

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

SR 1

4
5 By: Senator Baker

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8 **SENATE RESOLUTION**

9 TO ADOPT THE RULES OF THE SENATE OF THE EIGHTY-
10 FOURTH GENERAL ASSEMBLY.

11
12 **Subtitle**

13 TO ADOPT THE RULES OF THE SENATE OF THE
14 EIGHTY-FOURTH GENERAL ASSEMBLY.

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17 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FOURTH GENERAL ASSEMBLY OF THE
18 STATE OF ARKANSAS:

19
20 The following are hereby adopted as the Rules of the Senate of the
21 Eighty-Fourth General Assembly of the State of Arkansas:

22
23 **RULES OF THE SENATE**

24
25 **RULE 1**

26
27 **THE PRESIDENT**

28
29 1.01 The duties of the President of the Senate shall be to:

30 (a) take the Chair on every legislative day precisely at the hour at
31 which the Senate shall have adjourned to at the last sitting. He shall
32 immediately call the members to order, and on the appearance of a quorum,
33 cause the Journal of the preceding day to be read;

34 (b) preserve order and decorum, and, in case of disturbance or
35 disorderly conduct in the galleries or in the lobby, may cause the same to be
36 cleared;



1 (c) sign all Acts, addresses, joint resolutions, writs, warrants, and
2 subpoenas of, or issued by, order of the Senate;

3 (d) decide all questions of order, subject to an appeal by any member,
4 on which appeal no member shall speak more than once, unless by permission of
5 the Senate, and may, as presiding officer, open and close the debate on
6 questions of appeal;

7 (e) declare the vote required for the adoption of each bill.
8 Constitutionality is a judicial question;

9 (f) state the question to the Senate before each vote is taken, and if
10 a voice vote is taken and if in doubt of the outcome, or a division is called
11 for by at least one-fifth of a quorum, the Senate shall divide;

12 (g) abstain from voting except in case of a tie vote.
13

14 1.02 The President shall have the right to name any member to perform
15 the duties of the Chair, but such substitution shall not extend beyond
16 adjournment; provided, however, that in case of the absence of the President
17 Pro Tempore, he may make such appointment for a period not exceeding ten (10)
18 days, with the approval of the Senate at the time the same is made.
19
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21 RULE 2

22 THE PRESIDENT PRO TEMPORE

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25 2.01 (a) At the beginning of every regular session of the General
26 Assembly the Senate shall elect from its members an officer to be styled
27 "President Pro Tempore" of the Senate, who shall perform all the duties of
28 the President of the Senate during his absence, except as otherwise provided
29 in these Rules.

30 (b) The President Pro Tempore shall have the authority to convene the
31 members of the Senate between sessions for the purpose of addressing any
32 matter that affects the business of the full Senate.
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34

35 RULE 3

36

1 THE SECRETARY OF THE SENATE

2
3 3.01 At the beginning of every regular session of the General
4 Assembly, the Senate shall elect a Secretary of the Senate, who shall perform
5 the following duties:

6
7 Seal

8
9 (a) he/she shall attest and affix the Seal of the Senate to all writs,
10 warrants, and subpoenas issued by order of the Senate;

11 (b) he/she shall certify to the passage of all bills and joint
12 resolutions;

13
14 Contracts

15
16 (c) he/she shall make or approve all contracts, bargains, or
17 agreements relative to furnishing any matter or thing, or for the performance
18 of any labor, for the Senate in pursuance of law or on order of the Senate;

19
20 Record of Disbursements

21
22 (d) he/she may keep full and accurate records and accounts of all
23 disbursements of funds of the Senate;

24
25 Supplies

26
27 (e) he/she shall furnish the members with stationery, postage, and
28 other supplies as may be authorized by the Senate, upon direction of the
29 Efficiency Committee;

30
31 Assistant Secretary of the Senate

32
33 (f) he/she shall designate an Assistant Secretary or some other
34 official in his office, to sign all papers that may require the official
35 signature of the Secretary, and do all other acts, except such as are
36 provided by statute, that may be required under the Rules and practices of

1 the Senate to be done by the Secretary, such official acts when so done by
2 the Assistant Secretary or other official shall be under the name of the
3 Secretary of the Senate. The said designation shall be in writing and shall
4 be laid before the Senate and entered on the Journal;

5 (g) he/she shall keep a register of all bills introduced in the Senate
6 or transmitted for concurrence from the Senate, and which shall be recorded,
7 under appropriate heading, the progress of all such bills from the date of
8 their introduction to the time of their transmission, as Senate bills, to the
9 Governor, and if House bills, their return to the House.

10
11 Journal

12
13 3.02 The Secretary of the Senate shall have the Journal of the Senate
14 recorded in a well-bound book to be kept for that purpose, and each day's
15 proceedings shall be signed by the President, attested by the Secretary, and
16 at the close of the session filed in the Office of the Secretary of State.
17 The Journal, as the same is transcribed into a record book, shall be
18 carefully compared and revised by the appropriate committee appointed for
19 that purpose. The Secretary shall enter in the Journal the hour at which the
20 Senate convenes and adjourns each day the Senate is in session. The finished
21 and official Journal of the Senate shall be entered by the Senate into the
22 General Assembly's Internet web site.

23
24 Delivery of Bills to the Governor

25
26 3.03 Whenever any Senate bill shall be approved by the House and
27 enrolled by the Senate, the Secretary of the Senate shall, without delay,
28 deliver the same to the Governor or his designated representative. In the
29 event the Governor or his designated representative shall refuse to accept
30 delivery of any such bill, the Secretary of the Senate shall proceed to serve
31 the bill upon the Governor's office in the manner provided in the Joint Rules
32 of the Senate and House of Representatives, and shall enter the record
33 thereof in the Journal in the manner provided in the Joint Rules, and the
34 same shall constitute proof of delivery of said bill to the Governor
35 determining the period of time in which the Governor has to sign the same or
36 return it to the Senate with his veto, as provided in the Constitution of the

1 State of Arkansas.

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RULE 4

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THE CHIEF SERGEANT AT ARMS

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8 4.01 At the beginning of every regular session of the General
9 Assembly, the Efficiency Committee of the Senate shall select a Sergeant at
10 Arms, whose duties shall be to:

11 (a) attend the Senate during its sittings, and to maintain order under
12 the direction of the President or Chairman, and pending the election of a
13 President or President Pro Tempore, under the direction of the Secretary;

14 (b) execute the commands of the Senate, and all processes issued by
15 authority thereof directed to him by the President;

16 (c) have charge of the Hall of the Senate during the sessions, and see
17 that the same is kept in order and at all times ready for use of the Senate;

18 (d) strictly enforce the rules relating to the privileges of the Hall,
19 and be responsible to the Senate for the official conduct of his assistants;

20 (e) allow no person to enter the Hall of the Senate during its
21 sittings; and five (5) minutes before the hour of the meeting of the Senate
22 each day he shall see that the floor is cleared of all persons except those
23 privileged to remain, and kept so until after adjournment;

24 (f) prohibit hawking or peddling or distribution of advertising matter
25 within the Hall of the Senate, and to see that this rule is strictly
26 enforced.

27

28 4.02 The symbol of the Office of the Chief Sergeant at Arms shall be
29 the Mace, which shall be borne by him while enforcing order on the floor.

30

31

Assistant Sergeant at Arms

32

33 4.03 The Sergeant at Arms shall supervise the performance of duties by
34 each assistant Sergeant at Arms employed by the Senate, and shall be
35 responsible to the Efficiency Committee and the Senate with respect to the
36 conduct and performance of duties by the assistant Sergeants at Arms.

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RULE 5

THE CHAPLAIN

5.01 The Chaplain shall be selected by the President Pro Tempore, or his designee, and shall attend the commencement of each day's sitting of the Senate and open the same with prayer.

RULE 6

DUTIES OF THE MEMBERS

6.01 Each member of the Senate shall attend the Hall of the Senate during its sittings, unless excused or necessarily prevented.

Quorum Required

6.02 A quorum is necessary before business can be transacted, except adjournment and call of the Senate.

RULE 7

COMMITTEES OF THE SENATE

7.01 (a) The Committees of the Senate shall consist of:

(1) Five (5) Class "A" Committees which shall be as follows:

Public Health, Welfare and Labor

Public Transportation

Judiciary

Education

Revenue and Taxation

(2) Five (5) Class "B" Committees which shall be as follows:

1 Insurance and Commerce
 2 Agriculture, Economic and Industrial Development
 3 State Agencies and Governmental Affairs
 4 City, County and Local Affairs
 5 Technology and Legislative Affairs

6 (3) Six (6) Joint Committees

7 (4) Two (2) Select Committees.

8 (b) Membership of the Senate Committees shall be determined in the
 9 following manner:

10 (1) Prior to the convening of the 83rd General Assembly, and all
 11 subsequent sessions thereafter, all members shall assemble for an
 12 organizational meeting to select committee assignments. The committees of
 13 the Senate shall be selected in the following manner:

14 (2) The most senior member of the majority party shall select
 15 first and shall choose either a Class "A" or Class "B" Committee. The next
 16 senior member of the majority party shall then select either a Class "A" or
 17 Class "B" Committee. The seniority rotation procedure shall continue until
 18 the member of the majority party with the least seniority selects his or her
 19 committee. Provided, each Class "A" or Class "B" Committee shall have at
 20 least one senator from the minority party as a member. Each committee shall
 21 have at least one (1) Senator from the minority party as a member for every
 22 increment of five (5) Senators from the minority party.

23 (3) After the member of the majority party with the least
 24 seniority makes his or her selection, the most senior member of the majority
 25 party shall select his or her second Class "A" or Class "B" Committee.

26 (4) No member may serve on committees of the same class.

27 (5) The seniority rotation procedure shall continue until the
 28 member of the majority party with the least seniority makes his or her second
 29 selection.

30 (6) After the member of the majority party with the least
 31 seniority has made his or her second selection, the members of the minority
 32 party shall select the remaining Class "A" or Class "B" Committee positions.
 33 The most senior member of the minority party shall select first and shall
 34 choose either a Class "A" or Class "B" Committee. The next senior member of
 35 the minority party shall then make his or her selection. The minority party
 36 seniority rotation procedure shall continue until all positions on the Class

1 "A" or Class "B" Committees are filled.

2 (7) All Class "A" and Class "B" Committees of the Senate shall
3 be deemed vacant and no senator presently serving on such committees shall be
4 considered a holdover member. The term "holdover" shall mean a senator who
5 served during the last preceding legislative session.

6 (8) After the Class "A" and "B" Committees have been chosen, the
7 members shall select a Joint and Select Committee. The most senior member of
8 the Senate shall select first and shall choose a position on one (1) Joint
9 Committee and one (1) Select Committee. For purposes of selecting membership
10 on Joint and Select Committees, Senators, who by virtue of their seniority
11 within their congressional district will be members of the Joint Budget
12 Committee, shall be eligible to choose an additional Joint or Select
13 Committee during the Senate committee selection process.

14 (9) The next senior member shall then choose a position on one
15 (1) Joint Committee and one (1) Select Committee. The seniority rotation
16 procedure shall continue, without regard to party affiliation, until the
17 member with the least seniority makes his or her selections.

18 (10) The process shall continue, if necessary, with the most
19 senior member selecting again and shall continue until all Joint and Select
20 Committees are filled.

21 (11) For purposes of selecting membership on Joint and Select
22 Committees, Senators who were members of and Chairman of said Committees
23 during the last preceding legislative session shall be designated as
24 "holdover" members, and they shall retain their membership on, and their
25 Chairmanship of, said Committees until such members request Committee
26 changes.

27

28 Class "A" and "B" Committees

29

30 7.02 (a) The following subject areas shall be within the jurisdiction
31 of each of the respective Class "A" and "B" Committees of the Senate:

32 (1) COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR - matters
33 pertaining to public health, mental health, mental retardation, public
34 welfare, human relations and resources; the aged and problems of the aging;
35 environmental affairs, water and air pollution, labor and labor relations and
36 similar legislation;

1 (2) COMMITTEE ON REVENUE AND TAXATION - matters pertaining to
2 the levy, increase, reduction, collection, enforcement and administration of
3 taxes and other revenue-producing measures;

4 (3) COMMITTEE ON EDUCATION - matters pertaining to public
5 kindergarten, elementary, secondary, and adult education, vocational
6 education, vocational-technical schools, vocational rehabilitation, higher
7 education, private educational institutions, and similar legislation;

8 (4) COMMITTEE ON JUDICIARY - matters pertaining to State and
9 local courts, court clerks and stenographers and other employees of the
10 courts, civil and criminal procedures, probate matters, civil and criminal
11 laws, and similar matters;

12 (5) COMMITTEE ON PUBLIC TRANSPORTATION - matters pertaining to
13 roads, highway safety, airports and air transportation, common carriers, mass
14 transits and similar legislation;

15 (6) COMMITTEE ON AGRICULTURE, ECONOMIC AND INDUSTRIAL
16 DEVELOPMENT - matters pertaining to agriculture, livestock, forestry,
17 industrial development, natural resources, oil and gas, publicity and parks,
18 levees and drainage, rivers and harbors, and similar legislation;

19 (7) COMMITTEE ON INSURANCE AND COMMERCE - matters pertaining to
20 banks and banking, savings and loan associations, stocks, bonds, and other
21 securities, securities dealers, insurance, public utilities, partnerships and
22 corporations, home mortgage financing and housing, and similar legislation;

23 (8) COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS -
24 matters pertaining to State government and State Agencies, except where the
25 subject matter relates more appropriately to another committee, proposed
26 amendments to the Constitution of the State of Arkansas or the Federal
27 government, election laws and procedures, Federal and Interstate relations,
28 and similar legislation. The committee shall also have the responsibility of
29 monitoring and making recommendations for periodic updating, modernizing, and
30 revising the Code of Ethics for public officials;

31 (9) COMMITTEE ON CITY, COUNTY, AND LOCAL AFFAIRS - matters
32 pertaining to city and municipal affairs, county affairs, local improvement
33 districts, interlocal governmental cooperation, and similar legislation;

34 (10) COMMITTEE ON TECHNOLOGY AND LEGISLATIVE AFFAIRS - matters
35 pertaining to science, technology, bio-technology and similar legislation and
36 other matters whenever the subject matter is not germane to the subject

1 matter of any other Class "A" or Class "B" Committee. The committee shall
2 serve as the supervisory committee over the preparation of the Journal and
3 the engrossing and enrolling of bills. The committee shall have no
4 jurisdiction of matters affecting the interpretation of the rules of the
5 Senate, but such jurisdiction shall be exercised by the Senate Rules
6 Committee.

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9
10 Members of Class A and Class B Committees

11
12 (b) Class "A" and Class "B" Committees of the Senate shall be composed
13 of seven (7) members. Each Committee shall have at least one (1) Senator
14 from the minority party as a member. Each Committee shall have at least one
15 (1) Senator from the minority party as a member for every increment of five
16 (5) Senators from the minority party.

17
18 Vacancies

19
20 (c) All vacancies on Class "A" and Class "B" Committees of the Senate
21 shall be filled by the President Pro Tempore on the basis of seniority or as
22 provided by law or by other Rules of the Senate. In the temporary absence of
23 the Chairman and the Vice-Chairman, the member next in rank and seniority,
24 and soon, as often as the case may happen, shall act as Chairman. In case of
25 a permanent vacancy in the Chairmanship or Vice-Chairmanship of any
26 committee, the President Pro Tempore shall appoint another Chairman or Vice-
27 Chairman within the first three (3) days of the next regular or special
28 session of the General Assembly.

29
30 Special Election

31
32 (d) When a vacancy occurs on Class "A" and "B" Committees during the
33 biennium because of death, resignation or expulsion of the Senate member, the
34 person elected to fill the vacant Senate seat in a special election will
35 automatically fill the vacant positions on the Class "A" and "B" Committees
36 for the remainder of the biennium. The person elected to fill a vacant

1 Senate seat in a special election shall draw for seniority with the next
2 group of newly elected incoming Senators at the Senate organizational
3 meeting.

4
5 Legislative Council and Joint Auditing Committee

6
7 (e) The Senate shall select sixteen (16) members of the Senate to
8 serve on the Legislative Council and the Joint Auditing Committee, with four
9 (4) members to be chosen from each of the four (4) congressional districts by
10 caucus of the members of the Senate residing in the respective congressional
11 districts. Each caucus shall at the time of selecting regular members of the
12 Legislative Council and Joint Auditing Committee, also select a first
13 alternate member and a second alternate member for each regular member. The
14 terms of the Senate members and Senate alternate members of the Legislative
15 Council and Joint Auditing Committee shall begin on January 1 of each odd
16 numbered year and end on December 31 of each even numbered year. If a
17 vacancy occurs on Legislative Council or the Joint Auditing Committee, the
18 vacant member's position shall be filled by his/her first alternate. The
19 second alternate shall then assume the first alternate position.

20
21 Joint Budget Committee

22
23 (f) The Senate members of the Joint Budget Committee shall be selected
24 as follows: Five (5) members from each congressional district as they
25 existed on March 1, 1991, based on seniority within the Senate. One (1)
26 Senate alternate member shall be selected from each congressional district.
27 The terms of the Senate members and Senate alternate members of the Joint
28 Budget Committee shall begin on January 1 of each odd numbered year and end
29 on December 31 of each even numbered year. If a vacancy occurs on the Joint
30 Budget Committee, the vacant member's position shall be filled by the
31 alternate member from the vacant Senator's congressional district. The
32 alternate position shall then be filled by the next most senior Senator from
33 that congressional district.

34
35 Joint Meetings of Committees

1 (g) The appropriate subject-matter Committees of the Senate are
2 authorized and encouraged to meet with the appropriate parallel committees of
3 the House as joint committees, as authorized in the Joint Rules of the Senate
4 and House of Representatives, for the purpose of holding public hearings or
5 considering any proposed or pending legislation, but upon conclusion of the
6 joint meeting of said committees, each committee shall take such action and
7 report to their respective houses as determined by said committees. Whenever
8 the appropriate subject-matter committees of the House and Senate shall hold
9 joint hearings or meetings, the chairman of the Senate committee and the
10 chairman of the House committee shall, by agreement, determine which of them
11 shall preside at the joint meeting.

12
13 Special Meetings of Committees

14
15 (h) Special meetings of a committee may be called by the chairman of
16 the committee or by a majority of the members of the committee for conducting
17 any business of the committee; provided, a special meeting of the committee
18 may not conflict with regularly-scheduled meetings of the committee; provided
19 further, special meetings shall be subject to the same procedures requiring
20 the publication of agendas and notices of meetings that apply to regular
21 committee meetings.

22
23 Public Hearing - Two Days' Notice

24
25 (i) All meetings and hearings of committees and their subcommittees,
26 at which public testimony is to be taken (normally called "public hearings"),
27 shall be open to the public, and shall be scheduled at least two (2) days in
28 advance, and agendas of all bills, resolutions, or other proposals or
29 business to be considered at such meetings of committees shall be posted in a
30 designated place at least two (2) days in advance. In case of an emergency,
31 a two-thirds majority of the committee shall be allowed to bring bills up for
32 consideration at any time.

33
34 Schedule of Committee Meetings

35
36 (j) Each Class "A" and "B" Committee shall meet a scheduled time which

1 shall be determined by the Rules Committee of the Senate.

2
3 Joint Committees

4
5 7.03 (a) The joint committees of the Senate shall consist of:

6 (1) the Joint Budget Committee which shall be composed of twenty
7 (20) Senators;

8 (2) the Joint Committee on Public Employee Retirement and Social
9 Security programs which shall be composed of ten (10) Senators;

10 (3) the Joint Committee on Energy which shall be composed of ten
11 (10) Senators;

12 (4) the Joint Performance Review Committee which shall be
13 composed of ten (10) Senators;

14 (5) the Joint Legislative Facilities Committee which shall be
15 composed of seven (7) Senators; and

16 (6) the Senate Interim Committee on Children and Youth which
17 shall be composed of ten (10) Senators.

18 (b) Meetings of joint committees of the Senate and the House shall be
19 scheduled, insofar as is possible, at times that do not conflict with regular
20 scheduled meetings of the regular Class "A" and "B" Committees of the Senate
21 and the standing Committees of the House.

22
23 Select Committees

24
25 7.04 The following committees shall be select committees of the
26 Senate:

27 (1) Rules Committee;

28 (2) Efficiency Committee.

29
30 Rules Committee

31
32 (a) The Rules Committee shall consist of fifteen (15) members, and all
33 proposed action touching the Senate Rules, Joint Rules, and order of business
34 shall be referred to the Committee on Rules.

35 (1) It shall always be in order to call up for consideration a
36 report from the Committee on Rules.

1 (2) The Committee on Rules shall present to the Senate its
2 recommendations concerning Rules, Joint Rules and order of business on or
3 before the third day of each regular session of the General Assembly.

4 (3) The Committee on Rules shall perform such other duties as
5 may be provided in the Rules of the Senate or as may be directed by the
6 Senate.

7 (4) Any rulings made by the Chair may be appealed to the Rules
8 Committee by any member of the Senate.

9
10 Efficiency Committee

11
12 (b) The Efficiency Committee shall consist of twelve (12) members, and
13 shall perform the following duties:

14 (1) have charge of the chambers and property of the Senate and
15 of the maintenance, repair, and upkeep thereof;

16 (2) the selection, qualifications and compensation of Senate
17 employees, with the approval of the Senate;

18 (3) shall assign and designate the usage of offices of Senators
19 by seniority and request. The following shall be third floor offices
20 designated for Senators: Rooms 301, 302, 303, 304, 305, 306 and 318. The
21 President Pro Tempore of the Senate shall be permanently assigned Room 301
22 and he or she shall hold this office until his or her term expires. When the
23 President Pro Tempore's term expires, he or she shall exit Room 301 but he or
24 she shall have the right to select any office that is vacant on the third
25 floor. If no office is vacant, the out going President Pro Tempore shall
26 have the option to select an office presently held by the junior Senator on
27 the third floor who has less seniority than the out going President Pro
28 Tempore. The Efficiency Committee shall assign and designate the usage of
29 other facilities of the Senate.

30 (4) shall approve all purchases of the Senate;

31 (5) all disbursement of funds appropriated for the Senate, with
32 vouchers thereof to be signed by the Chairman of the Efficiency Committee and
33 the Secretary of the Senate;

34 (6) shall perform all other duties for the efficient
35 administration of the Senate; and

36 (7) shall control admission to the floor of the Senate.

1 (c) Policies of the Efficiency Committee

2 (1) Access to Chamber Corridors and Offices – While the Senate
3 is in session, no person shall have access to the East or West corridors
4 adjacent to the Senate Chamber, offices of any employee who has an office on
5 the third floor of the Senate or a Senator’s third floor office. However,
6 access to a Senator’s office or an employee’s office or the corridors on the
7 third floor shall be permitted when a person has specific permission from a
8 Senator or Senate employee. Such permission, however, shall not permit the
9 invitee to loiter in such office or corridor after his/her business has been
10 completed with a Senator or Senate employee.

11 (2) Use of Senate Office Equipment – All persons shall be
12 prohibited from using Senate office equipment such as, but not limited to,
13 telephones copiers, fax machines, or computers at any time without specific
14 permission or authorization of a Senator or permanent Senate staff.

15 (d) Select Committees - Meetings and Membership

16 (1) Select Committees of the Senate may meet as business
17 requires, and shall be open to all members of the Senate. Meetings of Select
18 Committees during a regular or special session of the Legislature shall be
19 announced to the entire Senate. All members of the Senate shall be given at
20 least three (3) days notice in advance of any meeting of a Select Committee
21 which is held in the interim. Said notice shall include an agenda of the
22 business to come before the Select Committee, and after the Committee meets
23 the minutes of the meeting shall be furnished to all members of the Senate.

24 (2) No member shall be eligible to serve on more than one (1)
25 Select Committee.

26
27 Committees in General

28
29 7.05 The following procedures shall apply to Committees of the Senate.

30
31 Seniority

32
33 (a) Whenever the rules refer to the selection, appointment, or ranking
34 of Senators on the basis of seniority, or whenever the Senate shall take any
35 action to be based on seniority of Senators, the term “seniority” shall mean
36 continuous, uninterrupted senatorial service of the Senator, and in case of

1 Senators having equal continuous seniority, priority between such Senators
 2 shall be determined on the basis of previous senatorial service, and if not
 3 determinable in this manner, then by lot.

4
 5 Chairman and Vice Chairman

6
 7 (b) For Class "A" and "B", Joint Committees and Select Committees, a
 8 member shall not be Chairman of more than one (1) such Committee.

9 (1) Members of the Senate who serve on both Class "A" and "B"
 10 Committees, Joint Committees and Select Committees shall not be Vice Chairman
 11 of more than one (1) of said Committees nor shall any member be Chairman and
 12 Vice Chairman of Class "A" and "B" Committees.

13 (2) No Class "A" and "B" Committee or Select Committee shall be
 14 composed of Senators who are all Chairmen of other Senate Committees.
 15 Provided, if a Joint Committee is composed of members who are all Chairman
 16 and or Vice-Chairman of other Senate Committees, the members of that
 17 respective Joint Committee are hereby authorized to select from the Committee
 18 membership a Senator who shall serve as Chairman.

19
 20 Seating of Members

21
 22 (c) New members-elect to the Senate shall be seated on the basis of
 23 seniority. The Secretary of the Senate shall furnish desks and locker keys.
 24 Re-elected members may retain their same desk and lockers.

25
 26 Bills May Not be Divided

27
 28 (d) A bill or joint resolution may not be divided for reference to
 29 committee, although it may contain matters properly within the jurisdiction
 30 of several committees.

31
 32 Election Contests

33
 34 (e) The Committee on State Agencies and Governmental Affairs of the
 35 Senate shall make a final report to the Senate on all contested election
 36 cases not later than two (2) weeks from the first day of the regular session.

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Retirement Bills

(f) Bills which pertain to a publicly funded state retirement system shall be considered at a specified time and day of the week as determined by the Rules Committee. Bills to be considered that day shall be placed on a special retirement bill calendar and considered in the Committee of the Whole. The retirement calendar of bills shall be placed on a Senator's desk twenty four (24) hours before consideration.

(g) The Senate shall not consider any bill that pertains to publicly funded state retirement systems unless the bill contains an attached summary and impact statement from the respective retirement system to which the bill pertains. This requirement shall not apply to Joint Budget Bills.

Vote Required for Committee Action

(h) All action by Class "A" and Class "B" Committees, Joint Committees and Select Committees shall be by a majority vote of the members of the Committee, unless otherwise provided by law. No action may be taken in any Class "A", Class "B" or Select Committee until a motion and a second has been recognized by the respective Committee Chairman, Vice-Chairman or Chairman designee.

(i) No committee shall sit during the sittings of the Senate without special leave, except the Committee on Rules and such committee shall notify the Senate.

Committee Reports - Contents

(j) Each committee report shall include the number and title of the bill or resolution, with one of the following three recommendations: "Do Pass," "Do Pass, as Amended," or "Do Not Pass," which shall be recorded in the Journal.

In addition to the aforementioned committee report, which shall be attached to the bill or resolution, the committee staff shall keep records of:

(1) how every member voted on each bill when action is taken by

1 the committee, if a roll call vote is taken. A roll call vote shall be taken
2 if requested by any committee member. Votes on motions to postpone
3 consideration of the bill, and a recorded vote on any other motion, shall be
4 tallied if requested by a committee member;

5 (2) a list of all people testifying before the committee on each
6 bill, the interest they represent, and an indication of their position on the
7 bill.

8

9 Such staff notes shall be available to the members of the General Assembly,
10 and to the public as a part of the records of committee action, but shall not
11 be filed with the Secretary of the Senate unless instructed by the Committee.

12

13 Bills to be Transferred to Appropriate Committee

14

15 (k) Each bill, resolution, petition, memorial, or other matter filed
16 with the Senate shall be referred to the appropriate committee, and no such
17 bill or matter shall be removed from the committee and placed on the calendar
18 for final debate and approval by the Senate which does not have a "Do Pass"
19 or "Do Pass, as Amended" recommendation; however, notwithstanding the
20 Committee's recommendation, a bill or other measure may be placed on the
21 Senate calendar by the approval of the Senate members as hereinafter
22 provided.

23

24 The several committees of the Senate shall report on each bill, resolution or
25 other matter referred to them. After a bill, resolution or other matter has
26 been referred to a committee for twenty (20) calendar days, the bill,
27 resolution or other matter may be extracted from the committee and placed on
28 the calendar upon a vote of at least a majority of the members of the Senate
29 or upon a vote of at least the number of members necessary to pass the bill
30 or other measure, whichever is greater. After the fiftieth (50th) calendar
31 day of any regular session, and at any time during a special session, any
32 bill, resolution or other matter may be extracted from a committee by the
33 vote of at least a majority of the members of the Senate or by a vote of at
34 least the number of members necessary to pass the bill, whichever is greater,
35 regardless of the length of time the measure has been in the committee. No
36 motion to extract a bill or other matter shall be in order prior to the bill

1 or other matter being heard by the committee to which it is assigned or, if
 2 not heard by the committee, not before the author of said measure has
 3 requested a hearing before said committee. No bill receiving a "Do Not Pass"
 4 recommendation from the committee to which referred shall be placed on the
 5 calendar of bills to be acted on by the Senate except on approval of sixty
 6 percent (3/5) of the members elected to the Senate, or upon the approval of
 7 at least the number of members necessary to pass the bill, whichever is
 8 greater. Once a bill, resolution or other matter has been extracted from a
 9 committee by such vote of the Senate, the bill, resolution or other matter
 10 shall not thereafter be referred to a committee except by the vote of at
 11 least a majority of the members of the Senate, notwithstanding any action
 12 taken on the measure by the Senate. Any bill, resolution or other matter
 13 extracted from a committee shall be placed upon the calendar provided that it
 14 shall not be subject to a vote by the full Senate until the expiration of two
 15 (2) legislative calendar days.

16

17 Committee Staff

18

19 (1) In addition to the staff furnished by the Bureau of
 20 Legislative Research, the chairman of a Class "A" and "B" or Joint Committee
 21 shall appoint the clerk or clerks or other employees of such committee,
 22 subject to the approval of the Efficiency Committee of the Senate, who shall
 23 be paid at the public expense, the Senate first having provided therefore.

24

25

26

27 RULE 8

28

29 CALENDAR

30

31 8.01 There shall be one calendar to which all business reported from
 32 committees shall be referred, and all business which is put upon the calendar
 33 without reference.

34

35 8.02 A bill or resolution shall not be called for a third reading and
 36 final passage unless it appears on the calendar of the Senate.

1
2 8.03 A calendar of bills, resolutions and amendments to be considered
3 in the order of business during any legislative day shall be printed and
4 placed on the members' desks after adjournment of the preceding legislative
5 day.

6
7 8.04 In addition to the regular calendar of the Senate, there shall be
8 a "Non-Controversial Calendar" on which shall be placed bills that have been
9 recommended "do pass" by committee and deemed by the Rules Committee
10 Chairperson to be non-controversial. The Rules Committee Chairperson shall
11 maintain the Non-Controversial Calendar. At such time as the Rules Committee
12 Chairperson may deem advisable, the Senate shall consider bills and other
13 matters on the Non-Controversial Calendar. A list of bills on the Non-
14 Controversial Calendar which are to be considered on a particular day shall
15 be circulated among the members of the Senate by 2:00 p.m. two (2) days prior
16 to the date on which the Non-Controversial Calendar is to be considered. If
17 any member objects in writing or orally, to a bill or other matter on the
18 Non-Controversial Calendar being considered as non-controversial, the bill,
19 amendment or resolution shall be removed from the Non-Controversial Calendar
20 and be placed on the regular calendar of the Senate.

21
22 Policy Concerning Items Which Are Not On The Agenda

23
24 8.05 Senators are requested to give the President of the Senate
25 notification of any item which is not on the agenda, such as motions to
26 amend, motions to refer, etc. The President will add them on a list that he
27 maintains for consideration after that day's agenda has been completed. The
28 Secretary of the Senate will compile the list before the end of that day's
29 agenda and will place it on the member's desks.

30
31
32 RULE 9

33
34 DECORUM AND DEBATE

35
36 Address the Chair

1
2 9.01 When any member desires to speak or deliver any matter to the
3 Senate, he shall rise and respectfully address himself to "Mr. President,"
4 and on being recognized, may address the Senate from any place on the floor,
5 and shall confine himself to the question under debate, avoiding
6 personalities, members must be in their seats before the President can
7 recognize them.

8
9 9.02 The President shall preserve decorum and order; and may speak to
10 points of order in preference to other members (rising from his chair for
11 that purpose), and shall decide questions of order, subject to an appeal when
12 requested by any member of the Senate, to the Senate Rules Committee, and may
13 open and close debate thereon.

14
15 Recognition by President

16
17 9.03 When two or more members rise at once, the President shall name
18 the member who is first to speak.

19
20 Limitation on Debate

21
22 9.04 No member shall occupy more than one hour in debate on any
23 question in the Senate or in committee, except as further provided in these
24 rules.

25
26 Open and Close of Debate

27
28 9.05 The member reporting the measure under consideration from a
29 committee, or the author, may open and close when general debate has been had
30 thereon; and if it shall extend beyond one day, he shall be entitled to one
31 hour to close, notwithstanding he may have used an hour in opening.

32
33 Member Called to Order for Transgression of Rules

34
35 9.06 If any member in speaking or otherwise transgresses the Rules of
36 the Senate, the President shall, or any member may, call him to order, in

1 which case he shall immediately sit down unless permitted on motion of
 2 another member to explain, and the Senate shall, if appealed to, decide on
 3 the case without debate. If the decision is in favor of the member called to
 4 order he shall be at liberty to proceed, but not otherwise, and, if the case
 5 requires it, he shall be liable to censure or such punishment as the Senate
 6 may deem proper.

7
 8 Member Called to Order for Words Spoken in Debate

9
 10 9.07 If a member is called to order for words spoken in debate, the
 11 member calling him to order shall indicate the words excepted to, and they
 12 shall be taken down in writing at the Secretary's desk and read aloud to the
 13 Senate; but he shall not be held to answer, nor by such other censure of the
 14 Senate, therefore, if further debate or other business has intervened.

15
 16 No Member to Speak More Than Once on Same Question

17
 18 9.08 No member shall speak more than once to the same question without
 19 leave of the Senate, unless he is the mover, proposer, or introducer of the
 20 matter pending, in which case he shall be permitted to speak in reply, but
 21 not until every member choosing to speak shall have spoken.

22
 23 Order and Decorum When in Session

24
 25 9.09 When the President is putting a question or addressing the
 26 Senate, no member shall walk out of or cross the hall, nor when a member
 27 shall speak, pass between him and the chair; and during the session of the
 28 Senate no member shall wear his hat, or remain at the Secretary's desk during
 29 the call of the roll or the counting of ballots; and the Sergeant at Arms and
 30 assistants are charged with the strict enforcement of this rule.

31
 32 Questions of Privilege

33
 34 9.10 Questions of privilege shall be, first, those affecting the
 35 rights of the Senate collectively, its safety, dignity, and integrity of its
 36 proceedings; second, the right, reputation, and conduct of members,

1 individually, in their representative capacity only, and shall have
2 preference over all other questions, except Motions to Adjourn.

3
4
5 RULE 10

6
7 VOTING AND ROLL CALL

8
9 Roll Call

10
11 10.01 Upon every roll call, the names of the members shall be called
12 alphabetically by surname, except when two (2) or more have the same surname,
13 in which case the whole name shall be called. After the entire roll is
14 called, the President may allow members to vote who were present and did not
15 hear their name called, but not after the ballot has been ordered cast up.

16
17 Calls for Yeas and Nays

18
19 10.02 Any five (5) members of the Senate shall have the right to call
20 for yeas and nays.

21
22 Vote

23
24 10.03 Upon the call for the yeas and nays on any question, each member
25 shall answer from his seat. Provided, any member shall have the right to
26 explain his vote in writing. All roll call votes on bills, emergency clauses
27 on bills, resolutions, and amendments in the Senate shall be entered by the
28 Senate into the General Assembly's Internet web site.

29
30 Pairs

31
32 10.04 Any Senator who will be absent from the Senate may pair his vote
33 with a Senator who shall be present.

34 (a) Such Senators must be casting opposite votes.

35 (b) Pairs are counted when signed by both Senators and with one (1) of
36 the members present.

1 (c) Pairs shall be presented to the Secretary of the Senate for
 2 attachment to the bill for delivery to the President on the day of the vote
 3 for which the Senators are paired is to be taken.

4 (d) Pairs shall be announced by the President before the completion of
 5 the roll call from a Pairs Form presented to the President by the Senator
 6 present.

7 (e) The Senator may not cast his vote by other methods when he is
 8 paired.

9
 10 Compel the Attendance of Absent Members

11
 12 10.05 In the absence of a quorum, five (5) members, including the
 13 President if there is one, shall be authorized to compel the attendance of
 14 absent members, and in all calls of the Senate the doors shall be closed, the
 15 names of the members shall be called by the Secretary, and the absentees
 16 noted; and those for whom no sufficient excuse is made may, by order of the
 17 majority of those present, be sent for and arrested, wherever they may be
 18 found, by officers to be appointed by the Sergeant at Arms for that purpose,
 19 and their attendance secured and retained, and the Senate shall determine
 20 upon what conditions they may be discharged. Members who voluntarily appear
 21 shall, unless the Senate otherwise directs, be immediately admitted to the
 22 Hall of the Senate, and they shall report names to the secretary to be
 23 entered upon the Journal as present. At any time after the roll call has
 24 been completed, the President may entertain a motion to adjourn; and if the
 25 Senate adjourns, all proceedings under this section shall be vacated.

26
 27 Leave to be Absent

28
 29 10.06 In all cases where an absent member shall be sent for, and he
 30 shall fail to attend in obedience to the summons, the report of the messenger
 31 shall be entered upon the Journal. No member of the Senate shall absent
 32 himself from the service of the Senate unless he has leave, or is unable to
 33 attend.

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MOTIONS

Order of Motions

11.01 When a question is under debate, motions shall have a precedence as per the following order:

NON-DEBATABLE

- to fix the time at which the Senate will adjourn;
- to adjourn;
- to take a recess;
- to lay on the table;
- for the previous question;

DEBATABLE

- to postpone to a certain day;
- to refer;
- to amend;
- to postpone indefinitely.

The above motions shall have precedence in the foregoing order, and no motion to postpone to a day certain, to refer or postpone indefinitely being decided, shall be again allowed on the same day upon the same question.

Table of Motions

ADJOURN. (When Privileged.)

- Not debatable.
- Cannot be amended.
- Subsidiary motions cannot be applied.
- Cannot be reconsidered.
- Requires a majority vote of those voting.
- Floor must be secured for that purpose.

ADOPT, ACCEPT OR AGREE TO A REPORT.

- 1 Debatable.
- 2 Debate confined to pending question.
- 3 Can be amended.
- 4 Can be reconsidered, if affirmative vote.
- 5 Cannot be reconsidered, if negative vote.
- 6 Requires a majority vote of those voting.
- 7 Subsidiary motion can be applied.

8

9 ADOPT, STANDING RULES, OR RULES OF ORDER.

- 10 Debatable.
- 11 Debate confined to pending question.
- 12 Can be amended.
- 13 Cannot be reconsidered, if affirmative vote.
- 14 Can be reconsidered, if negative vote.
- 15 Requires eighteen (18) votes.
- 16 Subsidiary motions can be applied.

17

18 AMEND

- 19 Debatable, except undebatable when the motion to be amended or
- 20 reconsidered is undebatable.
- 21 Debate confined to pending question.
- 22 Can be amended; but not to third degree.
- 23 Subsidiary motions can be applied.
- 24 Can be reconsidered.
- 25 Requires a majority vote of those voting.

26

27 (Any amendment may be made by inserting or adding words or paragraphs;
 28 by striking out words or paragraphs; by striking out certain words and
 29 inserting others; by substituting one (1) or more paragraphs for others, or
 30 an entire resolution for another, on the same subject, i.e., the amendment
 31 must be germane to the subject matter.)

32

33 AMEND RULES OF ORDER.

- 34 Debatable.
- 35 Debate confined to pending question.
- 36 Can be amended.

- 1 Subsidiary motions can be applied.
- 2 Can be reconsidered.
- 3 One (1) day's notice must be given.
- 4 Requires twenty-four (24) votes.

5

6 APPEAL, RELATING TO INDECORUM, ETC.

- 7 Not debatable.
- 8 Cannot be amended.
- 9 Subsidiary motions may be applied.
- 10 Can be reconsidered.
- 11 Requires a majority vote of those voting.

12

13 (An appeal is undebatable only when made while an undebatable question
 14 is pending or when relating to indecorum, transgressions of the rules of
 15 speaking, or to priority of business. When debatable, only one (1) speech
 16 from each member is permitted, except the presiding officer shall have the
 17 right to open and close the debate. On a tie vote, the decision of the Chair
 18 is sustained).

19

20 APPEAL, ALL OTHER CASES.

- 21 Debatable.
- 22 Debate confined to pending question.
- 23 Cannot be amended.
- 24 Subsidiary motions may be applied.
- 25 Can be reconsidered.
- 26 Requires eighteen (18) votes.

27

28 COMMIT, RECOMMIT, REFER OR RE-REFER.

- 29 Debatable.
- 30 Debate confined to pending question.
- 31 Can be amended.
- 32 Subsidiary motions can be applied.
- 33 Can be reconsidered.
- 34 May not be postponed.
- 35 Requires eighteen (18) votes.

36

1 DEBATE, TO LIMIT, EXTEND, OR CLOSE.

2 Not debatable.

3 Can be amended.

4 Subsidiary motions may be applied.

5 Can be reconsidered.

6 Requires twenty-four (24) votes.

7
8 (May be moved whenever the immediately pending question is debatable,
9 and they apply only to it, unless otherwise specified.)

10
11 DIVISION OF THE SENATE, ON A QUESTION.

12 Not debatable.

13 Cannot be amended.

14 Subsidiary motions cannot be applied.

15 Cannot be reconsidered.

16 Any member may call for a division of the question when the same will
17 admit it.

18
19 EXPUNGE.

20 Debatable.

21 Debate confined to pending question.

22 Can be amended.

23 Subsidiary motions can be applied.

24 Can be reconsidered.

25 Requires twenty-four (24) votes.

26
27 FIX THE TIME TO WHICH TO ADJOURN.

28 Undebatable if made when another question is before the Senate.

29 Debate confined to pending question.

30 Subsidiary motions can be applied.

31 Can be reconsidered.

32 Requires a majority vote of those voting.

33 (To fix the time to which to adjourn is privileged only when made while
34 another question is pending, and if the Senate has made no provision for
35 another meeting on the same or the next day.)

36

1 LAY ON THE TABLE.
2 Not debatable. Author of bill, etc., may explain.
3 Cannot be amended.
4 Subsidiary motions cannot be applied.
5 Cannot be reconsidered.
6 Requires eighteen (18) votes.
7
8 LEAVE TO CONTINUE SPEAKING AFTER INDECORUM.
9 Not debatable.
10 Cannot be amended.
11 Subsidiary motions cannot be applied.
12 Can be reconsidered.
13 Requires a majority vote of those voting.
14
15 MAIN MOTION OR QUESTION.
16 Debatable. Debate confined to pending question.
17 Can be amended.
18 Subsidiary motions can be applied.
19 Can be reconsidered.
20 Requires a majority vote of those voting.
21
22 NOMINATIONS, TO MAKE.
23 Debatable.
24 Cannot be amended.
25 Subsidiary motions can be applied.
26 Cannot be reconsidered.
27 Requires only nominator.
28
29 NOMINATIONS, TO CLOSE.
30 Not debatable.
31 Can be amended.
32 Subsidiary motions can be applied.
33 Cannot be reconsidered if affirmative vote.
34 Requires a majority vote of those voting.
35
36 OBJECTIONS TO CONSIDERATION OF QUESTION.

- 1 Not debatable.
- 2 Cannot be amended.
- 3 Subsidiary motions cannot be applied.
- 4 Cannot be reconsidered, if affirmative vote.
- 5 Requires twenty-four (24) votes.

6

7 ORDER, QUESTION OF

- 8 Not debatable. Except on appeal, see appeal.
- 9 Cannot be amended.
- 10 Subsidiary motions cannot be applied.
- 11 Cannot be reconsidered.
- 12 Requires decision of President; if matter is before Senate.

13

14 ORDER, TO MAKE A SPECIAL.

- 15 Debatable.
- 16 Can be amended.
- 17 Subsidiary motions can be applied.
- 18 Can be reconsidered.
- 19 Requires twenty-four (24) votes.

20

21 PARLIAMENTARY INQUIRY.

- 22 Not debatable.
- 23 Cannot be amended.
- 24 Subsidiary motions cannot be applied.
- 25 Cannot be reconsidered.
- 26 Requires decision of President, if matter is before Senate.

27

28 POSTPONE TO A TIME CERTAIN.

- 29 Debatable.
- 30 Can be amended.
- 31 Subsidiary motions can be applied.
- 32 Can be reconsidered.
- 33 Requires a majority vote of those voting.

34

35 POSTPONE INDEFINITELY.

- 36 Debatable.

- 1 Mover speak but once; except by consent.
- 2 Author or sponsor of bill shall close debate.
- 3 Cannot be amended.
- 4 Subsidiary motions can be applied.
- 5 Cannot be reconsidered, if negative vote.
- 6 Requires a majority vote of those voting.

7

8 PREVIOUS QUESTION.

- 9 Not debatable.
- 10 Cannot be amended.
- 11 Subsidiary motions cannot be applied.
- 12 Cannot be reconsidered after vote taken on it.
- 13 Must be seconded by five (5) members. Requires twenty-four (24) votes.
- 14 After adoption, main question can be debated for fifteen (15) minutes
- 15 by proponents, and then fifteen (15) minutes by opponents; after which a vote
- 16 shall be taken.

17

18 PRIVILEGE, TO RAISE QUESTION OF:

- 19 Not debatable. One (1) hour be person debating.
- 20 Cannot be amended.
- 21 Subsidiary motions cannot be applied.
- 22 Cannot be reconsidered.
- 23 No vote required.

24

25 PRIVILEGE, QUESTIONS OF, WHEN PENDING:

- 26 Debatable.
- 27 Can be amended.
- 28 Subsidiary motions can be applied.
- 29 Can be reconsidered.
- 30 Requires a majority vote of those voting.

31

32 READING PAPERS.

- 33 Not debatable.
- 34 Cannot be amended.
- 35 Subsidiary motions cannot be applied.
- 36 Can be reconsidered.

1 Requires a majority vote of those voting.

2

3 RECESS, TO TAKE A. (When Privileged).

4 Undebatable if made when another question is before the Senate.

5 Can be amended.

6 Subsidiary motions can be applied.

7 Cannot be reconsidered.

8 Requires a majority vote of those voting.

9

10 RECONSIDER

11 Undebatable when the motion to be amended or reconsidered is
12 undebatable.

13 Opens to debate main questions when same is debatable.

14 Cannot be reconsidered.

15 Cannot be amended.

16 Subsidiary motion can be applied.

17 If not given on the same day, one (1) day's notice shall be required to
18 be given of the intention to make it.

19 Must be disposed of within three (3) days from the time the vote was
20 taken which it is sought to have reconsidered.

21 Cannot be given within the last six (6) days of a Regular Session.

22 If made within the last six (6) days of a Regular Session, must be
23 disposed of when made.

24 Cannot reconsider a question on which one (1) motion to reconsider has
25 been laid on the table.

26 Requires a majority vote of those voting.

27 After Clincher requires twenty-four (24) votes.

28

29 RESCIND OR REPEAL.

30 Debatable.

31 Can be amended.

32 Subsidiary motions can be applied.

33 An affirmative vote cannot be reconsidered

34 Requires twenty-four (24) votes.

35

36 SUBSTITUTE.

1 Debatable; except undebatable when the motion to be amended is
2 undebatable.

3 Can be amended; but not to the third degree.

4 Subsidiary motions can be applied.

5 Can be reconsidered.

6 Requires a majority vote of those voting.

7
8 SUSPEND THE RULES.

9 Not debatable.

10 Cannot be amended.

11 Subsidiary motions cannot be applied.

12 Cannot be reconsidered.

13 Requires twenty-four (24) votes.

14
15 TAKE FROM THE TABLE.

16 Not debatable.

17 Cannot be amended.

18 Subsidiary motions cannot be applied.

19 Cannot be reconsidered.

20 Requires twenty-four (24) votes.

21 Cannot be applied to motion to reconsider, which has once been laid on
22 the table.

23
24 Special Orders

25
26 11.02 Special orders may be made by suspension of the rules or by
27 unanimous consent, and it is in order, by motion of the Senate, to provide
28 that a subject be made a special order for a given date, or make a special
29 order by motion to postpone to a day certain.

30
31 Motion to be Reduced to Writing on the Demand of any Member

32
33 11.03 Every motion made to the Senate and entertained by the President
34 shall be reduced to writing on the demand of any member and shall be entered
35 on the Journal with the name of the member making it, unless it is withdrawn
36 the same day.

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Stating and Withdrawal of Motions

11.04 When a motion has been made, the President shall state it, or (if it be in writing) cause it to be read aloud by the secretary before being debated, and it shall then be in possession of the Senate, but may be withdrawn at any time before a decision or amendment.

Precedence of Privileged Motions

11.05 When a question is under debate, no motion shall be received but to adjourn, when the floor can be obtained for that purpose, to lay on the table, for the previous question (which motion shall be decided without debate), to postpone to a day certain, to refer, or to amend or postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely being decided shall be again allowed on the same day at the same stage of the question. After the previous question shall have been ordered on the passage of a bill or joint resolution, one motion to recommit shall be in order, and the President shall give preference in recognition for such purpose to a member who is opposed to the bill or joint resolution.

The Motion to Adjourn

11.06 (a) The Motion to Adjourn shall always be in order and shall have the highest precedence when a question is under debate if the floor can be obtained for that purpose, which shall be decided without debate; provided the previous question has not been ordered. When a vote is being taken, a Motion to Adjourn shall not be in order.

(b) If no time is set, the Senate adjourns until 1:30 p.m. of the next legislative day.

(c) Questions of privilege and reconsideration yield to a Motion to Adjourn, and a conference report may defer it only until the report is before the Senate.

(d) A Motion to Adjourn may be made after the yeas and nays are ordered, and before the roll call has begun, before the reading of the

1 Journal.

2 (e) The Motion to Adjourn may not interrupt a member who has the
3 floor, or a call of the yeas and nays, or the actual act of voting by other
4 means.

5 (f) A Motion to Adjourn is in order in simple form only. After the
6 motion is made, neither another motion nor an appeal may intervene before the
7 taking of the vote.

8 (g) The President, with three (3) members, in the absence of a quorum,
9 shall be a sufficient number to adjourn.

10 (h) Neither house shall, without the consent of the other, adjourn for
11 more than three (3) days, nor to any other place than that in which the two
12 houses shall be sitting.

13 (i) The motion to fix the day to which the Senate shall adjourn shall
14 not give way to a Motion to Adjourn, if a Motion to Adjourn be made first,
15 the motion to fix the day or for a recess is not in order. The motion to fix
16 the day is not debatable.

17

18 Motion to Lay on the Table

19

20 11.07 Eighteen (18) votes shall be sufficient to lay it on the table.
21 Provided, that when an amendment proposed to any pending measure is laid on
22 the table, it shall not carry with it or prejudice such measure, but it shall
23 take twenty-four (24) votes to take any matter from the table, provided that
24 no motion to table shall be entertained by the President until a second
25 reading shall have been had on the bill under introduction, or in the case of
26 a resolution that the same shall have been read in full at least once. If a
27 motion to reconsider has been tabled, no further reconsideration may be
28 obtained.

29

30 The Motion to Postpone

31

32 11.08 On motion to postpone indefinitely, the mover thereof shall
33 speak but once, except by unanimous consent of the Senate, but the mover,
34 introducer, proposer, or sponsor of a bill or resolution so sought to be
35 postponed shall have the right to close the debate on said motion.

36

1 The Motion to Refer

2
3 11.09 The motion to refer may not be used in direct form in the
4 Committee of the Whole. It may be made after the engrossment and third
5 reading of a bill, even though the previous question may not have been
6 ordered. The simple motion to refer is debatable, but the merits of the
7 proposition which it is proposed to refer may not be brought into the debate.
8 The motion to refer with instructions is debatable.

9
10 Instructions With the Motion to Refer

11
12 11.10 The motion to refer may specify that the reference shall be to a
13 Class "A" or "B" Committee or joint committee, or to the Committee of the
14 Whole, and even that the committee be endowed with power to send for persons
15 and papers. The motion may be amended by adding instructions on any germane
16 subject, but it is not in order to propose as instructions anything that
17 might not be properly directed as an amendment, such as to eliminate an
18 amendment adopted by the Senate, or strike out an amendment that has been
19 adopted, and insert something in its place, or to amend an adopted amendment.
20 An amendment in the nature of a substitute is in order. When a bill is
21 recommitted, it is before the committee as a new subject, but the committee
22 may confine itself to the instructions, if there be any. When the Senate has
23 recommitted a bill to a committee with instruction to report it back
24 forthwith with certain amendments, the amendment must be adopted by the
25 Senate after the report by the committee.

26
27 Repetition of Motions

28
29 11.11 The motions to postpone and refer shall not be repeated on the
30 same day at the same state of the question. A Motion to Adjourn may be
31 repeated only after intervening business such as debate, the ordering of the
32 yeas and nays, decisions of the Chair on a question of order, or reception of
33 a message. The motion to lay on the table may also be repeated after
34 intervening business; but the ordering of the previous question, a call of
35 the Senate, or decision of a question of order shall not be considered as
36 intervening business, it being essential that the pending matter be called to

1 a new stage, in order to permit a repetition of the motion.

2
3 Germane Amendment

4
5 11.12 No motion or proposition on a subject different from that under
6 consideration shall be admitted under color of amendment.

7
8 Pending Motion to Suspend Rules

9
10 11.13 Pending a motion to suspend the rules, the President may
11 entertain one motion that the Senate adjourn, but after result thereon is
12 announced, he shall not entertain any other motion until the motion is taken
13 on suspension.

14
15 Dilatory Motions

16
17 11.14 No dilatory motion shall be entertained by the President.

18
19 Motion to Expunge

20
21 11.15 The Senate may expunge from its records any action taken on any
22 proceeding by twenty-four (24) votes. When such motion is carried, the
23 Journal clerk shall bracket the matter in his records, but the bracketed
24 matter shall not be taken out of the Journal. Any consideration given a
25 matter which has been expunged stands as if the matter has never been before
26 the Senate.

27
28 Yielding Floor for Motion

29
30 11.16 A member having the floor may not yield it to another for the
31 purpose of making a motion; but if he desires to allow the motion to be made
32 he must yield the floor.

33
34 The Motion to Strike Out the Enacting Words of a Bill

35
36 11.17 A motion to strike out the enacting words of a bill shall have

1 precedence of a motion to amend, and if carried, shall be considered
2 equivalent to its rejection.

3
4
5 RULE 12

6
7 PREVIOUS QUESTION

8
9 12.01 When any debatable question is before the Senate, any member may
10 move the previous question, but it shall be seconded by at least five (5)
11 members, whether the question shall be put. When the previous question has
12 been adopted, the proponents of the main question shall be allowed fifteen
13 (15) minutes in which to debate it, and the opponents of the main question
14 shall be allowed fifteen (15) minutes, after which time a vote upon the main
15 question shall be taken.

16
17 Vote required to Sustain the Previous Question

18
19 12.02 Twenty-four (24) votes are required to sustain the previous
20 question.

21
22 Effect of Previous Question on Debate

23
24 12.03 The previous question is the only question used for the closing
25 of debate in the Senate, except the motion to immediately consider.

26
27 12.04 The previous question motion is not in order in the Committee of
28 the Whole.

29
30 Motion to Refer

31
32 12.05 Pending execution of the previous question, one motion to refer
33 is permitted. The motion to refer under this rule applies to: Senate
34 resolutions of the Senate, as well as Senate bills; to House amendments to a
35 Senate bill; and to a motion to amend the Journal. The motion to refer under
36 this rule is not debatable and may not be laid upon the table. The motion to

1 commit, refer or re-refer requires eighteen (18) votes for adoption.

2
3 Relation of the Previous Question to Other Motions

4
5 12.06 The motion to lay on the table may not be applied to the
6 previous question; nor may it be applied to the main question after the
7 previous question has been ordered or after the yeas and nays have been
8 ordered on the demand for the previous question. The previous question may
9 be applied both to the main question and a pending motion to refer.

10
11 Relation of Previous Question to Failure of a Quorum

12
13 12.07 A quorum call of the Senate shall not be in order after the
14 previous question is ordered, unless it shall appear upon an actual count by
15 the President that a quorum is not present.

16
17 Questions of Order Pending the Motion for the Previous Question

18
19 12.08 All incidental questions of order arising after a motion is made
20 for the previous question, and pending such motion, shall be decided, whether
21 on appeal or otherwise, without debate.

22
23 Effect of Previous Question

24
25 12.09 The Senate cannot adjourn before voting on a proposition on
26 which the previous question has been ordered, either directly or by the terms
27 of a special order.

28
29
30 RULE 13

31
32 RECONSIDERATION

33
34 The Motion to Reconsider

35
36 13.01 When a motion or proposition has been made and carried or lost,

1 it shall be in order for any member of the majority, on the same or
 2 succeeding day, to move for reconsideration thereof, or give notice of his
 3 intention to do so, and such motion (or notice) shall take precedence over
 4 all other questions except the consideration of a conference report or a
 5 Motion to Adjourn, and it shall not be withdrawn after said succeeding day
 6 without the consent of the Senate. Provided, the notice to reconsider must
 7 be disposed of within three (3) business days from the time the vote was
 8 taken on the matter sought to be reconsidered. The motion to reconsider
 9 shall be made only when the measure or proposition to be reconsidered is in
 10 the possession of the Senate. Provided, such notice (or motion) to
 11 reconsider, if given (or made) after the fifty-fourth (54th) day of a regular
 12 session, must be disposed of immediately.

13

14 Immediate Disposition Required

15

16 (a) During a special session, a motion to reconsider must be disposed
 17 of immediately.

18

19 Who May Make Motion to Reconsider

20

21 (b) The mover of a proposition is entitled to prior recognition to
 22 move to reconsider. A member may make the motion at any time without thereby
 23 abandoning a prior motion made by himself and pending. The provisions of a
 24 rule that the motions may be made "by any member of the majority" is
 25 construed, in case of a tie vote, to mean any member of the prevailing side,
 26 and the same construction applies in case of a two-thirds vote. Where the
 27 yeas and nays have not been ordered recorded in the Journal, any member,
 28 irrespective of whether he voted with the majority or not, may make the
 29 motion to reconsider, but a member who was absent or who was paired in favor
 30 of the majority contention and did not vote, may not make a motion.

31

32 Precedence of the Motion to Reconsider

33

34 (c) The precedence given the motion by the rule permits it to be made
 35 even after the previous question has been demanded or while it is operating.
 36 The motion to reconsider the vote on the engrossment of a bill may be

1 admitted after the previous question has been moved on a motion to postpone,
2 and a motion to reconsider to vote on the third reading may be made and acted
3 on after a motion for the previous question on the passage has been made. It
4 also takes precedence of the motion to go into Committee of the Whole, or
5 even of a demand that Senate return to committee after the appearance of a
6 quorum. But in case wherein the Senate has passed a bill and disposed of a
7 motion to reconsider the vote on its passage, it was held to be too late to
8 reconsider the vote sustaining the decision of the chair which brought the
9 bill before the Senate. After a conference has been agreed to and the
10 managers for the Senate appointed, Senate acted on the amendments in
11 disagreement. While the motion has high privilege for entry, it may not be
12 considered while another question is before the Senate. When it relates to a
13 bill belonging to a particular class of business, consideration of the motion
14 is in order only when that class of business is in order. It may then be
15 called up at any time; but is not the regular order until called up.

16

17 Application of Motion to Reconsider

18

19 (d) A bill in the possession of the Senate is not considered passed or
20 an amendment agreed to if a motion to reconsider is pending; the effect of
21 the motion being to suspend the original proposition. A notice or motion to
22 reconsider shall not be allowed unless the bill is in the Senate. A bill
23 shall not leave the Senate once notice of reconsideration is given. When the
24 motion to reconsider is decided in the affirmative, the question immediately
25 recurs on the motion reconsidered. When the motion to reconsider is
26 defeated, a second motion to reconsider may not be made unless the nature of
27 the proposition has been changed by amendment.

28 (e) A notice to reconsider is not debatable. A motion to reconsider
29 is debatable when the item to which it applies is debatable.

30 (f) No bill, petition, memorial, or resolution referred to a committee
31 or reported therefrom for recommitment shall be brought back into the Senate
32 on a motion to reconsider.

33

34 Effect of the Motion to Reconsider

35

36 (g) A bill is not considered passed or an amendment agreed to if a

1 motion to reconsider is pending, the effect of the motion being to suspend
2 the original proposition.

3
4 The Vote on the Motion to Reconsider

5
6 (h) The motion to reconsider is agreed to by eighteen (18) votes, even
7 when the vote reconsidered requires two-thirds (2/3) or three-fourths (3/4)
8 for affirmative motion. But one motion to reconsider the yeas and nays
9 having been acted on, another motion to reconsider is not in order.

10
11 Clincher Motion

12
13 13.02 The "Clincher" motion is two (2) motions in one; it is a motion
14 to reconsider and to lay on the table. Having prevailed, the proposition
15 shall not be again considered except by expunging the record. The clincher
16 motion is adopted by eighteen (18) votes.

17
18
19 RULE 14

20
21 BILLS, RESOLUTIONS, MEMORIALS, ENGROSSED COPIES, AND AMENDMENTS

22
23 Introduction of Bills

24
25 14.01 Any Senator may introduce bills, petitions, resolutions, and
26 memorials by filing them with the Secretary of the Senate or his designee.

27 (a) Each measure filed must have an original and fourteen (14) copies,
28 and ten (10) captions of the title, either typewritten or photocopies,
29 prepared in the form and method as provided in the Joint Rules.

30 (b) The Secretary of the Senate shall take the original and perforate
31 it as the original in accordance with the procedure set forth in the Joint
32 Rules.

33 (c) No alterations or erasures or otherwise defacement of the bill
34 shall be permitted.

35 (d) All bills, resolutions, petitions, and memorials must be signed by
36 the author or co-authors.

1 (e) The improper introduction of a bill involves a question of
2 privilege. Such petition, memorial, resolution or private bill which has
3 been improperly introduced shall be returned to the Senator who introduced
4 the measure.

5
6 First Reading

7
8 14.02 The first reading of a bill shall be for information and unless
9 otherwise ordered by the Senate, it shall be placed on the calendar for a
10 Second Reading.

11
12 Second Reading

13
14 14.03 (a) A bill shall be read a second time and, after receiving a
15 recommendation from the Senate Legal Counsel, the President of the Senate or
16 presiding officer shall assign the bill to the recommended committee.

17 (b) At the time of commitment, any Senator may offer an amendment to
18 the bill, which shall be referred to the committee with the bill without
19 debate.

20 (c) A bill shall be considered on second reading from the time it is
21 read the second time until the committee files its recommendations with the
22 Senate, or the bill is extracted from the committee by the Senate as provided
23 in these rules.

24 (d) When a bill has a committee recommendation of "do pass" or "do
25 pass as amended" or is extracted from a committee as provided in these rules,
26 it shall be placed on the calendar.

27 (e) In order to amend a bill, it shall be necessary to put the bill
28 back on second reading for the purpose of submitting an amendment.

29
30 Yeas and Nays Vote for Final Passage

31
32 14.04 No bill shall become a law unless on its final passage the vote
33 be taken by yeas and nays and the names of the persons voting for and against
34 the same shall be entered on the Journal. No less than a majority of the
35 members of the Senate may enact a law.

36

1 Printed Copies on Members' Desks Before Vote on Final Passage

2
3 14.05 A bill shall not be called up for a third reading and final
4 passage until a printed copy or a photocopy of the same, including all
5 engrossments, shall have been placed on every Senator's desk for twenty-four
6 (24) hours.

7
8 Effect on Rejected Bill

9
10 14.06 A bill having been rejected may not be brought up again the same
11 session, unless it be an appropriation bill.

12
13 Recall from the House or Governor

14
15 14.07 (a) No action shall be taken on any resolution or bill which is
16 not physically inside the Senate Chamber.

17 (b) The motion to recall a resolution or bill from the House of
18 Representatives or the Governor's office may be made regardless of the
19 location of the bill or resolution.

20 (c) When a bill has been passed and transmitted to the House, it may
21 be recalled from the House by the same vote that was necessary to pass the
22 bill.

23
24 Bills - How Received

25
26 14.08 A committee may receive a bill, resolution, memorial, and
27 petition only through the Senate, and the Senate may receive the same only
28 through a member or members of the Senate.

29
30 Bills - Not to be Defaced or Interlined

31
32 14.09 The body of the bill shall not be defaced or interlined, but all
33 amendments, noting the page and line, shall be entered by the Secretary on
34 separate forms and so reported to the Senate.

35 Engrossed and Enrolled Bills

36 14.10 A bill ordered to be engrossed or enrolled shall be typewritten;

1 and when a bill is passed, the day of its passage shall be certified by the
2 Secretary.

3
4 Resolutions, Memorials, and Petitions

5
6 14.11 Before any resolution, memorial or petition may be considered by
7 the Senate, a copy thereof shall have been on the desk of each member of the
8 Senate at least twenty-four (24) hours prior to the consideration thereof.
9 All Senate resolutions and memorials and all House resolutions and memorials
10 considered by the Senate, other than procedural resolutions, shall be read at
11 least three (3) times before action may be taken thereon, with each reading
12 to be on a separate day. Provided, that upon suspension of the rules, a
13 resolution or memorial may be read a second time on the same day. After
14 second reading, all resolutions and memorials other than procedural
15 resolutions shall be referred to committee as follows:

16 (a) Joint Senate and House resolutions proposing a constitutional
17 amendment or proposing to ratify an amendment to the United States
18 Constitution, shall be referred to the Committee on State Agencies and
19 Governmental Affairs.

20 (b) All proposed amendments to the Senate rules or amendments to the
21 Joint Rules of the House and Senate shall be referred to the Committee on
22 Rules.

23 (c) All other resolutions and memorials, except procedural
24 resolutions, shall be referred to the appropriate Class "A" or "B" Committee.
25 Without objection, all non-controversial Resolutions and Memorials may be
26 placed directly onto the Calendar.

27
28 Procedural Resolutions

29
30 14.12 All procedural resolutions fixing the time for joint session of
31 the House and Senate, time for adjournment, and other matters relating to
32 Senate business and joint House and Senate business of a procedural nature,
33 may be considered and acted upon the same day of introduction without the
34 necessity of being read at length three (3) times as required herein above
35 and, without necessity of being referred to committee, unless otherwise
36 directed by the Senate.

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Resolutions of Inquiry

14.13 (a) All resolutions of inquiry addressed to the heads of executive departments shall be reported to the Senate within one (1) week after presentation.

(b) A Senate resolution authorizing a committee to request information is treated as a resolution of inquiry.

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

Forms of Resolutions

14.14 Resolutions introduced in the Senate shall be either:

(a) A simple resolution (or Senate resolution) shall be directed at some matter for the sole action of the Senate, and may be adopted by a majority vote of the membership of the Senate.

(b) Concurrent resolutions shall be used for the purpose of expressing facts, principles, opinions, and purposes of the two houses, and shall be directed to some matter for the concurrent approval of both houses of the General Assembly, and shall be binding on neither house until agreed to by a majority vote of the membership of both houses.

(c) A joint resolution shall be used to submit proposed constitutional amendments, and to ratify proposed amendments to the United States Constitution, and shall be adopted only upon receiving a majority vote of the membership of both houses.

Local Bills

14.15 The General Assembly shall not pass any local or special act. This amendment shall not prohibit the repeal of local or special acts (Amend. 14, Ark. Const.).

Emergency Clause

14.16 If it shall be necessary for the preservation of the public

1 peace, health or safety, that a measure shall become effective without delay,
 2 such necessity shall be stated in one section, and if upon a yea and nay vote
 3 two-thirds of all the members elected to each house shall vote upon separate
 4 roll call in favor of the measure going into immediate operation, such
 5 emergency measure shall become effective without delay. It shall be
 6 necessary, however, to state the fact which constitutes such emergency
 7 (Amend. 7, Ark. Const.).

8

9

10

RULE 15

11

12

ORDER OF BUSINESS

13

14

15.01 The following shall be the daily Order of Business in the
 15 Senate:

15

16

(1) roll call;

17

(2) prayer;

18

(3) Pledge of Allegiance;

19

(4) reading of Journals;

20

(5) petitions and memorials;

21

(6) report of Select Committees;

22

(7) report of Class "A" or "B" Committees;

23

(8) motions, resolutions, and notices;

24

(9) unfinished business;

25

(10) Executive communications;

26

(11) House communications and amendments to Senate bills;

27

(12) introduction and advancement of bills and joint resolutions;

28

(13) bills and resolutions from the House on First Reading;

29

(14) bills and resolutions from the House on Second Reading;

30

(15) House bills and joint resolutions on Third Reading.

31

32

15.02 There shall be maintained within the Senate Chamber a "Business
 33 Agenda" by an employee designated by the Rules Committee. Any Senator who is
 34 the sponsor of a bill, resolution, memorial, petition or other matter which
 35 is properly on the Senate calendar may cause the measure to be placed upon
 36 the "Business Agenda." The bill or resolution to be considered in the order

1 of business during any legislative day must be placed on the Agenda Calendar
 2 no later than one (1) hour after adjournment of the preceding legislative
 3 day. The measures shall be placed in the order they are presented to the
 4 employee of the Senate designated to keep the "Business Agenda," and except
 5 upon the suspension of the rules, no bill or resolution, other than
 6 appropriation bills sponsored or recommended by the Joint Budget Committee
 7 shall be given priority on the "Business Agenda." Each measure on the
 8 "Business Agenda" shall be called in its order. In the event a measure on
 9 the "Business Agenda" is called and the sponsor is not present or does not
 10 wish for the measure to be considered at that time, hen said measure shall be
 11 placed at the bottom of said "Business Agenda."

12

13 Morning Hour

14

15 15.03 The order of Business described in this rule shall be used each
 16 day, beginning with the first item thereof, and going down to and including
 17 the eighth item, before completing the catalogue of items begun on the
 18 previous day, provided, no more than one hour daily shall be devoted to so
 19 much of said order of Business as is embraced on the fourth to the eighth
 20 items inclusive. If the morning hour expires when a member is on the floor,
 21 the matter then under consideration goes over as unfinished business to the
 22 next morning hour. Morning hours cannot be extended on House days, without
 23 suspension of the Joint Rules of the Senate and the House.

24 15.04 There shall be maintained within the Senate a "Morning Hour
 25 Business Agenda." This agenda shall be maintained by the same employee who
 26 maintains the "Business Agenda" referred to in 15.02, and any sponsoring
 27 member may cause to be placed on the "Morning Hour Business Agenda" any bill,
 28 resolution, memorial or petition, to be called in their order.

29

30 The Privileged Matters Which May Interrupt the Order of Business

31

32 15.05 Privileged matters which may interrupt the Order of:

33 (a) general appropriation and revenue bills;

34 (b) conference reports;

35 (c) special orders reported by the Committee on Rules for

36 consideration by the Senate;

1 (d) consideration of amendments between the House and the Senate after
2 disagreement;

3 (e) questions of privilege;

4 (f) privileged bills reported under the right to report at any time;

5 (g) bills returned with the objection of the Governor.

6
7 In addition to the foregoing matters, the President may, at his discretion,
8 interrupt the Order of Business for the reception of messages.

9
10 Unfinished Business

11
12 15.06 The consideration of the unfinished business in which the Senate
13 may be engaged at an adjournment, except business in the morning hour, shall
14 be resumed as soon as the business on the President's table is finished, and
15 at the same time each day thereafter until disposed of, and the consideration
16 of all other unfinished business shall be resumed whenever the class of
17 business to which it belongs shall be in order under the Rules.

18
19 Decision of Questions as to Priority of Business

20
21 15.07 All questions relating to the priority of business shall be
22 decided by a majority without debate.

23
24
25 RULE 16

26
27 COMMITTEE OF THE WHOLE

28
29 16.01 All motions and propositions involving a tax or charge upon the
30 people and all proceedings involving appropriations of money or authorizing
31 payments out of appropriations already made shall be first considered in the
32 Committee of the Whole, and a point of order under this Rule shall be good at
33 any time before the consideration of any such bill has commenced.

34 (a) At any time after the reading of the Journal, it shall be in order
35 to move that the Senate resolve itself into the Committee of the Whole Senate
36 for the purpose of considering bills raising revenues, or bills to

1 appropriate funds.

2 (b) In forming a Committee of the Whole Senate, the President shall
3 leave his chair after appointing a Chairman to preside, who shall have the
4 same power as the President to preserve order.

5 (c) When the Senate resolves itself into the Committee of the Whole,
6 persons who are to participate in the matters to be discussed may be invited
7 into the Senate chamber by the proponents or the opponents of the proposal to
8 be discussed, but all such persons shall leave at the time the Committee
9 arises.

10 (d) The rules of proceedings of the Senate shall be observed in the
11 Committee of the Whole Senate, so far as they may be applicable. Decisions
12 may be made by voice and standing votes, but the yeas and nays cannot be
13 ordered in the Committee of the Whole.

14 (e) The presence of a quorum is not necessary for a motion that the
15 Committee of the Whole rise; but when the Committee rises without a quorum,
16 it may not report the bills it has acted on, and such bills as have been laid
17 aside to be reported remain in the Committee until the next occasion when the
18 Committee rises without question as to a quorum.

19 (f) A majority of those voting shall prevail in the Committee of the
20 Whole, provided a quorum is present.

21

22 Amendments in Committee of the Whole

23

24 16.02 When general debate is closed by order of the Committee of the
25 Whole, any member shall be allowed five minutes to explain any amendment he
26 may offer, after which the member who shall first have obtained the floor
27 shall be allowed to speak five minutes in opposition to it, and there shall
28 be no further debate thereon, but the same privilege of debate shall be
29 allowed in favor of and against any amendment that may be offered to an
30 amendment; and neither an amendment nor an amendment to an amendment shall be
31 withdrawn by the mover thereof unless by unanimous consent of the Committee.

32

33 16.03 The Committee of the Whole may, by a vote of a majority of the
34 members present at any time after the five minutes' debate has begun on
35 proposed amendments to any section or paragraph of a bill, close all debate
36 upon such section or paragraph, or at least its election upon the pending

1 amendments only (which motion shall be decided without debate) - but this
2 shall not preclude further amendments to be decided without debate.

3
4 16.04 No motion which has as its effect a limiting of debate in the
5 Committee of the Whole shall be entertained by the Chairman. The motion for
6 the disposition of any matter referred to the Committee shall be, "Mr.
7 Chairman, I move the Committee to now rise and report." If the Committee has
8 no specific report, the motion shall be to rise and report progress.

9
10
11 RULE 17

12
13 CONFIRMATION OF APPOINTMENTS

14
15 17.01 It shall be the duty of the Senate to consider for confirmation
16 appointments made by the Governor, as provided by law.

17
18 Referral of Proposed Appointments to Committee

19
20 17.02 Before the name of any person submitted to the Senate for
21 confirmation shall be considered by the Senate, such appointment shall be
22 first referred to the Rules Committee, which shall hold a public hearing
23 thereon prior to making a recommendation to the Senate with respect to the
24 confirmation of such appointment. Provided that the Committee may waive the
25 holding of a public hearing with respect to any such appointment on motion
26 adopted by two-thirds (2/3) of the full membership of such Committee.

27
28 17.03 No appointment shall be brought before the Senate for
29 confirmation that has not received a favorable recommendation by a majority
30 vote of the full membership of the Rules Committee, except upon suspension of
31 the rules.

32
33
34 RULE 18

35
36 MESSAGES

1
2 Messages from the House and the Governor

3
4 18.01 Messages received from the House and the Governor giving notice
5 of bills passed or approved, or concerning other matters communicated to the
6 Senate, shall be entered in the Journal of that day's proceedings.

7
8 18.02 The Senate may receive a message from the House when the House
9 is not in session.

10
11
12 RULE 19

13
14 AMENDMENTS TO BILLS AND RESOLUTIONS

15
16 Amendments to Text and Title

17
18 19.01 When a motion or proposition is under consideration, a motion to
19 amend and a motion to amend that amendment shall be in order, and it shall
20 also be in order to offer a further amendment by way of substitute, to which
21 one amendment may be offered, but which shall not be voted on until the
22 original matter is perfected, but either may be withdrawn before amendment or
23 decision is had thereon. Amendment to the title of a bill or resolution
24 shall be in order before its passage, and shall be decided without debate.

25
26 Engrossed Copies to be on Desks of Members Before Consideration

27
28 19.02 Any bill, original or as amended, shall be on the desk in
29 engrossed form twenty-four (24) hours before it can be considered. All
30 amendments filed with the Senate numbering clerk are considered to be on the
31 member's desks at such time as scanned in the computer for access. However,
32 any member may require that a printed copy of an amendment be placed on all
33 members' desks before action can be taken on the adoption of the amendment.

34
35 Amendments to Strike

36

1 19.03 Amendments for striking may be made and adopted the same day.

2
3 Senate Consent Amendment Calendar

4
5 19.04 (a) Amendments signed by Senate members to their own bills,
6 signed by the Senate Chairperson of the Joint Budget Committee making the
7 Joint Budget Committee the sponsor of a bill, or signed by the lead Senate
8 sponsor of a House bill changing sponsors of the bill shall be placed on a
9 Consent Amendment Calendar. The Senate Consent Amendment Calendar shall be
10 conducted at a specific time set aside by the Rules Committee Chairperson.

11 (b) These amendments must be presented to the Senate Bill Clerk. The
12 Senate Bill Clerk shall present stamped, numbered and signed copies of any
13 proposed amendment to the Bill Custodian who shall have the bill and
14 amendment placed on the Senate Consent Amendment Calendar.

15 (c) An objection by any member, written or oral, to the Rules
16 Committee Chairperson or Secretary of the Senate, of an amendment on the
17 Senate Consent Amendment Calendar, shall cause the amendment to be removed
18 from the calendar and automatically placed on the Senate calendar.

19 (d) Any amendment on the Senate Consent Amendment Calendar, shall be
20 transmitted directly to Engrossing after having been approved.

21 (e) No bills having been amended shall be considered by any committee
22 or the full Senate until such bills have been engrossed, proofed and reported
23 "correctly engrossed".

24 (f) These proposed amendments may be placed on the Senate Consent
25 Amendment Calendar up to one (1) hour after adjournment the day preceding the
26 day the amendment is to be considered.

27
28 Precedence of the Motion to Amend

29
30 19.05 The motion to refer has precedence over the motion to amend.
31 Amendments reported by a committee are acted on before those offered from the
32 floor. A motion to strike out the Enacting Clause has precedence over a
33 motion to amend and may be offered while an amendment is pending.

34
35 Relation of the Motion to Amend to Other Motions

36

1 19.06 The motions to postpone, refer, amend, for a Recess, and to fix
2 the day on which the Senate will adjourn, may be amended. But the motions
3 for the previous question, to lay on the table, to adjourn, and to go into
4 Committee of the Whole to consider a privileged bill may not be amended.

5
6 House Amendments

7
8 19.07 House amendments to a Senate bill shall take the same course of
9 the bill, but are considered by a viva voce vote; and after adoption shall be
10 read with the bill the third time and adopted by a yea and nay vote.

11 (a) Eighteen (18) votes shall be required to adopt a Senate amendment
12 to a Senate or House bill.

13 (b) When a Senate bill has been amended in the House and the House
14 amendment is before the Senate, the same number of votes shall be required to
15 concur in the House amendment as was required in the original passage of the
16 bill.

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18
19 RULE 20

20
21 CONFERENCE COMMITTEES

22
23 20.01 The President shall appoint all conference committees which
24 shall be ordered from the Senate from time to time, and unless otherwise
25 directed by the Senate, the same number of Senators shall be named to serve
26 on the conference committees as are named to serve on such committees by the
27 House.

28 20.02 The presentation of reports of committees of conference shall
29 always be in order, except when the Journal is being read, while the roll is
30 being called, or the Senate is dividing on any proposition.

31 20.03 There shall accompany every conference committee report a
32 detailed statement sufficiently explicit to inform the Senate of the effect
33 amendments or propositions will have upon the measure to which they relate.

34
35
36 RULE 21

PRIVILEGES OF THE FLOOR

Use of the Hall of the Senate

21.01 The Hall of the Senate during regular and special sessions shall be used only for the legislative business of the Senate and for the caucus meetings of its members, except upon occasions when the Senate, by resolutions agrees to take part in any ceremonies to be observed therein, and the President shall not entertain a motion for the suspension of this rule.

21.02 Persons desiring to visit with members of the Senate shall first secure a written permit from the Sergeant at Arms upon instruction from the member desiring to be visited.

21.03 Whenever any person desires to visit a member of the Senate, he shall first write his name upon a form given him, together with the name of the member he desires to visit. Whereupon, the page of the Sergeant at Arms shall deliver said form to the member desired, and the member shall then leave the Chamber and confer with said visitor, or may:

(i) give to the page a written paper which shall allow the visitor to be escorted to the Senate Lounge on the East corridor adjacent to the Senate Chamber, which has been set aside for use of members of the Senate in holding conferences with persons who are not members of the Senate; or

(ii) give to the page a written paper which shall allow the page to escort the visitor to the office of the Senator located on the West corridor adjacent to the Senate Chamber, if such Senator's office is located thereat, and to instruct the visitor to wait in the Senator's office until the Senator is able to leave the Chamber. Upon conclusion of such visit, the page shall then escort the visitor from the corridors of the Senate.

All visitors admitted to the East or West corridor adjacent to the Senate Chamber shall refrain from blocking the corridors or abusing access to such corridors, except for the purposes as herein authorized.

21.04 No person shall be allowed to enter the Senate Chamber other than members of the House of Representatives, members of a Senator's

1 immediate family and authorized employees of the General Assembly, while the
2 Senate is in session.

3
4 21.05 (a) No lobbyist, including a representative of a constitutional
5 officer, shall be admitted in the Senate Chamber while the Senate is in
6 session. Any former member of the General Assembly who is registered as a
7 lobbyist shall be considered as a lobbyist and shall be excluded from the
8 Senate Chamber while the Senate is in session.

9 (b) A lobbyist or a family member of a lobbyist shall be prohibited
10 from working for the Senate on a permanent basis.

11
12 21.06 No member of the media, including but not limited to reporters,
13 photographers and camera persons, shall be allowed inside the Senate Chamber,
14 on the third floor of the Capitol, while the Senate is in session, except as
15 provided in this rule. A total of three (3) members of the media may be
16 present in the Senate Chamber while the Senate is in session in an area
17 designated by the Senate Efficiency Committee. These three (3)
18 representatives of the media shall be selected by the Senate Efficiency
19 Committee. These members of the media may not conduct interviews on the
20 Senate floor while the Senate is in session. Members of the media who do not
21 have assigned seats may sit in the Senate Gallery on the fourth floor. No
22 member of the media shall be admitted to the east or west corridors adjacent
23 to the Senate Chamber, except on invitation of a Senator who shall meet and
24 accompany the member of the media to a private area.

25
26 21.07 The use of pages in the Senate is authorized. Provided, no more
27 than twelve (12) pages shall serve in the Senate on any day. Senators shall
28 register their pages in advance with the page supervisor or other designated
29 person.

30 Each member of the Senate shall be limited to fifteen (15) page days per
31 session. Provided, any Senator who will not use the full fifteen (15) page
32 days may transfer one or more page days to another Senator for his or her
33 use. Each such transfer shall be in writing signed by the Senator making the
34 transfer and shall be filed with the page supervisor or other designated
35 person in advance.

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RULE 22

READING AND WITHDRAWAL OF PAPERS

Objection to Reading of Papers

22.01 When reading of a paper other than one upon which the Senate is called upon to give a final vote is dominated, and the same is objected to by any member, it shall be determined without debate by a vote of the Senate.

Paper Read on Demand of a Member

22.02 A member of the Senate may have read a paper on which the Senate is to vote; but when such paper has been read once, the reading may not be repeated unless by order of the Senate. The right of having such paper read may be abrogated by suspension of the rules, but is not abrogated simply by the fact that the current procedure is taking place under suspension of the rules.

22.03 No memorial, paper, resolution, or bill presented to the Senate shall be withdrawn from its file unless signed receipt thereof is deposited with the proper clerk by the President or chairman of any Class "A" or "B" Committee. The author of a specific bill may withdraw the same by signing proper receipt therefor.

RULE 23

CHANGE OR SUSPENSION OF RULES

Vote Required to Suspend the Rules

23.01 A two-thirds (2/3) majority of the members present (provided there is a quorum present) may suspend the rules.

1 Vote Required to Amend the Rules

2
3 23.02 To amend the rules requires a two-thirds (2/3) vote of the
4 membership of the Senate (24 votes).

5
6 Notice Required to Revise or Amend the Rules

7
8 23.03 No standing rule or order shall be revised or amended without one
9 day's notice being given thereof.

10
11
12 RULE 24

13
14 CODE OF ETHICS

15
16 24.01 Introduction

17 The holding of public office is a public trust created by the
18 confidence which the electorate places in the integrity of Senators who serve
19 in the Arkansas Senate. Members of the Senate are expected to carry out
20 their duties in a manner that brings honor and integrity to the body. It is
21 recognized that the part-time, citizen-based nature of the Arkansas General
22 Assembly may create ethical dilemmas, but this does not nullify or diminish
23 the Senate's expectation that Senators will make every effort to resolve
24 these issues in satisfactory fashion and comply with these rules.

25 This Code of Ethics has been adopted to define the ethical
26 expectations, provide a process for addressing accusations of ethical
27 misconduct, and to provide for sanctions and penalties. The Code is adopted
28 pursuant to authority granted by the Constitution of the State of Arkansas
29 for the Senate to be the sole judge of the qualifications of its members and
30 to determine its own rules and procedures.

31
32 24.02 Definitions

33 (a) "State agency" means every board, commission, department,
34 division, institution, and other office of state government whether located
35 within the legislative, executive, or judicial branch of government and
36 including state supported colleges and universities.

1 (b) "Family" means an individual who is a spouse, natural or adopted
2 child, parent, brother, sister, brother-in-law, sister-in-law, mother-in-law,
3 father-in-law, son-in-law, or daughter-in-law.

4 (c) "Financial Interest" means any relationship to a business in which
5 a Senator or a member of his or her family is an officer, director or owns
6 more than 10 percent (10%) interest.

7 (d) "Compensation" means any money or anything of value received,
8 whether in the form of a retainer fee, fee, salary, or expense allowance, or
9 any form of recompense or any combination thereof.

10 (e) "Business" means any specific and particular corporation,
11 partnership, sole proprietorship, firm, enterprise, franchise, association,
12 organization, self employed individual, receivership, trust or any legal
13 entity through which a commercial enterprise is conducted.

14 (f) "Contract" means any contract, lease agreement, grant, request for
15 proposal, subgrant, sub-contract, sublease, or assignment.

16
17 24.03 Compliance with Law

18 Senators shall comply with all constitutional and statutory provisions
19 relating to elected office. Violation of any constitutional or statutory
20 provision shall be grounds for administering penalties as provided in the
21 Code of Ethics. Any penalty imposed by the Senate shall not bar any other
22 civil or criminal proceedings.

23
24 24.04 Advisory Opinion

25 A Senator may request in writing an advisory opinion from the Senate
26 Rules Committee concerning his or her compliance with the Senate Code of
27 Ethics. A written opinion from the Rules Committee shall be signed by the
28 Chairman. An opinion shall be advisory only and shall not be binding on the
29 Senate as a whole.

30
31 24.05 Use of Influence and Knowledge for Personal Gain

32 A Senator, personally or through others, shall not knowingly:

33 (a) Use the influence or knowledge of his or her office to obtain
34 personal or family financial gain other than that provided by law for the
35 performance of the Senator's legislative duties.

36 (b) Acquire a financial interest in any business which the Senator has

1 reason to believe may be directly affected to its economic benefit by action
2 taken by the Senate.

3 (c) Perform an act that adversely affects a business when the Senator
4 or his or her family has a financial interest in a competing business.

5 (d) Use or attempt to use his or her official position to secure or
6 create privileges, advantages, or special treatment for the Senator's benefit
7 or the benefit of the Senator's family unless the enactment or administration
8 of law benefits the public generally.

9 (e) Use public funds or the time or counsel of public employees, for
10 his or her personal or family gain.

11 (f) Use his or her official position by any means to influence a State
12 agency for personal or family gain by the use of express or implied threat of
13 legislative reprisal.

14

15 24.06 Contracts with the State

16 No Senator shall have a financial interest in any contract with any
17 State agency unless it is awarded through a process of public notice and
18 competitive bidding, or through a public notice requesting proposals, or has
19 received the prior approval of the Legislative Council. Contracts entered
20 into prior to a Senator's election are not subject to this rule. Extension
21 of any such contracts are subject to the provisions of this rule.

22

23 24.07 Conflicts of Interest

24 (1) A Senator shall not participate in the discussion of a question in
25 committee, or on the floor of the Senate, or vote in committee or on the
26 floor of the Senate on any matter in which the Senator knows:

27 (a) He or she, or any member of his or her family, or a business
28 in which the Senator has a financial interest, will derive a benefit as a
29 result of legislative action. This prohibition does not apply when the
30 matter provides a benefit to the Senator, his or her family, or business
31 associate, as a member of a business, profession, occupation or other group,
32 that is no greater than the benefit which accrues generally to other members
33 of like business, profession, occupation, or other group. The Senator shall
34 have his or her abstention noted of record.

35 (b) Will specifically relate to a business which employs the
36 Senator or in which he or she receives compensation as an attorney or

1 consultant. This prohibition does not apply when the matter provides a
2 benefit which accrues generally to other like businesses, professions,
3 occupations, or other groups. The Senator shall have his or her abstention
4 noted of record.

5 (c) However, a Senator may participate and vote on any matter
6 pending before a committee or on the floor of the Senate if the Senator has
7 disclosed any compensation or financial interest he or she may have regarding
8 the matter. Disclosure shall be made when a Senator enters a written
9 statement upon the Senate Journal, or with the staff of the appropriate
10 interim committee, detailing the source of compensation and/or the financial
11 interest held.

12 (2) An attorney member of the Senate shall be prohibited from
13 representing any claimant before the Arkansas Claims Commission.

14 (3) No member of the Senate shall serve as a registered lobbyist, as
15 defined by Arkansas Code Annotated 21-8-402.

16 (4) A family member of a Senator or a family member of a Senate staff
17 person shall be prohibited from working for the Senate on a permanent basis.

18

19 24.08 Allegations of Violations

20 Any member of the Senate who has good reason to believe that a member,
21 or members, of the Senate have violated the Senate's Code of Ethics may
22 petition the full Senate to meet in a public forum to conduct an
23 investigation regarding the alleged violation. The petitioning process shall
24 be as follows:

25 (a) A member shall prepare a petition. The petition shall list the
26 accused member's name, the name of the accuser or accusers, the Code of
27 Ethics provision that has allegedly been violated, and a description of the
28 activity that allegedly violated the Code of Ethics. The member making the
29 accusation shall deliver a copy of the petition to the accused at least ten
30 days prior to the petition's being submitted to the Senate membership. The
31 member making the accusation shall then determine whether a majority of the
32 members of the Senate are willing to sign the petition to convene the full
33 Senate for the purpose of conducting a hearing. If the accusing member
34 presents the President Pro Tempore of the Senate with a petition, or
35 duplicate petitions with individual signatures, signed by 18 or more
36 Senators, the President Pro Tempore shall schedule a hearing for a time

1 certain within 30 days of the receipt of the petition(s) to consider the
2 accusation. The President Pro Tempore shall notify every member of the
3 Senate in writing by Certified Mail, Return Receipt Requested. The hearing
4 shall be open to the public and shall be held in the Senate Chamber.

5 (b) If the accused member or the accuser is the President Pro Tempore,
6 the President Pro Tempore shall step aside from the petitioning process and
7 all duties and obligations shall be under the jurisdiction of the Chairman of
8 the Rules Committee. If the Chairman of the Rules Committee is accused or is
9 the accuser, along with the President Pro Tempore, the majority party leader
10 and the minority party leader shall meet to set the date, notify members of
11 the Senate in writing, and determine the chair of the hearing.

12 (c) The President Pro Tempore (or Rules Committee Chairman, or Senator
13 properly chosen by the majority or minority leaders) shall preside over the
14 hearing and call the roll.

15 (d) Members of the news media shall be welcomed to the same seating
16 arrangements available to them during the last Regular or Special Sessions.
17 The public shall be allowed to observe the entire proceeding.

18
19 24.09 Hearing Procedure

20 The hearing shall proceed as follows:

21 (a) The accuser(s) shall state why he or she asked for the hearing,
22 stating the section of the Code of Ethics he or she believes has been
23 violated.

24 (b) The accused shall be asked by the presiding officer to answer any
25 and all allegations. The accused may decline to answer any allegations and
26 his or her refusal to answer shall not be used against him or her in the
27 proceedings.

28 (c) The accused and the accuser may call witnesses who shall be
29 allowed to testify under oath.

30 (d) At the end of the hearing, the accuser and accused may make
31 closing statements.

32 (e) The membership, including the accused and the accuser, shall vote
33 in public on whether the accused has violated the Senate's Code of Ethics.
34 The roll shall be called by the Secretary of the Senate. Each Senator shall
35 respond at the time his or her name is called by voting yea, nay or abstain.

36 (f) Eighteen (18) or more votes are required to find a Senator in

1 violation of the Senate's Code of Ethics. The pairing of votes shall not be
2 recognized.

3

4 24.10 Penalties

5 If a Senator has been found to have violated the Senate's Code of
6 Ethics, the Senate shall proceed to discipline the member. Immediately
7 following the vote determining that a violation occurred, the accuser shall
8 move that the Senate discipline a member by one or more of the following
9 penalties:

- 10 (a) letter of caution;
- 11 (b) loss of committee assignment(s);
- 12 (c) loss of leadership assignment(s);
- 13 (d) loss of seniority;
- 14 (e) temporary suspension;
- 15 (f) expulsion;
- 16 (g) other measures to be determined by the members of the Senate.

17 The accuser's motion shall be subject to substitution and amendment. Any
18 letter of caution shall be authored by the presiding officer of the hearing.
19 It shall take a two-thirds majority of the membership to suspend or expel a
20 member.

21

22 24.11 Ineligibility to Retain Office

23 If a Senator under a felony criminal indictment in any federal or state
24 court is subsequently found guilty of the charges against him/her, the
25 Senator shall immediately be ineligible to retain his/her office under
26 authority of Article 5, Section 9 of the Constitution of Arkansas and a
27 vacancy shall be immediately declared by the President Pro Tempore with
28 notification given to the convicted Senator, all members of the Senate, the
29 Secretary of the Senate, the Governor, the Secretary of State and the Auditor
30 of State.

31

32 24.12 Spurious or Frivolous Accusations

33 When the Senate votes to absolve an accused member of any ethical
34 violation, the membership may levy against the accuser one or more of the
35 penalties as described in Rule 24.10 if it determines that the accusations
36 were spurious or frivolous.

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RULE 25

CAMPAIGN CONTRIBUTIONS

25.01 It shall be a violation of the Rules of the Senate for any member of the Senate to accept a campaign contribution for all offices, except a special election for United States Representative, during the period beginning thirty (30) days before and ending thirty (30) days after any regular session of the General Assembly. If there is an extended recess of the General Assembly, the period shall end thirty (30) days after the beginning of the recess. It shall also be a violation of the Rules of the Senate for any member of the Senate to accept a campaign contribution during any extended session of the General Assembly or during any special session of the General Assembly except a special election for United States Representative.

RULE 26

MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO APPLY IN CASES NOT COVERED BY THESE RULES

26.01 Rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with these rules and orders of the Senate and the joint rules and orders of the Senate and House of Representatives.

FORMS

Of Putting the Questions, for Viva Voce Vote:

The forms of putting ordinary questions are:
The President, rising, says:

1 "As many as are in favor (as the questions may be) say Aye."

2 And after the affirmative voice is expressed:

3 "As many as are opposed say No."

4

5

6 Forms of Putting the Question for Vote by Division:

7

8 If a division is demanded, the President says:

9 "As many as are in favor will rise and stand until counted."

10 And after the count in the affirmative:

11 "The ayes will be seated and the noes will stand."

12

13

14 Form of Putting the Question for Vote by Tellers:

15

16 If tellers are ordered:

17 "The Senator from _____ and the Senator from _____ will take their places
18 as tellers As many as are in favor (as the question may be) will now pass
19 between the tellers and be counted."

20

21 After those in the affirmative have been counted the tellers report the
22 number and the Chair announces it to the Senate; after which he announces:

23 "As many as are opposed will now pass between the tellers and be counted."

24

25 The number of those in the negative is reported, after which there is an
26 opportunity for additional members to vote on either side, the tellers
27 reporting the additions. Then the Chair reports the vote.

28

29

30 Form of Putting the Question for a Roll Call:

31

32 If the yeas and nays are ordered:

33

34 "As many as are in favor (as the question may be) will, as their names are
35 called, answer, yea; as many as are opposed will answer nay The Secretary
36 will call the roll."

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Form for Ordering a Call of the Senate:

“The Senator from _____ moves a call of the Senate. As many as are in favor of ordering a call of the Senate will say ‘Aye’ as many as are opposed will say ‘No.’ The ayes have it and a call of the Senate is ordered. The doorkeeper will close the doors, and the Secretary will call the roll”

Form of Putting the Question on the Previous Question:

“The Senator from _____ demands the previous question. As many as are in favor of ordering the previous question will say ‘Aye’; as many as are opposed will say ‘No.’ ““

Form of Putting the Question on Passing a Vetoed Bill:

Form of putting the question on the vote to pass a bill returned with the governor’s objection:

Will the Senate on reconsideration agree to pass the bill the objections of the Governor to the contrary notwithstanding? As many as are in favor, etc.”

OF REPORTS OF COMMITTEES

Form of Reports from Committees of the Whole:

The Committee of the Whole having risen and the President having taken the Chair the Chairman takes his place in the area in front of the clerk’s desk and says:

“Mr. President, the Committee of the Whole Senate has had under consideration the bill (giving the number and title) and have directed me to report the

1 same with amendments with the recommendation that the amendments be agreed to
2 and that the bill do pass.”

3

4 If there are no amendments, or if several bills are reported at once, or if
5 the Committee of the Whole recommend that a bill do not pass or be laid on
6 the table, the report is modified accordingly. If the Committee of the Whole
7 has not concluded consideration, the Chairman reports that “they have come to
8 no resolution thereon.” As soon as the Chairman has reported to the
9 President, the latter repeats the report to the Senate, beginning:

10

11 “The Senator from _____, Chairman of the Committee of the Whole Senate,
12 reports that committee has had under consideration, etc. “

13

14

15 Form of Reports from Class “A” and “B” Committees or Select Committees:

16

17 “The Committee on _____ to whom was referred the bill (S.B. 101) ‘to
18 provide,’ etc., having considered the same, report it to the Senate (with
19 amendments specified, if there be any) with the recommendation that it do
20 pass (or do not pass, or be laid on the table, etc.).”

21

22 Reports often embody arguments or statements of facts in addition to the
23 recommendation of the committees.

24

25

26 Form of Reports from Managers of Conferences:

27

28 “The committee of conference on the disagreeing votes of the two Houses on
29 the amendments of the Senate to the bill, ‘making appropriations,’ etc.,
30 having met, after full and free conference, have agreed to recommend and do
31 recommend to their respective Houses as follows:

32

33 “That the Senate recede from its disagreement to the amendment of the House
34 numbered _____ and agree to the same.

35

36 “That the Senate recede from its disagreement to the amendment of the House

1 numbered _____ and agree to the same with an amendment as follows: _____
2 etc., and the House agree to the same.

3
4 "That the Senate recede from its amendment to the amendment of the House
5 numbered _____.

6
7 "Managers on the part of Senate."
8 "Managers on the part of House."
9

10
11 Form of Statement Accompanying a Conference Report:
12

13 The written statement accompanying a conference report need not preserve
14 regularly as to form so long as it embodies a fairly comprehensive statement
15 of the effect of the settlement in conference. In general the form most
16 approved is:

17
18 "The managers on the part of the Senate at the conference on the disagreeing
19 votes of the two Houses on the amendments of the House to the bill (S.B.
20 _____) making, etc., submit the following written statement explaining the
21 effect of the action agreed on: _____ etc.

22
23 "Managers on the part of Senate."
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