thereto. If a bill is passed in conformity to
1538 the requirements hereof, other than such as are prohibited in the
1539 next section, the courts shall not, because of its local, special,
1540 or private nature, refuse to enforce it. (Art. 4, Sec. 89,
1541 Constitution).