

RULES AND ORDERS OF THE SENATE.

Rule 1. The President shall take the chair every day at the hour to which the Senate shall have adjourned; shall call the Senate to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read and any mistakes made in the entries corrected. The reading of the Journal may be suspended by unanimous consent.

The following order of business shall be pursued:

ORDER OF BUSINESS.

1. Reading of the Journal.
2. Correction of the Journal.
3. Reports of Committees.

4. Introduction of Resolutions.
5. Introduction of Bills.
6. Consideration of Resolutions.
7. Messages from the Governor.
8. Messages from the House of Representatives.
9. Orders of the Day.
10. Consideration of Bills upon their Third Reading.
11. Consideration of Bills upon their Second Reading.
12. Miscellaneous Business.
13. Petitions and Memorials.

Rule 2. He shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal. He shall rise to put a question or to address the Senate, but may read sitting.

Rule 3. He shall declare all votes, but if a member rises to doubt a vote, the President shall order return of the number voting in the affirmative and negative without any further debate.

Rule 4. When any member shall require a question to be determined by yeas and nays, the President shall take the sense of the house in that manner, provided that any five of the members present are in favor of it.

Rule 5. When a question is under debate the President shall entertain no motion but to adjourn, to lay on the table, to postpone to day certain, to commit, to amend or to postpone indefinitely, which several motions shall have precedence in the order in which they stand arranged, and a motion to lay on the table and to adjourn shall be determined without debate, except a motion to adjourn to a time certain. Provided, however, that the introducer of a resolution, bill or motion shall be allowed to speak five minutes when he desires to discuss the same, or he may divide his time with, or may waive his right in favor of some other one member before a motion to lay on the table shall be put. When a substitute is offered and taken up for consideration, it shall be subject to amendment in the same manner as the original proposition; and the effect of rejection of the substitute, or of the substitute as amended, shall be to reinstate the original for consideration.

Rule 6. When two or more members rise at once, the President shall name the member who is to speak first.

Rule 7. The President may designate a member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

Rule 8. The President shall not recognize any member who shall address the chair from any position, except at his desk, if objection be made thereto. When a member has finished speaking, he shall sit down.

Rule 9. No member shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak, nor more than twice without obtaining leave of the house.

Rule 10. No member speaking shall be interrupted by another, but by rising up to call to order, or a question of privilege.

Rule 11. After a question is put to vote no member shall speak to it.

Rule 12. Every member presenting a petition, memorial or remonstrance, shall indorse his name thereon.

Rule 13. Every motion shall be received and considered, and shall be reduced to writing upon the request of any member.

Rule 14. When a vote has been passed, it shall be in order for any member voting in the majority to move a reconsideration thereof on the same or succeeding day, and such motion (except during the last seven calendar days of the session) shall be placed first in the orders of the day for the day succeeding that on which the motion is made, and when a motion for consideration is decided, that vote shall not be reconsidered.

Rule 15. A question containing two or more propositions capable of division, shall be divided whenever desired by any member. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall neither preclude amendment nor a motion to strike out and insert.

Rule 16. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the orders of the day after motions to reconsider have been disposed of.

Rule 17. The rules and proceedings of the Senate shall be observed, as far as they are practicable, in Committee of the Whole, excepting that a member may speak oftener

than twice on the same subject. In Committee of the Whole the previous question cannot be called, the yeas and nays required, nor can there be an appeal from the decision of the chair.

Rule 18. No member shall absent himself from the Senate without leave.

Rule 19. Whenever a question shall be taken by yeas and nays, the Secretary shall call the names of all the members in alphabetical order, except the President, whose name shall be called at the end of the roll call, and every member present shall answer to his name unless excused, and no member shall be permitted, under any circumstances, to vote after the decision is announced from the chair.

Rule 20. The following Standing Committees shall be appointed at the commencement of the first session, to-wit:

- A Committee on the Judiciary A.
- A Committee on the Judiciary B.
- A Committee on Education.
- A Committee on Finance and Taxation.
- A Committee on Claims.
- A Committee on Corporations.
- A Committee on County Organization.
- A Committee on Municipalities.
- A Committee on the Militia.
- A Committee on Legislative Expenses.
- A Committee on Agriculture and Forestry.
- A Committee on Public Printing.
- A Committee on Engrossed Bills.
- A Committee on Enrolled Bills.
- A Committee on Banking.
- A Committee on Railroads, Canals and Telegraphs.
- A Committee on Public Land and Drainage.
- A Committee on Privileges and Elections.
- A Committee on Appropriations.
- A Committee on Commerce and Navigation.
- A Committee on Immigration.
- A Committee on Public Health.
- A Committee on Constitutional Amendments.
- A Committee on Temperance.
- A Committee on Mining and Mineral Resources.
- A Committee on Game and Fisheries.
- A Committee on Organized Labor.

- A Committee on Public Roads and Highways.
- A Committee on Prisons and Convicts.
- A Committee on Pensions.
- A Committee on the Governor's Message.
- A Committee on Attaches.
- A Committee on Rules and Procedure.

Each of these committees shall consist of five members, except the two Judiciary Committees, which shall consist of nine members each.

The Senate shall not employ more than six persons to serve as Clerks to the several committees of the Senate. Such persons shall be selected by the Committee on Legislative Expenses, who shall report the same to the Senate for confirmation or rejection. The persons so selected shall be competent typewriters and shall also be experienced stenographers, and their duties shall be: First, to attend upon the several committees and perform such clerical service as may be necessary to be done; and, second, to perform such clerical work for the members of the Senate as may be in line with their official duties as distinguished from their private affairs: Provided, however, that extra clerks may be employed as they may be needed to assist the regular engrossing and enrolling Clerks. These Clerks shall be subject to the assignment, direction and control of the Committee on Legislative Expenses.

All application to the Senate for clerical aid to the Engrossing and Enrolling Committees shall be referred to the Committee on Legislative Expenses for investigation and report whether or not the proposed clerical aid is necessary for the dispatch of the public business, and if it is authorized the Chairman of the Committee shall, as soon as the appointment is made, certify the appointment and the name of the Clerk with the date of his entering upon his duties to the Chairman of the Committee on Legislative Expenses, and the compensation of such Clerk shall begin upon the date that such certificate is filed with the Chairman of the latter committee.

All expenses incurred by any special committee shall be certified with the items thereof, under oath to the Chairman of the Committee on Legislative Expenses, who shall keep on file all certificates made to him under this rule.

Rule 21. All committees shall be appointed by the President, unless otherwise specially directed by the Senate, and the person first named shall be Chairman, the person whose name is next in order on the committee list shall act as Chairman during the absence of the Chairman, and whenever a member of a committee shall be absent, and a substitute shall be appointed, the substitute shall hold the same rank in the committee as the member held for whom he is substituted. In all elections of committees by ballot the person having the highest number of votes shall act as Chairman.

Rule 22. No bill or joint resolution shall be introduced by a member without special leave, except under the regular order of business, and all bills and joint resolutions when so introduced shall be committed before they are passed to second reading.

Rule 23. Any bill or resolution shall be read in full at the request of any Senator, unless objection be made, when the question shall be determined by the Senate without debate.

Rule 24. No bill or joint resolution shall pass to be engrossed without two several readings on two separate days.

Rule 25. All bills and joint resolutions after a second reading shall be committed to the Standing Committee on Engrossed Bills, whose duty it shall be to strictly examine the same, and if found by them to be correctly engrossed, they shall so indorse on the same; Provided, That any bill or joint resolution which has passed second reading without amendment shall be placed on the Calendar of Bills on Third Reading without reference to said committee, unless the Senate shall order otherwise; and such bill or joint resolution shall be considered as engrossed.

Rule 26. No engrossed bills or joint resolutions shall be amended without the unanimous consent of the members present, and when so amended shall be re-engrossed unless it is otherwise ordered by the Senate, and shall not lose its place on the Calendar.

Rule 27. All bills and joint resolutions of a general nature shall be placed upon a calendar to be known as the General Calendar, and shall be taken up on their various readings only in regular order unless otherwise provided by the Committee on Rules and Procedure from

time to time by reports and approved by the Senate. All questions arising on such reports shall be decided without debate.

All bills and joint resolutions of a local nature shall be placed upon a separate calendar to be known as the Special Calendar, and shall be taken up on their various readings only in regular order at such times as may be from time to time designated by the Committee on Rules and Procedure.

Rule 28. All resolutions requiring the concurrence of the House of Representatives shall be read to the Senate and lie over one day before final action thereon, unless otherwise ordered by the Senate.

Rule 29. All orders or resolutions requiring information from the Governor, Cabinet Officers, or action of committee shall be read to the Senate and acted upon as in case of motions, and shall be spread upon the Journals of the Senate.

Rule 30. Message shall be sent to the House of Representatives by the Secretary, who shall previously indorse the final determination of the Senate thereon.

Rule 31. No bill, order, resolution, or other matter for the use of the Senate, shall be printed without the special order of the Senate.

Rule 32. No person not a member of the Senate, shall be allowed inside the bar while the Senate is in session, except the Senators, the Governor, his Cabinet Officers, ex-Governor, United States Senators, members of the House of Representatives of the United States and of the State, and Judges of the Supreme and Circuit Courts; Provided, that the President, upon the suggestion of any member, may invite any person within the bar of the Senate, unless objection be made thereto, in which case a vote of the Senate shall be necessary, but in no case shall any record of such admission within the bar of the Senate be made in the minutes.

Rule 33. Whenever the Senator who introduced any bill or resolution is absent from the Chamber when such bill or resolution is reached in its regular order or any part of its readings, such bill or resolution shall be temporarily passed until the return of said Senator, when he shall have the privilege of calling up said bill or resolution out of its regular order on the calendar.

Rule 34. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the Senate or the Joint Rules of the two branches of the Legislature.

Rule 35. The Senate shall meet daily except Sunday. The hours of the daily sessions shall be 10 a. m. and 4 p. m., unless otherwise ordered by the Senate.

Rule 36. Any rule or order may be altered, dispensed with or rescinded, by a two-thirds vote of the members present consenting thereto.

Rule 37. The Messenger, Doorkeeper, Janitor and Pages shall be under the supervision and control of the Sergeant-at-Arms, and all attaches shall be under the supervision and control of the Committee on Attaches.

Rule 38. Every bill and resolution referred to a committee shall be reported back to the Senaté within seven days from the date of its commitment.

Rule 39. When a bill, which has been unfavorably reported by the committee to which it was referred is reached on the calendar of Bills on Second Reading, or of bills on the Table Subject to Call, it shall be considered a part of the official duty of the Chairman of such committee to move the indefinite postponement of the bill, and such motion shall not be deemed an expression of the attitude of the Chairman towards the bill. In such case the entry on the Journal shall be: "Mr. Chairman of the Committee on ———, as required by the rules, moved that ——— Bill No. ——— be indefinitely postponed."

Rule 40. The reports of committees upon bills referred to them shall not be set out in the Journal in *haec verba*, but the Secretary shall note in the Journal the fact that each bill has been reported favorably or otherwise, as the case may be, and that the bill was placed upon the calendar.

Your committee would further recommend that the rules governing executive sessions in force for the session of the Senate for 1907 be adopted for the session of 1911.

Respectfully submitted,

F. M. HUDSON,
Chairman.

Mr. Humphries moved that the report be spread on the Journal.

Mr. Humphries moved that the Senate adjourn to 10 o'clock tomorrow morning.

Which was agreed to.

Whereupon, the Senate stood adjourned to 10 o'clock a. m., April 6, 1911.

THURSDAY, APRIL 6, 1911.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim.

A quorum present.

Prayer by the Chaplain.

Mr. Johnson moved that the reading of the Journal be dispensed with.

Which was agreed to.

The Journals of April 4 and April 5 were corrected.

Mr. Humphries moved to take up and consider the report of the Committee on Rules.

Which was agreed to.

The report was taken up.

Mr. Hudson offered the following amendment to the report of the Special Committee on Rules. Strike out the word "nine" in the third line of the paragraph following the list of committees on page 9 of Journal, and insert in lieu thereof the following: "Eleven."

Which was agreed to.

Mr. Hudson moved to consider the rules as reported and amended by sections.

Which was agreed to.

Pending the reading of the rules a communication was received from the Attorney General.