

By: Senator Hickey

SENATE RESOLUTION

A RESOLUTION TO ADOPT RULES OF PROCEDURE FOR
COMMITTEES OF THE SENATE OF THE NINETY-THIRD GENERAL
ASSEMBLY OF THE STATE OF ARKANSAS.

Subtitle

TO ADOPT RULES OF PROCEDURE FOR
COMMITTEES OF THE SENATE OF THE NINETY-
THIRD GENERAL ASSEMBLY OF THE STATE OF
ARKANSAS.

BE IT RESOLVED BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE
STATE OF ARKANSAS:

SECTION 1. The rules of procedure for committees of the Senate of the
Ninety-Third General Assembly of the State of Arkansas are adopted to read as
follows:

2021 Regular Session Senate Rules for Committee Procedures

1. Purpose. In order to provide for continuity of government and the
carrying out of its Constitutional responsibilities related to the regular
legislative session, while also allowing for member, staff, and public
participation in the legislative process in an environment that is as safe
and healthy as possible, the Senate of the Ninety-Third General Assembly of
the State of Arkansas adopts these temporary emergency rules regarding the
conduct of committee meetings for the 2021 Regular Session.



2. Duration. These rules shall continue until such time that the COVID-19 public health emergency for the State of Arkansas is terminated or allowed to expire. If the public health emergency is terminated or allowed to expire during the 2021 Regular Session, a majority of the members of the Senate may vote to extend all provisions or specific provisions of these rules through sine die adjournment of the 2021 Regular Session.

3. Applicability. These rules shall apply to standing and select committees of the Senate. In the event that the Senate and the House of Representatives adopt identical rules for committee procedures, these rules shall also apply to the following joint committees: Energy; and Public Retirement and Social Security Programs. If the rules for committee procedures adopted by the House of Representatives and the Senate are not identical, these rules will not apply to the joint committees and the joint committees may adopt rules of procedure that do not substantially diverge from the rules adopted by the Senate and the House of Representatives.

4. Conflict with Existing Rules. If the procedures set forth herein conflict with existing provisions of the Joint Rules or the Rules of the Senate, these rules shall supersede those rules for the duration of these rules.

5. Meeting Schedule and Room Assignments. Committee meetings shall be held at the times and on the days indicated in the Committee Rooms/Meeting Assignments Table attached hereto as Attachment A. A committee chair may schedule a meeting at a time or in a meeting room other than what is listed on the schedule established in Attachment A, after consideration of availability of a committee room and corresponding public comment holding room and staff availability.

6. Committee Room Health and Safety Requirements. The following health and safety requirements shall be followed by all individuals, including members, staff, and members of the public in legislative committee meetings and public comment holding rooms. Failure of a member to abide by these health and safety requirements may cause him or her to not be recognized by the chair during a committee meeting. Continued violations of these

requirements may result in discipline by the member's respective chamber. Other individuals violating these rules may be removed from the committee room or public comment holding room.

a. Assigned Seating. Committee member seating will be assigned for each committee. A legislator who is not a member of a committee shall not be seated at the committee table unless presenting a bill. Each committee room shall have a designated seating area for members waiting to present a bill to the committee. Member seating shall remain the same for the duration of the 2021 Regular Session.

b. Mask Requirement. A mask or other cloth face covering is required to be worn over the mouth and nose of every individual in committee rooms and public comment holding rooms at all times, except an individual who: is speaking directly into the microphone; is able to maintain physical distance of six (6) feet or more from other individuals; is consuming food or drink; or has a medical condition or disability that prevents wearing a face covering.

c. Physical Distancing. Every effort shall be made to maintain physical distancing of at least six (6) feet in the committee rooms and public comment holding rooms. Seating arranged to provide for this distance shall not be rearranged. Individuals are not permitted to enter the room once all available seating is filled.

d. Health Screening. All individuals shall have submitted to a temperature check and onsite health screening and been given an armband indicating admittance at the entrance to either the State Capitol Building or the MAC Building that calendar day prior to entering the Senate chamber, a committee room, or public comment holding room.

e. Removal of Trash. Committee members, staff, and members of the public shall remove and properly dispose of any trash he or she creates during the course of the committee meeting.

f. Security. The Senate shall place staff in all committee rooms and public comment holding rooms to ensure compliance by members of the public with room capacity limits, masking requirements, and physical distancing requirements.

7. Committee Agendas.

a. Referred Items List. As a bill or resolution is filed and

assigned to a committee by each chamber, the bill or resolution shall be placed on the referred items list for the committee. The bills and resolutions on the referred items list are bills and resolutions that are referred to the committee but not currently on a committee agenda. In addition, a bill or resolution that has failed to pass one time in committee will revert to the referred items list. The committee chair will use the referred items list to create the regular agenda for each committee meeting.

b. Creation of Committee Agenda.

(1) Bills and resolutions pulled from the referred items list will be placed in one of the following three categories on the committee agenda:

(A) Regular Agenda – bills and resolutions to be considered by the committee on the date of the agenda;

(B) Consent Agenda – bills and resolutions on the committee agenda for which there is no known opposition or expected public testimony and that may be taken up at any time by the committee; or

(C) Deferred Bills – bills and resolutions for which committee consideration has been deferred either for failure of the sponsor to appear or at the request of the sponsor.

(2) It is the responsibility of a primary sponsor or the member who will be presenting the bill or resolution in committee to contact the committee chair to let the chair know that he or she is ready to have the bill or resolution placed on a committee agenda. The primary sponsor or the member who will be presenting the bill or resolution in committee shall advise the chair of:

(A) A specific date on which he or she is available to present his or her bill or resolution;

(B) Whether the bill or resolution is considered to be controversial;

(C) The number of witnesses he or she plans to bring with him or her to testify before the committee; and

(D) An estimate of the time the committee may need to consider the bill or resolution.

(3) The committee chair will provide committee staff with a list of bills and resolutions that will be considered at the next committee meeting and the order in which they will be taken up.

c. Consent Agenda.

(1) The chair may place a bill or resolution on the consent agenda if the sponsor has advised the chair that the bill or resolution has no known opposition and no public testimony to be given on the bill or resolution.

(2) Prior to including a bill or resolution on the consent agenda, the chair shall ask that the committee members review the list of bills or resolutions being added to the consent agenda, and the chair shall state that without objection the bills and resolutions will be placed on the consent agenda.

(3) If any member objects, the bill or resolution shall be moved to the referred items list.

(4) A bill or resolution that has been placed on the consent agenda may at any time be moved to the referred items list if the chair learns of opposition to the bill or resolution or at the request of the sponsor.

(5) A bill or resolution on the consent agenda may remain on the agenda for multiple meetings before being taken up by the committee, and its sponsor is not subject to the provisions of subsection 7.e. of this rule, regarding failure to appear to present the bill or resolution.

d. Posting Committee Agenda.

(1) The committee agenda shall be posted at least eighteen (18) hours prior to the committee meeting.

(2) The committee agenda shall state the room number for the public comment holding room to which members of the public should report to wait to be called to provide testimony on a bill or resolution.

e. Failure of Sponsor to Appear at Committee Meeting.

(1) The first time a bill or resolution appears on the regular agenda and the sponsor or his or her designee does not appear at the committee meeting to present his or her bill or resolution, the member's bill or resolution will be moved back to the referred items list. It is within the discretion of the chair to place the bill or resolution on the regular agenda for the next scheduled meeting of the committee.

(2) If a bill or resolution appears on a regular agenda three (3) times without the member or his or her designee appearing to present the bill or resolution, the bill or resolution will be moved to the

deferred list.

f. Consideration of Bills and Resolutions. Only those items listed on the day's regular agenda or consent agenda shall be considered by the committee. Bills or resolutions shall not be called up from the referred items list with less than eighteen (18) hours' notice. This rule may be suspended by a vote of two-thirds (2/3) of the membership of the committee in order to allow the committee chair to create the agenda in a more expedient manner.

8. Public Participation. Due to restraints on space and physical distancing required in committee rooms and public comment holding rooms, only a member of the public who is present to testify on a bill or resolution that is listed on a committee agenda will be allowed in a committee room or public comment holding room. In order to allow for public participation in the legislative process during the public health emergency in a manner that provides for the health and safety of legislators, staff, and members of the public, public comment regarding bills or resolutions being considered by a committee shall be allowed in any of the following ways:

a. Committee Rooms.

(1) Agency Personnel. Each committee room shall have a designated seating area for state agency personnel that need to be present in the committee meeting to answer questions regarding various bills or resolutions related to their agency.

(2) Media. Each committee room shall have a designated seating area for members of the media.

(3) Other members of the public. Each committee room shall have a number of designated seating for members of the public who are present to testify on a specific bill or resolution for which testimony is currently being taken.

b. Public Comment Holding Rooms. Members of the public present in the State Capitol Building to present testimony on a bill or resolution listed on a committee agenda that is not currently being discussed in the committee will be sent to the public comment holding room or bullpen assigned to the specific committee. Each public comment holding room will have limited capacity with physically distanced seating. There will be no standing allowed in the public comment holding rooms. Once all available

seating is full, no other individuals will be permitted in the room. Members of the public will wait in these designated areas until the bill or resolution on which they plan to testify is called. They will then be directed by Senate staff posted in the public comment holding room to the appropriate committee room to give testimony. Following presentation of his or her testimony, the individual will exit the committee room.

c. Public Comment Sign-In Sheets. Public comment sign-in sheets for each committee meeting will be posted electronically with the agenda on the General Assembly website and physically at each public comment holding room. An individual's name appearing on a public comment sign-in sheet is not a guarantee that the individual will have an opportunity to speak during the committee meeting.

d. Lobbyists. For purposes of these rules, a lobbyist is considered to be a member of the public and shall adhere to the rules regarding public participation and presence in committee rooms.

e. Additional Public Seating. Additional socially distanced seating areas will be designated throughout the State Capitol Building for use by members of the public.

9. Remote Participation.

a. Members.

(1) A member of a legislative committee who is either unwilling or unable to physically attend a meeting of a committee of which he or she is a member due to one of the following reasons shall be allowed to participate remotely via the electronic means designated by the Senate for remote participation:

(A) He or she is considered an individual at high risk for severe illness related to COVID-19;

(B) He or she has a household member or individual for whom he or she is a caregiver who is considered an individual at high risk for severe illness related to COVID-19;

(C) He or she has been directed by the Arkansas Department of Health to quarantine due to close contact with an individual who has tested positive for COVID-19; or

(D) He or she has tested positive for COVID-19.

(2) The following shall apply regarding the deadline for

submitting a request to participate remotely in committee:

(A) A committee member who wishes to participate remotely may submit a request to the Secretary of the Senate, who will submit that request to the President Pro Tempore of the Senate for approval. The request shall be submitted no later than 4:00 p.m. on the day prior to the meeting at which the member wishes to participate remotely.

(B) If a member planning to be physically present is unable to attend a committee meeting due to a failed health screening or another reason listed under subsection 9.a.(1), he or she may be allowed to participate remotely under the provisions of these rules, and the 4:00 p.m. previous day requirement shall be waived.

(3) The Secretary of the Senate shall notify the requesting member and the chair of each committee on which the requesting member sits of the approval for the member to participate remotely in the committee proceedings.

(4) A member participating remotely shall be considered present and in attendance at the committee meeting, including for purposes of determining a quorum.

(5) A member participating remotely shall be able to be seen and heard while making any comments during debate, asking any questions of other members or of those testifying, and when submitting his or her vote.

(6)(A) If a member's remote connection is unintentionally disconnected or lost, the member will no longer count toward the quorum for the meeting and will not be able to vote on any motion before the committee until he or she is connected again and can be seen and heard in the committee room.

(B) If a member is unable to reconnect through remote technology that allows him or her to be seen and heard by the committee, a majority of the committee members may vote to allow the member to participate by phone for the purpose of voting, and that allowance shall only apply to the committee meeting at which that vote is taken.

(7) Committee staff shall record the names of all committee members that participated remotely on the committee report for each day.

b. Agency Personnel. A representative of a state agency who is unable to physically attend a meeting of a committee at which he or she is

requested by the committee to testify shall be allowed to provide his or her testimony via electronic means designated by the Senate for remote participation at the committee meeting if he or she:

- (1) Is in isolation due to testing positive for COVID-19;
- (2) Has been directed by the Arkansas Department of Health to quarantine due to close contact with an individual who has tested positive for COVID-19; or
- (3) Failed the health screening required under subsection 6.d. of these rules required for entering the committee room on the day he or she has been requested to testify.

10. Suspension of Rules. In order to ensure protection of the health and safety of all individuals participating in legislative committee meetings during the 2021 Regular Session and to ensure uniformity of procedure among the committees during this time, except as otherwise stated herein, these rules may only be suspended by a two-thirds (2/3) vote of the membership of the Senate.

11. Planned Activities and Committee Dinners. Planned activities for committees and committee dinners will not be allowed during the 2021 Regular Session.

ATTACHMENT A – NINETY THIRD GENERAL ASSEMBLY: Committee Rooms/Meeting Assignments

	HOUSE					Room	SENATE					Room
	Mon.	Tues.	Wed.	Thurs.	Fri.		Mon.	Tues.	Wed.	Thurs.	Fri.	
A Committees												
Education		9:30am		9:30am		151						OSC
Judiciary		2:00 pm**		2:00 pm**		MAC A		9:30am		9:30am		171
Public Health, Welfare And Labor		9:30am		9:30am		MAC C		2:00 pm**		2:00 pm**		130*
Transportation		2:00 pm**		2:00 pm**		MAC C						
Revenue and Taxation		2:00 pm**		2:00 pm**		151		9:30am		9:30am		OSC
B Committees												
Aging, Children and Youth, Legislative & Military Affairs	2:00 pm**		2:00 pm**			MAC A						
Agriculture and Economic Development	2:00 pm**		2:00 pm**			151		9:30am		9:30am		130*
Civ. County and Local Affairs	2:00 pm**		2:00 pm**			MAC C		9:30am		9:30am		171
Insurance and Commerce	9:30am		9:30am			MAC C		2:00 pm**		2:00 pm**		171
State Agencies and Governmental Affairs	9:30am		9:30am			151		2:00 pm**		2:00 pm**		OSC
C Committee												
Senate Transportation, Technology & Legislative Affairs								9:30am		9:30am		OSC
Joint Committees												
Energy												
Public Retirement and Social Security Program	8:30am					MAC A		8:30am				MAC A
Joint Budget Committee (JBC)		8:30am	8:30am	8:30am		MAC A		8:30am	8:30am	8:30am		MAC A
JBC Subcommittees		7:30am	7:30am	7:30am		MAC A/B		7:30am	7:30am	7:30am		MAC A/B
House Select Committees												
House Rules						MAC B						
House Technology						MAC B						
Senate Select Committees												
Senate Rules												172
Senate Efficiency												172

* Room 130 is a House Committee Room. Its use by Senate Committees, as indicated in the table, was approved by the House Management Committee on September 10, 2020.

** Afternoon meetings will convene at 2:00 p.m. or upon adjournment of the corresponding chamber, but not earlier than 2:00 p.m.

Chambers will convene at a time to be determined by each chamber.

House Committee Room	“Bullpen” Room	Senate Committee Room	“Bullpen” Room
MAC A	MAC Lobby	130	138
MAC B	MAC Lobby	171	207
MAC C	4th Floor MAC	OSC	272
151	149		