

**THIRD DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
January 12, 2011

The House was called to order at 1:30 p.m. by Mr. Moore, the Speaker. The following members answered to the roll call:

Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliot, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, F. Smith, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total99

The following member(s) was absent and did not answer to the roll call:

Total0

A quorum was present.

The House stood and was led in prayer by House Chaplain, Reverend Michael Mattox, Senior Pastor, First United Methodist Church, Little Rock, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	January 12, 2011
JOINT BUDGET	KATHY WEBB
	CHAIRPERSON
HOUSE BILL NO. 1063	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1090	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	January 12, 2011
EFFICIENCY	KATHY WEBB
	CHAIRPERSON
SENATE BILL NO. 1	DO PASS
BY SENATE EFFICIENCY COMMITTEE	

The Committee Report from Senate Efficiency, **SENATE BILL NO. 1** from January 12, 2011, was done in error. Stricken from Calendar.

Upon motion of Representative Nickels, **HOUSE BILL NO. 1013** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1013

Amend **HOUSE BILL NO. 1013** as originally introduced:

Page 1, line 11, delete "STATUS" and substitute "AUTHORIZATION TO WORK IN THE UNITED STATES"

AND

Page 1, line 20, delete "STATUS" and substitute "AUTHORIZATION TO WORK IN THE UNITED STATES"

AND

Page 1, delete lines 27 through 36 and substitute the following:

"17-25-317. Workers without legal authorization to work in the United States — Prohibition.

(a) As used in this section, "worker without legal authorization to work in the United States" means an individual who cannot present valid and appropriate documentation evidencing both identity and authorization to work as required by Federal Form 1-9 as existing on January 1, 2011, and using the applicable regulations, standards, and guidelines of Federal Form 1-9 as existing on January 1, 2011."

AND

Page 2, line 3, delete "status" and substitute "authorization to work in the United States"

AND

Page 2, delete line 10 and substitute the following:

"(2) A contractor shall not be found to have knowingly employed workers"

AND

Page 2, line 11, delete "status" and substitute "authorization to work in the United States"

AND

Page 2, line 12, delete "employees" and substitute "all persons offered employment"

/s/ Jim Nickels

The Amendment was read and adopted by more than 51 votes.

/s/ Mrs. Sherri Stacks
Chief Clerk

The House gave Representative Webb unanimous leave to withdraw HOUSE BILL NO. 1001.

ENGROSSED BILL REPORTS

DENNY ALTES, CHAIRPERSON

January 12, 2011

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1013 – TITLE – BY REPRESENTATIVE NICKELS

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1013

BY: REPRESENTATIVE NICKELS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE CONTRACTORS LICENSING BOARD TO IMPOSE CIVIL PENALTIES OR SUSPEND OR REVOKE THE CERTIFICATE OF LICENSE FOR A CONTRACTOR WHO IS FOUND TO KNOWINGLY EMPLOY WORKERS WITHOUT LEGAL AUTHORIZATION TO WORK IN THE UNITED STATES EITHER DIRECTLY OR THROUGH A SUBCONTRACTOR; AND FOR OTHER PURPOSES.

The Oath of Office was administered by The Honorable Jim Hannah, Chief Justice of the Arkansas Supreme Court to the following members:

Representative Cowling
Representative Hickerson
Representative King
Representative Powers
Representative Kerr
Representative F. Smith
Representative Slinkard
Representative Woods

This completed the seating and Oath Of Office to all 99 members of the 88th General Assembly with the exclusion of House District 24.

Morning Hour Expired.

HOUSE RESOLUTION NO.1001

BY: REPRESENTATIVE MOORE

HOUSE RESOLUTION NO. 1001 was placed on third reading, the question being shall the Resolution be adopted.

HOUSE RESOLUTION NO. 1001

A RESOLUTION TO ADOPT THE RULES OF THE
HOUSE OF REPRESENTATIVES OF THE EIGHTY-
EIGHTH GENERAL ASSEMBLY.

Subtitle

TO ADOPT THE RULES OF THE HOUSE
OF REPRESENTATIVES OF THE
EIGHTY-EIGHTH GENERAL ASSEMBLY.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

MEMBERS

1. Every representative shall be present within the House during the session of the House and every member shall be present at each committee meeting of which he/she is a member, unless excused or necessarily prevented. It is the policy of the Arkansas General Assembly, as a term-limited body, to encourage legislators to learn as much as possible by attending meetings of committees of which they are not a member. Prior signed and documented approval must be obtained from the chairperson of a committee for a visiting non-committee member to enjoy certain privileges offered to regular members.
2. For the purpose of seating in the House Chamber for an upcoming regular session of the General Assembly, the Speaker of the House shall, on the first Friday following the November General Election, declare all House Chamber seats vacant and representatives and representatives-elect must select in the order of their seniority any seat not occupied after notification by the Chief Clerk of available seats. Absence or failure to select a seat at the assigned selection time will automatically allow the Speaker to assign the member to his or her same seat if it is

available or the member or member-elect to a seat selected by the Speaker. Immediately following the selection of a seat by a member or member-elect or assignment of a seat by the Speaker, the member or member-elect's signature or Speaker's signature is required. Following all seat selections or assignments, member or member-elect's signatures or the Speaker's signature shall represent final movement. The Chief Clerk shall furnish voting machine and desk keys.

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

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

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

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

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

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

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

THE SPEAKER

10. Selection.

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

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

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

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

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

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

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

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

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

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

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

11.(c) Preserve order and decorum;

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

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

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

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

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

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

11.(j) Appoint, at the beginning of each session, a member of the House to serve as Speaker Pro Tempore. The Speaker Pro Tempore shall serve during the absences of the Speaker and shall perform the Speaker's duties. The Speaker Pro Tempore shall not serve more than ten (10) consecutive legislative days without the consent

of the House, or beyond adjournment. The Speaker of the House may appoint Assistant Speakers Pro Tempore, one (1) from each House Caucus District;

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

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

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

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

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

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

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

CHIEF OF STAFF

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

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

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

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

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

13.(d) Interact regularly, at Speaker's direction, with Office of the Governor, Senate, industry, government and community officials in the representation and development

of strategic program initiatives designed to improve all facets of governmental services for the citizens of Arkansas;

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

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

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

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

Coordinate preparation for General, Fiscal and Special Sessions of the House of Representatives;

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

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

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

COORDINATOR OF LEGISLATIVE SERVICES

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

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

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

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

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

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

THE CHIEF CLERK

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

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

- 17.(a) Have custody of all bills, papers and records of the House and not to permit them to be taken out of his/her custody except by the provisions established in House Rule #8. Staff must sign a receipt for all bills taken from the Clerk;
- 17.(b) Keep the Journal of the proceedings of the House, and, under the direction of the Speaker, subject to the will of the House, correct errors in the Journal;
- 17.(c) Keep the necessary records for the House;
- 17.(d) Supervise the engrossment and enrollment of bills and to certify their passage, with the assistance of the appropriate committee (J.R. 6 thru 9);
- 17.(e) Transmit bills, other documents, and messages to the Senate, as required and secure a receipt thereof and to receive communications from the Senate and receipts of bills, documents and messages (J.R. 3 and 5) (J.R. 19);
- 17.(f) Attend every session of the House, call or delegate the reading of the roll and the reading of all bills, resolutions and other papers as directed by the Speaker;
- 17.(g) Coordinate and supervise activities of temporary and permanent employees as assigned by the Chief of Staff;
- 17.(h) Be responsible for the distribution of all literature within the House Chamber and other House premises. One copy of such literature which is distributed in the House Chamber and House premises must bear the signature of a representative authorizing distribution and the signed copy must be filed with the Chief Clerk; and
- 17.(i) The Secretary of the Senate and the Clerk of the House are authorized, subject to approval by the appropriate designated committee, to correct obvious errors occurring in documents originating in the House and the Senate respectively, provided that each such correction is noted on the bill jacket and is documented by a "correction note" at the end of the official daily Journal for the date on which the correction was made. (J.R. 23)

PARLIAMENTARIAN

18. The duties of the Parliamentarian shall be to (Art. 5, Sec. 11):
- 18.(a) Convene the first session of the House at the time prescribed by law. The Parliamentarian shall call the members to order, call the roll, preserve order and decorum, and decide all questions of order subject to appeal by any representative pending the election of the Speaker. The Parliamentarian of the previous House shall serve as the official Parliamentarian until the appointment of a new Parliamentarian. In the absence of a Parliamentarian of the previous House, the Speaker of the House shall designate a temporary Parliamentarian to convene the first session of the House;

- 18.(b) Assist the Speaker in deciding all points of order;
- 18.(c) Advise the Speaker on the proprieties of motions and the numbers of votes necessary for passage;
- 18.(d) Assist the Speaker in the supervision of the preparation of the daily House calendar;
- 18.(e) Assist the Speaker in the selection of a Chaplain for the day;
- 18.(f) Assist the Speaker in the assignment of bills to their appropriate committee;
- 18.(g) Sit as an ex-officio non-voting member of the House Rules Committee, and serve as secretary and advisor to the House Committee on the Journal; Engrossed and Enrolled Bills;
- 18.(h) Prepare and distribute the House Rules and amendments thereto, under the supervision of the Speaker and the House Rules Committee; and
- 18.(i) Have an adequate knowledge of Parliamentary Law and the Rules of the Arkansas House of Representatives.

PARLIAMENTARY PRACTICE

- 19. When a question is under debate, motions shall have precedence in the following order (the request for a quorum call is always in order; the Chairperson is not compelled to accept any motion):
 - 19.(a) To fix the time to which the House will adjourn (non-debatable) (majority of a quorum);
 - 19.(a)(1) (A majority of a quorum is a majority of those voting when at least a majority of the members are present and voting;)
 - 19.(b) To adjourn (non-debatable) (majority of a quorum);
 - 19.(c) To take a recess (non-debatable) (majority of a quorum);
 - 19.(d) Postpone temporarily; lay on the table (non-debatable) (majority of a quorum)
To take from the table (non-debatable) (majority of a quorum) (when the motion to take from the table is adopted, the proposition takes the same position it held when the motion to lay on the table was adopted);
 - 19.(e) Immediate consideration (non-debatable) (2/3 of a quorum);
 - 19.(f) Previous question (non-debatable) (5 seconds) (majority of a quorum);
 - 19.(g) Limit or extend debate (non-debatable) (2/3 of a quorum);
 - 19.(h) To expunge (debatable) (2/3 of membership) (67);
 - 19.(i) Postpone to a day certain (debatable) (majority of a quorum);
 - 19.(j) Committee of the Whole, go into (non-debatable) (majority of a quorum);
 - 19.(k) Refer (debatable) (majority of a quorum);
 - 19.(l) Amend (debatable) (majority of a quorum);
 - 19.(m) Postpone indefinitely (debatable) (majority of membership);

- 19.(n) Take out of proper order (non-debatable) (2/3 of a quorum);
- 19.(o) Special order of business (debatable) (2/3 of a quorum); and
- 19.(p) To suspend the rules (non-debatable) (2/3 of a quorum).
20. A motion to adjourn shall always be in order, when the Floor can be obtained for that purpose, except when the previous question has been ordered.
21. The motion to recess, when the Floor can be obtained for that purpose, must specify the time which shall elapse and the time for reconvening. It may be amended to alter specific time.
22. Previous question:
- 22.(a) When any debatable question is before the House, any member may move the previous question. It shall be seconded by five (5) members whether the question shall be stated. When the previous question shall have been adopted, the proponents shall be allowed fifteen (15) minutes in which to debate it, and the opponents of the main question shall be allowed fifteen (15) minutes, after which time a vote upon the main question shall be taken.
- 22.(b) Pending a vote on the main question, one (1) motion to refer is permitted. A motion to refer under this rule applies to House resolutions as well as to House bills, to Senate bills and to Senate amendments to a House bill, and to a motion to amend the Journal. The motion to refer under this rule is non-debatable and may not be laid upon the table.
23. A motion to postpone to a day certain may not specify the hour; a special order is necessary to specify the hour; the motion may be amended and it is debatable within narrow limits only, confined to the merit of the motion itself.
24. The simple motion to refer is debatable within its narrow limits, but the merits of the proposition to which it is proposed to refer may not be brought into the debate. The motion to refer with instructions is debatable (majority vote of a quorum). When a question is raised about the proper referral of a bill to committee, if the Speaker admits error in the referral of the bill to a committee, the bill may be re-referred by a majority vote of a quorum; however, if the Speaker does not admit error in the referral of the bill to committee, the bill may only be re-referred by a two-thirds (2/3) vote of a quorum. When a bill is re-referred to a committee, any previous committee recommendation is automatically stripped from the bill.
- 24.(a) When a motion is under consideration, only two (2) substitutes to that motion shall be in order. Only a motion applicable to the main motion and of a higher precedence upon recognition may be substituted for the motion under consideration. A substitute to the third degree shall not be in order. Unless specified otherwise by the presenter of the motion at the time the motion is made, a substitute motion shall apply to the main motion.

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

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

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

27. Reconsideration:

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

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

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

House. When the motion to reconsider is defeated, a second motion to reconsider may not be made.

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

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

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

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

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

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

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

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

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

DAILY ORDER OF BUSINESS

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

33. The daily order of business shall be:

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

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

- 2. Introduction, reading and advancement of bills and joint resolutions
- 3. Bills and resolutions from the Senate on first reading
- 4. Bills and resolutions from the Senate on second reading
- 5. Senate bills and joint resolutions on third reading

33.(l) Announcement of committee meetings, and

33.(m) Adjournment.

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

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

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

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

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

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

37.(b) Conference reports;

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

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

37.(e) Question of privilege;

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

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

BILLS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38.(m)(a) No appropriation bill shall be filed for introduction in either the House of Representatives or the Senate later than the fiftieth (50th) day of a regular session

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

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

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

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

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

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

38.(n) The Joint Committee on Constitutional Amendments shall consist of the members of the Senate Committee on State Agencies and Governmental Affairs and the members of the House Committee on State Agencies and Governmental Affairs. No proposed constitutional amendment can be recommended to either House of the General Assembly except upon the affirmative vote of a majority of the members of the Senate Committee on State Agencies and Governmental Affairs and an affirmative vote of a majority of the members of the House Committee on State Agencies and Governmental Affairs. No resolution proposing a constitutional amendment shall be filed in either the House of Representatives or the Senate after the thirty-first (31st) day of each regular session of the General Assembly. All resolutions proposing constitutional amendments shall be referred to the Joint Committee on State Agencies and Governmental Affairs. Other resolutions proposing constitutional amendments shall not be reported to or considered by either House of the General Assembly until the original recommendations of the Joint Committee on State Agencies and Governmental Affairs are disposed of. A

resolution proposing a constitutional amendment may be considered only during a regular session. (J.R. 21)

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

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

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

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

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

Bills imposing new or additional costs on municipality or county.

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

refer the bill to the appropriate state agency or to the legislative staff for the preparation of a fiscal impact statement, to be returned to the committee in writing not later than five (5) days from the date of the request. (A.C.A. 19-1-303)

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

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

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

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

38.(p) 6. Copies of the fiscal impact statements prepared in compliance with the provisions of this rule shall be made available, upon request for them, to representatives of municipal or county governments. A fiscal impact statement filed or prepared in compliance with this rule is declared to be a public record within the

meaning of the Freedom of Information Act of 1967, § 25-19-101 et seq. (A.C.A. 19-1-303)

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

Bills imposing new or additional costs on education

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39.(a) The first reading of a bill shall be for information and unless otherwise ordered by the House, it shall be placed on the second reading calendar. (Every bill shall be read at length on three different days in each house, unless the rules be

suspended by two-thirds (2/3) of the House, when the same may be read a second or third time on the same day; (Art.5, Sec. 22)

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

40. Second reading

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

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

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

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

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

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

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

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

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

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

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

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

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

47. Amendments to bills and resolutions:

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

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

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

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

47.(e) All appropriation bills and other bills which are required to be submitted to the Budget Committee, or to another designated committee of the House and Senate, which are amended on the Floor of either House of the General Assembly by an amendment which was not recommended favorably by the Budget Committee, or by

any other committee of the House and Senate to which referred, shall be re-referred to such committee of the House and Senate for consideration and recommendation before said bill may be considered for final passage or concurrence by the House of Representatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTIONS

48. Resolutions shall follow the same procedure as bills.

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

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

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

52. Resolutions of Inquiry:

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

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

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

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)

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

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

53.(c) HOUSE SELECT COMMITTEES

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

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

53.(d) SPECIAL COMMITTEES

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

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

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

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

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

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

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

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

54.(a) STANDING COMMITTEES

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

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

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

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

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

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

54.(b) SELECT COMMITTEES

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

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

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

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

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

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

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

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

55. Committee Operations.

55.(a) Each committee of the House shall be provided a secretary who shall maintain a current record of all bills, resolutions, amendments, petitions, memorials, or other matters filed in committee. A record of committee actions (committee

reports, committee adopted amendments, etc.) shall be filed with the Chief Clerk of the House as the first priority upon adjournment of the committee. The secretary shall post, on a bulletin board and/or electronically, a current list of all measures pending before the committee.

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

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

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

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

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

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

57. Seniority shall be based on the total consecutive uninterrupted terms served in the House of Representatives. In the event a member has been elected that has had previous non-continuous service, he/she shall rank ahead of members elected in the year his/her uninterrupted services began. In the event that two (2) or more

members have equal terms of non-continuous service, their seniority shall be asserted by drawing lots to determine their numerical standing in rank ahead of members elected in the year his/her uninterrupted services begin.

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

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

60. Meetings and Hearings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

64.(7) Committee on Agriculture, Forestry and Economic Development – matters pertaining to agriculture, livestock, forestry, industrial development, natural

resources, oil and gas, publicity and parks, levee and drainage, rivers and harbors, similar legislation and resolutions germane to the subject matter of the committee;

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

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

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

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

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

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

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

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

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

- (1) Planning
- (2) Finance
- (3) Local Government Personnel

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

- (1) Early Childhood

(2) Kindergarten Through Twelve, Vocational/Technical Institutions

(3) Higher Education

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

(1) Financial Institutions

(2) Insurance

(3) Utilities

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

(1) Courts/Civil Law

(2) Corrections/Criminal Law

(3) Juvenile Justice/Child Support

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

(1) Human Services

(2) Health Services

(3) Labor and Environment

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

(1) Motor Vehicle and Highways

(2) Public Transportation and Rail

(3) Waterways and Aeronautics

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

(1) Sales, Use, Miscellaneous Taxes and Exemptions

(2) Income Taxes—Personal and Corporate

(3) Complaints and Remediation

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

(1) State Agencies and Reorganization

(2) Constitutional Issues

(3) Elections

65.(a) Committee on Rules:

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

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

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

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

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

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

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

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

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

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

69. Committee Records and Reports:

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

- 69.(a) 1. The time and place of each hearing and each meeting of the committee.
- 69.(a) 2. The number and title of the bill with one of the following three recommendations: “do pass”, “do pass as amended”, or “do not pass”. If a committee recommends a bill “do pass as amended” and any of the amendments recommended by the committee are not adopted on the Floor, the bill shall be re-referred to the same committee for further consideration and recommendation.
- 69.(a) 3. A summary of each bill’s major provision which may be several paragraphs in length in case of major bills or simply the title of the bill in the case of minor bills.
- 69.(a) 4. The reason for the committee’s action on the bill, including a brief minority report, if requested by any two (2) committee members.
- 69.(a) 5. A record of how every member voted on each bill when action is taken by the committee, including votes on a motion to postpone consideration on the bill and a recorded vote on any other motion, if requested by any two (2) committee members.
- 69.(a) 6. A list of all people testifying before a committee on each bill, the interest that they represent, and an indication of their position on the bill.
- 69.(b) Such records for each separate committee meeting shall be approved by the chairperson before the expiration of a seven (7) day period, with the exception of those records referred to in (a) 1. and 2., hereinabove which shall be filed immediately with the Clerk of the House.
- 69.(c) Other reports may be filed with the Clerk of the House.
70. Consent Calendar – Supplemental Calendar. In addition to the regular calendar of the House of Representatives, there shall be a consent calendar on which shall be placed bills that have been recommended “do pass” by committee, which are deemed by the committee or by the Speaker to be non-controversial, and may be used for other non-controversial matters such as resolutions and amendments to bills proposed by the author of the bill, if the Speaker deems such matter to be non-controversial. The Speaker of the House shall maintain the consent calendar. On Thursday of each week, and such other times as the Speaker may deem advisable, the House shall consider bills and other matters on the consent calendar. Provided, that a list of bills and other matters on the consent calendar which are to be considered on a particular day shall be circulated among the members of the House of Representatives the day prior to the date on which the consent calendar is to be considered. If as many as five (5) members object to a bill or other matter on the consent calendar being considered as non-controversial, the Speaker of the House shall remove the same from the consent calendar and shall place it on the regular calendar of the House business. When deemed advisable, in addition to the regular calendar and the consent calendar, the Speaker may provide for a supplemental

calendar on which shall be placed bills and resolutions and other matters as requested by the members for consideration. The list of bills, resolutions and other matters on the supplemental calendar for consideration on a particular day shall be circulated among the members of the House. If as many as five (5) members object to a bill, resolution or any other matter on the supplemental calendar the same shall be removed and placed on the regular House calendar for consideration consistent with the wishes of the House. No bill or resolution may be placed for consideration on any more than one (1) House calendar.

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

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

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

COMMITTEE OF THE WHOLE

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

74. The Speaker of the House, in setting the calendar of budgets or appropriation bills to be considered in the House shall, from time to time, confer with the chairperson of the House Budget Committee on the appropriation bills pending and may designate specific days or times to be set aside in the House to be devoted solely to consideration of appropriation bills and other budget matters. At least by

the end of business on the previous day before any appropriation bill is to be considered by the House, the chairperson of the House Budget Committee shall cause to be prepared and placed on each member's desk a listing of appropriation bills to be considered in the Committee of the Whole or the House, broken down as follows:

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

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

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

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

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

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

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

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

79. No motion which has as its effect the limiting of debate in the Committee of the Whole shall be entertained by the chairperson. The motion for the disposition of any matter referred to the committee shall be, "Mr./Ms. Chairman, I move the committee

do now rise and report". If the committee had no specific report, the motion should be to rise and report progress.

LEGISLATIVE COUNCIL; LEGISLATIVE JOINT AUDITING COMMITTEE

80. Legislative Council.

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

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

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

81. Legislative Joint Auditing Committee.

81.(a) House members of the Legislative Joint Auditing Committee shall be selected by members-elect of each House Caucus District. The selections shall occur on the Friday following the November General Election. Following the selections, the newly selected House of Representative members of the Legislative Joint Auditing Committee shall select one (1) of their number as Legislative Joint Auditing Committee co-chair and one (1) of their number as Legislative Joint Auditing

Committee co-vice-chair. Each caucus shall select five (5) members. However no more than two (2) members shall reside within the same county. The term of office of the members shall be from January 1 of odd-numbered years to December 31 of the following even-numbered year. Legislative Joint Auditing Committee membership shall be confirmed at the same time that representatives are administered the oath of office.

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

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

CAUCUS DISTRICTS

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

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

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

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

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

DEBATE

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

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

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

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

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

DECORUM

88. No person other than a member of the Arkansas General Assembly, designated legislative staff, or on special and certain occasions those persons specifically invited by the Speaker of the House, shall be permitted on the Floor of the House Chamber while the House is in session or in brief recess. Arrangements for photographers shall be established, the direction and control of which shall be regulated by the Speaker of the House. No one in the House Chamber other than a

member of the Legislature may advocate or oppose passage of a measure while the House is in session. No legislative aides, lobbyists or unauthorized persons shall be permitted access to the House Floor, lounges or House support areas. This Rule shall be enforced by the Speaker of the House and/or the House Management Committee. The House Management Committee and the Rules Committee shall recommend punishment to the House for violation of this Rule. (A.C.A. 10-2-110 -- Disorderly Conduct)

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

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

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

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

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

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

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

VOTING

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ADDENDUM
HOUSE OF REPRESENTATIVES
COMMITTEE CHAIRPERSONS MANUAL
AND
HOUSE COMMITTEE RULES

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

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

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

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

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

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

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

House Rule 55.(b)

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

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

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

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

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

(House Rule 66) No committee shall transact business without a quorum (a majority of the committee membership present). All final action on bills or resolutions, and on

proposed amendments to bills or resolutions, shall be decided by a majority vote of the total membership of the committee. Provided, however, that the Speaker of the House shall not be included for the purpose of determining what is a majority of a standing committee, unless present at the time of the vote. A member of the committee must be present at the time of the vote for his/her vote to be counted on any matter considered by the committee (no pairs, no proxies).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9) (House Rule 60(a)) All committee and subcommittee meetings including but not limited to hearings at which public testimony is to be taken, (normally called “public

hearings”) shall be open to the public (Art. V, Sec. 13) and shall be scheduled at least eighteen (18) hours in advance; agendas of bills, resolutions, and other proposals to be considered at such meetings shall be posted in a designated place at least eighteen (18) hours in advance; but in case of an emergency, a two-thirds (2/3) majority of the membership of the committee may bring bills or resolutions up for consideration upon notice of not less than two (2) hours.

10) (House Rule 60(b)) Special meetings of a standing committee may be called by the chairperson of the committee or by a majority of the members of the committee for conducting any business of the committee; provided, a special meeting of the committee may not conflict with regularly scheduled meetings of any standing committee; provided further, special meetings shall be subject to the same procedures regarding the publishing of agendas and notices of meetings that apply to regular standing committee meetings. (J.R. 21 – Joint Committee)

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

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

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

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

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

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

16) (House Rule 69) Committee Records and Reports

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

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

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

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

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

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

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

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

18) (House Rule 24 part) When a question is raised about the proper referral of a bill or resolution to committee, if the Speaker admits error in the referral of the bill or resolution to a committee, the bill or resolution may be re-referred by a majority vote of a quorum; however, if the Speaker does not admit error in the referral of the bill or resolution to committee, the bill or resolution may only be re-referred by a two-thirds (2/3) vote of a quorum. When a bill or resolution is re-referred to a committee, any previous committee recommendation is automatically stripped from the bill or resolution. When a motion is under consideration, only two (2) substitutes to that motion shall be in order. Only a motion applicable to the main motion and of a

higher precedence upon recognition may be substituted for the motion under consideration. A substitute to the third degree shall not be in order. Unless specified otherwise by the presenter of the motion at the time the motion is made, a substitute motion shall apply to the main motion.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36) Bills imposing new or additional costs on education.

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

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

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

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

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

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

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

(2) If an objection is made without override, the presiding officer of the House or Senate shall cause the bill to be referred to the office for the preparation of a fiscal impact statement which shall be filed with the presiding officer not later than five (5) days from the date of the request. (A.C.A. 10-2-127)

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

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

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

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

(b) In addition, copies of the cost impact statement shall be furnished on the desk of each member of the Senate and of the House of Representatives at least one (1)

day prior to the date on which the bill is on third reading and debated for final passage in the respective houses.

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

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

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

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

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

TRACKING ITEM 24

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

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

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

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

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

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

b. Recognize committee members for questions/discussion.

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

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

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

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

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

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

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

The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, T. Baker, Barnett, Bell, Benedict, Biviano, T. Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gilliam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, F. Smith, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Walker.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	98
Total number voting in the affirmative	98
Necessary to the adoption of the resolution	51

So the Resolution was adopted.

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT
RESOLUTION NO. 2

BY SENATOR WHITAKER

HOUSE BILL NO. 1091

BY: REPRESENTATIVE LAMPKIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS REGARDING THE ASSESSMENT AND COLLECTION OF FEES AND SERVICE CHARGES BY COUNTY SOLID WASTE MANAGEMENT SYSTEMS; TO MAKE TECHNICAL CORRECTIONS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1092

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1093

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF DISPENSING OPTICIANS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1094

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE BOARD OF PHARMACY FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1095

BY: REPRESENTATIVE CARNINE

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING SCHOOLS THAT PRIMARILY USE A VIRTUAL TECHNOLOGY TEACHING METHOD; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1096

BY: REPRESENTATIVE CARNINE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO GIVE THE DEPARTMENT OF EDUCATION THE AUTHORITY TO ESTABLISH NORMAL BUDGETARY GUIDELINES FOR SCHOOL DISTRICTS; TO ALLOW THE DEPARTMENT OF EDUCATION TO GRANT WAIVERS TO SCHOOL DISTRICTS THAT DEVIATE FROM NORMAL BUDGETARY GUIDELINES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1097

BY: REPRESENTATIVE CARNINE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE ALL SUPERINTENDENTS TO PARTICIPATE IN A SUPERINTENDENT MENTORING PROGRAM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on EDUCATION.

HOUSE BILL NO. 1098

BY: REPRESENTATIVES B. WILKINS, LENDERMAN, HUBBARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXEMPT INCINERATOR ASH DERIVED FROM YARD WASTE OR OTHER NATURAL VEGETATIVE DEBRIS FROM THE MONOFILL OR SEPARATE WASTE CELL REQUIREMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE CONCURRENT RESOLUTION NO. 2

BY: SENATOR WHITAKER

BY: REPRESENTATIVE INGRAM

A BILL FOR AN ACT TO BE ENTITLED PROVIDING THAT THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY SHALL RECESS ON THURSDAY, JANUARY 13, 2011, AND RECONVENE ON TUESDAY, JANUARY 18, 2011.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

Upon motion of Representative Fred Allen, the House adjourned at 4:37 p.m., until 1:30 p.m., Thursday, January 13, 2011.

ATTEST:

Robert S. Moore, Jr.
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk

