

1 State of Arkansas
2 86th General Assembly
3 House Caucus, 2007

As Engrossed: H10/18/07

HR 1031

4
5 By: Representatives Petrus, Dunn
6
7

8 **HOUSE RESOLUTION**

9 TO AMEND THE RULES OF THE HOUSE OF
10 REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL
11 ASSEMBLY.
12

13 **Subtitle**

14 TO AMEND THE RULES OF THE HOUSE OF
15 REPRESENTATIVES OF THE EIGHTY-SIXTH
16 GENERAL ASSEMBLY.
17
18

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL
20 ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. The Rules of the House of Representatives of the Eighty-
23 Sixth General Assembly of the State of Arkansas are amended to read as
24 follows:

25 **MEMBERS**

26 1. Every representative shall be present within the House during the
27 session of the House and every member shall be present at each committee
28 meeting of which he/she is a member, unless excused or necessarily prevented.
29 It is the policy of the Arkansas General Assembly, as a term-limited body, to
30 encourage legislators to learn as much as possible by attending meetings of
31 committees of which they are not a member. Prior signed and documented
32 approval must be obtained from the chairperson of a committee for a visiting
33 non-committee member to enjoy certain privileges offered to regular members.

34 2. For the purpose of seating in the House Chamber for an upcoming
35 regular session of the General Assembly, the Speaker of the House shall, on
36 the first Friday following the November General Election, declare all House



1 Chamber seats vacant and representatives and representatives-elect must
2 select in the order of their seniority any seat not occupied after
3 notification by the Chief Clerk of available seats. Absence or failure to
4 select a seat at the assigned selection time will automatically allow the
5 Speaker to assign the member to his or her same seat if it is available or
6 the member or member-elect to a seat selected by the Speaker. Immediately
7 following the selection of a seat by a member or member-elect or assignment
8 of a seat by the Speaker, the member or member-elect's signature or Speaker's
9 signature is required. Following all seat selections or assignments, member
10 or member-elect's signatures or the Speaker's signature shall represent final
11 movement. The Chief Clerk shall furnish voting machine and desk keys.

12 3. When it is necessary for seniority of incoming members to be
13 determined by lot, the Speaker of the House and the Speaker-designate of the
14 House shall conduct a drawing by lots upon receiving certification from the
15 Secretary of State of the election of membership to each General Assembly.
16 Incoming members with previous legislative tenure shall be placed highest in
17 seniority among the incoming members based upon previous terms of service.
18 Where an equivalence of terms of service exists, seniority for those with
19 equal terms shall be asserted by drawing lots to determine their numerical
20 standing.

21 4. A majority of all representatives elected to the House shall be
22 necessary to transact business. When less than a quorum of House members
23 shall assemble, those present shall be authorized to send for the absent
24 representatives or adjourn. Penalties may be decided by a majority of the
25 representatives present. (Art. 5, Sec. 11)

26 5. Each representative is expected to vote on each question put before
27 the House unless he/she has an immediate personal interest.

28 6. Any representative shall have the right to explain his/her vote on
29 any bill or other question before the House, in writing. Such explanation
30 shall not be entered upon the Journal, but shall be filed with the Chief
31 Clerk.

32 7. Every bill or resolution in the possession of the House or of any
33 committee thereof shall be made available to any member for his/her
34 examination.

35 8. No member at any time shall take from the House or any committee
36 any bill or other paper belonging to the House, without consent of the

1 Speaker, subject to the will of the House.

2 9. It shall be the duty of each representative to know, practice and
3 preserve Parliamentary Law.

4

5

THE SPEAKER

6

10. Selection.

7 10.(a) As used in this rule, the term "Speaker-designate" shall mean
8 the member of the House of Representatives selected by the House of
9 Representatives of each General Assembly held preceding the convening of the
10 next-following regular session of the General Assembly, in the following
11 manner:

12 10.(a)(1) A caucus of the entire House of Representatives shall be
13 held on the second Monday in January ~~of 2006 and the second Monday in January~~
14 of each even numbered year ~~thereafter~~ at which time the members of the House
15 shall select by secret ballot a member of the House to be known as the
16 Speaker-designate. Each candidate for Speaker-designate shall be allowed
17 fifteen (15) minutes to address the House before the ballot is taken. All
18 members are required to be present for the addresses and for the election.
19 In the event a member is unable to attend, absentee ballots may be requested
20 by a member for himself/herself from the Speaker's Office no sooner than
21 twenty (20) calendar days prior to the scheduled election and must be
22 completed and returned to the Speaker's Office no later than two (2) hours
23 before the scheduled election. Leave for absence shall be requested
24 immediately before the time of the election. The Speaker shall announce the
25 name and number of votes received by the candidate who received at least a
26 majority of the votes of the membership of the House. Each candidate shall
27 be entitled to verify the number of votes he or she received.

28 10.(a)(2) The candidate receiving a majority vote of the membership of
29 the House of Representatives shall be declared the winner of such election
30 for Speaker-designate of the House of Representatives of the next-following
31 General Assembly.

32 10.(a)(3) If no candidate receives a majority vote of the membership
33 of the House of Representatives, the names of the two (2) candidates
34 receiving the highest number of votes cast shall be placed on a run-off
35 ballot and distributed among the membership of the House of Representatives
36 in the same manner provided above.

1 10.(a)(4) If it is determined that the Speaker-designate will not
2 serve as a member of the House of Representatives of the next-following
3 General Assembly due to death, resignation, failure to be a candidate for
4 reelection in the party primary election, or failure to be reelected as a
5 party candidate in the Primary Election, a vacancy in the position of
6 Speaker-designate shall exist and be filled at the caucus of the entire House
7 of Representatives-elect held on the Friday of the week designated for the
8 biennial Institute of Legislative Procedure (House Legislative Orientation),
9 and the Speaker of the House of Representatives shall be elected upon
10 convening of the next regular session.

11 10.(a)(5) It is the intent of this subsection that the Speaker-
12 designate be the Speaker of the House of Representatives of the next-
13 following General Assembly, subject to selection by the membership of the
14 House upon convening of the regular session.

15 10.(a)(6) Petitions seeking pledge signatures of members of the House
16 of Representatives for a particular candidate seeking selection as Speaker-
17 designate shall not be circulated among the members of the House of
18 Representatives.

19 10.(b) At the beginning of each session the members of the House of
20 Representatives shall choose from its own membership a presiding officer
21 designated as the Speaker of the House of Representatives.

22 11. Duties. The duties of the Speaker of the House shall be to:

23 11.(a) Take the chair each day at the hour fixed on the preceding day
24 at adjournment. After the opening prayer and pledge of allegiance, he/she
25 shall immediately call the members to order, and on the appearance of a
26 quorum, cause the Journal of the preceding day to be read;

27 11.(b) Have control of the area set aside for use by the House and, in
28 case of disturbance therein, shall have the authority to have the areas
29 cleared. He/she or his/her designee shall supervise and control the
30 temporary employees while the legislature is in session and the permanent
31 employees during the biennium (A.C.A. 10-2-125 -- Employees of the House of
32 Representatives);

33 11.(c) Preserve order and decorum;

34 11.(d) Sign all acts, proceedings and orders of the House. All writs,
35 warrants and subpoenas issued by the House shall be signed and attested by
36 him/her and the Clerk (J.R. 10; A.C.A. 21-10-101 thru 21-10-108);

1 11.(e) Decide, with assistance of the Parliamentarian, all points of
2 order, subject to appeal by any representative;

3 11.(f) Appoint and confirm all representatives to certain committees
4 and to appoint and confirm committee chairpersons and vice chairpersons in
5 accordance with the House Rules and Statutes;

6 11.(g) Assign all bills to their appropriate committee;

7 11.(h) The Speaker shall not be required to vote, but may do so at
8 his/her discretion. If the Speaker allows a substitute Speaker, neither the
9 Speaker nor the substitute Speaker, if voting, shall be struck during the
10 sounding of the ballot.

11 11.(i) State the question to the House before each vote is taken;

12 11.(j) Appoint, at the beginning of each session, a member of the
13 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve
14 during the absences of the Speaker and shall perform the Speaker's duties.
15 The Speaker Pro Tempore shall not serve more than ten (10) consecutive
16 legislative days without the consent of the House, or beyond adjournment.
17 The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1)
18 from each House Caucus District;

19 11.(k) Supervise and direct the preparation of the daily House
20 calendar (J.R. 12);

21 11.(l) Administer the Oath of Office to the Chief Clerk and the
22 Parliamentarian at the beginning of each legislative session;

23 11.(m) Vacate the Speaker's office by January 1 of the calendar year
24 that a new General Assembly is to convene (odd-numbered years) so as to allow
25 the Speaker-designate the privilege of the use of the office in preparation
26 for the forthcoming General Assembly;

27 11.(n) Vacate the Speaker's premises by December 15 in the even-
28 numbered years; and

29 11.(o) Keep a permanent register of the seniority of the members of
30 the House of Representatives.

31 11.(p) When either body shall request a conference, and appoint a
32 committee for that purpose, the other body shall also appoint a committee of
33 equal number to confer, and such conference shall be held at any time and
34 place agreed on by the chairpersons.

35
36 **COORDINATOR OF HOUSE LEGISLATIVE SERVICES**

1 6 thru 9);

2 15.(e) Transmit bills, other documents, and messages to the Senate, as
3 required and secure a receipt thereof and to receive communications from the
4 Senate and receipts of bills, documents and messages (J.R. 3 and 5)
5 (J.R. 19);

6 15.(f) Attend every session of the House, call or delegate the reading
7 of the roll and the reading of all bills, resolutions and other papers as
8 directed by the Speaker;

9 15.(g) Supervise and have control of session House employees, subject
10 to the direction of the House Management Committee and the Speaker or his/her
11 designee (A.C.A. 10-2-125 -- Employees of the House of Representatives);

12 15.(h) Clear the House Chamber and pertinent support areas of all
13 unauthorized persons thirty (30) minutes prior to the convening of the House;
14 and

15 15.(i) Be responsible for the distribution of all literature within
16 the House Chamber and other House premises. One copy of such literature
17 which is distributed in the House Chamber and House premises must bear the
18 signature of a representative authorizing distribution and the signed copy
19 must be filed with the Chief Clerk.

20 15.(j) The Secretary of the Senate and the Clerk of the House are
21 authorized, subject to approval by the appropriate designated committee, to
22 correct obvious errors occurring in documents originating in the House and
23 the Senate respectively, provided that each such correction is noted on the
24 bill jacket and is documented by a "correction note" at the end of the
25 official daily Journal for the date on which the correction was made. (J.R.
26 23)

27

28

PARLIAMENTARIAN

29 16. The duties of the Parliamentarian shall be to (Art. 5, Sec. 11):

30 16.(a) Convene the first session of the House at the time prescribed
31 by law. The Parliamentarian shall call the members to order, call the roll,
32 preserve order and decorum, and decide all questions of order subject to
33 appeal by any representative pending the election of the Speaker. The
34 Parliamentarian of the previous House shall serve as the official
35 Parliamentarian until the appointment of a new Parliamentarian. In the
36 absence of a Parliamentarian of the previous House, the Speaker of the House

- 1 shall designate a temporary Parliamentarian to convene the first session of
2 the House;
- 3 16.(b) Assist the Speaker in deciding all points of order;
- 4 16.(c) Advise the Speaker on the proprieties of motions and the
5 numbers of votes necessary for passage;
- 6 16.(d) Assist the Speaker in the supervision of the preparation of the
7 daily House calendar;
- 8 16.(e) Assist the Speaker in the selection of a Chaplain for the day;
- 9 16.(f) Assist the Speaker in the assignment of bills to their
10 appropriate committee;
- 11 16.(g) Sit as an ex-officio non-voting member of the House Rules
12 Committee, and serve as secretary and advisor to the House Committee on the
13 Journal; Engrossed and Enrolled Bills;
- 14 16.(h) Prepare and distribute the House Rules and amendments thereto,
15 under the supervision of the Speaker and the House Rules Committee; and
- 16 16.(i) Have an adequate knowledge of Parliamentary Law and the Rules
17 of the Arkansas House of Representatives.

18
19 **PARLIAMENTARY PRACTICE**

- 20 17. When a question is under debate, motions shall have precedence in
21 the following order (the request for a quorum call is always in order; the
22 Chairperson is not compelled to accept any motion):
- 23 17.(a) To fix the time to which the House will adjourn (non-debatable)
24 (majority of a quorum);
- 25 17.(a)(1) (A majority of a quorum is a majority of those voting when
26 at least a majority of the members are present and voting;)
- 27 17.(b) To adjourn (non-debatable) (majority of a quorum);
- 28 17.(c) To take a recess (non-debatable) (majority of a quorum);
- 29 17.(d) Postpone temporarily; lay on the table (non-debatable)
30 (majority of a quorum) To take from the table (non-debatable) (majority of a
31 quorum);
- 32 17.(e) Immediate consideration (non-debatable) (2/3 of a quorum);
- 33 17.(f) Previous question (non-debatable) (5 seconds) (majority of a
34 quorum);
- 35 17.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);
- 36 17.(h) To expunge (debatable) (2/3 of membership) (67);

- 1 17.(i) Postpone to a day certain (debatable) (majority of a quorum);
2 17.(j) Committee of the Whole, go into (non-debatable) (majority of a
3 quorum);
4 17.(k) Refer (debatable) (majority of a quorum);
5 17.(l) Amend (debatable) (majority of a quorum);
6 17.(m) Substitute motion (debatable) (majority of a quorum);
7 17.(n) Postpone indefinitely (debatable) (majority of membership);
8 17.(o) Take out of proper order (non-debatable) (2/3 of a quorum);
9 17.(p) Special order of business (debatable) (2/3 of a quorum); and
10 17.(q) To suspend the rules (non-debatable) (2/3 of a quorum).

11 18. A motion to adjourn shall always be in order, when the Floor can
12 be obtained for that purpose, except when the previous question has been
13 ordered.

14 19. The motion to recess, when the Floor can be obtained for that
15 purpose, must specify the time which shall elapse and the time for
16 reconvening. It may be amended to alter specific time.

17 20. Previous question:

18 20.(a) When any debatable question is before the House, any member may
19 move the previous question. It shall be seconded by five (5) members whether
20 the question shall be stated. When the previous question shall have been
21 adopted, the proponents shall be allowed fifteen (15) minutes in which to
22 debate it, and the opponents of the main question shall be allowed fifteen
23 (15) minutes, after which time a vote upon the main question shall be taken.

24 20.(b) Pending a vote on the main question, one (1) motion to refer is
25 permitted. A motion to refer under this rule applies to House resolutions as
26 well as to House bills, to Senate bills and to Senate amendments to a House
27 bill, and to a motion to amend the Journal. The motion to refer under this
28 rule is non-debatable and may not be laid upon the table.

29 21. A motion to postpone to a day certain may not specify the hour; a
30 special order is necessary to specify the hour; the motion may be amended and
31 it is debatable within narrow limits only, confined to the merit of the
32 motion itself.

33 22. The simple motion to refer is debatable within its narrow limits,
34 but the merits of the proposition to which it is proposed to refer may not be
35 brought into the debate. The motion to refer with instructions is debatable
36 (majority vote of a quorum). When a question is raised about the proper

1 referral of a bill to committee, if the Speaker admits error in the referral
2 of the bill to a committee, the bill may be re-referred by a majority vote of
3 a quorum; however, if the Speaker does not admit error in the referral of the
4 bill to committee, the bill may only be re-referred by a two-thirds (2/3)
5 vote of a quorum. When a bill is re-referred to a committee, any previous
6 committee recommendation is automatically stripped from the bill.

7 22.(a) When a motion is under consideration, only two (2) substitutes
8 to that motion shall be in order. Only a motion applicable to the main
9 motion and of a higher precedence upon recognition may be substituted for the
10 motion under consideration. A substitute to the third degree shall not be in
11 order.

12 23. The motion to postpone indefinitely opens to debate all the merits
13 of the proposition to which it is applied. It may not be applied to the
14 motion to refer, or to suspend the rules, or to motions relating to the order
15 of business.

16 23.(a) The motion for indefinite postponement and possible
17 consideration by a joint interim committee shall be as follows: "Mr. Speaker,
18 I move that consideration of _____ be postponed indefinitely and that
19 consideration be given by the joint interim committee on _____ for a study
20 of _____." (majority of membership).

21 24. The motion to limit or extend debate must specify time
22 limitations. A substitute motion specifying a lesser time may be accepted.

23 25. Reconsideration:

24 25.(a) When a proposition has been made and carried or lost, it shall
25 be in order for any member of the majority on the same or succeeding
26 legislative day to move for the reconsideration thereof, or give notice of
27 his/her intentions to do so and such motion shall take precedence over other
28 questions except consideration of a conference report or a motion to adjourn:
29 Provided, the motion or proposition shall only be considered during the
30 period reserved for regular bills. The notice shall not be withdrawn after
31 the said succeeding legislative day without the consent of the House, and
32 thereafter any member may call it up for consideration: Provided, the notice
33 to reconsider must be disposed of within three (3) legislative days following
34 the day the vote was taken; provided, that such notice to reconsider cannot
35 be given after the 57th day of a regular session or during a special session
36 during which times a motion to reconsider must be disposed of immediately.

1 25.(b) The provisions of the rule that the motion may be made “by any
2 member of the majority” is construed, in case of a tie, to mean the member of
3 the prevailing side, and the same construction applies in the case of a two-
4 thirds (2/3) vote. Where the yeas and nays have not been ordered recorded in
5 the Journal, any member, irrespective of whether he/she voted with the
6 majority or not, may make the motion to reconsider or give notice thereof;
7 but a member who was absent or who was paired in favor of the majority
8 contention and did not vote may not make a motion.

9 25.(c) A bill in the possession of the House is not considered passed
10 or an amendment agreed to if a motion to reconsider is pending; the effect of
11 the motion being to suspend the original proposition. A notice or motion to
12 reconsider shall not be allowed unless the bill is in the House. A bill
13 shall not leave the House once notice of reconsideration is given. When the
14 motion to reconsider is decided in the affirmative, the question immediately
15 recurs on the motion reconsidered. However, prior to consideration of the
16 question at hand, the Speaker shall have the title, expressing the main
17 contents of the proposition being reconsidered, read to the House. When the
18 motion to reconsider is defeated, a second motion to reconsider may not be
19 made.

20 25.(d) The motion to reconsider is agreed to by a majority of a
21 quorum, even though the vote reconsidered requires a majority or more of the
22 membership. Upon reconsideration when a proposition has been voted twice and
23 either carried or lost it is considered "Clinched".

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

26 25.(f) No bill, petition, memorial, or resolution referred to a
27 committee or reported there-from for recommitment shall be brought back into
28 the House on a motion to reconsider.

29 25.(g) The "Clincher" motion is two (2) motions in one (1); it is a
30 motion to reconsider and to lay on the table. Having prevailed, the
31 proposition shall not be again considered except by expunging the record.
32 The "Clincher" motion is adopted by a majority of the membership. The
33 Speaker shall accept a "Sound the Ballot" request after the "Clincher" has
34 been adopted and before the next order of business is called.

35 25.(h) No “Clincher” motion shall be entertained on a bill passed
36 during the morning hour or which has been represented to be non-controversial

1 regardless of when passed. Prior to the 60th day of a session, no bill
2 passed during the morning hour, or a bill appearing on the non-controversial
3 bill calendar which has passed, shall be transmitted to the Senate until the
4 expiration of the morning hour of the day next following its passage in which
5 the House is in session.

6 26. No dilatory motion shall be entertained by the Speaker.

7 27. Two-thirds (2/3) of a quorum may suspend the rules, other than
8 rules that require a two-thirds (2/3) or three-fourths (3/4) vote of the
9 membership. (J.R. 14 - Suspending Joint Rules)

10 28. No standing rule or order shall be revised without one (1) day's
11 notice being given thereof.

12 29. In every case not provided for in the House rules, the Speaker,
13 the Parliamentarian, and the members shall be guided by Mason's Manual of
14 Legislative Procedure. Each member of the Rules Committee may be furnished a
15 copy of the current edition and of each new or revised edition of Mason's
16 Manual of Legislative Procedure and additional copies may be available to
17 other members from the Parliamentarian, upon approval of the Rules Committee.

18

19

DAILY ORDER OF BUSINESS

20 30. The House shall convene at 1:30 p.m., unless otherwise ordered by
21 the House membership.

22 31. The daily order of business shall be:

23 (a) Prayer

24 (b) Pledge of Allegiance

25 (c) Roll Call

26 (d) Leaves of absence

27 (e) Reading and approval of the previous day's Journal

28 (f) Reports from select committees

29 (g) Reports from standing committees

30 (h) Unfinished business

31 (i) Executive communications

32 (j) Introduction, reading and advancement of bills and resolutions

33 31.(k)1. Senate communications and amendments to House bills

34 2. Introduction, reading and advancement of bills and joint
35 resolutions

36 3. Bills and resolutions from the Senate on first reading

1 4. Bills and resolutions from the Senate on second reading

2 5. Senate bills and joint resolutions on third reading

3 31.(l) Announcement of committee meetings, and

4 31.(m) Adjournment.

5 32.(a) Introduction and reading of bills and resolutions may be
6 ordered by the Speaker of the House at his/her discretion.

7 32.(b) The following types of resolutions shall be considered for
8 passage during the time set aside for the consideration of members' own
9 amendments to their own bills: a memorial resolution, a concurrent memorial
10 resolution, and a resolution or a concurrent resolution that commends,
11 congratulates, or recognizes an individual, group, or other entity.
12 Notwithstanding Rule 25 (h), a concurrent resolution or concurrent memorial
13 resolution that is subject to this rule may be transmitted to the Senate on
14 the same day that it is passed. A joint resolution proposing a
15 Constitutional amendment shall be placed on the regular House calendar and is
16 subject to Rule 25 (h).

17 33. Items "(a)" through "(h)" shall take no more than one (1) hour of
18 House time each day unless extended by a majority vote of the House members
19 present. These items may not be extended on those designated Senate days
20 beyond the one (1) hour limit. (J.R. 12 – Senate days)

21 34. Unfinished business items, except items "(a)" through "(g)", take
22 up where the House left the day before when it adjourned. Items "(a)"
23 through "(g)" begin new each day.

24 35. Privileged matters may interrupt the order of business. These
25 privileged matters are:

26 35.(a) Appropriation bills and revenue bills, sponsored by the
27 committees on Budget, Revenue and Taxation and the Committee on Rules (J.R.
28 15);

29 35.(b) Conference reports;

30 35.(c) Special orders reported by the Committee on Rules for
31 consideration by the House;

32 35.(d) Consideration of amendments between the House and Senate after
33 disagreement;

34 35.(e) Question of privilege;

35 35.(f) Privileged resolutions reported under the right to report any
36 time; and

1 35.(g) Bills returned with the objections of the Governor.

2

3

BILLS

4

36. Any representative may introduce bills, petitions, resolutions and
5 memorials by filing them with the Clerk of the House. (A.C.A. 10-2-112 --
6 Pre-session filing)

7

36.(a) Each measure must have an original and eight (8) copies and
8 eight (8) captions of the title either typewritten, photocopied or computer
9 generated copies. (J.R. 18 [B])

10

36.(b) The Clerk shall take the original and perforate or stamp it as
11 the original.

12

36.(c) No action shall be taken on any bill, resolution, or amendment
13 that is not physically in the House. However, the motion to recall a bill or
14 resolution may be made regardless of the location of the bill or resolution.

15

36.(d) No alterations or erasures or otherwise defacement of the bill
16 or amendments shall be permitted.

17

36.(e) All amendments shall be entered on a separate sheet of paper
18 noting the page number, the line or lines to be changed and the words to be
19 deleted or inserted.

20

36.(f) All bills, resolutions, amendments, petitions and memorials
21 must be signed by the author.

22

36.(g) The improper introduction of a bill, resolution, amendment,
23 petition or memorial involves a question of privilege. Such measures
24 improperly introduced, as determined by the Speaker or the House Committee on
25 the Journal; Engrossed and Enrolled Bills, shall be returned to the
26 representative who introduced them.

27

36.(h) The style of the laws of the State of Arkansas shall be: "Be it
28 enacted by the General Assembly of the State of Arkansas." (Art. 5, Sec. 19)

29

36.(i) The General Assembly of Arkansas shall not pass any local or
30 special act. This amendment shall not prohibit the repeal of local or
31 special acts. (Amendment 14)

32

36.(j) No bill shall be passed by either house containing more than
33 one subject, which shall be expressed in the title, and the subtitle. (J.R.
34 4)

35

36.(k) In making appropriations for any biennial period, the General
36 Assembly shall first pass the General Appropriation Bill provided for in

1 Section 30 of Article 5 of the Constitution, and no other appropriation bill
2 may be enacted before that shall have been done. (As added to Article 5, Sec.
3 40 by Amendment No. 19)

4 36.(l) No money shall be drawn from the treasury except in pursuance
5 of specific appropriation made by law, the purpose of which shall be
6 distinctly stated in the bill, and the maximum amount which may be drawn
7 shall be specified in dollars and cents; and no appropriation shall be for a
8 longer period than two (2) years. (Art. 5, Sec. 29)

9 The general appropriation bill shall embrace nothing but appropriations
10 for the ordinary expense of the executive, legislative and judicial
11 departments of the State; all other appropriations shall be made by separate
12 bills, each embracing but one (1) subject. (Art.5, Sec. 30)

13 No state tax shall be allowed, or appropriation of money made, except
14 to raise means for the payment of the just debts of the State, for defraying
15 the necessary expenses of government, to sustain common schools, to repel
16 invasion and suppress insurrection, except by a majority of two-thirds (2/3)
17 of both houses of the General Assembly. (Art. 5, Sec. 31)

18 None of the rates for property, excise, privilege or personal taxes,
19 now levied shall be increased by the General Assembly except after the
20 approval of the qualified electors voting thereon at an election, or in case
21 of emergency, by the votes of three-fourths (3/4) of the members elected to
22 each House of the General Assembly. (Art. 5, Sec. 38 added by Amend. 19,
23 Sec. 2)

24 Excepting monies raised or collected for educational purposes, highway
25 purposes, to pay Confederate pensions and the just debts of the State, the
26 General Assembly is hereby prohibited from appropriating or expending more
27 than the sum of Two and One-Half Million Dollars for all purposes, for any
28 biennial period; provided the limit herein fixed may be exceeded by the votes
29 of three-fourths (3/4) of the members elected to each House of the General
30 Assembly. (Art. 5, Sec. 39 added by Amend. 19, Sec. 3)

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

1 Representatives or the Senate later than the fifty-fifth (55th) day of a
2 regular session, except upon consent of two-thirds (2/3) of the members
3 elected to each house. When the filing deadline for any bills or resolutions
4 ends on Saturday or Sunday, the deadline is hereby extended until the close
5 of business the following Monday. (J.R. 16)

6 36.(n) The Joint Committee on Constitutional Amendments shall consist
7 of the members of the Senate Committee on State Agencies and Governmental
8 Affairs and the members of the House Committee on State Agencies and
9 Governmental Affairs. No proposed constitutional amendment can be
10 recommended to either House of the General Assembly except upon the
11 affirmative vote of a majority of the members of the Senate Committee on
12 State Agencies and Governmental Affairs and an affirmative vote of a majority
13 of the members of the House Committee on State Agencies and Governmental
14 Affairs. No resolution proposing a constitutional amendment shall be filed
15 in either the House of Representatives or the Senate after the thirty-first
16 (31st) day of each regular session of the General Assembly. All resolutions
17 proposing constitutional amendments shall be referred to the Joint Committee
18 on State Agencies and Governmental Affairs. Other resolutions proposing
19 constitutional amendments shall not be reported to or considered by either
20 House of the General Assembly until the original recommendations of the Joint
21 Committee on State Agencies and Governmental Affairs are disposed of.
22 (J.R. 21)

23 36.(o)(a) Any proposed legislation affecting any publicly supported
24 retirement system or pension plan to be considered by the General Assembly at
25 a regular biennial session shall be introduced in the General Assembly during
26 the first fifteen (15) calendar days of a regular biennial session.
27 (A.C.A. 10-2-115)

28 36.(o)(b) No such bill shall be introduced after the fifteenth day of
29 a regular biennial session unless its introduction is first approved by a
30 three-fourths (3/4) vote of the full membership of each House of the General
31 Assembly. (A.C.A. 10-2-115)

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

1 36.(p) Definition. -- As used in this subchapter, unless the context
2 otherwise requires, "fiscal impact statement" means a realistic statement of
3 the estimated financial cost of implementing or complying with the proposed
4 law, regulation, rule, policy, order, or administrative law upon
5 municipalities or counties to which the proposed law, regulation, rule,
6 policy, order or administrative law applies. (A.C.A. 19-1-301)

7 Before adoption of regulation, etc. -- No regulation, rule, policy,
8 order, or administrative law which would have a fiscal impact on any
9 municipality or county in this state shall be valid unless 30 days prior to
10 its adoption by a board, commission, agency, department, office or other
11 authority of the government of the State of Arkansas, except the General
12 Assembly, the Courts and the Governor, such board, commission, agency,
13 department, officer or other authority shall file a fiscal impact statement
14 with the Secretary of State. Any municipality or county which will be
15 affected by the proposed regulations, rule, policy, order or administrative
16 law upon request shall immediately be furnished with a copy of the fiscal
17 impact statement by the board, commission, agency, department, officer or
18 other authority. (A.C.A. 19-1-302)

19 Bills imposing new or additional costs on municipality or county.

20 36.(p) 1. When any House or Senate bill requiring an expenditure of
21 public funds or otherwise imposing a new or increased cost obligation on any
22 municipality or county is pending before any committee of the House of
23 Representatives, any member of the committee may request that a fiscal impact
24 statement for such bill be placed on the desk of each member of the committee
25 before the bill is called up for final action in the committee. If such
26 request is made, the chairperson of the committee shall refer the bill to the
27 appropriate state agency or to the legislative staff for the preparation of a
28 fiscal impact statement, to be returned to the committee in writing not later
29 than five (5) days from the date of the request. (A.C.A. 19-1-303)

30 36.(p) 2. Any time before such bill is read for the third time in the
31 House of Representatives, any member of the House may request that a fiscal
32 impact statement for the bill be prepared and placed on the desk of each
33 member. When a member of the House of Representatives so requests a fiscal
34 impact statement on any bill, the Speaker shall furnish the member a fiscal
35 impact statement signature form which shows the number of the bill for which
36 the statement is requested and the date and time the request was made. If

1 the member returns the form containing the signature of the requesting member
2 and the signatures of at least nine (9) other House members within thirty
3 (30) minutes of the time shown on the form, the fiscal impact statement shall
4 be prepared and placed on the desk of each member of the House before the
5 bill is read the third time. (A.C.A. 19-1-303)

6 36.(p) 3. If a bill is called up for final passage in the House of
7 Representatives and a fiscal impact statement has not been provided for the
8 bill, any member of the house in which the bill is being considered may move
9 that a final vote on the passage of the bill be delayed until a fiscal impact
10 statement is prepared and made available on the desk of each member of the
11 House at least one (1) full day prior to the bill being called up for final
12 passage. If such motion is made and is adopted by a majority vote of the
13 membership of the House, the Speaker of the House shall cause the bill to be
14 referred to the appropriate state agency or to the designated legislative
15 staff for the preparation of a fiscal impact statement, which shall be filed
16 with the House within five (5) days of the date of the request. (A.C.A. 19-1-
17 303)

18 36.(p) 4. Failure of the sponsor of a bill to provide the fiscal
19 impact statement required in this rule shall not prohibit the consideration
20 of it in the committee to which referred or on the Floor of the house in
21 which the bill is called up for final passage, if no objection to it is made
22 at the time such action is taken. (A.C.A. 19-1-303)

23 36.(p) 5. Nothing in this rule shall prohibit a committee to which a
24 bill is referred or the house in which the bill is being considered from
25 suspending the requirement of the filing of a fiscal impact statement on any
26 such bill in the same manner as provided for the suspension of the rules in
27 the house in which the bill is being considered. (A.C.A. 19-1-303)

28 36.(p) 6. Copies of the fiscal impact statements prepared in
29 compliance with the provisions of this rule shall be made available, upon
30 request for them, to representatives of municipal or county governments. A
31 fiscal impact statement filed or prepared in compliance with this rule is
32 declared to be a public record within the meaning of the Freedom of
33 Information Act of 1967, § 25-19-101 et seq. (A.C.A. 19-1-303)

34 36.(p) 7. For the purposes of this rule, the term "fiscal impact
35 statement" means a realistic statement of the estimated financial cost to
36 municipalities or counties of implementing or complying with a proposed law

1 and regulations promulgated under it. (A.C.A. 19-1-303)

2
3 Bills imposing new or additional costs on education

4 36.(q)(a)(1) As used in this section, unless the context otherwise
5 requires, "fiscal impact statement" means a realistic written statement of
6 the purpose of a proposed law, or a regulation promulgated under a law, and
7 the estimated financial cost to the state or any local school district of
8 implementing or complying with the proposed law or regulation.

9 (2) The fiscal impact statement shall be developed by the Office of
10 Economic and Tax Policy of the Bureau of Legislative Research with the
11 assistance of the Department of Education within the guidelines adopted by
12 the House Committee on Education and the Senate Committee on Education, as
13 applicable.

14 (b) Any bill filed in the House of Representatives or Senate that will
15 impose a new or increased cost obligation for education in grades
16 kindergarten through twelve (K-12) on the State of Arkansas or any local
17 school district shall have a fiscal impact statement attached to it prepared
18 and filed with the chair of the committee to which the bill is referred:

19 (1) At least three (3) days before the bill may be called up for final
20 action in the committee during a regular session of the General Assembly; and

21 (2) At least one (1) day before the bill may be called up for final action
22 in the committee during a special session of the General Assembly.

23 (c)(1)(A) If any such House or Senate bill is called up for final passage in
24 the House or Senate and a fiscal impact statement has not been provided by
25 the author of the bill or by the committee to which the bill was referred,
26 any member of the House or Senate may object to the bill's being called up
27 for final passage until a fiscal impact statement is prepared and made
28 available on the desk of each member of the House or Senate at least one (1)
29 day prior to the bill's being called up for final passage.

30 (B) An affirmative vote of two-thirds (2/3) of a quorum present and voting
31 shall override the objection.

32 (2) If an objection is made without override, the presiding officer of the
33 House or Senate shall cause the bill to be referred to the office for the
34 preparation of a fiscal impact statement which shall be filed with the
35 presiding officer not later than five (5) days from the date of the request.

36 36.(r) Bills imposing new or additional costs and restrictions on

1 inmate population patterns or affecting programs or services of the
2 Department of Corrections.

3 (a) Each of the following bills introduced in the General Assembly shall
4 have a cost impact statement attached to the bill prior to the committee to
5 which the bill is referred taking action in regard to the bill:

6 (1) Bills which affect inmate population patterns at facilities of the
7 Department of Correction by imposing restrictions on inmate release, or by
8 increased intake into the department of inmates based on felony convictions;
9 and

10 (2) Bills which affect programs or services of the department.

11 (b) In addition, copies of the cost impact statement shall be furnished on
12 the desk of each member of the Senate and of the House of Representatives at
13 least one (1) day prior to the date on which the bill is on third reading and
14 debated for final passage in the respective houses.

15 (c) Cost impact statements required under this section shall be prepared,
16 upon referral thereof by the Speaker of the House of Representatives, with
17 respect to House bills, and by the President of the Senate upon
18 recommendation of the Senate Rules Committee, with respect to Senate bills,
19 at the time of introduction thereof, to:

20 (1) The Director of the Department of Correction, who shall either
21 personally prepare, or cause appropriate officials of the department to
22 prepare, a cost impact statement to be approved by the director before
23 submission to the house in which the request was made; or

24 (2) Any other state agency which has information available upon which
25 to base a cost impact statement.

26 (d) The cost impact statement shall be furnished to the Governor and to the
27 President of the Senate and the Speaker of the House of Representatives who
28 shall cause copies thereof to be prepared for distribution upon the desks of
29 the members of the House and Senate at least twenty-four (24) hours prior to
30 consideration of any such bill by committee or twenty-four (24) hours prior
31 to the bill's being called up for third reading and final passage.

32 (e) The cost impact statement shall be certified by the director, or the
33 director of the appropriate agency to which the bill is referred for
34 preparation of an impact statement, and shall be returned and filed as
35 required in this section within not more than five (5) days from the date of
36 receipt thereof unless additional time in which to prepare the statement is

1 granted by the requesting official. (A.C.A. 12-28-103)

2 37.(a) The first reading of a bill shall be for information and unless
3 otherwise ordered by the House, it shall be placed on the second reading
4 calendar. (Every bill shall be read at length on three different days in
5 each house, unless the rules be suspended by two-thirds (2/3) of the House,
6 when the same may be read a second or third time on the same day; (Art.5,
7 Sec. 22)

8 37.(b) No bill shall be read and considered either a first, second or
9 third time which does not contain a bill number, at least one author, a title
10 expressing the main contents of the bill, a subtitle, an enacting clause and
11 at least one section which shall be expressed in the title and the subtitle.
12 The Speaker shall not entertain a motion to suspend this rule.

13 38. Second reading

14 38.(a) A bill shall be read a second time and the Speaker shall assign
15 the bill to its appropriate committee.

16 38.(b) A bill or resolution may not be divided for assignment to
17 committee although it may contain certain matters properly within the
18 jurisdiction of several committees.

19 38.(c) Before consideration by a committee, any representative may
20 attach an amendment to the bill which shall be referred to the committee with
21 the bill, without debate. It is the author's responsibility to have the
22 amendment properly numbered by the Bill Clerk, not the committee staff. An
23 amendment must be properly filed by the author and properly numbered by the
24 Bill Clerk prior to being voted on by the House.

25 38.(d) In order to amend a bill, it shall be necessary to adopt a
26 motion to place the bill back on second reading for the purpose of submitting
27 an amendment.

28 38.(e) When a bill has a committee recommendation, it is the author's
29 responsibility to place the bill on the calendar for consideration.

30 39. A bill shall not be called for a third reading and final passage
31 until a photocopied, printed copy, or electronic copy of same shall have been
32 placed on every representative's desk for twenty-four (24) hours.

33 The twenty-four (24) hour period begins when a bill is initially
34 introduced and read across the desk. No bill or resolution may be brought up
35 for a third reading and final passage on the Floor of the House until it has
36 been on the calendar of the House for at least one (1) day.

1 40. A calendar of bills and resolutions to be considered in the order
2 of business during any legislative day shall be printed and placed on the
3 members' desks prior to the adjournment of the preceding legislative day.
4 Calendared items are considered to be a motion for passage.

5 41. A bill ordered to be engrossed or enrolled shall be typed or
6 photocopied.

7 42. A bill having been rejected may not be brought up again during the
8 same legislative session unless it be an appropriation bill. Appropriation
9 bills may be considered a total of two times during any calendar day.
10 Following a second consideration during the same calendar day, a motion to
11 reconsider or a motion to expunge must be adopted before an appropriation
12 bill may be considered.

13 43. When a bill has been passed and transmitted to the Senate, it may
14 be recalled from the Senate by the same vote that was necessary to pass the
15 bill.

16 44. A committee may receive a bill, resolution, amendment, petition
17 and memorial only through the House, and the House may receive same only
18 through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into
19 either house during the last three days of the session.)

20 45. Amendments to bills and resolutions:

21 45.(a) When a bill or resolution is under consideration, amendments
22 shall be in order. Upon adoption, amendments shall become a part of the bill
23 or resolution. Amendments to amendments may not be offered. All amendments
24 offered before the House or one of its committees must be typewritten on an
25 approved amendment form and signed by the sponsor. All amendments shall be
26 attached to the original bill, numbered by the Bill Clerk, and shall be
27 placed upon the members' desks before being acted upon by the House.

28 45.(b) When a House bill has been amended in the Senate, upon return
29 of said bill to the House, the Speaker shall re-refer the bill, together with
30 the Senate amendment(s), to the committee to which the bill was originally
31 referred, for review. Concurrence in the Senate amendment shall not be
32 considered by the House until the committee report is received by the House.
33 When a House bill is amended and passed by the Senate and is returned to the
34 House, the bill shall be reprinted with the Senate amendments included
35 therein and specifically identified and shall be placed on each member's desk
36 before final action is taken on the bill by the House. When the Senate

1 amendment is before the House, the same number of votes will be required to
2 concur in the Senate amendment as was required in the original passage of the
3 bill in the House. Amendments containing an emergency clause require sixty-
4 seven (67) votes.

5 45.(c) Fifty-one (51) votes shall be required to adopt a House
6 amendment to a House or Senate bill. When a House bill has been amended in
7 the House, it shall not be acted upon until it has been engrossed and such
8 engrossed bill has been printed and placed on each member's desk.

9 45.(d) Every amendment proposed must be germane to the subject of the
10 proposition to be amended.

11 45.(e) All appropriation bills and other bills which are required to
12 be submitted to the Budget Committee, or to another designated committee of
13 the House and Senate, which are amended on the Floor of either House of the
14 General Assembly by an amendment which was not recommended favorably by the
15 Budget Committee, or by any other committee of the House and Senate to which
16 referred, shall be re-referred to such committee of the House and Senate for
17 consideration and recommendation before said bill may be considered for final
18 passage or concurrence by the House of Representatives.

19 45.(f) Members' own House bills and Senate bills on which a House
20 member is the lead sponsor may be amended with their own amendments beginning
21 at a specific time set aside by the House. Senate bills may be amended in
22 accordance with the applicable rules provided for amending members' own House
23 bills with their own amendments.

24 45.(g) Members' own amendments to their own House bills and Senate
25 bills with House sponsors must be signed only by the sponsor of the bill
26 whose name is listed first in the list of sponsors.

27 45.(h) Members' own amendments to their own House bills and Senate
28 bills on which there are House sponsors must be presented to the House Bill
29 Clerk only by the sponsor of the House or Senate bill whose name is listed
30 first in the list of sponsors.

31 45.(i) After acceptance, the House Bill Clerk shall furnish the
32 sponsor with a stamped and numbered copy of the members' signed amendment.

33 45.(j) The sponsor shall present a stamped, numbered and signed copy
34 of a proposed amendment to the Calendar Clerk in order to have the bill and
35 amendment placed on the "Members' Own Bill/Own Amendment Calendar".

36 45.(k) A House or Senate bill to be amended by a member with his/her

1 own amendment shall only be placed on the "Members' Own Bill/Own Amendment
2 Calendar" by the sponsor whose name is listed first on the bill.

3 45.(l) An objection by any member, written or oral, to the Speaker of
4 the House or his/her designee, shall cause a member's own amendment to
5 his/her own bill to not be considered and to be removed from the "Members'
6 Own Bill/Own Amendment Calendar" and automatically placed on the same day's
7 regular amendment calendar for consideration.

8 45.(m) A member's own House bill or Senate bill amended with a
9 member's own amendment shall be transmitted directly to Engrossing after
10 having been amended.

11 45.(n) No House or Senate bills having been amended shall be
12 considered by any committee or the full House until such bills have been
13 engrossed, proofed and reported "correctly engrossed". The Speaker or
14 presiding officer shall not accept a motion to suspend this rule.

15 45.(o) Members' own House bills or Senate bills to be amended with
16 their own amendments shall be placed on the "Members' Own Bill/Own Amendment
17 Calendar" no later than 4:30 p.m. the day preceding the day they are to be
18 considered.

19 45.(p) When a bill has a committee recommendation and is subsequently
20 amended to change the title and/or the list of sponsors, such amendment shall
21 not cause the bill to be re-referred to committee.

22 45.(q) Members' own House bills may be withdrawn at a specific time
23 set aside by the House by placing them on the "Withdrawal Calendar" no later
24 than 4:30 p.m., the day preceding the day they are to be withdrawn. ~~Bills~~
25 House bills for withdrawal may be placed on the "Withdrawal Calendar" only by
26 the member whose name is listed first as author of the bill. The member
27 requesting withdrawal may recommend the bill to be studied by the same
28 committee to which the bill was assigned at the time of request for
29 withdrawal.

30 45.(r) Budget bills sponsored by members but recommended to be amended
31 to delete the sponsor and substitute the Joint Budget Committee as sponsor
32 may be amended during the period set aside to amend "Members Own Bills with
33 their Own Amendments".

34 45.(s) The Rules governing members amending their own bills with their
35 own amendments shall be in effect for House and Senate Budget bills so far as
36 they are applicable.

1 ten (10) standing committees, seven (7) select committees, and three (3)
2 special committees. The standing committees shall be five (5) Class "A"
3 committees and five (5) Class "B" committees. The seven (7) select
4 committees shall be five (5) joint select committees and two (2) House select
5 committees. The three (3) special committees shall be two (2) joint
6 committees and one (1) House committee. The House standing, joint select,
7 select and special committees are as follows:

8 51.(a) **HOUSE STANDING COMMITTEES**

9 **Class "A" Committees**

10 Education

11 Judiciary

12 Public Health, Welfare and Labor

13 Public Transportation

14 Revenue and Taxation

15 **Class "B" Committees**

16 Aging, Children and Youth, Legislative and Military Affairs

17 Agriculture, Forestry and Economic Development

18 City, County and Local Affairs

19 Insurance and Commerce

20 State Agencies and Governmental Affairs

21 51.(b) **JOINT SELECT COMMITTEES**

22 (1) Joint Budget -- (to consist of twenty four (24) members of the
23 House and twenty four (24) members of the Senate, and the immediate past co-
24 chairs of the Legislative Council and ex-officio members in accordance with
25 A.C.A. 10-3-502.). (A.C.A. 10-3-501 thru 10-3-509) The House members of the
26 Joint Budget Committee shall be known as the House Budget Committee.

27 (2) Joint Committee on Energy -- (to consist of fifteen (15) members
28 of the House, fifteen (15) House alternates, and ten (10) members of the
29 Senate). (A.C.A. 10-3-801 thru 10-3-822)

30 (3) Joint Committee on Public Retirement and Social Security Programs
31 -- (to consist of ten (10) members of the House, ten (10) House alternates,
32 and ten (10) members of the Senate). (A.C.A. 10-3-701 thru 10-3-703)

33 (4) Joint Performance Review Committee -- (to consist of twenty (20)
34 members of the House and ten (10) members of the Senate). (A.C.A. 10-3-901
35 thru 10-3-903)

36 (5) Joint Committee on Advanced Communications and Information

1 Technology -- (to consist of ten (10) members of the House, ten (10) House
2 alternates, and seven (7) members of the Senate). (A.C.A. 10-3-1701 thru 10-
3 3-1707)

4 51.(c) **HOUSE SELECT COMMITTEES**

5 House Rules Committee shall consist of no more than fifteen (15)
6 members.

7 House Management Committee shall consist of the Speaker and no more
8 than six (6) additional members.

9 51.(d) **SPECIAL COMMITTEES**

10 (1) Joint Interim Committee on Legislative Facilities -- (to consist
11 of fourteen (14) members of the General Assembly, as follows:

12 51.(d)(1)(a) The chairperson of the House Budget Committee;

13 51.(d)(1)(b) Two (2) members of the House of Representatives appointed
14 by the Speaker;

15 51.(d)(1)(c) The chairperson of the House Management Committee and two
16 (2) additional members of the House Management Committee to be designated by
17 its chairperson;

18 51.(d)(1)(d) The Speaker of the House of Representatives; and

19 51.(d)(1)(e) Seven (7) members of the Senate to be named by the Senate
20 Committee on Committees. (A.C.A. 10-3-1101 thru 10-3-1111)

21 51.(2) House Committee on the Journal; Engrossed and Enrolled Bills
22 shall consist of not more than five (5) members. The House Committee on the
23 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
24 select committee. The committee shall consist of the Speaker of the House of
25 Representatives who shall be chairperson, the chairperson of the House Rules
26 Committee who shall be the vice chairperson, the chairperson of the House
27 Management Committee, and two (2) members of the House appointed by the
28 Speaker of the House; and, the House Parliamentarian shall serve as secretary
29 and advisor to the committee.

30 51.(3) Joint Committee on Legislative Printing Requirements and
31 Specifications -- (to consist of the chairperson and vice chairperson of the
32 House Management Committee, the chairperson and vice chairperson of the
33 Senate Efficiency Committee, the Speaker of the House of Representatives and
34 the President Pro Tempore of the Senate). (A.C.A. 10-3-601 thru 10-3-605)

35 52.(a) **STANDING COMMITTEES**

36 52.(a)(1) Members of the standing committees shall be selected by

1 House District Caucuses of members-elect on the Friday following the November
2 General Election with each caucus selecting five (5) members for each "A"
3 standing committee and five (5) members for each "B" standing committee. The
4 members-elect of the Second District Caucus shall select up to three (3)
5 members for each standing committee from within the Pulaski County membership
6 and the remaining members for each standing committee from without the
7 Pulaski County membership; this provision may be waived by majority vote of
8 the members-elect from without Pulaski County. Standing committee membership
9 shall be confirmed at the same time that representatives are administered the
10 oath of office.

11 52.(a)(2) Each member of the House who is serving a first or second
12 term in the House shall be entitled to serve as a non-voting member of one of
13 the ten (10) joint interim committees designated as "A" and "B" committees.
14 The non-voting members of each of the ten (10) joint interim committees shall
15 be selected by the four (4) House caucuses at a time designated by the
16 Speaker sometime before the adjournment of each regular session. Each caucus
17 shall select not to exceed three (3) first or second term members to serve as
18 non-voting members of each of the ten (10) joint interim committees
19 designated as "A" and "B" committees. The non-voting members shall be
20 entitled to attend meetings of the committees, to serve on subcommittees of
21 the committee, to participate in the deliberations of the committee or
22 subcommittee, and to receive per diem and mileage for attending meetings of
23 the committee or subcommittee, but shall not have a vote in the committee or
24 a subcommittee.

25 52.(a)(3) Members of the House of Representatives who are committee
26 chairpersons or vice-chairpersons or select seniority members who have been
27 assigned an office or other premises shall vacate the office or other
28 premises by December 15 following the General Election in the even-numbered
29 years.

30 52.(a)(4) Each standing committee shall consist of twenty (20)
31 members. Each member of the House shall serve on two (2) standing
32 committees, one (1) of which shall be a Class "A" committee and one (1) of
33 which shall be a Class "B" committee. From within each standing committee
34 there shall be created three (3) permanent subcommittees consisting of eight
35 (8) members. Each member of the House shall serve on two (2) permanent
36 subcommittees, one (1) from a Class "A" standing committee and one (1) from a

1 Class "B" standing committee. The Speaker and the chairperson of each
2 standing committee shall jointly appoint from the membership of the standing
3 committee six (6) persons for each permanent subcommittee available, provided
4 further the chairperson and vice chairperson of each standing committee shall
5 be ex-officio, voting members of each permanent subcommittee created from
6 within their standing committee. The permanent subcommittees of the standing
7 committees may meet after having first obtained prior approval of the
8 standing committee chairperson.

9 52.(a)(5) A signed report from the chairperson of a caucus district
10 will represent final movement to a standing committee. A signed report from
11 the chairperson of a standing committee will represent final movement to a
12 permanent subcommittee. There shall be no transfers from one standing
13 committee to another or from one permanent subcommittee to another during the
14 biennium following initial biennial appointment and or confirmation. After
15 selection of standing committee members and permanent subcommittee members, a
16 vacancy occurring on a standing committee or permanent subcommittee during
17 the biennium because of the death, resignation, impeachment, etc., of a
18 member, shall be temporarily filled by the Speaker of the House assigning the
19 newly elected member, for the remainder of the biennium, to the "A" and "B"
20 standing committees, and the permanent subcommittees previously held by their
21 predecessor. At the end of the biennium, the temporary positions held on the
22 "A" and "B" committees and the permanent subcommittees will be declared
23 vacant and will be available for choosing in accordance with House rules.
24 The newly elected member does not automatically assume a chairmanship or
25 vice-chairmanship, which vacancies shall be filled in the same manner as the
26 original appointment.

27 52.(b) **SELECT COMMITTEES**

28 52.(b)(1) The Speaker shall appoint all members and all alternates on
29 all House select committees and all Joint Select Committees except the Joint
30 or House Budget Committee. The Speaker shall appoint ex-officio members in
31 accordance with the law.

32 52.(b)(2) The House Budget Committee shall consist of six (6) members
33 of the House of Representatives and two (2) alternates chosen from each
34 caucus district on the first Friday following the November General Election
35 before each regular biennial session. At the time the alternates are
36 selected, one (1) shall be designated as first alternate and the other as

1 second alternate. The selections shall be made by caucus of the House
2 members-elect residing within each caucus district. Members-elect chosen for
3 membership on the House Budget Committee shall select one (1) of their number
4 to serve as chairperson-elect and one (1) to serve as vice chairperson-elect.
5 The term of office of the members shall be from January 1 of odd-numbered
6 years through December 31 of the following even-numbered year. Vacancies in
7 either a member or alternate member position shall be filled in the same
8 manner as the initial member or alternate member position was filled. House
9 Budget Committee membership shall be confirmed at the same time that
10 representatives are administered the oath of office. Prior to confirmation,
11 however, members-elect chosen to serve on the House Budget Committee shall
12 conduct pre-session budget hearings, either standing alone or in conjunction
13 with the Legislative Council.

14 52.(b)(3) No member of the House of Representatives shall serve on
15 more than one (1) select committee. The Legislative Council, the Legislative
16 Joint Auditing Committee, the House Budget Committee, the House Committee on
17 the Journal; Engrossed and Enrolled Bills, and the House Management Committee
18 are excluded therefrom.

19 52.(c)(1) The Speaker of the House shall appoint a chairperson and a
20 vice chairperson of each standing committee and each select committee who
21 shall serve at the pleasure of the Speaker. The Speaker, in consultation
22 with the chairperson of each standing committee, shall appoint from the
23 membership of each permanent subcommittee, a chairperson and vice
24 chairperson, provided however that the vice chairperson of the standing
25 committee shall automatically be the chairperson of the permanent
26 subcommittee of his/her choosing. No member of the House, with the exception
27 of each House standing committee vice chairperson, shall be chairperson or
28 vice chairperson of more than one (1) standing committee, select committee,
29 or permanent subcommittee.

30 52.(c)(2) The rules or proceedings of the House of Representatives
31 shall be observed in all select committees, standing committees, and
32 subcommittees of the House so far as they may be applicable.

33 52.(c)(3) The House Committee on the Journal; Engrossed and Enrolled
34 Bills shall serve as the supervisory committee over the preparation of the
35 Journal and engrossing and enrolling of bills.

36 52.(c)(4) After the membership of a standing committee or a permanent

1 subcommittee is established, no member shall be removed from any standing
2 committee or any permanent subcommittee during the biennium for which he/she
3 was selected. All appointees selected by the Speaker serve at his/her
4 discretion.

5 53. Committee Operations.

6 53.(a) Each committee of the House shall be provided a secretary who
7 shall maintain a current record of all bills, resolutions, amendments,
8 petitions, memorials, or other matters filed in committee. A record of
9 committee actions (committee reports, committee adopted amendments, etc.)
10 shall be filed with the Chief Clerk of the House as the first priority upon
11 adjournment of the committee. The secretary shall post, on a bulletin board
12 and/or electronically, a current list of all measures pending before the
13 committee.

14 53.(b) All committees shall consider the bills, resolutions,
15 amendments, petitions, and memorials referred to them and make one of the
16 following reports in writing to the House:

17 53.(b)(1) That a bill, resolution, petition or memorial “do pass”;

18 53.(b)(2) That a bill, resolution, petition or memorial “do not pass”,
19 in which event the measure shall not be considered unless the vote is
20 expunged;

21 53.(b)(3) That a bill, resolution, petition or memorial “do pass as
22 amended”. No bill, resolution, petition or memorial shall be acted upon
23 without a “do pass” or a “do pass as amended” recommendation. No bills shall
24 be placed on the non-controversial calendar or deemed to be non-controversial
25 in any way unless a motion is adopted in the committee to which the bill was
26 referred. With a quorum present, the motion is considered adopted if there
27 are no negative votes.

28 53.(c) The appropriate subject matter standing committees of the House
29 and the Senate may meet as joint committees whenever agreed by said
30 committees, for the purposes of holding public hearings or considering any
31 proposed or pending legislation but upon conclusion of the joint meeting of
32 said committees, each standing committee of the House of Representatives and
33 the Senate shall take such action and report to their respective houses as
34 determined by said committees. Whenever the appropriate subject committees
35 of the House and Senate hold hearings or meetings, the chairperson of the
36 House committee and the chairperson of the Senate committee shall by

1 agreement determine which of them shall preside at the joint meeting.

2 54. The Speaker of the House shall keep a permanent register of the
3 seniority of the members of the House of Representatives. When it is
4 necessary for the seniority of incoming members to be determined by lot, the
5 Speaker of the House and the Speaker-designate of the House shall conduct a
6 drawing by lots upon receiving certification from the Secretary of State of
7 the election of membership to each General Assembly. Such seniority drawings
8 shall be effective for the purposes of determining legislative license tag
9 numbers, Chamber seating, and State Capitol parking.

10 55. Seniority shall be based on the total consecutive uninterrupted
11 terms served in the House of Representatives. In the event a member has been
12 elected that has had previous non-continuous service, he/she shall rank ahead
13 of members elected in the year his/her uninterrupted services began. In the
14 event that two (2) or more members have equal terms of non-continuous
15 service, their seniority shall be asserted by drawing lots to determine their
16 numerical standing in rank ahead of members elected in the year his/her
17 uninterrupted services begin.

18 56. Seniority ranking for new members elected for the first time to
19 serve in the General Assembly shall be determined by lot.

20 57. The chairperson shall appoint the clerk or clerks or other
21 employees of his/her committee, subject to committee approval, who shall be
22 paid at the public's expense, the House having first provided therefor.

23 58. Meetings and Hearings:

24 58.(a) All committee and subcommittee meetings including but not
25 limited to hearings at which public testimony is to be taken, (normally
26 called "public hearings") shall be open to the public (Art. 5, Sec. 13) and
27 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
28 resolutions, and other proposals to be considered at such meetings shall be
29 posted in a designated place at least eighteen (18) hours in advance; but in
30 case of an emergency, a two-thirds (2/3) majority of the membership of the
31 committee may bring bills up for consideration upon notice of not less than
32 two (2) hours.

33 58.(b) Special meetings of a standing committee may be called by the
34 chairperson of the committee or by a majority of the members of the committee
35 for conducting any business of the committee; provided, a special meeting of
36 the committee may not conflict with regularly scheduled meetings of any

1 standing committee; provided further, special meetings shall be subject to
2 the same procedures regarding the publishing of agendas and notices of
3 meetings that apply to regular standing committee meetings. (J.R. 22 – Joint
4 Committees)

5 58.(c) The Speaker of the House shall establish a regular schedule of
6 committee meetings in order that each Class "A" committee shall meet at a
7 scheduled time on the mornings of Tuesday and Thursday of each legislative
8 week, and all Class "B" committees shall meet at a scheduled time on the
9 mornings of Wednesday and Friday of each legislative week.

10 58.(d) The Speaker of the House shall establish a schedule of House
11 standing and select committee meetings so as to minimize conflicts.

12 59. All persons wishing to offer testimony to a committee hearing
13 shall be given a reasonable opportunity to do so as determined by a majority
14 of the committee. An oral or written statement shall not be a prerequisite
15 to offer testimony before a committee.

16 60. All contested elections cases entertained by the House shall be
17 referred to the Rules Committee which shall make its final recommendation not
18 later than two (2) weeks from the first day of the session.

19 61. No committee shall sit while the House is in session except the
20 Committee on Rules or a Conference Committee, which shall notify the House.

21 62. The following subject areas shall be within the jurisdiction of
22 each of the respective House standing committees:

23 62.(1) Committee on Education – matters pertaining to public
24 kindergarten, elementary, secondary, and adult education, vocational
25 education, vocational-technical schools, vocational rehabilitation, higher
26 education, private educational institutions, similar legislation, and
27 resolutions germane to the subject matter of the committee;

28 62.(2) Committee on Judiciary – matters pertaining to state and local
29 courts, court clerks and stenographers and other employees of the courts,
30 civil and criminal procedures, probate matters, civil and criminal laws,
31 similar matters, and resolutions germane to the subject matter of the
32 committee;

33 62.(3) Committee on Public Health, Welfare and Labor – matters
34 pertaining to public health, mental health, mental retardation, public
35 welfare, human relations and resources, environmental affairs, water and air
36 pollution, labor and labor relations, similar legislation, and resolutions

1 germane to the subject matter of the committee;

2 62.(4) Committee on Public Transportation – matters pertaining to
3 roads and highways, city streets, county roads, highway safety, airports and
4 air transportation, common and contract carriers, mass transit, similar
5 legislation, and resolutions germane to the subject matter of the committee;

6 62.(5) Committee on Revenue and Taxation – matters pertaining to the
7 levy, increase, reduction, collection, enforcement and administration of
8 taxes and other revenue-producing measures, and resolutions germane to the
9 subject matter of the committee;

10 62.(6) Committee on Aging, Children and Youth, Legislative and
11 Military Affairs – matters pertaining to the aged and problems of aging;
12 children and youth, military, veterans, legislative affairs, memorials, other
13 matters whenever the subject matter is not germane to the subject matter of
14 any other standing committee and resolutions germane to the subject matter of
15 the committee;

16 62.(7) Committee on Agriculture, Forestry and Economic Development –
17 matters pertaining to agriculture, livestock, forestry, industrial
18 development, natural resources, oil and gas, publicity and parks, levee and
19 drainage, rivers and harbors, similar legislation and resolutions germane to
20 the subject matter of the committee;

21 62.(8) Committee on City, County and Local Affairs – matters
22 pertaining to city and municipal affairs, county affairs, local improvement
23 districts, interlocal government cooperation, similar legislation and
24 resolutions germane to the subject matter of the committee;

25 62.(9) Committee on Insurance and Commerce – matters pertaining to
26 banks and banking, savings and loan associations, stock, bonds, and other
27 securities, securities dealers, insurance, public utilities, partnerships and
28 corporations, home mortgage financing and housing, similar legislation and
29 resolutions germane to the subject matter of the committee;

30 62.(10) Committee on State Agencies and Governmental Affairs – matters
31 pertaining to state government and state agencies, except where the subject
32 matter relates more appropriately to another committee, proposed amendments
33 to the Constitution of the State of Arkansas or the Federal government,
34 election laws and procedures, Federal and interstate relations, similar
35 legislation, and resolutions germane to the subject matter of the committee;

36 62.(10)(a) The following permanent subcommittees are hereby created

1 from within each standing committee:

2 62.(10)(a)(1) For the House standing committee on Aging, Children and
3 Youth, Legislative and Military Affairs, the following permanent
4 subcommittees are created:

- 5 (1) Aging
- 6 (2) Children and Youth
- 7 (3) Legislative, Military and Veterans Affairs

8 62.(10)(a)(2) For the House standing committee on Agriculture,
9 Forestry and Economic Development, the following permanent subcommittees are
10 created:

- 11 (1) Agriculture, Forestry and Natural Resources
- 12 (2) Small Business and Economic Development
- 13 (3) Parks and Tourism

14 62.(10)(a)(3) For House standing committee on City, County and Local
15 Affairs, the following permanent subcommittees are created:

- 16 (1) Planning
- 17 (2) Finance
- 18 (3) Local Government Personnel

19 62.(10)(a)(4) For the House standing committee on Education, the
20 following permanent subcommittees are created:

- 21 (1) Early Childhood
- 22 (2) Kindergarten Through Twelve, Vocational/Technical
23 Institutions
- 24 (3) Higher Education

25 62.(10)(a)(5) For the House standing committee on Insurance and
26 Commerce, the following permanent subcommittees are created:

- 27 (1) Financial Institutions
- 28 (2) Insurance
- 29 (3) Utilities

30 62.(10)(a)(6) For the House standing committee on Judiciary, the
31 following permanent subcommittees are created:

- 32 (1) Courts/Civil Law
- 33 (2) Corrections/Criminal Law
- 34 (3) Juvenile Justice/Child Support

35 62.(10)(a)(7) For the House standing committee on Public Health,
36 Welfare and Labor, the following permanent subcommittees are created:

- 1 (1) Human Services
- 2 (2) Health Services
- 3 (3) Labor and Environment

4 62.(10)(a)(8) For the House standing committee on Public
5 Transportation, the following permanent subcommittees are created:

- 6 (1) Motor Vehicle and Highways
- 7 (2) Public Transportation and Rail
- 8 (3) Waterways and Aeronautics

9 62.(10)(a)(9) For the House standing committee on Revenue and
10 Taxation, the following permanent subcommittees are created:

- 11 (1) Sales, Use, Miscellaneous Taxes and Exemptions
- 12 (2) Income Taxes—Personal and Corporate
- 13 (3) Complaints and Remediation

14 62.(10)(a)(10) For the House standing committee on State Agencies and
15 Governmental Affairs, the following permanent subcommittees are created:

- 16 (1) State Agencies and Reorganization
- 17 (2) Constitutional Issues
- 18 (3) Elections

19 63.(a) Committee on Rules:

20 63.(a)(1) All proposed action touching the rules, joint rules, and
21 order of business shall be referred to the Committee on Rules.

22 63.(a)(2) It shall always be in order to call up, for consideration, a
23 report from the Committee on Rules.

24 63.(a)(3) The Committee on Rules shall present to the House reports
25 concerning rules, joint rules, and order of business on the third day after
26 convening of the House. The permanent rules shall be adopted by a majority
27 of the members and thereafter they may be changed only by a vote of sixty-
28 seven (67) members.

29 63.(a)(4) The Speaker shall refer to the Committee on Rules, any
30 matters dealing with alcohol, cigarettes, movies, pornography, tobacco,
31 tobacco products, coin operated amusement devices, vending machines,
32 lobbying, code of ethics, bingo, raffles, racing, race tracks, pari-mutuel
33 betting and similar legislation.

34 63.(a)(5) Rules of the preceding General Assembly shall automatically
35 be adopted as temporary rules of the current assembly and may be amended or
36 suspended by a majority vote of the membership.

1 63.(b) House Budget Committee. All appropriation bills coming before
2 the House shall be assigned to and considered by the House Budget Committee.

3 64. No committee shall transact business without a quorum (a majority
4 of the committee membership present). The request for a quorum call is
5 always in order. All final action on bills, and on proposed amendments to
6 bills, shall be decided by a majority vote of the total membership of the
7 committee. Provided, however, that the Speaker of the House shall not be
8 included for the purpose of determining what is a majority of a standing
9 committee, unless present at the time of the vote. A member of the committee
10 must be present at the time of the vote for his/her vote to be counted on any
11 matter considered by the committee (no pairs, no proxies).

12 64.(a) A bill, resolution or amendment in a House committee, having
13 been rejected twice, shall not be placed on the committee calendar again or
14 considered again during the same legislative session unless the vote is
15 expunged (two-thirds of the membership of the committee). The motion to
16 expunge shall be placed on the committee agenda, by a committee member, and
17 placed at the bottom of the active list. A bill or resolution may be amended
18 before a second consideration; but, unless expunged, even an amended bill
19 having failed twice shall not be placed on the calendar or considered.

20 65. Upon written request by the author of a bill directed to the
21 chairperson of the committee, a bill shall be considered by the full
22 committee within ten (10) days of the time of such request, but the
23 committees may delay final action on a bill by a majority vote of the
24 committee.

25 66. No bill shall be introduced with a committee as the author of said
26 bill unless that committee has voted unanimously to sponsor the bill.

27 67. Committee Records and Reports:

28 67.(a) The chairperson of each committee of the House shall keep or
29 cause to be kept a separate record for each committee meeting in which there
30 shall be entered:

31 67.(a) 1. The time and place of each hearing and each meeting of the
32 committee.

33 67.(a) 2. The number and title of the bill with one of the following
34 three recommendations: "do pass", "do pass as amended", or "do not pass". If
35 a committee recommends a bill "do pass as amended" and any of the amendments
36 recommended by the committee are not adopted on the Floor, the bill shall be

1 re-referred to the same committee for further consideration and
2 recommendation.

3 67.(a) 3. A summary of each bill's major provision which may be
4 several paragraphs in length in case of major bills or simply the title of
5 the bill in the case of minor bills.

6 67.(a) 4. The reason for the committee's action on the bill, including
7 a brief minority report, if requested by any two (2) committee members.

8 67.(a) 5. A record of how every member voted on each bill when action
9 is taken by the committee, including votes on a motion to postpone
10 consideration on the bill and a recorded vote on any other motion, if
11 requested by any two (2) committee members.

12 67.(a) 6. A list of all people testifying before a committee on each
13 bill, the interest that they represent, and an indication of their position
14 on the bill.

15 67.(b) Such records for each separate committee meeting shall be
16 approved by the chairperson before the expiration of a seven (7) day period,
17 with the exception of those records referred to in (a) 1. and 2., hereinabove
18 which shall be filed immediately with the Clerk of the House.

19 67.(c) Other reports may be filed with the Clerk of the House.

20 68. Consent Calendar – Supplemental Calendar. In addition to the
21 regular calendar of the House of Representatives, there shall be a consent
22 calendar on which shall be placed bills that have been recommended "do pass"
23 by committee, which are deemed by the committee or by the Speaker to be non-
24 controversial, and may be used for other non-controversial matters such as
25 resolutions and amendments to bills proposed by the author of the bill, if
26 the Speaker deems such matter to be non-controversial. The Speaker of the
27 House shall maintain the consent calendar. On Thursday of each week, and
28 such other times as the Speaker may deem advisable, the House shall consider
29 bills and other matters on the consent calendar. Provided, that a list of
30 bills and other matters on the consent calendar which are to be considered on
31 a particular day shall be circulated among the members of the House of
32 Representatives the day prior to the date on which the consent calendar is to
33 be considered. If as many as five (5) members object to a bill or other
34 matter on the consent calendar being considered as non-controversial, the
35 Speaker of the House shall remove the same from the consent calendar and
36 shall place it on the regular calendar of the House business. When deemed

1 advisable, in addition to the regular calendar and the consent calendar, the
2 Speaker may provide for a supplemental calendar on which shall be placed
3 bills and resolutions and other matters as requested by the members for
4 consideration. The list of bills, resolutions and other matters on the
5 supplemental calendar for consideration on a particular day shall be
6 circulated among the members of the House. If as many as five (5) members
7 object to a bill, resolution or any other matter on the supplemental calendar
8 the same shall be removed and placed on the regular House calendar for
9 consideration consistent with the wishes of the House. No bill or resolution
10 may be placed for consideration on any more than one (1) House calendar.

11 69. A vote of two-thirds (2/3) of the elected membership of the House
12 of Representatives shall be necessary to remove a bill from a committee. A
13 bill may be reported by a committee at any time as provided by the House
14 Rules except for bills introduced after the fiftieth (50th) day of the
15 Regular Session, or during a special session, which shall, upon written
16 request by the author, be acted on at the next regular meeting of the
17 committee, but committees may delay final action on a bill by a majority vote
18 of the committee.

19 70.(a) Except as provided in subsection (b), no action may be taken in
20 the House Committee on Public Health, Welfare and Labor or on the Floor of
21 the House of Representatives on any bill that provides for licensure of any
22 profession, occupation or class of health care providers not currently
23 licensed or expands the scope of practice of any profession, occupation, or
24 class of health care providers unless the House Committee on Public Health,
25 Welfare and Labor has initiated a study of the feasibility of such
26 legislation at least thirty (30) days prior to convening the next legislative
27 session.

28 70.(b) A bill providing for the licensure of any profession,
29 occupation, or class of health care providers not currently licensed or
30 expanding the scope of any practice of any profession, occupation, or class
31 of health care providers may be acted upon without the initiation of a
32 feasibility study required in subsection (a) upon a two-thirds (2/3) vote of
33 the House Public Health, Welfare and Labor Committee membership.

34

35

COMMITTEE OF THE WHOLE

36 71. All measures involving a tax or an appropriation of money, or

1 property, may be first considered in a Committee of the Whole, amendments can
2 be offered in the Committee of the Whole.

3 72. The Speaker of the House, in setting the calendar of budgets or
4 appropriation bills to be considered in the House shall, from time to time,
5 confer with the chairperson of the House Budget Committee on the
6 appropriation bills pending and may designate specific days or times to be
7 set aside in the House to be devoted solely to consideration of appropriation
8 bills and other budget matters. At least by the end of business on the
9 previous day before any appropriation bill is to be considered by the House,
10 the chairperson of the House Budget Committee shall cause to be prepared and
11 placed on each member's desk a listing of appropriation bills to be
12 considered in the Committee of the Whole or the House, broken down as
13 follows:

14 72.(a) Appropriation bills sponsored by the Joint Budget Committee or
15 the House Budget Committee, prepared in accordance with Legislative Council
16 recommendations;

17 72.(b) All other appropriation bills sponsored by the Joint Budget
18 Committee or the House Budget Committee which were not considered by the
19 Legislative Council;

20 72.(c) Bills introduced by members of the House (or Senate) that shall
21 have been recommended by the Joint Budget Committee or the House Budget
22 Committee "do pass" or "do pass as amended"; and

23 72.(d) Appropriation bills amended in the Senate without Joint Budget
24 Committee or House Budget Committee action. The aforementioned list of
25 appropriation bills shall include the number of the bill, the author of the
26 bill, and the name and agency and/or program for which the appropriation is
27 to be made. In the event the Joint Budget Committee or the House Budget
28 Committee recommendations in regard to the appropriation shall differ, in any
29 respect, from the recommendations made by the Legislative Council in regard
30 thereto, said list shall identify each such change in the appropriation bill
31 which differs from the recommendation of the Legislative Council.

32 73. In forming a Committee of the Whole House, the Speaker may leave
33 his/her chair after appointing a chairperson to preside, who shall have the
34 same power as the Speaker to preserve order. A majority of a quorum is
35 required to resolve the House into a Committee of the Whole.

36 74. When the House resolves itself into the Committee of the Whole,

1 non-members who are to participate in the matters to be discussed may be
2 invited into the House Chambers by the proponents or opponents of the
3 proposals to be discussed but all such non-members shall leave at the time
4 the committee arises.

5 75. A Committee of the Whole cannot report a measure without a quorum
6 of its members present.

7 76. The rules and proceedings of the House shall be observed in
8 Committee of the Whole House so far as they may be applicable. Decisions
9 will be made by voice or standing votes.

10 77. No motion which has as its effect the limiting of debate in the
11 Committee of the Whole shall be entertained by the chairperson. The motion
12 for the disposition of any matter referred to the committee shall be,
13 "Mr./Ms. Chairman, I move the committee do now rise and report". If the
14 committee had no specific report, the motion should be to rise and report
15 progress.

16

17 **LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE**

18 78. Legislative Council.

19 78.(a) Twenty (20) of the House members of the Legislative Council
20 shall be selected by members-elect of the House Caucus Districts. Each
21 caucus shall select five (5) members. The selections shall occur on the
22 Friday following the November General Election. Following the selections,
23 the newly selected House of Representative members of the Legislative Council
24 shall select one (1) of their number as Legislative Council co-chair and one
25 (1) of their number as Legislative Council co-vice-chair. However no more
26 than one (1) member selected by caucus shall reside within the same county.
27 The term of office of the members shall be from January 1 of odd-numbered
28 years to December 31 of the following even-numbered year. Legislative
29 Council membership shall be confirmed at the same time that representatives
30 are administered the oath of office.

31 78.(b) In order that there may be no House vacancies on the
32 Legislative Council at any time, at the time of selection of the House
33 members to the Council there shall be selected in each Caucus District a
34 first alternate and a second alternate for each member selected from that
35 district. In the event that any House member or House alternate of the
36 Legislative Council resigns from the Council, is disqualified from serving on

1 the Council, dies, or for any other reason there becomes a permanent vacancy
2 in a House position on the Council, the House members of the Caucus District
3 from which the member or alternate was selected shall choose a replacement
4 member or alternate to serve the remainder of the term. When a vacancy
5 occurs in a House member position on the Council or a House alternate
6 position on the Council, that person's alternate shall serve until a signed
7 report from the Caucus chairperson designating otherwise is filed with the
8 Speaker. The Speaker shall notify the Council chairperson of all changes in
9 membership on the Council.

10 78.(c) Ex-officio members in accordance with A.C.A. 10-3-301.

11 79. Legislative Joint Auditing Committee.

12 79.(a) House members of the Legislative Joint Auditing Committee shall
13 be selected by members-elect of each House Caucus District. The selections
14 shall occur on the Friday following the November General Election. Following
15 the selections, the newly selected House of Representative members of the
16 Legislative Joint Auditing Committee shall select one (1) of their number as
17 Legislative Joint Auditing Committee co-chair and one (1) of their number as
18 Legislative Joint Auditing Committee co-vice-chair. Each caucus shall select
19 five (5) members. However no more than two (2) members shall reside within
20 the same county. The term of office of the members shall be from January 1
21 of odd-numbered years to December 31 of the following even-numbered year.
22 Legislative Joint Auditing Committee membership shall be confirmed at the
23 same time that representatives are administered the oath of office.

24 79.(b) In order that there may be no House vacancies on the
25 Legislative Joint Auditing Committee at any time, at the time of selection of
26 the House members to the Committee there shall be selected in each Caucus
27 District a first alternate and a second alternate for each member selected
28 from that District. In the event that any House member or House alternate of
29 the Legislative Joint Auditing Committee resigns from the Committee, is
30 disqualified from serving on the Committee, dies, or for any other reason
31 there becomes a permanent vacancy in a House position on the Committee, the
32 House membership of the Caucus District from which the member or alternate
33 was selected shall choose a replacement member or alternate to serve the
34 remainder of the term. When a vacancy occurs in a House member position on
35 the Committee or a House alternate position on the Committee, that person's
36 alternate shall serve until a signed report from the Caucus chairperson

1 designating otherwise is filed with the Speaker. The Speaker shall notify
2 the Committee chairperson of all changes in membership on the Committee.

3 79.(c) Ex-officio members in accordance with A.C.A. 10-3-403 thru 10-
4 3-404.

5 CAUCUS DISTRICTS

6 80. The First Caucus District shall be composed of the following House
7 of Representatives Districts: 13; 14; 15; 48; 51; 52; 53; 54; 55; 56; 57; 58;
8 59; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; and 82.

9 The Second Caucus District shall be composed of the following House of
10 Representatives Districts: 28; 29; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40;
11 41; 42; 43; 44; 45; 46; 47; 49; 50; 60; 61; 68; and 70.

12 The Third Caucus District shall be composed of the following House of
13 Representatives Districts: 62; 63; 64; 65; 66; 67; 69; 83; 84; 85; 86; 87;
14 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; and 100.

15 The Fourth Caucus District shall be composed of the following House of
16 Representatives Districts: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 16; 17;
17 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; and 30.

18 DEBATE

19
20 81. When a representative desires to speak or to have the attention of
21 the House, he/she shall rise from his/her seat and respectfully address
22 himself/herself to "Mr./Madam Speaker", (or in the Committee of the Whole,
23 "Mr./Madam Chairperson") and upon recognition, he/she may address the House
24 from his/her seat or the "well" of the House. Representatives must be at
25 their seats before obtaining recognition. Any representative who receives
26 recognition from the Chair must confine himself/herself to the question
27 before the House, or a privileged motion. No representative shall proceed
28 until recognized by the Speaker. When two (2) or more representatives arise
29 at once, the Speaker shall name the member who shall be first to speak.

30 82. When a representative desires to interrupt a representative having
31 the Floor, he/she shall first obtain recognition of the Speaker and
32 permission of the representative occupying the Floor; and when so recognized
33 and such permission is obtained, he/she may ask questions of the
34 representative occupying the Floor; but shall not propound a series of
35 interrogatives or otherwise badger the representative having the Floor.

36 83. No representative shall occupy more than thirty (30) minutes in

1 debate on any question in the House. The representative reporting a measure
2 under consideration from a committee or the author may open and close debate.
3 If debate shall extend beyond one (1) day, the author or sponsor shall be
4 entitled to thirty (30) minutes to close. The right to close may not be
5 automatically exercised after limited debate, the previous question, ~~or~~
6 ~~limited debate~~ or immediate consideration is voted.

7 84. No representative shall speak more than once on the same question
8 without leave of the House. One (1) mover, proposer or introducer of the
9 question pending may speak the second time and close, but not until every
10 representative choosing to speak shall have been heard.

11 85. A representative having the Floor may not yield it to another for
12 any purpose including making a motion; but, if he/she desires to allow a
13 motion to be made, he/she must yield the Floor.

14

15

DECORUM

16 86. No person other than a member of the Arkansas General Assembly,
17 designated legislative staff, or on special and certain occasions those
18 persons specifically invited by the Speaker of the House, shall be permitted
19 on the Floor of the House Chamber while the House is in session or in brief
20 recess. A pool arrangement for the media shall be established, the direction
21 and control of which shall be regulated by the Speaker of the House. No one
22 in the House Chamber other than a member of the Legislature may advocate or
23 oppose passage of a measure while the House is in session. No legislative
24 aides, lobbyists or unauthorized persons shall be permitted access to the
25 House Floor, lounges or House support areas. This Rule shall be enforced by
26 the Speaker of the House and/or the House Management Committee. The House
27 Management Committee and the Rules Committee shall recommend punishment to
28 the House for violation of this Rule. (A.C.A. 10-2-110 -- Disorderly Conduct)

29 87. The House Chamber during regular and special sessions shall be
30 used only for the legislative business of the House and for the caucus
31 meetings of its members, except upon occasions where the House, by
32 resolution, agrees to take part in any ceremonies to be observed therein; and
33 the Speaker shall not entertain a motion for suspension of this rule.

34 88. No representative shall use intemperate language with reference to
35 the House or its members.

36 89. If any representative, in speaking or otherwise, transgresses the

1 rules of the House, the Speaker shall or any representative may, call him/her
2 to order. He/she shall immediately be seated unless permitted, on a motion
3 of another representative, to explain. The House shall, if called upon,
4 decide on the issue without debate. If the decision is in favor of the
5 representative called to order, he/she shall be free to continue; and, if the
6 dispute shall warrant, a representative shall be open to censure or such
7 punishment as the House shall impose.

8 90. Normal conformity to good manners and taste shall be expected of
9 each member of the House. Representatives shall avoid references to
10 personalities and extend to each representative courtesies which they wish
11 for themselves.

12 91. Introduction of and recognition of family, constituents, or groups
13 shall not become excessive. Members should be extremely reluctant in using
14 the time of the House for these personal courtesies. If deemed appropriate by
15 the Speaker of the House, he/she shall make all introductions from
16 information provided to the Speaker by a member or appropriate House staff.

17 92. The smoking of cigarettes, cigars and pipes or other tobacco
18 products shall not be permitted in the Chamber of the House of
19 Representatives or in the members' private work area.

20 93. A Roll Call shall not be interrupted by a motion or other order of
21 business from the time the Speaker calls up the ballot until he/she casts up
22 the ballot and announces the result of said ballot.

23 24 VOTING

25 94. No person not a representative shall cast a vote for a
26 representative.

27 95. Any question or motion, except final passage of a bill or final
28 action on a joint resolution, may be put to the House by a voice vote at the
29 discretion of the Speaker.

30 96. Any five (5) representatives shall have the right to call for the
31 ayes and nays and have the result entered on the Journal. (Art. 5, Sec. 12)

32 97. Any representative who will be absent from the House may pair
33 his/her vote with a representative who shall be present.

34 97.(a) These representatives must be casting opposite votes.

35 97.(b) Dated pairs reflecting the bill number are counted when signed
36 by both representatives,

1 (1) in the presence of each other, and witnessed by another
2 representative, or

3 (2) when the member who will not be present for the vote signs
4 the pair form in the presence of a person authorized by law to take
5 acknowledgements and who verifies the identity of the signer.

6 97.(c) Pairs shall be presented to the Speaker only on the day of the
7 vote for which the representatives are paired is to be taken.

8 97.(d) Pairs shall be announced by the Speaker immediately prior to
9 the Roll Call from a Pair Form presented to the Speaker by the representative
10 present. At the time of the announcement the Speaker shall (1) determine
11 that the member who is required to be present is present, and (2) provide the
12 membership with an opportunity to express procedural objections to the pairs.

13 97.(e) The representative may not cast his/her vote by other methods
14 when he/she is paired.

15 98. The demand to "Sound the Ballot" (a device to determine how each
16 representative voted) may be accomplished by any five (5) members rising and
17 requesting the Speaker to have the names called and the way the member voted
18 repeated. When contested, any representative (except a representative voting
19 by pair vote and the Speaker and a substitute Speaker) who is not present and
20 in his seat shall have his/her vote eliminated.

21 99. After a voice vote, the Speaker or any five (5) representatives
22 that doubt the result may call for a division of the House.

23 99.(a) Representatives voting aye shall stand at their seats until
24 counted.

25 99.(b) Then, representatives voting no shall stand at their seats
26 until counted.

27 99.(c) No representative shall be counted that is not at his/her
28 assigned voting station (his/her seat on the House Floor).

29 99.(d) The Speaker or his/her designee shall be responsible for
30 counting the vote and the Speaker shall announce the result of the vote.

31 100. The Electronic Voting System shall have the same force and effect
32 as a Roll Call. (Not less than a majority of the members of each House of
33 the General Assembly may enact a law.) (Art. 5, Sec. 37 as added by Amend.
34 19, Sec. 1)

35 101. The Speaker, with three (3) representatives, is sufficient to
36 adjourn, or recess to a time certain, or sine die. (Neither house shall,

1 without the consent of the other, adjourn for more than three (3) days, nor
2 to any other place than that in which the two (2) houses shall be sitting.)
3 (Art. 5, Sec. 28)

4 (Governor's power to adjourn) In cases of disagreement between the two
5 (2) houses of the General Assembly, at a regular or special session, with
6 respect to the time of adjournment, the Governor may, if the facts be
7 certified to him/her by the presiding officers of the two (2) houses, adjourn
8 them to a time not beyond the day of their next meeting; and, on account of
9 danger from an enemy or disease, to such other place of safety as he/she may
10 think proper. (Art. 6, Sec. 20)

11 102. Vetoes. (Art. 6, Secs. 15 thru 17; A.C.A. 10-2-116)

12 103. Extraordinary sessions of the General Assembly. (Art. 6, Sec. 19)

13 104. Homestead exemption increase (3/4 vote) (Art. 16, Sec. 16 as
14 added by Amend. 59)

15 105. Workmen's Compensation Laws (Art. 5, Sec. 32 as amended by Amend.
16 26)

17 106. It shall be a violation of the Rules of the House for any member
18 of the House to accept a campaign contribution during the period beginning
19 thirty (30) days before and ending thirty (30) days after any regular session
20 of the General Assembly. If there is an extended recess of the General
21 Assembly, the period shall end thirty (30) days after the beginning of the
22 recess. It shall also be a violation of the Rules of the House for any
23 member of the House to accept a campaign contribution during any extended
24 session of the General Assembly or during any special session of the General
25 Assembly.

26 107. All Roll Call votes on bills, emergency clauses on bills, resolutions,
27 and amendments in the House of Representatives shall be entered by the House
28 into the General Assembly's Internet web site.

29
30 ADDENDUM

31 HOUSE OF REPRESENTATIVES

32 COMMITTEE CHAIRPERSONS MANUAL

33 AND

34 HOUSE COMMITTEE RULES

35
36 A committee chairperson is a member appointed by the Speaker of the House to

1 function as the parliamentary head of a standing, select, special or joint
2 committee.

3

4 1) The chairperson (or vice chairperson in his or her absence) shall call the
5 committee to order at the appointed time.

6

7 2) The presider shall determine a quorum present either by declaration,
8 without objection, or by calling the roll (for quorum purposes only a roll
9 call will be required if there is one objection by a committee member to the
10 declaration of the presence of a quorum).

11

12 3) The presider shall maintain order of the committee meeting.

13

14 4) The presider shall decide all questions of order subject to appeal to the
15 Speaker of the House who may refer the question to the Rules Committee whose
16 decision may be appealed to the full House.

17

18 5) The presider shall supervise and direct the staff of the committee.

19

20 6) The presider shall prepare, or supervise the preparation of, and sign all
21 reports of the committee and submit them to the full House.

22

23 House Rule 53.(b)

24 53.(b) All committees shall consider the bills, resolutions,
25 amendments, petitions, and memorials referred to them and make one of the
26 following reports in writing to the House:

27 53.(b)(1) That a bill, resolution, petition or memorial "do pass";

28 53.(b)(2) That a bill, resolution, petition or memorial "do not
29 pass", in which event the measure shall not be considered unless the vote is
30 expunged;

31 53.(b)(3) That a bill, resolution, petition or memorial "do pass as
32 amended". No bill, resolution, petition or memorial shall be acted
33 upon without a "do pass" or a "do pass as amended" recommendation. No
34 bills shall be placed on the non-controversial calendar or deemed to
35 be non-controversial in any way unless a motion is adopted in the
36 committee to which the bill was referred. With a quorum present, the

1 motion is considered adopted if there are no negative votes.

2
3 7) A quorum (one more than half the total membership of the committee) must
4 be present to transact official House committee business.

5
6 (House Rule 64) No committee shall transact business without a quorum (a
7 majority of the committee membership present). All final action on bills or
8 resolutions, and on proposed amendments to bills or resolutions, shall be
9 decided by a majority vote of the total membership of the committee.

10 Provided, however, that the Speaker of the House shall not be included for
11 the purpose of determining what is a majority of a standing committee, unless
12 present at the time of the vote. A member of the committee must be present
13 at the time of the vote for his/her vote to be counted on any matter
14 considered by the committee (no pairs, no proxies).

15
16 8) (House Rule 52. (c)(2)) The rules or proceedings of the House of
17 Representatives shall be observed in all select committees, standing
18 committees, and subcommittees of the House so far as they may be applicable.

19
20 The precedence of motions so far as they are applicable shall be as listed in
21 House Rule 17(a) – (q):

22
23 (House Rule 17) When a question is under debate, motions shall have
24 precedence in the following order (the request for a quorum call is always in
25 order; the chairperson is not compelled to accept any motion):

26 17(a) To fix the time to which the House will adjourn (non-debatable)
27 (majority of a quorum);

28 17(a)(1) (A majority of a quorum is a majority of those voting when at
29 least a majority of the members are present and voting);

30 17(b) To adjourn (non-debatable) (majority of a quorum);

31 17(c) To take a recess (non-debatable) (majority of a quorum);

32 17(d) Postpone temporarily; lay on the table (non-debatable) (majority
33 of a quorum) To take from the table (non-debatable) (majority of a
34 quorum);

35 17(e) Immediate consideration (non-debatable) (2/3 of a quorum);

36 17(f) Previous question (non-debatable) (5 seconds) (majority of a

1 quorum);

2 17(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

3 17(h) To expunge (debatable) (2/3 of membership) (67);

4 17(i) Postpone to a day certain (debatable) (majority of a quorum);

5 17(j) Committee of the Whole, go into (non-debatable) (majority of a
6 quorum);

7 17(k) Refer (debatable) (majority of a quorum);

8 17(l) Amend (debatable) (majority of a quorum);

9 17(m) Substitute motion (debatable) (majority of a quorum);

10 17(n) Postpone indefinitely (debatable) (majority of membership);

11 17(o) Take out of proper order (non-debatable) (2/3 of a quorum);

12 17(p) Special order of business (debatable) (2/3 of a quorum); and

13 17(q) To suspend the rules (non-debatable) (2/3 of a quorum).

14
15 9) (House Rule 58(a)) All committee and subcommittee meetings including but
16 not limited to hearings at which public testimony is to be taken, (normally
17 called "public hearings") shall be open to the public (Art. V, Sec. 13) and
18 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
19 resolutions, and other proposals to be considered at such meetings shall be
20 posted in a designated place at least eighteen (18) hours in advance; but in
21 case of an emergency, a two-thirds (2/3) majority of the membership of the
22 committee may bring bills or resolutions up for consideration upon notice of
23 not less than two (2) hours.

24
25 10) (House Rule 58(b)) Special meetings of a standing committee may be
26 called by the chairperson of the committee or by a majority of the members of
27 the committee for conducting any business of the committee; provided, a
28 special meeting of the committee may not conflict with regularly scheduled
29 meetings of any standing committee; provided further, special meetings shall
30 be subject to the same procedures regarding the publishing of agendas and
31 notices of meetings that apply to regular standing committee meetings. (J.R.
32 21 – Joint Committee)

33
34 11) (House Rule 59) All persons wishing to offer testimony to a committee
35 hearing shall be given a reasonable opportunity to do so as determined by a
36 majority of the committee. An oral or written statement shall not be a

1 prerequisite to offer testimony before a committee.

2
3 12) (House Rule 61) No committee shall sit while the House is in session
4 except the Committee on Rules or a Conference Committee, which shall notify
5 the House.

6
7 13) (House Rule 64(a)) A bill, resolution or amendment in a House committee,
8 having been rejected twice, shall not be placed on the committee calendar
9 again or considered again during the same legislative session unless the vote
10 is expunged (two-thirds of the membership of the committee). The motion to
11 expunge shall be placed on the committee agenda, by a committee member, and
12 placed at the bottom of the active list. A bill or resolution may be amended
13 before a second consideration; but, unless expunged, even an amended bill
14 having failed twice shall not be placed on the calendar or considered. Notice
15 of reconsideration not permitted in committee.

16
17 14) (House Rule 45(a)) When a bill or resolution is under consideration,
18 amendments shall be in order. Upon adoption, amendments shall become a part
19 of the bill or resolution. Amendments to amendments may not be offered. All
20 amendments offered before the House or one of its committees must be
21 typewritten on an approved amendment form and signed by the sponsor. All
22 amendments shall be attached to the original bill or resolution, numbered by
23 the Bill Clerk, and shall be placed upon the members' desks before being
24 acted upon by the House.

25
26 (House Rule 36(e)) All amendments shall be entered on a separate sheet of
27 paper noting the line or lines to be changed and the words to be deleted or
28 inserted.

29
30 15) (House Rule 66) No bill or resolution shall be introduced with a
31 committee as the author of said bill or resolution unless that committee has
32 voted unanimously to sponsor the bill or resolution.

33
34 16) (House Rule 67) Committee Records and Reports

35 67(a) The chairperson of each committee of the House shall keep or
36 cause to be kept a separate record for each committee meeting in which

1 there shall be entered:

2 67(a) 1. The time and place of each hearing and each meeting of the
3 committee.

4 67(a) 2. The number and title of the bill or resolution with one of
5 the following three recommendations: "do pass", "do pass as amended",
6 or "do not pass". If a committee recommends a bill or resolution "do
7 pass as amended" and any of the amendments recommended by the committee
8 are not adopted on the floor, the bill or resolution shall be re-
9 referred to the same committee for further consideration and
10 recommendation.

11 67(a) 3. A summary of each bill or resolution's major provisions which
12 may be several paragraphs in length in case of major bills or
13 resolutions or simply the title of the bill or resolution in the case
14 of minor bills or resolutions.

15 67(a) 4. The reason for the committee's action on the bill or
16 resolution, including a brief minority report, if requested by any two
17 (2) committee members.

18 67(a) 5. A record of how every member voted on each bill or resolution
19 when action is taken by the committee, including votes on a motion to
20 postpone consideration on the bill or resolution and a recorded vote on
21 any other motion, if requested by any two (2) committee members.

22 67(a) 6. A list of all people testifying before a committee on each
23 bill or resolution, the interest that they represent, and an indication
24 of their position on the bill or resolution.

25
26 17) (House Rule 67(b)) Such records for each separate committee meeting
27 shall be approved by the chairperson before the expiration of a seven (7) day
28 period, with the exception of those records referred to in (a) 1. and 2.,
29 hereinabove which shall be filed immediately with the Clerk of the House.

30
31 18) (House Rule 22 part) When a question is raised about the proper referral
32 of a bill or resolution to committee, if the Speaker admits error in the
33 referral of the bill or resolution to a committee, the bill or resolution may
34 be re-referred by a majority vote of a quorum; however, if the Speaker does
35 not admit error in the referral of the bill or resolution to committee, the
36 bill or resolution may only be re-referred by a two-thirds (2/3) vote of a

1 quorum. When a bill or resolution is re-referred to a committee, any
2 previous committee recommendation is automatically stripped from the bill or
3 resolution. When a motion is under consideration, only two (2) substitutes
4 to that motion shall be in order. A substitute to the third degree shall not
5 be in order. Only a motion applicable to the main motion and of a higher
6 precedence upon recognition may be substituted for the motion under
7 consideration.

8

9 19) (House Rule 53 (a)) House Committee Staff will automatically and without
10 delay place all bills or resolutions referred to the committees on the
11 committee agendas. Staff will notify the sponsor of bills or resolutions
12 assigned to committee. Referred bills shall be placed on the committee's
13 active agenda in the order they are read across the desk on the House Floor.
14 When an active agenda is established in a committee and bills from that
15 agenda are not placed on the deferred list and if they are passed over, they
16 are placed at the bottom of the list of the day's active agenda. Bills read
17 across the desk on the House Floor later that same day or on a later day are
18 placed on the active agenda in the order they are read below bills already on
19 the active agenda.

20

21 20) After a bill or resolution has appeared on the Committee
22 agenda and has been called up for consideration by the Committee and the
23 sponsor of the bill or resolution or a representative is not present to
24 present the bill or resolution, the bill or resolution will be placed on the
25 active agenda two (2) additional times, but will be placed at the bottom of
26 the active agenda.

27

28 21) If the sponsor or a representative is not present to present
29 the bill or resolution when called up after the bill or resolution has
30 appeared on the active agenda when called up during the third meeting, the
31 bill or resolution will be automatically dropped from the active agenda and
32 placed on the deferred list unless the sponsor notifies staff to put the bill
33 or resolution back on the active agenda before the agenda is prepared, for
34 the next called meeting. Requests to move bills or resolutions from the
35 deferred list to the active agenda must be made by 2:30 p.m. two (2) days
36 prior to the scheduled committee meeting. Bills moved from the deferred list

1 to the active agenda shall be listed at the bottom of the active agenda.
2 Bills on the deferred list may be moved to the active calendar as provided by
3 rule for a total of three (3) times only. A suspension of this rule by the
4 Committee (two-thirds of a quorum) will be required for each transfer of any
5 bill having been moved three (3) times previously.

6
7 22) Bills or resolutions suggested as non-controversial will be
8 considered before consideration of controversial bills or resolutions on the
9 agenda. The objection of one (1) committee member to the consideration of a
10 bill or resolution as non-controversial will automatically keep the bill or
11 resolution from being considered as being non-controversial. Even though a
12 bill or resolution has been considered as non-controversial, it will be
13 necessary after a "do pass" or "do pass as amended" recommendation that a
14 motion be made and there be unanimous consent of no less than a quorum of the
15 Committee for a bill or resolution to be eligible to be placed on the House
16 Non-controversial Calendar.

17
18 23) If a bill or resolution is discussed by a committee at a
19 meeting, but is not voted on because of time limitations or because the vote
20 is deferred to the next meeting, the bill or resolution will not lose its
21 order on the agenda and will not be counted as having been considered.

22
23 24) The author/sponsor of a bill or resolution may make a
24 presentation for his/her bill or resolution and may elect at that time to
25 respond to questions from the committee members. Following the initial
26 presentation, non-legislative---non-committee members will be allowed to
27 alternately speak against and for the bill or resolution. A procedural
28 motion made by a member of the committee and adopted by the committee to
29 limit or end debate will be allowed to govern non-legislative---non-committee
30 members' discussions. At the conclusion of the non-legislative---non-
31 committee member proponent and opponent presentations, the sponsor may return
32 to the podium and may elect to field questions from the committee members.
33 Those questions should be limited to requests for clarification or the
34 securing of information. Questions that are rhetorically offered and are
35 dilatory for the effect of debate are discouraged. At this point, the chair
36 will entertain motions from committee members only. For disposition of a

1 proposition in a House Committee, procedural motions (limit debate, immediate
2 consideration, etc.) are allowed only following a main motion (do pass, do
3 not pass, do pass as amended, etc.). Discussion from that point forward is
4 limited to committee members for and against the motion, if debatable, in
5 alternating fashion. If immediate consideration is not adopted and if debate
6 has not been limited and time has not expired, the author/sponsor will be
7 allowed to close for his/her bill or resolution. During the closing, the
8 author may elect to field questions from committee members. At the
9 conclusion of these presentations, a vote will be taken on the motion
10 properly before the committee.

11
12 25) As determined by the presider courtesy may be extended to
13 General Assembly members who are non-committee members who need to return to
14 their own committee meetings.

15
16 26) (House Rule 64) Eleven (11) members of a standing committee
17 constitute a committee quorum with the Speaker present if he/she is a member
18 of the committee and ten (10) members when the Speaker is not present. A
19 committee recommendation of a bill or resolution will require these same
20 numbers.

21
22 27) Smoking is prohibited in the committee rooms and all
23 adjoining rooms.

24
25 28) (House Rule 67(a)5) A roll call vote will be required if
26 requested by any two (2) committee members, except for a quorum call which
27 may be requested by one (1) member. The request for a quorum call is always
28 in order.

29
30 29) When a roll call is required, the roll will be called by
31 seniority with the vice chairperson being called next to last and the
32 chairperson last. For a member's vote to be counted and recorded, he/she must
33 vote "yes", "no" or "present".

34
35 30) During a roll call vote, when a member's name has been called
36 twice and he/she does not respond, or when a member passes, they will not be

1 allowed to vote at a later time on the current issue before the committee.

2

3 31) No seconds are required during the legislative process except those that
4 are explicit in the rules, (roll call, previous question, sound the ballot,
5 etc.)

6

7 32) (House Rule 36(p)1) When any House or Senate bill or resolution
8 requiring an expenditure of public funds or otherwise imposing a new or
9 increased cost obligation on any municipality or county is pending before any
10 committee of the House of Representatives, any member of the committee may
11 request that a fiscal impact statement for such bill or resolution be placed
12 on the desk of each member of the committee before the bill or resolution is
13 called up for final action in the committee. If such request is made, the
14 chairperson of the committee shall refer the bill or resolution to the
15 appropriate state agency or to the legislative staff for the preparation of a
16 fiscal impact statement, to be returned to the committee in writing not later
17 than five (5) days from the date of the request.

18

19 33) (House Rule 36(p)4) Failure of the sponsor of a bill or resolution to
20 provide the fiscal impact statement required in this rule shall not prohibit
21 the consideration of it in the committee to which referred or on the floor of
22 the house in which the bill or resolution is called up for final passage, if
23 no objection to it is made at the time such action is taken.

24

25 (House Rule 36(p)5) Nothing in this rule shall prohibit a committee to which
26 a bill or resolution is referred or the house in which the bill or resolution
27 is being considered from suspending the requirement of the filing of a fiscal
28 impact statement on any such bill or resolution in the same manner as
29 provided for the suspension of the rules in the house in which the bill or
30 resolution is being considered.

31

32 34) Bills imposing new or additional costs on education.

33 (a)(1) As used in this section, unless the context otherwise requires,
34 "fiscal impact statement" means a realistic written statement of the purpose
35 of a proposed law, or a regulation promulgated under a law, and the estimated
36 financial cost to the state or any local school district of implementing or

1 complying with the proposed law or regulation.

2 (2) The fiscal impact statement shall be developed by the Office of
3 Economic and Tax Policy of the Bureau of Legislative Research with the
4 assistance of the Department of Education within the guidelines adopted by
5 the House Committee on Education and the Senate Committee on Education, as
6 applicable.

7 (b) Any bill filed in the House of Representatives or Senate that will
8 impose a new or increased cost obligation for education in grades
9 kindergarten through twelve (K-12) on the State of Arkansas or any local
10 school district shall have a fiscal impact statement attached to it prepared
11 and filed with the chair of the committee to which the bill is referred:

12 (1) At least three (3) days before the bill may be called up for final
13 action in the committee during a regular session of the General Assembly; and

14 (2) At least one (1) day before the bill may be called up for final
15 action in the committee during a special session of the General Assembly.

16 (c)(1)(A) If any such House or Senate bill is called up for final passage in
17 the House or Senate and a fiscal impact statement has not been provided by
18 the author of the bill or by the committee to which the bill was referred,
19 any member of the House or Senate may object to the bill's being called up
20 for final passage until a fiscal impact statement is prepared and made
21 available on the desk of each member of the House or Senate at least one (1)
22 day prior to the bill's being called up for final passage.

23 (B) An affirmative vote of two-thirds (2/3) of a quorum present and
24 voting shall override the objection.

25 (2) If an objection is made without override, the presiding officer of the
26 House or Senate shall cause the bill to be referred to the office for the
27 preparation of a fiscal impact statement which shall be filed with the
28 presiding officer not later than five (5) days from the date of the request.

29 (A.C.A. 10-2-127)

30
31 35) Bills imposing new or additional costs and restrictions on inmate
32 population patterns or affecting programs or services of the Department of
33 Corrections.

34 (a) Each of the following bills introduced in the General Assembly
35 shall have a cost impact statement attached to the bill prior to the
36 committee to which the bill is referred taking action in regard to the bill:

