

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

SR 1

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5 By: Senate Rules, Resolutions & Memorials

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8 **SENATE RESOLUTION**

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

11  
12 **Subtitle**

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

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17 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH 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-Fifth General Assembly of the State of Arkansas:

22  
23 **RULES OF THE SENATE**

24  
25 **RULE 1**

26 **THE PRESIDENT**

27 1.01 The duties of the President of the Senate shall be to:

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

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

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



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

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

7 (f) state the question to the Senate before each vote is taken, and if  
 8 a voice vote is taken and if in doubt of the outcome, or a division is called  
 9 for by at least one-fifth (1/5) of a quorum, the Senate shall divide;

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

11  
 12 1.02 The President shall have the right to name any member to perform  
 13 the duties of the Chair, but such substitution shall not extend beyond  
 14 adjournment; provided, however, that in case of the absence of the President  
 15 Pro Tempore, he may make such appointment for a period not exceeding ten (10)  
 16 days, with the approval of the Senate at the time the same is made.

## 17 18 19 RULE 2

### 20 THE PRESIDENT PRO TEMPORE

21 2.01 (a) At the beginning of every regular session of the General  
 22 Assembly the Senate shall elect from its members an officer to be styled  
 23 "President Pro Tempore" of the Senate, who shall perform all the duties of  
 24 the President of the Senate during his absence, except as otherwise provided  
 25 in these Rules. At the beginning of each regular session, the President Pro  
 26 Tempore shall appoint four (4) Assistant President Pro Tempores, one from  
 27 each of the current Congressional Districts. At least three (3) of the  
 28 Assistant President Pro Tempores shall be a member of the majority party.  
 29 The President Pro Tempore shall designate one of the four Assistant President  
 30 Pro Tempores to perform all the duties of the President Pro Tempore during  
 31 his or her absence.

32 (b) Beginning with the 86th General Assembly, the President Pro  
 33 Tempore shall not serve more than one term in the office nor shall the  
 34 President Pro Tempore be Chairman of any A or B Committee nor the Joint  
 35 Budget Committee.

36 (c) The President Pro Tempore shall have the authority to convene the

1 members of the Senate between sessions for the purpose of addressing any  
2 matter that affects the business of the full Senate.

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5 RULE 3

6 THE SECRETARY OF THE SENATE

7 3.01 At the beginning of every regular session of the General Assembly,  
8 the Senate shall elect a Secretary of the Senate.

9 Seal

10 (a) The Secretary of the Senate shall attest and affix the Seal of the  
11 Senate to all writs, warrants, and subpoenas issued by order of the Senate;

12 (b) The Secretary of the Senate shall certify to the passage of all  
13 bills and joint resolutions;

14 Contracts

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

19 Record of Disbursements

20 (d) The Secretary of the Senate shall keep full and accurate records  
21 and accounts of all disbursements of funds of the Senate;

22 Supplies

23 (e) The Secretary of the Senate shall furnish the members with  
24 stationery, postage, and other supplies as may be authorized by the Senate,  
25 upon direction of the Efficiency Committee;

26 Assistant Secretary of the Senate

27 (f) The Secretary of the Senate may designate an Assistant Secretary  
28 or some other official in the Secretary of the Senate office, to sign all  
29 papers that may require the official signature of the Secretary, and do all  
30 other acts, except such as are provided by statute, that may be required  
31 under the Rules and practices of the Senate to be done by the Secretary, such  
32 official acts when so done by the Assistant Secretary or other official shall  
33 be under the name of the Secretary of the Senate. The said designation shall  
34 be in writing and shall be laid before the Senate and entered on the Journal;

35 (g) The Secretary of the Senate shall keep a register of all bills  
36 introduced in the Senate or transmitted for concurrence from the Senate, and

1 which shall be recorded, under appropriate heading, the progress of all such  
 2 bills from the date of their introduction to the time of their transmission,  
 3 as Senate bills, to the Governor, and if House bills, their return to the  
 4 House.

#### 5 Journal

6 3.02 The Secretary of the Senate shall have the Journal of the Senate  
 7 recorded in a well-bound book to be kept for that purpose, and each day's  
 8 proceedings shall be signed by the President, attested by the Secretary, and  
 9 at the close of the session filed in the Office of the Secretary of State.  
 10 The Journal, as the same is transcribed into a record book, shall be  
 11 carefully compared and revised by the appropriate committee appointed for  
 12 that purpose. The Secretary shall enter in the Journal the hour at which the  
 13 Senate convenes and adjourns each day the Senate is in session. The finished  
 14 and official Journal of the Senate shall be entered by the Senate into the  
 15 General Assembly's Internet web site.

#### 16 Delivery of Bills to the Governor

17 3.03 Whenever any Senate bill shall be approved by the House and  
 18 enrolled by the Senate, the Secretary of the Senate shall, without delay,  
 19 deliver the same to the Governor or his designated representative. In the  
 20 event the Governor or his designated representative shall refuse to accept  
 21 delivery of any such bill, the Secretary of the Senate shall proceed to serve  
 22 the bill upon the Governor's office in the manner provided in the Joint Rules  
 23 of the Senate and House of Representatives, and shall enter the record  
 24 thereof in the Journal in the manner provided in the Joint Rules, and the  
 25 same shall constitute proof of delivery of said bill to the Governor  
 26 determining the period of time in which the Governor has to sign the same or  
 27 return it to the Senate with his veto, as provided in the Constitution of the  
 28 State of Arkansas.

#### 31 RULE 4

#### 32 THE CHIEF SERGEANT AT ARMS

33 4.01 At the beginning of every regular session of the General Assembly,  
 34 the Efficiency Committee of the Senate shall select a Sergeant at Arms, whose  
 35 duties shall be to:

36 (a) attend the Senate during its sittings, and to maintain order under

1 the direction of the President or Chairman, and pending the election of a  
 2 President or President Pro Tempore, under the direction of the Secretary;

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

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

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

9 (e) allow no person to enter the Hall of the Senate during its sittings;  
 10 and fifteen (15) minutes before the hour of the meeting of the Senate each  
 11 day he shall see that the floor is cleared of all persons except those  
 12 privileged to remain, and kept so until recess or adjournment;

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

16  
 17 4.02 The symbol of the Office of the Chief Sergeant at Arms shall be  
 18 the Mace, which shall be borne by him while enforcing order on the floor.

19 Assistant Sergeant at Arms

20 4.03 The Sergeant at Arms shall supervise the performance of duties by  
 21 each assistant Sergeant at Arms employed by the Senate, and shall be  
 22 responsible to the Efficiency Committee and the Senate with respect to the  
 23 conduct and performance of duties by the assistant Sergeants at Arms.

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 25  
 26 RULE 5

27 THE CHAPLAIN

28 5.01 The Chaplain shall be selected by the President Pro Tempore, or  
 29 his designee, and shall attend the commencement of each day's sitting of the  
 30 Senate and open the same with prayer.

31  
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 33 RULE 6

34 DUTIES OF THE MEMBERS

35 6.01 Each member of the Senate shall attend the Hall of the Senate  
 36 during its sittings, unless excused or necessarily prevented.

1 Quorum Required

2 6.02 A quorum is necessary before business can be transacted, except  
3 adjournment and call of the Senate.

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6 RULE 7

7 COMMITTEES OF THE SENATE

8 7.01 (a) The Committees of the Senate shall consist of:

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

10 Public Health, Welfare and Labor

11 Public Transportation

12 Judiciary

13 Education

14 Revenue and Taxation

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

16 Insurance and Commerce

17 Agriculture, Forestry & Economic Development

18 State Agencies and Governmental Affairs

19 City, County and Local Affairs

20 Technology and Legislative Affairs

21 (3) Six (6) Joint Committees

22 (4) Two (2) Select Committees.

23 (b) Membership of the Senate Committees shall be determined in the  
24 following manner:

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

29 (2) The most senior member of the majority party shall select  
30 first and shall choose either a Class "A" or Class "B" Committee. The next  
31 senior member of the majority party shall then select either a Class "A" or  
32 Class "B" Committee. The seniority rotation procedure shall continue until  
33 the member of the majority party with the least seniority selects his or her  
34 committee. Provided, each Class "A" or Class "B" Committee shall have at  
35 least one senator from the minority party as a member. Each committee shall  
36 have at least one (1) Senator from the minority party as a member for every

1 increment of five (5) Senators from the minority party.

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

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

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

9 (6) After the member of the majority party with the least  
10 seniority has made his or her second selection, the members of the minority  
11 party shall select the remaining Class "A" or Class "B" Committee positions.  
12 The most senior member of the minority party shall select first and shall  
13 choose either a Class "A" or Class "B" Committee. The next senior member of  
14 the minority party shall then make his or her selection. The minority party  
15 seniority rotation procedure shall continue until all positions on the Class  
16 "A" or Class "B" Committees are filled.

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

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

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

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

36

## Class "A" and "B" Committees

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

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

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

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

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

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

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

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

(8) COMMITTEE ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS - matters pertaining to State government and State Agencies, except where the subject matter relates more appropriately to another committee, proposed amendments to the Constitution of the State of Arkansas or the Federal government, election laws and procedures, Federal and Interstate relations, and similar legislation. The committee shall also have the responsibility of monitoring



1 and making recommendations for periodic updating, modernizing, and revising  
 2 the Code of Ethics for public officials;

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

6 (10) COMMITTEE ON TECHNOLOGY AND LEGISLATIVE AFFAIRS – matters  
 7 pertaining to science, technology, bio-technology and similar legislation and  
 8 other matters whenever the subject matter is not germane to the subject  
 9 matter of any other Class “A” or Class “B” Committee. The committee shall  
 10 serve as the supervisory committee over the preparation of the Journal and  
 11 the engrossing and enrolling of bills. The committee shall have no  
 12 jurisdiction of matters affecting the interpretation of the rules of the  
 13 Senate, but such jurisdiction shall be exercised by the Senate Rules  
 14 Committee.

15  
 16 Members of Class A and Class B Committees

17 (b) Class “A” and Class “B” Committees of the Senate shall be composed  
 18 of seven (7) members. Each Committee shall have at least one (1) Senator from  
 19 the minority party as a member. Each Committee shall have at least one (1)  
 20 Senator from the minority party as a member for every increment of five (5)  
 21 Senators from the minority party.

22  
 23 Vacancies

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

33  
 34 Special Election

35 (d) When a vacancy occurs on Class “A” and “B” Committees during the  
 36 biennium because of death, resignation or expulsion of the Senate member, the

1 person elected to fill the vacant Senate seat in a special election will  
2 automatically fill the vacant positions on the Class "A" and "B" Committees  
3 for the remainder of the biennium. The person elected to fill a vacant  
4 Senate seat in a special election shall draw for seniority with the next  
5 group of newly elected incoming Senators at the Senate organizational  
6 meeting.

7

8 Legislative Council and Joint Auditing Committee

9 (e) Prior to the convening of the 85th General Assembly, and all  
10 subsequent sessions thereafter, all members shall assemble for an  
11 organizational meeting and at that time the Senate shall select sixteen (16)  
12 members of the Senate to serve on the Legislative Council and the Joint  
13 Auditing Committee, with four (4) members to be chosen from each of the four  
14 (4) current congressional districts by caucus of the members of the Senate  
15 residing in the respective congressional districts. Each caucus shall at the  
16 time of selecting regular members of the Legislative Council and Joint  
17 Auditing Committee, also select a first alternate member and a second  
18 alternate member for each regular member. The terms of the Senate members  
19 and Senate alternate members of the Legislative Council and Joint Auditing  
20 Committee shall begin on January 1 of each odd numbered year and end on  
21 December 31 of each even numbered year. The terms of the Senate Chair and  
22 Senate Vice-Chair of the Legislative Council and the Joint Auditing Committee  
23 shall begin on the date elected to the position and end on the date their  
24 successors are chosen. If a vacancy occurs on Legislative Council or the  
25 Joint Auditing Committee, the vacant member's position shall be filled by his  
26 or her first alternate. The second alternate shall then assume the first  
27 alternate position.

28 At the beginning of each regular session of the Arkansas Senate, the  
29 Secretary of the Senate shall notify the members of the Joint Auditing  
30 Committee and the Legislative Council Committee that any member interested in  
31 running for the position of Chair or Vice-Chair of each respective committee  
32 must make their interest known to the Secretary of the Senate no later than  
33 the 40th day of the regular session.

34 Senators shall not be permitted to solicit support, or in any way  
35 campaign, for the position of Chair and Vice-Chair of the Joint Auditing  
36 Committee and the Legislative Council Committee until the 41st day of the

1 regular session. Senators shall not be allowed to secure written pledges for  
2 these respective positions.

3 Election for the position of Chair and Vice-Chair of the Joint Auditing  
4 Committee and the Legislative Council Committee shall be conducted at the  
5 organizational meeting of each respective committee held during the session.  
6

#### 7 Joint Budget Committee

8 (f) Prior to the convening of the 85th General Assembly, and all  
9 subsequent sessions thereafter, all members shall assemble for an  
10 organizational meeting and at that time the Senate members of the Joint  
11 Budget Committee shall be selected as follows: Six (6) members residing from  
12 each of the four (4) current congressional districts, based on seniority  
13 within the Senate; provided, that Senate members who are designated as  
14 members of the Joint Budget Committee pursuant to Arkansas Code § 10-3-  
15 502(a)(1)(A)(i), (ii), (iii) and (iv) shall not be considered for selection  
16 as one of the six members so selected. One (1) Senate alternate member shall  
17 be selected from each congressional district. The terms of the Senate  
18 members and Senate alternate members of the Joint Budget Committee shall  
19 begin on January 1 of each odd numbered year and end on December 31 of each  
20 even numbered year. If a vacancy occurs on the Joint Budget Committee, the  
21 vacant member's position shall be filled by the alternate member from the  
22 vacant Senator's congressional district. The alternate position shall then  
23 be filled by the next most senior Senator from that congressional district.  
24

#### 25 Joint Meetings of Committees

26 (g) The appropriate subject-matter Committees of the Senate are  
27 authorized and encouraged to meet with the appropriate parallel committees of  
28 the House as joint committees, as authorized in the Joint Rules of the Senate  
29 and House of Representatives, for the purpose of holding public hearings or  
30 considering any proposed or pending legislation, but upon conclusion of the  
31 joint meeting of said committees, each committee shall take such action and  
32 report to their respective houses as determined by said committees. Whenever  
33 the appropriate subject-matter committees of the House and Senate shall hold  
34 joint hearings or meetings, the chairman of the Senate committee and the  
35 chairman of the House committee shall, by agreement, determine which of them  
36 shall preside at the joint meeting.

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### Special Meetings of Committees

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

### Public Hearing - Two Days' Notice

(i) All meetings and hearings of committees and their subcommittees, at which public testimony is to be taken (normally called "public hearings"), shall be open to the public, and shall be scheduled at least two (2) days in advance, and agendas of all bills, resolutions, or other proposals or business to be considered at such meetings of committees shall be posted in a designated place at least two (2) days in advance. In case of an emergency, a two-thirds (2/3) majority of the committee shall be allowed to bring bills up for consideration at any time.

### Schedule of Committee Meetings

(j) Each Class "A" and "B" Committee shall meet a scheduled time which shall be determined by the Rules Committee of the Senate.

### Joint Committees

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

- (1) the Joint Budget Committee which shall be composed of twenty-four (24) Senators;
- (2) the Joint Committee on Public Employee Retirement and Social Security programs which shall be composed of ten (10) Senators;
- (3) the Joint Committee on Energy which shall be composed of ten (10) Senators;
- (4) the Joint Performance Review Committee which shall be composed of ten (10) Senators;
- (5) the Joint Legislative Facilities Committee which shall be composed of seven (7) Senators; and

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

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

7  
8 Select Committees

9 7.04 The following committees shall be select committees of the Senate:

- 10 (1) Rules Committee;  
11 (2) Efficiency Committee.

12  
13 Rules Committee

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

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

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

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

24 (4) Any ruling made by the Chair may be appealed to the Rules  
25 Committee by any member of the Senate.

26  
27 Efficiency Committee

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

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

32 (2) the selection, qualifications and compensation of Senate  
33 employees, with the approval of the Senate;

34 (3) shall assign and designate the usage of offices of Senators  
35 by seniority and request. The following shall be third floor offices  
36 designated for Senators: Rooms 301, 302, 303, 304, 305, 306 and 318. The

1 President Pro Tempore of the Senate shall be permanently assigned Room 301  
 2 and he or she shall hold this office until his or her term expires. When the  
 3 President Pro Tempore's term expires, he or she shall exit Room 301 but he or  
 4 she shall have the right to select any office that is vacant on the third  
 5 floor. If no office is vacant, the out going President Pro Tempore shall have  
 6 the option to select an office presently held by the junior Senator on the  
 7 third floor who has less seniority than the out going President Pro Tempore.  
 8 The Efficiency Committee shall assign and designate the usage of other  
 9 facilities of the Senate.

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

11 (5) all disbursement of funds appropriated for the Senate, with  
 12 vouchers thereof to be approved by the Chairman of the Efficiency Committee  
 13 or designee;

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

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

17 (c) Policies of the Efficiency Committee

18 (1) Access to Chamber Corridors and Offices – While the Senate  
 19 is in session, no person shall have access to the East or West corridors  
 20 adjacent to the Senate Chamber, offices of any employee who has an office on  
 21 the third floor of the Senate or a Senator's third floor office. However,  
 22 access to a Senator's office or an employee's office or the corridors on the  
 23 third floor shall be permitted when a person has specific permission from a  
 24 Senator or Senate employee. Such permission, however, shall not permit the  
 25 invitee to loiter in such office or corridor after his or her business has  
 26 been completed with a Senator or Senate employee.

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

31 (d) Select Committees – Meetings and Membership

32 (1) Select Committees of the Senate may meet as business  
 33 requires, and shall be open to all members of the Senate. Meetings of Select  
 34 Committees during a regular or special session of the Legislature shall be  
 35 announced to the entire Senate. All members of the Senate shall be given at  
 36 least three (3) days notice in advance of any meeting of a Select Committee

1 which is held in the interim. Said notice shall include an agenda of the  
 2 business to come before the Select Committee, and after the Committee meets  
 3 the minutes of the meeting shall be furnished to all members of the Senate.

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

#### 6 7 Committees in General

8 7.05 The following procedures shall apply to Committees of the Senate.  
 9

#### 10 Seniority

11 (a) Whenever the rules refer to the selection, appointment, or ranking  
 12 of Senators on the basis of seniority, or whenever the Senate shall take any  
 13 action to be based on seniority of Senators, the term "seniority" shall mean  
 14 continuous, uninterrupted senatorial service of the Senator, and in case of  
 15 Senators having equal continuous seniority, priority between such Senators  
 16 shall be determined on the basis of previous senatorial  
 17 service, and if not determinable in this manner, then by lot.

#### 18 19 Chairman and Vice Chairman

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

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

26 (2) No Class "A" and "B" Committee or Select Committee shall be  
 27 composed of Senators who are all Chairmen of other Senate Committees.  
 28 Provided, if a Joint Committee is composed of members who are all Chairman  
 29 and or Vice-Chairman of other Senate Committees, the members of that  
 30 respective Joint Committee are hereby authorized to select from the Committee  
 31 membership a Senator who shall serve as Chairman.

#### 32 33 Seating of Members

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

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#### Bills May Not be Divided

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

#### Election Contests

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

#### Election Contests

(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



1 bill or resolution, with one of the following three recommendations: "Do  
2 Pass," "Do Pass, as Amended," or "Do Not Pass," which shall be recorded in  
3 the Journal.

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

7 (1) how every member voted on each bill when action is taken by  
8 the committee, if a roll call vote is taken. A roll call vote shall be taken  
9 if requested by any committee member. Votes on motions to postpone  
10 consideration of the bill, and a recorded vote on any other motion, shall be  
11 tallied if requested by a committee member; and

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

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

19

#### 20 Bills to be Transferred to Appropriate Committee

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

29 The several committees of the Senate shall report on each bill,  
30 resolution or other matter referred to them. After a bill, resolution or  
31 other matter has been referred to a committee for twenty (20) calendar days,  
32 the bill, resolution or other matter may be extracted from the committee and  
33 placed on the calendar upon a vote of at least a majority of the members of  
34 the Senate or upon a vote of at least the number of members necessary to pass  
35 the bill or other measure, whichever is greater. After the fiftieth (50th)  
36 calendar day of any regular session, and at any time during a special

1 session, any bill, resolution or other matter may be extracted from a  
 2 committee by the vote of at least a majority of the members of the Senate or  
 3 by a vote of at least the number of members necessary to pass the bill,  
 4 whichever is greater, regardless of the length of time the measure has been  
 5 in the committee. No motion to extract a bill or other matter shall be in  
 6 order prior to the bill or other matter being heard by the committee to which  
 7 it is assigned or, if not heard by the committee, not before the author of  
 8 said measure has requested a hearing before said committee. No bill receiving  
 9 a "Do Not Pass" recommendation from the committee to which referred shall be  
 10 placed on the calendar of bills to be acted on by the Senate except on  
 11 approval of sixty percent (60%) of the members elected to the Senate, or upon  
 12 the approval of at least the number of members necessary to pass the bill,  
 13 whichever is greater. Once a bill, resolution or other matter has been  
 14 extracted from a committee by such vote of the Senate, the bill, resolution  
 15 or other matter shall not thereafter be referred to a committee except by the  
 16 vote of at least a majority of the members of the Senate, notwithstanding any  
 17 action taken on the measure by the Senate. Any bill, resolution or other  
 18 matter extracted from a committee shall be placed upon the calendar provided  
 19 that it shall not be subject to a vote by the full Senate until the  
 20 expiration of two (2) legislative calendar days.

21

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#### Committee Staff

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#### RULE 8

31

#### CALENDAR

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8.01 There shall be one (1) calendar to which all business reported  
 from committees shall be referred, and all business which is put upon the  
 calendar without reference.

8.02 A bill or resolution shall not be called for a third reading and

1 final passage unless it appears on the calendar of the Senate.

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

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

22 Policy Concerning Items Which Are Not On The Agenda

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

29  
30  
31 RULE 9

32 DECORUM AND DEBATE

33 Address the Chair

34 9.01 When any member desires to speak or deliver any matter to the  
35 Senate, he shall rise and respectfully address himself to "Mr. President,"  
36 and on being recognized, may address the Senate from any place on the floor,

1 and shall confine himself to the question under debate, avoiding  
 2 personalities, members must be in their seats before the President can  
 3 recognize them.

#### 4 5 Decorum and Order

6 9.02 The President shall preserve decorum and order, may speak to  
 7 points of order in preference to other members (rising from his chair for  
 8 that purpose), and shall decide questions of order, subject to an appeal when  
 9 requested by any member of the Senate, to the Senate Rules Committee, and may  
 10 open and close debate thereon.

#### 11 12 Recognition by President

13 9.03 When two (2) or more members rise at once, the President shall  
 14 name the member who is first to speak.

#### 15 16 Limitation on Debate

17 9.04 No member shall occupy more than one (1) hour in debate on any  
 18 question in the Senate or in committee, except as further provided in these  
 19 rules.

#### 20 21 Open and Close of Debate

22 9.05 The member reporting the measure under consideration from a  
 23 committee, or the author, may open and close when general debate has been had  
 24 thereon; and if it shall extend beyond one day, he shall be entitled to one  
 25 (1) hour to close, notwithstanding he may have used an hour in opening.

#### 26 27 Member Called to Order for Transgression of Rules

28 9.06 If any member in speaking or otherwise transgresses the Rules of  
 29 the Senate, the President shall, or any member may, call him to order, in  
 30 which case he shall immediately sit down unless permitted on motion of  
 31 another member to explain, and the Senate shall, if appealed to, decide on  
 32 the case without debate. If the decision is in favor of the member called to  
 33 order he shall be at liberty to proceed, but not otherwise, and, if the case  
 34 requires it, he shall be liable to censure or such punishment as the Senate  
 35 may deem proper.

36

1 Member Called to Order for Words Spoken in Debate

2 9.07 If a member is called to order for words spoken in debate, the  
3 member calling him to order shall indicate the words excepted to, and they  
4 shall be taken down in writing at the Secretary's desk and read aloud to the  
5 Senate; but he shall not be held to answer, or by such other censure of the  
6 Senate, therefore, if further debate or other business has intervened.

7  
8 No Member to Speak More Than Once on Same Question

9 9.08 No member shall speak more than once to the same question without  
10 leave of the Senate, unless he is the mover, proposer, or introducer of the  
11 matter pending, in which case he shall be permitted to speak in reply, but  
12 not until every member choosing to speak shall have spoken.

13  
14 Order and Decorum When in Session

15 9.09 When the President is putting a question or addressing the Senate,  
16 no member shall walk out of or cross the hall. When a member is speaking,  
17 another member shall not pass between him and the chair. During the session  
18 of the Senate no member shall wear his hat, or remain at the Secretary's desk  
19 during the call of the roll or the counting of ballots; and the Sergeant at  
20 Arms and assistants are charged with the strict enforcement of this rule.

21  
22 Questions of Privilege

23 9.10 Questions of privilege shall be, first, those affecting the rights  
24 of the Senate collectively, its safety, dignity, and integrity of its  
25 proceedings; second, the right, reputation, and conduct of members,  
26 individually, in their representative capacity only, and shall have  
27 preference over all other questions, except Motions to Adjourn.

28  
29  
30 RULE 10

31 VOTING AND ROLL CALL

32 Roll Call

33 10.01 Upon every roll call, the names of the members shall be called  
34 alphabetically by surname, except when two (2) or more have the same surname,  
35 in which case the whole name shall be called. After the entire roll is  
36 called, the President may allow members to vote who were present and did not

1 hear their name called, but not after the ballot has been ordered cast up.

2

3

#### Calls for Yeas and Nays

4

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

6

7

#### Vote

8

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

13

14

#### Pairs

15

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

17

(a) Such Senators must be casting opposite votes.

18

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

20

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

23

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

26

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

28

29

#### Compel the Attendance of Absent Members

30

10.05 In the absence of a quorum, five (5) members, including the  
31 President if there is one, shall be authorized to compel the attendance of  
32 absent members, and in all calls of the Senate the doors shall be closed, the  
33 names of the members shall be called by the Secretary, and the absentees  
34 noted; and those for whom no sufficient excuse is made may, by order of the  
35 majority of those present, be sent for and arrested, wherever they may be  
36 found, by officers to be appointed by the Sergeant at Arms for that purpose,

1 and their attendance secured and retained, and the Senate shall determine  
 2 upon what conditions they may be discharged. Members who voluntarily appear  
 3 shall, unless the Senate otherwise directs, be immediately admitted to the  
 4 Hall of the Senate, and they shall report names to the secretary to be  
 5 entered upon the Journal as present. At any time after the roll call has been  
 6 completed, the President may entertain a motion to adjourn; and if the Senate  
 7 adjourns, all proceedings under this section shall be vacated.

8  
 9 Leave to be Absent

10 10.06 In all cases where an absent member shall be sent for, and he  
 11 shall fail to attend in obedience to the summons, the report of the messenger  
 12 shall be entered upon the Journal. No member of the Senate shall absent  
 13 himself from the service of the Senate unless he has leave, or is unable to  
 14 attend.

15  
 16  
 17 RULE 11

18 MOTIONS

19 Order of Motions

20 11.01 When a question is under debate, motions shall have a precedence  
 21 as per the following order:

22 NON-DEBATABLE

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

28 DEBATABLE

- 29 to postpone to a certain day;
- 30 to refer;
- 31 to amend;
- 32 to postpone indefinitely.

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

1 Table of Motions

2 ADJOURN. (When Privileged.)

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

9 ADOPT, ACCEPT OR AGREE TO A REPORT.

- 10 Debatable.
- 11 Debate confined to pending question.
- 12 Can be amended.
- 13 Can be reconsidered, if affirmative vote.
- 14 Cannot be reconsidered, if negative vote.
- 15 Requires a majority vote of those voting.
- 16 Subsidiary motion can be applied.

17 ADOPT, STANDING RULES, OR RULES OF ORDER.

- 18 Debatable.
- 19 Debate confined to pending question.
- 20 Can be amended.
- 21 Cannot be reconsidered, if affirmative vote.
- 22 Can be reconsidered, if negative vote.
- 23 Requires eighteen (18) votes.
- 24 Subsidiary motions can be applied.

25 AMEND

- 26 Debatable, except undebatable when the motion to be amended or
- 27 reconsidered is undebatable.
- 28 Debate confined to pending question.
- 29 Can be amended; but not to third degree.
- 30 Subsidiary motions can be applied.
- 31 Can be reconsidered.
- 32 Requires a majority vote of those voting.

33 (Any amendment may be made by inserting or adding words or paragraphs;  
 34 by striking out words or paragraphs; by striking out certain words and  
 35 inserting others; by substituting one (1) or more paragraphs for others, or  
 36 an entire resolution for another, on the same subject, i.e., the amendment



1 must be germane to the subject matter.)

2 AMEND RULES OF ORDER.

3 Debatable.

4 Debate confined to pending question.

5 Can be amended.

6 Subsidiary motions can be applied.

7 Can be reconsidered.

8 One (1) day's notice must be given.

9 Requires twenty-four (24) votes.

10 APPEAL, RELATING TO INDECORUM, ETC.

11 Not debatable.

12 Cannot be amended.

13 Subsidiary motions may be applied.

14 Can be reconsidered.

15 Requires a majority vote of those voting.

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

22 APPEAL, ALL OTHER CASES.

23 Debatable.

24 Debate confined to pending question.

25 Cannot be amended.

26 Subsidiary motions may be applied.

27 Can be reconsidered.

28 Requires eighteen (18) votes.

29 COMMIT, RECOMMIT, REFER OR RE-REFER

30 Debatable.

31 Debate confined to pending question.

32 Can be amended.

33 Subsidiary motions can be applied.

34 Can be reconsidered.

35 May not be postponed.

36 Requires eighteen (18) votes.

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

9 DIVISION OF THE SENATE, ON A QUESTION.

10 Not debatable.

11 Cannot be amended.

12 Subsidiary motions cannot be applied.

13 Cannot be reconsidered.

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

16 EXPUNGE.

17 Debatable.

18 Debate confined to pending question.

19 Can be amended.

20 Subsidiary motions can be applied.

21 Can be reconsidered.

22 Requires twenty-four (24) votes.

23 FIX THE TIME TO WHICH TO ADJOURN.

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

25 Debate confined to pending question.

26 Subsidiary motions can be applied.

27 Can be reconsidered.

28 Requires a majority vote of those voting.

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

32 LAY ON THE TABLE.

33 Not debatable. Author of bill, etc., may explain.

34 Cannot be amended.

35 Subsidiary motions cannot be applied.

36 Cannot be reconsidered.

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

1 Requires decision of President; if matter is before Senate.

2 ORDER, TO MAKE A SPECIAL.

3 Debatable.

4 Can be amended.

5 Subsidiary motions can be applied.

6 Can be reconsidered.

7 Requires twenty-four (24) votes.

8 PARLIAMENTARY INQUIRY.

9 Not debatable.

10 Cannot be amended.

11 Subsidiary motions cannot be applied.

12 Cannot be reconsidered.

13 Requires decision of President, if matter is before Senate.

14 POSTPONE TO A TIME CERTAIN.

15 Debatable.

16 Can be amended.

17 Subsidiary motions can be applied.

18 Can be reconsidered.

19 Requires a majority vote of those voting.

20 POSTPONE INDEFINITELY.

21 Debatable.

22 Mover speak but once; except by consent.

23 Author or sponsor of bill shall close debate.

24 Cannot be amended.

25 Subsidiary motions can be applied.

26 Cannot be reconsidered, if negative vote.

27 Requires a majority vote of those voting.

28 PREVIOUS QUESTION.

29 Not debatable.

30 Cannot be amended.

31 Subsidiary motions cannot be applied.

32 Cannot be reconsidered after vote taken on it.

33 Must be seconded by five (5) members. Requires twenty-four (24)

34 votes.

35 After adoption, main question can be debated for fifteen (15)

36 minutes by proponents, and then fifteen (15) minutes by opponents; after

1 which a vote shall be taken.

2 PRIVILEGE, TO RAISE QUESTION OF:

3 Not debatable. One (1) hour be person debating.

4 Cannot be amended.

5 Subsidiary motions cannot be applied.

6 Cannot be reconsidered.

7 No vote required.

8 PRIVILEGE, QUESTIONS OF, WHEN PENDING:

9 Debatable.

10 Can be amended.

11 Subsidiary motions can be applied.

12 Can be reconsidered.

13 Requires a majority vote of those voting.

14 READING PAPERS.

15 Not debatable.

16 Cannot be amended.

17 Subsidiary motions cannot be applied.

18 Can be reconsidered.

19 Requires a majority vote of those voting.

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

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

22 Can be amended.

23 Subsidiary motions can be applied.

24 Cannot be reconsidered.

25 Requires a majority vote of those voting.

26 RECONSIDER

27 Undebatable when the motion to be amended or reconsidered is  
28 undebatable.

29 Opens to debate main questions when same is debatable.

30 Cannot be reconsidered.

31 Cannot be amended.

32 Subsidiary motion can be applied.

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

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

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

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

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

7                   Requires a majority vote of those voting.

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

9                   RESCIND OR REPEAL.

10                  Debatable.

11                  Can be amended.

12                  Subsidiary motions can be applied.

13                  An affirmative vote cannot be reconsidered

14                  Requires twenty-four (24) votes.

15                  SUBSTITUTE.

16                  Debatable; except undebateable when the motion to be amended is  
17 undebatable.

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

19                  Subsidiary motions can be applied.

20                  Can be reconsidered.

21                  Requires a majority vote of those voting.

22                  SUSPEND THE RULES.

23                  Not debatable.

24                  Cannot be amended.

25                  Subsidiary motions cannot be applied.

26                  Cannot be reconsidered.

27                  Requires twenty-four (24) votes.

28                  TAKE FROM THE TABLE.

29                  Not debatable.

30                  Cannot be amended.

31                  Subsidiary motions cannot be applied.

32                  Cannot be reconsidered.

33                  Requires twenty-four (24) votes.

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

36

1 Special Orders

2 11.02 Special orders may be made by suspension of the rules or by  
3 unanimous consent, and it is in order, by motion of the Senate, to provide  
4 that a subject be made a special order for a given date, or make a special  
5 order by motion to postpone to a day certain.

6

7 Motion to be Reduced to Writing on the Demand of any Member

8 11.03 Every motion made to the Senate and entertained by the President  
9 shall be reduced to writing on the demand of any member and shall be entered  
10 on the Journal with the name of the member making it, unless it is withdrawn  
11 the same day.

12

13 Stating and Withdrawal of Motions

14 11.04 When a motion has been made, the President shall state it, or if  
15 it be in writing cause it to be read aloud by the secretary, before being  
16 debated, and it shall then be in possession of the Senate, but may be  
17 withdrawn at any time before a decision or amendment.

18

19 Precedence of Privileged Motions

20 11.05 When a question is under debate, no motion shall be received but  
21 to adjourn, when the floor can be obtained for that purpose, to lay on the  
22 table, for the previous question (which motion shall be decided without  
23 debate), to postpone to a day certain, to refer, or to amend or postpone  
24 indefinitely; which several motions shall have precedence in the foregoing  
25 order; and no motion to postpone to a day certain, to refer, or to postpone  
26 indefinitely being decided shall be again allowed on the same day at the same  
27 stage of the question. After the previous question shall have been ordered on  
28 the passage of a bill or joint resolution, one motion to recommit shall be in  
29 order, and the President shall give preference in recognition for such  
30 purpose to a member who is opposed to the bill or joint resolution.

31

32 The Motion to Adjourn

33 11.06 (a) The Motion to Adjourn shall always be in order and shall have  
34 the highest precedence when a question is under debate if the floor can be  
35 obtained for that purpose, which shall be decided without debate; provided  
36 the previous question has not been ordered. When a vote is being taken, a

1 Motion to Adjourn shall not be in order.

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

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

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

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

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

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

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

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

24

25

#### Motion to Lay on the Table

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

35

36

#### The Motion to Postpone



1           11.08 On motion to postpone indefinitely, the mover thereof shall speak  
2 but once, except by unanimous consent of the Senate, but the mover,  
3 introducer, proposer, or sponsor of a bill or resolution so sought to be  
4 postponed shall have the right to close the debate on said motion.

#### 5 6    The Motion to Refer

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

#### 13 14    Instructions With the Motion to Refer

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

#### 29 30    Repetition of Motions

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

1 the Senate, or decision of a question of order shall not be considered as  
2 intervening business, it being essential that the pending matter be called to  
3 a new stage, in order to permit a repetition of the motion.

4  
5 Germane Amendment

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

8  
9 Pending Motion to Suspend Rules

10 11.13 Pending a motion to suspend the rules, the President may  
11 entertain one (1) 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 11.14 No dilatory motion shall be entertained by the President.

17  
18 Motion to Expunge

19 11.15 The Senate may expunge from its records any action taken on any  
20 proceeding by twenty-four (24) votes. When such motion is carried, the  
21 Journal clerk shall bracket the matter in his records, but the bracketed  
22 matter shall not be taken out of the Journal. Any consideration given a  
23 matter which has been expunged stands as if the matter has never been before  
24 the Senate.

25  
26 Yielding Floor for Motion

27 11.16 A member having the floor may not yield it to another for the  
28 purpose of making a motion; but if he desires to allow the motion to be made  
29 he must yield the floor.

30  
31 The Motion to Strike Out the Enacting Words of a Bill

32 11.17 A motion to strike out the enacting words of a bill shall have  
33 precedence of a motion to amend, and if carried, shall be considered  
34 equivalent to its rejection.

35  
36

## RULE 12

## PREVIOUS QUESTION

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

## Vote required to Sustain the Previous Question

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

## Effect of Previous Question on Debate

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

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

## Motion to Refer

12.05 Pending execution of the previous question, one motion to refer is permitted. The motion to refer under this rule applies to: Senate resolutions of the Senate, as well as Senate bills; to House amendments to a Senate bill; and to a motion to amend the Journal. The motion to refer under this rule is not debatable and may not be laid upon the table. The motion to commit, refer or re-refer requires eighteen (18) votes for adoption.

## Relation of the Previous Question to Other Motions

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

## Relation of Previous Question to Failure of a Quorum

1           12.07 A quorum call of the Senate shall not be in order after the  
2 previous question is ordered, unless it shall appear upon an actual count by  
3 the President that a quorum is not present.  
4

5           Questions of Order Pending the Motion for the Previous Question

6           12.08 All incidental questions of order arising after a motion is made  
7 for the previous question, and pending such motion, shall be decided, whether  
8 on appeal or otherwise, without debate.  
9

10           Effect of Previous Question

11           12.09 The Senate cannot adjourn before voting on a proposition on which  
12 the previous question has been ordered, either directly or by the terms of a  
13 special order.  
14  
15

16           RULE 13

17           RECONSIDERATION

18           The Motion to Reconsider

19           13.01 When a motion or proposition has been made and carried or lost,  
20 it shall be in order for any member of the majority, on the same or  
21 succeeding day, to move for reconsideration thereof, or give notice of his  
22 intention to do so, and such motion (or notice) shall take precedence over  
23 all other questions except the consideration of a conference report or a  
24 Motion to Adjourn, and it shall not be withdrawn after said succeeding day  
25 without the consent of the Senate. Provided, the notice to reconsider must be  
26 disposed of within three (3) business days from the time the vote was taken  
27 on the matter sought to be reconsidered. The motion to reconsider shall be  
28 made only when the measure or proposition to be reconsidered is in the  
29 possession of the Senate. Provided, such notice (or motion) to reconsider, if  
30 given (or made) after the fifty-fourth (54th) day of a regular session, must  
31 be disposed of immediately.  
32

33           Immediate Disposition Required

34           (a) During a special session, a motion to reconsider must be disposed  
35 of immediately.  
36

### Who May Make Motion to Reconsider

1  
2 (b) The mover of a proposition is entitled to prior recognition to move  
3 to reconsider. A member may make the motion at any time without thereby  
4 abandoning a prior motion made by himself and pending. The provisions of a  
5 rule that the motions may be made "by any member of the majority" is  
6 construed, in case of a tie vote, to mean any member of the prevailing side,  
7 and the same construction applies in case of a two-thirds (2/3) vote. Where  
8 the yeas and nays have not been ordered recorded in the Journal, any member,  
9 irrespective of whether he voted with the majority or not, may make the  
10 motion to reconsider, but a member who was absent or who was paired in favor  
11 of the majority contention and did not vote, may not make a motion.  
12

### Precedence of the Motion to Reconsider

13  
14 (c) The precedence given the motion by the rule permits it to be made  
15 even after the previous question has been demanded or while it is operating.  
16 The motion to reconsider the vote on the engrossment of a bill may be  
17 admitted after the previous question has been moved on a motion to postpone,  
18 and a motion to reconsider to vote on the third reading may be made and acted  
19 on after a motion for the previous question on the passage has been made. It  
20 also takes precedence of the motion to go into Committee of the Whole, or  
21 even of a demand that Senate return to committee after the appearance of a  
22 quorum. But in case wherein the Senate has passed a bill and disposed of a  
23 motion to reconsider the vote on its passage, it was held to be too late to  
24 reconsider the vote sustaining the decision of the chair which brought the  
25 bill before the Senate. After a conference has been agreed to and the  
26 managers for the Senate appointed, Senate acted on the amendments in  
27 disagreement. While the motion has high privilege for entry, it may not be  
28 considered while another question is before the Senate. When it relates to a  
29 bill belonging to a particular class of business, consideration of the motion  
30 is in order only when that class of business is in order. It may then be  
31 called up at any time; but is not the regular order until called up.  
32

### Application of Motion to Reconsider

33  
34 (d) A bill in the possession of the Senate is not considered passed or  
35 an amendment agreed to if a motion to reconsider is pending; the effect of  
36 the motion being to suspend the original proposition. A notice or motion to

1 reconsider shall not be allowed unless the bill is in the Senate. A bill  
 2 shall not leave the Senate once notice of reconsideration is given. When the  
 3 motion to reconsider is decided in the affirmative, the question immediately  
 4 recurs on the motion reconsidered. When the motion to reconsider is defeated,  
 5 a second motion to reconsider may not be made unless the nature of the  
 6 proposition has been changed by amendment.

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

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

12

#### 13 Effect of the Motion to Reconsider

14 (g) A bill is not considered passed or an amendment agreed to if a  
 15 motion to reconsider is pending, the effect of the motion being to suspend  
 16 the original proposition.

17

#### 18 The Vote on the Motion to Reconsider

19 (h) The motion to reconsider is agreed to a majority vote of those  
 20 voting, even when the vote reconsidered requires two-thirds (2/3) or three-  
 21 fourths (3/4) for affirmative motion. But one motion to reconsider the yeas  
 22 and nays having been acted on, another motion to reconsider is not in order.

23

#### 24 Clincher Motion

25 13.02 The "Clincher" motion is two (2) motions in one; it is a motion  
 26 to reconsider and to lay on the table. Having prevailed, the proposition  
 27 shall not be again considered except by expunging the record. The clincher  
 28 motion is adopted by eighteen (18) votes.

29

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31

#### RULE 14

32

#### BILLS, RESOLUTIONS, MEMORIALS,

33

#### ENGROSSED COPIES, AND AMENDMENTS

34

#### Introduction of Bills

35

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

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

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

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

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

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

#### 15 16 First Reading

17 14.02 The first reading of a bill shall be for information and unless  
18 otherwise ordered by the Senate, it shall be placed on the calendar for a  
19 Second Reading.

#### 20 21 Second Reading

22 14.03(a) A bill shall be read a second time and, after receiving a  
23 recommendation from the Senate Legal Counsel, the President of the Senate or  
24 presiding officer shall assign the bill to the recommended committee.

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

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

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

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

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Yeas and Nays Vote for Final Passage

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

Printed Copies on Members' Desks Before Vote on Final Passage

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

Effect on Rejected Bill

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

Recall from the House or Governor

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

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

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

Bills - How Received

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

Bills - Not to be Defaced or Interlined

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

Engrossed and Enrolled Bills



1  
2 14.10 A bill ordered to be engrossed or enrolled shall be typewritten;  
3 and when a bill is passed, the day of its passage shall be certified by the  
4 Secretary.

5  
6 Resolutions, Memorials, and Petitions

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

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

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

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

28  
29 Procedural Resolutions

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 (Amendment 14, Arkansas Constitution).

### Emergency Clause

14.16 If it shall be necessary for the preservation of the public peace, health or safety, that a measure shall become effective without delay, such necessity shall be stated in one section, and if upon a yea and nay vote two-thirds (2/3) of all the members elected to each house shall vote upon separate roll call in favor of the measure going into immediate operation,

1 such emergency measure shall become effective without delay. It shall be  
 2 necessary, however, to state the fact which constitutes such emergency  
 3 (Amendment 7, Arkansas Constitution).

4  
 5  
 6 RULE 15

7 ORDER OF BUSINESS

8 15.01 The following shall be the daily Order of Business in the Senate:

- 9 (1) roll call;  
 10 (2) prayer;  
 11 (3) Pledge of Allegiance;  
 12 (4) reading of Journals;  
 13 (5) petitions and memorials;  
 14 (6) report of Select Committees;  
 15 (7) report of Class "A" or "B" Committees;  
 16 (8) motions, resolutions, and notices;  
 17 (9) unfinished business;  
 18 (10) Executive communications;  
 19 (11) House communications and amendments to Senate bills;  
 20 (12) introduction and advancement of bills and joint resolutions;  
 21 (13) bills and resolutions from the House on First Reading;  
 22 (14) bills and resolutions from the House on Second Reading;  
 23 (15) House bills and joint resolutions on Third Reading.

24  
 25 15.02 There shall be maintained within the Senate Chamber a "Business  
 26 Agenda" by an employee designated by the Rules Committee. Any Senator who is  
 27 the sponsor of a bill, resolution, memorial, petition or other matter which  
 28 is properly on the Senate calendar may cause the measure to be placed upon  
 29 the "Business Agenda." The bill or resolution to be considered in the order  
 30 of business during any legislative day must be placed on the Agenda Calendar  
 31 no later than one (1) hour after adjournment of the preceding legislative  
 32 day. The measures shall be placed in the order they are presented to the  
 33 employee of the Senate designated to keep the "Business Agenda," and except  
 34 upon the suspension of the rules, no bill or resolution, other than  
 35 appropriation bills sponsored or recommended by the Joint Budget Committee  
 36 shall be given priority on the "Business Agenda." Each measure on the

1 "Business Agenda" shall be called in its order. In the event a measure on the  
 2 "Business Agenda" is called and the sponsor is not present or does not wish  
 3 for the measure to be considered at that time, then said measure shall be  
 4 placed at the bottom of said "Business Agenda."

5  
 6 Morning Hour

7 15.03 The order of Business described in this rule shall be used each  
 8 day, beginning with the first item thereof, and going down to and including  
 9 the eighth item, before completing the catalogue of items begun on the  
 10 previous day, provided, no more than one hour daily shall be devoted to so  
 11 much of said order of Business as is embraced on the fourth to the eighth  
 12 items inclusive. If the morning hour expires when a member is on the floor,  
 13 the matter then under consideration goes over as unfinished business to the  
 14 next morning hour. Morning hours cannot be extended on House days, without  
 15 suspension of the Joint Rules of the Senate and the House.

16  
 17 15.04 There shall be maintained within the Senate a "Morning Hour  
 18 Business Agenda." This agenda shall be maintained by the same employee who  
 19 maintains the "Business Agenda" referred to in 15.02, and any sponsoring  
 20 member may cause to be placed on the "Morning Hour Business Agenda" any bill,  
 21 resolution, memorial or petition, to be called in their order.

22  
 23 The Privileged Matters Which May Interrupt the Order of Business

24 15.05 Privileged matters which may interrupt the Order of Business:

- 25 (a) general appropriation and revenue bills;  
 26 (b) conference reports;  
 27 (c) special orders reported by the Committee on Rules for consideration  
 28 by the Senate;  
 29 (d) consideration of amendments between the House and the Senate after  
 30 disagreement;  
 31 (e) questions of privilege;  
 32 (f) privileged bills reported under the right to report at any time;  
 33 (g) bills returned with the objection of the Governor.

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

36

## Unfinished Business

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

## Decision of Questions as to Priority of Business

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

## RULE 16

## COMMITTEE OF THE WHOLE

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

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

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

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

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

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

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

8 Amendments in Committee of the Whole

9  
 10 16.02 When general debate is closed by order of the Committee of the  
 11 Whole, any member shall be allowed five (5) minutes to explain any amendment  
 12 he may offer, after which the member who shall first have obtained the floor  
 13 shall be allowed to speak five (5) minutes in opposition to it, and there  
 14 shall be no further debate thereon, but the same privilege of debate shall be  
 15 allowed in favor of and against any amendment that may be offered to an  
 16 amendment; and neither an amendment nor an amendment to an amendment shall be  
 17 withdrawn by the mover thereof unless by unanimous consent of the Committee.

18  
 19 16.03 The Committee of the Whole may, by a vote of a majority of the  
 20 members present at any time after the five-minute debate has begun on  
 21 proposed amendments to any section or paragraph of a bill, close all debate  
 22 upon such section or paragraph, or at least its election upon the pending  
 23 amendments only (which motion shall be decided without debate) - but this  
 24 shall not preclude further amendments to be decided without debate.

25  
 26 16.04 No motion which has as its effect a limiting of debate in the  
 27 Committee of the Whole shall be entertained by the Chairman. The motion for  
 28 the disposition of any matter referred to the Committee shall be, "Mr.  
 29 Chairman, I move the Committee to now rise and report." If the Committee has  
 30 no specific report, the motion shall be to rise and report progress.

31  
 32  
 33 RULE 17

34 CONFIRMATION OF APPOINTMENTS

35 17.01 It shall be the duty of the Senate to consider for confirmation  
 36 appointments made by the Governor, as provided by law.

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Referral of Proposed Appointments to Committee

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

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

RULE 18

MESSAGES

Messages from the House and the Governor

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

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

RULE 19

AMENDMENTS TO BILLS AND

RESOLUTIONS

Amendments to Text and Title

19.01 When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or

1 decision is had thereon. Amendment to the title of a bill or resolution shall  
2 be in order before its passage, and shall be decided without debate.

3  
4 Engrossed Copies to be on Desks of Members Before Consideration

5 19.02 Any bill, original or as amended, shall be on the desk in  
6 engrossed form twenty-four (24) hours before it can be considered. All  
7 amendments filed with the Senate numbering clerk are considered to be on the  
8 member's desks at such time as scanned in the computer for access. However,  
9 any member may require that a printed copy of an amendment be placed on all  
10 members' desks before action can be taken on the adoption of the amendment.

11  
12 Amendments to Strike

13 19.03 Amendments for striking may be made and adopted the same day.

14  
15 Senate Consent Amendment Calendar

16 19.04 (a) Amendments signed by Senate members to their own bills,  
17 signed by the Senate Chairperson of the Joint Budget Committee making the  
18 Joint Budget Committee the sponsor of a bill, or signed by the lead Senate  
19 sponsor of a House bill changing sponsors of the bill shall be placed on a  
20 Consent Amendment Calendar. The Senate Consent Amendment Calendar shall be  
21 conducted at a specific time set aside by the Rules Committee Chairperson.

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

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

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

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

35 (f) These proposed amendments may be placed on the Senate Consent  
36 Amendment Calendar up to one (1) hour after adjournment the day preceding the



1 day the amendment is be to considered.

2

3 Precedence of the Motion to Amend

4 19.05 The motion to refer has precedence over the motion to amend.  
 5 Amendments reported by a committee are acted on before those offered from the  
 6 floor. A motion to strike out the Enacting Clause has precedence over a  
 7 motion to amend and may be offered while an amendment is pending.

8

9 Relation of the Motion to Amend to Other Motions

10 19.06 The motions to postpone, refer, amend, for a Recess, and to fix  
 11 the day on which the Senate will adjourn, may be amended. But the motions for  
 12 the previous question, to lay on the table, to adjourn, and to go into  
 13 Committee of the Whole to consider a privileged bill may not be amended.

14

15 House Amendments

16 19.07 House amendments to a Senate bill shall take the same course of  
 17 the bill, but are considered by a viva voce vote; and after adoption shall be  
 18 read with the bill the third time and adopted by a yea and nay vote.

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

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

25

26

27 RULE 20

28 CONFERENCE COMMITTEES

29 20.01 The President Pro Tempore shall appoint all conference committees  
 30 which shall be ordered from the Senate from time to time, and unless  
 31 otherwise directed by the Senate, the same number of Senators shall be named  
 32 to serve on the conference committees as are named to serve on such  
 33 committees by the House.

34

35 20.02 The presentation of reports of committees of conference shall  
 36 always be in order, except when the Journal is being read, while the roll is

1 being called, or the Senate is dividing on any proposition.

2  
3 20.03 There shall accompany every conference committee report a  
4 detailed statement sufficiently explicit to inform the Senate of the effect  
5 amendments or propositions will have upon the measure to which they relate.  
6

7  
8 RULE 21

9 PRIVILEGES OF THE FLOOR

10 Use of the Hall of the Senate

11 21.01 The Hall of the Senate during regular and special sessions shall  
12 be used only for the legislative business of the Senate and for the caucus  
13 meetings of its members, except upon occasions when the Senate, by  
14 resolutions agrees to take part in any ceremonies to be observed therein, and  
15 the President shall not entertain a motion for the suspension of this rule.  
16

17 21.02 Persons desiring to visit with members of the Senate shall first  
18 secure a written permit from the Sergeant at Arms upon instruction from the  
19 member desiring to be visited.  
20

21 21.03 Whenever any person desires to visit a member of the Senate, he  
22 shall first write his name upon a form given him, together with the name of  
23 the member he desires to visit. Whereupon, the page of the Sergeant at Arms  
24 shall deliver said form to the member desired, and the member shall then  
25 leave the Chamber and confer with said visitor, or may:

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

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

36 All visitors admitted to the East or West corridor adjacent to the

1 Senate Chamber shall refrain from blocking the corridors or abusing access to  
2 such corridors, except for the purposes as herein authorized.

3  
4 21.04 No person shall be allowed to enter the Senate Chamber other than  
5 members of the House of Representatives, members of a Senator's immediate  
6 family and authorized employees of the General Assembly, while the Senate is  
7 in session.

8  
9 21.05 (a) No lobbyist, including a representative of a constitutional  
10 officer, shall be admitted in the Senate Chamber while the Senate is in  
11 session. Any former member of the General Assembly who is registered as a  
12 lobbyist shall be considered as a lobbyist and shall be excluded from the  
13 Senate Chamber while the Senate is in session.

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

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

30  
31 21.07 The use of pages in the Senate is authorized. Provided, no more  
32 than twelve (12) pages shall serve in the Senate on any day. Senators shall  
33 register their pages in advance with the page supervisor or other designated  
34 person.

35 Each member of the Senate shall be limited to fifteen (15) page days  
36 per session. Provided, any Senator who will not use the full fifteen (15)

1 page days may transfer one (1) or more page days to another Senator for his  
 2 or her use. Each such transfer shall be in writing signed by the Senator  
 3 making the transfer and shall be filed with the page supervisor or other  
 4 designated person in advance.

5  
 6  
 7 RULE 22

8 READING AND WITHDRAWAL OF PAPERS

9 Objection to Reading of Papers

10 22.01 When reading of a paper other than one upon which the Senate is  
 11 called upon to give a final vote is dominated, and the same is objected to by  
 12 any member, it shall be determined without debate by a vote of the Senate.  
 13

14 Paper Read on Demand of a Member

15 22.02 A member of the Senate may have read a paper on which the Senate  
 16 is to vote; but when such paper has been read once, the reading may not be  
 17 repeated unless by order of the Senate. The right of having such paper read  
 18 may be abrogated by suspension of the rules, but is not abrogated simply by  
 19 the fact that the current procedure is taking place under suspension of the  
 20 rules.  
 21

22 22.03 No memorial, paper, resolution, or bill presented to the Senate  
 23 shall be withdrawn from its file unless signed receipt thereof is deposited  
 24 with the proper clerk by the President or chairman of any Class "A" or "B"  
 25 Committee. The author of a specific bill may withdraw the same by signing  
 26 proper receipt therefor.  
 27  
 28

29 RULE 23

30 CHANGE OR SUSPENSION OF RULES

31 Vote Required to Suspend the Rules

32 23.01 It shall take twenty-four (24) votes to suspend the rules of the  
 33 Senate.  
 34

35 Vote Required to Amend the Rules

36 23.02 To amend the rules requires a two-thirds (2/3) vote of the

1 membership of the Senate (24 votes).

2

3 Notice Required to Revise or Amend the Rules

4 23.03 No standing rule or order shall be revised or amended without one  
5 (1) day's notice being given thereof.

6

7

8 RULE 24

9 CODE OF ETHICS

10 24.01 Introduction

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

19 This Code of Ethics has been adopted to define the ethical  
20 expectations, provide a process for addressing accusations of ethical  
21 misconduct, and to provide for sanctions and penalties. The Code is adopted  
22 pursuant to authority granted by the Constitution of the State of Arkansas  
23 for the Senate to be the sole judge of the qualifications of its members and  
24 to determine its own rules and procedures.

25

26 24.02 Definitions

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

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

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

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

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

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

10  
11 24.03 Compliance with Law

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

17  
18 24.04 Advisory Opinion

19 A Senator may request in writing an advisory opinion from the Senate  
20 Rules Committee concerning his or her compliance with the Senate Code of  
21 Ethics. A written opinion from the Rules Committee shall be signed by the  
22 Chairman. An opinion shall be advisory only and shall not be binding on the  
23 Senate as a whole.

24  
25 24.05 Use of Influence and Knowledge for Personal Gain

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

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

30 (b) Acquire a financial interest in any business which the Senator has  
31 reason to believe may be directly affected to its economic benefit by action  
32 taken by the Senate.

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

35 (d) Use or attempt to use his or her official position to secure or  
36 create privileges, advantages, or special treatment for the Senator's benefit

1 or the benefit of the Senator's family unless the enactment or administration  
2 of law benefits the public generally.

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

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

8  
9 24.06 Contracts with the State

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

16  
17 24.07 Conflicts of Interest

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

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

29 (b) Will specifically relate to a business which employs the  
30 Senator or in which he or she receives compensation as an attorney or  
31 consultant. This prohibition does not apply when the matter provides a  
32 benefit which accrues generally to other like businesses, professions,  
33 occupations, or other groups. The Senator shall have his or her abstention  
34 noted of record.

35 (c) However, a Senator may participate and vote on any matter  
36 pending before a committee or on the floor of the Senate if the Senator has

1 disclosed any compensation or financial interest he or she may have regarding  
2 the matter. Disclosure shall be made when a Senator enters a written  
3 statement upon the Senate Journal, or with the staff of the appropriate  
4 interim committee, detailing the source of compensation and/or the financial  
5 interest held.

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

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

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

#### 12 13 24.08 Allegations of Violations

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

19 (a) A member shall prepare a petition. The petition shall list the  
20 accused member's name, the name of the accuser or accusers, the Code of  
21 Ethics provision that has allegedly been violated, and a description of the  
22 activity that allegedly violated the Code of Ethics. The member making the  
23 accusation shall deliver a copy of the petition to the accused at least ten  
24 (10) days prior to the petition's being submitted to the Senate membership.  
25 The member making the accusation shall then determine whether a majority of  
26 the members of the Senate are willing to sign the petition to convene the  
27 full Senate for the purpose of conducting a hearing. If the accusing member  
28 presents the President Pro Tempore of the Senate with a petition, or  
29 duplicate petitions with individual signatures, signed by eighteen (18) or  
30 more Senators, the President Pro Tempore shall schedule a hearing for a time  
31 certain within thirty (30) days of the receipt of the petition(s) to consider  
32 the accusation. The President Pro Tempore shall notify every member of the  
33 Senate in writing by Certified Mail, Return Receipt Requested. The hearing  
34 shall be open to the public and shall be held in the Senate Chamber.

35 (b) If the accused member or the accuser is the President Pro Tempore,  
36 the President Pro Tempore shall step aside from the petitioning process and



1 all duties and obligations shall be under the jurisdiction of the Chairman of  
2 the Rules Committee. If the Chairman of the Rules Committee is accused or is  
3 the accuser, along with the President Pro Tempore, the majority party leader  
4 and the minority party leader shall meet to set the date, notify members of  
5 the Senate in writing, and determine the chair of the hearing.

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

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

12  
13 24.09 Hearing Procedure

14 The hearing shall proceed as follows:

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

18 (b) The accused shall be asked by the presiding officer to answer any  
19 and all allegations. The accused may decline to answer any allegations and  
20 his or her refusal to answer shall not be used against him or her in the  
21 proceedings.

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

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

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

30 (f) Eighteen (18) or more votes are required to find a Senator in  
31 violation of the Senate's Code of Ethics. The pairing of votes shall not be  
32 recognized.

33  
34 24.10 Penalties

35 If a Senator has been found to have violated the Senate's Code of  
36 Ethics, the Senate shall proceed to discipline the member. Immediately

1 following the vote determining that a violation occurred, the accuser shall  
 2 move that the Senate discipline a member by one (1) or more of the following  
 3 penalties:

- 4 (a) letter of caution;
- 5 (b) loss of committee assignment(s);
- 6 (c) loss of leadership assignment(s);
- 7 (d) loss of seniority;
- 8 (e) temporary suspension;
- 9 (f) expulsion;
- 10 (g) other measures to be determined by the members of the Senate.

11 The accuser's motion shall be subject to substitution and amendment.  
 12 Any letter of caution shall be authored by the presiding officer of the  
 13 hearing. It shall take a two-thirds (2/3) majority of the membership to  
 14 suspend or expel a member.

#### 16 24.11 Ineligibility to Retain Office

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

#### 26 24.12 Spurious or Frivolous Accusations

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

### 33 RULE 25

#### 34 CAMPAIGN CONTRIBUTIONS

35 25.01 It shall be a violation of the Rules of the Senate for any  
 36 member of the Senate to accept a campaign contribution for all offices,

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

10  
 11  
 12 RULE 26

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

15 26.01 Rules of parliamentary practice comprised in Mason's Manual of  
 16 Legislative Procedure shall govern the Senate in all cases in which they are  
 17 applicable, and in which they are not inconsistent with these rules and  
 18 orders of the Senate and the joint rules and orders of the Senate and House  
 19 of Representatives.

20  
 21  
 22 FORMS

23 Of Putting the Questions, for Viva Voce Vote:

24 The forms of putting ordinary questions are:

25 The President, rising, says:

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

27 And after the affirmative voice is expressed:

28 "As many as are opposed say No."

29  
 30 Forms of Putting the Question for Vote by Division:

31 If a division is demanded, the President says:

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

33 And after the count in the affirmative:

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

35  
 36 Form of Putting the Question for Vote by Tellers:

1 If tellers are ordered:

2 "The Senator from \_\_\_\_\_ and the Senator from \_\_\_\_\_ will take their places  
3 as tellers. As many as are in favor (as the question may be) will now pass  
4 between the tellers and be counted."

5

6 After those in the affirmative have been counted, the tellers report the  
7 number and the Chair announces it to the Senate; after which he announces:  
8 "As many as are opposed will now pass between the tellers and be counted."

9

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

13

14 Form of Putting the Question for a Roll Call:

15 If the yeas and nays are ordered:

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

19

20 Form for Ordering a Call of the Senate:

21 "The Senator from \_\_\_\_\_ moves a call of the Senate. As many as are in favor  
22 of ordering a call of the Senate will say 'Aye' as many as are opposed will  
23 say 'No.' The yeas have it and a call of the Senate is ordered. The  
24 doorkeeper will close the doors, and the Secretary will call the roll."

25

26 Form of Putting the Question on the Previous Question:

27 "The Senator from \_\_\_\_\_ demands the previous question. As many as are in  
28 favor of ordering the previous question will say 'Aye'; as many as are  
29 opposed will say 'No.' "

30

31 Form of Putting the Question on Passing a Vetoed Bill:

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

34

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

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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 same with amendments with the recommendation that the amendments be agreed to and that the bill do pass."

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

"The Senator from \_\_\_\_\_, Chairman of the Committee of the Whole Senate, reports that committee has had under consideration, etc."

Form of Reports from Class "A" and "B" Committees or Select Committees:

"The Committee on \_\_\_\_\_ to whom was referred the bill (S.B. 101) 'to provide,' etc., having considered the same, report it to the Senate (with amendments specified, if there be any) with the recommendation that it do pass (or do not pass, or be laid on the table, etc.)."

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

Form of Reports from Managers of Conferences:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill, 'making appropriations,' etc., having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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‘That the Senate recede from its disagreement to the amendment of the House numbered \_\_\_\_\_ and agree to the same.’

‘That the Senate recede from its disagreement to the amendment of the House numbered \_\_\_\_\_ and agree to the same with an amendment as follows: \_\_\_\_\_ etc., and the House agree to the same.’

‘That the Senate recede from its amendment to the amendment of the House numbered \_\_\_\_\_.’

‘Managers on the part of Senate.’

‘Managers on the part of House.’ ”

Form of Statement Accompanying a Conference Report:

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

“The managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S.B. \_\_\_\_\_) making, etc., submit the following written statement explaining the effect of the action agreed on: \_\_\_\_\_ etc.”

“Managers on the part of Senate.”