

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Dowd**

S.C.R. 5

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7 **SENATE CONCURRENT RESOLUTION**

8 TO ADOPT THE JOINT RULES OF THE SENATE AND THE HOUSE OF
9 REPRESENTATIVES.

10
11 **Subtitle**

12 TO ADOPT THE JOINT RULES OF THE SENATE AND THE HOUSE OF
13 REPRESENTATIVES.

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17 NOW THEREFORE,

18 BE IT RESOLVED BY THE SENATE OF THE SEVENTY-NINTH GENERAL ASSEMBLY OF THE
19 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

20
21 The following are hereby adopted as the Joint Rules of the Senate and
22 the House of Representatives of the Seventy-Ninth General Assembly:

23
24 JOINT RULES
25 OF THE
26 HOUSE OF REPRESENTATIVES AND THE SENATE

27
28 Joint Session - How Convened

29 Section 1. When, by the Constitution or laws of the state, a joint
30 meeting of the Senate and House of Representatives is required, they shall
31 assemble with their clerks on the day and at the hour previously agreed on for
32 that purpose in the hall of the House of Representatives.

33
34 Officers of Joint Session

35 Section 2. When the meeting is assembled, the President of the Senate

1 and Speaker of the House shall preside in conjunction, and the meeting shall
2 be governed by such standing rules as shall have been adopted for that purpose
3 by the concurrence of both houses. They shall have power to punish any
4 person, other than a member, for disorderly or contemptuous behavior in their
5 presence, by fine and imprisonment, in the same manner and to the same extent
6 as either house may do, for like conduct before it, by the Constitution and
7 laws of this state.

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

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

15

16 Manner of Presenting Bills, Etc.

17 Section 3. All bills, resolutions, votes and amendments by either
18 house, to which the concurrence of both is necessary, as well as messages,
19 shall be presented to the other by the Clerk or Secretary of the house from
20 which they are sent or by the assistant secretary or assistant clerk.

21

22 Contents of Bills

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

25

26 Notice of Bill Rejection

27 Section 5. When a bill or resolution which has passed one house shall
28 be rejected by the other, notice thereof shall be given to the house in which
29 the same shall have passed.

30

31 Engrossment of Bills

32 Section 6. All bills, memorials or resolutions ordered to be engrossed,
33 shall be engrossed by the clerk of the house in which it originated.

34

35 Enrollment of Bills

1 Section 7. When a bill shall have passed both houses, it shall be
2 enrolled by the enrolling clerk of the house in which it originated.

3

4

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

10

11 Section 9. No bill, resolution, or memorial shall be sent to the
12 Governor for his approval, unless the same shall have been clearly and fairly
13 enrolled without obliteration or interlineation.

14

15 Signing of Bills

16 Section 10. After examination and report by the committee responsible
17 for enrolling bills, each bill shall be signed by the Speaker of the House of
18 Representatives and then by the President of the Senate. Each page of a bill
19 shall be signed by the Speaker of the House of Representatives on the right
20 margin, and shall be signed by the President of the Senate on the left margin
21 of each page. The Speaker of the House of Representatives and the President
22 of the Senate shall manually sign each page of each bill, or may provide, at
23 their option and under their supervision, for the affixing thereto of their
24 facsimile signature in the manner and procedure provided in Act 69 of 1959.
25 (A.C.A. 21-10-101 thru 21-10-106)

26

27 Announcement of Message

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

33

34 Bills Passed by the Other House

35 Section 12. Tuesday and Friday of each week are hereby set apart in

1 each house for the especial and exclusive consideration of bills and
2 resolutions, which may have been passed by the other house, and the
3 consideration of such bills and resolutions shall take precedence over all
4 other business on these days immediately after the expiration of one hour
5 after the house shall be called to order by the presiding officer; provided,
6 that the reading of the Journal shall be completed in any event.

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Conference Committee

9 Section 13. When either body shall request a conference, and appoint a
10 committee for that purpose, the other body shall also appoint a committee of
11 equal number to confer, and such conference shall be held at any time and
12 place agreed upon by the chairmen.

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Suspension of Joint Rules

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

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Appropriation Bills

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

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30

Deadline for the Introduction of Bills

31 Section 16. No appropriation bill shall be filed for introduction in
32 either the House of Representatives or the Senate later than the fiftieth
33 (50th) day of a regular session except upon consent of two-thirds of the
34 members elected to each house; and, no other bill shall be filed for
35 introduction in either the House of Representatives or the Senate later than

1 the fifty-fifth (55th) day of a regular session, except upon consent of
2 two-thirds of the members elected to each house.

3

4 Method of Preparing Bills and Resolutions --

5 Automated Bill Preparation System

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

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

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

27 (3) As used herein:

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

32 (b) "automated bill preparation system" shall mean an automated
33 system using word processors, computers, or other electronic devices for the
34 typing and preparation of bills and resolutions (as defined herein) for
35 introduction by members of the General Assembly in either the Senate or the

1 House of Representatives, and shall include the following features:

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

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

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

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

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

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

1 copy. Only the original signed copy of a bill or resolution and engrossed
2 pages thereof shall be perforated as provided herein.

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

15 (E) Bills presented for introduction which propose to directly
16 and specifically amend an existing act, or acts, of the General Assembly
17 shall, at the time the same are presented for introduction, be accompanied by
18 an additional draft of said bills, separate and apart from the draft of said
19 bills prepared for introduction, reflecting by "mark-up" the changes proposed
20 in existing laws by (i) striking through all language of the existing law that
21 is proposed to be deleted by the proposed bills and (ii) by underlining all
22 new language proposed to be added to the existing law. The author of a bill
23 shall be responsible for causing said marked-up copy to be prepared, to be
24 filed with the original bill at the time the same is presented for
25 introduction. A printer-ready copy of the original bill and the copy of the
26 marked-up bill shall be placed in an envelope marked "Printer's Copy,
27 including Marked-up Copy" and the same shall be filed with the bill at the
28 time such bill is filed for introduction in the Senate or in the House of
29 Representatives. At the top of the first page of the marked-up copy shall
30 appear the following language:

31 "MARKED-UP COPY -- THIS IS NOT THE OFFICIAL BILL. Language stricken has
32 been deleted from present law. New language is underlined."
33 to distinguish a marked-up copy from the official copy filed for introduction.
34 All amendments to such bill proposed to be made in the House or Senate shall
35 refer to the official bill copy, and not to the marked-up copy. The copy of

1 the original bill shall be printed in the manner now provided by the Rules of
2 the House and Senate, and the marked-up copy of Senate bills shall be printed
3 on one color paper, and the marked-up copy of House bills shall be printed on
4 a different color of paper, as designated by the Senate Efficiency Committee
5 and by the House Management Committee, for the purpose of distinguishing
6 Senate and House marked-up copies from the copy of the original bill. Printed
7 copies of marked-up bills shall be delivered to the Senate and to the House of
8 Representatives, by the printer, at the same time printed copies of the
9 official bills are delivered to the respective houses. Copies of printed
10 bills shall be placed in the bill books furnished on the desks of members,
11 with the marked-up copy being placed behind the original copy of the bill, or,
12 each house may elect to provide members with separate bill books for marked-up
13 copies.

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Submission of Bills to Governor

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

1 the Constitution of the State of Arkansas.

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Joint Committee on Constitutional Amendments

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 report 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.

23

24

Joint Meetings of Standing Committees

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

29

30

Correction of Obvious Errors

31 Section 21. The Secretary of the Senate and the Chief Clerk of the House
32 are authorized, subject to approval by the appropriate designated committee,
33 to correct obvious errors occurring in documents originating in the House and
34 the Senate respectively, provided that each such correction is noted on the
35 bill jacket and is documented by a "correction note" at the end of the

1 official daily journal for the date on which the correction was made.

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Assigning Bill and Resolution Numbers

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

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9

Prefiling of Bills and Resolutions

10 Section 23. Beginning on November 15 of each year preceding a regular
11 session of the General Assembly, each holdover member of the Senate who will
12 be serving at the next following regular session of the General Assembly, and
13 each member-elect of the General Assembly, as soon as the members-elect of the
14 next General Assembly are certified to the Secretary of State, shall be
15 permitted to pre-file bills and resolutions for such regular session with the
16 Chief Clerk of the House and the Secretary of the Senate. (A.C.A. 10-2-112)

17

18

Introduction of Health Care Legislation

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

27

Succession to the Powers of Governor.

28

*Section 25. (a) It is recognized that no Rule can amend the
29 Constitution; therefore, it is the intent of this Rule to provide for the
30 President Pro Tempore and Speaker of the House to exercise gubernatorial
31 powers sparingly or under only extraordinary circumstances.*

32

*(b) Neither the President Pro Tempore of the Senate nor the Speaker of
33 the House shall exercise the powers of the Governor unless he succeeds to the
34 powers of the Governor because of a vacancy in both the office of Governor and
35 Lieutenant Governor, the disability of both officers, or a vacancy in one*

1 office and the disability of the other officer.

2 (c) (1) For the purpose of this section a disability shall be considered
3 to exist only if:

4 (A) The Governor or Lieutenant Governor transmits to the
5 President Pro Tempore of the Senate and the Speaker of the House of
6 Representative his written declaration that he is unable to discharge the
7 powers and duties of his office; or

8 (B) A Majority of the constitutional officers of the
9 Executive Department of this State transmit to the President Pro Tempore of
10 the Senate and the Speaker of the House of Representatives their written
11 declaration that the Governor or Lieutenant Governor is unable to discharge
12 the powers and duties of his office.

13 (2) A disability shall cease upon the officer transmitting to the
14 president Pro Tempore of the Senate and the Speaker of the House of
15 Representatives his written declaration that no disability exists.

16 (d) If the speaker of the House of Representatives exercises powers of
17 the Governor in violation to this Rule, he may be removed from the office of
18 Speaker of the House upon a majority vote of the House. If the President Pro
19 Tempore of the Senate exercises powers of the Governor in violation of this
20 Rule, he may be removed from the office of President Pro Tempore of the Senate
21 upon a majority vote of the Senate.

22 /s/Senator Dowd

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