

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: House Rules Committee**

H.C.R.

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7 **HOUSE CONCURRENT RESOLUTION**

8 PROVIDING FOR THE ADOPTION OF THE JOINT RULES OF THE
9 SENATE AND HOUSE OF REPRESENTATIVES OF THE SEVENTY-EIGHTH
10 GENERAL ASSEMBLY.

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12 SECTION 1. When, by the Constitution or laws of the state, a joint
13 meeting of the Senate and House of Representatives is required, they shall
14 assemble with their clerks on the day and at the hour previously agreed on for
15 that purpose in the hall of the House of Representatives.

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17 SECTION 2. When the meeting is assembled, the President of the Senate
18 and Speaker of the House shall preside in conjunction, and the meeting shall
19 be governed by such standing rules as shall have been adopted for that purpose
20 by the concurrence of both houses. They shall have power to punish any
21 person, other than a member, for disorderly or contemptuous behavior in their
22 presence, by fine and imprisonment, in the same manner and to the same extent
23 as either house may do, for like conduct before it, by the Constitution and
24 laws of this state.

25 (A) Any member of either house who shall be guilty of disorderly
26 behavior in the presence of the meeting may be punished by the house of which
27 he is a member, in the same manner as if the offense had been committed in the
28 presence of that house.

29 (B) The Secretary of the Senate and the Clerk of the House shall
30 both keep a record of the proceedings, to be entered on the Journal of their
31 respective houses.

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33 SECTION 3. All bills, resolutions, votes and amendments by either
34 house, to which the concurrence of both is necessary, as well as messages,
35 shall be presented to the other by the Clerk or Secretary of the house from

1 which they are sent or by the assistant secretary or assistant clerk.

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3 SECTION 4. No bill shall be passed by either house containing more than
4 one subject, which shall be expressed in the title.

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6 SECTION 5. When a bill or resolution which has passed one house shall
7 be rejected by the other, notice thereof shall be given to the house in which
8 the same shall have passed.

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10 SECTION 6. All bills, memorials or resolutions ordered to be engrossed,
11 shall be engrossed by the clerk of the house in which it originated.

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13 SECTION 7. When a bill shall have passed both houses, it shall be
14 enrolled by the enrolling clerk of the house in which it originated.

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16 SECTION 8. All bills must be enrolled and reported to each house by the
17 committee designated by each house to supervise the enrolling of bills, within
18 three days after their passage; provided, that if the reconsideration of any
19 bill is moved, in either house, previous to its presentation to the Governor,
20 the committee shall hold the same until action is had upon such motion.

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22 SECTION 9. No bill, resolution, or memorial shall be sent to the
23 Governor for his approval, unless the same shall have been clearly and fairly
24 enrolled without obliteration or interlineation.

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26 SECTION 10. After examination and report by the committee responsible
27 for enrolling bills, each bill shall be signed by the Speaker of the House of
28 Representatives and then by the President of the Senate. Each page of a bill
29 shall be signed by the Speaker of the House of Representatives on the right
30 margin, and shall be signed by the President of the Senate on the left margin
31 of each page. The Speaker of the House of Representatives and the President
32 of the Senate shall manually sign each page of each bill, or may provide, at
33 their option and under their supervision, for the affixing thereto of the
34 facsimile signature in the manner and procedure provided in Act 69 of 1959.

35 (A.C.A. 21-10-101 thru 21-10-106)

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SECTION 11. When the Secretary of the Senate or Clerk of the House, or either of the assistants, shall wait upon the other house, notice thereof shall be given to the President or Speaker of the House by the Sergeant at Arms, or Assistant Sergeant at Arms, who shall declare the same, and a copy of the message to be laid on the table of the clerk or secretary.

SECTION 12. Tuesday and Friday of each week are hereby set apart in each house for the especial and exclusive consideration of bills and resolutions, which may have been passed by the other house, and the consideration of such bills and resolutions shall take precedence over all other business on these days immediately after the expiration of one hour after the house shall be called to order by the presiding officer; provided that the reading of the Journal shall be completed in any event.

SECTION 13. When either body shall request a conference, and appoint a committee for that purpose, the other body shall appoint a committee of equal number to confer, and such conference shall be held at any time and place agreed on by the chairmen.

SECTION 14. No joint rules shall be dispensed with but by a concurrent vote of two-thirds of each house, and if either house shall violate a joint rule, the question of order may be raised in the other house, and decided in the same manner as in case of a violation of the rules of such house.

SECTION 15. The general appropriation bill, and all appropriation bills recommended "do pass" by the Joint Budget Committee, shall be privileged bills, advanced upon the calendar, and take precedence over all other bills at any time after the reading of the Journal. It shall be in order, by the direction of the appropriate committee, to move that the House or Senate (as the case may be), resolve itself into the committee of the whole house for the purpose of considering the general appropriation bill, and no dilatory motion shall be entertained by the presiding officer.

SECTION 16. No appropriation bill shall be filed for introduction in

1 either the House of Representatives or the Senate later than the fiftieth
2 (50th) day of a regular session except upon consent of two-thirds of the
3 members elected to each house; and, no other bill shall be filed for
4 introduction in either the House of Representatives or the Senate later than
5 the fifty-fifth (55th) day of a regular session, except upon consent of two-
6 thirds of the members elected to each house.

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8 SECTION 17. (A) No bill or resolution, as defined herein, shall be
9 accepted for introduction by the clerks of the Senate or of the House of
10 Representatives unless such bill or resolution has been prepared for
11 introduction by the automated bill preparation system developed by the Bureau
12 of Legislative Research.

13 (1) The Bureau of Legislative Research shall establish and
14 operate, in cooperation with the appropriate officials of the House of
15 Representatives and the Senate, an automated bill preparation system in which
16 all bills and resolutions, as defined herein, shall be prepared for
17 introduction. Such system shall be designed in a manner which will permit
18 either or both houses of the General Assembly to install compatible and
19 interconnecting electronic equipment for the preparation of bills and
20 resolutions in the same format as prepared by the Bureau of Legislative
21 Research for introduction in either house of the General Assembly.

22 (2) The Bureau of Legislative Research shall furnish the
23 Secretary of the Senate and the Chief Clerk of the House of Representatives
24 tapes or disks on which introduced bills and resolutions are recorded, or
25 provide access by electronic medium to the central bill files in which bills
26 and resolutions recorded in the automated bill preparation system are stored,
27 to enable the engrossing rooms of the respective houses to have ready access
28 thereto for enrollment or engrossment or amendments adopted to such bills and
29 resolutions.

30 (3) As used herein:

31 (a) "resolutions" shall mean all resolutions prepared for
32 introduction which require the concurrence of both houses of the General
33 Assembly for adoption thereof, and shall not include resolutions prepared for
34 consideration by only the house in which introduced;

35 (b) "automated bill preparation system" shall mean an

1 automated system using word processors, computers, or other electronic devices
2 for the typing and preparation of bills and resolutions (as defined herein)
3 for introduction by members of the General Assembly in either the Senate or
4 the House of Representatives, and shall include the following features:

5 (i) a separate identification number, to be placed upon
6 each page of the original and each copy thereof prepared for introduction in
7 the General Assembly;

8 (ii) a method of recording on tapes, disks or other
9 automated or electronic medium, each bill and resolution for ready access for
10 retrieval and engrossment purposes;

11 (iii) security features to protect the automated bill
12 preparation files from access by unauthorized persons, and to maintain the
13 integrity and confidentiality of drafts of bills and resolutions prepared by
14 the Bureau of Legislative Research for members of the General Assembly which
15 have not been filed for introduction; and

16 (iv) such other features as deemed to be necessary and
17 advisable by the Bureau of Legislative Research after consulting with the
18 appropriate officials of the House of Representatives and the Senate.

19 (B) All bills and resolutions introduced in the House and Senate shall
20 be prepared on 8-1/2 x 11 inch paper. A typewritten original and twelve (12)
21 copies thereof, or a photocopy of an original typewritten copy with twelve
22 (12) additional copies thereof, shall be prepared for introduction. The
23 original typewritten copy, or one of the photocopies of a typewritten
24 original, shall be placed in the manuscript cover provided for the official
25 copy of bills or resolutions, with the twelve (12) copies thereof to be
26 attached thereto in such manner as may be prescribed by the respective houses.
27 In addition, ten (10) copies of the caption on each bill or resolution shall
28 be prepared and attached thereto at the time of introduction.

29 (C) Upon the introduction of each bill and resolution, the appropriate
30 clerks of the respective houses shall cause the original signed copy thereof
31 (which is contained in the official bill or resolution manuscript cover) to be
32 identified as the official copy by perforation on the left hand margin of each
33 page thereof the words "HOUSE ORIGINAL" or the word "HOUSE" to be placed on
34 each official original copy of House bills and resolutions, and the words
35 "SENATE ORIGINAL" or the word "SENATE" to be placed on the left hand margin of

1 each official original copy of Senate bills and resolutions. Whenever any
2 bill or resolution is amended, the engrossed page or pages thereof shall be
3 perforated in the same manner as the original introduced copy. Only the
4 original signed copy of a bill or resolution and engrossed pages thereof shall
5 be perforated as provided herein.

6 (D) If any person shall unlawfully perforate any fraudulent or
7 counterfeit copy of any bill or resolution for the purpose of intentionally
8 inserting in any bill or resolution any page or provision thereof for the
9 purpose of altering the bill or resolution as introduced, such person shall be
10 in contempt of the House and/or Senate and shall be punishable accordingly;
11 and if any person shall make any alteration, change or erasure in any original
12 copy of a bill or resolution as originally introduced, except upon direction
13 of the House and/or Senate or upon direction of the appropriate committees on
14 engrossed or enrolled bills, such person shall be in contempt of the House and
15 Senate and shall be punishable accordingly. In addition, such person shall be
16 subject to such fine and imprisonment as may be imposed by the laws of this
17 State for fraud.

18 (E) Bills presented for introduction which propose to directly and
19 specifically amend an existing act, or acts, of the General Assembly shall, at
20 the time the same are presented for introduction, be accompanied by an
21 additional draft of said bills, separate and apart from the draft of said
22 bills prepared for introduction, reflecting by "mark-up" the changes proposed
23 in existing laws by (i) striking through all language of the existing law that
24 is proposed to be deleted by the proposed bills and (ii) by underlining all
25 new language proposed to be added to the existing law. The author of a bill
26 shall be responsible for causing said marked-up copy to be prepared, to be
27 filed with the original bill at the time the same is presented for
28 introduction. A printer-ready copy of the original bill and the copy of the
29 Marked-up bill shall be placed in an envelope marked "Printer's Copy,
30 including Marked-up Copy" and the same shall be filed with the bill at the
31 time such bill is filed for introduction in the Senate or in the House of
32 Representatives. At the top of the first page of the marked-up copy shall
33 appear the following language: "MARKED-UP COPY -- THIS IS NOT THE OFFICIAL
34 BILL. Language stricken has been deleted from present law. New language is
35 underlined." to distinguish a marked-up copy from the official copy filed for

1 introduction. All amendments to such bill proposed to be made in the House or
2 Senate shall refer to the official bill copy, and not to the marked-up copy.
3 The copy of the original bill shall be printed in the manner now provided by
4 Rules of the House and Senate, and the marked-up copy of Senate bills shall be
5 printed on one color paper, and the marked-up copy of House bills shall be
6 printed on a different color of paper, as designated by the Senate Efficiency
7 Committee and by the House Management Committee, for the purpose of
8 distinguishing Senate and House marked-up copies from the copy of the original
9 bill. Printed copies of marked-up bills shall be delivered to the Senate and
10 to the House of Representatives by the printer, at the same time printed
11 copies of the official bills are delivered to the respective houses. Copies
12 of printed bills shall be placed in the bill books furnished on the desks of
13 members, with the marked-up copy being placed behind the original copy of the
14 bill, or, each house may elect to provide members with separate bill books for
15 marked-up copies.

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17 SECTION 18. Whenever any Senate bill shall be approved by the House of
18 Representatives and enrolled by the Senate, the Secretary of the Senate or one
19 of his authorized agents shall, without delay, deliver the same to the
20 Governor or his designated representative and take receipt thereof, which
21 receipt shall be returned to the Senate and entered in the Journal. Whenever
22 any House bill shall be approved by the Senate and enrolled by the House, the
23 Chief Clerk of the house or one of his authorized agents shall, without delay,
24 deliver the same to the Governor or his designated representative and take
25 receipt thereof, which receipt shall be returned to the House and entered in
26 the Journal. In the event the Governor, or his designated representative,
27 shall refuse to accept delivery of any such bill, the Secretary of the Senate,
28 or the Chief Clerk of the House, or their designated agents, as the case may
29 be, shall forthwith serve the same by handing the bill to either the Governor
30 or to any employee of the Governor's office, and shall return a certificate to
31 the Senate or the House, as the case may be, of the date and time of such
32 delivery and of the name of the person to whom delivered and such certificate
33 shall be entered in the Journal of the Senate or the Journal of the House, as
34 the case may be, and shall constitute proof of delivery of said bill to the
35 Governor in determining the period of time in which the Governor has to sign

1 the same or return it to the Senate or the House with his veto as provided in
2 the Constitution of the State of Arkansas.

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4 SECTION 19. The Joint Committee on Constitutional Amendments shall
5 consist of the members of the Senate Committee on State Agencies and
6 Governmental Affairs and the members of the House Committee on State Agencies
7 and Governmental Affairs. No proposed constitutional amendment can be
8 recommended to either house of the General Assembly except upon the
9 affirmative vote of a majority of the members of the Senate Committee on State
10 Agencies and Governmental Affairs and an affirmative vote of a majority of the
11 members of the House Committee on State Agencies and Governmental Affairs. No
12 resolution proposing a constitutional amendment shall be filed in either the
13 House of Representatives or the Senate after the thirty-first (31st) day of
14 each regular session of the General Assembly. All resolutions proposing
15 constitutional amendments shall be referred to the Joint Committee on State
16 Agencies and Governmental Affairs and said Joint Committee shall reports its
17 recommendations of not more than three (3) proposed constitutional amendments
18 to the House and Senate not later than the fifty-fifth (55th) day of the
19 regular session. Other resolutions proposing constitutional amendments shall
20 not be reported to or considered by either house of the General Assembly until
21 the original recommendations of the Joint Committee on State Agencies and
22 Governmental Affairs are disposed of.

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24 SECTION 20. The standing committees of the Senate and the House of
25 Representatives are authorized to hold joint meetings upon call of the
26 Chairman of the two committees involved or by one-half (1/2) or more of the
27 members of both committees involved.

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29 SECTION 21. The Secretary of the Senate and the Clerk of the House of
30 Representatives are authorized, subject to approval by the appropriate
31 designated committee, to correct obvious errors occurring in documents
32 originating in the House and the Senate respectively, provided that each such
33 correction is noted on the bill jacket and is documented by a "correction
34 note" at the end of the official daily journal for the date on which the
35 correction was made.

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SECTION 22. In assigning numbers to bills and resolutions introduced in the Senate and House of Representatives, Senate bills and resolutions shall be numbered commencing with the figure 1, and the House bills and resolutions shall be assigned numbers commencing with the figure 1001.

SECTION 23. Beginning on November 15 of each year preceding a regular session of the General Assembly, each holdover member of the Senate who will be serving at the next following regular session of the General Assembly and each member-elect of the General Assembly, as soon as the members-elect of the General Assembly are certified to the Secretary of State, shall be permitted to pre-file bills and resolutions for such regular session with the Chief Clerk of the House and the Secretary of the Senate. (Act 64 of 1987.)

SECTION 24. No bill may be introduced to provide for licensure of any profession, occupation or class of health care providers not currently licensed nor to expand the scope of practice of any profession, occupation or class of health care providers unless the Joint Interim Committee on Public Health, Welfare and Labor, at least six (6) months prior to convening of the next legislative session has undertaken and completed a study of the feasibility of such legislation and reported its findings to the General Assembly. (HCR 1022 of 1987.)

SECTION 25. (A) No bill may be brought up for third reading and final passage in either house of the General Assembly during an Extraordinary Session unless five (5) days (120 hours) shall have expired from the time of introduction, or pre-filing for introduction, of the bill with the Secretary of the Senate or the Chief Clerk of the House (or their authorized agent) in the manner provided by statute and the rules of the respective houses, except upon suspension of the rules by a two-thirds vote of the membership elected to each of the respective houses.

(B) Whenever the Governor issues a Proclamation calling for the convening of an Extraordinary Session of the General Assembly, any member or members of the Senate or the House of Representatives may pre-file bills embracing the subject matter of items in the Governor's call by signing and

1 filing the necessary copies thereof with the Secretary of the Senate or the
2 Chief Clerk of the House on Mondays through Fridays between the hours of 8:00
3 a.m. and 5:00 p.m., after the issuance of the Governor's call and prior to the
4 convening of the Extraordinary Session. (HCR 1004 of 1989.)

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6 NOW THEREFORE,

7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-EIGHTH GENERAL
8 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

9 THAT the Joint Rules of the Senate and House of Representatives of the
10 Seventy-Eighth General Assembly are hereby adopted.