

**Welcome!**

**44<sup>th</sup> Biennial Institute  
of Legislative Procedure**

December 2022

# Legislative Institute Overview

- Framework for State Government
- Arkansas General Assembly
- Lawmaking Process
- Legislative Service
  
- Orientation manual

# Legislative Institute Overview

- Parliamentary Law
- Arkansas Constitution
- The Legislative Branch
- The Legislative Process

# Parliamentary Law

- Rooted in ancient civilizations
- Formation of English Parliament
- Earliest concepts
  - One subject at a time
  - Alternating points of view in debate
  - Required call for the negative vote
  - Decorum and avoidance of personalities in debate
  - Debate confined to merits of pending question

# Parliamentary Law

- Concepts introduced in American colonies

“In these deliberations, the colonists were able to function effectively by depending on procedures originally developed in Parliament itself!”

*Roberts Rules of Order Newly Revised, 12<sup>th</sup> Edition*

# Parliamentary Law

- Procedures refined for legislative settings
- Jefferson's Manual of Parliamentary Practice
- Mason's Manual of Legislative Procedure

# Parliamentary Principles

Ten principles governing group decision making

- The group must have authority to take action
- There must be a meeting of the group
- Proper notice must be given to all members
- There must be a quorum present
- There must be a question before the group
- There must be an opportunity to debate
- The question must be decided by voting
- There must be a majority vote to take action
- There must be no fraud, trickery or deception
- To be valid, any action must not violate applicable law or constitutional provision

# Arkansas Constitution

- Statehood – June 15, 1836
- Five constitutions
- Current constitution adopted in 1874
- Three branches
  - Legislative
  - Executive
  - Judicial



# The General Assembly

- Article V – Legislative Department
  - Establishes House and Senate
  - Designates when and how long sessions are held
  - Provides for election of officers, determining qualification of members, establishing a quorum, and compelling attendance by members
  - Grants each house authority to establish its own rules
  - Sets majority vote required to pass certain bills

# Legislative Proceedings

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“Each house shall have power to determine the rules of its proceedings...”

*Arkansas Constitution, Article V, Section 12*

# Legislative Proceedings

- Joint Rules of the House and Senate
- Rules of the House
  - Temporary rules upon convening new session
  - Rules adopted on third day of session

# Legislative Proceedings

- Session schedule
  - Floor sessions 1 p.m. on normal session days and 10 a.m. on the final session day each week
  - Some select committees meet on Monday mornings
  - Budget and budget subcommittees meet in morning prior to standing committees
  - “A” Committees meet on Tuesdays and Thursdays
  - “B” Committees meet on Wednesdays and Fridays if the House is in session on Fridays

# Legislative Proceedings

- House Standing Committees

- "A" Committees

- Education

- Judiciary

- Public Health, Welfare and Labor

- Public Transportation

- Revenue and Taxation

- "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

# Legislative Proceedings

- Select Committees

- Joint Select Committees

- Joint Budget

- Joint Committee on Energy

- Joint Committee on Public Retirement and Social Security Programs

- Joint Performance Review Committee

- Joint Committee on Advance Communications and Information Technology

- House Select Committees

- Rules

- House Management Committee

# Legislative Proceedings

- Joint Special Committees
  - Legislative Council
  - Legislative Joint Auditing Committee
- Administrative Committees
  - Joint Committee on Legislative Facilities
  - House Committee on the Journal; Engrossed and Enrolled Bills
  - Joint Committee on Legislative Printing Requirements and Specifications

# Legislative Proceedings

- Daily order of business
  - Prayer
  - Pledge
  - Roll Call
  - Leaves of absence
  - Reading and approval of previous day's journal
  - Reports from committees
  - Unfinished business
  - Executive communications
  - Introduction, reading and advancement of bills and resolutions
  - Announcement of committee meetings
  - Adjournment



# Legislative Proceedings

- Debate and Decorum

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

“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 representatives courtesies which they wish for themselves.”

*Rules of the House, 93<sup>rd</sup> General Assembly*

# Legislative Proceedings

- A bill becomes a law
  - Drafting of legislation
  - Introduction
  - Assignment to committee
  - Review by and recommendation from committee
  - Consideration by full House
  - Transmission to Senate
  - Consideration by similar manner in Senate
  - Returned to originating body
  - Enrolled
  - Transmitted to governor

# Legislative Proceedings

- Governor's options
  - Sign bill into law
  - All bill to become law without signature
  - Veto the bill

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