

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

*As Engrossed: H2/1/11*

SCR 4

4  
5 By: Senator Whitaker  
6 By: Representative Ingram

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8 **SENATE CONCURRENT RESOLUTION**

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

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14 **Subtitle**

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

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

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

27  
28 Joint Session - How Convened

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

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34 Officers of Joint Session

35 Section 2. When the meeting is assembled, the President of the Senate  
36 and Speaker of the House shall preside in conjunction, and the meeting shall



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

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

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

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#### 15 Manner of Presenting Bills, Etc.

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

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#### 21 Contents of Bills

22 *Section 4. No bill or resolution shall be passed by either house*  
23 *containing more than one subject, which shall be expressed in the title.*  
24 *House bills and resolutions shall have at least one House sponsor, and Senate*  
25 *bills and resolutions shall have at least one Senate Sponsor. House bills,*  
26 *House concurrent resolutions, and House joint resolutions may have Senate*  
27 *sponsors, and Senate bills, Senate concurrent resolutions, and Senate joint*  
28 *resolutions may have House sponsors.*

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#### 30 Notice of Bill Rejection

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

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#### 35 Engrossment of Bills

36 Section 6. After adoption of an amendment on the floor of the Senate,

1 regardless whether the bill or resolution originated in the House or the  
2 Senate, the Senate shall engross the bill or resolution as amended. After  
3 the adoption of the amendment on the floor of the House of Representatives,  
4 regardless whether the bill or resolution originated in the House or the  
5 Senate, the House of Representatives shall engross the bill or resolution as  
6 amended.

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

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#### Enrollment of Bills

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

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

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

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#### Signing of Bills

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

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#### Announcement of Message

1 Section 11. When the Secretary of the Senate or Chief Clerk of the  
2 House, or either of the assistants, shall wait upon the other house, notice  
3 thereof shall be given to the President or Speaker of the House by the  
4 Sergeant at Arms, or Assistant Sergeant at Arms, who shall declare the same,  
5 and a copy of the message to be laid on the table of the clerk or secretary.  
6

#### 7 Bills Passed by the Other House

8 Section 12. Tuesday and Friday of each week are hereby set apart in  
9 each house for the special and exclusive consideration of bills and  
10 resolutions, which may have been passed by the other house, and the  
11 consideration of such bills and resolutions shall take precedence over all  
12 the other business on these days immediately after the expiration of one (1)  
13 hour after the house shall be called to order by the presiding officer;  
14 provided, that the reading of the Journal shall be completed in any event.  
15

#### 16 Conference Committee

17 Section 13. When either body shall request a conference, and appoint a  
18 committee for that purpose, the other body shall also appoint a committee of  
19 equal number to confer, and such conference shall be held at any time and  
20 place agreed upon by the Chairpersons.  
21

#### 22 Suspension of Joint Rules

23 Section 14. No joint rules shall be dispensed with but by a concurrent  
24 vote of two-thirds (2/3) of each house, and if either house shall violate a  
25 joint rule, the question of order may be raised in the other house, and  
26 decided in the same manner as in case of a violation of the rules of such  
27 house.  
28

#### 29 Appropriation Bills

30 Section 15. The general appropriation bill, and all appropriation  
31 bills recommended "do pass" by the Joint Budget Committee, shall be  
32 privileged bills advanced upon the calendar, and take precedence over all  
33 other bills at any time after the reading of the Journal. It shall be in  
34 order, by the direction of the appropriate committee, to move that the House  
35 or Senate (as the case may be) resolve itself into the committee of the whole  
36 house for the purpose of considering the general appropriation bill, and no

1 dilatory motion shall be entertained by the presiding officer.

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#### Deadline for the Introduction of Bills

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

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

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

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

26 (E) If the General Assembly recesses for longer than three (3)  
27 consecutive days during the first fifteen (15) days of a regular session, the  
28 fifteen-day introduction deadline shall be extended for a time period equal  
29 to the recess.

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#### Introduction of Health Care Legislation

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

1 the first fifteen (15) calendar days of a regular biennial session.

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

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

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#### Method of Preparing Bills

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#### and Resolutions - Automated Bill Preparation System

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

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

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

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(3) As used herein:

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(a) "resolutions" shall mean all resolutions prepared for  
introduction which require the concurrence of both houses of the General

1 Assembly for the adoption thereof, and shall include resolutions prepared for  
2 consideration by only the house in which introduced;

3 (b) "automated bill preparation system" shall mean an  
4 automated system using word processors, computers, or other electronic  
5 devices for the typing and preparation of bills and resolutions (as defined  
6 herein) for introduction by members of the General Assembly in either the  
7 Senate or the House of Representatives, and shall include the following  
8 features:

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

12 (ii) a method of electronically recording the  
13 contents of each bill and resolution for ready access for retrieval and  
14 engrossment purposes;

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

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

23 (B) All bills and resolutions introduced in the House and Senate shall  
24 be prepared on 8 1/2 x 11 inch paper. A computer generated original and  
25 eight (8) copies of the bill or resolution, or a photocopy of an original  
26 computer generated copy with eight (8) additional copies thereof, shall be  
27 prepared for introduction. The original computer generated copy shall be  
28 placed in the manuscript cover provided for the official copy of bills or  
29 resolutions and a photocopy of the computer generated original shall be  
30 placed in the manuscript cover provided for the duplicate copy, with the  
31 eight (8) copies thereof to be attached thereto in such manner as may be  
32 prescribed by the respective houses. In addition, eight (8) copies of the  
33 caption on each bill or resolution shall be prepared and attached thereto at  
34 the time of introduction.

35 (C) Upon the introduction of each bill and resolution, the appropriate  
36 clerks of the respective houses shall cause the original signed copy thereof

1 (which is contained in the official bill or resolution manuscript cover) to  
2 be identified as the official copy by perforation or stamping on the left  
3 margin of each page thereof the words "HOUSE ORIGINAL" to be placed on each  
4 official original copy of House bills and resolutions, and the words "SENATE  
5 ORIGINAL" to be placed on the left margin of each official original copy of  
6 Senate bills and resolutions. Whenever any bill or resolution is amended,  
7 the engrossed page or pages thereof shall be perforated in the same manner as  
8 the original introduced copy. Only the original signed copy of a bill or  
9 resolution and engrossed pages thereof shall be perforated or stamped as  
10 provided herein.

11 (D) If any person shall unlawfully perforate any fraudulent or  
12 counterfeit copy of any bill or resolution for the purpose of intentionally  
13 inserting in any bill or resolution any page or provision thereof for the  
14 purpose of altering the bill or resolution as introduced, such person shall  
15 be in contempt of the House or Senate, or both House and Senate, and shall be  
16 punished accordingly. If any person shall make any alteration, change or  
17 erasure in any original copy of a bill or resolution as originally  
18 introduced, except upon direction of the House or Senate, or both House and  
19 Senate, or upon direction of the appropriate committees on engrossed or  
20 enrolled bills, such person shall be in contempt of the House or Senate, or  
21 both of them and shall be punished accordingly. In addition, such person  
22 shall be subject to such fine and imprisonment as may be imposed by the laws  
23 of this State for fraud.

24 (E)(1) Only bills and amendments to bills which meet the requirements  
25 of this subsection (E) may be introduced into the Senate or the House of  
26 Representatives.

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

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

32 (b) underlining all new language proposed to be added to  
33 the existing law. At the top of the first page of the bill shall appear  
34 language substantially similar to the following: "Stricken language would be  
35 deleted from present law. Underlined language would be added to present  
36 law."



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

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

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

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

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

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

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

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

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

30                   (b) sections which allocate funds within the Revenue  
31 Stabilization Law or within the General Improvement Fund Distribution Law;  
32 and

33                   (c) sections which amend Arkansas Code §§ 21-5-208(b) and  
34 21-5-209(e).

35           (7) It shall be the duty of the Chairman of the Joint Budget  
36 Committee to have a schedule prepared which reflects the amounts approved by

1 the Joint Budget Committee for each category for each fund within the Revenue  
2 Stabilization Law to provide funding for the biennial budget enacted by the  
3 General Assembly and a schedule reflecting the proposed distribution of  
4 General Improvement funds. The schedule reflecting the allocation of funds  
5 in the Revenue Stabilization Law and the General Improvement Fund  
6 Distribution Law for the next biennium shall be submitted to each body of the  
7 Arkansas General Assembly at least three (3) days prior to the day at which  
8 the same is to be considered for final passage.

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

11  
12 "SECTION. COMPLIANCE WITH OTHER LAWS. Disbursement of  
13 funds authorized by this Act shall be limited to the appropriation for such  
14 agency and funds made available by law for the support of such  
15 appropriations; and the restrictions of the State Purchasing Law, the General  
16 Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the  
17 Regular Salary Procedures and Restrictions Act, the Higher Education  
18 Expenditure Restrictions Act, where applicable, and regulations promulgated  
19 by the Department of Finance and Administration, as authorized by law, shall  
20 be strictly complied with in disbursement of said funds.

21  
22 SECTION. EMPLOYMENT OF ATTORNEYS. None of the funds  
23 appropriated in this Act for Maintenance and General Operation shall be  
24 expended in payment for services of attorneys, unless the agency shall first  
25 make a request in writing to the Attorney General of the State of Arkansas to  
26 provide the required legal services. The Attorney General's Office shall  
27 provide the required legal services, or, if the Attorney General's Office  
28 shall determine that sufficient personnel are not available to provide the  
29 requested legal services, the Attorney General shall certify the same to the  
30 agency and may authorize the agency to employ legal counsel and to expend  
31 monies appropriated for Maintenance and General Operations thereof, if:

32 (1) The Attorney General determines, and certifies in  
33 writing, that such agency needs the advice or assistance of legal counsel,  
34 and

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

1           Such certification shall be required with respect to each  
2 instance of the employment of special legal counsel, or shall be required  
3 annually with respect to legal counsel employed on a retainer basis. A copy  
4 of such certification shall be entered in the official minutes of the agency,  
5 and shall be retained in the fiscal records of the agency for audit purposes.  
6

7           SECTION. DISBURSEMENT CONTROLS. (A) No contract may be  
8 awarded nor obligations otherwise incurred in relation to the project or  
9 projects described herein in excess of the State Treasury funds actually  
10 available therefor as provided by law. Provided, however, that institutions  
11 and agencies listed herein shall have the authority to accept and use grants  
12 and donations including Federal funds, and to use its unobligated cash income  
13 or funds, or both available to it, for the purpose of supplementing the State  
14 Treasury funds for financing the entire costs of the project or projects  
15 enumerated herein. Provided further, that the appropriations and funds  
16 otherwise provided by the General Assembly for Maintenance and General  
17 Operations of the agency or institutions receiving appropriation herein shall  
18 be not be used for any of the purposes as appropriated in this Act.

19           (B) The restrictions of any applicable provisions of  
20 the State Purchasing Law, the General Accounting and Budgetary Procedures  
21 Law, the Revenue Stabilization Law and any other applicable fiscal control  
22 laws of this State and regulations promulgated by the Department of Finance  
23 and Administration, as authorized by law, shall be strictly complied with in  
24 disbursement of any funds provided by this Act unless specifically provided  
25 otherwise by law.  
26

27           SECTION. LEGISLATIVE INTENT. It is the intent of the  
28 General Assembly that any funds disbursed under the authority of the  
29 appropriations contained in this Act shall be in compliance with the stated  
30 reasons for which this Act was adopted, as evidenced by the Agency Requests,  
31 Executive Recommendations and Legislative Recommendations contained in the  
32 budget manuals prepared by the Department of Finance and Administration,  
33 letters, or summarized oral testimony in the official minutes of the Arkansas  
34 Legislative Council or Joint Budget Committee which relate to its passage and  
35 adoption.  
36

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

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

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

13  
14   Submission of Bills to Governor

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

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#### Joint Committee on Constitutional Amendments

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

#### Joint Meetings of Senate and House Committees

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

#### Correction of Obvious Errors

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

#### Assigning Bill and Resolution Numbers

Section 24. In assigning numbers to bills and resolutions introduced in the Senate and House of Representatives, Senate bills and resolutions

1 shall be numbered commencing with the figure 1, and House bills and  
2 resolutions shall be assigned numbers commencing with the figure 1001.

3  
4 Prefiling of Bills and Resolutions

5 Section 25. Beginning on November 15th of each year preceding a  
6 regular session of the General Assembly, each holdover member of the Senate  
7 who will be serving at the next following regular session of the General  
8 Assembly, and each member-elect of the General Assembly, as soon as the  
9 members-elect of the next General Assembly are certified to the Secretary of  
10 State, shall be permitted to prefile bills and resolutions for such regular  
11 session with the Chief Clerk of the House and the Secretary of the Senate.  
12 (Arkansas Code § 10-2-112)

13  
14 Succession to the Powers of Governor

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

19 (B) Neither the President Pro Tempore of the Senate nor the Speaker of  
20 the House shall exercise the powers of the Governor unless he or she succeeds  
21 to the powers of the Governor because of a vacancy in both the office of  
22 Governor and Lieutenant Governor, the disability of both officers, or a  
23 vacancy in one office and the disability of the other officer.

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

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

30 (b) A Majority of the constitutional officers of the  
31 Executive Department of this State transmit to the President Pro Tempore of  
32 the Senate and the Speaker of the House of Representatives their written  
33 declaration that the Governor or Lieutenant Governor is unable to discharge  
34 the powers and duties of his or her office.

35 (2) A disability shall cease upon the officer transmitting to  
36 the President Pro Tempore of the Senate and the Speaker of the House of

1 Representatives his or her written declaration that no disability exists.

2 (D) If the Speaker of the House of Representatives exercises the  
3 powers of the Governor in violation of this Rule, he or she may be removed  
4 from the office of Speaker of the House upon a majority vote of the House.

5 If the President Pro Tempore of the Senate exercises powers of the Governor  
6 in violation of this Rule, he or she may be removed from the office of  
7 President Pro Tempore of the Senate upon a majority vote of the Senate.

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*/s/Whitaker*

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