

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

SCR 2

4
5 By: Senator Baker
6
7

8 **SENATE CONCURRENT RESOLUTION**

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

11
12 **Subtitle**

13 TO ADOPT JOINT RULES FOR THE SENATE AND
14 THE HOUSE OF REPRESENTATIVES.
15
16

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

20 THAT the following are adopted as the Joint Rules for the Senate and
21 the House of Representatives of the Eighty-Fourth General Assembly:
22

23 **JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES**

24
25 **Joint Session - How Convened**

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

31 **Officers of Joint Session**

32 SECTION 2. When the meeting is assembled, the President of the Senate
33 and Speaker of the House shall preside in conjunction, and the meeting shall
34 be governed by such standing rules as shall have been adopted for that
35 purpose by the concurrence of both houses. They shall have power to punish
36 any person, other than a member, for disorderly or contemptuous behavior in



1 their presence, by fine and imprisonment, in the same manner and to the same
2 extent as either house may do, for like conduct before it, by the
3 Constitution and laws of this state.

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

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

11 12 Manner of Presenting Bills, Etc.

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

17 18 Contents of Bills

19 SECTION 4. No Bill shall be passed by either house containing more
20 than one subject, which shall be expressed in the title. House bills shall
21 have at least one House sponsor and Senate bills shall have at least one
22 Senate sponsor. House bills may have Senate sponsors and Senate bills may
23 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 adoption of an amendment on the floor of the Senate,
32 regardless whether the bill or resolution originated in the House or the
33 Senate, the Senate shall engross the bill or resolution as amended. After
34 the adoption of the amendment on the floor of the House of Representatives,
35 regardless whether the bill or resolution originated in the House or the
36 Senate, the House of Representatives shall engross the bill or resolution as

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

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

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

17 18 Signing of Bills

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

29 30 Announcement of Message

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

36

1 Bills Passed by the Other House

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

9
10 Conference Committee

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

15
16 Suspension of Joint Rules

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

21
22 Appropriation Bills

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

31
32 Deadline for the Introduction of Bills

33 SECTION 16. (a) No appropriation bill shall be filed for introduction
34 in either the House of Representatives or the Senate later than the fiftieth
35 (50th) day of a regular session except upon consent of two-thirds (2/3) of
36 the members elected to each house; and, no other bill shall be filed for

1 introduction in either the House of Representatives or the Senate later than
2 the fifty-fifth (55th) day of a regular session, except upon consent of two-
3 thirds of the members elected to each house. When the filing deadline for
4 any bills or resolutions ends on Saturday or Sunday, the deadline is hereby
5 extended until the close of business the following Monday.

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

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

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

19
20 Introduction of Health Care Legislation

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

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

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

35
36 Method of Preparing Bills and Resolutions - Automated Bill

1 Preparation System

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

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

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

24 (3) As used herein:

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

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

35 (i) a separate identification number, to be placed
36 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 other
3 automated or electronic medium, each bill and resolution for ready access for
4 retrieval and engrossment purposes;

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

10 (iv) such other features as deemed to be necessary
11 and advisable by the Bureau of Legislative Research after consulting with the
12 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 computer generated original and twelve
15 (12) copies thereof, or a photocopy of an original computer generated copy
16 with twelve (12) additional copies thereof, shall be prepared for
17 introduction. The original computer generated copy shall be placed in the
18 manuscript cover provided for the official copy of bills or resolutions and a
19 photocopy of the computer generated original shall be placed in the
20 manuscript cover provided for the duplicate copy, with the twelve (12) copies
21 thereof to be attached thereto in such manner as may be prescribed by the
22 respective houses. In addition, ten (10) copies of the caption on each bill
23 or resolution shall be prepared and attached thereto at the time of
24 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
28 be identified as the official copy by perforation or stamping on the left
29 margin of each page thereof the words "HOUSE ORIGINAL" to be placed on each
30 official original copy of House bills and resolutions, and the words "SENATE
31 ORIGINAL" to be placed on the left margin of each official original copy of
32 Senate bills and resolutions. Whenever any bill or resolution is amended,
33 the engrossed page or pages thereof shall be perforated in the same manner as
34 the original introduced copy. Only the original signed copy of a bill or
35 resolution and engrossed pages thereof shall be perforated or stamped as
36 provided herein.

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

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

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

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

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

1 is proposed to be deleted; and (b) underlining all new language proposed to
2 be added to the existing rule. At the top of the first page of the
3 resolution shall appear language substantially similar to the following:
4 “Stricken language would be deleted from present rule. Underlined language
5 would be added to present rule.”

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

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

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

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

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

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

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

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

16 Such certification shall be required with respect to each instance of
17 the employment of special legal counsel, or shall be required annually with
18 respect to legal counsel employed on a retainer basis. A copy of such
19 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 awarded nor
23 obligations otherwise incurred in relation to the project or projects
24 described herein in excess of the State Treasury funds actually available
25 therefor as provided by law. Provided, however, that institutions and
26 agencies listed herein shall have the authority to accept and use grants and
27 donations including Federal funds, and to use its unobligated cash income or
28 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 the State
35 Purchasing Law, the General Accounting and Budgetary Procedures Law, the
36 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 General Assembly
7 that any funds disbursed under the authority of the appropriations contained
8 in this Act shall be in compliance with the stated reasons for which this Act
9 was adopted, as evidenced by the Agency Requests, Executive Recommendations
10 and Legislative Recommendations contained in the budget manuals prepared by
11 the Department of Finance and Administration, letters, or summarized oral
12 testimony in the official minutes of the Arkansas Legislative Council or
13 Joint Budget Committee which relate to its passage and adoption.

14
15 SECTION. CODE. All provisions of this act of a general and permanent
16 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
17 Code Revision Commission shall incorporate the same in the Code.

18
19 SECTION. SEVERABILITY. If any provision of this act or the
20 application thereof to any person or circumstance is held invalid, such
21 invalidity shall not affect other provisions or applications of the act which
22 can be given effect without the invalid provision or application, and to this
23 end the provisions of this act are declared to be severable.

24
25 SECTION. GENERAL REPEALER. All laws and parts of law in conflict with
26 this act are hereby repealed.”

27
28 SECTION 19. (a) Once a Senate bill has passed the House of
29 Representatives and returned to the Senate, it may not be subsequently
30 amended in the Senate unless the House expunges the vote by which it passed
31 the bill and any amendments to the bill and the Senate expunges the vote by
32 which the bill was passed and places the bill on second reading.

33 (b) Once a House bill has passed the Senate and has been returned to
34 the House, it may not be subsequently amended in the House unless the Senate
35 expunges the vote by which it passed the bill and any amendments to the bill
36 and the House expunges the vote by which the bill was passed and places the

1 bill on second reading.

2
3 Submission of Bills to Governor
4

5 SECTION 20. Whenever any Senate bill shall be approved by the House of
6 Representatives and enrolled by the Senate, the Secretary of the Senate or
7 one of his or her authorized agents shall without delay, deliver the same to
8 the Governor or his or her designated representative and take receipt
9 thereof, which receipt shall be returned to the Senate and entered in the
10 Journal. Whenever any House bill shall be approved by the Senate and
11 enrolled by the House, the Chief Clerk of the House or one of his or her
12 authorized agents shall, without delay, deliver the same to the Governor or
13 his or her designated representative and take receipt thereof, which receipt
14 shall be returned to the House and entered in the Journal. In the event the
15 Governor, or his or her designated representative, shall refuse to accept
16 delivery of any such bill, the Secretary of the Senate, or the Chief Clerk of
17 the House, or their designated agents, as the case may be, shall forthwith
18 serve the same by handing the bill to either the Governor or to any employee
19 of the Governor's office, and shall return a certificate to the Senate or the
20 House as the case may be, of the date and time of such delivery and of the
21 name of the person to whom delivered and such certificate shall be entered in
22 the Journal of the Senate or the Journal of the House, as the case may be,
23 and shall constitute proof of delivery of said bill to the Governor in
24 determining the period of time in which the Governor has to sign the same or
25 return it to the Senate or the House with his veto as provided in the
26 Constitution of the State of Arkansas.

27
28 Joint Committee on Constitutional Amendments

29 SECTION 21. The Joint Committee on Constitutional Amendments shall
30 consist of the members of the Senate Committee on State Agencies and
31 Governmental Affairs and the members of the House Committee on State Agencies
32 and Governmental Affairs. No proposed constitutional amendment shall be
33 recommended to either house of the General Assembly except upon the
34 affirmative vote of a majority of the Senate members of the Joint Committee
35 on Constitutional Amendments and an affirmative vote of a majority of the
36 House members of the Joint Committee on Constitutional Amendments. No

1 resolution proposing a constitutional amendment shall be filed in either the
2 House of Representatives of the Senate after the thirty-first (31st) day of
3 each regular session of the General Assembly. All resolutions proposing
4 constitutional amendments shall be referred to the Joint Committee on
5 Constitutional Amendments. Other resolutions proposing constitutional
6 amendments shall not be reported to or considered by either house of the
7 General Assembly until the original recommendations of the Joint Committee on
8 Constitutional Amendments are disposed of by both Houses.

9
10 Joint Meetings of Senate and House Committees

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

15
16 Correction of Obvious Errors

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

23
24 Assigning Bill and Resolution Numbers

25 SECTION 24. In assigning numbers to bills and resolutions introduced
26 in the Senate and House of Representatives, Senate bills and resolutions
27 shall be numbered commencing with the figure 1, and House bills and
28 resolutions shall be assigned numbers commencing with the figure 1001.

29
30 Prefiling of Bills and Resolutions

31 SECTION 25. Beginning on November 15 of each year preceding a regular
32 session of the General Assembly, each holdover member of the Senate who will
33 be serving at the next following regular session of the General Assembly, and
34 each member-elect of the General Assembly, as soon as the members-elect of
35 the next General Assembly are certified to the Secretary of State, shall be
36 permitted to pre-file bills and resolutions for such regular session with the

1 Chief Clerk of the House and the Secretary of the Senate. (Ark. Code 10-2-
2 112.)

3
4 Succession to the Powers of Governor

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

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

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

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

20 (b) A Majority of the constitutional officers of the
21 Executive Department of this State transmit to the President Pro Tempore of
22 the Senate and the Speaker of the House of Representatives their written
23 declaration that the Governor or Lt. Governor is unable to discharge the
24 powers and duties of his or her office.

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

28 (D) If the Speaker of the House of Representatives exercises the
29 powers of the Governor in violation of this Rule, he or she may be removed
30 from the office of Speaker of the House upon a majority vote of the House.
31 If the President Pro Tempore of the Senate exercises powers of the Governor
32 in violation of this Rule, he or she may be removed from the office of
33 President Pro Tempore of the Senate upon a majority vote of the Senate.

34
35
36