

1 State of Arkansas
2 87th General Assembly
3 House Caucus, 2009

HR 1034

4
5 By: Representative Moore
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7

8 **HOUSE RESOLUTION**

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

13 **Subtitle**

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

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

22 SECTION 1. The Rules of the House of Representatives of the Eighty-
23 Seventh 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 Qualified and certified persons to be seated and officially receive the oath
 17 of office may do so only at a time and place prescribed by the House. No
 18 person having resigned from public office as a provision to a plea agreement
 19 to avoid felony prosecution shall be seated or administered the oath of
 20 office. Incoming members with previous legislative tenure shall be placed
 21 highest in seniority among the incoming members based upon previous terms of
 22 service. Where an equivalence of terms of service exists, seniority for
 23 those with equal terms shall be asserted by drawing lots to determine their
 24 numerical standing.

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

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

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

36 7. Every bill or resolution in the possession of the House or of any

1 committee thereof shall be made available to any member for his/her
 2 examination.

3 8. No member at any time shall take from the House or any committee
 4 any bill or other paper belonging to the House, without consent of the
 5 Speaker, subject to the will of the House.

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

8

9

THE SPEAKER

10

10. Selection.

11

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

16

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

32

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

36

10.(a)(3) If no candidate receives a majority vote of the membership

1 of the House of Representatives, the names of the two (2) candidates
 2 receiving the highest number of votes cast shall be placed on a run-off
 3 ballot and distributed among the membership of the House of Representatives
 4 in the same manner provided above.

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

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

19 10.(a)(6) Petitions seeking pledge signatures of members of the House
 20 of Representatives for a particular candidate seeking selection as Speaker-
 21 designate shall not be circulated among the members of the House of
 22 Representatives.

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

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

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

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

- 1 11.(c) Preserve order and decorum;
- 2 11.(d) Sign all acts, proceedings and orders of the House. All writs,
- 3 warrants and subpoenas issued by the House shall be signed and attested by
- 4 him/her and the Clerk (J.R. 10; A.C.A. 21-10-101 thru 21-10-108);
- 5 11.(e) Decide, with assistance of the Parliamentarian, all points of
- 6 order, subject to appeal by any representative;
- 7 11.(f) Appoint and confirm all representatives to certain committees
- 8 and to appoint and confirm committee chairpersons and vice chairpersons in
- 9 accordance with the House Rules and Statutes;
- 10 11.(g) Assign all bills to their appropriate committee;
- 11 11.(h) The Speaker shall not be required to vote, but may do so at
- 12 his/her discretion. If the Speaker allows a substitute Speaker, neither the
- 13 Speaker nor the substitute Speaker, if voting, shall be struck during the
- 14 sounding of the ballot.
- 15 11.(i) State the question to the House before each vote is taken;
- 16 11.(j) Appoint, at the beginning of each session, a member of the
- 17 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve
- 18 during the absences of the Speaker and shall perform the Speaker's duties.
- 19 The Speaker Pro Tempore shall not serve more than ten (10) consecutive
- 20 legislative days without the consent of the House, or beyond adjournment.
- 21 The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1)
- 22 from each House Caucus District;
- 23 11.(k) Supervise and direct the preparation of the daily House
- 24 calendar (J.R. 12);
- 25 11.(l) Administer the Oath of Office to the Chief Clerk and the
- 26 Parliamentarian at the beginning of each legislative session;
- 27 11.(m) Vacate the Speaker's office by January 1 of the calendar year
- 28 that a new General Assembly is to convene (odd-numbered years) so as to allow
- 29 the Speaker-designate the privilege of the use of the office in preparation
- 30 for the forthcoming General Assembly;
- 31 11.(n) Vacate the Speaker's premises by December 15 in the even-
- 32 numbered years; and
- 33 11.(o) Keep a permanent register of the seniority of the members of
- 34 the House of Representatives.
- 35 11.(p) When either body shall request a conference, and appoint a
- 36 committee for that purpose, the other body shall also appoint a committee of

1 equal number to confer, and such conference shall be held at any time and
 2 place agreed on by the chairpersons.

3
 4 COORDINATOR OF HOUSE LEGISLATIVE SERVICES

5 12. The Coordinator of House Legislative Services shall be appointed
 6 by the Speaker of the House with the approval of the House Management
 7 Committee. (Art. 5, Sec.11)

8 13. The duties of the Coordinator of House Legislative Services shall
 9 be to:

10 13.(a) Coordinate and supervise the activities of all temporary and
 11 permanent House employees, i.e., Chief Clerk, Chief Fiscal Officer, Executive
 12 Secretary, Assistant Executive Secretary, House Information Officer, and
 13 House Properties Manager;

14 13.(b) Keep or cause to be kept all fiscal accounts and records;

15 13.(c) Approve, by co-signing with the Speaker of the House,
 16 disbursements of all House funds;

17 13.(d) Acquire stationery, postage and other supplies and equipment
 18 for the House of Representatives and its members; (A.C.A. 10-3-602 -- Joint
 19 Committee on Legislative Printing Requirements and Specifications)

20 13.(e) Approve for disbursement all interim expense funds;

21 13.(f) Act as travel supervisor;

22 13.(g) Act as purchasing agent;

23 13.(h) Act as custodian of House properties; and

24 13.(i) Review and approve all requests for employee leave.

25
 26 THE CHIEF CLERK

27 14. The Chief Clerk shall be appointed by the Speaker-designate by
 28 November 1 of the even-numbered years, subject to confirmation by a majority
 29 vote of the membership of the House. (Article 5, Sec. 11)

30 15. The duties of the Chief Clerk shall be to (A.C.A. 10-2-102):

31 15.(a) Have custody of all bills, papers and records of the House and
 32 not to permit them to be taken out of his/her custody except by the
 33 provisions established in House Rule #8. Staff must sign a receipt for all
 34 bills taken from the Clerk;

35 15.(b) Keep the Journal of the proceedings of the House, and, under
 36 the direction of the Speaker, subject to the will of the House, correct

1 errors in the Journal;

2 15.(c) Keep the necessary records for the House;

3 15.(d) Supervise the engrossment and enrollment of bills and to
 4 certify their passage, with the assistance of the appropriate committee (J.R.
 5 6 thru 9);

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

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

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

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

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

24 15.(j) The Secretary of the Senate and the Clerk of the House are
 25 authorized, subject to approval by the appropriate designated committee, to
 26 correct obvious errors occurring in documents originating in the House and
 27 the Senate respectively, provided that each such correction is noted on the
 28 bill jacket and is documented by a "correction note" at the end of the
 29 official daily Journal for the date on which the correction was made. (J.R.
 30 23)

31

32

PARLIAMENTARIAN

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

34 16.(a) Convene the first session of the House at the time prescribed
 35 by law. The Parliamentarian shall call the members to order, call the roll,
 36 preserve order and decorum, and decide all questions of order subject to

1 appeal by any representative pending the election of the Speaker. The
 2 Parliamentarian of the previous House shall serve as the official
 3 Parliamentarian until the appointment of a new Parliamentarian. In the
 4 absence of a Parliamentarian of the previous House, the Speaker of the House
 5 shall designate a temporary Parliamentarian to convene the first session of
 6 the House;

7 16.(b) Assist the Speaker in deciding all points of order;

8 16.(c) Advise the Speaker on the proprieties of motions and the
 9 numbers of votes necessary for passage;

10 16.(d) Assist the Speaker in the supervision of the preparation of the
 11 daily House calendar;

12 16.(e) Assist the Speaker in the selection of a Chaplain for the day;

13 16.(f) Assist the Speaker in the assignment of bills to their
 14 appropriate committee;

15 16.(g) Sit as an ex-officio non-voting member of the House Rules
 16 Committee, and serve as secretary and advisor to the House Committee on the
 17 Journal; Engrossed and Enrolled Bills;

18 16.(h) Prepare and distribute the House Rules and amendments thereto,
 19 under the supervision of the Speaker and the House Rules Committee; and

20 16.(i) Have an adequate knowledge of Parliamentary Law and the Rules
 21 of the Arkansas House of Representatives.

22
 23 PARLIAMENTARY PRACTICE

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

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

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

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

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

33 17.(d) Postpone temporarily; lay on the table (non-debatable)
 34 (majority of a quorum) To take from the table (non-debatable) (majority of a
 35 quorum) (when the motion to take from the table is adopted, the proposition
 36 takes the same position it held when the motion to lay on the table was

- 1 adopted);
- 2 17.(e) Immediate consideration (non-debatable) (2/3 of a quorum);
- 3 17.(f) Previous question (non-debatable) (5 seconds) (majority of a
- 4 quorum);
- 5 17.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);
- 6 17.(h) To expunge (debatable) (2/3 of membership) (67);
- 7 17.(i) Postpone to a day certain (debatable) (majority of a quorum);
- 8 17.(j) Committee of the Whole, go into (non-debatable) (majority of a
- 9 quorum);
- 10 17.(k) Refer (debatable) (majority of a quorum);
- 11 17.(l) Amend (debatable) (majority of a quorum);
- 12 ~~17.(m) Substitute motion (debatable) (majority of a quorum);~~
- 13 17.~~(n)~~(m) Postpone indefinitely (debatable) (majority of membership);
- 14 17.~~(o)~~(n) Take out of proper order (non-debatable) (2/3 of a quorum);
- 15 17.~~(p)~~(o) Special order of business (debatable) (2/3 of a quorum); and
- 16 17.~~(q)~~(p) To suspend the rules (non-debatable) (2/3 of a quorum).
- 17 18. A motion to adjourn shall always be in order, when the Floor can
- 18 be obtained for that purpose, except when the previous question has been
- 19 ordered.
- 20 19. The motion to recess, when the Floor can be obtained for that
- 21 purpose, must specify the time which shall elapse and the time for
- 22 reconvening. It may be amended to alter specific time.
- 23 20. Previous question:
- 24 20.(a) When any debatable question is before the House, any member may
- 25 move the previous question. It shall be seconded by five (5) members whether
- 26 the question shall be stated. When the previous question shall have been
- 27 adopted, the proponents shall be allowed fifteen (15) minutes in which to
- 28 debate it, and the opponents of the main question shall be allowed fifteen
- 29 (15) minutes, after which time a vote upon the main question shall be taken.
- 30 20.(b) Pending a vote on the main question, one (1) motion to refer is
- 31 permitted. A motion to refer under this rule applies to House resolutions as
- 32 well as to House bills, to Senate bills and to Senate amendments to a House
- 33 bill, and to a motion to amend the Journal. The motion to refer under this
- 34 rule is non-debatable and may not be laid upon the table.
- 35 21. A motion to postpone to a day certain may not specify the hour; a
- 36 special order is necessary to specify the hour; the motion may be amended and

1 it is debatable within narrow limits only, confined to the merit of the
 2 motion itself.

3 22. The simple motion to refer is debatable within its narrow limits,
 4 but the merits of the proposition to which it is proposed to refer may not be
 5 brought into the debate. The motion to refer with instructions is debatable
 6 (majority vote of a quorum). When a question is raised about the proper
 7 referral of a bill to committee, if the Speaker admits error in the referral
 8 of the bill to a committee, the bill may be re-referred by a majority vote of
 9 a quorum; however, if the Speaker does not admit error in the referral of the
 10 bill to committee, the bill may only be re-referred by a two-thirds (2/3)
 11 vote of a quorum. When a bill is re-referred to a committee, any previous
 12 committee recommendation is automatically stripped from the bill.

13 22.(a) When a motion is under consideration, only two (2) substitutes
 14 to that motion shall be in order. Only a motion applicable to the main
 15 motion and of a higher precedence upon recognition may be substituted for the
 16 motion under consideration. A substitute to the third degree shall not be in
 17 order. Unless specified otherwise by the presenter of the motion at the time
 18 the motion is made, a substitute motion shall apply to the main motion.

19 23. The motion to postpone indefinitely opens to debate all the merits
 20 of the proposition to which it is applied. It may not be applied to the
 21 motion to refer, or to suspend the rules, or to motions relating to the order
 22 of business.

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

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

30 25. Reconsideration:

31 25.(a) When a proposition has been made and carried or lost, it shall
 32 be in order for any member of the majority on the same or succeeding
 33 legislative day to move for the reconsideration thereof, or give notice of
 34 his/her intentions to do so and such motion shall take precedence over other
 35 questions except consideration of a conference report or a motion to adjourn:
 36 Provided, the motion or proposition shall only be considered during the

1 period reserved for regular bills. The notice shall not be withdrawn after
2 the said succeeding legislative day without the consent of the House, and
3 thereafter any member may call it up for consideration: Provided, the notice
4 to reconsider must be disposed of within three (3) legislative days following
5 the day the vote was taken; provided, that such notice to reconsider cannot
6 be given after the 57th day of a regular session or during a special session
7 or fiscal session during which times a motion to reconsider must be disposed
8 of immediately.

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

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

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

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

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

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

7 25.(h) No "Clincher" motion shall be entertained on a bill passed
 8 during the morning hour or which has been represented to be non-controversial
 9 regardless of when passed. Prior to the 60th day of a session, no bill
 10 passed during the morning hour, or a bill appearing on the non-controversial
 11 bill calendar which has passed, shall be transmitted to the Senate until the
 12 expiration of the morning hour of the day next following its passage in which
 13 the House is in session.

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

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

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

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

26

27

DAILY ORDER OF BUSINESS

28

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

30

31 31. The daily order of business shall be:

31

(a) Prayer

32

(b) Pledge of Allegiance

33

(c) Roll Call

34

(d) Leaves of absence

35

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

36

(f) Reports from select committees

- 1 (g) Reports from standing committees
- 2 (h) Unfinished business
- 3 (i) Executive communications
- 4 (j) Introduction, reading and advancement of bills and resolutions
- 5 31.(k)1. Senate communications and amendments to House bills
- 6 2. Introduction, reading and advancement of bills and joint
- 7 resolutions
- 8 3. Bills and resolutions from the Senate on first reading
- 9 4. Bills and resolutions from the Senate on second reading
- 10 5. Senate bills and joint resolutions on third reading
- 11 31.(l) Announcement of committee meetings, and
- 12 31.(m) Adjournment.
- 13 32.(a) Introduction and reading of bills and resolutions may be
- 14 ordered by the Speaker of the House at his/her discretion.
- 15 32.(b) The following types of resolutions shall be considered for
- 16 passage during the time set aside for the consideration of members' own
- 17 amendments to their own bills: a memorial resolution, a concurrent memorial
- 18 resolution, and a resolution or a concurrent resolution that commends,
- 19 congratulates, or recognizes an individual, group, or other entity.
- 20 Notwithstanding Rule 25 (h), a concurrent resolution or concurrent memorial
- 21 resolution that is subject to this rule may be transmitted to the Senate on
- 22 the same day that it is passed. A joint resolution proposing a
- 23 Constitutional amendment shall be placed on the regular House calendar and is
- 24 subject to Rule 25 (h).
- 25 33. Items "(a)" through "(h)" shall take no more than one (1) hour of
- 26 House time each day unless extended by a majority vote of the House members
- 27 present. These items may not be extended on those designated Senate days
- 28 beyond the one (1) hour limit. (J.R. 12 – Senate days)
- 29 34. Unfinished business items, except items "(a)" through "(g)", take
- 30 up where the House left the day before when it adjourned. Items "(a)"
- 31 through "(g)" begin new each day.
- 32 35. Privileged matters may interrupt the order of business. These
- 33 privileged matters are:
- 34 35.(a) Appropriation bills and revenue bills, sponsored by the
- 35 committees on Budget, Revenue and Taxation and the Committee on Rules (J.R.
- 36 15);

- 1 35.(b) Conference reports;
- 2 35.(c) Special orders reported by the Committee on Rules for
- 3 consideration by the House;
- 4 35.(d) Consideration of amendments between the House and Senate after
- 5 disagreement;
- 6 35.(e) Question of privilege;
- 7 35.(f) Privileged resolutions reported under the right to report any
- 8 time; and
- 9 35.(g) Bills returned with the objections of the Governor.

10
11 BILLS

12 36. Any representative may introduce bills, petitions, resolutions and

13 memorials by filing them with the Clerk of the House. (A.C.A. 10-2-112 --

14 Pre-session filing)

15 36.(a) Each measure must have an original and eight (8) copies and

16 eight (8) captions of the title either typewritten, photocopied or computer

17 generated copies. (J.R. 18 [B])

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

19 the original.

20 36.(c) No action shall be taken on any bill, resolution, or amendment

21 that is not physically in the House. However, the motion to recall a bill or

22 resolution may be made regardless of the location of the bill or resolution.

23 36.(d) No alterations or erasures or otherwise defacement of the bill

24 or amendments shall be permitted.

25 36.(e) All amendments shall be entered on a separate sheet of paper

26 noting the page number, the line or lines to be changed and the words to be

27 deleted or inserted.

28 36.(f) All bills, resolutions, amendments, petitions and memorials

29 must be signed by the author.

30 36.(g) The improper introduction of a bill, resolution, amendment,

31 petition or memorial involves a question of privilege. Such measures

32 improperly introduced, as determined by the Speaker or the House Committee on

33 the Journal; Engrossed and Enrolled Bills, shall be returned to the

34 representative who introduced them.

35 36.(h) The style of the laws of the State of Arkansas shall be: "Be it

36 enacted by the General Assembly of the State of Arkansas." (Art. 5, Sec. 19)

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

4 36.(j) No bill shall be passed by either house containing more than
 5 one subject, which shall be expressed in the title, and the subtitle. (J.R.
 6 4)

7 36.(k) In making appropriations for any ~~biennial period~~ fiscal year,
 8 the General Assembly shall first pass the General Appropriation Bill provided
 9 for in Section 30 of Article 5 of the Constitution, and no other
 10 appropriation bill may be enacted before that shall have been done. (As added
 11 to Article 5, Sec. 40 by Amendment No. 19)

12 36.(l) No money shall be drawn from the treasury except in pursuance
 13 of specific appropriation made by law, the purpose of which shall be
 14 distinctly stated in the bill, and the maximum amount which may be drawn
 15 shall be specified in dollars and cents; and no appropriation shall be for a
 16 longer period than ~~two (2) years~~ one (1) fiscal year. (Art. 5, Sec. 29)

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

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

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

32 Excepting monies raised or collected for educational purposes, highway
 33 purposes, to pay Confederate pensions and the just debts of the State, the
 34 General Assembly is hereby prohibited from appropriating or expending more
 35 than the sum of Two and One-Half Million Dollars for all purposes, for any
 36 ~~biennial period~~ fiscal year; provided the limit herein fixed may be exceeded

1 by the votes of three-fourths (3/4) of the members elected to each House of
 2 the General Assembly. (Art. 5, Sec. 39 added by Amend. 19, Sec. 3)

3 36.(m)(a) No appropriation bill shall be filed for introduction in
 4 either the House of Representatives or the Senate later than the fiftieth
 5 (50th) day of a regular session except upon consent of two-thirds (2/3) of
 6 the members elected to each house; and, no other bill or resolution except
 7 adjournment resolutions and resolutions requesting permission to introduce a
 8 bill or resolution shall be filed for introduction in either the House of
 9 Representatives or the Senate later than the fifty-fifth (55th) day of a
 10 regular session, except upon consent of two-thirds (2/3) of the members
 11 elected to each house. ~~When the filing deadline for any bills or resolutions~~
 12 ~~ends on Saturday or Sunday, the deadline is hereby extended until the close~~
 13 ~~of business the following Monday. (J.R. 16)~~

14 (b)(1) No appropriation bill shall be filed for introduction in
 15 either the House of Representatives or the Senate later than the fifteenth
 16 (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the
 17 members elected to each house.

18 (2) For a fiscal session, a non-appropriation bill shall not be
 19 filed for introduction until a concurrent resolution authorizing the
 20 introduction of the bill has been approved by a vote of two-thirds (2/3) of
 21 the members elected to each house and the concurrent resolution becomes
 22 effective.

23 (3) A concurrent resolution authorizing the introduction of a
 24 non-appropriation bill in a fiscal session shall not be filed for
 25 introduction in either the House of Representatives or the Senate later than
 26 the first (1st) day of a fiscal session.

27 (4) A non-appropriation bill shall not be filed for introduction
 28 in either the House of Representatives or the Senate later than the fifteenth
 29 (15th) day of a fiscal session.

30 (c) When the filing deadline for any bills or resolutions ends on
 31 Saturday or Sunday, the deadline is extended until the close of business the
 32 following Monday. (J.R. 16)

33 36.(n) The Joint Committee on Constitutional Amendments shall consist
 34 of the members of the Senate Committee on State Agencies and Governmental
 35 Affairs and the members of the House Committee on State Agencies and
 36 Governmental Affairs. No proposed constitutional amendment can be

1 recommended to either House of the General Assembly except upon the
 2 affirmative vote of a majority of the members of the Senate Committee on
 3 State Agencies and Governmental Affairs and an affirmative vote of a majority
 4 of the members of the House Committee on State Agencies and Governmental
 5 Affairs. No resolution proposing a constitutional amendment shall be filed
 6 in either the House of Representatives or the Senate after the thirty-first
 7 (31st) day of each regular session of the General Assembly. All resolutions
 8 proposing constitutional amendments shall be referred to the Joint Committee
 9 on State Agencies and Governmental Affairs. Other resolutions proposing
 10 constitutional amendments shall not be reported to or considered by either
 11 House of the General Assembly until the original recommendations of the Joint
 12 Committee on State Agencies and Governmental Affairs are disposed of. A
 13 resolution proposing a constitutional amendment may be considered only during
 14 a regular session. (J.R. 21)

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

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

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

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

35 Before adoption of regulation, etc. -- No regulation, rule, policy,
 36 order, or administrative law which would have a fiscal impact on any

1 municipality or county in this state shall be valid unless 30 days prior to
 2 its adoption by a board, commission, agency, department, office or other
 3 authority of the government of the State of Arkansas, except the General
 4 Assembly, the Courts and the Governor, such board, commission, agency,
 5 department, officer or other authority shall file a fiscal impact statement
 6 with the Secretary of State. Any municipality or county which will be
 7 affected by the proposed regulations, rule, policy, order or administrative
 8 law upon request shall immediately be furnished with a copy of the fiscal
 9 impact statement by the board, commission, agency, department, officer or
 10 other authority. (A.C.A. 19-1-302)

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

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

22 36.(p) 2. Any time before such bill is read for the third time in the
 23 House of Representatives, any member of the House may request that a fiscal
 24 impact statement for the bill be prepared and placed on the desk of each
 25 member. When a member of the House of Representatives so requests a fiscal
 26 impact statement on any bill, the Speaker shall furnish the member a fiscal
 27 impact statement signature form which shows the number of the bill for which
 28 the statement is requested and the date and time the request was made. If
 29 the member returns the form containing the signature of the requesting member
 30 and the signatures of at least nine (9) other House members within thirty
 31 (30) minutes of the time shown on the form, the fiscal impact statement shall
 32 be prepared and placed on the desk of each member of the House before the
 33 bill is read the third time. (A.C.A. 19-1-303)

34 36.(p) 3. If a bill is called up for final passage in the House of
 35 Representatives and a fiscal impact statement has not been provided for the
 36 bill, any member of the house in which the bill is being considered may move

1 that a final vote on the passage of the bill be delayed until a fiscal impact
 2 statement is prepared and made available on the desk of each member of the
 3 House at least one (1) full day prior to the bill being called up for final
 4 passage. If such motion is made and is adopted by a majority vote of the
 5 membership of the House, the Speaker of the House shall cause the bill to be
 6 referred to the appropriate state agency or to the designated legislative
 7 staff for the preparation of a fiscal impact statement, which shall be filed
 8 with the House within five (5) days of the date of the request. (A.C.A. 19-1-
 9 303)

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

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

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

26 36.(p) 7. For the purposes of this rule, the term "fiscal impact
 27 statement" means a realistic statement of the estimated financial cost to
 28 municipalities or counties of implementing or complying with a proposed law
 29 and regulations promulgated under it. (A.C.A. 19-1-303)

30
 31 Bills imposing new or additional costs on education

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

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

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

11 (1) At least three (3) days before the bill may be called up for final
 12 action in the committee during a regular session or fiscal session of the
 13 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
 17 passage in the House or Senate and a fiscal impact statement has not been
 18 provided by the author of the bill or by the committee to which the bill was
 19 referred, any member of the House or Senate may object to the bill's being
 20 called up for final passage until a fiscal impact statement is prepared and
 21 made available on the desk of each member of the House or Senate at least one

22 (1) 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
 26 the 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 36.(r) Bills imposing new or additional costs and restrictions on
 30 inmate population patterns or affecting programs or services of the
 31 Department of Corrections.

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

35 (1) Bills which affect inmate population patterns at facilities of the
 36 Department of Correction by imposing restrictions on inmate release, or by

1 increased intake into the department of inmates based on felony convictions;
 2 and

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

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

8 (c) Cost impact statements required under this section shall be
 9 prepared, upon referral thereof by the Speaker of the House of
 10 Representatives, with respect to House bills, and by the President of the
 11 Senate upon recommendation of the Senate Rules Committee, with respect to
 12 Senate bills, at the time of introduction thereof, to:

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

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

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

26 (e) The cost impact statement shall be certified by the director, or
 27 the director of the appropriate agency to which the bill is referred for
 28 preparation of an impact statement, and shall be returned and filed as
 29 required in this section within not more than five (5) days from the date of
 30 receipt thereof unless additional time in which to prepare the statement is
 31 granted by the requesting official. (A.C.A. 12-28-103)

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

1 Sec. 22)

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

7 38. Second reading

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

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

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

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

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

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

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

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

35 41. A bill ordered to be engrossed or enrolled shall be typed or
36 photocopied.

1 42. A bill having been rejected may not be brought up again during the
2 same legislative session unless it be an appropriation bill. Appropriation
3 bills may be considered a total of two times during any calendar day.
4 Following a second consideration during the same calendar day, a motion to
5 reconsider or a motion to expunge must be adopted before an appropriation
6 bill may be considered.

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

10 44. A committee may receive a bill, resolution, amendment, petition
11 and memorial only through the House, and the House may receive same only
12 through a member. (Art.5, Sec. 34 -- No new bill shall be introduced into
13 either house during the last three days of ~~the~~ a regular or fiscal session.)

14 45. Amendments to bills and resolutions:

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

22 45.(b) When a House bill has been amended in the Senate, upon return
23 of said bill to the House, the Speaker shall re-refer the bill, together with
24 the Senate amendment(s), to the committee to which the bill was originally
25 referred, for review. Concurrence in the Senate amendment shall not be
26 considered by the House until the committee report is received by the House.
27 When a House bill is amended and passed by the Senate and is returned to the
28 House, the bill shall be reprinted with the Senate amendments included
29 therein and specifically identified and shall be placed on each member's desk
30 before final action is taken on the bill by the House. When the Senate
31 amendment is before the House, the same number of votes will be required to
32 concur in the Senate amendment as was required in the original passage of the
33 bill in the House. Amendments containing an emergency clause require sixty-
34 seven (67) votes.

35 45.(c) Fifty-one (51) votes shall be required to adopt a House
36 amendment to a House or Senate bill. When a House bill has been amended in

1 the House, it shall not be acted upon until it has been engrossed and such
2 engrossed bill has been printed and placed on each member's desk.

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

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

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

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

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

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

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

30 45.(k) A House or Senate bill to be amended by a member with his/her
31 own amendment shall only be placed on the "Members' Own Bill/Own Amendment
32 Calendar" by the sponsor whose name is listed first on the bill.

33 45.(l) An objection by any member, written or oral, to the Speaker of
34 the House or his/her designee, shall cause a member's own amendment to
35 his/her own bill to not be considered and to be removed from the "Members'
36 Own Bill/Own Amendment Calendar" and automatically placed on the same day's

1 regular amendment calendar for consideration.

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

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

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

13 45.(p) When a bill has a committee recommendation and is subsequently
14 amended to change the title, and/or the list of sponsors and/or an emergency
15 clause, such amendment shall not cause the bill to be re-referred to
16 committee.

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

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

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

32 45.(t) Budget bills to be amended deleting the sponsor and
33 substituting the Joint Budget Committee shall be placed on the Joint Budget
34 Calendar by the Joint Budget Calendar Clerk.

35 45.(u) The House Chairman of the Joint Budget Committee shall sign all
36 amendments deleting the sponsor and substituting the Joint Budget Committee

1 as sponsor.

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RESOLUTIONS

4

46. Resolutions shall follow the same procedure as bills.

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47. A House resolution shall be directed at some matter for the sole action of the House and may be introduced in extraordinary sessions, lack of germaneness notwithstanding. Fifty-one (51) votes shall be required to adopt a House resolution.

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48. Joint resolutions are for incidental, unusual, or informal objectives of legislation (i.e., as extending the thanks of the State to individuals; invitations to celebrities to visit the State), or to submit proposed amendments to the United States Constitution, ratifying United States Constitutional amendments and proposing amendments to the Arkansas Constitution.

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49. Concurrent resolutions shall be a means of expressing fact, principles, opinions, purposes, and all other matters requiring concurrence of both houses except the subject matter provided for in the joint resolution. A concurrent resolution is binding on neither house until agreed to by both.

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50. Resolutions of Inquiry:

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

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

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

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29

STANDING, SELECT, AND SPECIAL COMMITTEES

30

(Interim Committees) (A.C.A. 10-3-201 thru 10-3-220)

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51. The committees of the House of Representatives shall consist of ten (10) standing committees, seven (7) select committees, and three (3) special committees. The standing committees shall be five (5) Class "A" committees and five (5) Class "B" committees. The seven (7) select committees shall be five (5) joint select committees and two (2) House select committees. The three (3) special committees shall be two (2) joint

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1 committees and one (1) House committee. The House standing, joint select,
 2 select and special committees are as follows:

3 51.(a) HOUSE STANDING COMMITTEES

4 Class "A" Committees

- 5 Education
- 6 Judiciary
- 7 Public Health, Welfare and Labor
- 8 Public Transportation
- 9 Revenue and Taxation

10 Class "B" Committees

- 11 Aging, Children and Youth, Legislative and Military Affairs
- 12 Agriculture, Forestry and Economic Development
- 13 City, County and Local Affairs
- 14 Insurance and Commerce
- 15 State Agencies and Governmental Affairs

16 51.(b) JOINT SELECT COMMITTEES

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

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

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

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

31 (5) Joint Committee on Advanced Communications and Information
 32 Technology -- (to consist of ten (10) members of the House, ten (10) House
 33 alternates, and seven (7) members of the Senate). (A.C.A. 10-3-1701 thru 10-
 34 3-1707)

35 51.(c) HOUSE SELECT COMMITTEES

36 House Rules Committee shall consist of no more than fifteen (15)

1 members.

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

4 51.(d) SPECIAL COMMITTEES

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

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

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

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

13 51.(d)(1)(d) The Speaker of the House of Representatives or his or her
14 designee; and

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

17 51.(2) House Committee on the Journal; Engrossed and Enrolled Bills
18 shall consist of not more than five (5) members. The House Committee on the
19 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
20 select committee. The committee shall consist of the Speaker of the House of
21 Representatives or his or her designee who shall be chairperson, the
22 chairperson of the House Rules Committee who shall be the vice chairperson,
23 the chairperson of the House Management Committee, and two (2) members of the
24 House appointed by the Speaker of the House; and, the House Parliamentarian
25 shall serve as secretary and advisor to the committee. The chairperson of the
26 committee shall receive an allowance in accordance with A.C.A. 10-2-215.

27 51.(3) Joint Committee on Legislative Printing Requirements and
28 Specifications -- (to consist of the chairperson and vice chairperson of the
29 House Management Committee, the chairperson and vice chairperson of the
30 Senate Efficiency Committee, the Speaker of the House of Representatives or
31 his or her designee and the President Pro Tempore of the Senate). (A.C.A. 10-
32 3-601 thru 10-3-605)

33 52.(a) STANDING COMMITTEES

34 52.(a)(1) Members of the standing committees shall be selected by
35 House District Caucuses of members-elect on the Friday following the November
36 General Election with each caucus selecting five (5) members for each "A"

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

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

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

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

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

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

25 52.(b) SELECT COMMITTEES

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

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

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

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

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

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

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

33 52.(c)(4) After the membership of a standing committee or a permanent
34 subcommittee is established, no member shall be removed from any standing
35 committee or any permanent subcommittee during the biennium for which he/she
36 was selected. All appointees selected by the Speaker serve at his/her

1 discretion.

2 53. Committee Operations.

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

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

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

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

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

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

35 54. The Speaker of the House shall keep a permanent register of the
36 seniority of the members of the House of Representatives. When it is

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

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

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

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

20 58. Meetings and Hearings:

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

30 58.(b) Special meetings of a standing committee may be called by the
31 chairperson of the committee or by a majority of the members of the committee
32 for conducting any business of the committee; provided, a special meeting of
33 the committee may not conflict with regularly scheduled meetings of any
34 standing committee; provided further, special meetings shall be subject to
35 the same procedures regarding the publishing of agendas and notices of
36 meetings that apply to regular standing committee meetings. (J.R. 22 – Joint

1 Committees)

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

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

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

13 59.(b)(1) The committee shall have the opportunity to ask questions of
 14 persons offering testimony.

15 59.(b)(2) Testimony in a committee meeting or on the House floor from
 16 cell phones, personal data assistants or other electronic devices shall not
 17 be allowed.

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

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

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

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

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

35 62.(3) Committee on Public Health, Welfare and Labor – matters
 36 pertaining to public health, mental health, mental retardation, public

1 welfare, human relations and resources, environmental affairs, water and air
2 pollution, labor and labor relations, contractors and contracting, similar
3 legislation, and resolutions germane to the subject matter of the committee;

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

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

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

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

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

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

33 62.(10) Committee on State Agencies and Governmental Affairs – matters
34 pertaining to state government and state agencies, except where the subject
35 matter relates more appropriately to another committee, proposed amendments
36 to the Constitution of the State of Arkansas or the Federal government,

1 election laws and procedures, Federal and interstate relations, similar
 2 legislation, and resolutions germane to the subject matter of the committee;

3 62.(10)(a) The following permanent subcommittees are hereby created
 4 from within each standing committee:

5 62.(10)(a)(1) For the House standing committee on Aging, Children and
 6 Youth, Legislative and Military Affairs, the following permanent
 7 subcommittees are created:

- 8 (1) Aging
- 9 (2) Children and Youth
- 10 (3) Legislative, Military and Veterans Affairs

11 62.(10)(a)(2) For the House standing committee on Agriculture,
 12 Forestry and Economic Development, the following permanent subcommittees are
 13 created:

- 14 (1) Agriculture, Forestry and Natural Resources
- 15 (2) Small Business and Economic Development
- 16 (3) Parks and Tourism

17 62.(10)(a)(3) For House standing committee on City, County and Local
 18 Affairs, the following permanent subcommittees are created:

- 19 (1) Planning
- 20 (2) Finance
- 21 (3) Local Government Personnel

22 62.(10)(a)(4) For the House standing committee on Education, the
 23 following permanent subcommittees are created:

- 24 (1) Early Childhood
- 25 (2) Kindergarten Through Twelve, Vocational/Technical
 26 Institutions
- 27 (3) Higher Education

28 62.(10)(a)(5) For the House standing committee on Insurance and
 29 Commerce, the following permanent subcommittees are created:

- 30 (1) Financial Institutions
- 31 (2) Insurance
- 32 (3) Utilities

33 62.(10)(a)(6) For the House standing committee on Judiciary, the
 34 following permanent subcommittees are created:

- 35 (1) Courts/Civil Law
- 36 (2) Corrections/Criminal Law

1 (3) Juvenile Justice/Child Support

2 62.(10)(a)(7) For the House standing committee on Public Health,
3 Welfare and Labor, the following permanent subcommittees are created:

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

7 62.(10)(a)(8) For the House standing committee on Public
8 Transportation, the following permanent subcommittees are created:

- 9 (1) Motor Vehicle and Highways
- 10 (2) Public Transportation and Rail
- 11 (3) Waterways and Aeronautics

12 62.(10)(a)(9) For the House standing committee on Revenue and
13 Taxation, the following permanent subcommittees are created:

- 14 (1) Sales, Use, Miscellaneous Taxes and Exemptions
- 15 (2) Income Taxes—Personal and Corporate
- 16 (3) Complaints and Remediation

17 62.(10)(a)(10) For the House standing committee on State Agencies and
18 Governmental Affairs, the following permanent subcommittees are created:

- 19 (1) State Agencies and Reorganization
- 20 (2) Constitutional Issues
- 21 (3) Elections

22 63.(a) Committee on Rules:

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

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

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

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

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

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

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

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

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

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

30 67. Committee Records and Reports:

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

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

36 67.(a) 2. The number and title of the bill with one of the following

1 three recommendations: "do pass", "do pass as amended", or "do not pass". If
2 a committee recommends a bill "do pass as amended" and any of the amendments
3 recommended by the committee are not adopted on the Floor, the bill shall be
4 re-referred to the same committee for further consideration and
5 recommendation.

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

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

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

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

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

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

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

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

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

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

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

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COMMITTEE OF THE WHOLE

71. All measures involving a tax or an appropriation of money, or property, may be first considered in a Committee of the Whole, amendments can be offered in the Committee of the Whole.

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

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

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

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

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

73. In forming a Committee of the Whole House, the Speaker may leave his/her chair after appointing a chairperson to preside, who shall have the

1 same power as the Speaker to preserve order. A majority of a quorum is
 2 required to resolve the House into a Committee of the Whole.

3 74. When the House resolves itself into the Committee of the Whole,
 4 non-members who are to participate in the matters to be discussed may be
 5 invited into the House Chambers by the proponents or opponents of the
 6 proposals to be discussed but all such non-members shall leave at the time
 7 the committee arises.

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

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

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

19
 20 LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

21 78. Legislative Council.

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

34 78.(b) In order that there may be no House vacancies on the
 35 Legislative Council at any time, at the time of selection of the House
 36 members to the Council there shall be selected in each Caucus District a

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

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

14 79. Legislative Joint Auditing Committee.

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

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

1 remainder of the term. When a vacancy occurs in a House member position on
 2 the Committee or a House alternate position on the Committee, that person's
 3 alternate shall serve until a signed report from the Caucus chairperson
 4 designating otherwise is filed with the Speaker. The Speaker shall notify
 5 the Committee chairperson of all changes in membership on the Committee.

6 79.(c) Ex-officio members in accordance with A.C.A. 10-3-403 thru 10-
 7 3-404.

8 CAUCUS DISTRICTS

9 80. The four caucus chairpersons shall be selected on the date of the
 10 selection of the Speaker-designate from among the first- and second-term
 11 members of the caucus.

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

15 The Second Caucus District shall be composed of the following House of
 16 Representatives Districts: 28; 29; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40;
 17 41; 42; 43; 44; 45; 46; 47; 49; 50; 60; 61; 68; and 70.

18 The Third Caucus District shall be composed of the following House of
 19 Representatives Districts: 62; 63; 64; 65; 66; 67; 69; 83; 84; 85; 86; 87;
 20 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; and 100.

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

24
 25 DEBATE

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

36 82. When a representative desires to interrupt a representative having

1 the Floor, he/she shall first obtain recognition of the Speaker and
 2 permission of the representative occupying the Floor; and when so recognized
 3 and such permission is obtained, he/she may ask questions of the
 4 representative occupying the Floor; but shall not propound a series of
 5 interrogatives or otherwise badger the representative having the Floor.

6 83. No representative shall occupy more than thirty (30) minutes in
 7 debate on any question in the House. The representative reporting a measure
 8 under consideration from a committee or the author may open and close debate.
 9 If debate shall extend beyond one (1) day, the author or sponsor shall be
 10 entitled to thirty (30) minutes to close. The right to close may not be
 11 automatically exercised after limited debate, the previous question or
 12 immediate consideration is voted.

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

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

20
 21 DECORUM

22 86. No person other than a member of the Arkansas General Assembly,
 23 designated legislative staff, or on special and certain occasions those
 24 persons specifically invited by the Speaker of the House, shall be permitted
 25 on the Floor of the House Chamber while the House is in session or in brief
 26 recess. ~~A pool arrangement~~ Arrangements for photographers ~~the media~~ shall be
 27 established, the direction and control of which shall be regulated by the
 28 Speaker of the House. No one in the House Chamber other than a member of the
 29 Legislature may advocate or oppose passage of a measure while the House is in
 30 session. No legislative aides, lobbyists or unauthorized persons shall be
 31 permitted access to the House Floor, lounges or House support areas. This
 32 Rule shall be enforced by the Speaker of the House and/or the House
 33 Management Committee. The House Management Committee and the Rules Committee
 34 shall recommend punishment to the House for violation of this Rule.

35 (A.C.A. 10-2-110 -- Disorderly Conduct)

36 87. The House Chamber during regular, fiscal and special sessions and

1 during the interim shall be used only for the legislative business of the
 2 House and for the caucus meetings of its members, except upon occasions where
 3 the House, by resolution, agrees to take part in any ceremonies to be
 4 observed therein; and the Speaker shall not entertain a motion for suspension
 5 of this rule.

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

8 89. If any representative, in speaking or otherwise, transgresses the
 9 rules of the House, the Speaker shall or any representative may, call him/her
 10 to order. He/she shall immediately be seated unless permitted, on a motion
 11 of another representative, to explain. The House shall, if called upon,
 12 decide on the issue without debate. If the decision is in favor of the
 13 representative called to order, he/she shall be free to continue; and, if the
 14 dispute shall warrant, a representative shall be open to censure or such
 15 punishment as the House shall impose.

16 90. Normal conformity to good manners and taste shall be expected of
 17 each member of the House. Representatives shall avoid references to
 18 personalities and extend to each representative courtesies which they wish
 19 for themselves.

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

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

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

31
 32 VOTING

33 94. No person not a representative shall cast a vote for a
 34 representative.

35 95. Any question or motion, except final passage of a bill or final
 36 action on a joint resolution, may be put to the House by a voice vote at the

1 discretion of the Speaker.

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

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

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

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

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

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

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

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

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

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

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

31 99.(a) Representatives voting aye shall stand at their seats until
32 counted.

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

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

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

3 100. The Electronic Voting System shall have the same force and effect
4 as a Roll Call. (Not less than a majority of the members of each House of
5 the General Assembly may enact a law.) (Art. 5, Sec. 37 as added by Amend.
6 19, Sec. 1)

7 101. The Speaker, with three (3) representatives, is sufficient to
8 adjourn, or recess to a time certain, or sine die. (Neither house shall,
9 without the consent of the other, adjourn for more than three (3) days, nor
10 to any other place than that in which the two (2) houses shall be sitting.)
11 (Art. 5, Sec. 28)

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

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

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

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

23 105. Workmen's Compensation Laws (Art. 5, Sec. 32 as amended by Amend.
24 26)

25 ~~106. It shall be a violation of the Rules of the House for any member
26 of the House to accept a campaign contribution during the period beginning
27 thirty (30) days before and ending thirty (30) days after any regular session
28 of the General Assembly. If there is an extended recess of the General
29 Assembly, the period shall end thirty (30) days after the beginning of the
30 recess. It shall also be a violation of the Rules of the House for any
31 member of the House to accept a campaign contribution during any extended
32 session of the General Assembly or during any special session of the General
33 Assembly.~~

34 107106. All Roll Call votes on bills, emergency clauses on bills,
35 resolutions, and amendments in the House of Representatives shall be entered
36 by the House into the General Assembly's Internet web site.

1 ~~108~~107.(a)(1) Except as provided in subdivisions ~~108~~7.(a)(2) and (c)
 2 of this section, the House of Representatives, when in session, shall recess
 3 on January 20 of any year in which the inauguration of an individual to the
 4 office of President of the United States is scheduled to occur.

5 (2) If the inauguration of an individual to the office of
 6 President of the United States is scheduled to occur on January 21 of any
 7 year, the House of Representatives shall recess on that date rather than
 8 January 20.

9 (b) The House of Representatives shall recess without regard to the
 10 party affiliation of the individual scheduled for inauguration as President
 11 of the United States.

12 (c) This section shall not apply if a recess under this section would
 13 occur on a date the House of Representatives shall recess in observance of
 14 the birthday of Dr. Martin Luther King, Jr. under § 10-2-128.

15
 16
 17 ADDENDUM
 18 HOUSE OF REPRESENTATIVES
 19 COMMITTEE CHAIRPERSONS MANUAL
 20 AND
 21 HOUSE COMMITTEE RULES

22
 23 A committee chairperson is a member appointed by the Speaker of the House to
 24 function as the parliamentary head of a standing, select, special or joint
 25 committee.

26
 27 1) The chairperson (or vice chairperson in his or her absence) shall call the
 28 committee to order at the appointed time.

29
 30 2) The presider shall determine a quorum present either by declaration,
 31 without objection, or by calling the roll (for quorum purposes only a roll
 32 call will be required if there is one objection by a committee member to the
 33 declaration of the presence of a quorum).

34
 35 3) The presider shall maintain order of the committee meeting.

36

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

4
 5 5) The presider shall supervise and direct the staff of the committee.

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

9
 10 House Rule 53.(b)

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

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

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

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

24
 25 7) A quorum (one more than half the total membership of the committee) must
 26 be present to transact official House committee business.

27
 28 (House Rule 64) No committee shall transact business without a quorum (a
 29 majority of the committee membership present). All final action on bills or
 30 resolutions, and on proposed amendments to bills or resolutions, shall be
 31 decided by a majority vote of the total membership of the committee.
 32 Provided, however, that the Speaker of the House shall not be included for
 33 the purpose of determining what is a majority of a standing committee, unless
 34 present at the time of the vote. A member of the committee must be present
 35 at the time of the vote for his/her vote to be counted on any matter
 36 considered by the committee (no pairs, no proxies).

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

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

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

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

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

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

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

17(d) Postpone temporarily; lay on the table (non-debatable) (majority of a quorum) To take from the table (non-debatable) (majority of a quorum) when the motion to take from the table is adopted, the proposition takes the same position it held when the motion to lay on the table was adopted);

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

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

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

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

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

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

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

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

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

17.~~(n)~~(m) Postpone indefinitely (debatable) (majority of membership);

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

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

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

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

10
 11 10) (House Rule 58(b)) Special meetings of a standing committee may be
 12 called by the chairperson of the committee or by a majority of the members of
 13 the committee for conducting any business of the committee; provided, a
 14 special meeting of the committee may not conflict with regularly scheduled
 15 meetings of any standing committee; provided further, special meetings shall
 16 be subject to the same procedures regarding the publishing of agendas and
 17 notices of meetings that apply to regular standing committee meetings. (J.R.
 18 21 - Joint Committee)

19
 20 11) (House Rule 59) All persons wishing to offer testimony to a committee
 21 hearing shall be given a reasonable opportunity to do so as determined by a
 22 majority of the committee. An oral or written statement shall not be a
 23 prerequisite to offer testimony before a committee.

24
 25 12) (House Rule 61) No committee shall sit while the House is in session
 26 except the Committee on Rules or a Conference Committee, which shall notify
 27 the House.

28
 29 13) (House Rule 64(a)) A bill, resolution or amendment in a House committee,
 30 having been rejected twice, shall not be placed on the committee calendar
 31 again or considered again during the same legislative session unless the vote
 32 is expunged (two-thirds of the membership of the committee). The motion to
 33 expunge shall be placed on the committee agenda, by a committee member, and
 34 placed at the bottom of the active list. A bill or resolution may be amended
 35 before a second consideration; but, unless expunged, even an amended bill
 36 having failed twice shall not be placed on the calendar or considered. Notice

1 of reconsideration not permitted in committee.

2

3 14) (House Rule 45(a)) When a bill or resolution is under consideration,
 4 amendments shall be in order. Upon adoption, amendments shall become a part
 5 of the bill or resolution. Amendments to amendments may not be offered. All
 6 amendments offered before the House or one of its committees must be
 7 typewritten on an approved amendment form and signed by the sponsor. All
 8 amendments shall be attached to the original bill or resolution, numbered by
 9 the Bill Clerk, and shall be placed upon the members' desks before being
 10 acted upon by the House.

11

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

15

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

19

20 16) (House Rule 67) Committee Records and Reports

21 67(a) The chairperson of each committee of the House shall keep or cause to
 22 be kept a separate record for each committee meeting in which there shall be
 23 entered:

24 67(a) 1. The time and place of each hearing and each meeting of the
 25 committee.

26 67(a) 2. The number and title of the bill or resolution with one of the
 27 following three recommendations: "do pass", "do pass as amended", or "do not
 28 pass". If a committee recommends a bill or resolution "do pass as amended"
 29 and any of the amendments recommended by the committee are not adopted on the
 30 floor, the bill or resolution shall be re-referred to the same committee for
 31 further consideration and recommendation.

32 67(a) 3. A summary of each bill or resolution's major provisions which may
 33 be several paragraphs in length in case of major bills or resolutions or
 34 simply the title of the bill or resolution in the case of minor bills or
 35 resolutions.

36 67(a) 4. The reason for the committee's action on the bill or resolution,

1 including a brief minority report, if requested by any two (2) committee
2 members.

3 67(a) 5. A record of how every member voted on each bill or resolution when
4 action is taken by the committee, including votes on a motion to postpone
5 consideration on the bill or resolution and a recorded vote on any other
6 motion, if requested by any two (2) committee members.

7 67(a) 6. A list of all people testifying before a committee on each bill or
8 resolution, the interest that they represent, and an indication of their
9 position on the bill or resolution.

10
11 17) (House Rule 67(b)) Such records for each separate committee meeting
12 shall be approved by the chairperson before the expiration of a seven (7) day
13 period, with the exception of those records referred to in (a) 1. and 2.,
14 hereinabove which shall be filed immediately with the Clerk of the House.

15
16 18) (House Rule 22 part) When a question is raised about the proper referral
17 of a bill or resolution to committee, if the Speaker admits error in the
18 referral of the bill or resolution to a committee, the bill or resolution may
19 be re-referred by a majority vote of a quorum; however, if the Speaker does
20 not admit error in the referral of the bill or resolution to committee, the
21 bill or resolution may only be re-referred by a two-thirds (2/3) vote of a
22 quorum. When a bill or resolution is re-referred to a committee, any
23 previous committee recommendation is automatically stripped from the bill or
24 resolution. When a motion is under consideration, only two (2) substitutes
25 to that motion shall be in order. Only a motion applicable to the main
26 motion and of a higher precedence upon recognition may be substituted for the
27 motion under consideration. A substitute to the third degree shall not be in
28 order. Unless specified otherwise by the presenter of the motion at the time
29 the motion is made, a substitute motion shall apply to the main motion.

30
31 19) (House Rule 53 (a)) House Committee Staff will automatically and without
32 delay place all bills or resolutions referred to the committees on the
33 committee agendas. Staff will notify the sponsor of bills or resolutions
34 assigned to committee. Referred bills shall be placed on the committee's
35 active agenda in the order they are read across the desk on the House Floor.
36 When an active agenda is established in a committee and bills from that

1 agenda are not placed on the deferred list and if they are passed over, they
 2 are placed at the bottom of the list of the day's active agenda. Bills read
 3 across the desk on the House Floor later that same day or on a later day are
 4 placed on the active agenda in the order they are read below bills already on
 5 the active agenda.

6
 7 20) After a bill or resolution has appeared on the
 8 Committee agenda and has been called up for consideration by the Committee
 9 and the sponsor of the bill or resolution or a representative is not present
 10 to present the bill or resolution, the bill or resolution will be placed on
 11 the active agenda two (2) additional times, but will be placed at the bottom
 12 of the active agenda.

13
 14 21) If the sponsor or a representative is not present to
 15 present the bill or resolution when called up after the bill or resolution
 16 has appeared on the active agenda when called up during the third meeting,
 17 the bill or resolution will be automatically dropped from the active agenda
 18 and placed on the deferred list unless the sponsor notifies staff to put the
 19 bill or resolution back on the active agenda before the agenda is prepared,
 20 for the next called meeting. Requests to move bills or resolutions from the
 21 deferred list to the active agenda must be made by 2:30 p.m. two (2) days
 22 prior to the scheduled committee meeting. Bills moved from the deferred list
 23 to the active agenda shall be listed at the bottom of the active agenda.
 24 Bills on the deferred list may be moved to the active calendar as provided by
 25 rule for a total of three (3) times only. A suspension of this rule by the
 26 Committee (two-thirds of a quorum) will be required for each transfer of any
 27 bill having been moved three (3) times previously.

28
 29 22) Bills or resolutions suggested as non-controversial
 30 will be considered before consideration of controversial bills or resolutions
 31 on the agenda. The objection of one (1) committee member to the
 32 consideration of a bill or resolution as non-controversial will automatically
 33 keep the bill or resolution from being considered as being non-controversial.
 34 Even though a bill or resolution has been considered as non-controversial, it
 35 will be necessary after a "do pass" or "do pass as amended" recommendation
 36 that a motion be made and there be unanimous consent of no less than a quorum

1 of the Committee for a bill or resolution to be eligible to be placed on the
 2 House Non-controversial Calendar.

3
 4 23) If a bill or resolution is discussed by a committee at
 5 a meeting, but is not voted on because of time limitations or because the
 6 vote is deferred to the next meeting, the bill or resolution will not lose
 7 its order on the agenda and will not be counted as having been considered.

8
 9 24) The author/sponsor of a bill or resolution may make a
 10 presentation for his/her bill or resolution and may elect at that time to
 11 respond to questions from the committee members. Following the initial
 12 presentation, non-legislative---non-committee members will be allowed to
 13 alternately speak against and for the bill or resolution. A procedural
 14 motion made by a member of the committee and adopted by the committee to
 15 limit or end debate will be allowed to govern non-legislative--non-committee
 16 members' discussions. At the conclusion of the non-legislative--non-committee
 17 member proponent and opponent presentations, the sponsor may return to the
 18 podium and may elect to field questions from the committee members. Those
 19 questions should be limited to requests for clarification or the securing of
 20 information. Questions that are rhetorically offered and are dilatory for
 21 the effect of debate are discouraged. At this point, the chair will
 22 entertain motions from committee members only. For disposition of a
 23 proposition in a House Committee, procedural motions (limit debate, immediate
 24 consideration, etc.) are allowed only following a main motion (do pass, do
 25 not pass, do pass as amended, etc.). Discussion from that point forward is
 26 limited to committee members for and against the motion, if debatable, in
 27 alternating fashion. If immediate consideration is not adopted and if debate
 28 has not been limited and time has not expired, the ~~author/sponsor~~ of the
 29 motion will be allowed to close for his/her motion ~~bill or resolution~~.
 30 During the closing, the sponsor of the motion ~~author~~ may elect to field
 31 questions from committee members. At the conclusion of these presentations,
 32 a vote will be taken on the motion properly before the committee.

33
 34 25) As determined by the presider courtesy may be extended
 35 to General Assembly members who are non-committee members who need to return
 36 to their own committee meetings.

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

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

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

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

30) During a roll call vote, when a member's name has been called twice and he/she does not respond, or when a member passes, they will not be allowed to vote at a later time on the current issue before the committee.

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

32) (House Rule 36(p)1) When any House or Senate bill or resolution requiring an expenditure of public funds or otherwise imposing a new or increased cost obligation on any municipality or county is pending before any committee of the House of Representatives, any member of the committee may request that a fiscal impact statement for such bill or resolution be placed on the desk of each member of the committee before the bill or resolution is called up for final action in the committee. If such request is made, the

1 chairperson of the committee shall refer the bill or resolution to the
 2 appropriate state agency or to the legislative staff for the preparation of a
 3 fiscal impact statement, to be returned to the committee in writing not later
 4 than five (5) days from the date of the request.

5
 6 33) (House Rule 36(p)4) Failure of the sponsor of a bill or resolution to
 7 provide the fiscal impact statement required in this rule shall not prohibit
 8 the consideration of it in the committee to which referred or on the floor of
 9 the house in which the bill or resolution is called up for final passage, if
 10 no objection to it is made at the time such action is taken.

11
 12 (House Rule 36(p)5) Nothing in this rule shall prohibit a committee to
 13 which a bill or resolution is referred or the house in which the bill or
 14 resolution is being considered from suspending the requirement of the filing
 15 of a fiscal impact statement on any such bill or resolution in the same
 16 manner as provided for the suspension of the rules in the house in which the
 17 bill or resolution is being considered.

18
 19 34) Bills imposing new or additional costs on education.

20 (a)(1) As used in this section, unless the context otherwise requires,
 21 "fiscal impact statement" means a realistic written statement of the purpose
 22 of a proposed law, or a regulation promulgated under a law, and the estimated
 23 financial cost to the state or any local school district of implementing or
 24 complying with the proposed law or regulation.

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

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

35 (1) At least three (3) days before the bill may be called up for final
 36 action in the committee during a regular session or fiscal session of the

1 General Assembly; and

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

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

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

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

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

18

19 35) Bills imposing new or additional costs and restrictions on inmate
20 population patterns or affecting programs or services of the Department of
21 Corrections.

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

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

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

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

34 (c) Cost impact statements required under this section shall be
35 prepared, upon referral thereof by the Speaker of the House of
36 Representatives, with respect to House bills, and by the President of the

1 Senate upon recommendation of the Senate Rules Committee, with respect to
 2 Senate bills, at the time of introduction thereof, to:

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

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

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

16 (e) The cost impact statement shall be certified by the director, or
 17 the director of the appropriate agency to which the bill is referred for
 18 preparation of an impact statement, and shall be returned and filed as
 19 required in this section within not more than five (5) days from the date of
 20 receipt thereof unless additional time in which to prepare the statement is
 21 granted by the requesting official. (A.C.A. 12-28-103)

22 TRACKING ITEM 24

- 23 1. "The next item on the Committee's agenda is HB/SB ____."
- 24 2. "Sen./Rep. ____, you are recognized to present HB/SB ____."
- 25 3. Presentation of bill by sponsor. The sponsor may respond to questions
 26 from committee members.
 - 27 a. If there are amendments, recognize amendment sponsor(s) to
 28 present amendment(s).
 - 29 b. To consider amendment(s), use same procedure listed below for
 30 consideration of bill(s). (Items 4 - 9)
 - 31 c. Declare disposition of amendment(s).
 - 32 d. Continue with bill as amended or unamended (back to Item 4).
- 33 4. Go to list of citizen proponents and opponents or ask "Is there anyone
 34 in the audience that desires to speak for or against the bill?" Recognition
 35 of citizens for discussion, alternating speakers in support and in
 36 opposition.

1 5. A procedural motion made by a member of the Committee and adopted by
 2 the Committee to limit or end debate will be allowed to govern non-
 3 legislative, non-Committee members' (citizen) discussion.

4 6. Upon completion of public commentary, recognize the sponsor for
 5 questions, then move to committee discussion and motions.

6 7. Ask "What is the pleasure of the Committee?"

7 Motions (after recognition and the motion by a committee member
 8 only)

9 a. "Rep. _____, would you like to explain your motion?"

10 b. Recognize committee members for questions/discussion.

11 c. In discussion, alternate between those supporting and those
 12 opposing the motion.

13 d. A procedural motion made by a member of the Committee and adopted
 14 by the Committee to limit or end debate (immediate consideration) will be
 15 allowed to govern the legislative members' discussion.

16 e. Recognize the member making the motion to close for the motion if
 17 debate has not been limited and time has not expired (proponents may save
 18 some time for member to close).

19 f. Repeat until all motions are resolved, and action on the bill is
 20 complete.

21 7. "The motion before the committee is _____. All of those in
 22 support of the motion indicate so by saying 'aye'; those opposed, 'no'."

23 8. The motion passes/fails, and state the disposition of the bill.

24 9. Roll call. (If requested by two or more members) Ask the committee
 25 staff person to call the roll, then state the disposition of the bill.

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