

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

HR 1001

4
5 By: Representative Carter

6
7 **HOUSE RESOLUTION**

8 A RESOLUTION TO ADOPT THE RULES OF THE HOUSE OF
9 REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY.

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12 **Subtitle**

13 TO ADOPT THE RULES OF THE HOUSE OF
14 REPRESENTATIVES OF THE EIGHTY-NINTH
15 GENERAL ASSEMBLY.

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18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL
19 ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. The Rules of the House of Representatives of the Eighty-
22 Ninth General Assembly of the State of Arkansas are amended to read as
23 follows:

24 **MEMBERS**

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

33 2. For the purpose of seating in the House Chamber for an upcoming
34 regular session of the General Assembly, the Speaker of the House shall, on
35 the first Friday following the November General Election, declare all House
36 Chamber seats vacant and representatives and representatives-elect must



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

11 3. When it is necessary for seniority of incoming members to be
12 determined by lot, the Speaker of the House and the Speaker-designate of the
13 House shall conduct a drawing by lots upon receiving certification from the
14 Secretary of State of the election of membership to each General Assembly.
15 Qualified and certified persons to be seated and officially receive the oath
16 of office may do so only at a time and place prescribed by the House. No
17 person having resigned from public office as a provision to a plea agreement
18 to avoid felony prosecution shall be seated or administered the oath of
19 office. Incoming members with previous legislative tenure shall be placed
20 highest in seniority among the incoming members based upon previous terms of
21 service. Where an equivalence of full terms of service exists, seniority for
22 those with equal terms shall be asserted by drawing lots to determine their
23 numerical standing.

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

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

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

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

1 examination.

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

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

7

8

THE SPEAKER

9 10. Selection.

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

15 10.(a)(1) A caucus of the entire House of Representatives shall be
16 held fifteen (15) minutes following sine die adjournment of the fiscal
17 session held in each even-numbered year, at which time the members of the
18 House shall select by secret ballot a member of the House to be known as the
19 Speaker-designate. Each candidate for Speaker-designate shall be allowed
20 fifteen (15) minutes to address the House before the ballot is taken. All
21 members are required to be present for the addresses and for the election.
22 In the event a member is unable to attend, absentee ballots may be requested
23 by a member for himself/herself from the Speaker's Office no sooner than
24 twenty (20) calendar days prior to the scheduled election and must be
25 completed and returned to the Speaker's Office no later than four p.m. (4:00
26 p.m.) the day before the scheduled election. It is the intent of the
27 Speaker's office to accommodate any and all members for Speaker-designate
28 voting, should a member have a documented emergency arise, the Speaker may
29 direct staff to allow for absentee voting up to two (2) hours prior to the
30 scheduled election. Leave for absence shall be requested immediately before
31 the time of the election. The Speaker shall announce the name and number of
32 votes received by the candidate who received at least a majority of the votes
33 of the membership of the House. Each candidate shall be entitled to verify
34 the number of votes he or she received.

35 10.(a)(2) The candidate receiving a majority vote of the membership of
36 the House of Representatives shall be declared the winner of such election

1 for Speaker-designate of the House of Representatives of the next-following
2 General Assembly.

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

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

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

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

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

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

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

34 11.(b) Have control of the area set aside for use by the House and, in
35 case of disturbance therein, shall have the authority to have the areas
36 cleared. He/she or his/her designee shall supervise and control the

1 temporary employees while the legislature is in session and the permanent
2 employees during the biennium (A.C.A. 10-2-125 -- Employees of the House of
3 Representatives);

4 11.(c) Preserve order and decorum;

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

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

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

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

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

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

19 11.(j) Appoint, at the beginning of each session, a member of the
20 House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve
21 during the absences of the Speaker and shall perform the Speaker's duties.
22 The Speaker Pro Tempore shall not serve more than ten (10) consecutive
23 legislative days without the consent of the House, or beyond adjournment.
24 The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1)
25 from each House Caucus District;

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

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

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

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

36 11.(o) Keep a permanent register of the seniority of the members of

1 the House of Representatives.

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

6 11.(q) Approve, by cosigning with either the Chief of Staff or the
7 Coordinator of Legislative Services, the disbursement of all House funds.

8
9 CHIEF OF STAFF

10 12. The Chief of Staff shall be appointed by the Speaker with the
11 approval of the House Management Committee. (Art. 5, Sec.11)

12 13. The duties of the Chief of Staff shall be to:

13 13.(a) Serve as the principal aide to the Speaker; support the Speaker
14 in dealing with a range of legislative officials, industry officials, local,
15 state and federal government officials, and members of the public; manage all
16 public affairs issues on behalf of the Speaker; directly handle matters of
17 institutional legislative importance at the direction of the Speaker;

18 13.(b) Assist the Speaker in designing, establishing and maintaining
19 an organizational structure and staffing to effectively accomplish the goals
20 and objectives of the House; recruit, employ, train and supervise staff as
21 directed by the Speaker;

22 13.(c) Serve as the chief aide and liaison for the Speaker handling
23 program support activities and complex legislative matters to ensure
24 effective operation of the House;

25 13.(d) Interact regularly, at Speaker's direction, with Office of the
26 Governor, Senate, industry, government and community officials in the
27 representation and development of strategic program initiatives designed to
28 improve all facets of governmental services for the citizens of Arkansas;

29 13.(e) Prepare and or contribute to the preparation of reports,
30 briefings, presentations and responses on strategic legislative issues as
31 appropriate;

32 13.(f) Oversee all facets of the daily operations of the House
33 ensuring compliance with all Rules of the House, all local, state and federal
34 laws, policies, regulations and policy statements;

35 13.(g) Act as travel supervisor or assign duty to designated staff;

36 13.(h) Act as purchasing agent or assign duty to designated staff;

1 13.(i) Coordinate preparation for General, Fiscal and Special Sessions
2 of the House of Representatives;

3 13.(j) Coordinate special projects on behalf of the Speaker of the
4 House; participate with the Speaker and leadership in planning, policy
5 development, legislative review, amendment preparation and complex analysis
6 of proposed and existing legislation;

7 13.(k) Oversee the full production of live and recorded sessions of
8 the full House; design schedules, set program content and supervise staff in
9 the use of equipment and records of all sessions;

10 13.(l) Manage and oversee budget review and related legislation.
11

12 COORDINATOR OF LEGISLATIVE SERVICES

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

16 15. The duties of the Coordinator of House Legislative Services shall
17 be to:

18 15.(a) Coordinate and supervise the activities of the Chief Clerk,
19 employees of the House Fiscal Office, the House Properties Manager and other
20 temporary and permanent employees as assigned by the Chief of Staff;

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

22 15.(c) Act as custodian of House properties; and,

23 15.(d) Report to the Chief of Staff.
24

25 THE CHIEF CLERK

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

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

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

34 17.(b) Keep the Journal of the proceedings of the House, and, under
35 the direction of the Speaker, subject to the will of the House, correct
36 errors in the Journal;

1 17.(c) Keep the necessary records for the House;

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

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

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

12 17.(g) Coordinate and supervise activities of temporary and permanent
13 employees as assigned by the Chief of Staff;

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

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

26

27

PARLIAMENTARIAN

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

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

1 the House;

2 18.(b) Assist the Speaker in deciding all points of order;

3 18.(c) Advise the Speaker on the proprieties of motions and the
4 numbers of votes necessary for passage;

5 18.(d) Assist the Speaker in the supervision of the preparation of the
6 daily House calendar;

7 18.(e) Assist the Speaker in the selection of a Chaplain for the day;

8 18.(f) Assist the Speaker in the assignment of bills to their
9 appropriate committee;

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

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

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

17

18

PARLIAMENTARY PRACTICE

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

22 19.(a) To fix the time to which the House will adjourn (non-debatable)
23 (majority of a quorum);

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

26 19.(b) To adjourn (non-debatable) (majority of a quorum);

27 19.(c) To take a recess (non-debatable) (majority of a quorum);

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

33 19.(e) Immediate consideration (non-debatable) (2/3 of a quorum);

34 19.(f) Previous question (non-debatable) (5 seconds) (majority of a
35 quorum);

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

1 19.(h) To expunge (debatable) (2/3 of membership) (67);

2 19.(i) Postpone to a day certain (debatable) (majority of a quorum);

3 19.(j) Committee of the Whole, go into (non-debatable) (majority of a
4 quorum);

5 19.(k) Refer (debatable) (majority of a quorum);

6 19.(l) Amend (debatable) (majority of a quorum);

7 19.(m) Postpone indefinitely (debatable) (majority of membership);

8 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);

9 19.(o) Special order of business (debatable) (2/3 of a quorum); and

10 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).

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

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

17 22. Previous question:

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

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

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

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

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

7 24.(a) When a motion is under consideration, only two (2) substitutes
8 to that motion shall be in order. Only a motion applicable to the main
9 motion and of a higher precedence upon recognition may be substituted for the
10 motion under consideration. A substitute to the third degree shall not be in
11 order. Unless specified otherwise by the presenter of the motion at the time
12 the motion is made, a substitute motion shall apply to the main motion.

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

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

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

24 27. Reconsideration:

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

1 or fiscal session during which times a motion to reconsider must be disposed
2 of immediately.

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

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

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

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

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

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

1 27.(h) No "Clincher" motion shall be entertained on a bill passed
 2 during the morning hour or which has been represented to be non-controversial
 3 regardless of when passed. Prior to the 60th day of a session, no bill
 4 passed during the morning hour, or a bill appearing on the non-controversial
 5 bill calendar which has passed, shall be transmitted to the Senate until the
 6 expiration of the morning hour of the day next following its passage in which
 7 the House is in session.

8 28. No dilatory motion shall be entertained by the Speaker.

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

12 30. No standing rule or order shall be revised without one (1) day's
 13 notice being given thereof.

14 31. In every case not provided for in the House rules, the Speaker,
 15 the Parliamentarian, and the members shall be guided by Mason's Manual of
 16 Legislative Procedure. Each member of the Rules Committee may be furnished a
 17 copy of the current edition and of each new or revised edition of Mason's
 18 Manual of Legislative Procedure and additional copies may be available to
 19 other members from the Parliamentarian, upon approval of the Rules Committee.
 20

21 DAILY ORDER OF BUSINESS

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

24 33. The daily order of business shall be:

- 25 (a) Prayer
- 26 (b) Pledge of Allegiance
- 27 (c) Roll Call
- 28 (d) Leaves of absence
- 29 (e) Reading and approval of the previous day's Journal
- 30 (f) Reports from select committees
- 31 (g) Reports from standing committees
- 32 (h) Unfinished business
- 33 (i) Executive communications
- 34 (j) Introduction, reading and advancement of bills and resolutions

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

36 2. Introduction, reading and advancement of bills and joint

1 resolutions

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

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

4 5. Senate bills and joint resolutions on third reading

5 33.(l) Announcement of committee meetings, and

6 33.(m) Adjournment.

7 34.(a) Introduction and reading of bills and resolutions may be
8 ordered by the Speaker of the House at his/her discretion.

9 34.(b) The following types of resolutions shall be considered for
10 passage during the time set aside for the consideration of members' own
11 amendments to their own bills: a memorial resolution, a concurrent memorial
12 resolution, and a resolution or a concurrent resolution that commends,
13 congratulates, or recognizes an individual, group, or other entity.
14 Notwithstanding Rule 27 (h), a concurrent resolution or concurrent memorial
15 resolution that is subject to this rule may be transmitted to the Senate on
16 the same day that it is passed. A joint resolution proposing a
17 Constitutional amendment shall be placed on the regular House calendar and is
18 subject to Rule 27 (h).

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

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

26 37. Privileged matters may interrupt the order of business. These
27 privileged matters are:

28 37.(a) Appropriation bills and revenue bills, sponsored by the
29 committees on Budget, Revenue and Taxation and the Committee on Rules (J.R.
30 15);

31 37.(b) Conference reports;

32 37.(c) Special orders reported by the Committee on Rules for
33 consideration by the House;

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

36 37.(e) Question of privilege;

1 37.(f) Privileged resolutions reported under the right to report any
2 time; and

3 37.(g) Bills returned with the objections of the Governor.
4

5 BILLS

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

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

12 38.(b) The Clerk shall take the original and perforate or stamp it as
13 the original.

14 38.(c) No action shall be taken in the House on any bill, resolution,
15 or amendment that is not physically in the House, nor shall any action be
16 taken in committee on any bill, resolution, or amendment that is not
17 physically in the committee. However, in the House the motion to recall a
18 bill or resolution may be made regardless of the location of the bill or
19 resolution.

20 38.(d) No alterations or erasures or otherwise defacement of the bill
21 or amendments shall be permitted.

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

25 38.(f) All bills, resolutions, amendments, petitions and memorials
26 must be signed by the author.

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

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

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

1 38.(j) No bill shall be passed by either house containing more than
2 one subject, which shall be expressed in the title, and the subtitle. (J.R.
3 4)

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

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

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

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

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

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

36 38.(m)(a) No appropriation bill shall be filed for introduction in

1 either the House of Representatives or the Senate later than the fiftieth
2 (50th) day of a regular session except upon consent of two-thirds (2/3) of
3 the members elected to each house; and, no other bill or resolution except
4 adjournment resolutions and resolutions requesting permission to introduce a
5 bill or resolution shall be filed for introduction in either the House of
6 Representatives or the Senate later than the fifty-fifth (55th) day of a
7 regular session, except upon consent of two-thirds (2/3) of the members
8 elected to each house.

9 (b)(1) No appropriation bill shall be filed for introduction in
10 either the House of Representatives or the Senate later than the fifteenth
11 (15th) day of a fiscal session except upon consent of two-thirds (2/3) of the
12 members elected to each house.

13 (2) For a fiscal session, a non-appropriation bill shall not be
14 filed for introduction until a concurrent resolution authorizing the
15 introduction of the bill has been approved by a vote of two-thirds (2/3) of
16 the members elected to each house.

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

21 (4) A non-appropriation bill shall not be filed for introduction
22 in either the House of Representatives or the Senate later than the fifteenth
23 (15th) day of a fiscal session.

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

27 38.(n) The Joint Committee on Constitutional Amendments shall consist
28 of the members of the Senate Committee on State Agencies and Governmental
29 Affairs and the members of the House Committee on State Agencies and
30 Governmental Affairs. No proposed constitutional amendment can be
31 recommended to either House of the General Assembly except upon the
32 affirmative vote of a majority of the members of the Senate Committee on
33 State Agencies and Governmental Affairs and an affirmative vote of a majority
34 of the members of the House Committee on State Agencies and Governmental
35 Affairs. No resolution proposing a constitutional amendment shall be filed
36 in either the House of Representatives or the Senate after the thirty-first

1 (31st) day of each regular session of the General Assembly. All resolutions
2 proposing constitutional amendments shall be referred to the Joint Committee
3 on State Agencies and Governmental Affairs. Other resolutions proposing
4 constitutional amendments shall not be reported to or considered by either
5 House of the General Assembly until the original recommendations of the Joint
6 Committee on State Agencies and Governmental Affairs are disposed of. A
7 resolution proposing a constitutional amendment may be considered only during
8 a regular session. (J.R. 21)

9 38.(o)(a) Any proposed legislation affecting any publicly supported
10 retirement system or pension plan to be considered by the General Assembly at
11 a regular session shall be introduced in the General Assembly during the
12 first fifteen (15) calendar days of a regular session. (A.C.A. 10-2-115)

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

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

22 38.(p) Definition. -- As used in this subchapter, unless the context
23 otherwise requires, "fiscal impact statement" means a realistic statement of
24 the estimated financial cost of implementing or complying with the proposed
25 law, regulation, rule, policy, order, or administrative law upon
26 municipalities or counties to which the proposed law, regulation, rule,
27 policy, order or administrative law applies. (A.C.A. 19-1-301)

28 Before adoption of regulation, etc. -- No regulation, rule, policy,
29 order, or administrative law which would have a fiscal impact on any
30 municipality or county in this state shall be valid unless 30 days prior to
31 its adoption by a board, commission, agency, department, office or other
32 authority of the government of the State of Arkansas, except the General
33 Assembly, the Courts and the Governor, such board, commission, agency,
34 department, officer or other authority shall file a fiscal impact statement
35 with the Secretary of State. Any municipality or county which will be
36 affected by the proposed regulations, rule, policy, order or administrative

1 law upon request shall immediately be furnished with a copy of the fiscal
2 impact statement by the board, commission, agency, department, officer or
3 other authority. (A.C.A. 19-1-302)

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

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

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

27 38.(p) 3. If a bill is called up for final passage in the House of
28 Representatives and a fiscal impact statement has not been provided for the
29 bill, any member of the house in which the bill is being considered may move
30 that a final vote on the passage of the bill be delayed until a fiscal impact
31 statement is prepared and made available on the desk of each member of the
32 House at least one (1) full day prior to the bill being called up for final
33 passage. If such motion is made and is adopted by a majority vote of the
34 membership of the House, the Speaker of the House shall cause the bill to be
35 referred to the appropriate state agency or to the designated legislative
36 staff for the preparation of a fiscal impact statement, which shall be filed

1 with the House within five (5) days of the date of the request. (A.C.A. 19-1-
2 303)

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

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

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

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

23 Bills imposing new or additional costs on education

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

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

34 (b) Any bill filed in the House of Representatives or Senate that will
35 impose a new or increased cost obligation for education in grades
36 kindergarten through twelve (K-12) on the State of Arkansas or any local

1 school district shall have a fiscal impact statement attached to it prepared
2 and filed with the chair of the committee to which the bill is referred:

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

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

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

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

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

21 (A.C.A. 10-2-217)

22 38.(r) Bills imposing new or additional costs and restrictions on
23 inmate population patterns or affecting programs or services of the
24 Department of Corrections.

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

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

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

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

1 (c) Cost impact statements required under this section shall be
2 prepared, upon referral thereof by the Speaker of the House of
3 Representatives, with respect to House bills, and by the President of the
4 Senate upon recommendation of the Senate Rules Committee, with respect to
5 Senate bills, at the time of introduction thereof, to:

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

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

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

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

25 38.(s) Bills imposing new or additional costs to the Arkansas Lottery
26 or a lottery or amending Chapter 115 of Title 23 of the Arkansas Code.

27 (a) The author of a bill filed in the House of Representatives or the
28 Senate shall have a fiscal impact statement prepared if the bill:

29 (1) Amends Chapter 115 of Title 23 of the Arkansas Code; or

30 (2) Imposes a new or increased cost to:

31 (A) The Arkansas Lottery Commission; or

32 (B) A lottery.

33 (b) "Fiscal impact statement" means a realistic written statement of
34 the:

35 (1) Purpose of a proposed law or proposed amendment to a
36 law under this chapter; and

1 (2) Estimated financial cost to the Arkansas Lottery
2 Commission, the lottery, and this state of implementing or complying with the
3 proposed law or proposed rule.

4 (c) The author of the bill shall file the fiscal impact statement with
5 the chair of the committee to which the bill is referred:

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

9 (2) At least three (3) days before the bill may be called up for
10 final action in the committee during a fiscal session of the General
11 Assembly; and

12 (3) At least one (1) day before the bill may be called up for
13 final action in the committee during an extraordinary session of the General
14 Assembly.

15 (d)(1) A fiscal impact statement under this section shall be developed
16 by the Bureau of Legislative Research within the guidelines adopted by the
17 Arkansas Lottery Commission Legislative Oversight Committee.

18 (2) The Department of Higher Education or the commission, as
19 applicable, shall assist in the preparation of the fiscal impact statement.

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

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

31 (2) If an objection is made without override, the presiding
32 officer of the House of Representatives or the Senate shall cause the bill to
33 be referred to the Bureau of Legislative Research for the preparation of a
34 fiscal impact statement that shall be filed with the presiding officer of the
35 House of Representatives or the Senate not later than five (5) days from the
36 date of the request. (A.C.A. 23-115-103)

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

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

12 40. Second reading

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

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

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

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

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

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

32 The twenty-four (24) hour period begins when a bill is initially
33 introduced and read across the desk. No regular bill or resolution may be
34 brought up for a third reading and final passage on the Floor of the House
35 until it has been on the calendar of the House for at least two (2) days.

36 42. A calendar of bills and resolutions to be considered in the order

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

4 43. A bill ordered to be engrossed or enrolled shall be typed or
5 photocopied.

6 44. A bill having been rejected may not be brought up again during the
7 same legislative session unless it be an appropriation bill. Appropriation
8 bills may be considered a total of two times during any calendar day.

9 Following a second consideration during the same calendar day, a motion to
10 reconsider or a motion to expunge must be adopted before an appropriation
11 bill may be considered.

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

15 45.(b) When a bill has been passed and transmitted to the Governor's
16 Office, it may be recalled from the Governor's Office by the same vote that
17 was necessary to pass the bill.

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

22 47. Amendments to bills and resolutions:

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

31 47.(b) When a House bill has been amended in the Senate, upon return
32 of said bill to the House, the Speaker shall re-refer the bill, together with
33 the Senate amendment(s), to the committee to which the bill was originally
34 referred, for review. Concurrence in the Senate amendment shall not be
35 considered by the House until the committee report is received by the House.
36 When a House bill is amended and passed by the Senate and is returned to the

1 House, the bill shall be reprinted with the Senate amendments included
2 therein and specifically identified and shall be placed on each member's desk
3 before final action is taken on the bill by the House. When the Senate
4 amendment is before the House, the same number of votes will be required to
5 concur in the Senate amendment as was required in the original passage of the
6 bill in the House. Amendments containing an emergency clause require sixty-
7 seven (67) votes.

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

12 47.(d) Every amendment proposed must be germane to the subject of the
13 proposition to be amended.

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

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

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

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

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

36 47.(j) The sponsor shall present a stamped, numbered and signed copy

1 of a proposed amendment to the Calendar Clerk in order to have the bill and
2 amendment placed on the "Members' Own Bill/Own Amendment Calendar".

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

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

11 47.(m) A member's own House bill or Senate bill amended with a
12 member's own amendment shall be transmitted directly to Engrossing after
13 having been amended.

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

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

22 47.(p) When a bill has a committee recommendation and is subsequently
23 amended to change the title, and/or the list of sponsors and/or an emergency
24 clause, such amendment shall not cause the bill to be re-referred to
25 committee.

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

34 47.(r) Budget bills sponsored by members but recommended to be amended
35 to delete the sponsor and substitute the Joint Budget Committee as sponsor
36 may be amended during the period set aside to amend "Members Own Bills with

1 their Own Amendments".

2 47.(s) The Rules governing members amending their own bills with their
3 own amendments shall be in effect for House and Senate Budget bills so far as
4 they are applicable.

5 47.(t) Budget bills to be amended deleting the sponsor and
6 substituting the Joint Budget Committee shall be placed on the Joint Budget
7 Calendar by the Joint Budget Calendar Clerk.

8 47.(u) The House Chairman of the Joint Budget Committee shall sign all
9 amendments deleting the sponsor and substituting the Joint Budget Committee
10 as sponsor.

11

12

RESOLUTIONS

13 48. Resolutions shall follow the same procedure as bills.

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

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

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

29 52. Resolutions of Inquiry:

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

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

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

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STANDING, SELECT, AND SPECIAL COMMITTEES

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

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

53.(a) HOUSE STANDING COMMITTEES

Class "A" Committees

Education

Judiciary

Public Health, Welfare and Labor

Public Transportation

Revenue and Taxation

Class "B" Committees

Aging, Children and Youth, Legislative and Military Affairs

Agriculture, Forestry and Economic Development

City, County and Local Affairs

Insurance and Commerce

State Agencies and Governmental Affairs

53.(b) JOINT SELECT COMMITTEES

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

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

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

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

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

8 53.(c) HOUSE SELECT COMMITTEES

9 House Rules Committee shall consist of no more than fifteen (15)
10 members.

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

13 53.(d) SPECIAL COMMITTEES

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

16 53.(d)(1)(a) The chairperson of the House Budget Committee;

17 53.(d)(1)(b) Two (2) members of the House of Representatives appointed
18 by the Speaker;

19 53.(d)(1)(c) The chairperson of the House Management Committee and two
20 (2) additional members of the House Management Committee to be designated by
21 its chairperson;

22 53.(d)(1)(d) The Speaker of the House of Representatives or his or her
23 designee; and

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

26 53.(2) House Committee on the Journal; Engrossed and Enrolled Bills
27 shall consist of not more than five (5) members. The House Committee on the
28 Journal; Engrossed and Enrolled Bills shall not be considered a standing or
29 select committee. The committee shall consist of the Speaker of the House of
30 Representatives or his or her designee who shall be chairperson, the
31 chairperson of the House Rules Committee who shall be the vice chairperson,
32 the chairperson of the House Management Committee, and two (2) members of the
33 House appointed by the Speaker of the House; and, the House Parliamentarian
34 shall serve as secretary and advisor to the committee. The chairperson of the
35 committee shall receive an allowance in accordance with § 10-2-215.

36 53.(3) Joint Committee on Legislative Printing Requirements and

1 Specifications -- (to consist of the chairperson and vice chairperson of the
2 House Management Committee, the chairperson and vice chairperson of the
3 Senate Efficiency Committee, the Speaker of the House of Representatives or
4 his or her designee and the President Pro Tempore of the Senate). (A.C.A. 10-
5 3-601 thru 10-3-605)

6 54.(a) STANDING COMMITTEES

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

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

32 54.(a)(3) Members of the House of Representatives who are committee
33 chairpersons or vice-chairpersons or select seniority members who have been
34 assigned an office or other premises shall vacate the office or other
35 premises by December 15 following the General Election in the even-numbered
36 years.

1 54.(a)(4) Each standing committee shall consist of twenty (20)
2 members. Each member of the House shall serve on two (2) standing
3 committees, one (1) of which shall be a Class "A" committee and one (1) of
4 which shall be a Class "B" committee. From within each standing committee
5 there shall be created three (3) permanent subcommittees consisting of eight
6 (8) members. Each member of the House shall serve on two (2) permanent
7 subcommittees, one (1) from a Class "A" standing committee and one (1) from a
8 Class "B" standing committee. The Speaker and the chairperson of each
9 standing committee shall jointly appoint from the membership of the standing
10 committee six (6) persons for each permanent subcommittee available, provided
11 further the chairperson and vice chairperson of each standing committee shall
12 be ex-officio, voting members of each permanent subcommittee created from
13 within their standing committee. The permanent subcommittees of the standing
14 committees may meet after having first obtained prior approval of the
15 standing committee chairperson.

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

34 54.(b) SELECT COMMITTEES

35 54.(b)(1) The Speaker shall appoint all members and all alternates on
36 all House select committees and all Joint Select Committees except the Joint

1 or House Budget Committee. The Speaker shall appoint ex-officio members in
2 accordance with the law.

3 54.(b)(2) The House Budget Committee shall consist of six (6) members
4 of the House of Representatives and two (2) alternates chosen from each
5 caucus district on the first Friday following the November General Election
6 before each regular biennial session. At the time the alternates are
7 selected, one (1) shall be designated as first alternate and the other as
8 second alternate. The selections shall be made by caucus of the House
9 members-elect residing within each caucus district. Members-elect chosen for
10 membership on the House Budget Committee shall select one (1) of their number
11 to serve as chairperson-elect and one (1) to serve as vice chairperson-elect.
12 The term of office of the members shall be from January 1 of odd-numbered
13 years through December 31 of the following even-numbered year. Vacancies in
14 either a member or alternate member position shall be filled in the same
15 manner as the initial member or alternate member position was filled. House
16 Budget Committee membership shall be confirmed at the same time that
17 representatives are administered the oath of office. Prior to confirmation,
18 however, members-elect chosen to serve on the House Budget Committee shall
19 conduct pre-session budget hearings, either standing alone or in conjunction
20 with the Legislative Council.

21 54.(b)(3) No member of the House of Representatives shall serve on
22 more than one (1) select committee. The Legislative Council, the Legislative
23 Joint Auditing Committee, the House Budget Committee, the House Committee on
24 the Journal; Engrossed and Enrolled Bills, and the House Management Committee
25 are excluded therefrom.

26 54.(c)(1) The Speaker of the House shall appoint a chairperson and a
27 vice chairperson of each standing committee and each select committee who
28 shall serve at the pleasure of the Speaker. The Speaker, in consultation
29 with the chairperson of each standing committee, shall appoint from the
30 membership of each permanent subcommittee, a chairperson and vice
31 chairperson, provided however that the vice chairperson of the standing
32 committee may be the chairperson of a permanent subcommittee. No member of
33 the House, with the exception of each House standing committee vice
34 chairperson, shall be chairperson or vice chairperson of more than one (1)
35 standing committee, select committee, or permanent subcommittee.

36 54.(c)(2) The rules or proceedings of the House of Representatives

1 shall be observed in all select committees, standing committees, and
2 subcommittees of the House so far as they may be applicable.

3 54.(c)(3) The House Committee on the Journal; Engrossed and Enrolled
4 Bills shall serve as the supervisory committee over the preparation of the
5 Journal and engrossing and enrolling of bills.

6 54.(c)(4) After the membership of a standing committee or a permanent
7 subcommittee is established, no member shall be removed from any standing
8 committee or any permanent subcommittee during the biennium for which he/she
9 was selected. All appointees selected by the Speaker serve at his/her
10 discretion.

11 55. Committee Operations.

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

20 55.(b) All committees shall consider the bills, resolutions,
21 amendments, petitions, and memorials referred to them and in their possession
22 and make one of the following reports in writing to the House:

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

24 55.(b)(2) That a bill, resolution, petition or memorial "do not pass",
25 in which event the measure shall not be considered unless the vote is
26 expunged;

27 55.(b)(3) That a bill, resolution, petition or memorial "do pass as
28 amended".

29 55.(c) No bill, resolution, petition or memorial shall be acted upon
30 by the House without a "do pass" or a "do pass as amended" recommendation.
31 No bills shall be placed on the non-controversial calendar or deemed to be
32 non-controversial in any way unless a motion is adopted in the committee to
33 which the bill was referred. With a quorum present, the motion is considered
34 adopted if there are no negative votes.

35 55.(d) The appropriate subject matter standing committees of the House
36 and the Senate may meet as joint committees whenever agreed by said

1 committees, for the purposes of holding public hearings or considering any
2 proposed or pending legislation but upon conclusion of the joint meeting of
3 said committees, each standing committee of the House of Representatives and
4 the Senate shall take such action and report to their respective houses as
5 determined by said committees. Whenever the appropriate subject committees
6 of the House and Senate hold hearings or meetings, the chairperson of the
7 House committee and the chairperson of the Senate committee shall by
8 agreement determine which of them shall preside at the joint meeting.

9 56. The Speaker of the House shall keep a permanent register of the
10 seniority of the members of the House of Representatives. When it is
11 necessary for the seniority of incoming members to be determined by lot, the
12 Speaker of the House and the Speaker-designate of the House shall conduct a
13 drawing by lots upon receiving certification from the Secretary of State of
14 the election of membership to each General Assembly. Such seniority drawings
15 shall be effective for the purposes of determining legislative license tag
16 numbers, Chamber seating, and State Capitol parking.

17 57. Seniority shall be based on the total consecutive uninterrupted
18 terms served in the House of Representatives. In the event a member has been
19 elected that has had previous non-continuous service, he/she shall rank ahead
20 of members elected in the year his/her uninterrupted services began. In the
21 event that two (2) or more members have equal full terms of non-continuous
22 service, their seniority shall be asserted by drawing lots to determine their
23 numerical standing in rank ahead of members elected in the year his/her
24 uninterrupted services begin.

25 58. Seniority ranking for new members elected for the first time to
26 serve in the General Assembly shall be determined by lot.

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

30 60. Meetings and Hearings:

31 60.(a) All committee and subcommittee meetings including but not
32 limited to hearings at which public testimony is to be taken, (normally
33 called "public hearings") shall be open to the public (Art. 5, Sec. 13) and
34 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
35 resolutions, and other proposals to be considered at such meetings shall be
36 posted in a designated place at least eighteen (18) hours in advance; but in

1 case of an emergency, a two-thirds (2/3) majority of the membership of the
2 committee may bring bills up for consideration upon notice of not less than
3 two (2) hours.

4 60.(b) Special meetings of a standing committee may be called by the
5 chairperson of the committee or by a majority of the members of the committee
6 for conducting any business of the committee; provided, a special meeting of
7 the committee may not conflict with regularly scheduled meetings of any
8 standing committee; provided further, special meetings shall be subject to
9 the same procedures regarding the publishing of agendas and notices of
10 meetings that apply to regular standing committee meetings. (J.R. 22 – Joint
11 Committees)

12 60.(c) The Speaker of the House shall establish a regular schedule of
13 committee meetings in order that each Class "A" committee shall meet at a
14 scheduled time on the mornings of Tuesday and Thursday of each legislative
15 week, and all Class "B" committees shall meet at a scheduled time on the
16 mornings of Wednesday and Friday of each legislative week.

17 60.(d) The Speaker of the House shall establish a schedule of House
18 standing and select committee meetings so as to minimize conflicts.

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

23 61.(b)(1) The committee shall have the opportunity to ask questions of
24 persons offering testimony.

25 61.(b)(2) Testimony in a committee meeting or on the House floor from
26 cell phones, personal data assistants or other electronic devices shall not
27 be allowed. Electronic devices may be used in House committees to assist in
28 the delivery of testimony but in the process of testimony may not be employed
29 for personal communication to outside parties.

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

33 63. No committee shall sit while the House is in session except the
34 Committee on Rules or a Conference Committee, which shall notify the House.

35 64. The following subject areas shall be within the jurisdiction of
36 each of the respective House standing committees:

1 64.(1) Committee on Education – matters pertaining to public
2 kindergarten, elementary, secondary, and adult education, vocational
3 education, vocational-technical schools, vocational rehabilitation, higher
4 education, private educational institutions, similar legislation, and
5 resolutions germane to the subject matter of the committee;

6 64.(2) Committee on Judiciary – matters pertaining to state and local
7 courts, court clerks and stenographers and other employees of the courts,
8 civil and criminal procedures, probate matters, civil and criminal laws,
9 similar matters, and resolutions germane to the subject matter of the
10 committee;

11 64.(3) Committee on Public Health, Welfare and Labor – matters
12 pertaining to public health, mental health, mental retardation, public
13 welfare, human relations and resources, environmental affairs, water and air
14 pollution, labor and labor relations, contractors and contracting, similar
15 legislation, and resolutions germane to the subject matter of the committee;

16 64.(4) Committee on Public Transportation – matters pertaining to
17 roads and highways, city streets, county roads, road vehicles, highway
18 safety, airports and air transportation, common and contract carriers, mass
19 transit, similar legislation, and resolutions germane to the subject matter
20 of the committee;

21 64.(5) Committee on Revenue and Taxation – matters pertaining to the
22 levy, increase, reduction, collection, enforcement and administration of
23 taxes and other revenue-producing measures, and resolutions germane to the
24 subject matter of the committee;

25 64.(6) Committee on Aging, Children and Youth, Legislative and
26 Military Affairs – matters pertaining to the aged, child custody, adoptions,
27 problems of aging; children and youth, military, veterans, legislative
28 affairs, memorials, other matters whenever the subject matter is not germane
29 to the subject matter of any other standing committee and resolutions germane
30 to the subject matter of the committee;

31 64.(7) Committee on Agriculture, Forestry and Economic Development –
32 matters pertaining to agriculture, livestock, forestry, industrial
33 development, natural resources, oil and gas, publicity and parks, levee and
34 drainage, rivers and harbors, similar legislation and resolutions germane to
35 the subject matter of the committee;

36 64.(8) Committee on City, County and Local Affairs – matters

1 pertaining to city and municipal affairs, county affairs, local improvement
2 districts, water districts, interlocal government cooperation, similar
3 legislation and resolutions germane to the subject matter of the committee;

4 64.(9) Committee on Insurance and Commerce – matters pertaining to
5 banks and banking, savings and loan associations, stock, bonds, and other
6 securities, securities dealers, insurance, public utilities, partnerships and
7 corporations, home mortgage financing and housing, similar legislation and
8 resolutions germane to the subject matter of the committee;

9 64.(10) Committee on State Agencies and Governmental Affairs – matters
10 pertaining to state government and state agencies, except where the subject
11 matter relates more appropriately to another committee, proposed amendments
12 to the Constitution of the State of Arkansas or the Federal government,
13 election laws and procedures, Federal and interstate relations, similar
14 legislation, and resolutions germane to the subject matter of the committee;

15 64.(10)(a) The following permanent subcommittees are hereby created
16 from within each standing committee:

17 64.(10)(a)(1) For the House standing committee on Aging, Children and
18 Youth, Legislative and Military Affairs, the following permanent
19 subcommittees are created:

- 20 (1) Aging
- 21 (2) Children and Youth
- 22 (3) Legislative, Military and Veterans Affairs

23 64.(10)(a)(2) For the House standing committee on Agriculture,
24 Forestry and Economic Development, the following permanent subcommittees are
25 created:

- 26 (1) Agriculture, Forestry and Natural Resources
- 27 (2) Small Business and Economic Development
- 28 (3) Parks and Tourism

29 64.(10)(a)(3) For House standing committee on City, County and Local
30 Affairs, the following permanent subcommittees are created:

- 31 (1) Planning
- 32 (2) Finance
- 33 (3) Local Government Personnel

34 64.(10)(a)(4) For the House standing committee on Education, the
35 following permanent subcommittees are created:

- 36 (1) Early Childhood

1 (2) Kindergarten Through Twelve, Vocational/Technical
2 Institutions

3 (3) Higher Education

4 64.(10)(a)(5) For the House standing committee on Insurance and
5 Commerce, the following permanent subcommittees are created:

6 (1) Financial Institutions

7 (2) Insurance

8 (3) Utilities

9 64.(10)(a)(6) For the House standing committee on Judiciary, the
10 following permanent subcommittees are created:

11 (1) Courts/Civil Law

12 (2) Corrections/Criminal Law

13 (3) Juvenile Justice/Child Support

14 64.(10)(a)(7) For the House standing committee on Public Health,
15 Welfare and Labor, the following permanent subcommittees are created:

16 (1) Human Services

17 (2) Health Services

18 (3) Labor and Environment

19 64.(10)(a)(8) For the House standing committee on Public
20 Transportation, the following permanent subcommittees are created:

21 (1) Motor Vehicle and Highways

22 (2) Public Transportation and Rail

23 (3) Waterways and Aeronautics

24 64.(10)(a)(9) For the House standing committee on Revenue and
25 Taxation, the following permanent subcommittees are created:

26 (1) Sales, Use, Miscellaneous Taxes and Exemptions

27 (2) Income Taxes—Personal and Corporate

28 (3) Complaints and Remediation

29 64.(10)(a)(10) For the House standing committee on State Agencies and
30 Governmental Affairs, the following permanent subcommittees are created:

31 (1) State Agencies and Reorganization

32 (2) Constitutional Issues

33 (3) Elections

34 65.(a) Committee on Rules:

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

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

3 65.(a)(3) The Committee on Rules shall present to the House reports
4 concerning rules, joint rules, and order of business on the third day after
5 convening of the House. The permanent rules shall be adopted by a majority
6 of the members and thereafter they may be changed only by a vote of sixty-
7 seven (67) members.

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

13 65.(a)(5) Rules of the preceding General Assembly shall automatically
14 be adopted as temporary rules of the current assembly and may be amended or
15 suspended by a majority vote of the membership.

16 65.(b) House Budget Committee. All appropriation bills coming before
17 the House shall be assigned to and considered by the House Budget Committee.

18 66. No committee shall transact business without a quorum (a majority
19 of the committee membership present). The request for a quorum call is
20 always in order. All final action on bills, and on proposed amendments to
21 bills, shall be decided by a majority vote of the total membership of the
22 committee. Provided, however, that the Speaker of the House shall not be
23 included for the purpose of determining what is a majority of a standing
24 committee, unless present at the time of the vote. A member of the committee
25 must be present at the time of the vote for his/her vote to be counted on any
26 matter considered by the committee (no pairs, no proxies).

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

35 67. Upon written request by the author of a bill directed to the
36 chairperson of the committee, a bill shall be considered by the full

1 committee within ten (10) days of the time of such request, but the
2 committees may delay final action on a bill by a majority vote of the
3 committee.

4 68. No bill shall be introduced with a committee as the author of said
5 bill unless that committee has voted unanimously to sponsor the bill.

6 69. Committee Records and Reports:

7 69.(a) The chairperson of each committee of the House shall keep or
8 cause to be kept a separate record for each committee meeting in which there
9 shall be entered:

10 69.(a) 1. The time and place of each hearing and each meeting of the
11 committee.

12 69.(a) 2. The number and title of the bill with one of the following
13 three recommendations: "do pass", "do pass as amended", or "do not pass". If
14 a committee recommends a bill "do pass as amended" and any of the amendments
15 recommended by the committee are not adopted on the Floor, the bill shall be
16 re-referred to the same committee for further consideration and
17 recommendation.

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

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

23 69.(a) 5. A record of how every member voted on each bill when action
24 is taken by the committee, including votes on a motion to postpone
25 consideration on the bill and a recorded vote on any other motion, if
26 requested by any two (2) committee members.

27 69.(a) 6. A list of all people testifying before a committee on each
28 bill, the interest that they represent, and an indication of their position
29 on the bill.

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

34 69.(c) Other reports may be filed with the Clerk of the House.

35 70. Consent Calendar – Supplemental Calendar. In addition to the
36 regular calendar of the House of Representatives, there shall be a consent

1 calendar on which shall be placed bills that have been recommended "do pass"
2 by committee, which are deemed by the committee or by the Speaker to be non-
3 controversial, and may be used for other non-controversial matters such as
4 resolutions and amendments to bills proposed by the author of the bill, if
5 the Speaker deems such matter to be non-controversial. The Speaker of the
6 House shall maintain the consent calendar. On Thursday of each week, and
7 such other times as the Speaker may deem advisable, the House shall consider
8 bills and other matters on the consent calendar. Provided, that a list of
9 bills and other matters on the consent calendar which are to be considered on
10 a particular day shall be circulated among the members of the House of
11 Representatives the day prior to the date on which the consent calendar is to
12 be considered. If as many as five (5) members object to a bill or other
13 matter on the consent calendar being considered as non-controversial, the
14 Speaker of the House shall remove the same from the consent calendar and
15 shall place it on the regular calendar of the House business. When deemed
16 advisable, in addition to the regular calendar and the consent calendar, the
17 Speaker may provide for a supplemental calendar on which shall be placed
18 bills and resolutions and other matters as requested by the members for
19 consideration. The list of bills, resolutions and other matters on the
20 supplemental calendar for consideration on a particular day shall be
21 circulated among the members of the House. If as many as five (5) members
22 object to a bill, resolution or any other matter on the supplemental calendar
23 the same shall be removed and placed on the regular House calendar for
24 consideration consistent with the wishes of the House. No bill or resolution
25 may be placed for consideration on any more than one (1) House calendar.

26 71. A vote of two-thirds (2/3) of the elected membership of the House
27 of Representatives shall be necessary to remove a bill from a committee. A
28 bill may be reported by a committee at any time as provided by the House
29 Rules except for bills introduced after the fiftieth (50th) day of the
30 Regular Session, or during a special session, which shall, upon written
31 request by the author, be acted on at the next regular meeting of the
32 committee, but committees may delay final action on a bill by a majority vote
33 of the committee.

34 72.(a) Except as provided in subsection (b), no action may be taken in
35 the House Committee on Public Health, Welfare and Labor or on the Floor of
36 the House of Representatives on any bill that provides for licensure of any

1 profession, occupation or class of health care providers not currently
2 licensed or expands the scope of practice of any profession, occupation, or
3 class of health care providers unless the House Committee on Public Health,
4 Welfare and Labor has initiated a study of the feasibility of such
5 legislation at least thirty (30) days prior to convening the next legislative
6 session.

7 72.(b) A bill providing for the licensure of any profession,
8 occupation, or class of health care providers not currently licensed or
9 expanding the scope of any practice of any profession, occupation, or class
10 of health care providers may be acted upon without the initiation of a
11 feasibility study required in subsection (a) upon a two-thirds (2/3) vote of
12 the House Public Health, Welfare and Labor Committee membership.

13
14 COMMITTEE OF THE WHOLE

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

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

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

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

35 74.(c) Bills introduced by members of the House (or Senate) that shall
36 have been recommended by the Joint Budget Committee or the House Budget

1 Committee “do pass” or “do pass as amended”; and

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

11 75. In forming a Committee of the Whole House, the Speaker may leave
12 his/her chair after appointing a chairperson to preside, who shall have the
13 same power as the Speaker to preserve order. A majority of a quorum is
14 required to resolve the House into a Committee of the Whole.

15 76. When the House resolves itself into the Committee of the Whole,
16 non-members who are to participate in the matters to be discussed may be
17 invited into the House Chambers by the proponents or opponents of the
18 proposals to be discussed but all such non-members shall leave at the time
19 the committee arises.

20 77. A Committee of the Whole cannot report a measure without a quorum
21 of its members present.

22 78. The rules and proceedings of the House shall be observed in
23 Committee of the Whole House so far as they may be applicable. Decisions
24 will be made by voice or standing votes.

25 79. No motion which has as its effect the limiting of debate in the
26 Committee of the Whole shall be entertained by the chairperson. The motion
27 for the disposition of any matter referred to the committee shall be,
28 “Mr./Ms. Chairman, I move the committee do now rise and report”. If the
29 committee had no specific report, the motion should be to rise and report
30 progress.

31
32 LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

33 80. Legislative Council.

34 80.(a) Twenty (20) of the House members of the Legislative Council
35 shall be selected by members-elect of the House Caucus Districts. Each
36 caucus shall select five (5) members. The selections shall occur on the

1 Friday following the November General Election. Following the selections,
2 the newly selected House of Representative members of the Legislative Council
3 shall select one (1) of their number as Legislative Council co-chair and one
4 (1) of their number as Legislative Council co-vice-chair. However no more
5 than one (1) member selected by caucus shall reside within the same county.
6 The term of office of the members shall be from January 1 of odd-numbered
7 years to December 31 of the following even-numbered year. Legislative
8 Council membership shall be confirmed at the same time that representatives
9 are administered the oath of office.

10 80.(b) In order that there may be no House vacancies on the
11 Legislative Council at any time, at the time of selection of the House
12 members to the Council there shall be selected in each Caucus District a
13 first alternate and a second alternate for each member selected from that
14 district. In the event that any House member or House alternate of the
15 Legislative Council resigns from the Council, is disqualified from serving on
16 the Council, dies, or for any other reason there becomes a permanent vacancy
17 in a House position on the Council, the House members of the Caucus District
18 from which the member or alternate was selected shall choose a replacement
19 member or alternate to serve the remainder of the term. When a vacancy
20 occurs in a House member position on the Council or a House alternate
21 position on the Council, that person's alternate shall serve until a signed
22 report from the Caucus chairperson designating otherwise is filed with the
23 Speaker. The Speaker shall notify the Council chairperson of all changes in
24 membership on the Council.

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

26 81. Legislative Joint Auditing Committee.

27 81.(a) House members of the Legislative Joint Auditing Committee shall
28 be selected by members-elect of each House Caucus District. The selections
29 shall occur on the Friday following the November General Election. Following
30 the selections, the newly selected House of Representative members of the
31 Legislative Joint Auditing Committee shall select one (1) of their number as
32 Legislative Joint Auditing Committee co-chair and one (1) of their number as
33 Legislative Joint Auditing Committee co-vice-chair. Each caucus shall select
34 five (5) members. However no more than two (2) members shall reside within
35 the same county. The term of office of the members shall be from January 1
36 of odd-numbered years to December 31 of the following even-numbered year.

1 Legislative Joint Auditing Committee membership shall be confirmed at the
2 same time that representatives are administered the oath of office.

3 81.(b) In order that there may be no House vacancies on the
4 Legislative Joint Auditing Committee at any time, at the time of selection of
5 the House members to the Committee there shall be selected in each Caucus
6 District a first alternate and a second alternate for each member selected
7 from that District. In the event that any House member or House alternate of
8 the Legislative Joint Auditing Committee resigns from the Committee, is
9 disqualified from serving on the Committee, dies, or for any other reason
10 there becomes a permanent vacancy in a House position on the Committee, the
11 House membership of the Caucus District from which the member or alternate
12 was selected shall choose a replacement member or alternate to serve the
13 remainder of the term. When a vacancy occurs in a House member position on
14 the Committee or a House alternate position on the Committee, that person's
15 alternate shall serve until a signed report from the Caucus chairperson
16 designating otherwise is filed with the Speaker. The Speaker shall notify
17 the Committee chairperson of all changes in membership on the Committee.

18 81.(c) Ex-officio members in accordance with A.C.A. 10-3-403 thru 10-
19 3-404.

21 CAUCUS DISTRICTS

22 82. The four caucus chairpersons shall be selected from among the
23 first- and second-term members of the caucus, and such selection shall be
24 reported to the Speaker of the House prior to September 1, preceding the next
25 regular session.

26 The First Caucus District shall be composed of the following House of
27 Representatives Districts: 11; 12; 13; 14; 43; 47; 48; 49; 50; 51; 52; 53;
28 54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 83; and 100.

29 The Second Caucus District shall be composed of the following House of
30 Representatives Districts: 23; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37;
31 38; 39; 40; 41; 42; 44; 45; 46; 65; 66; 67; 70; and 72.

32 The Third Caucus District shall be composed of the following House of
33 Representatives Districts: 68; 71; 75; 76; 77; 78; 79; 80; 81; 84; 85; 86;
34 87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; and 99.

35 The Fourth Caucus District shall be composed of the following House of
36 Representatives Districts: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 15; 16; 17; 18;

1 19; 20; 21; 22; 24; 25; 26; 69; 73; 74; and 82.

2
3 DEBATE

4 83. When a representative desires to speak or to have the attention of
5 the House, he/she shall rise from his/her seat and respectfully address
6 himself/herself to "Mr./Madam Speaker", (or in the Committee of the Whole,
7 "Mr./Madam Chairperson") and upon recognition, he/she may address the House
8 from his/her seat or the "well" of the House. Representatives must be at
9 their seats before obtaining recognition. Any representative who receives
10 recognition from the Chair must confine himself/herself to the question
11 before the House, or a privileged motion. No representative shall proceed
12 until recognized by the Speaker. When two (2) or more representatives arise
13 at once, the Speaker shall name the member who shall be first to speak.

14 84. When a representative desires to interrupt a representative having
15 the Floor, he/she shall first obtain recognition of the Speaker and
16 permission of the representative occupying the Floor; and when so recognized
17 and such permission is obtained, he/she may ask questions of the
18 representative occupying the Floor; but shall not propound a series of
19 interrogatives or otherwise badger the representative having the Floor.

20 85. No representative shall occupy more than thirty (30) minutes in
21 debate on any question in the House. The representative reporting a measure
22 under consideration from a committee or the author may open and close debate.
23 If debate shall extend beyond one (1) day, the author or sponsor shall be
24 entitled to thirty (30) minutes to close. The right to close may not be
25 automatically exercised after limited debate, the previous question or
26 immediate consideration is voted.

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

31 87. A representative having the Floor may not yield it to another for
32 any purpose including making a motion; but, if he/she desires to allow a
33 motion to be made, he/she must yield the Floor.

34
35 DECORUM

36 88. No person other than a member of the Arkansas General Assembly,

1 designated legislative staff, or on special and certain occasions those
2 persons specifically invited by the Speaker of the House, shall be permitted
3 on the Floor of the House Chamber while the House is in session or in brief
4 recess. The Speaker shall develop policies governing limited public access
5 to the Floor during the interim. Arrangements for photographers shall be
6 established, the direction and control of which shall be regulated by the
7 Speaker of the House. No one in the House Chamber other than a member of the
8 Legislature may advocate or oppose passage of a measure while the House is in
9 session. No legislative aides, lobbyists or unauthorized persons shall be
10 permitted access to the House Floor, lounges or House support areas. This
11 Rule shall be enforced by the Speaker of the House and/or the House
12 Management Committee. The House Management Committee and the Rules Committee
13 shall recommend punishment to the House for violation of this Rule.

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

15 89. The House Chamber during regular, fiscal and special sessions and
16 during the interim shall be used only for the legislative business of the
17 House and for the caucus meetings of its members, except upon occasions where
18 the House, by resolution, agrees to take part in any ceremonies to be
19 observed therein; and the Speaker shall not entertain a motion for suspension
20 of this rule.

21 90. No representative shall use intemperate language with reference to
22 the House or its members.

23 91. If any representative, in speaking or otherwise, transgresses the
24 rules of the House, the Speaker shall or any representative may, call him/her
25 to order. He/she shall immediately be seated unless permitted, on a motion
26 of another representative, to explain. The House shall, if called upon,
27 decide on the issue without debate. If the decision is in favor of the
28 representative called to order, he/she shall be free to continue; and, if the
29 dispute shall warrant, a representative shall be open to censure or such
30 punishment as the House shall impose.

31 92. Normal conformity to good manners and taste shall be expected of
32 each member of the House. Representatives shall avoid references to
33 personalities and extend to each representative courtesies which they wish
34 for themselves.

35 93. Introduction of and recognition of family, constituents, or groups
36 shall not become excessive. Members should be extremely reluctant in using

1 the time of the House for these personal courtesies. If deemed appropriate by
2 the Speaker of the House, he/she shall make all introductions from
3 information provided to the Speaker by a member or appropriate House staff.

4 94. The smoking of cigarettes, cigars and pipes or other tobacco
5 products shall not be permitted in the Chamber of the House of
6 Representatives or in the members' private work area.

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

10
11 VOTING

12 96. No person not a representative shall cast a vote for a
13 representative.

14 97. Any question or motion, except final passage of a bill or final
15 action on a joint resolution, may be put to the House by a voice vote at the
16 discretion of the Speaker.

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

19 99. Any representative who will be absent from the House may pair
20 his/her vote with a representative who shall be present.

21 99.(a) These representatives must be casting opposite votes.

22 99.(b) Dated pairs reflecting the bill number are counted when signed
23 by both representatives,

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

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

29 99.(c) Pairs shall be presented to the Speaker only on the day of the
30 vote for which the representatives are paired is to be taken.

31 99.(d) Pairs shall be announced by the Speaker immediately prior to
32 the Roll Call from a Pair Form presented to the Speaker by the representative
33 present. At the time of the announcement the Speaker shall (1) determine
34 that the member who is required to be present is present, and (2) provide the
35 membership with an opportunity to express procedural objections to the pairs.

36 99.(e) The representative may not cast his/her vote by other methods

1 when he/she is paired.

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

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

10 101.(a) Representatives voting aye shall stand at their seats until
11 counted.

12 101.(b) Then, representatives voting no shall stand at their seats
13 until counted.

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

16 101.(d) The Speaker or his/her designee shall be responsible for
17 counting the vote and the Speaker shall announce the result of the vote.

18 102. The Electronic Voting System shall have the same force and effect
19 as a Roll Call. (Not less than a majority of the members of each House of
20 the General Assembly may enact a law.) (Art. 5, Sec. 37 as added by Amend.
21 19, Sec. 1)

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

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

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

35 105. Extraordinary sessions of the General Assembly. (Art. 6, Sec. 19)

36 106. Homestead exemption increase (3/4 vote) (Art. 16, Sec. 16 as

1 added by Amend. 59)

2 107. Workmen's Compensation Laws (Art. 5, Sec. 32 as amended by Amend.
3 26)

4 108. It shall be a violation of the Rules of the House for any member
5 of the House to accept a campaign contribution during the period beginning
6 thirty (30) days before and ending thirty (30) days after any regular session
7 of the General Assembly. If there is an extended recess of the General
8 Assembly, the period shall end thirty (30) days after the beginning of the
9 recess. It shall also be a violation of the Rules of the House for any member
10 of the House to accept a campaign contribution during any extended session of
11 the General Assembly or during any special session or fiscal session of the
12 General Assembly.

13 109. All Roll Call votes on bills, emergency clauses on bills,
14 resolutions, and amendments in the House of Representatives shall be entered
15 by the House into the General Assembly's Internet web site.

16 110.(a)(1) Except as provided in subdivisions 110.(a)(2) and (c) of
17 this section, the House of Representatives, when in session, shall recess on
18 January 20 of any year in which the inauguration of an individual to the
19 office of President of the United States is scheduled to occur.

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

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

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

30

31

32

ADDENDUM

33

HOUSE OF REPRESENTATIVES

34

COMMITTEE CHAIRPERSONS MANUAL

35

AND

36

HOUSE COMMITTEE RULES

1

2 A committee chairperson is a member appointed by the Speaker of the House to
3 function as the parliamentary head of a standing, select, special or joint
4 committee.

5

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

8

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

13

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

15

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

19

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

21

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

24

25 House Rule 55.(b) and 55.(c)

26 55.(b) All committees shall consider the bills, resolutions,
27 amendments, petitions, and memorials referred to them and in their possession
28 and make one of the following reports in writing to the House:

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

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

33 55.(b)(3) That a bill, resolution, petition or memorial "do pass as
34 amended".

35 55.(c) No bill, resolution, petition or memorial shall be acted upon
36 by the House without a "do pass" or a "do pass as amended" recommendation.

1 No bills shall be placed on the non-controversial calendar or deemed to be
2 non-controversial in any way unless a motion is adopted in the committee to
3 which the bill was referred. With a quorum present, the motion is considered
4 adopted if there are no negative votes.

5
6 7) A quorum (one more than half the total membership of the committee) must
7 be present to transact official House committee business.

8
9 (House Rule 66) No committee shall transact business without a quorum (a
10 majority of the committee membership present). All final action on bills or
11 resolutions, and on proposed amendments to bills or resolutions, shall be
12 decided by a majority vote of the total membership of the committee.
13 Provided, however, that the Speaker of the House shall not be included for
14 the purpose of determining what is a majority of a standing committee, unless
15 present at the time of the vote. A member of the committee must be present
16 at the time of the vote for his/her vote to be counted on any matter
17 considered by the committee (no pairs, no proxies).

18
19 8) (House Rule 54. (c)(2)) The rules or proceedings of the House of
20 Representatives shall be observed in all select committees, standing
21 committees, and subcommittees of the House so far as they may be applicable.

22
23 The precedence of motions so far as they are applicable shall be as listed in
24 House Rule 19(a) – (q):

25
26 (House Rule 19) When a question is under debate, motions shall have
27 precedence in the following order (the request for a quorum call is always in
28 order; the chairperson is not compelled to accept any motion):

29 19(a) To fix the time to which the House will adjourn (non-debatable)
30 (majority of a quorum);

31 19(a)(1) (A majority of a quorum is a majority of those voting when at least
32 a majority of the members are present and voting);

33 19(b) To adjourn (non-debatable) (majority of a quorum);

34 19(c) To take a recess (non-debatable) (majority of a quorum);

35 19(d) Postpone temporarily; lay on the table (non-debatable) (majority of a
36 quorum) To take from the table (non-debatable) (majority of a quorum) (when

1 the motion to take from the table is adopted, the proposition takes the same
2 position it held when the motion to lay on the table was adopted);

3 19(e) Immediate consideration (non-debatable) (2/3 of a quorum);

4 19(f) Previous question (non-debatable) (5 seconds) (majority of a quorum);

5 19(g) Limit or extend debate (non-debatable) (2/3 of a quorum);

6 19(h) To expunge (debatable) (2/3 of membership) (67);

7 19(i) Postpone to a day certain (debatable) (majority of a quorum);

8 19(j) Committee of the Whole, go into (non-debatable) (majority of a
9 quorum);

10 19(k) Refer (debatable) (majority of a quorum);

11 19(l) Amend (debatable) (majority of a quorum);

12 19.(m) Postpone indefinitely (debatable) (majority of membership);

13 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);

14 19.(o) Special order of business (debatable) (2/3 of a quorum); and

15 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).
16

17 9) (House Rule 60(a)) All committee and subcommittee meetings including but
18 not limited to hearings at which public testimony is to be taken, (normally
19 called "public hearings") shall be open to the public (Art. V, Sec. 13) and
20 shall be scheduled at least eighteen (18) hours in advance; agendas of bills,
21 resolutions, and other proposals to be considered at such meetings shall be
22 posted in a designated place at least eighteen (18) hours in advance; but in
23 case of an emergency, a two-thirds (2/3) majority of the membership of the
24 committee may bring bills or resolutions up for consideration upon notice of
25 not less than two (2) hours.
26

27 10) (House Rule 60(b)) Special meetings of a standing committee may be
28 called by the chairperson of the committee or by a majority of the members of
29 the committee for conducting any business of the committee; provided, a
30 special meeting of the committee may not conflict with regularly scheduled
31 meetings of any standing committee; provided further, special meetings shall
32 be subject to the same procedures regarding the publishing of agendas and
33 notices of meetings that apply to regular standing committee meetings. (J.R.
34 22 – Joint Committee)
35

36 11) (House Rule 61(a)) All persons wishing to offer testimony to a committee

1 hearing shall be given a reasonable opportunity to do so as determined by a
2 majority of the committee. An oral or written statement shall not be a
3 prerequisite to offer testimony before a committee.

4
5 12) (House Rule 63) No committee shall sit while the House is in session
6 except the Committee on Rules or a Conference Committee, which shall notify
7 the House.

8
9 13) (House Rule 66(a)) A bill, resolution or amendment in a House committee,
10 having been rejected twice, shall not be placed on the committee calendar
11 again or considered again during the same legislative session unless the vote
12 is expunged (two-thirds of the membership of the committee). The motion to
13 expunge shall be placed on the committee agenda, by a committee member, and
14 placed at the bottom of the active list. A bill or resolution may be amended
15 before a second consideration; but, unless expunged, even an amended bill
16 having failed twice shall not be placed on the calendar or considered. Notice
17 of reconsideration not permitted in committee.

18
19 14) (House Rule 47(a)) When a bill or resolution is under consideration,
20 amendments shall be in order. Upon adoption, amendments shall become a part
21 of the bill or resolution. Amendments to amendments may not be offered. All
22 amendments offered before the House or one of its committees must be
23 typewritten on an approved amendment form and signed by the sponsor. All
24 amendments shall be attached to the original bill or resolution, numbered by
25 the Bill Clerk, and shall be placed upon the members' desks before being
26 acted upon by the House.

27
28 (House Rule 38(e)) All amendments shall be entered on a separate sheet of
29 paper noting the line or lines to be changed and the words to be deleted or
30 inserted.

31
32 15) (House Rule 68) No bill or resolution shall be introduced with a
33 committee as the author of said bill or resolution unless that committee has
34 voted unanimously to sponsor the bill or resolution.

35
36 16) (House Rule 69) Committee Records and Reports

1 69(a) The chairperson of each committee of the House shall keep or cause to
2 be kept a separate record for each committee meeting in which there shall be
3 entered:

4 69(a) 1. The time and place of each hearing and each meeting of the
5 committee.

6 69(a) 2. The number and title of the bill or resolution with one of the
7 following three recommendations: "do pass", "do pass as amended", or "do not
8 pass". If a committee recommends a bill or resolution "do pass as amended"
9 and any of the amendments recommended by the committee are not adopted on the
10 floor, the bill or resolution shall be re-referred to the same committee for
11 further consideration and recommendation.

12 69(a) 3. A summary of each bill or resolution's major provisions which may
13 be several paragraphs in length in case of major bills or resolutions or
14 simply the title of the bill or resolution in the case of minor bills or
15 resolutions.

16 69(a) 4. The reason for the committee's action on the bill or resolution,
17 including a brief minority report, if requested by any two (2) committee
18 members.

19 69(a) 5. A record of how every member voted on each bill or resolution when
20 action is taken by the committee, including votes on a motion to postpone
21 consideration on the bill or resolution and a recorded vote on any other
22 motion, if requested by any two (2) committee members.

23 69(a) 6. A list of all people testifying before a committee on each bill or
24 resolution, the interest that they represent, and an indication of their
25 position on the bill or resolution.

26
27 17) (House Rule 69(b)) Such records for each separate committee meeting
28 shall be approved by the chairperson before the expiration of a seven (7) day
29 period, with the exception of those records referred to in (a) 1. and 2.,
30 hereinabove which shall be filed immediately with the Clerk of the House.

31
32 18) (House Rule 24 part) When a question is raised about the proper referral
33 of a bill or resolution to committee, if the Speaker admits error in the
34 referral of the bill or resolution to a committee, the bill or resolution may
35 be re-referred by a majority vote of a quorum; however, if the Speaker does
36 not admit error in the referral of the bill or resolution to committee, the

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

10
11 19) (House Rule 55 (a)) House Committee Staff will automatically and without
12 delay place all bills or resolutions referred to the committees on the
13 committee agendas. Staff will notify the sponsor of bills or resolutions
14 assigned to committee. Referred bills shall be placed on the committee's
15 active agenda in the order they are read across the desk on the House Floor.
16 When an active agenda is established in a committee and bills from that
17 agenda are not placed on the deferred list and if they are passed over, they
18 are placed at the bottom of the list of the day's active agenda. Bills read
19 across the desk on the House Floor later that same day or on a later day are
20 placed on the active agenda in the order they are read below bills already on
21 the active agenda.

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

29
30 21) If the sponsor or a representative is not present to
31 present the bill or resolution when called up after the bill or resolution
32 has appeared on the active agenda when called up during the third meeting,
33 the bill or resolution will be automatically dropped from the active agenda
34 and placed on the deferred list unless the sponsor notifies staff to put the
35 bill or resolution back on the active agenda before the agenda is prepared,
36 for the next called meeting. Requests to move bills or resolutions from the

1 deferred list to the active agenda must be made by 2:30 p.m. two (2) days
2 prior to the scheduled committee meeting. Bills moved from the deferred list
3 to the active agenda shall be listed at the bottom of the active agenda.
4 Bills on the deferred list may be moved to the active calendar as provided by
5 rule for a total of three (3) times only. A suspension of this rule by the
6 Committee (two-thirds of a quorum) will be required for each transfer of any
7 bill having been moved three (3) times previously.

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

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

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

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

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

17
18 26) (House Rule 66) Eleven (11) members of a standing
19 committee constitute a committee quorum with the Speaker present if he/she is
20 a member of the committee and ten (10) members when the Speaker is not
21 present. A committee recommendation of a bill or resolution will require
22 these same numbers.

23
24 27) Smoking is prohibited in the committee rooms and all
25 adjoining rooms.

26
27 28) (House Rule 69(a)5) A roll call vote will be required
28 if requested by any two (2) committee members, except for a quorum call which
29 may be requested by one (1) member. The request for a quorum call is always
30 in order.

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

36

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

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

9
10 32) (House Rule 38(p)1) When any House or Senate bill or resolution
11 requiring an expenditure of public funds or otherwise imposing a new or
12 increased cost obligation on any municipality or county is pending before any
13 committee of the House of Representatives, any member of the committee may
14 request that a fiscal impact statement for such bill or resolution be placed
15 on the desk of each member of the committee before the bill or resolution is
16 called up for final action in the committee. If such request is made, the
17 chairperson of the committee shall refer the bill or resolution to the
18 appropriate state agency or to the legislative staff for the preparation of a
19 fiscal impact statement, to be returned to the committee in writing not later
20 than five (5) days from the date of the request.

21
22 33) (House Rule 38(p)4) Failure of the sponsor of a bill or resolution to
23 provide the fiscal impact statement required in this rule shall not prohibit
24 the consideration of it in the committee to which referred or on the floor of
25 the house in which the bill or resolution is called up for final passage, if
26 no objection to it is made at the time such action is taken.

27
28 (House Rule 38(p)5) Nothing in this rule shall prohibit a committee to
29 which a bill or resolution is referred or the house in which the bill or
30 resolution is being considered from suspending the requirement of the filing
31 of a fiscal impact statement on any such bill or resolution in the same
32 manner as provided for the suspension of the rules in the house in which the
33 bill or resolution is being considered.

34
35 36) Bills imposing new or additional costs on education.

36 (a)(1) As used in this section, unless the context otherwise requires,

1 "fiscal impact statement" means a realistic written statement of the purpose
2 of a proposed law, or a regulation promulgated under a law, and the estimated
3 financial cost to the state or any local school district of implementing or
4 complying with the proposed law or regulation.

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

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

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

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

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

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

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

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

34
35 37) Bills imposing new or additional costs and restrictions on inmate
36 population patterns or affecting programs or services of the Department of

1 Corrections.

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

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

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

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

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

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

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

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

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

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

2 TRACKING ITEM 24

3 1. "The next item on the Committee's agenda is HB/SB ____."

4 2. "Sen./Rep. ____, you are recognized to present HB/SB ____."

5 3. Presentation of bill by sponsor. The sponsor may respond to questions
6 from committee members.

7 a. If there are amendments, recognize amendment sponsor(s) to
8 present amendment(s).

9 b. To consider amendment(s), use same procedure listed below for
10 consideration of bill(s). (Items 4 – 9)

11 c. Declare disposition of amendment(s).

12 d. Continue with bill as amended or unamended (back to Item 4).

13 4. Go to list of citizen proponents and opponents or ask "Is there anyone
14 in the audience that desires to speak for or against the bill?" Recognition
15 of citizens for discussion, alternating speakers in support and in
16 opposition.

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

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

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

23 Motions (after recognition and the motion by a committee member
24 only)

25 a. "Rep. ____, would you like to explain your motion?"

26 b. Recognize committee members for questions/discussion.

27 c. In discussion, alternate between those supporting and those
28 opposing the motion.

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

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

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

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

3 9. The motion passes/fails, and state the disposition of the bill.

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

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