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**ONE HUNDREDTH DAY'S PROCEEDINGS  
SENATE CHAMBER  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION**

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Little Rock, Arkansas  
April 23, 2013

The Senate was called to order at 9:30 o'clock a.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

BLEDSE, BOOKOUT, BURNETT, CALDWELL, CHEATHAM,  
CHESTERFIELD, CLARK, DISMANG, ELLIOTT, ENGLISH,  
FILES, FLOWERS, HENDREN, HESTER, HICKEY, HOLLAND,  
HUTCHINSON, INGRAM, IRVIN, JOHNSON, KEY, KING,  
LAMOUREUX, LINDSEY, MALOCH, PIERCE, RAPERT,  
SAMPLE, SANDERS, STUBBLEFIELD, TEAGUE, THOMPSON,  
WILLIAMS, WOOD, WYATT.

The Senate was led in prayer by Senator Stubblefield.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Burnett, the reading of the Journal was dispensed with.

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STATE OF ARKANSAS

Mike Beebe

Governor

April 20, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 22, 2013, the following measure from the Regular Session of the Eighty-Ninth General Assembly became law without my signature:

**Senate Bill No. 896** - ACT 1390

Sincerely,

(SIGNED) MIKE BEEBE

## STATE OF ARKANSAS

Mike Beebe

Governor

April 22, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 22, 2013, I approved the following measures from the Regular Session of the Eighty-Ninth General Assembly:

**Senate Joint Resolution 016**  
Senate Bill No. 005 - ACT 1391  
Senate Bill No. 011 - ACT 1392  
Senate Bill No. 021 - ACT 1393  
Senate Bill No. 086 - ACT 1394  
Senate Bill No. 102 - ACT 1395  
Senate Bill No. 120 - ACT 1396  
Senate Bill No. 122 - ACT 1397  
Senate Bill No. 135 - ACT 1398  
Senate Bill No. 162 - ACT 1399  
Senate Bill No. 198 - ACT 1400  
Senate Bill No. 298 - ACT 1401  
Senate Bill No. 299 - ACT 1402  
Senate Bill No. 301 - ACT 1403  
Senate Bill No. 334 - ACT 1404  
Senate Bill No. 342 - ACT 1405  
Senate Bill No. 365 - ACT 1406  
Senate Bill No. 441 - ACT 1407  
Senate Bill No. 463 - ACT 1408  
Senate Bill No. 552 - ACT 1409  
Senate Bill No. 755 - ACT 1410  
Senate Bill No. 791 - ACT 1411  
Senate Bill No. 794 - ACT 1412  
Senate Bill No. 821 - ACT 1413  
Senate Bill No. 853 - ACT 1414  
Senate Bill No. 860 - ACT 1415  
Senate Bill No. 909 - ACT 1416  
Senate Bill No. 940 - ACT 1417  
Senate Bill No. 941 - ACT 1418  
Senate Bill No. 1006 - ACT 1419  
Senate Bill No. 1010 - ACT 1420  
Senate Bill No. 1024 - ACT 1421

Senate Bill No. 1050 - ACT 1422  
Senate Bill No. 1064 - ACT 1423  
Senate Bill No. 1067 - ACT 1424  
Senate Bill No. 1080 - ACT 1425  
Senate Bill No. 1086 - ACT 1426  
Senate Bill No. 1091 - ACT 1427  
Senate Bill No. 1097 - ACT 1428  
Senate Bill No. 1100 - ACT 1429  
Senate Bill No. 1108 - ACT 1430  
Senate Bill No. 1115 - ACT 1431  
Senate Bill No. 1118 - ACT 1432  
Senate Bill No. 1122 - ACT 1433  
Senate Bill No. 1150 - ACT 1434  
Senate Bill No. 1158 - ACT 1435  
Senate Bill No. 1159 - ACT 1436  
Senate Bill No. 1173 - ACT 1437  
Senate Bill No. 1182 - ACT 1438  
Senate Bill No. 1189 - ACT 1439

Sincerely,

(SIGNED) MIKE BEEBE

Senate Bill No. 22 was returned from the House as passed and ordered enrolled.

Senate Bill No. 364 was returned from the House as passed and ordered enrolled.

On motion of Senator Teague, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget Bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Teague, the rules were suspended in considering **House Bill No. 2232** at this time.

On motion of Senator Teague, **House Bill No. 2232** was called up for third reading and final disposition.

**HOUSE BILL NO. 2232**  
*As Engrossed: H4/19/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE BAIRD**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE EIGHTY-NINTH SESSION PROJECTS ACCOUNT WITHIN THE GENERAL IMPROVEMENT FUND; TO DEFINE THE MONIES TO BE AVAILABLE IN SUCH ACCOUNT; AND TO DEFINE THE PURPOSES FOR WHICH MONIES MAY BE MADE AVAILABLE FROM THE GENERAL IMPROVEMENT FUND SO THAT ADDITIONAL FUNDS CAN BE MADE AVAILABLE FOR THE STATE BUDGET; AND FOR OTHER PURPOSES.

**House Bill No. 2232** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total.....28

NEGATIVE: Bledsoe, A. Clark, J. English, Hester, B. King, G. Stubblefield.

Total.....6

ABSENT OR NOT VOTING: J. Hendren.

Total.....1

VOTING PRESENT:

Total.....0

Total number of votes cast .....	34
Necessary to the passage of the bill .....	27

So the bill passed and the title as read was agreed to.

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2232**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	28
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NEGATIVE: Bledsoe, A. Clark, J. English, Hester, B. King, G. Stubblefield.

Total .....	6
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ABSENT OR NOT VOTING: J. Hendren.

Total .....	1
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VOTING PRESENT:

Total .....	0
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Total number of votes cast .....	34
Necessary to the adoption of the Emergency Clause .....	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2232** was ordered immediately returned to the House as passed.

On motion of Senator Teague, the rules were suspended in considering **House Bill No. 2233** at this time.

On motion of Senator Teague, **House Bill No. 2233** was called up for third reading and final disposition.

**HOUSE BILL NO. 2233**  
*As Engrossed: H4/19/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE BAIRD**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS REVENUE STABILIZATION LAW; AND FOR OTHER PURPOSES.

**House Bill No. 2233** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....28

NEGATIVE: Bledsoe, A. Clark, J. English, Hester, B. King, G. Stubblefield.

Total .....6

ABSENT OR NOT VOTING: J. Hendren.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....	34
Necessary to the passage of the bill .....	27

So the bill passed and the title as read was agreed to.

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 2233**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total.....	28
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NEGATIVE: Bledsoe, A. Clark, J. English, Hester, B. King, G. Stubblefield.

Total.....	6
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ABSENT OR NOT VOTING: J. Hendren.

Total.....	1
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VOTING PRESENT:

Total.....	0
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Total number of votes cast .....	34
Necessary to the adoption of the Emergency Clause .....	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2233** was ordered immediately returned to the House as passed.



ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 23, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 22, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 364, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 10:20 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 22

SENATE BILL NO. 364

RECEIVED the above papers from the Secretary of the Senate this 23rd day of April, 2013 at 10:20 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SAMANTHA WILLIAMS  
Secretary

STATE OF ARKANSAS

Mike Beebe

Governor

April 23, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 23, 2013, the following measure from the Regular Session of the Eighty-Ninth General Assembly:

Senate Bill No. 1020 - ACT 1497

Senate Bill No. 914 - ACT 1499

Senate Bill 845 - ACT 1501

Senate Bill 861 - ACT 1502

Senate Bill 946 - ACT 1503

Senate Bill 984 - ACT 1504

Senate Bill 1007 - ACT 1505

Senate Bill 1058 - ACT 1506

Senate Bill 1062 - ACT 1507

Senate Bill No. 022 - ACT 1516

Senate Bill No. 364 - ACT 1517

Sincerely,

(SIGNED) MIKE BEEBE

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 23, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

**SENATE BILL NO. 817**, BY SENATOR MALOCH,

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 4:15 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

**SENATE BILL NO. 817**

RECEIVED the above papers from the Secretary of the Senate this 23rd day of April, 2013 at 4:15 p.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

STATE OF ARKANSAS

Mike Beebe  
Governor

April 23, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 23, 2013, the following measure from the Regular Session of the Eighty-Ninth General Assembly:

**Senate Bill No. 817 - ACT 1520**

Sincerely,

(SIGNED) MIKE BEEBE

## STATE OF ARKANSAS

Mike Beebe  
Governor

April 23, 2013

Dear Mr. President and Members of the Senate:

In accordance with Article 6, Section 15 of our Constitution, I write to inform you that today I have vetoed Senate Bill 719, Senate Bill 720, and Senate Bill 721.

Senate Bill 719 would take from the State Board of Election Commissioners the authority to investigate complaints of election irregularities or alleged violations of election law and shift that authority to a four-member "voter integrity" unit. This unit "shall investigate any complaint of election irregularity or violation of election law" that has been filed with the State Board of Election Commissioners. It would consist of four employees of the Office of the Secretary of State, a partisan-elected office, and would have broad powers to issue subpoenas, compel testimony and production of records, and administer oaths and take sworn testimony. The unit's "report" on its investigation would then be sent to the State Board of Election Commissioners for further action. Senate Bill 719 thus transfers virtually unfettered investigative power and authority to a partisan-elected official over complaints against persons accused, sometimes by political rivals, of violating election laws. However, while the bill makes it clear that the unit "shall" investigate "any" such complaint, the bill makes no provision for those cases in which a complaint might relate to the activities of the Secretary of State or his/her office, or persons running for that office. Placing such unfettered authority in a partisan-elected office is a profoundly bad idea.

Senate Bill 720 authorizes the State Board of Election Commissioners to remove a county commissioner if he or she is "not qualified under law" to be a county board member or if the county board member "fails to perform his or her duty under law." It does so by setting up a mandatory, cumbersome and confusing procedure for processing complaints submitted by any person to the State Board. For example, the bill provides that if the State Board determines that a complaint "clearly lacks any basis in law or fact," the State Board must nonetheless refer the complaint and the Board's findings to the Arkansas Ethics Commission. Why this step is necessary or desirable for complaints lacking any basis in law or fact is unclear.

In other respects, it is simply not possible to comply with Senate Bill 720's procedures. For example, with regard to complaints received by the State Board, the bill requires that "{i}f the General Assembly is in session, the State Board of Election Commissioners shall, within ten (10) days after the filing of the complaint...file a copy of the complaint with the Legislative Council meets only when the General Assembly is not in session See Ark. Code Ann. § 10-3-302(a). This new, cumbersome, and unworkable scheme seems unwarranted, especially when a procedure already exists for the removal of members of county boards by the county committees that elected them under Ark. Code Ann. § 7-4-102(e).

Senate Bill 21 would, effectively July 1, 2013, terminate the current tenure of all members of the State Board of Election Commissioners and replace them with a new nine-member Board. The bill increases the number of members selected by the political parties and alters the terms of some members. The immediate effect of the bill is to make the membership of the State Board of Election Commissioners more, not less, partisan. There is no evident need for a larger State Board of Election Commissioners, and blatant attempts to skew the political balance of a board charged with overseeing partisan elections will only harm, not promote, the public's confidence in the integrity of our State's election processes.

I have received numerous communications from counties, election officials, and election commissioners of all political persuasions urging me to veto these three bills. They see them, individually and collectively, as unwarranted attempts to undo a carefully crafted system of checks and balances and divisions of responsibility between the State Board of Election Commissioners, the Secretary of State's Office, and local election commissioners. Their objections to these bills are well-taken.

Sincerely,

Mike Beebe

MB:jb

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HOUSE BILLS RETURNED TO THE HOUSE  
AS PASSED

HOUSE BILL NO. 2232  
HOUSE BILL NO. 2233

SENATE BILLS RETURNED FROM THE HOUSE  
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 22  
SENATE BILL NO. 364

On motion of Senator Key, the Senate adjourned until noon, May 17, 2013.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE

