

State of Arkansas *As Engrossed: S2/26/01 S2/28/01*

83rd General Assembly

Regular Session, 2001

HCR 1010

By: Representative Salmon

## HOUSE CONCURRENT RESOLUTION

TO ADOPT JOINT RULES FOR THE HOUSE OF REPRESENTATIVES  
AND THE SENATE.

### Subtitle

TO ADOPT JOINT RULES FOR THE HOUSE OF  
REPRESENTATIVES AND THE SENATE.

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

THAT the following are adopted as the Joint Rules for the House of  
Representatives and the Senate of the Eighty-Third General Assembly:

JOINT RULES OF THE HOUSE OF REPRESENTATIVES  
AND THE SENATE

#### Joint Session - How Convened

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

#### Officers of Joint Session

Section 2. When the meeting is assembled, the Speaker of the House and  
the President of the Senate shall preside in conjunction, and the meeting  
shall be governed by such standing rules as shall have been adopted for that  
purpose by the concurrence of both houses. They shall have power to punish any

1 person, other than a member, for disorderly or contemptuous behavior in their  
2 presence, by fine and imprisonment, in the same manner and to the same extent  
3 as either house may do, for like conduct before it, by the Constitution and  
4 laws of this state.

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

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

#### 12 13 Manner of Presenting Bills, Etc.

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

#### 18 19 Contents of Bills

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

#### 24 25 Notice of Bill Rejection

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

#### 29 30 Engrossment of Bills

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

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

#### 4 5 Enrollment of Bills

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

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

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

#### 16 17 Signing of Bills

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

#### 28 29 Announcement of Message

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

## Bills Passed by the Other House

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

## Conference Committee

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

## Suspension of Joint Rules

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

## Appropriation Bills

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

## Deadline for the Introduction of Bills

Section 16. (a) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fiftieth (50th) day of a regular session except upon consent of two-thirds (2/3) of the

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

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

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

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

#### Introduction of Health Care Legislation

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

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

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

Method of Preparing Bills and Resolutions – Automated Bill  
Preparation System

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

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

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

(3) As used herein:

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

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

(i) a separate identification number, to be placed upon each page of the original and each copy thereof prepared for

1 introduction in the General Assembly;

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

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

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

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

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

36 (D) If any person shall unlawfully perforate any fraudulent or

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

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

15 (2) Except as provided in subsections (E) (5), (6) and (8), all  
16 bills and amendments to bills shall reflect the changes proposed in the  
17 existing law by (a) over striking all language of the existing law which is  
18 proposed to be deleted; and (b) underlining all new language proposed to be  
19 added to the existing law. At the top of the first page of the bill shall  
20 appear ~~the following~~ language substantially similar to the following:  
21 "Stricken language would be deleted from present law. Underlined language  
22 would be added to present law."

23 (3) Except as provided in subsections (E) (5), (6) and (8), all  
24 resolutions proposing amendments to the Arkansas Constitution and amendments  
25 to resolutions shall reflect the changes proposed in the existing constitution  
26 by: (a) over striking all language of the existing Constitution which is  
27 proposed to be deleted; and (b) underlining all new language proposed to be  
28 added to the existing Constitution. At the top of the first page of the bill  
29 shall appear ~~the following~~ language substantially similar to the following:  
30 "Stricken language would be deleted from the present law Constitution.  
31 Underlined language would be added to present constitution."

32 (4) Except as provided in subsections (E) (5), (6) and (8), all  
33 resolutions proposing changes in the rules of the Senate or House or the joint  
34 rules of the House and Senate shall reflect the changes proposed in the  
35 existing rule by: (a) over striking all language of the existing rule which is  
36 proposed to be deleted; and (b) underlining all new language proposed to be



1 added to the existing rule. At the top of the first page of the resolution  
2 shall appear ~~the following~~ language substantially similar to the following:  
3 "Stricken language would be deleted from present rule. Underlined language  
4 would be added to present rule."

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

8 (6) Markups are not required of the following: (a) appropriation  
9 sections, state agencies regular salary sections, and state agencies extra  
10 help sections contained within a bill if the sections do not specifically  
11 amend existing law; (b) sections which allocate funds within the Revenue  
12 Stabilization Law or within the General Improvement Fund Distribution Law; and  
13 (c) sections which amend Arkansas Code 21-5-208(b) and 21-5-209(e).

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

24 (8) Markups are not required on sections that are substantially  
25 the same as the following boiler-plate sections:  
26

27 "SECTION. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this Act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Purchasing Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, the Higher Education Expenditure Restrictions  
33 Act, where applicable, and regulations promulgated by the Department of  
34 Finance and Administration, as authorized by law, shall be strictly complied  
35 with in disbursement of said funds.  
36

1                   SECTION.   EMPLOYMENT OF ATTORNEYS. None of the funds  
2   appropriated in this Act for Maintenance and General Operation shall be  
3   expended in payment for services of attorneys, unless the agency shall first  
4   make a request in writing to the Attorney General of the State of Arkansas to  
5   provide the required legal services. The Attorney General's Office shall  
6   provide the required legal services, or, if the Attorney General's Office  
7   shall determine that sufficient personnel are not available to provide the  
8   requested legal services, the Attorney General shall certify the same to the  
9   agency and may authorize the agency to employ legal counsel and to expend  
10   monies appropriated for Maintenance and General Operations therefor, if:

11                   (1)   The Attorney General determines, and certifies  
12   in writing, that such agency needs the advice or assistance of legal counsel,  
13   and

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

16                   Such certification shall be required with respect to each  
17   instance of the employment of special legal counsel, or shall be required  
18   annually with respect to legal counsel employed on a retainer basis. A copy of  
19   such certification shall be entered in the official minutes of the agency, and  
20   shall be retained in the fiscal records of the agency for audit purposes.  
21

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

34                   (B) The restrictions of any applicable provisions of  
35   the State Purchasing Law, the General Accounting and Budgetary Procedures Law,  
36   the Revenue Stabilization Law and any other applicable fiscal control laws of

1 this State and regulations promulgated by the Department of Finance and  
2 Administration, as authorized by law, shall be strictly complied with in  
3 disbursement of any funds provided by this Act unless specifically provided  
4 otherwise by law.

5  
6 SECTION. LEGISLATIVE INTENT. It is the intent of the  
7 General Assembly that any funds disbursed under the authority of the  
8 appropriations contained in this Act shall be in compliance with the stated  
9 reasons for which this Act was adopted, as evidenced by the Agency Requests,  
10 Executive Recommendations and Legislative Recommendations contained in the  
11 budget manuals prepared by the Department of Finance and Administration,  
12 letters, or summarized oral testimony in the official minutes of the Arkansas  
13 Legislative Council or Joint Budget Committee which relate to its passage and  
14 adoption.

15  
16 SECTION. CODE. All provisions of this act of a  
17 general and permanent nature are amendatory to the Arkansas Code of 1987  
18 Annotated and the Arkansas Code Revision Commission shall incorporate the same  
19 in the Code.

20  
21 SECTION. SEVERABILITY. If any provision of this act  
22 or the application thereof to any person or circumstance is held invalid, such  
23 invalidity shall not affect other provisions or applications of the act which  
24 can be given effect without the invalid provision or application, and to this  
25 end the provisions of this act are declared to be severable.

26  
27 SECTION. GENERAL REPEALER. All laws and parts of law  
28 in conflict with this act are hereby repealed."

29  
30 ~~Section 18~~ Section 19. (A) Once a Senate bill has passed the House of  
31 Representatives and returned to the Senate, it may not be subsequently amended  
32 in the Senate unless the House expunges the vote by which it passed the bill  
33 and any amendments to the bill and the Senate expunges the vote by which the  
34 bill was passed and places the bill on second reading.

35 (B) Once a House bill has passed the Senate and has been returned to  
36 the House, it may not be subsequently amended in the House unless the Senate

expunges the vote by which it passed the bill and any amendments to the bill and the House expunges the vote by which the bill was passed and places the bill on second reading.

#### Submission of Bills to Governor

~~Section 19~~ Section 20. Whenever any Senate bill shall be approved by the House of Representatives and enrolled by the Senate, the Secretary of the Senate or one of his or her authorized agents shall without delay, deliver the same to the Governor or his or her designated representative and take receipt thereof, which receipt shall be returned to the Senate and entered in the Journal. Whenever any House bill shall be approved by the Senate and enrolled by the House, the Chief Clerk of the House or one of his or her authorized agents shall, without delay, deliver the same to the Governor or his or her designated representative and take receipt thereof, which receipt shall be returned to the House and entered in the Journal. In the event the Governor, or his or her designated representative, shall refuse to accept delivery of any such bill, the Secretary of the Senate, or the Chief Clerk of the House, or their designated agents, as the case may be, shall forthwith serve the same by handing the bill to either the Governor or to any employee of the Governor's office, and shall return a certificate to the Senate or the House as the case may be, of the date and time of such delivery and of the name of the person to whom delivered and such certificate shall be entered in the Journal of the Senate or the Journal of the House, as the case may be, and shall constitute proof of delivery of said bill to the Governor in determining the period of time in which the Governor has to sign the same or return it to the House or the Senate with his veto as provided in the Constitution of the State of Arkansas.

#### Joint Committee

#### on Constitutional Amendments

~~Section 20~~ 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 ~~Senate Committee~~

1 ~~on State Agencies and Governmental Affairs~~ Joint Committee on Constitutional  
2 Amendments and an affirmative vote of a majority of the House members of the  
3 ~~House Committee on State Agencies and Governmental Affairs~~ Joint Committee on  
4 Constitutional Amendments. No resolution proposing a constitutional amendment  
5 shall be filed in either the House of Representatives or the Senate after the  
6 thirty-first (31st) day of each regular session of the General Assembly. All  
7 resolutions proposing constitutional amendments shall be referred to the Joint  
8 Committee on ~~State Agencies and Governmental Affairs~~ Constitutional  
9 Amendments. Other resolutions proposing constitutional amendments shall not be  
10 reported to or considered by either house of the General Assembly until the  
11 original recommendations of the Joint Committee on ~~State Agencies and~~  
12 ~~Governmental Affairs~~ Constitutional Amendments are disposed of by both Houses.

#### Joint Meetings

of Senate and House Committees

16 ~~Section 21~~ Section 22. The ~~Class "A", "B" and "C"~~ standing and select  
17 Committees of the Senate and the ~~standing committees of the~~ House of  
18 Representatives are authorized to hold joint meetings upon call of the  
19 ~~Chairman~~ Chairpersons of the two committees involved or by one-half (1/2) or  
20 more of the members of both committees involved.

#### Correction of Obvious Errors

23 ~~Section 22~~ Section 23. The Secretary of the Senate and the Chief Clerk  
24 of the House are authorized, subject to approval by the appropriate designated  
25 committee, to correct obvious errors occurring in documents originating in the  
26 House and the Senate respectively, provided that each such correction is noted  
27 on the bill jacket and is documented by a "correction note" at the end of the  
28 official daily journal for the date on which the correction was made.

#### Assigning Bill and Resolution Numbers

31 ~~Section 23~~ Section 24. In assigning numbers to bills and resolutions  
32 introduced in the Senate and House of Representatives, Senate bills and  
33 resolutions shall be numbered commencing with the figure 1, and House bills  
34 and resolutions shall be assigned numbers commencing with the figure 1001.

#### Prefiling of Bills and Resolutions

~~Section 24~~ Section 25. Beginning on November 15 of each year preceding a regular session of the General Assembly, each holdover member of the Senate who will be serving at the next following regular session of the General Assembly, and each member-elect of the General Assembly, as soon as the members-elect of the next General Assembly are certified to the Secretary of State, shall be permitted to pre-file bills and resolutions for such regular session with the Chief Clerk of the House and the Secretary of the Senate. ~~(Act 64 of 1987 and Act 203 of 1991.)~~ (Ark. Code 10-2-112)

~~Introduction of Health Care Legislation~~

~~Section 25. (A) Except as provided in subsection (B), no action may be taken in committee or on the floor of either house on any bill that provides for licensure of any profession, occupation or class of health care providers not currently licensed or expands the scope of practice of any profession, occupation or class of health care providers unless the Joint Interim Committee on Public Health, Welfare and Labor, has initiated a study of the feasibility of such legislation at least thirty (30) days prior to the convening of the next legislative session.~~

~~(B) A bill provided for licensure of any profession, occupation or class of health care providers not currently licensed or expanding the scope of practice of any profession, occupation or class of health care providers may be acted upon without the initiation of a feasibility study required in subsection (a) upon a two thirds (2/3) vote of the Senate Public Health, Welfare and Labor Committee membership if the bill is a Senate bill or upon a two thirds (2/3) vote of the House Public Health, Welfare and Labor Committee membership if the bill is a House bill.~~

Succession to the Powers of Governor

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

(B) Neither the President Pro Tempore of the Senate nor the Speaker of the House shall exercise the powers of the Governor unless he or she succeeds to the powers of the Governor because of a vacancy in both the office of Governor and Lt. Governor, the disability of both officers, or a vacancy in

1 one office and the disability of the other officer.

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

4 (a) The Governor or Lt. Governor transmits to the President  
5 Pro Tempore of the Senate and the Speaker of the House of Representatives his  
6 or her written declaration that he or she is unable to discharge the powers  
7 and duties of his or her office; or

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

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

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

22 /s/ Salmon  
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