

By: Representative Dedeaux

To: Rules

HOUSE RESOLUTION NO. 5

1 A RESOLUTION ADOPTING PERMANENT 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 permanent Rules of the
6 House:

HOUSE RULES

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 and in the same manner and method as may be designated
81 for the election of the Speaker of the House of 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

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

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

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

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

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

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

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

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

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

RULES COMMITTEE

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

member thereof, the Speaker Pro Tempore, who shall be ex officio a voting member thereof, one (1) member from the state at large appointed by the Speaker, and ten (10) other members, two (2) from each congressional district as constituted on January 1, 1996, to be selected by the members from their respective congressional districts by caucus. The place of residence of a member 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 Speaker shall appoint the chairman and the vice chairman from among the members of the Rules Committee, but neither the Speaker nor the Speaker Pro Tempore shall be eligible to serve as chairman or vice chairman of the Rules Committee.

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

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

MANAGEMENT COMMITTEE

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

(14) At such time as there may be created in the Senate of the State of Mississippi a corresponding management committee with like duties and responsibilities of the House Management Committee, the House Management Committee is authorized to meet jointly with such corresponding Senate Management Committee in order to more effectively carry out the provisions of this rule.

DUTIES OF THE CLERK

12. When a bill has passed, it shall be certified by the Clerk, who shall note thereon the day it passes.

13. He shall stand while reading papers to the House, he shall attest all writs, warrants and subpoenas issued by order of the House.

14. The Clerk of the House of Representatives shall keep a correct Journal of the proceedings of the House, and, on each day, shall read over the Journal of the preceding day to the House. He shall number, file and preserve in its proper order, each bill, resolution, memorial, or other paper introduced in the House, and carefully engross and enroll all bills, resolutions, memorials and other papers that may be ordered to be engrossed or enrolled; and shall promptly and faithfully discharge all the duties incident to the House, provide for control of employees of the House under Speaker, provide for pay of members, employees, and control pages and porters. (Statutory)

15. Pages shall be appointed to serve for one (1) week at a time each, under the control and direction of the Clerk of the House, provided, however, that only persons over the age of twelve (12) years shall be eligible to serve as pages.

16. The Sergeant at Arms of the House of Representatives shall give a general supervision, under the direction of the Speaker of the House, attend the sittings thereof, preserve order, execute its commands and all processes issued by its authority; and shall have control of the doorkeepers and servants of the House, not including stenographers, pages, etc. He shall clear

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 any areas of the New
382 Capitol Building that are assigned to the House of Representatives
383 and under the jurisdiction of the House Management Committee,
384 except as may be authorized in designated smoking areas under the
385 provisions of Section 29-5-161, Mississippi Code of 1972. For the

386 purposes of this rule, the "person, agency, or entity having
387 jurisdiction or supervision over a state office building," as
388 referred to in Section 29-5-161, shall mean the House Management
389 Committee and the areas of the New Capitol Building that are
390 assigned to the House of Representatives and under the
391 jurisdiction of the Management Committee. As used in this rule,
392 "smoking" means to inhale, exhale, burn, carry or otherwise
393 possess any lighted cigarette, cigar, pipe or any other object or
394 device of any form that contains lighted tobacco or any other
395 smoking product. The Sergeant at Arms shall enforce the
396 provisions of this rule.

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

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

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

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

417 23. No member shall speak more than ten (10) minutes on any
418 main question, or five (5) minutes on an amendment, without leave

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

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

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

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

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

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

448 ON MOTIONS, THEIR PRECEDENCE, ETC.

449 29. A motion to adjourn shall always be in order except when
450 operating under the previous question, but a motion to adjourn

451 being lost, shall not be renewed until some business has
452 intervened.

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

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

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

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

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

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

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

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

482 A majority vote of the members voting is required for the
483 adoption of the motion to postpone indefinitely. The adoption of

484 a motion to postpone indefinitely shall be treated as a vote on
485 the final passage of a measure and shall be subject to
486 reconsideration as such.

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

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

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

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

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

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

SUSPENSION OF RULES

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

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

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

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

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

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

MOTION TO REFER

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

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

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

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

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

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

A standing committee

A select committee

Committee of the Whole

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

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

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

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

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

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

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

599 READING OF BILLS

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

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

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

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

612 (1) Senate messages.

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

615 (3) House bills on second reading.

616 REGULAR ORDER

617 54. The regular order shall be:

618 (1) Report of select committees.

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

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

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

623 (5) Introduction of guests and visitors.

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

625 provided that nothing shall be considered under this section

626 except propositions actually pending before the House at the time

627 of adjournment on said previous day.

628 (7) Consideration of conference reports.

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

632 Provided, however, only two (2) motions for the three (3) courses

633 are in order: (a) agree, or (b) recommit to the same or another

634 conference committee with or without instructions. If both

635 motions are offered, the motion to recommit shall take precedence.

636 A conference report must be acted on as a whole and dealt

637 with in its entirety.

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

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

643 (8) Consideration of bills for concurrence.

644 When Senate amendments to a House bill are before the body,

645 they shall be either concurred in or not concurred in their

646 entirety and not separately. The motion that the House do not

647 concur in Senate amendments but invite conference shall take

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

653 (9) Consideration of motions to reconsider.

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

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

657 ORDER OF BUSINESS

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

662 COMMITTEE OF THE WHOLE

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

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

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

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

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

692 STANDING COMMITTEES

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

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

697 (b) Management Committee, as provided for in Rule
698 11A of these rules;

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

701	(d) Committee	Number of Members
702	Agriculture	33
703	Appropriations	33
704	Banks and Banking	15
705	Conservation and Water Resources	29
706	Constitution	15
707	Corrections	17
708	County Affairs	19
709	Education	31
710	Elections	17
711	Fees and Salaries of Public Officers	15
712	Forestry	11
713	Gaming	15

714	Insurance	17
715	Interstate Cooperation	7
716	Judiciary	50
717	Juvenile Justice	25
718	Labor	11
719	Local and Private Legislation	7
720	Marine Resources	11
721	Medicaid	15
722	Military Affairs	11
723	Municipalities	17
724	Oil, Gas and Other Minerals	17
725	Ports, Harbors and Airports	11
726	Public Health and Welfare	29
727	Public Property	19
728	Public Utilities	17
729	Tourism	11
730	Transportation	29
731	Universities and Colleges	21
732	Ways and Means	33
733	Wildlife, Fisheries and Parks	15

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

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

747 continuous, uninterrupted service in the House; second,
748 continuous, uninterrupted service in the House and Senate; third,
749 interrupted service in the House; and fourth, interrupted service
750 in the House and Senate.

751 (4) In order for a member to be eligible for the rights
752 accorded by this subsection (4), a member shall submit a list of
753 his or her committee preferences, setting forth at least ten (10)
754 committees in order of preference with the most preferred being
755 first on the list, to the Clerk of the House by 5:00 p.m. on the
756 third calendar day of the first legislative session immediately
757 following the year in which the members of the Legislature are
758 elected. With regard to committee appointments, the following
759 shall be followed by the Speaker of the House in making such
760 appointments:

761 (a) Each member of the House who has served in the
762 House for less than four (4) years, 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 two (2) of the first seven (7) committees on such list, not
767 to include Appropriations and Ways and Means; and

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

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

778 61. The first member named on a committee shall be its
779 chairman and the second member named shall be its vice chairman.

780 However, from and after December 31, 1987, no member who serves as
781 chairman or vice chairman of a standing committee shall serve as
782 chairman or vice chairman of another standing committee. There
783 shall be no further rank on committees, the remaining members
784 being listed thereon in alphabetical order. Each committee shall,
785 after its organization, immediately determine by a majority vote
786 what shall constitute a sufficient quorum for it to proceed to
787 business, which quorum shall be not less than a majority of the
788 committee, and shall report said action to the Clerk of the House.

789 62. The Judiciary Committee shall be divided into two (2)
790 divisions to be known as "Division A" and "Division B." The
791 members of each division shall be selected by the Speaker of the
792 House and bills, resolutions and other measures, at the discretion
793 of the Speaker, may be referred to Judiciary en banc, in which
794 event the two (2) divisions shall sit as one (1) committee and be
795 presided over by the Chairman of Division A.

796 63. The chairman of each House committee shall keep a record
797 of meetings and attendance and shall make with his report each
798 time a statement showing the hour his committee met and the hour
799 it adjourned, together with the names of all the members of the
800 committee who were absent from the meeting, who had not been
801 previously excused by him or by the Speaker to attend to other
802 legislative duties.

803 ETHICS COMMITTEE

804 63A. As used in the context of this rule, the word
805 "committee" shall mean the Committee on Ethics of the House of
806 Representatives, and the phrase "majority of the committee" shall
807 mean a majority of the members to which the committee is entitled.

808 The committee shall consist of eight (8) members, one (1)
809 from each congressional district as constituted on January 1,
810 1996, and one (1) from each Supreme Court district, appointed by
811 the Speaker. The Speaker shall appoint from the members a
812 chairman, vice chairman and secretary for the committee.

813 The chairman shall notify all members of the committee at
814 least twenty-four (24) hours in advance of the date, time and
815 place of a meeting. Whenever the chairman shall refuse to call a
816 meeting, a majority of the committee may vote to call a meeting by
817 giving two (2) days' written notice to the Speaker of the House
818 setting forth the time and place for such meeting. Such notice
819 shall be posted in the office of the Clerk of the House, and if
820 such meeting is called while the Legislature is in session the
821 notice shall be read to the House. Thereafter, the meeting shall
822 be held at the time and place specified in such notice.

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

834 The committee shall receive complaints from any citizen
835 against members, officers and employees of the House alleging
836 improper or unethical conduct. Any such complaint must be in
837 writing signed by the person filing the complaint and acknowledged
838 by a notary public, and must set forth in detail the conduct in
839 question and the section of the Code of Ethics, other House Rule,
840 written policy of the House adopted by the Management Committee,
841 statute, or of the Constitution violated. The person against whom
842 the complaint has been brought shall be notified in writing and
843 given a copy of the complaint. Within fifteen (15) days after
844 receipt of the complaint, such person may file a written answer
845 thereto with the committee. Upon receipt of the answer, by vote

846 of a majority of the committee, the committee shall either dismiss
847 the complaint within ten (10) days or proceed with a formal
848 investigation, to include hearings, not less than ten (10) days
849 nor more than thirty (30) days after notice in writing to the
850 person so charged that the committee is proceeding with a formal
851 investigation. Personal service of such notice shall be made by
852 the Sergeant at Arms of the House of Representatives and a return
853 made thereon to the committee. Failure of the person charged to
854 file an answer shall not be deemed to be an admission or create an
855 inference or presumption that the complaint is true, and such
856 failure to file an answer shall not prohibit a majority of the
857 committee from either proceeding with a formal investigation or
858 dismissing the complaint.

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

879 not be deemed to be an admission or create an inference or
880 presumption that the charge is true, and such failure to file an
881 answer shall not prohibit a majority of the committee from either
882 proceeding with a formal investigation or dismissing the charge.

883 In the event that the committee desires to review the
884 statement of economic interest or any other statement filed with
885 the Mississippi Ethics Commission by any member, officer or
886 employee of the House, the commission shall furnish a certified
887 copy of the statement to the committee.

888 In the event that the committee shall elect to proceed with a
889 formal investigation of the conduct of any member, officer or
890 employee of the House, the committee may, in its discretion,
891 employ independent counsel who shall not be employed by the House
892 for any other purpose or in any other capacity during such
893 investigation.

894 Such person shall be entitled to present evidence,
895 cross-examine witnesses, face his accuser, and be represented by
896 counsel.

897 The chairman may continue any hearing for reasonable cause,
898 and upon the vote of a majority of the committee or upon the
899 request of any person subject to investigation, the chairman shall
900 issue subpoenas for the attendance and testimony of witnesses and
901 the production of documentary evidence relating to any matter
902 under formal investigation by the committee.

903 All testimony, documents, records, data, statements or
904 information received by the committee in the course of any
905 investigation shall be private and confidential, except in the
906 case of public hearings or in a report to the House. The
907 committee may release any confidential information, including a
908 report thereon, regarding any member, officer or employee at the
909 request of such member, officer or employee. No report shall be
910 made to the House unless a majority of the committee has made a
911 finding of unethical or improper conduct on the part of the person

912 under investigation. No finding of unethical or improper conduct
913 shall be valid unless signed by at least a majority of the
914 committee. Any such report may include a minority report. No
915 action shall be taken on any finding of improper or unethical
916 conduct nor shall such finding or report containing such finding
917 be made public sooner than seven (7) days after a copy of the
918 finding is sent by certified mail to the member, officer or
919 employee under investigation.

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

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

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

939 Any member of the committee breaching the confidentiality of
940 materials and events as set forth in this rule shall, by a
941 majority vote of the committee, be removed immediately from the
942 committee and replaced by another member of the House in a like
943 manner as said member's original appointment.

944 Any officer or employee of the House shall be subject to the
945 same restriction of confidentiality as a member of the committee,
946 and a breach of this restriction shall be grounds for dismissal of
947 any officer or employee.

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

951 The committee shall continue to exist and have authority and
952 power to function after the sine die adjournment of the
953 Legislature, and shall so continue until the expiration of the
954 then current term of office of the members of the committee.

955 CODE OF ETHICS

956 63B. In addition to the other rules of the House of
957 Representatives, and in supplement thereto, the following Code of
958 Ethics is established as a standard of conduct for members.

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

960 (a) Accept employment or engage in any business or
961 professional activity which will require him to disclose
962 confidential information which he has gained by reason of his
963 official position or authority;

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

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

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

974 (2) Each member of the House shall file the statement
975 of economic interest or any other statement required to be filed
976 by the Mississippi Ethics Commission which shall be signed under

977 oath as to the accuracy and completeness of the information set
978 forth to the best knowledge of the person submitting such
979 statement.

980 Required statements hereunder shall be filed with the
981 Mississippi Ethics Commission with such information as is required
982 by law. In the event of any substantial change occurring after
983 the time required for filing as to matters covered in this
984 section, a supplemental statement shall be filed within thirty
985 (30) days thereafter reflecting such new information.

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

990 (3) Any member who shall undertake to represent or to
991 intervene for any person for compensation before any state agency
992 shall file a statement with the Ethics Committee within thirty
993 (30) days after undertaking said representation. Such statement
994 shall identify the person represented and the nature of the
995 business involved; provided, however, that this provision shall
996 not apply: (a) where such representation involves only the
997 uncontested or routine actions of administrative officers or
998 employees of the state in issuing or renewing a license, charter,
999 certificate or similar document, and (b) where such representation
1000 is before the Mississippi Workers' Compensation Commission.

1001 (4) In addition to the filings required herein, copies
1002 of the statements required to be filed under this rule shall be
1003 filed with the Secretary of State. Such statements shall be open
1004 to the general public and shall be filed at the same time as
1005 filings required hereinabove.

1006 64. Appropriation and revenue bills shall, at regular
1007 sessions of the Legislature, have precedence over all other
1008 business and no such bill shall be passed during the last five (5)
1009 days of the session.

1010 65. It shall be the duty of the Committee on Engrossed and
1011 Enrolled Bills to examine all engrossed and enrolled bills,
1012 correct all mistakes therein, and report the bills to the House
1013 and this report shall be in order at any time.

1014 THE PREVIOUS QUESTION

1015 66. There shall be a motion for the previous question, which
1016 being ordered by a majority of members voting, if a quorum be
1017 present, shall have the effect to cut off all debate and bring the
1018 House to a direct vote upon the immediate question, or questions,
1019 on which it has been asked and ordered, except that each side
1020 shall be allowed ten (10) minutes on the main question and five
1021 (5) minutes on any subsidiary question for debate, the affirmative
1022 closing the debate. The previous question may be asked and
1023 ordered upon a single motion, a series of motions allowable under
1024 the rules, or an amendment or amendments, or may be made to
1025 embrace all authorized motions or amendments and include the bill
1026 to its recommitment, passage or rejection. It shall be in order
1027 after the previous question shall have been ordered on its
1028 passage, for the Speaker to entertain and submit a motion without
1029 debate to recommit, with or without instruction, to a standing or
1030 select committee. Provided, however, a motion to reconsider the
1031 vote whereby an amendment has been adopted or rejected shall not
1032 be in order after the previous question has been ordered.

1033 67. If the previous question is lost, the motion may not be
1034 renewed until a subsequent vote has been taken on any matter.

1035 68. All incidental questions of order arising after a motion
1036 is made for the previous question, and pending such motion, shall
1037 be decided, whether an appeal or otherwise, without debate.

1038 ON CALLS OF THE ROLL

1039 69. Upon every roll call the names of the members shall be
1040 called alphabetically by surname, except when two (2) or more have
1041 the same surname, in which case the name of the county shall be
1042 added; and if there be two (2) such members from the same county,

1043 the name and initials shall be called, and after the roll has been
1044 once called, the Clerk shall call in their alphabetical order the
1045 names of those not voting; and thereafter the Speaker shall not
1046 entertain a request to record a vote or announce a pair; and the
1047 yeas and nays on any question shall be entered on the Journal, at
1048 the request of one-tenth (1/10) of the members present; and the
1049 yeas and nays shall be entered on the Journal on the final passage
1050 of every bill.

1051 ABSENCE OF QUORUM

1052 70. In the absence of a quorum, fifteen (15) members,
1053 including the Speaker, if there is one, shall be authorized to
1054 compel the attendance of absent members, and in all calls of the
1055 House the doors shall be closed, the names of the members shall be
1056 called by the Clerk, and the absentees noted; and those for whom
1057 no sufficient excuse is made may, by order of a majority of those
1058 present, be sent for and arrested, wherever they may be found, by
1059 officers appointed by the Sergeant at Arms for that purpose, and
1060 their attendance secured and retained; and the House shall
1061 determine upon what condition they shall be discharged. Members
1062 who voluntarily appear shall, unless the House otherwise direct,
1063 be immediately admitted to the Hall of the House, and they shall
1064 report their names to the Clerk to be entered upon the Journal as
1065 present.

1066 71. On the demand of any member, or at the suggestion of the
1067 Speaker, the names of members sufficient to make a quorum in the
1068 Hall of the House who do not vote shall be noted by the Clerk and
1069 recorded in the Journal, and reported to the Speaker with the
1070 names of the members voting and be counted and announced in
1071 determining the presence of a quorum to do business.

1072 72. Whenever a quorum fails to vote on any question and a
1073 quorum is not present and objection is made for that cause, unless
1074 the House shall adjourn there shall be a call of the House, and
1075 the Sergeant at Arms shall forthwith proceed to bring absent

1076 members, and the yeas and nays on the pending question shall at
1077 the same time be considered as ordered.

1078 The Clerk shall call the roll, and each member as he answers
1079 to his name may vote on the pending question, and, after the roll
1080 call is completed, each member arrested shall be brought by the
1081 Sergeant at Arms before the House, whereupon he shall be noted as
1082 present, discharged from arrest, and given an opportunity to vote
1083 and his vote shall be recorded. If those voting on the question
1084 and those who are present and decline to vote shall together make
1085 a majority of the House, the Speaker shall declare that a quorum
1086 is constituted, and the pending question shall be decided as the
1087 majority of those voting shall appear; and thereupon further
1088 proceedings under the call shall be considered as dispensed with.
1089 At any time after the roll call has been completed, the Speaker
1090 may entertain a motion to adjourn, if seconded by a majority of
1091 those present, to be ascertained by actual count by the Speaker;
1092 and if the House adjourns, all proceedings under this section
1093 shall be vacated.

1094 DIVISION OF QUESTION

1095 73. On demand of any member, before the question is put, a
1096 question shall be divided if it include propositions so distinct
1097 in substance, that one being taken away, a substantive proposition
1098 shall remain.

1099 74. Questions of privilege shall be:

1100 First, those affecting the rights of the House collectively,
1101 its safety, dignity and the integrity of its proceedings.

1102 Second, the rights, reputation and conduct of members
1103 individually in their representative capacity only; and shall have
1104 precedence of all other questions except motions to adjourn.

1105 HOURS OF MEETING AND ADJOURNMENT

1106 75. Two o'clock in the afternoon shall be the standing hour
1107 to which the House shall adjourn.

1108 76. The hour at which every motion to adjourn is made shall
1109 be entered on the Journal.

1110 77. The regular hour for committee meetings shall be at 9:00
1111 o'clock a.m., unless otherwise ordered by the committee and it
1112 shall be the duty of the Rules Committee to prescribe a schedule
1113 for regular meetings of standing committees.

1114 78. Every bill or resolution, when favorably reported by the
1115 proper committee, shall be reproduced with sufficient copies so
1116 that copies thereof may be placed on the desk of every member
1117 before any such bill or resolution shall be placed on final
1118 passage. No bill or resolution shall be considered by the House
1119 unless members have been furnished copies thereof, except by
1120 unanimous consent. When a bill or resolution is being considered
1121 by the House, all amendments offered have been disposed of, and
1122 two (2) or more major amendments have been adopted, any member may
1123 move that the bill be engrossed. If such motion be adopted by a
1124 majority of those present and voting, further consideration of
1125 such bill or resolution shall be suspended until the bill or
1126 resolution has been engrossed and all members present have been
1127 furnished copies of the engrossed bill or resolution. When the
1128 membership shall have been furnished copies of the engrossed bill
1129 or resolution, the bill or resolution shall then become pending
1130 business of the House as soon as the main question then under
1131 consideration shall have been disposed of. The committee or any
1132 member proposing a substitute or an amendment which is, in effect,
1133 a substitute for an entire bill or resolution, shall provide all
1134 members present copies of any such substitute or amendment before
1135 the same shall be voted on for consideration or adoption except on
1136 suspension of the rules.

1137 79. When a bill, memorial or resolution has been finally
1138 rejected in the House, it shall not again be introduced or
1139 considered during the same session without notice of three (3)
1140 days and leave of two-thirds (2/3) of the members present and

1141 voting, and a bill so offered for reintroduction shall be regarded
1142 as the same, if it deals substantially with the same subject
1143 matter.

1144 SPECIAL ORDER

1145 80. Special orders of the day not disposed of on the day
1146 assigned, shall stand for every succeeding day, until disposed of.

1147 81. (1) A motion to postpone to a day certain shall require
1148 a majority of those present and voting for its adoption, but a
1149 motion to postpone to a time certain shall be deemed, and treated
1150 as, a motion to set as a special order. (2) A motion to set a
1151 special order may be amended as to time. It is debatable only as
1152 to the question of setting the special order and does not open up
1153 the main question to debate. (3) A motion to set a special order
1154 shall require a two-thirds (2/3) vote of those members present and
1155 voting. (4) When special orders that have been made at different
1156 times come into conflict, the one that was first made takes
1157 precedence over all special orders made afterwards, although the
1158 latter were made for an earlier hour.

1159 CALENDARS

1160 82. Bills reported by committees shall be given a serial
1161 number by the Clerk and shall be placed on the calendar in the
1162 order in which reported by the committee and shall be called for
1163 consideration in that order. When a bill is called for
1164 consideration in the order in which placed on the calendar and is
1165 not considered by the House, it shall go to the heel of the
1166 calendar; provided, however, that separate calendars shall be kept
1167 for the bills reported by the Committees on Ways and Means,
1168 Appropriations, and Local and Private Legislation.

1169 83. Any committee or individual member of the House may
1170 apply to the Committee on Rules to set a time for the taking up,
1171 ahead of its regular place on the calendar, of any measure
1172 favorably reported by the committee to which the measure has been
1173 referred. The Committee on Rules may grant such request by a

1174 majority vote. The Committee on Rules may designate a day of each
1175 legislative week as a noncontroversial bill day. When such a day
1176 be designated, all bills appearing on the calendar shall be
1177 considered in their regular order provided, however, that should
1178 ten percent (10%) of the membership object to any measure on the
1179 noncontroversial calendar stating that it is of a controversial
1180 nature, that measure shall go to the heel of the General House
1181 Calendar.

1182 84. The calendar shall be made up from day to day.

1183 MINORITY REPORT

1184 85. Bills adversely reported by the committees shall not be
1185 placed on the calendar at all unless accompanied by a minority
1186 report signed by one or more members who were present at the
1187 committee meeting at which the bill was reported. Minority
1188 reports must be filed within three (3) legislative days after the
1189 bill has been reported by the committee; a minority report shall
1190 be placed on the calendar at the heel of favorably reported bills
1191 and shall not be considered until all favorably reported bills are
1192 disposed of, except on a suspension of the rules on a two-thirds
1193 (2/3) vote of those elected to the House and on roll call,
1194 whereupon, the House may proceed immediately to the consideration
1195 thereof.

1196 86. Matters affecting the public interest and regarded as of
1197 immediate necessity may be advanced on the calendar by the Rules
1198 Committee, and such matters may also be advanced on the calendar
1199 by a vote of a majority of the members elected to the House of
1200 Representatives.

1201 RULES

1202 87. The permanent Rules of the House may not be changed or
1203 amended except by three (3) days' notice by a motion entered in
1204 writing and placed on the Journal and by a vote of three-fifths
1205 (3/5) of those present and voting, except that no rule shall be
1206 changed or amended unless at least a majority of the elected

1207 members of the House of Representatives vote for said change or
1208 amendment.

1209 Provided, however, the rules, or a rule, may be amended or
1210 changed by a resolution referred to the Rules Committee, reported
1211 favorably, and adopted by a majority of the elected members of the
1212 House of Representatives, and such resolutions, once reported,
1213 shall not be amended except by a three-fifths (3/5) vote of the
1214 elected members of the House of Representatives.

1215 A motion to reconsider the vote whereby a rule has been
1216 adopted or failed shall not be in order at any time.

1217 88. The current Rules of the House of Representatives of the
1218 United States shall govern in all cases to which they are
1219 applicable and in which they are not inconsistent with the
1220 foregoing rules, the Joint Rules of the Senate and the House of
1221 Representatives, and the Constitution of the State of Mississippi.

1222 89. No person shall be entitled to enter upon the floor of
1223 the House except: Members, their spouses, former members of the
1224 Legislature, unless said former member is a registered lobbyist,
1225 officers and employees of the House; members, officers and
1226 employees of the Senate; members of the news media who have proper
1227 credentials issued by the Rules Committee; ministers invited by
1228 the Speaker or the Clerk; and such others as the Committee on
1229 Rules may designate.

1230 Doors between the lobby and the cloak room, and the door
1231 between the lobby and the Hall of the House shall be kept closed.
1232 Visitors invited and personally accompanied by members are
1233 permitted in the lobby. The Speaker is charged with the
1234 enforcement of this rule, and it shall be the duty of any member,
1235 officer or employee of the House to inform the Speaker of any
1236 violation of this rule. This rule is applicable from one (1) hour
1237 before the House convenes each day until the House adjourns each
1238 day.

1239 90. Privilege of reports from Committee on Rules, and
1240 limitations thereon.

1241 It shall always be in order to call up for consideration a
1242 report from the Committee on Rules (except it shall not be called
1243 up for consideration on the same day it is presented to the House,
1244 unless so determined by a vote of not less than two-thirds (2/3)
1245 of the members voting, but this provision shall not apply during
1246 the last days of the session), and, pending the consideration
1247 thereof, the Speaker may entertain one (1) motion that the House
1248 adjourn; but after the result is announced he shall not entertain
1249 any other dilatory motion until the said report shall have been
1250 fully disposed of.

1251 91. No committee, except the Committee on Rules, shall sit
1252 during the sitting of the House, without special leave.

1253 INTRODUCTION OF BILLS

1254 92. Each member, who desires to introduce a bill shall place
1255 same in box in front of the Clerk's desk at any hour to suit his
1256 convenience, and the Clerk is instructed to take these out at each
1257 session when the order for introduction of bills and
1258 constitutional amendments is reached, and read their titles, and
1259 after the expiration of one (1) legislative day the Speaker shall
1260 refer them to the proper committees; provided, however, that this
1261 shall not prevent the immediate references of said bills or
1262 constitutional amendments under a suspension of the rules.

1263 93. All bills and resolutions must be typewritten or
1264 printed. Bills and resolutions must be introduced in original
1265 form (not carbon, photocopy or facsimile) and should be free from
1266 interlineations, corrections and strikeouts, whether with ink,
1267 pencil or typewriter. Amendments proposed by members or by
1268 committees must not be written into a bill or resolution until
1269 such amendments shall be adopted by the House.

1270 94. In addition to any other time provided by law or by
1271 rule, members of the House may file bills or resolutions with the

1272 Clerk of the House at any time during the period between sessions
1273 of the Legislature. Such prefiled bills shall be numbered by the
1274 Clerk of the House and referred by the Speaker to the appropriate
1275 standing committee of the House for study. Such prefiled bills
1276 shall be introduced in the order filed on the first day of the
1277 next succeeding regular session of the Legislature, or special
1278 session if included within the Governor's call, and referred to
1279 committee in the regular order of business of the House.

1280 WITHDRAW FROM COMMITTEE

1281 95. (1) Except as otherwise provided in subsections (2),
1282 (3) and (4) of this rule, every House bill, resolution or measure
1283 referred to any committee, and not reported therefrom with a
1284 recommendation by the twenty-seventh day of a ninety-day session
1285 and by the sixty-second day of a one-hundred-twenty-five-day
1286 session, and every Senate bill, resolution or measure referred to
1287 any committee, and not reported therefrom by the fifty-fifth day
1288 of a ninety-day session and by the ninetieth day of a
1289 one-hundred-twenty-five-day session, may be withdrawn from said
1290 committee on a motion made in writing, which said motion must be
1291 read by the clerk immediately upon its introduction, setting forth
1292 the reasons why said bill should be withdrawn from the committee,
1293 by a vote of a majority of the members elected to the House. It
1294 may then be taken up and considered by the Committee of the Whole
1295 House in accordance with the procedure set forth in House Rule 56,
1296 or, by a majority vote of those present and voting it may be
1297 recommitted to a standing committee. Provided, that during
1298 extraordinary or special sessions of the Legislature, any bill,
1299 including an appropriation or revenue bill, may be withdrawn from
1300 committee after five (5) days from the date of reference. A
1301 motion to withdraw a bill from a committee shall not be voted upon
1302 by the House on the day which the motion is made, except upon
1303 suspension of the rules by a two-thirds (2/3) vote of those
1304 present and voting.

1305 (2) Any House appropriation bill or revenue bill
1306 referred to the House Appropriations Committee or the House Ways
1307 and Means Committee and not reported therefrom with a
1308 recommendation within ten (10) legislative days after referral may
1309 be withdrawn from the committee in accordance with the procedure
1310 set forth in subsection (1) of this rule if the motion for
1311 withdrawal is made by the fiftieth day of a ninety-day session and
1312 by the eighty-fifth day of a one-hundred-twenty-five-day session.

1313 (3) Any Senate appropriation bill or revenue bill
1314 referred to the House Appropriations Committee or the House Ways
1315 and Means Committee and not reported therefrom with a
1316 recommendation within ten (10) legislative days after referral may
1317 be withdrawn from the committee in accordance with the procedure
1318 set forth in subsection (1) of this rule if the motion for
1319 withdrawal is made by the seventieth day of a ninety-day session
1320 and by the one-hundred-fifth day of a one-hundred-twenty-five-day
1321 session.

1322 (4) For the purposes of this rule, the term 'revenue
1323 bill' shall include only those bills whose primary purpose is to
1324 increase or decrease taxes or to authorize the issuance of bonds
1325 or the borrowing of money. Bills which are primarily for
1326 regulatory purposes which have revenue provisions included shall
1327 not be considered as revenue bills for the purposes of this rule.

1328 BILLS SHALL LIE ON TABLE ONE DAY

1329 96. Every bill or resolution requiring the signature of the
1330 Governor, all resolutions proposing amendments to the
1331 Constitution, and all reports of committees except the report of
1332 the Committee on Rules, shall lie on the table one (1) day before
1333 being considered except by suspension of the rules.

1334 ROLL CALLS

1335 97. When taking the yeas and nays on any question to be
1336 voted upon, the electrical roll-call system may be used, and, when

1337 so used, shall have the same force and effect as a roll call taken
1338 as otherwise provided in the Rules of the House.

1339 When the House is ready to vote upon any question requiring a
1340 roll call and the vote is to be taken by the electrical roll-call
1341 system, the Speaker shall announce:

1342 "The question is on the passage of (designating the matter to
1343 be voted upon). All in favor of such question shall vote 'yea';
1344 all opposed shall vote 'nay.' The House will now proceed to vote."

1345 When sufficient time has been allowed the members to vote,
1346 the Speaker shall announce: "Have all voted?" And after a short
1347 pause, the Speaker shall direct the Clerk to lock the machine and
1348 record the vote.

1349 The Clerk shall immediately start the vote-recording
1350 equipment and, when the vote is completely recorded, shall advise
1351 the Speaker of the result, and the Speaker shall announce the
1352 result to the House. The Clerk shall enter upon the Journal the
1353 result in the manner provided by the Rules of the House.

1354 After the voting machine has been locked, but prior to the
1355 display of the tabulated vote on the electric voting board of the
1356 result of a roll call, any member may request to (1) change his
1357 vote, or (2) vote. After the vote has been tabulated and
1358 displayed on the electric voting board, a member with unanimous
1359 consent may change his vote on the measure, except that no such
1360 change of vote shall be permitted where such vote would alter the
1361 final vote on the measure.

1362 No member shall vote for another member, nor shall any person
1363 not a member cast a vote for a member. In addition to such
1364 penalties as may be prescribed by law, any member who shall vote
1365 or attempt to vote for another member may be punished in such a
1366 manner as the House may determine. If a person not a member shall
1367 vote or attempt to vote for any member, he shall be barred from
1368 the floor of the House for the remainder of the session and may be

1369 punished further in such manner as the House may deem proper, in
1370 addition to such punishment as may be prescribed by law.

1371 98. Neither the Speaker nor the House exercises jurisdiction
1372 over pairs, and the only cognizance of them taken by the rules is
1373 the provision for the announcement and publication.

1374 99. No member shall be permitted to give an oral
1375 explanation of his vote but may reduce his explanation to writing
1376 in not more than one hundred (100) words, and upon filing with the
1377 Clerk, this explanation shall be spread on the Journal.

1378 MOTION TO RECONSIDER

1379 100. Any member voting on any measure, shall be privileged
1380 to enter a motion to reconsider the vote whereby the measure is
1381 disposed of, at any time within the period prescribed by the rules
1382 of this House.

1383 101. A motion to reconsider having been properly made and
1384 entered in the Journal shall become the property of the House and
1385 may be called up by any member of the House.

1386 When a measure requires more than a majority vote for passage
1387 it may still be reconsidered by a majority vote.

1388 102. When a bill is read the third time in regular order,
1389 and not under suspension of the rules, it shall be considered
1390 engrossed and the House on the next or any succeeding legislative
1391 day may proceed to a vote on its final passage in the same manner
1392 as if the rules had been suspended for its consideration.

1393 PASSAGE OVER VETO

1394 103. (1) Upon return of a bill without the approval of the
1395 Governor accompanied by the Governor's objections to the bill, the
1396 House shall proceed to reconsider the bill by either an immediate
1397 vote on the motion for passage, a Governor's veto notwithstanding,
1398 or by referral to the committee which originally recommended said
1399 bill. The manner of reconsideration shall be determined, upon
1400 proper motion, by majority vote of those present. Should the bill
1401 be reconsidered by referral to the committee of origin, said

1402 committee shall report, with written recommendations, to the full
1403 House not more than three (3) legislative days from the referral
1404 of the bill in question. At the time of the report of such
1405 committee only two (2) courses shall be open:

1406 (a) Allow Governor's veto to stand.

1407 (b) Override Governor's veto.

1408 Only one (1) motion for the two (2) courses shall be in order
1409 and that is the motion for passage, a Governor's veto
1410 notwithstanding. Said motion, while not mandatory, shall be in
1411 order at any time on the same legislative day that the report of
1412 the committee is made but shall not be in order thereafter.

1413 (2) Upon calling up a bill for reconsideration and
1414 passage, a Governor's veto notwithstanding, the question before
1415 the House is not of reconsideration but that of overriding the
1416 Governor's veto.

1417 (3) A two-thirds (2/3) vote of those members present
1418 and voting, a quorum being present, is required to pass a bill
1419 over a Governor's veto.

1420 (4) A motion to reconsider the vote by which a vetoed
1421 bill is passed or rejected is not in order.

1422 104. The space immediately below the Clerk's desk shall be
1423 set aside to accommodate representatives of the press, radio and
1424 television media wishing to report proceedings and such
1425 representatives shall be admitted to such area under such
1426 regulations as the Rules Committee may from time to time
1427 prescribe. The supervision of such portion of the floor shall be
1428 fixed in the Committee on Rules.

1429 (a) The correspondents shall abide by such rules and
1430 regulations as may be adopted by the Rules Committee.

1431 (b) The press table allotted to representatives of the
1432 news media shall be for their exclusive use and persons not
1433 holding correspondents' cards shall not be entitled to admission
1434 thereto.

1435 OPEN MEETINGS

1436 104A. All official meetings of any standing, interim or
1437 special committee of the House of Representatives, but not
1438 including conference committees, unless otherwise provided by this
1439 rule or the Constitution of the United States or the State of
1440 Mississippi, are declared to be public meetings and shall be open
1441 to the public at all times unless declared an executive session as
1442 provided herein. Any such House committee may enter into
1443 executive session for the transaction of public business;
1444 provided, however, all meetings of any such committee shall
1445 commence as an open meeting, and an affirmative vote of a majority
1446 of all members present shall be required to declare an executive
1447 session. The procedure to be followed by such committee in
1448 declaring an executive session shall be as follows: Any member
1449 shall have the right to require a closed determination upon the
1450 issue of whether or not to declare an executive session. Such
1451 member, by motion, shall require the meeting to be closed for a
1452 preliminary determination of the necessity for executive session.
1453 No other business shall be transacted until the discussion of the
1454 nature of the matter requiring executive session has been
1455 completed and a vote taken on the issue. The total vote on the
1456 question of entering into an executive session shall be recorded
1457 and spread upon the minutes of such committee. Any such vote
1458 whereby executive session is declared shall be applicable only to
1459 that particular meeting.

1460 Any such House committee may make and enforce reasonable
1461 rules and regulations for the conduct of persons attending its
1462 meetings.

1463 Minutes shall be kept of all House committees, in open or
1464 executive session, and shall consist of a written record of
1465 attendance and final actions taken at such meetings. Such minutes
1466 shall be open to public inspection during regular business hours
1467 within a reasonable time after adjournment.

1468 During a regular or special session of the Legislature,
1469 notice of meetings of all House committees, other than conference
1470 committees, shall be given by announcement on the loudspeaker
1471 during sessions of the House or by posting on a bulletin board
1472 provided for that purpose.

1473 When not in session, the meeting times and places of all
1474 House committees shall be kept by the Clerk of the House of
1475 Representatives and shall be available at all times during regular
1476 working hours to the public and news media.

1477 CONSTITUTIONAL PROVISIONS

1478 105. Neither house shall, without the consent of the other,
1479 adjourn for more than three (3) days, nor to any other place than
1480 that in which the two (2) houses shall be sitting (Art. 4, Sec.
1481 57, Constitution).

1482 106. No law shall be revived or amended by reference to its
1483 title only, but the section or sections, as amended or revived,
1484 shall be inserted at length. (Art. 4, Sec. 61, Constitution).

1485 107. No appropriation bill shall be passed by the
1486 Legislature which does not fix definitely the maximum sum thereby
1487 authorized to be drawn from the Treasury. (Art. 4, Sec. 63,
1488 Constitution).

1489 108. All votes on the final passage of any measure shall be
1490 subject to reconsideration for at least one (1) whole legislative
1491 day, and no motion to reconsider such vote shall be disposed of
1492 adversely on the day on which the original vote was taken, except
1493 on the last day of the session. (Art. 4, Sec. 65, Constitution).

1494 109. No new bill shall be introduced into either house of
1495 the Legislature during the last three (3) days of the session.
1496 (Art. 4, Sec. 67, Constitution).

1497 110. No law granting a gratuity or donation in favor of any
1498 person or object shall be enacted except by the concurrence of
1499 two-thirds (2/3) of the members-elect of each branch of the

1500 Legislature, nor by any vote for a sectarian purpose or use. (Art.
1501 4, Sec. 66, Constitution).

1502 111. General appropriation bills shall contain only the
1503 appropriations to defray the ordinary expenses of the executive,
1504 legislative and judicial departments of the government; to pay
1505 interest on state bonds and to support the common schools. All
1506 other appropriations shall be made by separate bills, each
1507 embracing but one (1) subject. Legislation shall not be engrafted
1508 on appropriation bills, but the same may prescribe the conditions
1509 on which the money may be drawn, and for what purposes paid. (Art.
1510 4, Sec. 69, Constitution).

1511 112. No revenue bill, or any bill providing for assessments
1512 of property for taxation, shall become a law except by a vote of
1513 at least three-fifths (3/5) of the members of each house present
1514 and voting. (Art. 4, Sec. 70, Constitution).

1515 113. Every bill introduced into the Legislature shall have a
1516 title, and the title ought to indicate clearly the subject matter
1517 or matters of the proposed legislation. Each committee to which a
1518 bill may be referred shall express, in writing, its judgment of
1519 the sufficiency of the title of the bill, and this, too, whether
1520 the recommendation be that the bill do pass or do not pass. (Art.
1521 4, Sec. 71, Constitution).

1522 114. No bill shall become a law until it shall have been
1523 referred to a committee of each house and returned therefrom with
1524 a recommendation in writing. (Art. 4, Sec. 74, Constitution).

1525 115. No bill passed after the adoption of this Constitution
1526 to make appropriations of money out of the State Treasury shall
1527 continue in force more than two (2) months after the expiration of
1528 the fiscal year ending after the meeting of the Legislature at its
1529 next regular session; nor shall such bill be passed except by the
1530 votes of a majority of all the members elected to each house of
1531 the Legislature. (Art. 4, Sec. 64, Constitution).

1532 116. There shall be appointed in each house of the
1533 Legislature a standing committee on Local and Private Legislation;
1534 the House committee to consist of seven (7) Representatives, and
1535 the Senate committee of five (5) Senators. No local or private
1536 bill shall be passed in either house until it shall have been
1537 referred to said committee thereof, and shall have been reported
1538 back with a recommendation in writing that it do pass, stating
1539 affirmatively the reasons therefor, and why the end to be
1540 accomplished should not be reached by a general law, or by a
1541 proceeding in court; or if the recommendation of the committee be
1542 that the bill do not pass, then it shall not pass the house to
1543 which it is so reported unless it be voted by a majority of all
1544 the members elected thereto. If a bill is passed in conformity to
1545 the requirements hereof, other than such as are prohibited in the
1546 next section, the courts shall not, because of its local, special,
1547 or private nature, refuse to enforce it. (Art. 4, Sec. 89,
1548 Constitution).