

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

SCR 1

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5 By: Senate Rules, Resolutions & Memorials

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8 **SENATE CONCURRENT RESOLUTION**

9 TO ADOPT THE RULES OF THE SENATE AND THE HOUSE OF  
10 REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL  
11 ASSEMBLY.

12  
13 **Subtitle**

14 TO ADOPT THE RULES OF THE SENATE AND THE  
15 HOUSE OF REPRESENTATIVES OF THE EIGHTY-  
16 FIFTH GENERAL ASSEMBLY.

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19 NOW THEREFORE,

20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL  
21 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

22  
23 The following are hereby adopted as the rules of the Senate and the  
24 House of Representatives of the Eighty-Fifth General Assembly of the State of  
25 Arkansas.

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27 **JOINT RULES**  
28 **OF THE**  
29 **HOUSE OF REPRESENTATIVES**  
30 **AND THE SENATE**

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32 **Joint Session - How Convened**

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



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**Officers of Joint Session**

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

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

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

**Manner of Presenting Bills, Etc.**

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

**Contents of Bills**

Section 4. No bill shall be passed by either house containing more than one subject, which shall be expressed in the title. House bills shall have at least one House sponsor and Senate bills shall have at least one Senate sponsor. House bills may have Senate sponsors and Senate bills may have House sponsors.

**Notice of Bill Rejection**

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

**Engrossment of Bills**

Section 6. After adoption of an amendment on the floor of the Senate, regardless whether the bill or resolution originated in the House or the Senate, the Senate shall engross the bill or resolution as amended. After the adoption of the amendment on the floor of the House of Representatives, regardless whether the bill or resolution originated in the House or the Senate, the House of Representatives shall engross the bill or resolution as amended.

This rule may be waived by the President Pro Tempore of the Senate or in his absence the Chairman of Senate Rules Committee, or the Speaker of the House of Representatives.

**Enrollment of Bills**

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

Section 8. All bills must be enrolled and reported to each house by the committee designated by each house to supervise the enrolling of bills, within three (3) days after their passage; provided, that if the reconsideration of any bill is moved, in either house, previous to its presentation to the Governor, the committee shall hold the same until action is taken upon such motion.

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

**Signing of Bills**

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

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**Announcement of Message**

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

**Bills Passed by the Other House**

Section 12. Tuesday and Friday of each week are hereby set apart in each house for the special and exclusive consideration of bills and resolutions, which may have been passed by the other house, and the consideration of such bills and resolutions shall take precedence over all the other business on these days immediately after the expiration of one (1) hour after the house shall be called to order by the presiding officer; provided, that the reading of the Journal shall be completed in any event.

**Conference Committee**

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

**Suspension of Joint Rules**

Section 14. No joint rules shall be dispensed with but by a concurrent vote of two-thirds (2/3) of each house, and if either house shall violate a joint rule, the question of order may be raised in the other house, and decided in the same manner as in case of a violation of the rules of such house.

**Appropriation Bills**

Section 15. The general appropriation bill, and all appropriation bills recommended "do pass" by the Joint Budget Committee, shall be privileged bills advanced upon the calendar, and take precedence over all other bills at any time after the reading of the Journal. It shall be in order, by the direction of the appropriate committee, to move that the House

1 or Senate (as the case may be) resolve itself into the committee of the whole  
 2 house for the purpose of considering the general appropriation bill, and no  
 3 dilatory motion shall be entertained by the presiding officer.

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 5 **Deadline for the Introduction of Bills**

6 Section 16. (A) No appropriation bill shall be filed for introduction  
 7 in either the House of Representatives or the Senate later than the fiftieth  
 8 (50th) day of a regular session except upon consent of two-thirds (2/3) of  
 9 the members elected to each house; and, no other bill shall be filed for  
 10 introduction in either the House of Representatives or the Senate later than  
 11 the fifty-fifth (55th) day of a regular session, except upon consent of two-  
 12 thirds (2/3) of the members elected to each house. When the filing deadline  
 13 for any bills or resolutions ends on Saturday or Sunday, the deadline is  
 14 hereby extended until the close of business the following Monday.

15 (B) Any proposed legislation affecting any publicly supported  
 16 retirement system or pension plan to be considered by the General Assembly at  
 17 a regular session shall be introduced in the General Assembly during the  
 18 first fifteen (15) calendar days of a regular biennial session.

19 (C) No such bill shall be introduced after the fifteenth (15th) day of  
 20 a regular biennial session unless its introduction is first approved by a  
 21 three-fourths (3/4) vote of the full membership of each house of the General  
 22 Assembly.

23 (D) A bill affecting any publicly supported retirement system or  
 24 systems shall not be introduced or considered at any special session of the  
 25 General Assembly unless the introduction and consideration of the bill is  
 26 first approved by a three-fourths (3/4) vote of the full membership of each  
 27 house of the General Assembly. (*Arkansas Code § 10-2-115*)

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 29 **Introduction of Health Care Legislation**

30 Section 17. (A) Any proposed legislation affecting the licensure of  
 31 any profession, occupation, or class of health care providers not currently  
 32 licensed, or expanding the scope of practice of any profession, occupation,  
 33 or class of health care providers to be considered by the General Assembly at  
 34 a regular biennial session shall be introduced in the General Assembly during  
 35 the first fifteen (15) calendar days of a regular biennial session.

36 (B) No such bill shall be introduced after the fifteenth (15th ) day

1 of a regular biennial session unless its introduction is first approved by a  
 2 three-fourths (3/4) vote of the full membership of each house of the General  
 3 Assembly.

4 (C) The Senate and the House, and committees of the Senate and House,  
 5 shall take no action on any such bill for an additional fifteen (15) calendar  
 6 days after the fifteen (15) calendar day deadline for introduction of such  
 7 bills has passed.

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 9 **Method of Preparing Bills**  
 10 **and Resolutions - Automated Bill Preparation System**

11 Section 18. (A) No bill or resolution, as defined herein, shall be  
 12 accepted for introduction by clerks of the Senate or of the House of  
 13 Representatives unless such bill or resolution has been prepared for  
 14 introduction by an automated bill preparation system developed by the Bureau  
 15 of Legislative Research.

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

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

32 (3) The staff of the Bureau of Legislative Research shall not:

33 (a) Draft any bill, resolution, or amendment pursuant to  
 34 the instructions of a lobbyist registered under Arkansas Code § 21-8-601  
 35 without the prior direct approval of a member of the General Assembly;

36 (b) List the name of any member of the Senate or the House

1 of Representatives on any bill, resolution, or amendment without the prior  
 2 direct approval of that member; or

3 (c) List multiple sponsors on a bill unless the order in  
 4 which the sponsors are listed has received the prior direct approval of the  
 5 lead sponsor.

6 The prior direct approval requirement of this rule is met when a  
 7 senator or representative communicates authorization to the staff of the  
 8 Bureau by telephone, email, fax, other written document, or in person.

9 (4) As used herein:

10 (a) "resolutions" shall mean all resolutions prepared for  
 11 introduction which require the concurrence of both houses of the General  
 12 Assembly for the adoption thereof, and shall include resolutions prepared for  
 13 consideration by only the house in which introduced;

14 (b) "automated bill preparation system" shall mean an  
 15 automated system using word processors, computers, or other electronic  
 16 devices for the typing and preparation of bills and resolutions (as defined  
 17 herein) for introduction by members of the General Assembly in either the  
 18 Senate or the House of Representatives, and shall include the following  
 19 features:

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

23 (ii) a method of electronically recording the  
 24 contents of each bill and resolution for ready access for retrieval and  
 25 engrossment purposes;

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

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

34 (B) All bills and resolutions introduced in the House and Senate shall  
 35 be prepared on 8 1/2 x 11 inch paper. A computer generated original and  
 36 twelve (12) copies of the bill or resolution, or a photocopy of an original

1 computer generated copy with twelve (12) additional copies thereof, shall be  
 2 prepared for introduction. The original computer generated copy shall be  
 3 placed in the manuscript cover provided for the official copy of bills or  
 4 resolutions and a photocopy of the computer generated original shall be  
 5 placed in the manuscript cover provided for the duplicate copy, with the  
 6 twelve (12) copies thereof to be attached thereto in such manner as may be  
 7 prescribed by the respective houses. In addition, ten (10) copies of the  
 8 caption on each bill or resolution shall be prepared and attached thereto at  
 9 the time of introduction.

10 (C) Upon the introduction of each bill and resolution, the appropriate  
 11 clerks of the respective houses shall cause the original signed copy thereof  
 12 (which is contained in the official bill or resolution manuscript cover) to  
 13 be identified as the official copy by perforation or stamping on the left  
 14 margin of each page thereof the words "HOUSE ORIGINAL" to be placed on each  
 15 official original copy of House bills and resolutions, and the words "SENATE  
 16 ORIGINAL" to be placed on the left margin of each official original copy of  
 17 Senate bills and resolutions. Whenever any bill or resolution is amended,  
 18 the engrossed page or pages thereof shall be perforated in the same manner as  
 19 the original introduced copy. Only the original signed copy of a bill or  
 20 resolution and engrossed pages thereof shall be perforated or stamped as  
 21 provided herein.

22 (D) If any person shall unlawfully perforate any fraudulent or  
 23 counterfeit copy of any bill or resolution for the purpose of intentionally  
 24 inserting in any bill or resolution any page or provision thereof for the  
 25 purpose of altering the bill or resolution as introduced, such person shall  
 26 be in contempt of the House or Senate, or both House and Senate, and shall be  
 27 punished accordingly. If any person shall make any alteration, change or  
 28 erasure in any original copy of a bill or resolution as originally  
 29 introduced, except upon direction of the House or Senate, or both House and  
 30 Senate, or upon direction of the appropriate committees on engrossed or  
 31 enrolled bills, such person shall be in contempt of the House or Senate, or  
 32 both of them and shall be punished accordingly. In addition, such person  
 33 shall be subject to such fine and imprisonment as may be imposed by the laws  
 34 of this State for fraud.

35 (E)(1) Only bills and amendments to bills which meet the requirements  
 36 of this subsection (E) may be introduced into the Senate or the House of



1 Representatives.

2 (2) Except as provided in subsections (E)(5), (6) and (8), all  
 3 bills and amendments to bills shall reflect the changes proposed in the  
 4 existing law by:

5 (a) over striking all language of the existing law which  
 6 is proposed to be deleted; and

7 (b) underlining all new language proposed to be added to  
 8 the existing law. At the top of the first page of the bill shall appear  
 9 language substantially similar to the following: "Stricken language would be  
 10 deleted from present law. Underlined language would be added to present  
 11 law."

12 (3) Except as provided in subsections (E)(5), (6) and (8), all  
 13 resolutions proposing amendments to the Arkansas Constitution and amendments  
 14 to resolutions shall reflect the changes proposed in the existing  
 15 Constitution by:

16 (a) over striking all language of the existing Constitution  
 17 which is proposed to be deleted; and

18 (b) underlining all new language proposed to be added to  
 19 the existing Constitution. At the top of the first page of the bill shall  
 20 appear language substantially similar to the following: "Stricken language  
 21 would be deleted from the present Constitution. Underlined language would be  
 22 added to present Constitution."

23 (4) Except as provided in subsections (E)(5), (6) and (8), all  
 24 resolutions proposing changes in the rules of the Senate or House or the  
 25 joint rules of the Senate and House shall reflect the changes proposed in the  
 26 existing rule by:

27 (a) over striking all language of the existing rule which  
 28 is proposed to be deleted; and

29 (b) underlining all new language proposed to be added to  
 30 the existing rule. At the top of the first page of the resolution shall  
 31 appear language substantially similar to the following: "Stricken language  
 32 would be deleted from present rule. Underlined language would be added to  
 33 present rule."

34 (5) This subsection (E) may be waived by the President Pro  
 35 Tempore of the Senate or in his absence, the Chairman of the Senate Rules  
 36 Committee, or the Speaker of the House of Representatives.

1 (6) Markups are not required of the following:

2 (a) appropriation sections, state agencies regular salary  
 3 sections, and state agencies extra help sections contained within a bill if  
 4 the sections do not specifically amend existing law;

5 (b) sections which allocate funds within the Revenue  
 6 Stabilization Law or within the General Improvement Fund Distribution Law;  
 7 and

8 (c) sections which amend Arkansas Code §§ 21-5-208(b) and  
 9 21-5-209(e).

10 (7) It shall be the duty of the Chairman of the Joint Budget  
 11 Committee to have a schedule prepared which reflects the amounts approved by  
 12 the Joint Budget Committee for each category for each fund within the Revenue  
 13 Stabilization Law to provide funding for the biennial budget enacted by the  
 14 General Assembly and a schedule reflecting the proposed distribution of  
 15 General Improvement funds. The schedule reflecting the allocation of funds  
 16 in the Revenue Stabilization Law and the General Improvement Fund  
 17 Distribution Law for the next biennium shall be submitted to each body of the  
 18 Arkansas General Assembly at least three (3) days prior to the day at which  
 19 the same is to be considered for final passage.

20 (8) Markups are not required on sections that are substantially  
 21 the same as the following boiler-plate sections:

22  
 23 "SECTION. COMPLIANCE WITH OTHER LAWS. Disbursement of  
 24 funds authorized by this Act shall be limited to the appropriation for such  
 25 agency and funds made available by law for the support of such  
 26 appropriations; and the restrictions of the State Purchasing Law, the General  
 27 Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the  
 28 Regular Salary Procedures and Restrictions Act, the Higher Education  
 29 Expenditure Restrictions Act, where applicable, and regulations promulgated  
 30 by the Department of Finance and Administration, as authorized by law, shall  
 31 be strictly complied with in disbursement of said funds.

32  
 33 SECTION. EMPLOYMENT OF ATTORNEYS. None of the funds  
 34 appropriated in this Act for Maintenance and General Operation shall be  
 35 expended in payment for services of attorneys, unless the agency shall first  
 36 make a request in writing to the Attorney General of the State of Arkansas to

1 provide the required legal services. The Attorney General's Office shall  
 2 provide the required legal services, or, if the Attorney General's Office  
 3 shall determine that sufficient personnel are not available to provide the  
 4 requested legal services, the Attorney General shall certify the same to the  
 5 agency and may authorize the agency to employ legal counsel and to expend  
 6 monies appropriated for Maintenance and General Operations thereof, if:

7 (1) The Attorney General determines, and certifies in  
 8 writing, that such agency needs the advice or assistance of legal counsel,  
 9 and

10 (2) The Attorney General consents in writing to the  
 11 employment of the legal counsel to be retained by the agency.

12 Such certification shall be required with respect to each  
 13 instance of the employment of special legal counsel, or shall be required  
 14 annually with respect to legal counsel employed on a retainer basis. A copy  
 15 of such certification shall be entered in the official minutes of the agency,  
 16 and shall be retained in the fiscal records of the agency for audit purposes.  
 17

18 SECTION. DISBURSEMENT CONTROLS. (A) No contract may be  
 19 awarded nor obligations otherwise incurred in relation to the project or  
 20 projects described herein in excess of the State Treasury funds actually  
 21 available therefor as provided by law. Provided, however, that institutions  
 22 and agencies listed herein shall have the authority to accept and use grants  
 23 and donations including Federal funds, and to use its unobligated cash income  
 24 or funds, or both available to it, for the purpose of supplementing the State  
 25 Treasury funds for financing the entire costs of the project or projects  
 26 enumerated herein. Provided further, that the appropriations and funds  
 27 otherwise provided by the General Assembly for Maintenance and General  
 28 Operations of the agency or institutions receiving appropriation herein shall  
 29 be not be used for any of the purposes as appropriated in this Act.

30 (B) The restrictions of any applicable provisions of  
 31 the State Purchasing Law, the General Accounting and Budgetary Procedures  
 32 Law, the Revenue Stabilization Law and any other applicable fiscal control  
 33 laws of this State and regulations promulgated by the Department of Finance  
 34 and Administration, as authorized by law, shall be strictly complied with in  
 35 disbursement of any funds provided by this Act unless specifically provided  
 36 otherwise by law.

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SECTION. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION. GENERAL REPEALER. All laws and parts of law in conflict with this act are hereby repealed.”

Section 19. (A) Once a Senate bill has passed the House of Representatives and returned to the Senate, it may not be subsequently amended in the Senate unless the House expunges the vote by which it passed the bill and any amendments to the bill and the Senate expunges the vote by which the bill was passed and places the bill on second reading.

(B) Once a House bill has passed the Senate and has been returned to the House, it may not be subsequently amended in the House unless the Senate expunges the vote by which it passed the bill and any amendments to the bill and the House expunges the vote by which the bill was passed and places the bill on second reading.

**Submission of Bills to Governor**

Section 20. Whenever any Senate bill shall be approved by the House of Representatives and enrolled by the Senate, the Secretary of the Senate or one of his or her authorized agents shall without delay, deliver the same to the Governor or his or her designated representative and take receipt thereof, which receipt shall be returned to the Senate and entered in the Journal. Whenever any House bill shall be approved by the Senate and enrolled by the House, the Chief Clerk of the House or one of his or her authorized agents shall, without delay, deliver the same to the Governor or his or her designated representative and take receipt thereof, which receipt shall be returned to the House and entered in the Journal. In the event the Governor, or his or her designated representative, shall refuse to accept

1 delivery of any such bill, the Secretary of the Senate, or the Chief Clerk of  
 2 the House, or their designated agents, as the case may be, shall forthwith  
 3 serve the same by handing the bill to either the Governor or to any employee  
 4 of the Governor's office, and shall return a certificate to the Senate or the  
 5 House as the case may be, of the date and time of such delivery and of the  
 6 name of the person to whom delivered and such certificate shall be entered in  
 7 the Journal of the Senate or the Journal of the House, as the case may be,  
 8 and shall constitute proof of delivery of said bill to the Governor in  
 9 determining the period of time in which the Governor has to sign the same or  
 10 return it to the Senate or the House with his veto as provided in the  
 11 Constitution of the State of Arkansas.

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**Joint Committee on Constitutional Amendments**

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 14 Section 21. The Joint Committee on Constitutional Amendments shall  
 15 consist of the members of the Senate Committee on State Agencies and  
 16 Governmental Affairs and the members of the House Committee on State Agencies  
 17 and Governmental Affairs. No proposed constitutional amendment shall be  
 18 recommended to either house of the General Assembly except upon the  
 19 affirmative vote of a majority of the Senate members of the Joint Committee  
 20 on Constitutional Amendments and an affirmative vote of a majority of the  
 21 House members of the Joint Committee on Constitutional Amendments. No  
 22 resolution proposing a constitutional amendment shall be filed in either the  
 23 House of Representatives or the Senate after the thirty-first (31st) day of  
 24 each regular session of the General Assembly. All resolutions proposing  
 25 constitutional amendments shall be referred to the Joint Committee on  
 26 Constitutional Amendments. Other resolutions proposing constitutional  
 27 amendments shall not be reported to or considered by either house of the  
 28 General Assembly until the original recommendations of the Joint Committee on  
 29 Constitutional Amendments are disposed of by both Houses.

30

**Joint Meetings of Senate and House Committees**

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 32 Section 22. The standing and select Committees of the Senate and the  
 33 House of Representatives are authorized to hold joint meetings upon call of  
 34 the Chairpersons of the two committees involved or by one-half (1/2) or more  
 35 of the members of both committees involved.

36

1 **Correction of Obvious Errors**

2 Section 23. The Secretary of the Senate and the Chief Clerk of the  
 3 House are authorized, subject to approval by the appropriate designated  
 4 committee, to correct obvious errors occurring in documents originating in  
 5 the House and the Senate respectively, provided that each such correction is  
 6 noted on the bill jacket and is documented by a "correction note" at the end  
 7 of the official daily journal for the date on which the correction was made.

8

9 **Assigning Bill and Resolution Numbers**

10 Section 24. In assigning numbers to bills and resolutions introduced  
 11 in the Senate and House of Representatives, Senate bills and resolutions  
 12 shall be numbered commencing with the figure 1, and House bills and  
 13 resolutions shall be assigned numbers commencing with the figure 1001.

14

15 **Prefiling of Bills and Resolutions**

16 Section 25. Beginning on November 15th of each year preceding a  
 17 regular session of the General Assembly, each holdover member of the Senate  
 18 who will be serving at the next following regular session of the General  
 19 Assembly, and each member-elect of the General Assembly, as soon as the  
 20 members-elect of the next General Assembly are certified to the Secretary of  
 21 State, shall be permitted to prefile bills and resolutions for such regular  
 22 session with the Chief Clerk of the House and the Secretary of the Senate.  
 23 (Arkansas Code § 10-2-112)

24

25 **Succession to the Powers of Governor**

26 Section 26. (A) It is recognized that no Rule can amend the  
 27 Constitution; therefore, it is the intent of this Rule to provide for the  
 28 President Pro Tempore and Speaker of the House to exercise gubernatorial  
 29 powers sparingly or under only extraordinary circumstances.

30 (B) Neither the President Pro Tempore of the Senate nor the Speaker of  
 31 the House shall exercise the powers of the Governor unless he or she succeeds  
 32 to the powers of the Governor because of a vacancy in both the office of  
 33 Governor and Lieutenant Governor, the disability of both officers, or a  
 34 vacancy in one office and the disability of the other officer.

35 (C) (1) For the purpose of this section a disability shall be  
 36 considered to exist only if:

1 (a) The Governor or Lieutenant Governor transmits to the  
 2 President Pro Tempore of the Senate and the Speaker of the House of  
 3 Representatives his or her written declaration that he or she is unable to  
 4 discharge the powers and duties of his or her office; or

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

10 (2) A disability shall cease upon the officer transmitting to  
 11 the President Pro Tempore of the Senate and the Speaker of the House of  
 12 Representatives his or her written declaration that no disability exists.

13 (D) If the Speaker of the House of Representatives exercises the  
 14 powers of the Governor in violation of this Rule, he or she may be removed  
 15 from the office of Speaker of the House upon a majority vote of the House.  
 16 If the President Pro Tempore of the Senate exercises powers of the Governor  
 17 in violation of this Rule, he or she may be removed from the office of  
 18 President Pro Tempore of the Senate upon a majority vote of the Senate.

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