

## Senate Resolution 1EX

By: Senators Williams of the 19th, Balfour of the 9th, Seabaugh of the 28th and Rogers of the 21st

## A RESOLUTION

1 Amending the Rules of the Senate; and for other purposes.

2 BE IT RESOLVED BY THE SENATE that the Rules of the Senate as in effect at the  
3 conclusion of the 2011 Regular Session of the General Assembly are adopted as the Rules  
4 of the Senate for the current 2011 Special Session of the General Assembly and any  
5 subsequent 2011 Special Session with the following amendments, which amendments shall  
6 be repealed immediately prior to the convening of the 2012 Regular Session of the General  
7 Assembly:

8 **SECTION 1.**

9 The Rules of the Senate are amended by revising Rule 2-8.4 as follows:

10 **"2-8.4 Time Limit; Discharge; Appointment of New Members**

11 After a Committee of Conference has been in existence for ~~five (5) days~~ twenty-four (24)  
12 hours and has failed to make a report to the Senate on the question under consideration, the  
13 President of the Senate may discharge the Senate conferees and appoint new conferees or,  
14 after forty-eight (48) hours, the Senate, on motion and by a majority vote of all members  
15 elected to the Senate, may discharge the Senate conferees and the President of the Senate  
16 shall appoint new conferees; ~~instruct said Senate conferees, or make any other motion not~~  
17 ~~contrary to the Rules of the Senate. Provided, that during the last five (5) days of the~~  
18 ~~session, the above motions may be made and passed at any time, but not more often than~~  
19 ~~every twenty-four hours."~~

20 **SECTION 2.**

21 Said rules are further amended in Rule 3-1.2 by revising subsection (a) as follows:

22 "(a)(1) Except for bills providing for Senate, House, Congressional, or Public Service  
23 Commission districts, no ~~No~~ bill or resolution requiring the concurring vote of the House  
24 for passage shall be introduced unless the same shall have been filed in the office of the  
25 Secretary before 4:00 p.m. on the previous day.  
26 (2) On the first day of a special session, a bill or resolution requiring the concurring vote  
27 of the House of Representatives for passage may be introduced if it has been filed with

28 the Secretary prior to the time for first reading and reference of senate bills and  
 29 resolutions in the order of business."

30 **SECTION 3.**

31 Said rules are further amended by revising Rule 4-2.6 as follows:

32 **"4-2.6 Order for Second (2nd) Reading; ~~Second Reading After the 35th Day~~**

33 ~~Any general bill or resolution shall be automatically passed to a second reading~~ Every  
 34 general bill and resolution shall be read a second time on the same legislative day following  
 35 the day that the bill or resolution is reported by the committee to which it was referred.  
 36 ~~Except that after the thirty-fifth (35th) day of any regular session, every bill and resolution~~  
 37 ~~shall be read a second time on the same legislative day that the bill or resolution is reported~~  
 38 ~~by the committee to which it was referred. No debate shall be admitted upon any bill at the~~  
 39 ~~first or second reading."~~

40 **SECTION 4.**

41 Said rules are further amended in Rule 4-2.10 by revising subsection (b) as follows:

42 "(b) The Committee on Rules shall arrange and fix the calendar for each day's business  
 43 for the last thirty-five (35) days of each regular session of the General Assembly and for  
 44 each day after the first day of any 2011 special session of the General Assembly. Such  
 45 calendar shall be a standing and continuing special order during said period. No matter  
 46 shall be taken up or acted on otherwise than in the order and manner fixed by such  
 47 calendar, except by a three-fourths vote of those voting, provided such three-fourths  
 48 constitutes a majority of the members elected to the Senate. This rule may not be  
 49 suspended by a two-thirds vote of the Senate."

50 **SECTION 5.**

51 Said rules are further amended by revising Rule 4-2.14 as follows:

52 **"4-2.14 Transmittal to the House**

53 No bill or resolution shall be transmitted to the House on the day of passage thereof unless  
 54 ~~two-thirds~~ a majority of the Senators voting, provided the total vote constitutes a quorum,  
 55 shall so order. Provided, during the last three legislative days of any regular session, any  
 56 bill, resolution, or other matter which requires action by the House shall be immediately  
 57 transmitted to the House by the Secretary of the Senate. The Secretary shall also  
 58 immediately transmit Senate Bills and Resolutions requiring House action on the thirtieth  
 59 (30th) legislative day after any notice to reconsider is disposed of."

60 **SECTION 6.**

61 Said rules are further amended in Rule 6-7.1 by revising subsection (c) as follows:

62 "(c) A notice of motion to reconsider a bill or resolution shall take precedence over a  
63 motion to transmit and shall have the effect of defeating the motion to transmit; except on  
64 the thirtieth (30th) day, ~~and~~ during the last three (3) days of any regular session, and during  
65 any 2011 special session, a Senator must give notice immediately of his or her intention to  
66 move to reconsider, and the President or the designee of the President shall set a time  
67 during the day when the motion will be entertained, so stating the time to the Senate; the  
68 time shall be at the discretion of the President or the designee of the President, but not less  
69 than ten minutes. If the Senate is considering any other business at the time the motion to  
70 reconsider has been set to be entertained, the motion will be taken up upon conclusion of  
71 that business."

72 **SECTION 7.**

73 Said rules are further amended by revising Rule 6-7.5 as follows:

74 **"6-7.5 Effect of Motion; Return to General Calendar**

75 All bills and resolutions reconsidered, whether originally passed or lost, shall take their  
76 place at the foot of the calendar of bills then in order for a third reading; ~~however, during~~  
77 ~~the last thirty-five (35) legislative days of each session, a reconsidered bill or resolution~~  
78 ~~which was passed or adopted shall take its place at the foot of the Rules Calendar, and a~~  
79 ~~reconsidered bill or resolution which was defeated shall be placed on the General~~  
80 ~~Calendar."~~

81 **SECTION 8.**

82 Said rules are further amended in Rule 7-1.6 by adding a new subsection (d) to read as  
83 follows:

84 "(d) During a special session, any proposed change to a bill providing for Senate, House,  
85 Congressional, or Public Service Commission districts offered by a Senator or Senators  
86 must be a complete plan including all districts in the state and shall be a substitute;  
87 provided, however, that any Senator or Senators offering a substitute to a bill shall have  
88 been allowed appropriate time, as determined by the President of the Senate, to have the  
89 same prepared by the Legislative and Congressional Reapportionment Office and the  
90 Office of Legislative Counsel. An appropriate map must accompany the plan and give  
91 accurate information and data for each district, including the district number, total district  
92 population, percentage deviation from ideal district population, black population as a  
93 percentage of the district population, black voting age population, and black voting age  
94 population as a percentage of district voting age population."

95 BE IT FURTHER RESOLVED that the amendments to the Senate Rules provided for in this  
96 resolution shall be effective only during any 2011 special session or special sessions of the  
97 General Assembly and not during the 2012 Regular Session of the General Assembly.

98 BE IT FURTHER RESOLVED that this resolution shall stand repealed immediately prior  
99 to the convening of the 2012 Regular Session of the General Assembly.