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1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

H.R. 1044

4 **By: Representative Beatty**

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7

HOUSE RESOLUTION

8

ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE

9

SEVENTY-NINTH GENERAL ASSEMBLY.

10

11

Subtitle

12

ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE

13

SEVENTY-NINTH GENERAL ASSEMBLY.

14

15 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-NINTH GENERAL

16 ASSEMBLY OF THE STATE OF ARKANSAS:

17

18 The following are hereby adopted as the Rules of the House of

19 Representatives of the Seventy-Ninth General Assembly:

20

"I

21

MEMBERS

22

1. Every representative shall be present within the House during the

23 session of the House, unless excused or necessarily prevented. (Apportionment

24 -- Membership in General Assembly -- Art. VIII as amended by Amendments 23 and

25 45)

26

2. Representatives and representatives-elect may select, in the order of

27 their seniority, any seat not reserved or occupied after notification by the

28 Chief Clerk of available seats. Members and members-elect shall opt for seat

29 choices at least one (1) week after notification. Failure to opt at least

30 five (5) days after receipt of a second notice by registered mail will

31 automatically allow the Speaker-designate and the Chief Clerk to place the

32 member in the same seat or a member-elect in a seat selected by them. All

33 signatures on correspondence received for seat assignments shall represent

34 final movement. The Chief Clerk shall furnish desk and locker keys.

35

3. When it is necessary for seniority of in-coming members to be

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1 (1) Whenever the House of Representatives shall designate a time during
2 a regular session to caucus for the selection of members to serve on the
3 Legislative Council and the Legislative Joint Auditing Committee, a caucus of
4 the entire House of Representatives shall be held on that date, each
5 candidate shall be allowed 15 minutes to address the House, and the members of
6 the House shall select by secret ballot a member of the House, to be known as
7 the Speaker-designate. The Speaker shall announce the name and number of
8 votes received by the candidate who received at least a majority of the votes
9 of the membership of the House. Each candidate shall be entitled to verify
10 the number of votes he or she received.

11 (2) The candidate receiving a majority vote of the membership of the
12 House of Representatives shall be declared the winner of such election for
13 Speaker-designate of the House of Representatives of the next-following
14 General Assembly.

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

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

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

31 (6) Petitions seeking pledge signatures of members of the House of
32 Representatives for a particular candidate seeking selection as
33 Speaker-designate shall not be circulated among the members of the House of
34 Representatives.

35 (b) At the beginning of each session the members of the House of

1 Representative shall choose from its own membership a presiding officer
2 designated as the Speaker of the House of Representatives.

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

4 (a) Take the chair each day at the hour fixed on the preceding day at
5 adjournment. After the opening prayer and pledge of allegiance, He/She shall
6 immediately call the members to order, and on the appearance of a quorum,
7 cause the Journal of the preceding day to be read;

8 (b) Have control of the area set aside for use by the House and, in
9 case of disturbance therein, shall have the authority to have the areas
10 cleared. He/She or his/her designee shall supervise and control the temporary
11 employees while the legislature is in session and the permanent employees
12 during the biennium (A.C.A. 10-2-125 -- Employees of the House of
13 Representatives);

14 (c) Preserve order and decorum;

15 (d) Sign all acts, proceedings and orders of the House. All writs,
16 warrants and subpoenas issued by the House shall be signed and attested by
17 him/her and the Clerk (J.R. 10; A.C.A. 21-10-101 thru 21-10-108);

18 (e) Decide, with assistance of the Parliamentarian, all points of
19 order, subject to appeal by any representative;

20 (f) Appoint and confirm all representatives to committees and to
21 appoint and confirm committee chairpersons in accordance with the House Rules
22 and Statutes;

23 (g) Assign all bills to their appropriate committee;

24 (h) The Speaker shall not be required to vote, but may do so at his/her
25 discretion;

26 (i) State the question to the House before each vote is taken;

27 (j) Appoint, at the beginning of each session, a member of the House to
28 serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve during the
29 absences of the Speaker and shall perform the Speaker's duties. The Speaker
30 Pro Tempore shall not serve more than ten (10) consecutive legislative days
31 without the consent of the House, or beyond adjournment. The Speaker of the
32 House may appoint Assistant Speaker Pro Tempores, one from each of the current
33 existing Congressional Districts;

34 (k) Supervise and direct the preparation of the daily House calendar
35 (J.R. 12);

1 (i) Review and approve all requests for employee leave.

2 IV

3 THE CHIEF CLERK

4 14. The Chief Clerk shall be appointed by the Speaker-designate by
5 November 1 of the even-numbered years, subject to confirmation by a majority
6 vote of the membership of the House. (Article V, Sec. 11)

7 15. The duties of the Chief Clerk shall be to; (A.C.A. 10-2-102):

8 (a) Have custody of all bills, papers and records of the House and not
9 to permit them to be taken out of his/her custody except by the provisions
10 established in House Rule #8. Staff must sign a receipt for all bills taken
11 from the Clerk;

12 (b) Keep the Journal of the proceedings of the House, and, under the
13 direction of the Speaker, subject to the will of the House, correct errors in
14 the Journal;

15 (c) Keep the necessary records for the House;

16 (d) Supervise the engrossment and enrollment of bills and to certify
17 their passage, with the assistance of the appropriate committee (J.R. 6 thru
18 9);

19 (e) Transmit bills, other documents, and messages to the Senate, as
20 required and secure a receipt thereof and to receive communications from the
21 Senate and receipts of bills, documents and messages (J.R. 3 and 5) (J.R. 18);

22 (f) Attend every session of the House, call or delegate the reading of
23 the roll and the reading of all bills, resolutions and other papers as
24 directed by the Speaker;

25 (g) Supervise and have control of session House employees, subject to
26 the direction of the House Management Committee and the Speaker or his/her
27 designee (A.C.A. 10-2-125 --Employees of the House of Representatives);

28 (h) Clear the House chamber and pertinent support areas of all
29 unauthorized persons thirty (30) minutes prior to the convening of the House;
30 and

31 (i) Be responsible for the distribution of all literature within the
32 House chamber and other House premises. One copy of such literature which is
33 distributed in the House chamber and House premises must bear the signature of
34 a representative authorizing distribution and the signed copy must be filed
35 with the Chief Clerk.

1 (j) The Secretary of the Senate and the Clerk of the House are
2 authorized, subject to approval by the appropriate designated committee, to
3 correct obvious errors occurring in documents originating in the House and the
4 Senate respectively, provided that each such correction is noted on the bill
5 jacket and is documented by a _correction note_ at the end of the official
6 daily journal for the date on which the correction was made. (J.R. 21)

7 V

8 PARLIAMENTARIAN

9 16. The duties of the Parliamentarian shall be to (Art. V, Sec. 11):

- 10 (a) Convene the first session of the House at the time prescribed by
11 law. The Parliamentarian shall call the members to order, call the roll,
12 preserve order and decorum, and decide all questions of order subject to
13 appeal by any representative pending the election of the Speaker. The
14 Parliamentarian of the previous House shall serve as the official
15 Parliamentarian until the appointment of a new Parliamentarian. In the
16 absence of a Parliamentarian of the previous House, the Speaker of the House
17 shall designate a temporary Parliamentarian to convene the first session of
18 the House;
- 19 (b) Assist the Speaker in deciding all points of order;
- 20 (c) Advise the Speaker on the proprieties of motions and the numbers of
21 votes necessary for passage;
- 22 (d) Assist the Speaker in the supervision of the preparation of the
23 daily House calendar;
- 24 (e) Assist the Speaker in the selection of a Chaplain for the day;
- 25 (f) Assist the Speaker in the assignment of bills to their appropriate
26 committee;
- 27 (g) Sit as an ex-officio non-voting member of the House Rules
28 Committee, and serve as secretary and advisor to the House Committee on the
29 Journal; Engrossed and Enrolled Bills;
- 30 (h) Prepare and distribute the House rules and amendments thereto,
31 under the supervision of the Speaker and the House Rules Committee; and
- 32 (i) Have an adequate knowledge of Parliamentary Law and the Rules of
33 the Arkansas House of Representatives.

34 VI

35 PARLIAMENTARY PRACTICE

1 17. When a question is under debate, motions shall have precedence in
2 the following order:

- 3 (a) To fix the time to which the House will adjourn (non-debatable)
4 (majority of a quorum);
- 5 (b) To adjourn (non-debatable) (majority of a quorum);
- 6 (c) To take a recess (non-debatable) (majority of a quorum);
- 7 (d) Postpone temporarily; lay on the table (non-debatable) (majority of
8 a quorum) To take from the table (non-debatable) (majority of a quorum);
- 9 (e) Immediate consideration (non-debatable) (2/3 of a quorum);
- 10 (f) Previous question (non-debatable) (5 seconds) (majority of a
11 quorum);
- 12 (g) Limit or extend debate (non-debatable) (2/3 of a quorum);
- 13 (h) To expunge (debatable) (2/3 of membership) (67);
- 14 (i) Postpone to a day certain (debatable) (majority of a quorum);
- 15 (j) Committee of the Whole, go into (non-debatable) (majority of a
16 quorum);
- 17 (k) Refer (debatable) (majority of a quorum);
- 18 (l) Strike the enacting clause (debatable) (2/3 of a quorum);
- 19 (m) Amend (debatable) (majority of a quorum);
- 20 (n) Substitute motion (debatable) (majority of a quorum);
- 21 (o) Postpone indefinitely (debatable) (majority of membership);
- 22 (p) Take out of proper order (non-debatable) (2/3 of a quorum);
- 23 (q) Special order of business (debatable) (2/3 of a quorum); and
- 24 (r) To suspend the rules (non-debatable) (2/3 of a quorum).

25 18. A motion to adjourn shall always be in order except when the
26 previous question has been ordered.

27 19. The motion to recess, when the floor can be obtained for that
28 purpose, must specify the time which shall elapse and the time for
29 reconvening. It may be amended to alter specific time.

30 20. Previous question:

- 31 (a) When any debatable question is before the House, any member may
32 move the previous question. It shall be seconded by five (5) members whether
33 the question shall be stated. When the previous question shall have been
34 adopted, the proponents shall be allowed fifteen (15) minutes in which to
35 debate it, and the opponents of the main question shall be allowed fifteen

1 (15) minutes, after which time a vote upon the main question shall be taken.

2 (b) Pending a vote on the main question, one motion to refer is
3 permitted. A motion to refer under this rule applies to House resolutions as
4 well as to House bills, to Senate bills and to Senate amendments to a House
5 bill, and to a motion to amend the Journal. The motion to refer under this
6 rule is non-debatable and may not be laid upon the table.

7 21. A motion to postpone to a day certain may not specify the hour; a
8 special order is necessary to specify the hour; the motion may be amended and
9 it is debatable within narrow limits only, confined to the merit of the motion
10 itself.

11 22. The simple motion to refer is debatable within its narrow limits,
12 but the merits of the proposition to which it is proposed to refer may not be
13 brought into the debate. The motion to refer with instructions is debatable
14 (majority vote of a quorum). When a question is raised about the proper
15 referral of a bill to committee, if the Speaker admits error in the referral
16 of the bill to a committee, the bill may be re-referred by a majority vote of
17 a quorum; however, if the Speaker does not admit error in the referral of the
18 bill to committee, the bill may only be re-referred by a two-thirds (2/3) vote
19 of a quorum. When a bill is re-referred to a committee, any previous
20 committee recommendation is automatically stripped from the bill. When a
21 motion is under consideration, only two (2) substitutes to that motion shall
22 be in order. A substitute to the third degree shall not be in order. Only a
23 motion of a higher precedence upon recognition may be substituted for the
24 motion under consideration.

25 23. The motion to postpone indefinitely opens to debate all the merits
26 of the proposition to which it is applied. It may not be applied to the
27 motion to refer, or to suspend the rules, or to motions relating to the order
28 of business.

29 (a) The motion for indefinite postponement and possible consideration
30 by a joint interim committee shall be as follows: Mr. Speaker, I move that
31 consideration of _____ be postponed indefinitely and that consideration
32 be given by the joint interim committee on _____ for a study
33 of _____. (majority of membership).

34 24. The motion to limit or extend debate must specify time limitations.
35 A substitute motion specifying a lesser time may be accepted.

1 25. Reconsideration:

2 (a) When a proposition has been made and carried or lost, it shall be
3 in order for any member of the majority on the same or succeeding legislative
4 day to move for the reconsideration thereof, or give notice of his/her
5 intentions to do so and such motion shall take precedence over other questions
6 except consideration of a conference report or a motion to adjourn: Provided,
7 the motion or proposition shall only be considered during the period reserved
8 for regular bills. The notice shall not be withdrawn after the said
9 succeeding legislative day without the consent of the House, and thereafter
10 any member may call it up for consideration: Provided, the notice to
11 reconsider must be disposed of within three (3) legislative days following the
12 day the vote was taken; provided, that such notice to reconsider cannot be
13 given *within three (3) days of the scheduled adjournment* of a regular session
14 or during a special session, during which times the motion to reconsider must
15 be disposed of immediately.

16 (b) The provisions of the rule that the motion may be made by any
17 member of the majority is construed, in case of a tie, to mean the member of
18 the prevailing side, and the same construction applies in the case of a two-
19 thirds (2/3) vote. Where the yeas and nays have not been ordered recorded in
20 the Journal, any member, irrespective of whether he/she voted with the
21 majority or not, may make the motion to reconsider or give notice thereof; but
22 a member who was absent or who was paired in favor of the majority contention
23 and did not vote may not make a motion.

24 (c) A bill in the possession of the House is not considered passed or
25 an amendment agreed to if a motion to reconsider is pending; the effect of the
26 motion being to suspend the original proposition. A notice or motion to
27 reconsider shall not be allowed unless the bill is in the House. A bill shall
28 not leave the House once notice of reconsideration is given. When the motion
29 to reconsider is decided in the affirmative, the question immediately recurs
30 on the motion reconsidered. However, prior to consideration of the question
31 at hand, the Speaker shall have the title, expressing the main contents of the
32 proposition being reconsidered, read to the House. When the motion to
33 reconsider is defeated, a second motion to reconsider may not be made unless
34 the nature of the proposition has been changed by amendments.

35 (d) The motion to reconsider is agreed to by a majority of a quorum,

1 even though the vote reconsidered requires a majority or more of the
2 membership.

3 (e) A notice to reconsider is not debatable. A motion to reconsider is
4 debatable when the item to which it applies is debatable.

5 (f) No bill, petition, memorial, or resolution referred to a committee
6 or reported therefrom for recommitment shall be brought back into the House on
7 a motion to reconsider.

8 (g) The Clincher motion is two (2) motions in one; it is a motion to
9 reconsider and to lay on the table. Having prevailed, the proposition shall
10 not be again considered except by expunging the record. The clincher motion
11 is adopted by a majority of the membership.

12 (h) No clincher motion shall be entertained on a bill passed during
13 the morning hour or which has been represented to be non-controversial
14 regardless of when passed. Prior to the 60th day of a session, no bill passed
15 during the morning hour, or a bill appearing on the non-controversial bill
16 calendar which has passed, shall be transmitted to the Senate until the
17 expiration of the morning hour of the day next following its passage in which
18 the House is in session.

19 26. No dilatory motion shall be entertained by the Speaker.

20 27. Two-thirds (2/3) of a quorum may suspend the rules, other than
21 rules that require a two-thirds (2/3) vote of the membership. (J.R. 14 --
22 Suspending Joint Rules)

23 28. No standing rule or order shall be revised without one (1) day's
24 notice being given thereof.

25 29. In every case not provided for in the House rules, the Speaker, the
26 Parliamentarian, and the members shall be guided by Mason's Manual of
27 Legislative Procedure. Each member of the Rules Committee may be furnished a
28 copy of the current edition and of each new or revised edition of Mason's
29 Manual of Legislative Procedure and additional copies may be available to
30 other members from the Parliamentarian, upon approval of the Rules Committee.

31 VII

32 DAILY ORDER OF BUSINESS

33 30. The House shall convene at 1:30 p.m., unless otherwise ordered by
34 the House membership.

35 31. The daily order of business shall be:

- 1 (a) Prayer
- 2 (b) Pledge of Allegiance
- 3 (c) Roll call
- 4 (d) Leaves of absence
- 5 (e) Reading and approval of the previous day's Journal
- 6 (f) Petitions and memorials
- 7 (g) Reports from select committees
- 8 (h) Reports from standing committees
- 9 (i) Motions, resolutions and notices
- 10 (j) Unfinished business
- 11 (k) Executive communications
- 12 (l) Introduction, reading and advancement of bills and resolutions
 - 13 1. Senate communications and amendments to House bills
 - 14 2. Introduction, reading and advancement of bills and joint
 - 15 resolutions
 - 16 3. Bills and resolutions from the Senate on first reading
 - 17 4. Bills and resolutions from the Senate on second reading
 - 18 5. Senate bills and joint resolutions on third reading
- 19 (m) Announcement of committee meetings, and
- 20 (n) Adjournment.
- 21 32. Introduction and reading of bills and resolutions may be ordered by
- 22 the Speaker of the House at his/her discretion.
- 23 33. Items (a) through (j) shall take no more than one (1) hour of
- 24 House time each day unless extended by a majority vote of the House members
- 25 present. These items may not be extended on those designated Senate days
- 26 beyond the one (1) hour limit. (J.R. 12--Senate days)
- 27 34. Unfinished business items, except items (a) through (j), take
- 28 up where the House left the day before when it adjourned. Items (a) through
- 29 (j) begin new each day.
- 30 35. Privileged matters may interrupt the order of business. These
- 31 privileged matters are:
 - 32 (a) Appropriation bills and revenue bills, sponsored by the committees
 - 33 on Budget, Revenue and Taxation and the Committee on Rules (J.R. 15);
 - 34 (b) Conference reports;
 - 35 (c) Special orders reported by the Committee on Rules for consideration

1 by the House;

2 (d) Consideration of amendments between the House and Senate after
3 disagreement;

4 (e) Question of privilege;

5 (f) Privileged resolutions reported under the right to report any time;
6 and

7 (g) Bills returned with the objections of the Governor.

8 VIII

9 Bills

10 36. Any representative may introduce bills, petitions, resolutions and
11 memorials by filing them with the Clerk of the House. (A.C.A. 10-2-112 -- Pre-
12 session filing)

13 (a) Each measure must have an original and twelve (12) copies and ten
14 (10) captions of the title either typewritten or photocopies. (J.R. 17 [B])

15 (b) The Clerk shall take the original and perforate or stamp it as the
16 original.

17 (c) No action shall be taken on any bill, resolution, or amendment that
18 is not physically in the House. However, the motion to recall a bill or
19 resolution may be made regardless of the location of the bill or resolution.

20 (d) No alterations or erasures or otherwise defacement of the bill
21 shall be permitted.

22 (e) All amendments shall be entered on a separate sheet of paper noting
23 the line or lines to be changed and the words to be deleted or inserted.

24 (f) All bills, resolutions, amendments, petitions and memorials must be
25 signed by the author.

26 (g) The improper introduction of a bill, resolution, amendment,
27 petition or memorial involves a question of privilege. Such measures
28 improperly introduced shall be returned to the representative who introduced
29 them.

30 (h) The style of the laws of the State of Arkansas shall be: Be it
31 enacted by the General Assembly of the State of Arkansas. (Art. V, Sec. 19)

32 (i) The General Assembly of Arkansas shall not pass any local or
33 special act. This amendment shall not prohibit the repeal of local or special
34 acts. (Amendment 14)

35 (j) No bill shall be passed by either house containing more than one

1 subject, which shall be expressed in the title. (J.R. 4)

2 (k) In making appropriations for any biennial period, the General
3 Assembly shall first pass the General Appropriation Bill provided for in
4 Section 30 of Article V of the Constitution, and no other appropriation bill
5 may be enacted before that shall have been done. (As added to Article V by
6 Amendment No. 19; Sec. 4)

7 (l) No money shall be drawn from the treasury except in pursuance of
8 specific appropriation made by law, the purpose of which shall be distinctly
9 stated in the bill, and the maximum amount which may be drawn shall be
10 specified in dollars and cents; and no appropriation shall be for a longer
11 period than two years. (Art. V, Sec 29)

12 The general appropriation bill shall embrace nothing but appropriations
13 for the ordinary expense of the executive, legislative and judicial
14 departments of the State; all other appropriations shall be made by separate
15 bills, each embracing but one subject. (Art. V, Sec. 30) No state tax shall
16 be allowed, or appropriation of money made, except to raise means for the
17 payment of the just debts of the State, for defraying the necessary expenses
18 of government, to sustain common schools, to repel invasion and suppress
19 insurrection, except by a majority of two-thirds of both houses of the General
20 Assembly. (Art. V, Sec. 31)

21 None of the rates for property, excise, privilege or personal taxes, now
22 levied shall be increased by the General Assembly except after the approval of
23 the qualified electors voting thereon at an election, or in case of emergency,
24 by the votes of three-fourths of the members elected to each House of the
25 General Assembly. (Amend. 19, Sec. 2)

26 Excepting monies raised or collected for educational purposes, highway
27 purposes, to pay Confederate pensions and the just debts of the State, the
28 General Assembly is hereby prohibited from appropriating or expending more
29 than the sum of Two and One-Half Million Dollars for all purposes, for any
30 biennial period; provided the limit herein fixed may be exceeded by the votes
31 of three-fourths of the members elected to each house of the General Assembly.
32 (Amend. 19, Sec. 3)

33 (m) No appropriation bill shall be filed for introduction in either the
34 House of Representatives or the Senate later than the fiftieth (50th) day of a
35 regular session except upon consent of two-thirds of the members elected to

1 each house; and, no other bill shall be filed for introduction in either the
2 House of Representatives or the Senate later than the fifty-fifth (55th) day
3 of a regular session, except upon consent of two-thirds of the members elected
4 to each house. (J.R. 16)

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

24 (o) (a) Any proposed legislation affecting any publicly supported
25 retirement system or pension plan to be considered by the General Assembly at
26 a regular biennial session shall be introduced in the General Assembly during
27 the first thirty (30) calendar days of a regular biennial session.

28 (b) No such bill shall be introduced after the thirtieth day of a
29 regular biennial session unless its introduction is first approved by a three-
30 fourths (3/4) vote of the full membership of each house of the General
31 Assembly.

32 (c) A bill affecting any publicly supported retirement system or
33 systems shall not be introduced or considered at any special session of the
34 General Assembly unless the introduction and consideration of the bill is
35 first approved by a three-fourths (3/4) vote of the full membership of each

1 house of the General Assembly. (A.C.A. 10-2-115)

2 (p) Definition. -- As used in this subchapter, unless the context
3 otherwise requires, _fiscal impact statement_ means a realistic statement of
4 the estimated financial cost of implementing or complying with the proposed
5 law, regulation, rule, policy, order, or administrative law upon
6 municipalities or counties to which the proposed law, regulation, rule,
7 policy, order or administrative law applies. (A.C.A. 19-1-301)

8 Before adoption of regulation, etc.--No regulation, rule, policy, order,
9 or administrative law which would have a fiscal impact on any municipality or
10 county in this state shall be valid unless 30 days prior to its adoption by a
11 board, commission, agency, department, office or other authority of the
12 government of the State of Arkansas, except the General Assembly, the Courts
13 and the Governor, such board, commission, agency, department, officer or other
14 authority shall file a Fiscal Impact Statement with the Secretary of State.
15 Any municipality or county which will be affected by the proposed regulations,
16 rule, policy, order or administrative law upon request shall immediately be
17 furnished with a copy of the Fiscal Impact Statement by the board, commission,
18 agency, department, officer or other authority. (A.C.A. 19-1-302)

19 Bills imposing new or additional costs on municipality or county.

20 1. When any House or Senate bill requiring an expenditure of public
21 funds or otherwise imposing a new or increased cost obligation on any
22 municipality or county is pending before any committee of the House of
23 Representatives, any member of the committee may request that a fiscal impact
24 statement for such bill be placed on the desk of each member of the committee
25 before the bill is called up for final action in the committee. If such
26 request is made, the chairperson of the committee shall refer the bill to the
27 appropriate state agency or to the legislative staff for the preparation of a
28 fiscal impact statement, to be returned to the committee in writing not later
29 than five (5) days from the date of the request.

30 2. Any time before such bill is read for the third time in the House of
31 Representatives, any member of the House may request that a fiscal impact
32 statement for the bill be prepared and placed on the desk of each member.
33 When a member of the House of Representatives so requests a fiscal impact
34 statement on any bill, the Speaker shall furnish the member a fiscal impact
35 statement signature form which shows the number of the bill for which the

1 statement is requested and the date and time the request was made. If the
2 member returns the form containing the signature of the requesting member and
3 the signatures of at least nine (9) other House members within thirty (30)
4 minutes of the time shown on the form, the fiscal impact statement shall be
5 prepared and placed on the desk of each member of the House before the bill is
6 read the third time.

7 3. If a bill is called up for final passage in the House of
8 Representatives and a fiscal impact statement has not been provided for the
9 bill, any member of the house in which the bill is being considered may move
10 that a final vote on the passage of the bill be delayed until a fiscal impact
11 statement is prepared and made available on the desk of each member of the
12 House at least one (1) full day prior to the bill being called up for final
13 passage. If such motion is made and is adopted by a majority vote of the
14 membership of the House, the Speaker of the House shall cause the bill to be
15 referred to the appropriate state agency or to the designated legislative
16 staff for the preparation of a fiscal impact statement, which shall be filed
17 with the House within five (5) days of the date of the request.

18 4. Failure of the sponsor of a bill to provide the fiscal impact
19 statement required in this rule shall not prohibit the consideration of it in
20 the committee to which referred or on the floor of the house in which the bill
21 is called up for final passage, if no objection to it is made at the time such
22 action is taken.

23 5. Nothing in this rule shall prohibit a committee to which a bill is
24 referred or the house in which the bill is being considered from suspending
25 the requirement of the filing of a fiscal impact statement on any such bill in
26 the same manner as provided for the suspension of the rules in the house in
27 which the bill is being considered.

28 6. Copies of the fiscal impact statements prepared in compliance with
29 the provisions of this rule shall be made available, upon request for them, to
30 representatives of municipal or county governments. A fiscal impact statement
31 filed or prepared in compliance with this rule is declared to be a public
32 record within the meaning of the Freedom of Information Act of 1967, §
33 25-19-101 et seq.

34 7. For the purposes of this rule, the term fiscal impact statement
35 means a realistic statement of the estimated financial cost to municipalities

1 or counties of implementing or complying with a proposed law and regulations
2 promulgated under it. (A.C.A. 19-1-303)

3 37. (a) The first reading of a bill shall be for information and
4 unless otherwise ordered by the House, it shall be placed on the second
5 reading calendar. (Every bill shall be read at length on three different days
6 in each house, unless the rules be suspended by two-thirds of the house, when
7 the same may be read a second or third time on the same day;... (Art. V, Sec.
8 22)

9 (b) No bill shall be read and considered either a first, second or
10 third time which does not contain a bill number, at least one author, a title
11 expressing the main contents of the bill, a subtitle, an enacting clause and
12 at least one section which shall be expressed in the title and the subtitle.
13 The Speaker shall not entertain a motion to suspend this rule.

14 38. Second reading

15 (a) A bill shall be read a second time and the Speaker shall assign the
16 bill to its appropriate committee.

17 (b) A bill or resolution may not be divided for assignment to committee
18 although it may contain certain matters properly within the jurisdiction of
19 several committees.

20 (c) Before consideration by a committee, any representative may attach
21 an amendment to the bill which shall be referred to the committee with the
22 bill, without debate. It is the author's responsibility to have the amendment
23 properly numbered by the Bill Clerk, not the committee staff. An amendment
24 must be properly filed by the author and properly numbered by the Bill Clerk
25 prior to being voted on by the House.

26 (d) In order to amend a bill, it shall be necessary to adopt a motion
27 to place the bill back on second reading for the purpose of submitting an
28 amendment.

29 (e) When a bill has a committee recommendation, it is the author's
30 responsibility to place the bill on the calendar for consideration.

31 39. A bill shall not be called for a third reading and final passage
32 until a photocopied or printed copy of same shall have been placed on every
33 representative's desk for twenty-four (24) hours, and no bill or resolution
34 may be brought up for a third reading and final passage on the floor of the
35 House until it has been on the calendar of the House for at least one (1) day.

1 40. A calendar of bills and resolutions to be considered in the order
2 of business during any legislative day shall be printed and placed on the
3 members' desks prior to the adjournment of the preceding legislative day.

4 41. A bill ordered to be engrossed or enrolled shall be typed or
5 photocopied.

6 42. A bill having been rejected may not be brought up again during the
7 same legislative session unless it be an appropriation bill. Appropriation
8 bills may be considered a total of two times during any calendar day.
9 Following a second consideration during the same calendar day, a motion to
10 reconsider or a motion to expunge must be adopted before an appropriation bill
11 may be considered.

12 43. When a bill has been passed and transmitted to the Senate, it may
13 be recalled from the Senate by the same vote that was necessary to pass the
14 bill.

15 44. A committee may receive a bill, resolution, amendment, petition and
16 memorial only through the House, and the House may receive same only through a
17 member. (Art. V, Sec. 34 -- No new bill shall be introduced into either house
18 during the last three days of the session.)

19 45. Amendments to bills and resolutions:

20 (a) When a bill or resolution is under consideration, amendments shall
21 be in order. Upon adoption, amendments shall become a part of the bill or
22 resolution. Amendments to amendments may not be offered. All amendments
23 offered before the House or one of its committees must be typewritten on an
24 approved amendment form and signed by the sponsor. All amendments shall be
25 attached to the original bill, numbered by the Bill Clerk, and shall be placed
26 upon the members' desks before being acted upon by the House. (Art. V, Sec.
27 21)

28 (b) When a House bill has been amended in the Senate, upon return of
29 said bill to the House, the Speaker shall re-refer the bill, together with the
30 Senate amendment(s), to the committee to which the bill was originally
31 referred, for review. Concurrence in the Senate amendment shall not be
32 considered by the House until the committee report is received by the House.
33 When a House bill is amended and passed by the Senate and is returned to the
34 House, the bill shall be re-printed with the Senate amendments included
35 therein and specifically identified and shall be placed on each member's desk

1 before final action is taken on the bill by the House. When the Senate
2 amendment is before the House, the same number of votes will be required to
3 concur in the Senate amendment as was required in the original passage of the
4 bill in the House.

5 (c) Fifty-one (51) votes shall be required to adopt a House amendment
6 to a House or Senate bill. When a House bill has been amended in the House,
7 it shall not be acted upon until it has been engrossed and such engrossed bill
8 has been printed and placed on each member's desk.

9 (d) Every amendment proposed must be germane to the subject of the
10 proposition to be amended.

11 (e) All appropriation bills and other bills which, under the Joint
12 Rules of the House and Senate, are required to be submitted to the Joint
13 Budget Committee, or to another designated joint committee of the House and
14 Senate, which are amended on the floor of either house of the General Assembly
15 by an amendment which was not recommended favorably by the Joint Budget
16 Committee, or by the other joint committee of the House and Senate to which
17 referred, shall be re-referred to such joint committee of the House and Senate
18 for consideration and recommendation before said bill may be considered for
19 final passage or concurrence by the House of Representatives.

20 (f) Members' own bills may be amended with their own amendments
21 beginning at a specific time set aside by the House.

22 (g) Members' own amendments to their own bills must be signed only by
23 the sponsor of the bill whose name is listed first in the list of sponsors.

24 (h) Members' own amendments to their own bills must be presented to the
25 House Bill Clerk only by the sponsor of the bill whose name is listed first in
26 the list of sponsors.

27 (i) After acceptance, the House Bill Clerk shall furnish the sponsor
28 with a stamped and numbered copy of the members' signed amendment.

29 (j) The sponsor shall present a stamped, numbered and signed copy of a
30 proposed amendment to the Calendar Clerk in order to have the bill and
31 amendment placed on the Members' Own Bill/Own Amendment Calendar.

32 (k) A bill to be amended by a member with his/her own amendment shall
33 only be placed on the Members' Own Bill/Own Amendment Calendar by the
34 sponsor whose name is listed first on the bill.

35 (l) An objection by any member, written or oral, to the Speaker of the

1 House or his/her designee, shall cause a member's own amendment to his/her own
2 bill to not be considered and to be removed from the Members' Own Bill/Own
3 Amendment Calendar and automatically placed on the same day's regular
4 amendment calendar for consideration.

5 (m) A member's own bill amended with a member's own amendment shall be
6 transmitted directly to Engrossing after having been amended.

7 (n) No bills having been amended shall be considered by any committee
8 or the full House until such bills have been engrossed, proofed and reported
9 correctly engrossed. The Speaker or presiding officer shall not accept a
10 motion to suspend this rule.

11 (o) Members' own bills to be amended with their own amendments shall be
12 placed on the Members' Own Bill/Own Amendment Calendar no later than 4:30
13 p.m. the day preceding the day they are to be considered.

14 (p) When a bill has a committee recommendation and is subsequently
15 amended to change the title and/or the list of sponsors, such amendment shall
16 not cause the bill to be re-referred to committee.

17 (q) Members' Own Bills may be withdrawn at a specific time set aside by
18 the House by placing them on the Withdrawal Calendar no later than 4:30
19 p.m., the day preceding the day they are to be withdrawn. Bills for
20 withdrawal may be placed on the Withdrawal Calendar only by the member whose
21 name is listed first as author of the bill. The member requesting withdrawal
22 may recommend the bill to be studied by the same committee to which the bill
23 was assigned at the time of request for withdrawal.

24 IX

25 RESOLUTIONS

26 46. Resolutions shall follow the same procedure as bills.

27 47. A House resolution shall be directed at some matter for the sole
28 action of the House and may be introduced in extraordinary sessions, lack of
29 germaneness notwithstanding. Fifty-one (51) votes shall be required to adopt
30 a House resolution.

31 48. Joint resolutions are for incidental, unusual, or informal
32 objectives of legislation (i.e., as extending the thanks of the state to
33 individuals; invitations to celebrities to visit the state), or to submit
34 proposed amendments to the United States Constitution, ratifying United States
35 Constitutional amendments and proposing amendments to the Arkansas

1 Insurance and Commerce
2 State Agencies and Governmental Affairs
3 (b) JOINT SELECT COMMITTEES
4 (1) Joint Budget -- (to consist of twenty (20) members of the
5 House and twenty (20) members of the Senate). (A.C.A. 10-3-501 thru 10-3-508)
6 (2) Joint Committee on Children and Youth -- (to consist of ten
7 (10) members of the House and ten (10) members of the Senate). (A.C.A.
8 10-3-1302 thru 10-3-1322)
9 (3) Joint Committee on Energy -- (to consist of nine (9) members
10 of the House and five (5) members of the Senate). (A.C.A. 10-3-802 thru
11 10-3-822)
12 (4) Joint Committee on Public Retirement and Social Security
13 Programs -- (to consist of ten (10) members of the House and seven (7) members
14 of the Senate). (A.C.A. 10-3-701 thru 10-3-703)
15 (5) Joint Performance Review Committee -- (to consist of twenty
16 (20) members of the House and seven (7) members of the Senate). (A.C.A.
17 10-3-901 thru 10-3-903)
18 (c) HOUSE SELECT COMMITTEES
19 House Affairs Committee shall consist of no more than ten (10) members.
20 House Management Committee shall consist of no more than twenty (20)
21 members.
22 House Rules Committee shall consist of no more than seventeen (17)
23 members).
24 (d) SPECIAL COMMITTEES
25 (1) Joint Interim Committee on Legislative Facilities -- (to consist of
26 fourteen (14) members of the General Assembly, as follows:
27 (a) The Chairperson of the House Joint Budget Committee;
28 (b) Two (2) members of the House of Representatives *appointed by*
29 *the Speaker*;
30 (c) The Chairperson of the House Management Committee and
31 two (2) additional members of the House Management Committee to be designated
32 by its chairperson;
33 (d) The Speaker of the House of Representatives; and
34 (e) Seven (7) members of the Senate to be named by the
35 Senate Committee on Committees.) (A.C.A. 10-3-1101 thru 1110)

1 (2) House Committee on the Journal; Engrossed and Enrolled Bills shall
2 consist of not more than five (5) members. The House Committee on the
3 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
4 select committee. The committee shall consist of the Speaker of the House of
5 Representatives who shall be chairperson, the chairperson of the House Rules
6 Committee who shall be the vice chairperson, the chairperson of the House
7 Management Committee, and two (2) members of the House appointed by the
8 Speaker of the House; and, the House Parliamentarian shall serve as secretary
9 and advisor to the committee.

10 (3) Joint Committee on Legislative Printing Requirements and
11 Specifications -- (to consist of the chairperson and vice-chairperson of the
12 House Management Committee, the chairperson and vice-chairperson of the Senate
13 Efficiency Committee, the Speaker of the House of Representatives and the
14 President Pro Tempore of the Senate). (A.C.A. 10-3-601 thru 10-3-605).

15 52. (a) Standing Committees.

16 (1) Members of the standing committees shall be appointed and
17 confirmed by the Speaker on a seniority basis.

18 (2) Members of the House of Representatives who are committee
19 chairpersons who have been assigned an office shall vacate the committee
20 chairperson's office by December 1 following the general election in the even-
21 numbered years if the House member is not to be a member of the House during
22 the forthcoming General Assembly or if the member, for whatever reason, will
23 no longer be chairperson of the committee during the forthcoming General
24 Assembly.

25 (3) Each standing committee shall consist of twenty (20) members.
26 Each member of the House shall serve on two (2) standing committees, one (1)
27 of which shall be a Class A committee and one (1) of which shall be a Class B
28 committee.

29 (4) Members and members-elect of the House of Representatives
30 shall opt for biennial standing committee choices at least one (1) week after
31 notification from the Speaker-designate. Failure to opt at least five (5)
32 days after receipt of a second notice by registered mail will automatically
33 allow the Speaker-designate to place the member on the same committees or the
34 member-elect on standing committees of the Speaker-designate's choice. All
35 signatures on correspondence received for committee assignment represent final

1 movement. There shall be no transfers from one standing committee to another
2 during the biennium following initial biennial confirmation. After
3 confirmation to standing committees, and if a vacancy occurs on any standing
4 committee during the biennium because of the death, resignation, impeachment,
5 etc., of a member, following the election of a new member to fill the
6 unexpired term, the newly elected member shall be assigned temporarily, by the
7 Speaker, for the remainder of the biennium, to the A and B standing
8 committees previously held by their predecessor. At the end of the biennium,
9 the temporary positions held on the A and B committees will be declared
10 vacant and will be available for choosing in accordance with a member's
11 seniority.

12 (5) Subcommittees on subject matters may be created from a
13 standing committee and may be directed to complete specific assignments and
14 report its findings to the parent standing committee.

15 (b) Select Committees. (1) The Speaker shall appoint members to fill
16 only vacancies on all House select committees and all Joint Select Committees
17 except the Joint Budget Committee.

18 (2) The House members of the Joint Budget Committee shall consist
19 of five (5) members of the House of Representatives and two (2) alternates
20 chosen from each caucus district as the same exists on March 1, 1991. At the
21 time the alternates are selected, one shall be designated as first alternate
22 and the other as second alternate. The selections shall be made by caucus of
23 the House members residing within each district. The term of office of the
24 members shall be from sine die adjournment of the regular session or July 1 of
25 the odd-numbered year, whichever is earlier, until sine die adjournment of the
26 next regular session or July 1 of the next odd-numbered year, whichever is
27 earlier. The members of the Joint Budget Committee shall select one of their
28 number to serve as chairperson and one to serve as vice chairperson.

29 Vacancies in either a member or alternate member position shall be filled in
30 the same manner as the initial member or alternate member position was filled.

31 (3) No member of the House of Representatives shall serve on more
32 than two (2) select committees. The Legislative Council, the Legislative
33 Joint Auditing Committee, and the House Committee on the Journal; Engrossed
34 and Enrolled Bills, are excluded therefrom.

35 (c) (1) There shall be a chairperson and a vice chairperson of each

1 standing committee and each select committee. No member of the House shall be
2 chairperson or vice-chairperson of more than one standing or select committee.
3 Chairpersons or vice chairpersons of select committees, except the Joint
4 Budget Committee, serving on the effective date of this rule amendment shall
5 be entitled to retain their positions regardless of their seniority on the
6 committee. Thereafter, when vacancies occur in the position of chairperson or
7 vice chairperson of a standing or select committee, except the Joint Budget
8 Committee, the member of the committee having the highest rank in seniority on
9 the committee shall be chairperson and the member of the committee having the
10 second highest rank in seniority on the committee shall be the vice
11 chairperson.

12 (2) The rules or proceedings of the House of Representatives
13 shall be observed in all select committees, standing committees, and
14 subcommittees of the House so far as they may be applicable.

15 (3) The House Committee on the Journal; Engrossed and Enrolled
16 Bills shall serve as the supervisory committee over the preparation of the
17 Journal and engrossing and enrolling of bills.

18 (4) Provided, that after the membership of a standing or select
19 committee, except the Joint Budget Committee, is established, seniority on
20 such committee shall be on the basis of service on the committee, and no
21 member shall be removed from any standing or select committee other than the
22 Joint Budget Committee except:

23 (i) upon failure of re-election to the House of
24 Representatives, or

25 (ii) upon consent or request of the member. New members
26 appointed to a committee shall start from the bottom of the list of seniority
27 on such committee, according to their House seniority. (A.C.A. 10-3-101 --
28 Pre-session assignment)

29 53. Committee Operations. (a) Each committee of the House shall be
30 provided a secretary who shall maintain a current record of all bills,
31 resolutions, petitions, memorials, or other matters filed in committee. A
32 record of committee actions (committee reports, committee adopted amendments,
33 etc.) shall be filed with the Chief Clerk of the House as the first priority
34 upon adjournment of the committee. The secretary shall post, on a bulletin
35 board, a current list of all measures pending before the committee.

1 (b) All committees shall consider the bills and resolutions, petitions,
2 and memorials referred to them and make one of the following reports in
3 writing to the House:

4 (1) That a bill, resolution, petition or memorial do pass;

5 (2) That a bill, resolution, petition or memorial do not pass,
6 in which event the measure shall not be considered;

7 (3) That a bill, resolution, petition or memorial do pass as
8 amended. No bill, resolution, petition or memorial shall be acted upon
9 without a do pass or a do pass as amended recommendation. No bills shall
10 be placed on the non-controversial calendar or deemed to be non-controversial
11 in any way unless a motion is adopted in the committee to which the bill was
12 referred. With a quorum present, the motion is considered adopted if there are
13 no negative votes.

14 (c) The appropriate subject matter standing committees of the House and
15 the Senate may meet as joint committees whenever agreed by said committees,
16 for the purposes of holding public hearings or considering any proposed or
17 pending legislation but upon conclusion of the joint meeting of said
18 committees, each standing committee of the House of Representatives and the
19 Senate shall take such action and report to their respective houses as
20 determined by said committees. Whenever the appropriate subject committees of
21 the House and Senate hold hearings or meetings, the chairperson of the House
22 committee and the chairperson of the Senate committee shall by agreement
23 determine which of them shall preside at the joint meeting.

24 54. The Speaker of the House shall keep a permanent register of the
25 seniority of the members of the House of Representatives. When it is
26 necessary for the seniority of in-coming members to be determined by lot, the
27 Speaker of the House and the Speaker-designate of the House shall conduct a
28 drawing by lots upon receiving certification from the Secretary of State of
29 the election of membership to each General Assembly.

30 55. Seniority shall be based on the total consecutive uninterrupted
31 terms served in the House of Representatives. In the event a member has been
32 elected that has had previous non-continuous service, he/she shall rank ahead
33 of members elected in the year his/her uninterrupted services began. In the
34 event that two (2) or more members have equal terms of non-continuous service,
35 their seniority shall be asserted by drawing lots to determine their numerical

1 standing in rank ahead of members elected in the year his/her uninterrupted
2 services begin.

3 56. Seniority ranking for new members elected for the first time to
4 serve in the General Assembly shall be determined by lot.

5 57. The chairperson shall appoint the clerk or clerks or other
6 employees of his/her committee, subject to committee approval, who shall be
7 paid at the public's expense, the House having first provided therefor.

8 58. Meetings and Hearings:

9 (a) All committee and subcommittee meetings including but not limited
10 to hearings at which public testimony is to be taken, (normally called public
11 hearings) shall be open to the public (Art. V, Sec. 13) and shall be
12 scheduled at least twenty-four (24) hours in advance; agendas of bills,
13 resolutions, and other proposals to be considered at such meetings shall be
14 posted in a designated place at least twenty-four (24) hours in advance; but
15 in case of an emergency, a two-thirds (2/3) majority of the membership of the
16 committee may bring bills up for consideration upon notice of not less than
17 four (4) hours.

18 (b) Special meetings of a standing committee may be called by the
19 chairperson of the committee or by a majority of the members of the committee
20 for conducting any business of the committee; provided, a special meeting of
21 the committee may not conflict with regularly scheduled meetings of any
22 standing committee; provided further, special meetings shall be subject to the
23 same procedures regarding the publishing of agendas and notices of meetings
24 that apply to regular standing committee meetings. (J.R. 20 -- Joint
25 Committees)

26 (c) The Speaker of the House shall establish a regular schedule of
27 committee meetings in order that each Class A committee shall meet at a
28 scheduled time on the mornings of Tuesday and Thursday of each legislative
29 week, and all Class B committees shall meet at a scheduled time on the
30 mornings of Wednesday and Friday of each legislative week.

31 (d) The Speaker of the House shall establish a schedule of House
32 standing and select committee meetings so as to minimize conflicts.

33 59. All persons wishing to offer testimony to a committee hearing shall
34 be given a reasonable opportunity to do so as determined by a majority of the
35 committee. An oral or written statement shall not be a prerequisite to offer

1 testimony before a committee.

2 60. All contested elections cases entertained by the House shall be
3 referred to the Rules Committee which shall make its final recommendation not
4 later than two (2) weeks from the first day of the session.

5 61. No committee shall sit while the House is in session except the
6 Committee on Rules or a Conference Committee, which shall notify the House.

7 62. The following subject areas shall be within the jurisdiction of
8 each of the respective House standing committees:

9 (1) Committee on Education -- matters pertaining to public
10 kindergarten, elementary, secondary, and adult education, vocational
11 education, vocational-technical schools, vocational rehabilitation, higher
12 education, private educational institutions, and similar legislation;

13 (2) Committee on Judiciary -- matters pertaining to state and local
14 courts, court clerks and stenographers and other employees of the courts,
15 civil and criminal procedures, probate matters, civil and criminal laws, and
16 similar matters;

17 (3) Committee on Public Health, Welfare and Labor -- matters pertaining
18 to public health, mental health, mental retardation, public welfare, human
19 relations and resources, environmental affairs, water and air pollution, labor
20 and labor relations, and similar legislation;

21 (4) Committee on Public Transportation -- matters pertaining to roads
22 and highways, city streets, county roads, highway safety, airports and air
23 transportation, common and contract carriers, mass transit, and similar
24 legislation;

25 (5) Committee on Revenue and Taxation -- matters pertaining to the
26 levy, increase, reduction, collection, enforcement and administration of taxes
27 and other revenue-producing measures;

28 (6) Committee on Aging and Legislative Affairs -- To this committee
29 shall be referred bills and resolutions affecting the aged and problems of
30 aging; memorials and resolutions; and other matters whenever the subject
31 matter is not germane to the subject matter of any other standing committee;

32 (7) Committee on Agriculture and Economic Development -- matters
33 pertaining to agriculture, livestock, forestry, industrial development,
34 natural resources, oil and gas, publicity and parks, levee and drainage,
35 rivers and harbors, and similar legislation;

1 (8) Committee on City, County and Local Affairs -- matters pertaining
2 to city and municipal affairs, county affairs, local improvement districts,
3 interlocal government cooperation, and similar legislation;

4 (9) Committee on Insurance and Commerce -- matters pertaining to banks
5 and banking, savings and loan associations, stock, bonds, and other
6 securities, securities dealers, insurance, public utilities, partnerships and
7 corporations, home mortgage financing and housing, and similar legislation;

8 (10) Committee on State Agencies and Governmental Affairs -- matters
9 pertaining to state government and state agencies, except where the subject
10 matter relates more appropriately to another committee, proposed amendments to
11 the Constitution of the State of Arkansas or the Federal government, election
12 laws and procedures, Federal and interstate relations, and similar
13 legislation;

14 63. (a) Committee on Rules:

15 (1) All proposed action touching the rules, joint rules, and
16 order of business shall be referred to the Committee on Rules.

17 (2) It shall always be in order to call up, for consideration, a
18 report from the Committee on Rules.

19 (3) The Committee on Rules shall present to the House reports
20 concerning rules, joint rules, and order of business on the third day after
21 convening of the House. The permanent rules shall be adopted by a majority of
22 the members and thereafter they may be changed only by a vote of sixty-seven
23 (67) members.

24 (4) The Speaker shall refer to the Committee on Rules, any
25 matters dealing with alcohol, cigarettes, tobacco, tobacco products, coin
26 operated amusement devices, vending machines, lobbying, code of ethics, pari-
27 mutuel betting and similar legislation.

28 (5) Rules of the preceding General Assembly shall automatically
29 be adopted as temporary rules of the current assembly and may be amended or
30 suspended by a majority vote of the membership.

31 (b) Joint Budget Committee. All appropriation bills coming before the
32 House shall be assigned to and considered by the Joint Budget Committee.

33 64. No committee shall transact business without a quorum (a majority
34 of the committee membership present). All final action on bills, and on
35 proposed amendments to bills, shall be decided by a majority vote of the

1 committee. Provided, however, that the Speaker of the House shall not be
2 included for the purpose of determining what is a majority of a standing
3 committee, unless present at the time of the vote. A member of the committee
4 must be present at the time of the vote for his/her vote to be counted on any
5 matter considered by the committee (no pairs, no proxies).

6 (a) A bill, resolution or amendment in a House committee having been
7 rejected twice may not be brought up again during the same legislative
8 session.

9 65. Upon written request by the author of a bill directed to the
10 chairperson of the committee, a bill shall be considered by the full committee
11 within ten (10) days of the time of such request, but the committees may delay
12 final action on a bill by a majority vote of the committee.

13 66. No bill shall be introduced with a committee as the author of said
14 bill unless that committee has voted unanimously to sponsor the bill.

15 67. Committee Records and Reports:

16 (a) The chairperson of each committee of the House shall keep or cause
17 to be kept a record in which there shall be entered:

18 1. The time and place of each hearing and each meeting of the
19 committee.

20 2. The number and title of the bill with one of the following
21 three recommendations: _do pass_, _do pass as amended_, or _do not pass_. If
22 a committee recommends a bill _do pass as amended_ and any of the amendments
23 recommended by the committee are not adopted on the floor, the bill shall be
24 re-referred to the same committee for further consideration and
25 recommendation.

26 3. A summary of each bill's major provision which may be several
27 paragraphs in length in case of major bills or simply the title of the bill in
28 the case of minor bills.

29 4. The reason for the committee's action on the bill, including a
30 brief minority report, if requested by any two (2) committee members.

31 5. A record of how every member voted on each bill when action is
32 taken by the committee, including votes on a motion to postpone consideration
33 on the bill and a recorded vote on any other motion, if requested by any
34 committee member.

35 6. A list of all people testifying before a committee on each

1 bill, the interest that they represent, and an indication of their position on
2 the bill.

3 (b) Such records shall be approved by the chairperson before the
4 expiration of a seven (7) day period, with the exception of those records
5 referred to in (a) 1. and 2., hereinabove which shall be filed immediately
6 with the Clerk of the House.

7 (c) Other reports may be filed with the Clerk of the House.

8 68. Consent Calendar -- In addition to the regular calendar of the
9 House of Representatives, there shall be a consent calendar on which shall be
10 placed bills that have been recommended do pass by committee, which are
11 deemed by the committee or by the Speaker to be non-controversial, and may be
12 used for other non-controversial matters such as resolutions and amendments to
13 bills proposed by the author of the bill, if the Speaker deems such matter to
14 be non-controversial. The Speaker of the House shall maintain the consent
15 calendar. On Thursday of each week, and such other times as the Speaker may
16 deem advisable, the House shall consider bills and other matters on the
17 consent calendar. Provided, that a list of bills and other matters on the
18 consent calendar which are to be considered on a particular day shall be
19 circulated among the members of the House of Representatives the day prior to
20 the date on which the consent calendar is to be considered. If as many as
21 five (5) members object to a bill or other matter on the consent calendar
22 being considered as non-controversial, the Speaker of the House shall remove
23 the same from the consent calendar and shall place it on the regular calendar
24 of the House business. No bill or resolution may be placed for consideration
25 on any more than one (1) House calendar.

26 69. A vote of two-thirds (2/3) of the elected membership of the House
27 of Representatives shall be necessary to remove a bill from a committee. A
28 bill may be reported by a committee at any time as provided by the House Rules
29 except for bills introduced after the fiftieth (50th) day of the Regular
30 Session, or during a special session, which shall, upon written request by the
31 author, be acted on at the next regular meeting of the committee, but
32 committees may delay final action on a bill by a majority vote of the
33 committee.

34 COMMITTEE OF THE WHOLE

35 70. All measures involving a tax or an appropriation of money, or

1 property, shall be first considered in a Committee of the Whole, amendments
2 can be offered in the Committee of the Whole.

3 71. The Speaker of the House, in setting the calendar of budgets or
4 appropriation bills to be considered in the House shall, from time to time,
5 confer with the chairperson of the Joint Budget Committee on the appropriation
6 bills pending and may designate specific days or times to be set aside in the
7 House to be devoted solely to consideration of appropriation bills and other
8 budget matters. At least by 3:00 p.m. on the previous day before any
9 appropriation bill may be considered in the Committee of the Whole, the
10 chairperson of the Joint Budget Committee shall cause to be prepared and
11 placed on each member's desk, a listing of appropriation bills to be
12 considered in the Committee of the Whole, broken down as follows:

13 (a) Appropriation bills sponsored by the Joint Budget Committee,
14 prepared in accordance with Legislative Council recommendations;

15 (b) All other appropriation bills sponsored by the Joint Budget
16 Committee which were not considered by the Legislative Council;

17 (c) Bills introduced by members of the House (or Senate) that shall
18 have been recommended by the Joint Budget Committee do pass or do pass as
19 amended; and

20 (d) Appropriation bills amended in the Senate without Joint Budget
21 Committee action. The aforementioned list of appropriation bills shall
22 include the number of the bill, the author of the bill, and the name and
23 agency and/or program for which the appropriation is to be made. In the event
24 the Joint Budget Committee recommendations in regard to the appropriation
25 shall differ, in any respect, from the recommendations made by the Legislative
26 Council in regard thereto, said list shall identify each such change in the
27 appropriation bill which differs from the recommendation of the Legislative
28 Council.

29 72. In forming a Committee of the Whole House, the Speaker may leave
30 his/her chair after appointing a Chairperson to preside, who shall have the
31 same power as the Speaker to preserve order. A majority of a quorum is
32 required to resolve the House into a Committee of the Whole.

33 73. When the House resolves itself into the Committee of the Whole,
34 non-members who are to participate in the matters to be discussed may be
35 invited into the House Chambers by the proponents or opponents of the

1 chosen from each of the caucus districts in effect on January 1, 1987.

2 However, no more than two (2) members shall reside within the same county.

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

14 XII

15 CAUCUS DISTRICTS

16 79. The first caucus district shall be composed of the following House
17 of Representatives districts: 90; 67; 93; 96; 98; 79; 84; 86; 91; 97; 87; 78;
18 66; 89; 81; 92; 95; 42; 77; 80; 85; 99; 41; 94; 88; and 70.

19 The second caucus district shall be composed of the following House of
20 Representatives districts: 68; 47; 27; 65; 64; 45; 63; 46; 58; 31; 43; 54;
21 56; 61; 60; 52; 57; 55; 62; 69; 44; 51; 53; and 59.

22 The third caucus district shall be composed of the following House of
23 Representatives districts: 7; 17; 12; 30; 26; 13; 11; 16; 15; 5; 14; 6; 39;
24 29; 8; 24; 9; 1; 23; 40; 25; 3; 4; 10; and 2.

25 The fourth caucus district shall be composed of the following House of
26 Representatives districts: 83; 71; 49; 50; 19; 36; 38; 22; 18; 32; 48; 34;
27 74; 82; 100; 33; 75; 20; 28; 73; 37; 72; 35; 21; and 76.

28 XIII

29 DEBATE

30 80. When a representative desires to speak or to have the attention of
31 the House, he/she shall rise from his/her seat and respectfully address
32 himself/herself to Mr. Speaker, (or in the Committee of the Whole, Mr./Ms.
33 Chairperson) and upon recognition, he/she may address the House from his/her
34 seat or the well of the House. Representatives must be at their seats before
35 obtaining recognition. Any representative who receives recognition from the

1 Rule shall be enforced by the Speaker of the House and/or the House Management
2 Committee. The House Management Committee and the Rules Committee shall
3 recommend punishment to the House for violation of this Rule. (A.C.A. 10-2-110
4 -- Disorderly Conduct)

5 86. The House Chamber during regular and special sessions shall be used
6 only for the legislative business of the House and for the caucus meetings of
7 its members, except upon occasions where the House, by Resolution, agrees to
8 take part in any ceremonies to be observed therein; and the Speaker shall not
9 entertain a motion for suspension of this rule.

10 87. No representative shall use intemperate language with reference to
11 the House or its members.

12 88. If any representative, in speaking or otherwise, transgresses the
13 rules of the House, the Speaker shall or any representative may, call him/her
14 to order. He/she shall immediately be seated unless permitted, on a motion of
15 another representative, to explain. The House shall, if called upon, decide
16 on the issue without debate. If the decision is in favor of the representative
17 called to order, he/she shall be free to continue; and, if the dispute shall
18 warrant, a representative shall be open to censure or such punishment as the
19 House shall impose.

20 89. Normal conformity to good manners and taste shall be expected of
21 each member of the House. Representatives shall avoid references to
22 personalities and extend to each representative courtesies which they wish for
23 themselves.

24 90. Introduction of and recognition of family, constituents, or groups
25 shall not become excessive. Members should be extremely reluctant in using
26 the time of the House for these personal courtesies.

27 91. The smoking of cigarettes, cigars and pipes shall not be permitted
28 in the chamber of the House of Representatives.

29 92. A roll call shall not be interrupted by a motion or other order of
30 business from the time the Speaker calls up the ballot until he/she casts up
31 the ballot and announces the result of said ballot.

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XV

35

VOTING

1 93. No person not a representative shall cast a vote for a
2 representative.

3 94. Any question or motion, except final passage of a bill or final
4 action on a joint resolution, may be put to the House by a voice vote at the
5 discretion of the Speaker.

6 95. Any five (5) representatives shall have the right to call for the
7 ayes and nays and have the result entered on the Journal. (Art. V, Sec. 12)

8 96. Any representative who will be absent from the House may pair
9 his/her vote with a representative who shall be present.

10 (a) These representatives must be casting opposite votes.

11 (b) Dated pairs reflecting the bill number are counted when signed by
12 both representatives,

13 (1) in the presence of each other, and witnessed by another
14 representative, or

15 (2) when the member who will not be present for the vote signs
16 the pair form in the presence of a person authorized by law to take
17 acknowledgements and who verifies the identity of the signor.

18 (c) Pairs shall be presented to the Speaker only on the day of the vote
19 for which the representatives are paired is to be taken.

20 (d) Pairs shall be announced by the Speaker immediately prior to the
21 roll call from a Pair Form presented to the Speaker by the representative pre-
22 sent. At the time of the announcement the Speaker shall (1) determine that
23 the member who is required to be present is present, and (2) provide the
24 membership with an opportunity to express procedural objections to the pairs.

25 (e) The representative may not cast his/her vote by other methods when
26 he/she is paired.

27 97. The demand to _Sound the Ballot_ (a device to determine how each
28 representative voted) may be accomplished by any five (5) members rising and
29 requesting the Speaker to have the names called and the way the member voted
30 repeated. When contested, any representative (except a representative voting
31 by pair vote) who is not present and *in his* seat shall have his/her vote
32 eliminated.

33 98. After a voice vote, the Speaker or any five (5) representatives
34 that doubt the result may call for a division of the House.

35 (a) Representatives voting aye shall stand at their seats until

1 counted.

2 (b) Then, representatives voting no shall stand at their seats until
3 counted.

4 (c) No representative shall be counted that is not at his/her assigned
5 voting station (his/her seat on the House Floor).

6 (d) The Speaker or his/her designee shall be responsible for counting
7 the vote and the Speaker shall announce the result of the vote.

8 99. The Electronic Voting System shall have the same force and effect
9 as a Roll Call. (Not less than a majority of the members of each house of the
10 General Assembly may enact a law.) (Amend. 19, Sec. 1)

11 100. The Speaker, with three (3) representatives, is sufficient to
12 adjourn, or recess to a time certain, or sine die. (Neither house shall,
13 without the consent of the other, adjourn for more than three days, nor to any
14 other place than that in which the two houses shall be sitting.) (Art. V, Sec.
15 28) (Governor's power to adjourn) In cases of disagreement between the two
16 houses of the General Assembly, at a regular or special session, with respect
17 to the time of adjournment, the Governor may, if the facts be certified to
18 him/her by the presiding officers of the two houses, adjourn them to a time
19 not beyond the day of their next meeting; and, on account of danger from an
20 enemy or disease, to such other place of safety as he/she may think proper.
21 (Art. VI, Sec. 20)

22 101. Vetoes. (Art. VI, Secs. 15 thru 17; A.C.A. 10-2-116)

23 102. Extraordinary sessions of the General Assembly. (Art. VI, Sec. 19)

24 103. Homestead exemption increase (3/4 vote) (Amend. 59, Secs. 16 and
25 17)

26 104. Workmen's Compensation laws (Art. V, Sec. 32 as amended by Amend.
27 26)

28 XVI

29 MISCELLANEOUS

30 105. Every former member of the Arkansas House of Representatives shall
31 be invited to attend a special ceremony to be held in the House Chamber on the
32 third Thursday of January, 1995 and on the third Thursday in January each four
33 years thereafter. Prior to adjournment of the regular session preceding each
34 session at which such ceremony is to be held, the Speaker of the House shall
35 appoint a committee to set the agenda and make other necessary arrangements

.As Engrossed: 3/29/93 4/6/93

H.R. 1044

1 for the ceremony."

2

/s/David Beatty

jmb276