

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

H.R. 1021

4 **By: Representatives Beatty and Hawkins**

5

6

7

HOUSE RESOLUTION

8 TO AMEND THE HOUSE RULES PERTAINING TO THE SELECTION OF
9 THE SPEAKER, SPEAKER-DESIGNATE, AND MEMBER OF COUNCIL AND
10 AUDIT.

11

12

Subtitle

13 AMEND THE HOUSE RULES PERTAINING TO THE SELECTION OF THE
14 SPEAKER, SPEAKER-DESIGNATE, AND MEMBER OF COUNCIL AND
15 AUDIT.

16

17

18

19 NOW THEREFORE,

20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-NINTH GENERAL
21 ASSEMBLY OF THE STATE OF ARKANSAS:

22

23 SECTION 1. Rule 10 of the House of Representatives is amended to read
24 as follows:

25 "10. Selection.

26 (a) As used in this rule, the term "Speaker-designate" shall mean the
27 member of the House of Representatives selected by the House of
28 Representatives of each General Assembly held preceding the convening of the
29 next-following regular session of the General Assembly, in the following
30 manner:

31 (1) Whenever the House of Representatives shall designate a time
32 during a regular session to caucus for the selection of members to serve on
33 the Legislative Council and the Legislative Joint Auditing Committee, a caucus
34 of the entire House of Representatives shall be held on that date, each
35 candidate shall be allowed 15 minutes to address the House, and the members of

1 the House shall select by secret ballot a member of the House, to be known as
2 the Speaker-designate. The Speaker shall announce the name and number of
3 votes received by the candidate who received at least a majority of the votes
4 of the membership of the House. Each candidate shall be entitled to verify
5 the number of votes he or she received.

6 (2) The candidate receiving a majority vote of the membership of
7 the House of Representatives shall be declared the winner of such election for
8 Speaker-designate of the House of Representatives of the next-following
9 General Assembly.

10 (3) If no candidate receives a majority vote of the membership of
11 the House of Representatives, the names of the two (2) candidates receiving
12 the highest number of votes cast shall be placed on a run off ballot and
13 distributed among the membership of the House of Representatives in the same
14 manner provided above.

15 (4) If it is determined that the Speaker-designate will not serve
16 as a member of the House of Representatives of the next-following General
17 Assembly due to death, resignation, failure to be a candidate for reelection
18 in the party primary election, or failure to be reelected as a party candidate
19 in the primary election, a vacancy in the position of Speaker-designate shall
20 exist and not be filled and the Speaker of the House of Representatives shall
21 be elected upon convening of the next regular session.

22 (5) It is the intent of this subsection that the
23 Speaker-designate be the Speaker of the House of Representatives of the
24 next-following General Assembly, subject to selection by the membership of the
25 House upon convening of the regular session.

26 (6) Petitions seeking pledge signatures of members of the House
27 of Representatives for a particular candidate seeking selection as
28 Speaker-designate shall not be circulated among the members of the House of
29 Representatives.

30 (b) At the beginning of each session the members of the House of
31 Representative shall choose from its own membership a presiding officer
32 designated as the Speaker of the House of Representatives."

33

34 SECTION 2. House Rule 11 is amended to read as follows:

35 "11. Duties. The duties of the Speaker of the House shall be to:

- 1 (a) Take the chair each day at the hour fixed on the preceding day at
2 adjournment. *After the opening prayer and pledge of allegiance, He/She* shall
3 immediately call the members to order, and on the appearance of a quorum,
4 cause the Journal of the preceding day to be read;
- 5 (b) Have control of the area set aside for use by the House and, in
6 case of disturbance therein, shall have the authority to have the areas
7 cleared. He/She or his/her designee shall supervise and control the temporary
8 employees while the legislature is in session and the permanent employees
9 during the biennium (A.C.A. 10-2-125 -- Employees of the House of
10 Representatives);
- 11 (c) Preserve order and decorum;
- 12 (d) Sign all acts, proceedings and orders of the House. All writs,
13 warrants and subpoenas issued by the House shall be signed and attested by
14 him/her and the Clerk (J.R. 10; A.C.A. 21-10-101 thru 21-10-108);
- 15 (e) Decide, with assistance of the Parliamentarian, all points of
16 order, subject to appeal by any representative;
- 17 (f) Appoint and confirm all representatives to committees and to
18 appoint and confirm committee chairpersons in accordance with the House Rules
19 and Statutes;
- 20 (g) Assign all bills to their appropriate committee;
- 21 (h) The Speaker shall not be required to vote, but may do so at his/her
22 discretion;
- 23 (i) State the question to the House before each vote is taken;
- 24 (j) Appoint, at the beginning of each session, a member of the House to
25 serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve during the
26 absences of the Speaker and shall perform the Speaker's duties. The Speaker
27 Pro Tempore shall not serve more than ten (10) consecutive legislative days
28 without the consent of the House, or beyond adjournment. The Speaker of the
29 House may appoint Assistant Speaker Pro Tempores, one from each of the current
30 existing Congressional Districts;
- 31 (k) Supervise and direct the preparation of the daily House calendar
32 (J.R. 12);
- 33 (l) Administer the Oath of Office to the Chief Clerk and the
34 Parliamentarian at the beginning of each legislative session;
- 35 (m) Vacate the Speaker's office by January 1 of the calendar year that

1 a new General Assembly is to convene (odd-numbered years) so as to allow the
2 Speaker-designate the privilege of the use of the Office in preparation for
3 the forthcoming General Assembly;

4 (n) Vacate the Speaker's premises by October 1 in the even-numbered
5 years; and

6 (o) Keep a permanent register of the seniority of the members of the
7 House of Representatives.

8 (p) When either body shall request a conference, and appoint a
9 committee for that purpose, the other body shall also appoint a committee of
10 equal number to confer, and such conference shall be held at any time and
11 place agreed on by the chairpersons."

12

13 SECTION 3. The Rules of the House are hereby amended by inserting two
14 additional rules immediately following Rule 76 and by renumbering the
15 subsequent rules:

16

"XI

17

LEGISLATIVE COUNCIL: LEGISLATIVE JOINT AUDITING COMMITTEE

18

77. Legislative Council.

19

(a) The House of Representative of the General Assembly shall select
20 sometime before adjournment of each regular session twenty (20) members, with
21 five (5) members to be chosen from each of the four (4) congressional
22 districts in effect on January 1, 1987, by caucus of the members of the House
23 of Representatives residing in their respective congressional districts.
24 However, no more than one (1) member shall reside in the same county.

25

(b) Each member of the House of Representatives who was serving as an
26 at large member of the Council on January 1, 1987, shall continue to serve as
27 an at large member until he or she resigns that position or ceases to be a
28 member of the House of Representatives or until a majority of the members of
29 the House vote against his or her continuance in that position; after which,
30 the at large position formerly held by the person shall be a district position
31 and shall be filled by caucus of House members from the appropriate
32 congressional district. So long as one (1) or more of the at large members of
33 the Council continue to serve as at large members, the number of members to be
34 selected by caucus in each of the four (4) congressional districts shall be
35 reduced by the number of at large members on the Council residing in each of

1 the congressional districts.

2 78. Legislative Joint Auditing Committee.

3 (a) Sometime before adjournment of each regular session, the House of
4 Representatives shall select twenty (20) members, with five (5) members to be
5 chosen from each of the congressional districts in effect on January 1, 1987.
6 However, no more than two (2) members shall reside within the same county.

7 (b) Each member of the House of Representatives who was serving as an
8 at large member of the committee on January 1, 1987, shall continue to serve
9 as an at large member until he or she resigns that position or ceases to be a
10 member of the House of Representatives or until the majority of the members of
11 the House vote against his or her continuance in the position; after which,
12 the at large position formerly held by such person shall be a district
13 position and shall be filled by caucus of House members from the appropriate
14 congressional district. As long as one (1) or more of the at large House
15 members of the committee continues to serve the number of congressional
16 district positions in each district shall be reduced by the number of at large
17 members residing in the district."

18 */s/Rep. Beatty, et al*

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

As Engrossed: 2/22/93

H.R. 1021

1

2

3

4

rrs221