

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

HR 1001

4
5 By: Representative Moore
6

7 **HOUSE RESOLUTION**

8 A RESOLUTION TO ADOPT THE RULES OF THE HOUSE OF
9 REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL
10 ASSEMBLY.
11

12
13 **Subtitle**

14 TO ADOPT THE RULES OF THE HOUSE OF
15 REPRESENTATIVES OF THE EIGHTY-EIGHTH
16 GENERAL ASSEMBLY.
17

18
19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL
20 ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. The Rules of the House of Representatives of the Eighty-
23 Eighth General Assembly of the State of Arkansas are amended to read as
24 follows:
25

26 **MEMBERS**

27 1. Every representative shall be present within the House during the
28 session of the House and every member shall be present at each committee
29 meeting of which he/she is a member, unless excused or necessarily prevented.
30 It is the policy of the Arkansas General Assembly, as a term-limited body, to
31 encourage legislators to learn as much as possible by attending meetings of
32 committees of which they are not a member. Prior signed and documented
33 approval must be obtained from the chairperson of a committee for a visiting
34 non-committee member to enjoy certain privileges offered to regular members.

35 2. For the purpose of seating in the House Chamber for an upcoming
36 regular session of the General Assembly, the Speaker of the House shall, on
the first Friday following the November General Election, declare all House



1 Chamber seats vacant and representatives and representatives-elect must
2 select in the order of their seniority any seat not occupied after
3 notification by the Chief Clerk of available seats. Absence or failure to
4 select a seat at the assigned selection time will automatically allow the
5 Speaker to assign the member to his or her same seat if it is available or
6 the member or member-elect to a seat selected by the Speaker. Immediately
7 following the selection of a seat by a member or member-elect or assignment
8 of a seat by the Speaker, the member or member-elect's signature or Speaker's
9 signature is required. Following all seat selections or assignments, member
10 or member-elect's signatures or the Speaker's signature shall represent final
11 movement. The Chief Clerk shall furnish voting machine and desk keys.

12 3. When it is necessary for seniority of incoming members to be
13 determined by lot, the Speaker of the House and the Speaker-designate of the
14 House shall conduct a drawing by lots upon receiving certification from the
15 Secretary of State of the election of membership to each General Assembly.
16 Qualified and certified persons to be seated and officially receive the oath
17 of office may do so only at a time and place prescribed by the House. No
18 person having resigned from public office as a provision to a plea agreement
19 to avoid felony prosecution shall be seated or administered the oath of
20 office. Incoming members with previous legislative tenure shall be placed
21 highest in seniority among the incoming members based upon previous terms of
22 service. Where an equivalence of terms of service exists, seniority for
23 those with equal terms shall be asserted by drawing lots to determine their
24 numerical standing.

25 4. A majority of all representatives elected to the House shall be
26 necessary to transact business. When less than a quorum of House members
27 shall assemble, those present shall be authorized to send for the absent
28 representatives or adjourn. Penalties may be decided by a majority of the
29 representatives present. (Art. 5, Sec. 11)

30 5. Each representative is expected to vote on each question put before
31 the House unless he/she has an immediate personal interest.

32 6. Any representative shall have the right to explain his/her vote on
33 any bill or other question before the House, in writing. Such explanation
34 shall not be entered upon the Journal, but shall be filed with the Chief
35 Clerk.

36 7. Every bill or resolution in the possession of the House or of any

1 committee thereof shall be made available to any member for his/her
2 examination.

3 8. No member at any time shall take from the House or any committee
4 any bill or other paper belonging to the House, without consent of the
5 Speaker, subject to the will of the House.

6 9. It shall be the duty of each representative to know, practice and
7 preserve Parliamentary Law.

8

9

THE SPEAKER

10 10. Selection.

11 10.(a) As used in this rule, the term "Speaker-designate" shall mean
12 the member of the House of Representatives selected by the House of
13 Representatives of each General Assembly held preceding the convening of the
14 next-following regular session of the General Assembly, in the following
15 manner:

16 10.(a)(1) A caucus of the entire House of Representatives shall be
17 held fifteen (15) minutes following sine die adjournment of the fiscal
18 session held in each even-numbered year, at which time the members of the
19 House shall select by secret ballot a member of the House to be known as the
20 Speaker-designate. Each candidate for Speaker-designate shall be allowed
21 fifteen (15) minutes to address the House before the ballot is taken. All
22 members are required to be present for the addresses and for the election.
23 In the event a member is unable to attend, absentee ballots may be requested
24 by a member for himself/herself from the Speaker's Office no sooner than
25 twenty (20) calendar days prior to the scheduled election and must be
26 completed and returned to the Speaker's Office no later than two (2) hours
27 before the scheduled election. Leave for absence shall be requested
28 immediately before the time of the election. The Speaker shall announce the
29 name and number of votes received by the candidate who received at least a
30 majority of the votes of the membership of the House. Each candidate shall
31 be entitled to verify the number of votes he or she received.

32 10.(a)(2) The candidate receiving a majority vote of the membership of
33 the House of Representatives shall be declared the winner of such election
34 for Speaker-designate of the House of Representatives of the next-following
35 General Assembly.

36 10.(a)(3) If no candidate receives a majority vote of the membership

1 of the House of Representatives, the names of the two (2) candidates
2 receiving the highest number of votes cast shall be placed on a run-off
3 ballot and distributed among the membership of the House of Representatives
4 in the same manner provided above.

5 10.(a)(4) If it is determined that the Speaker-designate will not
6 serve as a member of the House of Representatives of the next-following
7 General Assembly due to death, resignation, failure to be a candidate for
8 reelection in the party primary election, or failure to be reelected as a
9 party candidate in the Primary Election, a vacancy in the position of
10 Speaker-designate shall exist and be filled at the caucus of the entire House
11 of Representatives-elect held on the Friday of the week designated for the
12 biennial Institute of Legislative Procedure (House Legislative Orientation),
13 and the Speaker of the House of Representatives shall be elected upon
14 convening of the next regular session.

15 10.(a)(5) It is the intent of this subsection that the Speaker-
16 designate be the Speaker of the House of Representatives of the next-
17 following General Assembly, subject to selection by the membership of the
18 House upon convening of the regular session.

19 10.(a)(6) Petitions seeking pledge signatures of members of the House
20 of Representatives for a particular candidate seeking selection as Speaker-
21 designate shall not be circulated among the members of the House of
22 Representatives.

23 10.(b) At the beginning of each session the members of the House of
24 Representatives shall choose from its own membership a presiding officer
25 designated as the Speaker of the House of Representatives.

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

27 11.(a) Take the chair each day at the hour fixed on the preceding day
28 at adjournment. After the opening prayer and pledge of allegiance, he/she
29 shall immediately call the members to order, and on the appearance of a
30 quorum, cause the Journal of the preceding day to be read;

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

1 11.(c) Preserve order and decorum;

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

5 11.(e) Decide, with assistance of the Parliamentarian, all points of
6 order, subject to appeal by any representative;

7 11.(f) Appoint and confirm all representatives to certain committees
8 and to appoint and confirm committee chairpersons and vice chairpersons in
9 accordance with the House Rules and Statutes;

10 11.(g) Assign all bills to their appropriate committee;

11 11.(h) The Speaker shall not be required to vote, but may do so at
12 his/her discretion. If the Speaker allows a substitute Speaker, neither the
13 Speaker nor the substitute Speaker, if voting, shall be struck during the
14 sounding of the ballot.

15 11.(i) State the question to the House before each vote is taken;

16 11.(j) Appoint, at the beginning of each session, a member of the
17 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve
18 during the absences of the Speaker and shall perform the Speaker's duties.
19 The Speaker Pro Tempore shall not serve more than ten (10) consecutive
20 legislative days without the consent of the House, or beyond adjournment.
21 The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1)
22 from each House Caucus District;

23 11.(k) Supervise and direct the preparation of the daily House
24 calendar (J.R. 12);

25 11.(l) Administer the Oath of Office to the Chief Clerk and the
26 Parliamentarian at the beginning of each legislative session;

27 11.(m) Vacate the Speaker's office by January 1 of the calendar year
28 that a new General Assembly is to convene (odd-numbered years) so as to allow
29 the Speaker-designate the privilege of the use of the office in preparation
30 for the forthcoming General Assembly;

31 11.(n) Vacate the Speaker's premises by December 15 in the even-
32 numbered years; and

33 11.(o) Keep a permanent register of the seniority of the members of
34 the House of Representatives.

35 11.(p) When either body shall request a conference, and appoint a
36 committee for that purpose, the other body shall also appoint a committee of

1 equal number to confer, and such conference shall be held at any time and
2 place agreed on by the chairpersons.

3 11.(q) Approve, by cosigning with either the Chief of Staff or the
4 Coordinator of Legislative Services, the disbursement of all House funds.

5
6 CHIEF OF STAFF

7 12. The Chief of Staff shall be appointed by the Speaker with the
8 approval of the House Management Committee. (Art. 5, Sec.11)

9 13. The duties of the Chief of Staff shall be to:

10 13.(a) Serve as the principal aide to the Speaker; support the Speaker
11 in dealing with a range of legislative officials, industry officials, local,
12 state and federal government officials, and members of the public; manage all
13 public affairs issues on behalf of the Speaker; directly handle matters of
14 institutional legislative importance at the direction of the Speaker;

15 13.(b) Assist the Speaker in designing, establishing and maintaining
16 an organizational structure and staffing to effectively accomplish the goals
17 and objectives of the House; recruit, employ, train and supervise staff as
18 directed by the Speaker;

19 13.(c) Serve as the chief aide and liaison for the Speaker handling
20 program support activities and complex legislative matters to ensure
21 effective operation of the House;

22 13.(d) Interact regularly, at Speaker's direction, with Office of the
23 Governor, Senate, industry, government and community officials in the
24 representation and development of strategic program initiatives designed to
25 improve all facets of governmental services for the citizens of Arkansas;

26 13.(e) Prepare and or contribute to the preparation of reports,
27 briefings, presentations and responses on strategic legislative issues as
28 appropriate;

29 13.(f) Oversee all facets of the daily operations of the House
30 ensuring compliance with all Rules of the House, all local, state and federal
31 laws, policies, regulations and policy statements;

32 13.(g) Act as travel supervisor or assign duty to designated staff;

33 13.(h) Act as purchasing agent or assign duty to designated staff;

34 13.(i) Coordinate preparation for General, Fiscal and Special Sessions
35 of the House of Representatives;

36 13.(j) Coordinate special projects on behalf of the Speaker of the

1 House; participate with the Speaker and leadership in planning, policy
2 development, legislative review, amendment preparation and complex analysis
3 of proposed and existing legislation;

4 13.(k) Oversee the full production of live and recorded sessions of
5 the full House; design schedules, set program content and supervise staff in
6 the use of equipment and records of all sessions;

7 13.(l) Manage and oversee budget review and related legislation.
8

9 COORDINATOR OF LEGISLATIVE SERVICES

10 14. The Coordinator of House Legislative Services shall be appointed
11 by the Speaker of the House with the approval of the House Management
12 Committee. (Art. 5, Sec.11)

13 15. The duties of the Coordinator of House Legislative Services shall
14 be to:

15 15.(a) Coordinate and supervise the activities of the Chief Clerk,
16 employees of the House Fiscal Office, the House Properties Manager and other
17 temporary and permanent employees as assigned by the Chief of Staff;

18 15.(b) Keep or cause to be kept all fiscal accounts and records;

19 15.(c) Act as custodian of House properties; and,

20 15.(d) Report to the Chief of Staff.
21

22 THE CHIEF CLERK

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

26 17. The duties of the Chief Clerk shall be to (A.C.A. 10-2-102):

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

31 17.(b) Keep the Journal of the proceedings of the House, and, under
32 the direction of the Speaker, subject to the will of the House, correct
33 errors in the Journal;

34 17.(c) Keep the necessary records for the House;

35 17.(d) Supervise the engrossment and enrollment of bills and to
36 certify their passage, with the assistance of the appropriate committee (J.R.)

1 6 thru 9);

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

6 17.(f) Attend every session of the House, call or delegate the reading
7 of the roll and the reading of all bills, resolutions and other papers as
8 directed by the Speaker;

9 17.(g) Coordinate and supervise activities of temporary and permanent
10 employees as assigned by the Chief of Staff;

11 17.(h) Be responsible for the distribution of all literature within
12 the House Chamber and other House premises. One copy of such literature
13 which is distributed in the House Chamber and House premises must bear the
14 signature of a representative authorizing distribution and the signed copy
15 must be filed with the Chief Clerk; and

16 17.(i) The Secretary of the Senate and the Clerk of the House are
17 authorized, subject to approval by the appropriate designated committee, to
18 correct obvious errors occurring in documents originating in the House and
19 the Senate respectively, provided that each such correction is noted on the
20 bill jacket and is documented by a "correction note" at the end of the
21 official daily Journal for the date on which the correction was made. (J.R.
22 23)

23

24

PARLIAMENTARIAN

25 18. The duties of the Parliamentarian shall be to (Art. 5, Sec. 11):

26 18.(a) Convene the first session of the House at the time prescribed
27 by law. The Parliamentarian shall call the members to order, call the roll,
28 preserve order and decorum, and decide all questions of order subject to
29 appeal by any representative pending the election of the Speaker. The
30 Parliamentarian of the previous House shall serve as the official
31 Parliamentarian until the appointment of a new Parliamentarian. In the
32 absence of a Parliamentarian of the previous House, the Speaker of the House
33 shall designate a temporary Parliamentarian to convene the first session of
34 the House;

35 18.(b) Assist the Speaker in deciding all points of order;

36 18.(c) Advise the Speaker on the proprieties of motions and the

1 numbers of votes necessary for passage;

2 18.(d) Assist the Speaker in the supervision of the preparation of the
3 daily House calendar;

4 18.(e) Assist the Speaker in the selection of a Chaplain for the day;

5 18.(f) Assist the Speaker in the assignment of bills to their
6 appropriate committee;

7 18.(g) Sit as an ex-officio non-voting member of the House Rules
8 Committee, and serve as secretary and advisor to the House Committee on the
9 Journal; Engrossed and Enrolled Bills;

10 18.(h) Prepare and distribute the House Rules and amendments thereto,
11 under the supervision of the Speaker and the House Rules Committee; and

12 18.(i) Have an adequate knowledge of Parliamentary Law and the Rules
13 of the Arkansas House of Representatives.

14
15 PARLIAMENTARY PRACTICE

16 19. When a question is under debate, motions shall have precedence in
17 the following order (the request for a quorum call is always in order; the
18 Chairperson is not compelled to accept any motion):

19 19.(a) To fix the time to which the House will adjourn (non-debatable)
20 (majority of a quorum);

21 19.(a)(1) (A majority of a quorum is a majority of those voting when
22 at least a majority of the members are present and voting;)

23 19.(b) To adjourn (non-debatable) (majority of a quorum);

24 19.(c) To take a recess (non-debatable) (majority of a quorum);

25 19.(d) Postpone temporarily; lay on the table (non-debatable)
26 (majority of a quorum) To take from the table (non-debatable) (majority of a
27 quorum) (when the motion to take from the table is adopted, the proposition
28 takes the same position it held when the motion to lay on the table was
29 adopted);

30 19.(e) Immediate consideration (non-debatable) (2/3 of a quorum);

31 19.(f) Previous question (non-debatable) (5 seconds) (majority of a
32 quorum);

33 19.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

34 19.(h) To expunge (debatable) (2/3 of membership) (67);

35 19.(i) Postpone to a day certain (debatable) (majority of a quorum);

36 19.(j) Committee of the Whole, go into (non-debatable) (majority of a

1 quorum);

2 19.(k) Refer (debatable) (majority of a quorum);

3 19.(l) Amend (debatable) (majority of a quorum);

4 19.(m) Postpone indefinitely (debatable) (majority of membership);

5 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);

6 19.(o) Special order of business (debatable) (2/3 of a quorum); and

7 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).

8 20. A motion to adjourn shall always be in order, when the Floor can
9 be obtained for that purpose, except when the previous question has been
10 ordered.

11 21. The motion to recess, when the Floor can be obtained for that
12 purpose, must specify the time which shall elapse and the time for
13 reconvening. It may be amended to alter specific time.

14 22. Previous question:

15 22.(a) When any debatable question is before the House, any member may
16 move the previous question. It shall be seconded by five (5) members whether
17 the question shall be stated. When the previous question shall have been
18 adopted, the proponents shall be allowed fifteen (15) minutes in which to
19 debate it, and the opponents of the main question shall be allowed fifteen
20 (15) minutes, after which time a vote upon the main question shall be taken.

21 22.(b) Pending a vote on the main question, one (1) motion to refer is
22 permitted. A motion to refer under this rule applies to House resolutions as
23 well as to House bills, to Senate bills and to Senate amendments to a House
24 bill, and to a motion to amend the Journal. The motion to refer under this
25 rule is non-debatable and may not be laid upon the table.

26 23. A motion to postpone to a day certain may not specify the hour; a
27 special order is necessary to specify the hour; the motion may be amended and
28 it is debatable within narrow limits only, confined to the merit of the
29 motion itself.

30 24. The simple motion to refer is debatable within its narrow limits,
31 but the merits of the proposition to which it is proposed to refer may not be
32 brought into the debate. The motion to refer with instructions is debatable
33 (majority vote of a quorum). When a question is raised about the proper
34 referral of a bill to committee, if the Speaker admits error in the referral
35 of the bill to a committee, the bill may be re-referred by a majority vote of
36 a quorum; however, if the Speaker does not admit error in the referral of the

1 bill to committee, the bill may only be re-referred by a two-thirds (2/3)
2 vote of a quorum. When a bill is re-referred to a committee, any previous
3 committee recommendation is automatically stripped from the bill.

4 24.(a) When a motion is under consideration, only two (2) substitutes
5 to that motion shall be in order. Only a motion applicable to the main
6 motion and of a higher precedence upon recognition may be substituted for the
7 motion under consideration. A substitute to the third degree shall not be in
8 order. Unless specified otherwise by the presenter of the motion at the time
9 the motion is made, a substitute motion shall apply to the main motion.

10 25. The motion to postpone indefinitely opens to debate all the merits
11 of the proposition to which it is applied. It may not be applied to the
12 motion to refer, or to suspend the rules, or to motions relating to the order
13 of business.

14 25.(a) The motion for indefinite postponement and possible
15 consideration by a joint interim committee shall be as follows: "Mr. Speaker,
16 I move that consideration of _____ be postponed indefinitely and that
17 consideration be given by the joint interim committee on _____ for a study
18 of _____." (majority of membership).

19 26. The motion to limit or extend debate must specify time
20 limitations. A substitute motion specifying a lesser time may be accepted.

21 27. Reconsideration:

22 27.(a) When a proposition has been made and carried or lost, it shall
23 be in order for any member of the majority on the same or succeeding
24 legislative day to move for the reconsideration thereof, or give notice of
25 his/her intentions to do so and such motion shall take precedence over other
26 questions except consideration of a conference report or a motion to adjourn:
27 Provided, the motion or proposition shall only be considered during the
28 period reserved for regular bills. The notice shall not be withdrawn after
29 the said succeeding legislative day without the consent of the House, and
30 thereafter any member may call it up for consideration: Provided, the notice
31 to reconsider must be disposed of within three (3) legislative days following
32 the day the vote was taken; provided, that such notice to reconsider cannot
33 be given after the 57th day of a regular session or during a special session
34 or fiscal session during which times a motion to reconsider must be disposed
35 of immediately.

36 27.(b) The provisions of the rule that the motion may be made "by any

1 member of the majority” is construed, in case of a tie, to mean the member of
2 the prevailing side, and the same construction applies in the case of a two-
3 thirds (2/3) vote. Where the yeas and nays have not been ordered recorded in
4 the Journal, any member, irrespective of whether he/she voted with the
5 majority or not, may make the motion to reconsider or give notice thereof;
6 but a member who was absent or who was paired in favor of the majority
7 contention and did not vote may not make a motion.

8 27.(c) A bill in the possession of the House is not considered passed
9 or an amendment agreed to if a motion to reconsider is pending; the effect of
10 the motion being to suspend the original proposition. A notice or motion to
11 reconsider shall not be allowed unless the bill is in the House. A bill
12 shall not leave the House once notice of reconsideration is given. When the
13 motion to reconsider is decided in the affirmative, the question immediately
14 recurs on the motion reconsidered. However, prior to consideration of the
15 question at hand, the Speaker shall have the title, expressing the main
16 contents of the proposition being reconsidered, read to the House. When the
17 motion to reconsider is defeated, a second motion to reconsider may not be
18 made.

19 27.(d) The motion to reconsider is agreed to by a majority of a
20 quorum, even though the vote reconsidered requires a majority or more of the
21 membership. Upon reconsideration when a proposition has been voted twice and
22 either carried or lost it is considered "Clinched".

23 27.(e) A notice to reconsider is not debatable. A motion to
24 reconsider is debatable when the item to which it applies is debatable.

25 27.(f) No bill, petition, memorial, or resolution referred to a
26 committee or reported there-from for recommitment shall be brought back into
27 the House on a motion to reconsider.

28 27.(g) The "Clincher" motion is two (2) motions in one (1); it is a
29 motion to reconsider and to lay on the table. Having prevailed, the
30 proposition shall not be again considered except by expunging the record.
31 The "Clincher" motion is adopted by a majority of the membership. The
32 Speaker shall accept a "Sound the Ballot" request after the "Clincher" has
33 been adopted and before the next order of business is called.

34 27.(h) No "Clincher" motion shall be entertained on a bill passed
35 during the morning hour or which has been represented to be non-controversial
36 regardless of when passed. Prior to the 60th day of a session, no bill

1 passed during the morning hour, or a bill appearing on the non-controversial
2 bill calendar which has passed, shall be transmitted to the Senate until the
3 expiration of the morning hour of the day next following its passage in which
4 the House is in session.

5 28. No dilatory motion shall be entertained by the Speaker.

6 29. Two-thirds (2/3) of a quorum may suspend the rules, other than
7 rules that require a two-thirds (2/3) or three-fourths (3/4) vote of the
8 membership. (J.R. 14 - Suspending Joint Rules)

9 30. No standing rule or order shall be revised without one (1) day's
10 notice being given thereof.

11 31. In every case not provided for in the House rules, the Speaker,
12 the Parliamentarian, and the members shall be guided by Mason's Manual of
13 Legislative Procedure. Each member of the Rules Committee may be furnished a
14 copy of the current edition and of each new or revised edition of Mason's
15 Manual of Legislative Procedure and additional copies may be available to
16 other members from the Parliamentarian, upon approval of the Rules Committee.
17

18 DAILY ORDER OF BUSINESS

19 32. The House shall convene at 1:30 p.m., unless otherwise ordered by
20 the House membership.

21 33. The daily order of business shall be:

22 (a) Prayer

23 (b) Pledge of Allegiance

24 (c) Roll Call

25 (d) Leaves of absence

26 (e) Reading and approval of the previous day's Journal

27 (f) Reports from select committees

28 (g) Reports from standing committees

29 (h) Unfinished business

30 (i) Executive communications

31 (j) Introduction, reading and advancement of bills and resolutions

32 33.(k)1. Senate communications and amendments to House bills

33 2. Introduction, reading and advancement of bills and joint
34 resolutions

35 3. Bills and resolutions from the Senate on first reading

36 4. Bills and resolutions from the Senate on second reading

1 5. Senate bills and joint resolutions on third reading

2 33.(l) Announcement of committee meetings, and

3 33.(m) Adjournment.

4 34.(a) Introduction and reading of bills and resolutions may be
5 ordered by the Speaker of the House at his/her discretion.

6 34.(b) The following types of resolutions shall be considered for
7 passage during the time set aside for the consideration of members' own
8 amendments to their own bills: a memorial resolution, a concurrent memorial
9 resolution, and a resolution or a concurrent resolution that commends,
10 congratulates, or recognizes an individual, group, or other entity.
11 Notwithstanding Rule 25 (h), a concurrent resolution or concurrent memorial
12 resolution that is subject to this rule may be transmitted to the Senate on
13 the same day that it is passed. A joint resolution proposing a
14 Constitutional amendment shall be placed on the regular House calendar and is
15 subject to Rule 25 (h).

16 35. Items "(a)" through "(h)" shall take no more than one (1) hour of
17 House time each day unless extended by a majority vote of the House members
18 present. These items may not be extended on those designated Senate days
19 beyond the one (1) hour limit. (J.R. 12 – Senate days)

20 36. Unfinished business items, except items "(a)" through "(g)", take
21 up where the House left the day before when it adjourned. Items "(a)"
22 through "(g)" begin new each day.

23 37. Privileged matters may interrupt the order of business. These
24 privileged matters are:

25 37.(a) Appropriation bills and revenue bills, sponsored by the
26 committees on Budget, Revenue and Taxation and the Committee on Rules (J.R.
27 15);

28 37.(b) Conference reports;

29 37.(c) Special orders reported by the Committee on Rules for
30 consideration by the House;

31 37.(d) Consideration of amendments between the House and Senate after
32 disagreement;

33 37.(e) Question of privilege;

34 37.(f) Privileged resolutions reported under the right to report any
35 time; and

36 37.(g) Bills returned with the objections of the Governor.

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BILLS

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

38.(a) Each measure must have an original and eight (8) copies and eight (8) captions of the title either typewritten, photocopied or computer generated copies. (J.R. 18 [B])

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

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

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

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

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

38.(g) The improper introduction of a bill, resolution, amendment, petition or memorial involves a question of privilege. Such measures improperly introduced, as determined by the Speaker or the House Committee on the Journal; Engrossed and Enrolled Bills, shall be returned to the representative who introduced them.

38.(h) The style of the laws of the State of Arkansas shall be: "Be it enacted by the General Assembly of the State of Arkansas." (Art. 5, Sec. 19)

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

38.(j) No bill shall be passed by either house containing more than one subject, which shall be expressed in the title, and the subtitle. (J.R. 4)

38.(k) In making appropriations for any fiscal year, the General Assembly shall first pass the General Appropriation Bill provided for in Section 30 of Article 5 of the Constitution, and no other appropriation bill

1 may be enacted before that shall have been done. (As added to Article 5, Sec.
2 40 by Amendment No. 19)

3 38.(1) No money shall be drawn from the treasury except in pursuance
4 of specific appropriation made by law, the purpose of which shall be
5 distinctly stated in the bill, and the maximum amount which may be drawn
6 shall be specified in dollars and cents; and no appropriation shall be for a
7 longer period than one (1) fiscal year. (Art. 5, Sec. 29)

8 The general appropriation bill shall embrace nothing but appropriations
9 for the ordinary expense of the executive, legislative and judicial
10 departments of the State; all other appropriations shall be made by separate
11 bills, each embracing but one (1) subject. (Art.5, Sec. 30)

12 No state tax shall be allowed, or appropriation of money made, except
13 to raise means for the payment of the just debts of the State, for defraying
14 the necessary expenses of government, to sustain common schools, to repel
15 invasion and suppress insurrection, except by a majority of two-thirds (2/3)
16 of both houses of the General Assembly. (Art. 5, Sec. 31)

17 None of the rates for property, excise, privilege or personal taxes,
18 now levied shall be increased by the General Assembly except after the
19 approval of the qualified electors voting thereon at an election, or in case
20 of emergency, by the votes of three-fourths (3/4) of the members elected to
21 each House of the General Assembly. (Art. 5, Sec. 38 added by Amend. 19,
22 Sec. 2)

23 Excepting monies raised or collected for educational purposes, highway
24 purposes, to pay Confederate pensions and the just debts of the State, the
25 General Assembly is hereby prohibited from appropriating or expending more
26 than the sum of Two and One-Half Million Dollars for all purposes, for any
27 fiscal year; provided the limit herein fixed may be exceeded by the votes of
28 three-fourths (3/4) of the members elected to each House of the General
29 Assembly. (Art. 5, Sec. 39 added by Amend. 19, Sec. 3)

30 38.(m)(a) No appropriation bill shall be filed for introduction in
31 either the House of Representatives or the Senate later than the fiftieth
32 (50th) day of a regular session except upon consent of two-thirds (2/3) of
33 the members elected to each house; and, no other bill or resolution except
34 adjournment resolutions and resolutions requesting permission to introduce a
35 bill or resolution shall be filed for introduction in either the House of
36 Representatives or the Senate later than the fifty-fifth (55th) day of a

1 regular session, except upon consent of two-thirds (2/3) of the members
2 elected to each house.

3 (b)(1) No appropriation bill shall be filed for introduction in
4 either the House of Representatives or the Senate later than the fifteenth
5 (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the
6 members elected to each house.

7 (2) For a fiscal session, a non-appropriation bill shall not be
8 filed for introduction until a concurrent resolution authorizing the
9 introduction of the bill has been approved by a vote of two-thirds (2/3) of
10 the members elected to each house and the concurrent resolution becomes
11 effective.

12 (3) A concurrent resolution authorizing the introduction of a
13 non-appropriation bill in a fiscal session shall not be filed for
14 introduction in either the House of Representatives or the Senate later than
15 the first (1st) day of a fiscal session.

16 (4) A non-appropriation bill shall not be filed for introduction
17 in either the House of Representatives or the Senate later than the fifteenth
18 (15th) day of a fiscal session.

19 (c) When the filing deadline for any bills or resolutions ends on
20 Saturday or Sunday, the deadline is extended until the close of business the
21 following Monday. (J.R. 16)

22 38.(n) The Joint Committee on Constitutional Amendments shall consist
23 of the members of the Senate Committee on State Agencies and Governmental
24 Affairs and the members of the House Committee on State Agencies and
25 Governmental Affairs. No proposed constitutional amendment can be
26 recommended to either House of the General Assembly except upon the
27 affirmative vote of a majority of the members of the Senate Committee on
28 State Agencies and Governmental Affairs and an affirmative vote of a majority
29 of the members of the House Committee on State Agencies and Governmental
30 Affairs. No resolution proposing a constitutional amendment shall be filed
31 in either the House of Representatives or the Senate after the thirty-first
32 (31st) day of each regular session of the General Assembly. All resolutions
33 proposing constitutional amendments shall be referred to the Joint Committee
34 on State Agencies and Governmental Affairs. Other resolutions proposing
35 constitutional amendments shall not be reported to or considered by either
36 House of the General Assembly until the original recommendations of the Joint

1 Committee on State Agencies and Governmental Affairs are disposed of. A
2 resolution proposing a constitutional amendment may be considered only during
3 a regular session. (J.R. 21)

4 38.(o)(a) Any proposed legislation affecting any publicly supported
5 retirement system or pension plan to be considered by the General Assembly at
6 a regular session shall be introduced in the General Assembly during the
7 first fifteen (15) calendar days of a regular session. (A.C.A. 10-2-115)

8 38.(o)(b) No such bill shall be introduced after the fifteenth day of
9 a regular session unless its introduction is first approved by a three-
10 fourths (3/4) vote of the full membership of each House of the General
11 Assembly. (A.C.A. 10-2-115)

12 38.(o)(c) A bill affecting any publicly supported retirement system or
13 systems shall not be introduced or considered at any special session or
14 fiscal session of the General Assembly unless the introduction and
15 consideration of the bill is first approved by a three-fourths (3/4) vote of
16 the full membership of each House of the General Assembly. (A.C.A. 10-2-115)

17 38.(p) Definition. -- As used in this subchapter, unless the context
18 otherwise requires, "fiscal impact statement" means a realistic statement of
19 the estimated financial cost of implementing or complying with the proposed
20 law, regulation, rule, policy, order, or administrative law upon
21 municipalities or counties to which the proposed law, regulation, rule,
22 policy, order or administrative law applies. (A.C.A. 19-1-301)

23 Before adoption of regulation, etc. -- No regulation, rule, policy,
24 order, or administrative law which would have a fiscal impact on any
25 municipality or county in this state shall be valid unless 30 days prior to
26 its adoption by a board, commission, agency, department, office or other
27 authority of the government of the State of Arkansas, except the General
28 Assembly, the Courts and the Governor, such board, commission, agency,
29 department, officer or other authority shall file a fiscal impact statement
30 with the Secretary of State. Any municipality or county which will be
31 affected by the proposed regulations, rule, policy, order or administrative
32 law upon request shall immediately be furnished with a copy of the fiscal
33 impact statement by the board, commission, agency, department, officer or
34 other authority. (A.C.A. 19-1-302)

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

36 38.(p) 1. When any House or Senate bill requiring an expenditure of

1 public funds or otherwise imposing a new or increased cost obligation on any
2 municipality or county is pending before any committee of the House of
3 Representatives, any member of the committee may request that a fiscal impact
4 statement for such bill be placed on the desk of each member of the committee
5 before the bill is called up for final action in the committee. If such
6 request is made, the chairperson of the committee shall refer the bill to the
7 appropriate state agency or to the legislative staff for the preparation of a
8 fiscal impact statement, to be returned to the committee in writing not later
9 than five (5) days from the date of the request. (A.C.A. 19-1-303)

10 38.(p) 2. Any time before such bill is read for the third time in the
11 House of Representatives, any member of the House may request that a fiscal
12 impact statement for the bill be prepared and placed on the desk of each
13 member. When a member of the House of Representatives so requests a fiscal
14 impact statement on any bill, the Speaker shall furnish the member a fiscal
15 impact statement signature form which shows the number of the bill for which
16 the statement is requested and the date and time the request was made. If
17 the member returns the form containing the signature of the requesting member
18 and the signatures of at least nine (9) other House members within thirty
19 (30) minutes of the time shown on the form, the fiscal impact statement shall
20 be prepared and placed on the desk of each member of the House before the
21 bill is read the third time. (A.C.A. 19-1-303)

22 38.(p) 3. If a bill is called up for final passage in the House of
23 Representatives and a fiscal impact statement has not been provided for the
24 bill, any member of the house in which the bill is being considered may move
25 that a final vote on the passage of the bill be delayed until a fiscal impact
26 statement is prepared and made available on the desk of each member of the
27 House at least one (1) full day prior to the bill being called up for final
28 passage. If such motion is made and is adopted by a majority vote of the
29 membership of the House, the Speaker of the House shall cause the bill to be
30 referred to the appropriate state agency or to the designated legislative
31 staff for the preparation of a fiscal impact statement, which shall be filed
32 with the House within five (5) days of the date of the request. (A.C.A. 19-1-
33 303)

34 38.(p) 4. Failure of the sponsor of a bill to provide the fiscal
35 impact statement required in this rule shall not prohibit the consideration
36 of it in the committee to which referred or on the Floor of the house in

1 which the bill is called up for final passage, if no objection to it is made
2 at the time such action is taken. (A.C.A. 19-1-303)

3 38.(p) 5. Nothing in this rule shall prohibit a committee to which a
4 bill is referred or the house in which the bill is being considered from
5 suspending the requirement of the filing of a fiscal impact statement on any
6 such bill in the same manner as provided for the suspension of the rules in
7 the house in which the bill is being considered. (A.C.A. 19-1-303)

8 38.(p) 6. Copies of the fiscal impact statements prepared in
9 compliance with the provisions of this rule shall be made available, upon
10 request for them, to representatives of municipal or county governments. A
11 fiscal impact statement filed or prepared in compliance with this rule is
12 declared to be a public record within the meaning of the Freedom of
13 Information Act of 1967, § 25-19-101 et seq. (A.C.A. 19-1-303)

14 38.(p) 7. For the purposes of this rule, the term "fiscal impact
15 statement" means a realistic statement of the estimated financial cost to
16 municipalities or counties of implementing or complying with a proposed law
17 and regulations promulgated under it. (A.C.A. 19-1-303)

18
19 Bills imposing new or additional costs on education

20 38.(q)(a)(1) As used in this section, unless the context otherwise
21 requires, "fiscal impact statement" means a realistic written statement of
22 the purpose of a proposed law, or a regulation promulgated under a law, and
23 the estimated financial cost to the state or any local school district of
24 implementing or complying with the proposed law or regulation.

25 (2) The fiscal impact statement shall be developed by the Office of
26 Economic and Tax Policy of the Bureau of Legislative Research with the
27 assistance of the Department of Education within the guidelines adopted by
28 the House Committee on Education and the Senate Committee on Education, as
29 applicable.

30 (b) Any bill filed in the House of Representatives or Senate that will
31 impose a new or increased cost obligation for education in grades
32 kindergarten through twelve (K-12) on the State of Arkansas or any local
33 school district shall have a fiscal impact statement attached to it prepared
34 and filed with the chair of the committee to which the bill is referred:

35 (1) At least three (3) days before the bill may be called up for final
36 action in the committee during a regular session or fiscal session of the

1 General Assembly; and

2 (2) At least one (1) day before the bill may be called up for final
3 action in the committee during a special session of the General Assembly.

4 (c)(1)(A) If any such House or Senate bill is called up for final
5 passage in the House or Senate and a fiscal impact statement has not been
6 provided by the author of the bill or by the committee to which the bill was
7 referred, any member of the House or Senate may object to the bill's being
8 called up for final passage until a fiscal impact statement is prepared and
9 made available on the desk of each member of the House or Senate at least one
10 (1) day prior to the bill's being called up for final passage.

11 (B) An affirmative vote of two-thirds (2/3) of a quorum present and
12 voting shall override the objection.

13 (2) If an objection is made without override, the presiding officer of
14 the House or Senate shall cause the bill to be referred to the office for the
15 preparation of a fiscal impact statement which shall be filed with the
16 presiding officer not later than five (5) days from the date of the request.

17 38.(r) Bills imposing new or additional costs and restrictions on
18 inmate population patterns or affecting programs or services of the
19 Department of Corrections.

20 (a) Each of the following bills introduced in the General Assembly
21 shall have a cost impact statement attached to the bill prior to the
22 committee to which the bill is referred taking action in regard to the bill:

23 (1) Bills which affect inmate population patterns at facilities of the
24 Department of Correction by imposing restrictions on inmate release, or by
25 increased intake into the department of inmates based on felony convictions;
26 and

27 (2) Bills which affect programs or services of the department.

28 (b) In addition, copies of the cost impact statement shall be
29 furnished on the desk of each member of the Senate and of the House of
30 Representatives at least one (1) day prior to the date on which the bill is
31 on third reading and debated for final passage in the respective houses.

32 (c) Cost impact statements required under this section shall be
33 prepared, upon referral thereof by the Speaker of the House of
34 Representatives, with respect to House bills, and by the President of the
35 Senate upon recommendation of the Senate Rules Committee, with respect to
36 Senate bills, at the time of introduction thereof, to:

1 (1) The Director of the Department of Correction, who shall either
2 personally prepare, or cause appropriate officials of the department to
3 prepare, a cost impact statement to be approved by the director before
4 submission to the house in which the request was made; or

5 (2) Any other state agency which has information available upon which
6 to base a cost impact statement.

7 (d) The cost impact statement shall be furnished to the Governor and
8 to the President of the Senate and the Speaker of the House of
9 Representatives who shall cause copies thereof to be prepared for
10 distribution upon the desks of the members of the House and Senate at least
11 twenty-four (24) hours prior to consideration of any such bill by committee
12 or twenty-four (24) hours prior to the bill's being called up for third
13 reading and final passage.

14 (e) The cost impact statement shall be certified by the director, or
15 the director of the appropriate agency to which the bill is referred for
16 preparation of an impact statement, and shall be returned and filed as
17 required in this section within not more than five (5) days from the date of
18 receipt thereof unless additional time in which to prepare the statement is
19 granted by the requesting official. (A.C.A. 12-28-103)

20 39.(a) The first reading of a bill shall be for information and unless
21 otherwise ordered by the House, it shall be placed on the second reading
22 calendar. (Every bill shall be read at length on three different days in
23 each house, unless the rules be suspended by two-thirds (2/3) of the House,
24 when the same may be read a second or third time on the same day; (Art.5,
25 Sec. 22)

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

31 40. Second reading

32 40.(a) A bill shall be read a second time and the Speaker shall assign
33 the bill to its appropriate committee.

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

1 40.(c) Before consideration by a committee, any representative may
2 attach an amendment to the bill which shall be referred to the committee with
3 the bill, without debate. It is the author's responsibility to have the
4 amendment properly numbered by the Bill Clerk, not the committee staff. An
5 amendment must be properly filed by the author and properly numbered by the
6 Bill Clerk prior to being voted on by the House.

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

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

12 41. A bill shall not be called for a third reading and final passage
13 until a photocopied, printed copy, or electronic copy of same shall have been
14 placed on every representative's desk for twenty-four (24) hours.

15 The twenty-four (24) hour period begins when a bill is initially
16 introduced and read across the desk. No bill or resolution may be brought up
17 for a third reading and final passage on the Floor of the House until it has
18 been on the calendar of the House for at least one (1) day.

19 42. A calendar of bills and resolutions to be considered in the order
20 of business during any legislative day shall be printed and placed on the
21 members' desks prior to the adjournment of the preceding legislative day.
22 Calendared items are considered to be a motion for passage.

23 43. A bill ordered to be engrossed or enrolled shall be typed or
24 photocopied.

25 44. A bill having been rejected may not be brought up again during the
26 same legislative session unless it be an appropriation bill. Appropriation
27 bills may be considered a total of two times during any calendar day.

28 Following a second consideration during the same calendar day, a motion to
29 reconsider or a motion to expunge must be adopted before an appropriation
30 bill may be considered.

31 45. When a bill has been passed and transmitted to the Senate, it may
32 be recalled from the Senate by the same vote that was necessary to pass the
33 bill.

34 46. A committee may receive a bill, resolution, amendment, petition
35 and memorial only through the House, and the House may receive same only
36 through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into

1 either house during the last three days of a regular or fiscal session.)

2 47. Amendments to bills and resolutions:

3 47.(a) When a bill or resolution is under consideration, amendments
4 shall be in order. Upon adoption, amendments shall become a part of the bill
5 or resolution. Amendments to amendments may not be offered. All amendments
6 offered before the House or one of its committees must be typewritten on an
7 approved amendment form and signed by the sponsor. All amendments shall be
8 attached to the original bill, numbered by the Bill Clerk, and shall be
9 placed upon the members' desks before being acted upon by the House.

10 47.(b) When a House bill has been amended in the Senate, upon return
11 of said bill to the House, the Speaker shall re-refer the bill, together with
12 the Senate amendment(s), to the committee to which the bill was originally
13 referred, for review. Concurrence in the Senate amendment shall not be
14 considered by the House until the committee report is received by the House.
15 When a House bill is amended and passed by the Senate and is returned to the
16 House, the bill shall be reprinted with the Senate amendments included
17 therein and specifically identified and shall be placed on each member's desk
18 before final action is taken on the bill by the House. When the Senate
19 amendment is before the House, the same number of votes will be required to
20 concur in the Senate amendment as was required in the original passage of the
21 bill in the House. Amendments containing an emergency clause require sixty-
22 seven (67) votes.

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

27 47.(d) Every amendment proposed must be germane to the subject of the
28 proposition to be amended.

29 47.(e) All appropriation bills and other bills which are required to
30 be submitted to the Budget Committee, or to another designated committee of
31 the House and Senate, which are amended on the Floor of either House of the
32 General Assembly by an amendment which was not recommended favorably by the
33 Budget Committee, or by any other committee of the House and Senate to which
34 referred, shall be re-referred to such committee of the House and Senate for
35 consideration and recommendation before said bill may be considered for final
36 passage or concurrence by the House of Representatives.

1 47.(f) Members' own House bills and Senate bills on which a House
2 member is the lead sponsor may be amended with their own amendments beginning
3 at a specific time set aside by the House. Senate bills may be amended in
4 accordance with the applicable rules provided for amending members' own House
5 bills with their own amendments.

6 47.(g) Members' own amendments to their own House bills and Senate
7 bills with House sponsors must be signed only by the sponsor of the bill
8 whose name is listed first in the list of sponsors.

9 47.(h) Members' own amendments to their own House bills and Senate
10 bills on which there are House sponsors must be presented to the House Bill
11 Clerk only by the sponsor of the House or Senate bill whose name is listed
12 first in the list of sponsors.

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

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

18 47.(k) A House or Senate bill to be amended by a member with his/her
19 own amendment shall only be placed on the "Members' Own Bill/Own Amendment
20 Calendar" by the sponsor whose name is listed first on the bill.

21 47.(l) An objection by any member, written or oral, to the Speaker of
22 the House or his/her designee, shall cause a member's own amendment to
23 his/her own bill to not be considered and to be removed from the "Members'
24 Own Bill/Own Amendment Calendar" and automatically placed on the same day's
25 regular amendment calendar for consideration.

26 47.(m) A member's own House bill or Senate bill amended with a
27 member's own amendment shall be transmitted directly to Engrossing after
28 having been amended.

29 47.(n) No House or Senate bills having been amended shall be
30 considered by any committee or the full House until such bills have been
31 engrossed, proofed and reported "correctly engrossed". The Speaker or
32 presiding officer shall not accept a motion to suspend this rule.

33 47.(o) Members' own House bills or Senate bills to be amended with
34 their own amendments shall be placed on the "Members' Own Bill/Own Amendment
35 Calendar" no later than 4:30 p.m. the day preceding the day they are to be
36 considered.

1 States Constitutional amendments and proposing amendments to the Arkansas
2 Constitution.

3 51. Concurrent resolutions shall be a means of expressing fact,
4 principles, opinions, purposes, and all other matters requiring concurrence
5 of both houses except the subject matter provided for in the joint
6 resolution. A concurrent resolution is binding on neither house until agreed
7 to by both.

8 52. Resolutions of Inquiry:

9 52.(a) All resolutions of inquiry addressed to the heads of executive
10 departments shall be reported to the House within one (1) week after
11 presentation.

12 52.(b) A House resolution authorizing a committee to request
13 information is treated as a resolution of inquiry.

14 52.(c) A resolution of inquiry from a committee shall have a
15 privileged status to report.

16

17 STANDING, SELECT, AND SPECIAL COMMITTEES

18 (Interim Committees) (A.C.A. 10-3-201 thru 10-3-220)

19 53. The committees of the House of Representatives shall consist of
20 ten (10) standing committees, seven (7) select committees, and three (3)
21 special committees. The standing committees shall be five (5) Class "A"
22 committees and five (5) Class "B" committees. The seven (7) select
23 committees shall be five (5) joint select committees and two (2) House select
24 committees. The three (3) special committees shall be two (2) joint
25 committees and one (1) House committee. The House standing, joint select,
26 select and special committees are as follows:

27 53.(a) HOUSE STANDING COMMITTEES

28 Class "A" Committees

29 Education

30 Judiciary

31 Public Health, Welfare and Labor

32 Public Transportation

33 Revenue and Taxation

34 Class "B" Committees

35 Aging, Children and Youth, Legislative and Military Affairs

36 Agriculture, Forestry and Economic Development

1 City, County and Local Affairs
2 Insurance and Commerce
3 State Agencies and Governmental Affairs

4 53.(b) JOINT SELECT COMMITTEES

5 (1) Joint Budget -- (to consist of twenty four (24) members of the
6 House and twenty four (24) members of the Senate, and the immediate past co-
7 chairs of the Legislative Council and ex-officio members in accordance with
8 A.C.A. 10-3-502.). (A.C.A. 10-3-501 thru 10-3-509) The House members of the
9 Joint Budget Committee shall be known as the House Budget Committee.

10 (2) Joint Committee on Energy -- (to consist of fifteen (15) members
11 of the House, fifteen (15) House alternates, and ten (10) members of the
12 Senate). (A.C.A. 10-3-801 thru 10-3-822)

13 (3) Joint Committee on Public Retirement and Social Security Programs
14 -- (to consist of ten (10) members of the House, ten (10) House alternates,
15 and ten (10) members of the Senate). (A.C.A. 10-3-701 thru 10-3-703)

16 (4) Joint Performance Review Committee -- (to consist of twenty (20)
17 members of the House and ten (10) members of the Senate). (A.C.A. 10-3-901
18 thru 10-3-903)

19 (5) Joint Committee on Advanced Communications and Information
20 Technology -- (to consist of ten (10) members of the House, ten (10) House
21 alternates, and seven (7) members of the Senate). (A.C.A. 10-3-1701 thru 10-
22 3-1707)

23 53.(c) HOUSE SELECT COMMITTEES

24 House Rules Committee shall consist of no more than fifteen (15)
25 members.

26 House Management Committee shall consist of the Speaker and no more
27 than six (6) additional members.

28 53.(d) SPECIAL COMMITTEES

29 (1) Joint Interim Committee on Legislative Facilities -- (to consist
30 of fourteen (14) members of the General Assembly, as follows:

31 53.(d)(1)(a) The chairperson of the House Budget Committee;

32 53.(d)(1)(b) Two (2) members of the House of Representatives appointed
33 by the Speaker;

34 53.(d)(1)(c) The chairperson of the House Management Committee and two
35 (2) additional members of the House Management Committee to be designated by
36 its chairperson;

1 53.(d)(1)(d) The Speaker of the House of Representatives or his or her
2 designee; and

3 53.(d)(1)(e) Seven (7) members of the Senate to be named by the Senate
4 Committee on Committees. (A.C.A. 10-3-1101 thru 10-3-1111)

5 53.(2) House Committee on the Journal; Engrossed and Enrolled Bills
6 shall consist of not more than five (5) members. The House Committee on the
7 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
8 select committee. The committee shall consist of the Speaker of the House of
9 Representatives or his or her designee who shall be chairperson, the
10 chairperson of the House Rules Committee who shall be the vice chairperson,
11 the chairperson of the House Management Committee, and two (2) members of the
12 House appointed by the Speaker of the House; and, the House Parliamentarian
13 shall serve as secretary and advisor to the committee. The chairperson of the
14 committee shall receive an allowance in accordance with § 10-2-215.

15 53.(3) Joint Committee on Legislative Printing Requirements and
16 Specifications -- (to consist of the chairperson and vice chairperson of the
17 House Management Committee, the chairperson and vice chairperson of the
18 Senate Efficiency Committee, the Speaker of the House of Representatives or
19 his or her designee and the President Pro Tempore of the Senate). (A.C.A. 10-
20 3-601 thru 10-3-605)

21 54.(a) STANDING COMMITTEES

22 54.(a)(1) Members of the standing committees shall be selected by
23 House District Caucuses of members-elect on the Friday following the November
24 General Election with each caucus selecting five (5) members for each "A"
25 standing committee and five (5) members for each "B" standing committee. The
26 members-elect of the Second District Caucus shall select up to three (3)
27 members for each standing committee from within the Pulaski County membership
28 and the remaining members for each standing committee from without the
29 Pulaski County membership; this provision may be waived by majority vote of
30 the members-elect from without Pulaski County. Standing committee membership
31 shall be confirmed at the same time that representatives are administered the
32 oath of office.

33 54.(a)(2) Each member of the House who is serving a first or second
34 term in the House shall be entitled to serve as a non-voting member of one of
35 the ten (10) joint interim committees designated as "A" and "B" committees.
36 The non-voting members of each of the ten (10) joint interim committees shall

1 be selected by the four (4) House caucuses at a time designated by the
2 Speaker sometime before the adjournment of each regular session. Each caucus
3 shall select not to exceed three (3) first or second term members to serve as
4 non-voting members of each of the ten (10) joint interim committees
5 designated as "A" and "B" committees. The non-voting members shall be
6 entitled to attend meetings of the committees, to serve on subcommittees of
7 the committee, to participate in the deliberations of the committee or
8 subcommittee, and to receive per diem and mileage for attending meetings of
9 the committee or subcommittee, but shall not have a vote in the committee or
10 a subcommittee.

11 54.(a)(3) Members of the House of Representatives who are committee
12 chairpersons or vice-chairpersons or select seniority members who have been
13 assigned an office or other premises shall vacate the office or other
14 premises by December 15 following the General Election in the even-numbered
15 years.

16 54.(a)(4) Each standing committee shall consist of twenty (20)
17 members. Each member of the House shall serve on two (2) standing
18 committees, one (1) of which shall be a Class "A" committee and one (1) of
19 which shall be a Class "B" committee. From within each standing committee
20 there shall be created three (3) permanent subcommittees consisting of eight
21 (8) members. Each member of the House shall serve on two (2) permanent
22 subcommittees, one (1) from a Class "A" standing committee and one (1) from a
23 Class "B" standing committee. The Speaker and the chairperson of each
24 standing committee shall jointly appoint from the membership of the standing
25 committee six (6) persons for each permanent subcommittee available, provided
26 further the chairperson and vice chairperson of each standing committee shall
27 be ex-officio, voting members of each permanent subcommittee created from
28 within their standing committee. The permanent subcommittees of the standing
29 committees may meet after having first obtained prior approval of the
30 standing committee chairperson.

31 54.(a)(5) A signed report from the chairperson of a caucus district
32 will represent final movement to a standing committee. A signed report from
33 the chairperson of a standing committee will represent final movement to a
34 permanent subcommittee. There shall be no transfers from one standing
35 committee to another or from one permanent subcommittee to another during the
36 biennium following initial biennial appointment and or confirmation. After

1 selection of standing committee members and permanent subcommittee members, a
2 vacancy occurring on a standing committee or permanent subcommittee during
3 the biennium because of the death, resignation, impeachment, etc., of a
4 member, shall be temporarily filled by the Speaker of the House assigning the
5 newly elected member, for the remainder of the biennium, to the "A" and "B"
6 standing committees, and the permanent subcommittees previously held by their
7 predecessor. At the end of the biennium, the temporary positions held on the
8 "A" and "B" committees and the permanent subcommittees will be declared
9 vacant and will be available for choosing in accordance with House rules.
10 The newly elected member does not automatically assume a chairmanship or
11 vice-chairmanship, which vacancies shall be filled in the same manner as the
12 original appointment.

13 54.(b) SELECT COMMITTEES

14 54.(b)(1) The Speaker shall appoint all members and all alternates on
15 all House select committees and all Joint Select Committees except the Joint
16 or House Budget Committee. The Speaker shall appoint ex-officio members in
17 accordance with the law.

18 54.(b)(2) The House Budget Committee shall consist of six (6) members
19 of the House of Representatives and two (2) alternates chosen from each
20 caucus district on the first Friday following the November General Election
21 before each regular biennial session. At the time the alternates are
22 selected, one (1) shall be designated as first alternate and the other as
23 second alternate. The selections shall be made by caucus of the House
24 members-elect residing within each caucus district. Members-elect chosen for
25 membership on the House Budget Committee shall select one (1) of their number
26 to serve as chairperson-elect and one (1) to serve as vice chairperson-elect.
27 The term of office of the members shall be from January 1 of odd-numbered
28 years through December 31 of the following even-numbered year. Vacancies in
29 either a member or alternate member position shall be filled in the same
30 manner as the initial member or alternate member position was filled. House
31 Budget Committee membership shall be confirmed at the same time that
32 representatives are administered the oath of office. Prior to confirmation,
33 however, members-elect chosen to serve on the House Budget Committee shall
34 conduct pre-session budget hearings, either standing alone or in conjunction
35 with the Legislative Council.

36 54.(b)(3) No member of the House of Representatives shall serve on

1 more than one (1) select committee. The Legislative Council, the Legislative
2 Joint Auditing Committee, the House Budget Committee, the House Committee on
3 the Journal; Engrossed and Enrolled Bills, and the House Management Committee
4 are excluded therefrom.

5 54.(c)(1) The Speaker of the House shall appoint a chairperson and a
6 vice chairperson of each standing committee and each select committee who
7 shall serve at the pleasure of the Speaker. The Speaker, in consultation
8 with the chairperson of each standing committee, shall appoint from the
9 membership of each permanent subcommittee, a chairperson and vice
10 chairperson, provided however that the vice chairperson of the standing
11 committee may be the chairperson of a permanent subcommittee. No member of
12 the House, with the exception of each House standing committee vice
13 chairperson, shall be chairperson or vice chairperson of more than one (1)
14 standing committee, select committee, or permanent subcommittee.

15 54.(c)(2) The rules or proceedings of the House of Representatives
16 shall be observed in all select committees, standing committees, and
17 subcommittees of the House so far as they may be applicable.

18 54.(c)(3) The House Committee on the Journal; Engrossed and Enrolled
19 Bills shall serve as the supervisory committee over the preparation of the
20 Journal and engrossing and enrolling of bills.

21 54.(c)(4) After the membership of a standing committee or a permanent
22 subcommittee is established, no member shall be removed from any standing
23 committee or any permanent subcommittee during the biennium for which he/she
24 was selected. All appointees selected by the Speaker serve at his/her
25 discretion.

26 55. Committee Operations.

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

35 55.(b) All committees shall consider the bills, resolutions,
36 amendments, petitions, and memorials referred to them and make one of the

1 following reports in writing to the House:

2 55.(b)(1) That a bill, resolution, petition or memorial “do pass”;

3 55.(b)(2) That a bill, resolution, petition or memorial “do not pass”,
4 in which event the measure shall not be considered unless the vote is
5 expunged;

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

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

23 56. The Speaker of the House shall keep a permanent register of the
24 seniority of the members of the House of Representatives. When it is
25 necessary for the seniority of incoming members to be determined by lot, the
26 Speaker of the House and the Speaker-designate of the House shall conduct a
27 drawing by lots upon receiving certification from the Secretary of State of
28 the election of membership to each General Assembly. Such seniority drawings
29 shall be effective for the purposes of determining legislative license tag
30 numbers, Chamber seating, and State Capitol parking.

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

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

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

5 59. 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 60. Meetings and Hearings:

9 60.(a) All committee and subcommittee meetings including but not
10 limited to hearings at which public testimony is to be taken, (normally
11 called "public hearings") shall be open to the public (Art. 5, Sec. 13) and
12 shall be scheduled at least eighteen (18) 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 eighteen (18) hours in advance; but in
15 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 two (2) hours.

18 60.(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
23 the same procedures regarding the publishing of agendas and notices of
24 meetings that apply to regular standing committee meetings. (J.R. 22 – Joint
25 Committees)

26 60.(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 60.(d) The Speaker of the House shall establish a schedule of House
32 standing and select committee meetings so as to minimize conflicts.

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

1 61.(b)(1) The committee shall have the opportunity to ask questions of
2 persons offering testimony.

3 61.(b)(2) Testimony in a committee meeting or on the House floor from
4 cell phones, personal data assistants or other electronic devices shall not
5 be allowed.

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

9 63. No committee shall sit while the House is in session except the
10 Committee on Rules or a Conference Committee, which shall notify the House.

11 64. The following subject areas shall be within the jurisdiction of
12 each of the respective House standing committees:

13 64.(1) Committee on Education – matters pertaining to public
14 kindergarten, elementary, secondary, and adult education, vocational
15 education, vocational-technical schools, vocational rehabilitation, higher
16 education, private educational institutions, similar legislation, and
17 resolutions germane to the subject matter of the committee;

18 64.(2) Committee on Judiciary – matters pertaining to state and local
19 courts, court clerks and stenographers and other employees of the courts,
20 civil and criminal procedures, probate matters, civil and criminal laws,
21 similar matters, and resolutions germane to the subject matter of the
22 committee;

23 64.(3) Committee on Public Health, Welfare and Labor – matters
24 pertaining to public health, mental health, mental retardation, public
25 welfare, human relations and resources, environmental affairs, water and air
26 pollution, labor and labor relations, contractors and contracting, similar
27 legislation, and resolutions germane to the subject matter of the committee;

28 64.(4) Committee on Public Transportation – matters pertaining to
29 roads and highways, city streets, county roads, road vehicles, highway
30 safety, airports and air transportation, common and contract carriers, mass
31 transit, similar legislation, and resolutions germane to the subject matter
32 of the committee;

33 64.(5) Committee on Revenue and Taxation – matters pertaining to the
34 levy, increase, reduction, collection, enforcement and administration of
35 taxes and other revenue-producing measures, and resolutions germane to the
36 subject matter of the committee;

1 64.(6) Committee on Aging, Children and Youth, Legislative and
2 Military Affairs – matters pertaining to the aged, child custody, adoptions,
3 problems of aging; children and youth, military, veterans, legislative
4 affairs, memorials, other matters whenever the subject matter is not germane
5 to the subject matter of any other standing committee and resolutions germane
6 to the subject matter of the committee;

7 64.(7) Committee on Agriculture, Forestry and Economic Development –
8 matters pertaining to agriculture, livestock, forestry, industrial
9 development, natural resources, oil and gas, publicity and parks, levee and
10 drainage, rivers and harbors, similar legislation and resolutions germane to
11 the subject matter of the committee;

12 64.(8) Committee on City, County and Local Affairs – matters
13 pertaining to city and municipal affairs, county affairs, local improvement
14 districts, water districts, interlocal government cooperation, similar
15 legislation and resolutions germane to the subject matter of the committee;

16 64.(9) Committee on Insurance and Commerce – matters pertaining to
17 banks and banking, savings and loan associations, stock, bonds, and other
18 securities, securities dealers, insurance, public utilities, partnerships and
19 corporations, home mortgage financing and housing, similar legislation and
20 resolutions germane to the subject matter of the committee;

21 64.(10) Committee on State Agencies and Governmental Affairs – matters
22 pertaining to state government and state agencies, except where the subject
23 matter relates more appropriately to another committee, proposed amendments
24 to the Constitution of the State of Arkansas or the Federal government,
25 election laws and procedures, Federal and interstate relations, similar
26 legislation, and resolutions germane to the subject matter of the committee;

27 64.(10)(a) The following permanent subcommittees are hereby created
28 from within each standing committee:

29 64.(10)(a)(1) For the House standing committee on Aging, Children and
30 Youth, Legislative and Military Affairs, the following permanent
31 subcommittees are created:

32 (1) Aging

33 (2) Children and Youth

34 (3) Legislative, Military and Veterans Affairs

35 64.(10)(a)(2) For the House standing committee on Agriculture,
36 Forestry and Economic Development, the following permanent subcommittees are

1 created:

2 (1) Agriculture, Forestry and Natural Resources

3 (2) Small Business and Economic Development

4 (3) Parks and Tourism

5 64.(10)(a)(3) For House standing committee on City, County and Local
6 Affairs, the following permanent subcommittees are created:

7 (1) Planning

8 (2) Finance

9 (3) Local Government Personnel

10 64.(10)(a)(4) For the House standing committee on Education, the
11 following permanent subcommittees are created:

12 (1) Early Childhood

13 (2) Kindergarten Through Twelve, Vocational/Technical

14 Institutions

15 (3) Higher Education

16 64.(10)(a)(5) For the House standing committee on Insurance and
17 Commerce, the following permanent subcommittees are created:

18 (1) Financial Institutions

19 (2) Insurance

20 (3) Utilities

21 64.(10)(a)(6) For the House standing committee on Judiciary, the
22 following permanent subcommittees are created:

23 (1) Courts/Civil Law

24 (2) Corrections/Criminal Law

25 (3) Juvenile Justice/Child Support

26 64.(10)(a)(7) For the House standing committee on Public Health,
27 Welfare and Labor, the following permanent subcommittees are created:

28 (1) Human Services

29 (2) Health Services

30 (3) Labor and Environment

31 64.(10)(a)(8) For the House standing committee on Public
32 Transportation, the following permanent subcommittees are created:

33 (1) Motor Vehicle and Highways

34 (2) Public Transportation and Rail

35 (3) Waterways and Aeronautics

36 64.(10)(a)(9) For the House standing committee on Revenue and

1 Taxation, the following permanent subcommittees are created:

- 2 (1) Sales, Use, Miscellaneous Taxes and Exemptions
- 3 (2) Income Taxes—Personal and Corporate
- 4 (3) Complaints and Remediation

5 64.(10)(a)(10) For the House standing committee on State Agencies and
6 Governmental Affairs, the following permanent subcommittees are created:

- 7 (1) State Agencies and Reorganization
- 8 (2) Constitutional Issues
- 9 (3) Elections

10 65.(a) Committee on Rules:

11 65.(a)(1) All proposed action touching the rules, joint rules, and
12 order of business shall be referred to the Committee on Rules.

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

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

20 65.(a)(4) The Speaker shall refer to the Committee on Rules, any
21 matters dealing with alcohol, cigarettes, movies, pornography, tobacco,
22 tobacco products, coin operated amusement devices, vending machines,
23 lobbying, code of ethics, bingo, lotteries, raffles, racing, race tracks,
24 pari-mutuel betting and similar legislation.

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

28 65.(b) House Budget Committee. All appropriation bills coming before
29 the House shall be assigned to and considered by the House Budget Committee.

30 66. No committee shall transact business without a quorum (a majority
31 of the committee membership present). The request for a quorum call is
32 always in order. All final action on bills, and on proposed amendments to
33 bills, shall be decided by a majority vote of the total membership of the
34 committee. Provided, however, that the Speaker of the House shall not be
35 included for the purpose of determining what is a majority of a standing
36 committee, unless present at the time of the vote. A member of the committee

1 must be present at the time of the vote for his/her vote to be counted on any
2 matter considered by the committee (no pairs, no proxies).

3 66.(a) A bill, resolution or amendment in a House committee, having
4 been rejected twice, shall not be placed on the committee calendar again or
5 considered again during the same legislative session unless the vote is
6 expunged (two-thirds of the membership of the committee). The motion to
7 expunge shall be placed on the committee agenda, by a committee member, and
8 placed at the bottom of the active list. A bill or resolution may be amended
9 before a second consideration; but, unless expunged, even an amended bill
10 having failed twice shall not be placed on the calendar or considered.

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

16 68. No bill shall be introduced with a committee as the author of said
17 bill unless that committee has voted unanimously to sponsor the bill.

18 69. Committee Records and Reports:

19 69.(a) The chairperson of each committee of the House shall keep or
20 cause to be kept a separate record for each committee meeting in which there
21 shall be entered:

22 69.(a) 1. The time and place of each hearing and each meeting of the
23 committee.

24 69.(a) 2. The number and title of the bill with one of the following
25 three recommendations: "do pass", "do pass as amended", or "do not pass". If
26 a committee recommends a bill "do pass as amended" and any of the amendments
27 recommended by the committee are not adopted on the Floor, the bill shall be
28 re-referred to the same committee for further consideration and
29 recommendation.

30 69.(a) 3. A summary of each bill's major provision which may be
31 several paragraphs in length in case of major bills or simply the title of
32 the bill in the case of minor bills.

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

35 69.(a) 5. A record of how every member voted on each bill when action
36 is taken by the committee, including votes on a motion to postpone

1 consideration on the bill and a recorded vote on any other motion, if
2 requested by any two (2) committee members.

3 69.(a) 6. A list of all people testifying before a committee on each
4 bill, the interest that they represent, and an indication of their position
5 on the bill.

6 69.(b) Such records for each separate committee meeting shall be
7 approved by the chairperson before the expiration of a seven (7) day period,
8 with the exception of those records referred to in (a) 1. and 2., hereinabove
9 which shall be filed immediately with the Clerk of the House.

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

11 70. Consent Calendar – Supplemental Calendar. In addition to the
12 regular calendar of the House of Representatives, there shall be a consent
13 calendar on which shall be placed bills that have been recommended “do pass”
14 by committee, which are deemed by the committee or by the Speaker to be non-
15 controversial, and may be used for other non-controversial matters such as
16 resolutions and amendments to bills proposed by the author of the bill, if
17 the Speaker deems such matter to be non-controversial. The Speaker of the
18 House shall maintain the consent calendar. On Thursday of each week, and
19 such other times as the Speaker may deem advisable, the House shall consider
20 bills and other matters on the consent calendar. Provided, that a list of
21 bills and other matters on the consent calendar which are to be considered on
22 a particular day shall be circulated among the members of the House of
23 Representatives the day prior to the date on which the consent calendar is to
24 be considered. If as many as five (5) members object to a bill or other
25 matter on the consent calendar being considered as non-controversial, the
26 Speaker of the House shall remove the same from the consent calendar and
27 shall place it on the regular calendar of the House business. When deemed
28 advisable, in addition to the regular calendar and the consent calendar, the
29 Speaker may provide for a supplemental calendar on which shall be placed
30 bills and resolutions and other matters as requested by the members for
31 consideration. The list of bills, resolutions and other matters on the
32 supplemental calendar for consideration on a particular day shall be
33 circulated among the members of the House. If as many as five (5) members
34 object to a bill, resolution or any other matter on the supplemental calendar
35 the same shall be removed and placed on the regular House calendar for
36 consideration consistent with the wishes of the House. No bill or resolution

1 may be placed for consideration on any more than one (1) House calendar.

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

10 72.(a) Except as provided in subsection (b), no action may be taken in
11 the House Committee on Public Health, Welfare and Labor or on the Floor of
12 the House of Representatives on any bill that provides for licensure of any
13 profession, occupation or class of health care providers not currently
14 licensed or expands the scope of practice of any profession, occupation, or
15 class of health care providers unless the House Committee on Public Health,
16 Welfare and Labor has initiated a study of the feasibility of such
17 legislation at least thirty (30) days prior to convening the next legislative
18 session.

19 72.(b) A bill providing for the licensure of any profession,
20 occupation, or class of health care providers not currently licensed or
21 expanding the scope of any practice of any profession, occupation, or class
22 of health care providers may be acted upon without the initiation of a
23 feasibility study required in subsection (a) upon a two-thirds (2/3) vote of
24 the House Public Health, Welfare and Labor Committee membership.

25
26 COMMITTEE OF THE WHOLE

27 73. All measures involving a tax or an appropriation of money, or
28 property, may be first considered in a Committee of the Whole, amendments can
29 be offered in the Committee of the Whole.

30 74. The Speaker of the House, in setting the calendar of budgets or
31 appropriation bills to be considered in the House shall, from time to time,
32 confer with the chairperson of the House Budget Committee on the
33 appropriation bills pending and may designate specific days or times to be
34 set aside in the House to be devoted solely to consideration of appropriation
35 bills and other budget matters. At least by the end of business on the
36 previous day before any appropriation bill is to be considered by the House,

1 the chairperson of the House Budget Committee shall cause to be prepared and
2 placed on each member's desk a listing of appropriation bills to be
3 considered in the Committee of the Whole or the House, broken down as
4 follows:

5 74.(a) Appropriation bills sponsored by the Joint Budget Committee or
6 the House Budget Committee, prepared in accordance with Legislative Council
7 recommendations;

8 74.(b) All other appropriation bills sponsored by the Joint Budget
9 Committee or the House Budget Committee which were not considered by the
10 Legislative Council;

11 74.(c) Bills introduced by members of the House (or Senate) that shall
12 have been recommended by the Joint Budget Committee or the House Budget
13 Committee "do pass" or "do pass as amended"; and

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

23 75. In forming a Committee of the Whole House, the Speaker may leave
24 his/her chair after appointing a chairperson to preside, who shall have the
25 same power as the Speaker to preserve order. A majority of a quorum is
26 required to resolve the House into a Committee of the Whole.

27 76. When the House resolves itself into the Committee of the Whole,
28 non-members who are to participate in the matters to be discussed may be
29 invited into the House Chambers by the proponents or opponents of the
30 proposals to be discussed but all such non-members shall leave at the time
31 the committee arises.

32 77. A Committee of the Whole cannot report a measure without a quorum
33 of its members present.

34 78. The rules and proceedings of the House shall be observed in
35 Committee of the Whole House so far as they may be applicable. Decisions
36 will be made by voice or standing votes.

1 79. No motion which has as its effect the limiting of debate in the
2 Committee of the Whole shall be entertained by the chairperson. The motion
3 for the disposition of any matter referred to the committee shall be,
4 “Mr./Ms. Chairman, I move the committee do now rise and report”. If the
5 committee had no specific report, the motion should be to rise and report
6 progress.

7
8 LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

9 80. Legislative Council.

10 80.(a) Twenty (20) of the House members of the Legislative Council
11 shall be selected by members-elect of the House Caucus Districts. Each
12 caucus shall select five (5) members. The selections shall occur on the
13 Friday following the November General Election. Following the selections,
14 the newly selected House of Representative members of the Legislative Council
15 shall select one (1) of their number as Legislative Council co-chair and one
16 (1) of their number as Legislative Council co-vice-chair. However no more
17 than one (1) member selected by caucus shall reside within the same county.
18 The term of office of the members shall be from January 1 of odd-numbered
19 years to December 31 of the following even-numbered year. Legislative
20 Council membership shall be confirmed at the same time that representatives
21 are administered the oath of office.

22 80.(b) In order that there may be no House vacancies on the
23 Legislative Council at any time, at the time of selection of the House
24 members to the Council there shall be selected in each Caucus District a
25 first alternate and a second alternate for each member selected from that
26 district. In the event that any House member or House alternate of the
27 Legislative Council resigns from the Council, is disqualified from serving on
28 the Council, dies, or for any other reason there becomes a permanent vacancy
29 in a House position on the Council, the House members of the Caucus District
30 from which the member or alternate was selected shall choose a replacement
31 member or alternate to serve the remainder of the term. When a vacancy
32 occurs in a House member position on the Council or a House alternate
33 position on the Council, that person’s alternate shall serve until a signed
34 report from the Caucus chairperson designating otherwise is filed with the
35 Speaker. The Speaker shall notify the Council chairperson of all changes in
36 membership on the Council.

1 80.(c) Ex-officio members in accordance with A.C.A. 10-3-301.

2 81. Legislative Joint Auditing Committee.

3 81.(a) House members of the Legislative Joint Auditing Committee shall
4 be selected by members-elect of each House Caucus District. The selections
5 shall occur on the Friday following the November General Election. Following
6 the selections, the newly selected House of Representative members of the
7 Legislative Joint Auditing Committee shall select one (1) of their number as
8 Legislative Joint Auditing Committee co-chair and one (1) of their number as
9 Legislative Joint Auditing Committee co-vice-chair. Each caucus shall select
10 five (5) members. However no more than two (2) members shall reside within
11 the same county. The term of office of the members shall be from January 1
12 of odd-numbered years to December 31 of the following even-numbered year.
13 Legislative Joint Auditing Committee membership shall be confirmed at the
14 same time that representatives are administered the oath of office.

15 81.(b) In order that there may be no House vacancies on the
16 Legislative Joint Auditing Committee at any time, at the time of selection of
17 the House members to the Committee there shall be selected in each Caucus
18 District a first alternate and a second alternate for each member selected
19 from that District. In the event that any House member or House alternate of
20 the Legislative Joint Auditing Committee resigns from the Committee, is
21 disqualified from serving on the Committee, dies, or for any other reason
22 there becomes a permanent vacancy in a House position on the Committee, the
23 House membership of the Caucus District from which the member or alternate
24 was selected shall choose a replacement member or alternate to serve the
25 remainder of the term. When a vacancy occurs in a House member position on
26 the Committee or a House alternate position on the Committee, that person's
27 alternate shall serve until a signed report from the Caucus chairperson
28 designating otherwise is filed with the Speaker. The Speaker shall notify
29 the Committee chairperson of all changes in membership on the Committee.

30 81.(c) Ex-officio members in accordance with A.C.A. 10-3-403 thru 10-
31 3-404.

32 CAUCUS DISTRICTS

33 82. The four caucus chairpersons shall be selected on the date of the
34 selection of the Speaker-designate from among the first- and second-term
35 members of the caucus.

36 The First Caucus District shall be composed of the following House of

1 Representatives Districts: 13; 14; 15; 48; 51; 52; 53; 54; 55; 56; 57; 58;
2 59; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; and 82.

3 The Second Caucus District shall be composed of the following House of
4 Representatives Districts: 28; 29; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40;
5 41; 42; 43; 44; 45; 46; 47; 49; 50; 60; 61; 68; and 70.

6 The Third Caucus District shall be composed of the following House of
7 Representatives Districts: 62; 63; 64; 65; 66; 67; 69; 83; 84; 85; 86; 87;
8 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; and 100.

9 The Fourth Caucus District shall be composed of the following House of
10 Representatives Districts: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 16; 17;
11 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; and 30.

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DEBATE

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83. When a representative desires to speak or to have the attention of the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr./Madam Speaker", (or in the Committee of the Whole, "Mr./Madam Chairperson") and upon recognition, he/she may address the House from his/her seat or the "well" of the House. Representatives must be at their seats before obtaining recognition. Any representative who receives recognition from the Chair must confine himself/herself to the question before the House, or a privileged motion. No representative shall proceed until recognized by the Speaker. When two (2) or more representatives arise at once, the Speaker shall name the member who shall be first to speak.

84. When a representative desires to interrupt a representative having the Floor, he/she shall first obtain recognition of the Speaker and permission of the representative occupying the Floor; and when so recognized and such permission is obtained, he/she may ask questions of the representative occupying the Floor; but shall not propound a series of interrogatives or otherwise badger the representative having the Floor.

85. No representative shall occupy more than thirty (30) minutes in debate on any question in the House. The representative reporting a measure under consideration from a committee or the author may open and close debate. If debate shall extend beyond one (1) day, the author or sponsor shall be entitled to thirty (30) minutes to close. The right to close may not be automatically exercised after limited debate, the previous question or immediate consideration is voted.

1 dispute shall warrant, a representative shall be open to censure or such
2 punishment as the House shall impose.

3 92. Normal conformity to good manners and taste shall be expected of
4 each member of the House. Representatives shall avoid references to
5 personalities and extend to each representative courtesies which they wish
6 for themselves.

7 93. Introduction of and recognition of family, constituents, or groups
8 shall not become excessive. Members should be extremely reluctant in using
9 the time of the House for these personal courtesies. If deemed appropriate by
10 the Speaker of the House, he/she shall make all introductions from
11 information provided to the Speaker by a member or appropriate House staff.

12 94. The smoking of cigarettes, cigars and pipes or other tobacco
13 products shall not be permitted in the Chamber of the House of
14 Representatives or in the members' private work area.

15 95. A Roll Call shall not be interrupted by a motion or other order of
16 business from the time the Speaker calls up the ballot until he/she casts up
17 the ballot and announces the result of said ballot.

18

19

VOTING

20 96. No person not a representative shall cast a vote for a
21 representative.

22 97. Any question or motion, except final passage of a bill or final
23 action on a joint resolution, may be put to the House by a voice vote at the
24 discretion of the Speaker.

25 98. Any five (5) representatives shall have the right to call for the
26 ayes and nays and have the result entered on the Journal. (Art. 5, Sec. 12)

27 99. Any representative who will be absent from the House may pair
28 his/her vote with a representative who shall be present.

29 99.(a) These representatives must be casting opposite votes.

30 99.(b) Dated pairs reflecting the bill number are counted when signed
31 by both representatives,

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

34 (2) when the member who will not be present for the vote signs
35 the pair form in the presence of a person authorized by law to take
36 acknowledgements and who verifies the identity of the signer.

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

3 99.(d) Pairs shall be announced by the Speaker immediately prior to
4 the Roll Call from a Pair Form presented to the Speaker by the representative
5 present. At the time of the announcement the Speaker shall (1) determine
6 that the member who is required to be present is present, and (2) provide the
7 membership with an opportunity to express procedural objections to the pairs.

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

10 100. The demand to "Sound the Ballot" (a device to determine how each
11 representative voted) may be accomplished by any five (5) members rising and
12 requesting the Speaker to have the names called and the way the member voted
13 repeated. When contested, any representative (except a representative voting
14 by pair vote and the Speaker and a substitute Speaker) who is not present and
15 in his seat shall have his/her vote eliminated.

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

18 101.(a) Representatives voting aye shall stand at their seats until
19 counted.

20 101.(b) Then, representatives voting no shall stand at their seats
21 until counted.

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

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

26 102. The Electronic Voting System shall have the same force and effect
27 as a Roll Call. (Not less than a majority of the members of each House of
28 the General Assembly may enact a law.) (Art. 5, Sec. 37 as added by Amend.
29 19, Sec. 1)

30 103. The Speaker, with three (3) representatives, is sufficient to
31 adjourn, or recess to a time certain, or sine die. (Neither house shall,
32 without the consent of the other, adjourn for more than three (3) days, nor
33 to any other place than that in which the two (2) houses shall be sitting.)
34 (Art. 5, Sec. 28)

35 (Governor's power to adjourn) In cases of disagreement between the two
36 (2) houses of the General Assembly, at a regular or special session, with

1 respect to the time of adjournment, the Governor may, if the facts be
 2 certified to him/her by the presiding officers of the two (2) houses, adjourn
 3 them to a time not beyond the day of their next meeting; and, on account of
 4 danger from an enemy or disease, to such other place of safety as he/she may
 5 think proper. (Art. 6, Sec. 20)

6 104. Vetoes. (Art. 6, Secs. 15 thru 17; A.C.A. 10-2-116)

7 105. Extraordinary sessions of the General Assembly. (Art. 6, Sec. 19)

8 106. Homestead exemption increase (3/4 vote) (Art. 16, Sec. 16 as
 9 added by Amend. 59)

10 107. Workmen's Compensation Laws (Art. 5, Sec. 32 as amended by Amend.
 11 26)

12 108. All Roll Call votes on bills, emergency clauses on bills,
 13 resolutions, and amendments in the House of Representatives shall be entered
 14 by the House into the General Assembly's Internet web site.

15 109.(a)(1) Except as provided in subdivisions 107.(a)(2) and (c) of
 16 this section, the House of Representatives, when in session, shall recess on
 17 January 20 of any year in which the inauguration of an individual to the
 18 office of President of the United States is scheduled to occur.

19 (2) If the inauguration of an individual to the office of
 20 President of the United States is scheduled to occur on January 21 of any
 21 year, the House of Representatives shall recess on that date rather than
 22 January 20.

23 (b) The House of Representatives shall recess without regard to the
 24 party affiliation of the individual scheduled for inauguration as President
 25 of the United States.

26 (c) This section shall not apply if a recess under this section would
 27 occur on a date the House of Representatives shall recess in observance of
 28 the birthday of Dr. Martin Luther King, Jr. under § 10-2-128.

29
 30
 31 ADDENDUM

32 HOUSE OF REPRESENTATIVES

33 COMMITTEE CHAIRPERSONS MANUAL

34 AND

35 HOUSE COMMITTEE RULES

36

1 A committee chairperson is a member appointed by the Speaker of the House to
2 function as the parliamentary head of a standing, select, special or joint
3 committee.

4
5 1) The chairperson (or vice chairperson in his or her absence) shall call the
6 committee to order at the appointed time.

7
8 2) The presider shall determine a quorum present either by declaration,
9 without objection, or by calling the roll (for quorum purposes only a roll
10 call will be required if there is one objection by a committee member to the
11 declaration of the presence of a quorum).

12
13 3) The presider shall maintain order of the committee meeting.

14
15 4) The presider shall decide all questions of order subject to appeal to the
16 Speaker of the House who may refer the question to the Rules Committee whose
17 decision may be appealed to the full House.

18
19 5) The presider shall supervise and direct the staff of the committee.

20
21 6) The presider shall prepare, or supervise the preparation of, and sign all
22 reports of the committee and submit them to the full House.

23
24 House Rule 55.(b)

25 55.(b) All committees shall consider the bills, resolutions,
26 amendments, petitions, and memorials referred to them and make one of the
27 following reports in writing to the House:

28 55.(b)(1) That a bill, resolution, petition or memorial "do pass";

29 55.(b)(2) That a bill, resolution, petition or memorial "do not pass",
30 in which event the measure shall not be considered unless the vote is
31 expunged;

32 55.(b)(3) That a bill, resolution, petition or memorial "do pass as
33 amended". No bill, resolution, petition or memorial shall be acted upon
34 without a "do pass" or a "do pass as amended" recommendation. No bills shall
35 be placed on the non-controversial calendar or deemed to be non-controversial
36 in any way unless a motion is adopted in the committee to which the bill was

1 referred. With a quorum present, the motion is considered adopted if there
2 are no negative votes.

3
4 7) A quorum (one more than half the total membership of the committee) must
5 be present to transact official House committee business.

6
7 (House Rule 66) No committee shall transact business without a quorum (a
8 majority of the committee membership present). All final action on bills or
9 resolutions, and on proposed amendments to bills or resolutions, shall be
10 decided by a majority vote of the total membership of the committee.

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

16
17 8) (House Rule 54. (c)(2)) The rules or proceedings of the House of
18 Representatives shall be observed in all select committees, standing
19 committees, and subcommittees of the House so far as they may be applicable.

20
21 The precedence of motions so far as they are applicable shall be as listed in
22 House Rule 19(a) – (q):

23
24 (House Rule 19) When a question is under debate, motions shall have
25 precedence in the following order (the request for a quorum call is always in
26 order; the chairperson is not compelled to accept any motion):

27 19(a) To fix the time to which the House will adjourn (non-debatable)
28 (majority of a quorum);

29 19(a)(1) (A majority of a quorum is a majority of those voting when at least
30 a majority of the members are present and voting);

31 19(b) To adjourn (non-debatable) (majority of a quorum);

32 19(c) To take a recess (non-debatable) (majority of a quorum);

33 19(d) Postpone temporarily; lay on the table (non-debatable) (majority of a
34 quorum) To take from the table (non-debatable) (majority of a quorum) (when
35 the motion to take from the table is adopted, the proposition takes the same
36 position it held when the motion to lay on the table was adopted);

- 1 19(e) Immediate consideration (non-debatable) (2/3 of a quorum);
2 19(f) Previous question (non-debatable) (5 seconds) (majority of a quorum);
3 19(g) Limit or extend debate (non-debatable) (2/3 of a quorum);
4 19(h) To expunge (debatable) (2/3 of membership) (67);
5 19(i) Postpone to a day certain (debatable) (majority of a quorum);
6 19(j) Committee of the Whole, go into (non-debatable) (majority of a
7 quorum);
8 19(k) Refer (debatable) (majority of a quorum);
9 19(l) Amend (debatable) (majority of a quorum);
10 19.(m) Postpone indefinitely (debatable) (majority of membership);
11 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);
12 19.(o) Special order of business (debatable) (2/3 of a quorum); and
13 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).

14
15 9) (House Rule 60(a)) All committee and subcommittee meetings including but
16 not limited to hearings at which public testimony is to be taken, (normally
17 called "public hearings") shall be open to the public (Art. V, Sec. 13) and
18 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
19 resolutions, and other proposals to be considered at such meetings shall be
20 posted in a designated place at least eighteen (18) hours in advance; but in
21 case of an emergency, a two-thirds (2/3) majority of the membership of the
22 committee may bring bills or resolutions up for consideration upon notice of
23 not less than two (2) hours.

24
25 10) (House Rule 60(b)) Special meetings of a standing committee may be
26 called by the chairperson of the committee or by a majority of the members of
27 the committee for conducting any business of the committee; provided, a
28 special meeting of the committee may not conflict with regularly scheduled
29 meetings of any standing committee; provided further, special meetings shall
30 be subject to the same procedures regarding the publishing of agendas and
31 notices of meetings that apply to regular standing committee meetings. (J.R.
32 21 - Joint Committee)

33
34 11) (House Rule 61(a)) All persons wishing to offer testimony to a committee
35 hearing shall be given a reasonable opportunity to do so as determined by a
36 majority of the committee. An oral or written statement shall not be a

1 prerequisite to offer testimony before a committee.

2

3 12) (House Rule 63) No committee shall sit while the House is in session
4 except the Committee on Rules or a Conference Committee, which shall notify
5 the House.

6

7 13) (House Rule 66(a)) A bill, resolution or amendment in a House committee,
8 having been rejected twice, shall not be placed on the committee calendar
9 again or considered again during the same legislative session unless the vote
10 is expunged (two-thirds of the membership of the committee). The motion to
11 expunge shall be placed on the committee agenda, by a committee member, and
12 placed at the bottom of the active list. A bill or resolution may be amended
13 before a second consideration; but, unless expunged, even an amended bill
14 having failed twice shall not be placed on the calendar or considered. Notice
15 of reconsideration not permitted in committee.

16

17 14) (House Rule 47(a)) When a bill or resolution is under consideration,
18 amendments shall be in order. Upon adoption, amendments shall become a part
19 of the bill or resolution. Amendments to amendments may not be offered. All
20 amendments offered before the House or one of its committees must be
21 typewritten on an approved amendment form and signed by the sponsor. All
22 amendments shall be attached to the original bill or resolution, numbered by
23 the Bill Clerk, and shall be placed upon the members' desks before being
24 acted upon by the House.

25

26 (House Rule 38(e)) All amendments shall be entered on a separate sheet of
27 paper noting the line or lines to be changed and the words to be deleted or
28 inserted.

29

30 15) (House Rule 68) No bill or resolution shall be introduced with a
31 committee as the author of said bill or resolution unless that committee has
32 voted unanimously to sponsor the bill or resolution.

33

34 16) (House Rule 69) Committee Records and Reports

35 69(a) The chairperson of each committee of the House shall keep or cause to
36 be kept a separate record for each committee meeting in which there shall be

1 entered:

2 69(a) 1. The time and place of each hearing and each meeting of the
3 committee.

4 69(a) 2. The number and title of the bill or resolution with one of the
5 following three recommendations: "do pass", "do pass as amended", or "do not
6 pass". If a committee recommends a bill or resolution "do pass as amended"
7 and any of the amendments recommended by the committee are not adopted on the
8 floor, the bill or resolution shall be re-referred to the same committee for
9 further consideration and recommendation.

10 69(a) 3. A summary of each bill or resolution's major provisions which may
11 be several paragraphs in length in case of major bills or resolutions or
12 simply the title of the bill or resolution in the case of minor bills or
13 resolutions.

14 69(a) 4. The reason for the committee's action on the bill or resolution,
15 including a brief minority report, if requested by any two (2) committee
16 members.

17 69(a) 5. A record of how every member voted on each bill or resolution when
18 action is taken by the committee, including votes on a motion to postpone
19 consideration on the bill or resolution and a recorded vote on any other
20 motion, if requested by any two (2) committee members.

21 69(a) 6. A list of all people testifying before a committee on each bill or
22 resolution, the interest that they represent, and an indication of their
23 position on the bill or resolution.

24

25 17) (House Rule 69(b)) Such records for each separate committee meeting
26 shall be approved by the chairperson before the expiration of a seven (7) day
27 period, with the exception of those records referred to in (a) 1. and 2.,
28 hereinabove which shall be filed immediately with the Clerk of the House.

29

30 18) (House Rule 24 part) When a question is raised about the proper referral
31 of a bill or resolution to committee, if the Speaker admits error in the
32 referral of the bill or resolution to a committee, the bill or resolution may
33 be re-referred by a majority vote of a quorum; however, if the Speaker does
34 not admit error in the referral of the bill or resolution to committee, the
35 bill or resolution may only be re-referred by a two-thirds (2/3) vote of a
36 quorum. When a bill or resolution is re-referred to a committee, any

1 previous committee recommendation is automatically stripped from the bill or
2 resolution. When a motion is under consideration, only two (2) substitutes
3 to that motion shall be in order. Only a motion applicable to the main
4 motion and of a higher precedence upon recognition may be substituted for the
5 motion under consideration. A substitute to the third degree shall not be in
6 order. Unless specified otherwise by the presenter of the motion at the time
7 the motion is made, a substitute motion shall apply to the main motion.

8
9 19) (House Rule 55 (a)) House Committee Staff will automatically and without
10 delay place all bills or resolutions referred to the committees on the
11 committee agendas. Staff will notify the sponsor of bills or resolutions
12 assigned to committee. Referred bills shall be placed on the committee's
13 active agenda in the order they are read across the desk on the House Floor.
14 When an active agenda is established in a committee and bills from that
15 agenda are not placed on the deferred list and if they are passed over, they
16 are placed at the bottom of the list of the day's active agenda. Bills read
17 across the desk on the House Floor later that same day or on a later day are
18 placed on the active agenda in the order they are read below bills already on
19 the active agenda.

20
21 20) After a bill or resolution has appeared on the
22 Committee agenda and has been called up for consideration by the Committee
23 and the sponsor of the bill or resolution or a representative is not present
24 to present the bill or resolution, the bill or resolution will be placed on
25 the active agenda two (2) additional times, but will be placed at the bottom
26 of the active agenda.

27
28 21) If the sponsor or a representative is not present to
29 present the bill or resolution when called up after the bill or resolution
30 has appeared on the active agenda when called up during the third meeting,
31 the bill or resolution will be automatically dropped from the active agenda
32 and placed on the deferred list unless the sponsor notifies staff to put the
33 bill or resolution back on the active agenda before the agenda is prepared,
34 for the next called meeting. Requests to move bills or resolutions from the
35 deferred list to the active agenda must be made by 2:30 p.m. two (2) days
36 prior to the scheduled committee meeting. Bills moved from the deferred list

1 to the active agenda shall be listed at the bottom of the active agenda.
2 Bills on the deferred list may be moved to the active calendar as provided by
3 rule for a total of three (3) times only. A suspension of this rule by the
4 Committee (two-thirds of a quorum) will be required for each transfer of any
5 bill having been moved three (3) times previously.

6
7 22) Bills or resolutions suggested as non-controversial
8 will be considered before consideration of controversial bills or resolutions
9 on the agenda. The objection of one (1) committee member to the
10 consideration of a bill or resolution as non-controversial will automatically
11 keep the bill or resolution from being considered as being non-controversial.
12 Even though a bill or resolution has been considered as non-controversial, it
13 will be necessary after a "do pass" or "do pass as amended" recommendation
14 that a motion be made and there be unanimous consent of no less than a quorum
15 of the Committee for a bill or resolution to be eligible to be placed on the
16 House Non-controversial Calendar.

17
18 23) If a bill or resolution is discussed by a committee at
19 a meeting, but is not voted on because of time limitations or because the
20 vote is deferred to the next meeting, the bill or resolution will not lose
21 its order on the agenda and will not be counted as having been considered.

22
23 24) The author/sponsor of a bill or resolution may make a
24 presentation for his/her bill or resolution and may elect at that time to
25 respond to questions from the committee members. Following the initial
26 presentation, non-legislative---non-committee members will be allowed to
27 alternately speak against and for the bill or resolution. A procedural
28 motion made by a member of the committee and adopted by the committee to
29 limit or end debate will be allowed to govern non-legislative--non-committee
30 members' discussions. At the conclusion of the non-legislative--non-committee
31 member proponent and opponent presentations, the sponsor may return to the
32 podium and may elect to field questions from the committee members. Those
33 questions should be limited to requests for clarification or the securing of
34 information. Questions that are rhetorically offered and are dilatory for
35 the effect of debate are discouraged. At this point, the chair will
36 entertain motions from committee members only. For disposition of a

1 proposition in a House Committee, procedural motions (limit debate, immediate
2 consideration, etc.) are allowed only following a main motion (do pass, do
3 not pass, do pass as amended, etc.). Discussion from that point forward is
4 limited to committee members for and against the motion, if debatable, in
5 alternating fashion. If immediate consideration is not adopted and if debate
6 has not been limited and time has not expired, the sponsor of the motion will
7 be allowed to close for his/her motion. During the closing, the sponsor of
8 the motion may elect to field questions from committee members. At the
9 conclusion of these presentations, a vote will be taken on the motion
10 properly before the committee.

11
12 25) As determined by the presider courtesy may be extended
13 to General Assembly members who are non-committee members who need to return
14 to their own committee meetings.

15
16 26) (House Rule 66) Eleven (11) members of a standing
17 committee constitute a committee quorum with the Speaker present if he/she is
18 a member of the committee and ten (10) members when the Speaker is not
19 present. A committee recommendation of a bill or resolution will require
20 these same numbers.

21
22 27) Smoking is prohibited in the committee rooms and all
23 adjoining rooms.

24
25 28) (House Rule 69(a)5) A roll call vote will be required
26 if requested by any two (2) committee members, except for a quorum call which
27 may be requested by one (1) member. The request for a quorum call is always
28 in order.

29
30 29) When a roll call is required, the roll will be called
31 by seniority with the vice chairperson being called next to last and the
32 chairperson last. For a member's vote to be counted and recorded, he/she must
33 vote "yes", "no" or "present".

34
35 30) During a roll call vote, when a member's name has been
36 called twice and he/she does not respond, or when a member passes, they will

1 not be allowed to vote at a later time on the current issue before the
2 committee.

3

4 31) No seconds are required during the legislative process except those that
5 are explicit in the rules, (roll call, previous question, sound the ballot,
6 etc.)

7

8 32) (House Rule 38(p)1) When any House or Senate bill or resolution
9 requiring an expenditure of public funds or otherwise imposing a new or
10 increased cost obligation on any municipality or county is pending before any
11 committee of the House of Representatives, any member of the committee may
12 request that a fiscal impact statement for such bill or resolution be placed
13 on the desk of each member of the committee before the bill or resolution is
14 called up for final action in the committee. If such request is made, the
15 chairperson of the committee shall refer the bill or resolution to the
16 appropriate state agency or to the legislative staff for the preparation of a
17 fiscal impact statement, to be returned to the committee in writing not later
18 than five (5) days from the date of the request.

19

20 33) (House Rule 38(p)4) Failure of the sponsor of a bill or resolution to
21 provide the fiscal impact statement required in this rule shall not prohibit
22 the consideration of it in the committee to which referred or on the floor of
23 the house in which the bill or resolution is called up for final passage, if
24 no objection to it is made at the time such action is taken.

25

26 (House Rule 38(p)5) Nothing in this rule shall prohibit a committee to
27 which a bill or resolution is referred or the house in which the bill or
28 resolution is being considered from suspending the requirement of the filing
29 of a fiscal impact statement on any such bill or resolution in the same
30 manner as provided for the suspension of the rules in the house in which the
31 bill or resolution is being considered.

32

33 36) Bills imposing new or additional costs on education.

34 (a)(1) As used in this section, unless the context otherwise requires,
35 "fiscal impact statement" means a realistic written statement of the purpose
36 of a proposed law, or a regulation promulgated under a law, and the estimated

1 financial cost to the state or any local school district of implementing or
2 complying with the proposed law or regulation.

3 (2) The fiscal impact statement shall be developed by the Office of
4 Economic and Tax Policy of the Bureau of Legislative Research with the
5 assistance of the Department of Education within the guidelines adopted by
6 the House Committee on Education and the Senate Committee on Education, as
7 applicable.

8 (b) Any bill filed in the House of Representatives or Senate that will
9 impose a new or increased cost obligation for education in grades
10 kindergarten through twelve (K-12) on the State of Arkansas or any local
11 school district shall have a fiscal impact statement attached to it prepared
12 and filed with the chair of the committee to which the bill is referred:

13 (1) At least three (3) days before the bill may be called up for final
14 action in the committee during a regular session or fiscal session of the
15 General Assembly; and

16 (2) At least one (1) day before the bill may be called up for final
17 action in the committee during a special session of the General Assembly.

18 (c)(1)(A) If any such House or Senate bill is called up for final passage in
19 the House or Senate and a fiscal impact statement has not been provided by
20 the author of the bill or by the committee to which the bill was referred,
21 any member of the House or Senate may object to the bill's being called up
22 for final passage until a fiscal impact statement is prepared and made
23 available on the desk of each member of the House or Senate at least one (1)
24 day prior to the bill's being called up for final passage.

25 (B) An affirmative vote of two-thirds (2/3) of a quorum present and
26 voting shall override the objection.

27 (2) If an objection is made without override, the presiding officer of the
28 House or Senate shall cause the bill to be referred to the office for the
29 preparation of a fiscal impact statement which shall be filed with the
30 presiding officer not later than five (5) days from the date of the request.

31 (A.C.A. 10-2-127)

32
33 37) Bills imposing new or additional costs and restrictions on inmate
34 population patterns or affecting programs or services of the Department of
35 Corrections.

36 (a) Each of the following bills introduced in the General Assembly

1 shall have a cost impact statement attached to the bill prior to the
2 committee to which the bill is referred taking action in regard to the bill:

3 (1) Bills which affect inmate population patterns at facilities
4 of the Department of Correction by imposing restrictions on inmate release,
5 or by increased intake into the department of inmates based on felony
6 convictions; and

7 (2) Bills which affect programs or services of the department.

8 (b) In addition, copies of the cost impact statement shall be
9 furnished on the desk of each member of the Senate and of the House of
10 Representatives at least one (1) day prior to the date on which the bill is
11 on third reading and debated for final passage in the respective houses.

12 (c) Cost impact statements required under this section shall be
13 prepared, upon referral thereof by the Speaker of the House of
14 Representatives, with respect to House bills, and by the President of the
15 Senate upon recommendation of the Senate Rules Committee, with respect to
16 Senate bills, at the time of introduction thereof, to:

17 (1) The Director of the Department of Correction, who shall
18 either personally prepare, or cause appropriate officials of the department
19 to prepare, a cost impact statement to be approved by the director before
20 submission to the house in which the request was made; or

21 (2) Any other state agency which has information available upon
22 which to base a cost impact statement.

23 (d) The cost impact statement shall be furnished to the Governor and
24 to the President of the Senate and the Speaker of the House of
25 Representatives who shall cause copies thereof to be prepared for
26 distribution upon the desks of the members of the House and Senate at least
27 twenty-four (24) hours prior to consideration of any such bill by committee
28 or twenty-four (24) hours prior to the bill's being called up for third
29 reading and final passage.

30 (e) The cost impact statement shall be certified by the director, or
31 the director of the appropriate agency to which the bill is referred for
32 preparation of an impact statement, and shall be returned and filed as
33 required in this section within not more than five (5) days from the date of
34 receipt thereof unless additional time in which to prepare the statement is
35 granted by the requesting official. (A.C.A. 12-28-103)

36 TRACKING ITEM 24

- 1 1. "The next item on the Committee's agenda is HB/SB ____."
- 2 2. "Sen./Rep. ____, you are recognized to present HB/SB ____."
- 3 3. Presentation of bill by sponsor. The sponsor may respond to questions
4 from committee members.
 - 5 a. If there are amendments, recognize amendment sponsor(s) to
6 present amendment(s).
 - 7 b. To consider amendment(s), use same procedure listed below for
8 consideration of bill(s). (Items 4 - 9)
 - 9 c. Declare disposition of amendment(s).
 - 10 d. Continue with bill as amended or unamended (back to Item 4).
- 11 4. Go to list of citizen proponents and opponents or ask "Is there anyone
12 in the audience that desires to speak for or against the bill?" Recognition
13 of citizens for discussion, alternating speakers in support and in
14 opposition.
- 15 5. A procedural motion made by a member of the Committee and adopted by
16 the Committee to limit or end debate will be allowed to govern non-
17 legislative, non-Committee members' (citizen) discussion.
- 18 6. Upon completion of public commentary, recognize the sponsor for
19 questions, then move to committee discussion and motions.
- 20 7. Ask "What is the pleasure of the Committee?"
 - 21 Motions (after recognition and the motion by a committee member
22 only)
 - 23 a. "Rep. ____, would you like to explain your motion?"
 - 24 b. Recognize committee members for questions/discussion.
 - 25 c. In discussion, alternate between those supporting and those
26 opposing the motion.
 - 27 d. A procedural motion made by a member of the Committee and adopted
28 by the Committee to limit or end debate (immediate consideration) will be
29 allowed to govern the legislative members' discussion.
 - 30 e. Recognize the member making the motion to close for the motion if
31 debate has not been limited and time has not expired (proponents may save
32 some time for member to close).
 - 33 f. Repeat until all motions are resolved, and action on the bill is
34 complete.
- 35 7. "The motion before the committee is _____. All of those in
36 support of the motion indicate so by saying 'aye'; those opposed, 'no'."

- 1 8. The motion passes/fails, and state the disposition of the bill.
- 2 9. Roll call. (If requested by two or more members) Ask the committee
- 3 staff person to call the roll, then state the disposition of the bill.

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