

**NINETY-FOURTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
April 17, 2013

The House was called to order at 11:00 a.m. by Mr. Carter, the Speaker. The following members answered to the roll call:

Alexander, Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, Dickinson, Dotson, C. Douglas, D. Douglas, Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Smith, Steel, Talley, Thompson, Vines, Wagner, Walker, Wardlaw, Westerman, Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright, Mr. Speaker.

Total100

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 Representative Chris Richey.

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

	April 17, 2013
PUBLIC HEALTH, WELFARE AND LABOR	JOHN BURRIS CHAIRPERSON
HOUSE BILL NO. 1143 BY REPRESENTATIVE BURRIS	DO PASS CONCUR IN SENATE AMENDMENT #1, #2
HOUSE BILL NO. 1901 BY REPRESENTATIVE STEEL	DO PASS CONCUR IN SENATE AMENDMENT #1, #2
HOUSE BILL NO. 2004 BY REPRESENTATIVE LEDING	DO PASS AS AMENDED #1
SENATE BILL NO. 1020 BY SENATOR DISMANG	DO PASS AS AMENDED #3, #4

COMMITTEE REPORT

	April 17, 2013
PUBLIC TRANSPORTATION	JONATHAN BARNETT CHAIRPERSON
HOUSE BILL NO. 1921 BY REPRESENTATIVE EDWARDS	DO PASS CONCUR IN SENATE AMENDMENT #1

COMMITTEE REPORT

	April 17, 2013
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	DAVID MEEKS CHAIRPERSON
HOUSE BILL NO. 1962 BY REPRESENTATIVE GILLAM	DO PASS CONCUR IN SENATE AMENDMENT #1, #2

COMMITTEE REPORT

JOINT BUDGET	April 17, 2013
	DUNCAN BAIRD
	CHAIRPERSON
HOUSE BILL NO. 1088	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1202	DO PASS
BY JOINT BUDGET COMMITTEE	AS AMENDED #4
HOUSE BILL NO. 1214	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative Sabin, **HOUSE BILL NO. 1980** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1980

Amend **HOUSE BILL NO. 1980** as engrossed,
H3/26/13 (version: 03/26/2013 10:40:04 AM)

Immediately following the enacting clause, add an additional section to read as follows:

"SECTION 1. Arkansas Code § 15-11-905 is amended to read as follows:

15-11-905. Rules — Fees.

The Arkansas Arts Council ~~shall~~:

(1) Shall promulgate rules to implement this subchapter; and

(2) May charge a reasonable application fee for processing

applications under this subchapter."

AND

Page 1, delete lines 26 through 30, and substitute the following:

"In an arts and cultural district, each qualifying residing artist is eligible for an income tax exemption under § 26-51-313."

AND

Delete SECTION 3 in its entirety

AND

Page 2, delete lines 28 through 32, and substitute the following:

"SECTION 4. EFFECTIVE DATE. This act is effective for tax years beginning on or after January 1, 2013."

AND

Appropriately renumber the sections of the bill

/s/ Warwick Sabin

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Steel, **HOUSE BILL NO. 2296** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2296

Amend **HOUSE BILL NO. 2296** as engrossed,
H4/10/13 (version: 04/10/2013 9:59:39 AM)

Page 2, delete lines 20 through 27 and substitute:

"(4) The owner or user of the electronic device consents; or
(5) A court with jurisdiction has ordered the release of the information under a valid court order."

/s/ G. Nate Steel

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hutchison, **HOUSE BILL NO. 2055** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2055

Amend **HOUSE BILL NO. 2055** as engrossed,
H4/10/13 (version: 04/10/2013 09:58:34 AM)

Add Representative J. Edwards as a cosponsor of the bill

AND

Page 1, delete lines 8 through 11 and substitute the following:

“AN ACT TO STUDY THE CREATION OF A SCHOOL OF AGRICULTURE AND TECHNOLOGY TO SERVE PUBLIC SCHOOL STUDENTS IN KINDERGARTEN THROUGH GRADE TWELVE (K-12); TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.”

AND

Page 1, delete the subtitle in its entirety and substitute the following:

“TO STUDY THE CREATION OF A SCHOOL OF AGRICULTURE AND TECHNOLOGY AND TO DECLARE AN EMERGENCY.”

AND

Page 1, delete everything following the enacting clause and substitute the following:

“SECTION 1. DO NOT CODIFY. Feasibility study concerning school of agriculture and technology.

(a) The Department of Education and the Department of Higher Education shall conduct a feasibility study concerning the creation of a school of agriculture and technology for public school students in grades kindergarten through twelve (K-12) to be known as the "Arkansas School for Agriculture and Technology".

(b) The feasibility study shall include without limitation:

(1) The potential number of students to be enrolled in the Arkansas School for Agriculture and Technology;

(2) The eligibility criteria for potential enrollment in the Arkansas School for Agriculture and Technology;

(3) The potential costs and expenses associated with the creation of the Arkansas School of Agriculture and Technology;

(4) The benefits that a school of agriculture and technology would afford to eligible students and the State of Arkansas; and

(5) Potential sites for the Arkansas School of Agriculture and Technology.

(c) The Department of Education and the Department of Higher Education shall provide a report concerning the conclusions of the feasibility study under this

act to the House Committee on Education and the Senate Committee on Education no later than January 1, 2014.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act calls for a feasibility study concerning the creation of a school of agriculture and technology; that a school of agriculture and technology would offer extraordinary benefits to students and the State of Arkansas as a whole; and that this act should become effective as soon as possible to commence the feasibility study, allow for a prompt report to the House Committee on Education and the Senate Committee on Education, and enable future planning. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

/s/ John Hutchison

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Sabin, **HOUSE BILL NO. 1981** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1981

Amend **HOUSE BILL NO. 1981** as engrossed,
H3/26/13 (version: 03/26/2013 11:30:00 AM)

Page 2, delete lines 16 through 18, and substitute the following:

"(2)(A) The department shall only issue investment tax credits up to ~~one million dollars (\$1,000,000)~~ five million dollars (\$5,000,000) in any one (1) fiscal year on a first-come, first-served basis.

(B) Beginning July 1, 2015, the department shall only issue investment tax credits up to ten million dollars (\$10,000,000) in any one (1) fiscal year on a first-come, first-served basis."

/s/ Warwick Sabin

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

/s/ Mrs. Sherri Stacks
Chief Clerk

The House gave Representative Hammer unanimous leave to withdraw **HOUSE BILL NO. 1521**.

The House gave Representative Hammer unanimous leave to withdraw **HOUSE BILL NO. 2287**. Recommended Committee study by the Committee on JUDICIARY - House.

The House gave Representative Hammer unanimous leave to withdraw **HOUSE BILL NO. 2134**.

The House gave Representative Lowery unanimous leave to withdraw **HOUSE BILL NO. 2144**.

The House gave Representative Lowery unanimous leave to withdraw **HOUSE BILL NO. 2242**. Recommended Committee study by the Committee on JUDICIARY - House.

The House gave Representative Lowery unanimous leave to withdraw **HOUSE BILL NO. 1807**. Recommended Committee study by the Committee on REVENUE AND TAXATION - House.

The House gave Representative Lowery unanimous leave to withdraw **HOUSE BILL NO. 1474**. Recommended Committee study by the Committee on JUDICIARY - House.

The House gave Representative Lowery unanimous leave to withdraw **HOUSE BILL NO. 1206**. Recommended Committee study by the Committee on REVENUE AND TAXATION - House.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2017**. Recommended Committee study by the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS - House.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2018**.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2075**.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2077**.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2069**.

The House gave Representative Bell unanimous leave to withdraw **HOUSE BILL NO. 2070**.

The House gave Representative Nickels unanimous leave to withdraw **HOUSE BILL NO. 1844**. Recommended Committee study by the Committee on JUDICIARY - House.

The House gave Representative Nickels unanimous leave to withdraw **HOUSE BILL NO. 1847**. Recommended Committee study by the Committee on JUDICIARY - House.

The House gave Representative Wright unanimous leave to withdraw **HOUSE BILL NO. 1327**. Recommended Committee study by the Committee on EDUCATION - House.

The House gave Representative Wright unanimous leave to withdraw **HOUSE BILL NO. 1903**. Recommended Committee study by the Committee on PUBLIC TRANSPORTATION - House.

The House gave Representative Sabin unanimous leave to withdraw **HOUSE BILL NO. 1923**. Recommended Committee study by the Committee on RULES - House.

The House gave Representative Sabin unanimous leave to withdraw **HOUSE BILL NO. 1924**. Recommended Committee study by the Committee on RULES - House.

The House gave Representative Sabin unanimous leave to withdraw **HOUSE BILL NO. 1925**. Recommended Committee study by the Committee on RULES - House.

The House gave Representative Sabin unanimous leave to withdraw **HOUSE BILL NO. 1927**. Recommended Committee study by the Committee on EDUCATION - House.

The House gave Representative Rice unanimous leave to withdraw **HOUSE BILL NO. 1537**. Recommended Committee study by the Committee on PUBLIC TRANSPORTATION - House.

The House gave Representative Hammer unanimous leave to withdraw HOUSE BILL NO. 1519.

The House gave Representative Hammer unanimous leave to withdraw HOUSE BILL NO. 2135.

ENGROSSED BILL REPORTS

DAVY CARTER, CHAIRPERSON

April 17, 2013

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1154 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1202 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1980 BY REPRESENTATIVE SABIN
HOUSE BILL NO. 1981 BY REPRESENTATIVE SABIN
HOUSE BILL NO. 2004 BY REPRESENTATIVE LEDING
HOUSE BILL NO. 2055 - TITLE - BY REPRESENTATIVE HUTCHISON
HOUSE BILL NO. 2296 BY REPRESENTATIVE STEEL
SENATE BILL NO. 1020 - TITLE - BY SENATOR DISMANG (BURRIS)
SENATE BILL NO. 1158 - TITLE - BY SENATOR SANDERS (DEFFENBAUGH)

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2055

BY: REPRESENTATIVES HUTCHISON, *J. EDWARDS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO STUDY THE CREATION OF A SCHOOL OF AGRICULTURE AND TECHNOLOGY TO SERVE PUBLIC SCHOOL STUDENTS IN KINDERGARTEN THROUGH GRADE TWELVE (K-12); TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 1020

BY: SENATORS J. DISMANG, BOOKOUT, D. SANDERS, *IRVIN*

BY: REPRESENTATIVES J. BURRIS, CARTER, BIVIANO

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING HEALTH INSURANCE FOR CITIZENS OF THE STATE OF ARKANSAS; TO CREATE THE HEALTH CARE INDEPENDENCE ACT OF 2013; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 1158

BY: SENATOR D. SANDERS

BY: *REPRESENTATIVE DEFFENBAUGH*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS CONCUSSION PROTOCOL ACT; AND FOR OTHER PURPOSES.

Morning Hour Expired.

Representative Dotson moved that the record by which HOUSE BILL NO. 2240 failed to pass be expunged from the record. The vote was as follows:

AFFIRMATIVE: Alexander, C. Armstrong, Baine, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Lea, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, Payton, Perry, Ratliff, Rice, Richey, Sabin, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Womack, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, E. Armstrong, Baird, Barnett, Carnine, J. Edwards, Farrer, Kizzia, Lampkin, Leding, McCrary, McLean, B. Overbey, Scott, Walker, Wardlaw, Williams, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the motion67

So the Motion was adopted.

HOUSE BILL NO. 2006

BY: REPRESENTATIVE LEDING

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, Farrer, Ferguson, Fielding, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Linck, Love, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, S. Meeks, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total74

NEGATIVE: Harris, Hobbs, Hopper, D. Meeks, Miller, Payton.

Total6

ABSENT OR NOT VOTING: Alexander, D. Altes, Baird, Biviano, Carnine, Clemmer, J. Edwards, Eubanks, Hutchison, Jean, Kerr, Lenderman, Lowery, McLean, Murdock, Neal, Westerman, Womack, Mr. Speaker.

Total19

VOTING PRESENT: Fite.

Total1

Total number of votes cast81

Total number voting in the affirmative74

Necessary to the passage of the bill.....51

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

SENATE BILL NO. 1010

BY: SENATOR J. HUTCHINSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: D. Altes, E. Armstrong, Baltz, Barnett, Biviano, Branscum, Carnine, Catlett, Collins, Dale, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Fielding, Gillam, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Jean, Jett, Kizzia, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, S. Meeks, Murdock, Neal, B. Overbey, Perry, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, F. Smith, Talley, T. Thompson, W. Wagner, D. Whitaker, B. Wilkins, Wren.

Total57

NEGATIVE: Alexander, Baird, Ballinger, Bell, Bragg, Broadway, Davis, Dotson, Ferguson, Fite, Gossage, Harris, Hobbs, Hutchison, Julian, Kerr, Love, D. Meeks, Nickels, Steel, Vines, Walker, Womack.

Total23

ABSENT OR NOT VOTING: C. Armstrong, Baine, J. Burris, Clemmer, Copenhaver, Cozart, Lampkin, McGill, McLean, Miller, Payton, Sabin, Wardlaw, Westerman, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total19

VOTING PRESENT: Lea.

Total1

Total number of votes cast81

Total number voting in the affirmative57

Necessary to the passage of the bill51

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

Upon motion of Representative Hammer the Clincher motion prevailed.

HOUSE BILL NO. 1896

BY: REPRESENTATIVE CLEMMER

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Cozart, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Barnett, Carnine, Dale, Farrer, Hickerson, Hodges, Rice, W. Wagner, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to the passage of the bill.....51

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

SENATE BILL NO. 860

BY: SENATOR RAPERT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Branscum, Carnine, C. Douglas, Farrer, McLean, Miller, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

Representative Lenderman moved for immediate consideration of **SENATE BILL NO. 821**. The vote was as follows:

AFFIRMATIVE: E. Armstrong, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, J. Dickinson, D. Douglas, Farrer, Ferguson, Fielding, Fite, Gossage, Hawthorne, Hickerson, Hillman, Holcomb, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Lowery, Magie, S. Malone, Mayberry, McCrary, Miller, Murdock, Neal, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, W. Wagner, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total61

NEGATIVE: Alexander, Baird, Ballinger, Barnett, Bell, Clemmer, Deffenbaugh, Hammer, Harris, Hobbs, House, D. Meeks, Nickels, Sabin, Walker, Wardlaw, Westerman.

Total17

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, Baine, Dotson, C. Douglas, J. Edwards, Eubanks, Gillam, Hodges, Hopper, Linck, Love, McElroy, McGill, McLean, F. Smith, Vines, H. Wilkins, Williams, Word, Mr. Speaker.

Total21

VOTING PRESENT: S. Meeks.

Total1

Total number of votes cast.....79

Total number voting in the affirmative61

Necessary to the adoption of the motion.....53

So the Motion was adopted.

SENATE BILL NO. 821

BY: SENATOR K. INGRAM

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, J. Dickinson, Dotson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Holcomb, Hopper, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Lenderman, Linck, Love, Magie, S. Malone, McCrary, McElroy, Miller, Murdock, Neal, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total78

NEGATIVE: Baird, Deffenbaugh, Harris, House, Lowery, Mayberry, D. Meeks, Nickels, Sabin.

Total9

ABSENT OR NOT VOTING: C. Armstrong, C. Douglas, J. Edwards, Hodges, Leding, McGill, McLean, F. Smith, Walker, Westerman, Mr. Speaker.

Total11

VOTING PRESENT: Bell, S. Meeks.

Total2

Total number of votes cast.....89

Total number voting in the affirmative78

Necessary to the passage of the bill51

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

Upon motion of Representative Vines the Clincher motion prevailed.

There being an Emergency Clause attached to **SENATE BILL NO. 821**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Alexander, D. Altes, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, J. Dickinson, Dotson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Holcomb, Hopper, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Lenderman, Linck, Love, Magie, S. Malone, McCrary, McElroy, Miller, Murdock, Neal, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total78

NEGATIVE: Baird, Deffenbaugh, Harris, House, Lowery, Mayberry, D. Meeks, Nickels, Sabin.

Total9

ABSENT OR NOT VOTING: C. Armstrong, C. Douglas, J. Edwards, Hodges, Leding, McGill, McLean, F. Smith, Walker, Westerman, Mr. Speaker.

Total11

VOTING PRESENT: Bell, S. Meeks.

Total2

Total number of votes cast.....89

Total number voting in the affirmative78

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Vines the Clincher motion prevailed.

The House stood in recess at 12:33 p.m. and reconvened at 4:03 p.m.

STATE OF ARKANSAS
ARKANSAS SENATE

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

FAX: 501-682-2917

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E-MAIL: ann.cornwell@senate.ar.gov

STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 17, 2013

The Honorable Sherri Stacks
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, **HOUSE BILL NO. 1143**.

Respectfully submitted,

/s/ Ann Cornwell

Ann Cornwell, Director
Secretary of the Senate

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES EIGHTY-NINTH GENERAL ASSEMBLY
350 STATE CAPITOL
500 WOODLANE AVENUE
LITTLE ROCK, ARKANSAS 72201-1037
(501) 682-7771 TDD (501) 682-9148

DAVY CARTER, SPEAKER

April 17, 2013

The Honorable Mike Beebe
Governor
State Capitol Building
Little Rock, AR 72201

Dear Mr. Beebe:

The House of Representatives respectfully requests the return of **HOUSE BILL NO. 1143**.

Sincerely,

/s/ Sherri Stacks
Chief Clerk

Received
April 17, 2013
/s/ Sarah L. Agee

RECEIPT FROM THE CHIEF CLERK

RECEIVED FROM THE GOVERNOR'S OFFICE:

HOUSE BILL NO. 1143

/s/ Mrs. Sherri Stacks

Chief Clerk

Representative Burris moved to return HOUSE BILL NO. 1143 back to the Senate.

Leave was granted to send HOUSE BILL NO. 1143 back to the Senate.

NOTICE OF RETURN OF HOUSE BILL

HOUSE BILL NO. 1143

BY REPRESENTATIVE J. BURRIS

Representative Burris moved to recall SENATE BILL NO. 1020 back from the Senate. Motion carried.

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES EIGHTY-NINTH GENERAL ASSEMBLY
350 STATE CAPITOL
500 WOODLANE AVENUE
LITTLE ROCK, ARKANSAS 72201-1037
(501) 682-7771 TDD (501) 682-9148

DAVY CARTER, SPEAKER

April 17, 2013

The Honorable Ann Cornwell
Secretary of the Senate
State Capitol
Little Rock, AR 72201

Dear Ms. Cornwell:

The House of Representatives respectfully requests the return to the House,
SENATE BILL NO. 1020.

Respectfully submitted,

/s/ Sheri Stacks
Chief Clerk, House of Representatives

ARKANSAS SENATE
NOTICE OF RETURN OF SENATE BILL AS REQUESTED

SENATE BILL NO. 1020

BY SENATOR J. DISMANG

Upon motion of Representative Leding, **HOUSE BILL NO. 2004** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2004

Amend **HOUSE BILL NO. 2004** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 11-4-405 is amended to read as follows:

11-4-405. Payment on discharge.

(a)(1) ~~Whenever any railroad company or corporation or any receiver operating any railroad engaged in the business of operating or constructing any railroad or railroad bridge shall discharge~~ When an employer discharges, with or without cause, or ~~refuse~~ refuses to further employ any servant or employee thereof, the unpaid wages of the servant or employee then earned at the contract rate, without abatement or deduction, ~~shall be and become~~ are due and payable on the day of the discharge or refusal to ~~longer employ~~ further employ.

(2)(A) ~~Any servant or employee may request of his or her foreman or the keeper of his or her time to have the money due him or her, or a valid check therefor, sent to any station where a regular agent is kept. If the money or a valid check therefor does not reach the station~~ If the wages due under subdivision (a)(1) of this section are not paid or tendered within seven (7) days ~~from~~ after the date it is ~~so requested~~ of the discharge or refusal to further employ, then, as a penalty for the nonpayment, the wages of the servant or employee shall continue from the date of the discharge or refusal to further employ at the same rate until paid.

(B) However, the wages shall not continue more than sixty (60) days unless an action ~~therefor shall be~~ for the continuation of the wages is commenced within that time.

~~(b) This section shall apply to all companies and corporations doing business in this state and to all servants and employees thereof. Any servants or employees who shall hereafter be discharged or refused further employment may request or demand the payment of any wages due and, if not paid within seven (7) days from discharge or refusal to longer employ, then the penalties provided in subdivision (a)(2) of this section for railway employees shall attach.~~

~~(c)~~(b) Any servant or employee whose employment is for a definite period of time and who is discharged without cause before the expiration of that time may, in addition to the penalties prescribed by this section, have an action against any employer for any damages he or she may have sustained by reason of the wrongful discharge, and the action may be joined with an action for unpaid wages and penalty.

~~(d)~~(c) No servant or employee who secretes or absents himself to avoid payment to him or her, or refuses to receive payment when fully tendered, shall be entitled to any benefit under this section for the time as he or she so avoids payment.

SECTION 2. Arkansas Code Title 11, Chapter 4, Subchapter 4, is amended to add additional sections to read as follows:

11-4-406. Pay stub requirement.

(a) An employer shall provide to each employee for each pay period a wage stub that:

(1) Lists the total hours worked by the employee and the gross and net wages;

(2) Includes the rate of pay for the pay period;

(3) Includes overtime hours and compensation for overtime work during the pay period;

(4) Identifies the pay period for which the payment is being made;

(5) Includes an itemization of deductions with an explanation for each deduction; and

(6) Lists the employer's name, address, and telephone number.

(b) An employer who fails to provide a wage stub as required under this section may be assessed a penalty under Arkansas Code § 11-4-206.

11-4-407. Dispute over amount of wages.

(a)(1) In a dispute over the amount of wages due to an employee, an employer shall pay, without condition, all wages or parts of wages that the employer concedes to be due to the employee.

(2) After a payment under subdivision (a)(1) of this section, the employee retains all remedies to which he or she might otherwise be entitled regarding any balance claimed.

(b)(1) The acceptance by an employee of a payment under this section does not constitute a release of the employee's claim to the balance of his or her claim.

(2) A release required by an employer as a condition of payment is void."

/s/ Greg Leding

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Deffenbaugh, **SENATE BILL NO. 1158** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 1158

Amend **SENATE BILL NO. 1158** as engrossed,
S4/11/13 (version: 04/11/2013 03:20:27 PM)

Add Representative Deffenbaugh as a cosponsor of the bill

/s/ Gary Deffenbaugh

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

/s/ Mrs. Sherri Stacks
Chief Clerk

SENATE BILL NO. 1064

BY: SENATOR S. FLOWERS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Wren, Wright.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Dale, Farrer, Hickerson, Miller, Payton, Rice, F. Smith, B. Wilkins, Word, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

Necessary to the passage of the bill51

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

SENATE BILL NO. 1097

BY: SENATOR ELLIOTT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, Carmine, Catlett, Clemmer, Copenhaver, Cozart, Davis, Deffenbaugh, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Womack, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Baird, Ballinger, J. Burris, Collins, Dale, J. Dickinson, Farrer, Lampkin, Leding, S. Malone, Miller, Payton, Rice, B. Wilkins, Williams, Word, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the passage of the bill51

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

SENATE BILL NO. 1086

BY: SENATOR K. INGRAM

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Farrer, F. Smith, B. Wilkins, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	96
Total number voting in the affirmative	96
Necessary to the passage of the bill	51

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

SENATE BILL NO. 1024

BY: SENATOR K. INGRAM

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Branscum, Broadaway, Carnine, Catlett, Copenhaver, Cozart, Dale, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total79

NEGATIVE: Ballinger, Bell, Davis, Dotson, Harris, D. Meeks.

Total6

ABSENT OR NOT VOTING: Baird, Bragg, J. Burris, Clemmer, Collins, C. Douglas, Farrer, Fielding, Miller, Neal, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast.....85

Total number voting in the affirmative79

Necessary to the passage of the bill51

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

SENATE BILL NO. 1122

BY: SENATOR. D. JOHNSON

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, Carnine, Catlett, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Wren, Wright.

Total78

NEGATIVE: Bell, Harris, Hobbs, D. Meeks.

Total4

ABSENT OR NOT VOTING: Baird, Ballinger, J. Burris, Clemmer, Collins, Dotson, C. Douglas, Farrer, Fite, Lampkin, Miller, Neal, Payton, Rice, Slinkard, B. Wilkins, Word, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative78

Necessary to the passage of the bill51

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

SENATE BILL NO. 940

BY: SENATOR B. SAMPLE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, Catlett, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, Bell, J. Burris, Clemmer, Collins, Dotson, C. Douglas, Farrer, Fielding, Leding, Miller, Neal, B. Wilkins, Mr. Speaker.

Total14

VOTING PRESENT: Carnine, Hutchison.

Total2

Total number of votes cast86

Total number voting in the affirmative84

Necessary to the passage of the bill51

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

SENATE BILL NO. 1108

BY: SENATOR RAPERT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Biviano, Bragg, Branscum, Broadway, J. Burris, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, D. Whitaker, H. Wilkins, Williams, Womack, Wren, Wright.

Total83

NEGATIVE: Miller, Wardlaw.

Total2

ABSENT OR NOT VOTING: Alexander, Baird, Barnett, Bell, Carnine, Clemmer, Harris, Lampkin, Lea, Payton, Westerman, B. Wilkins, Word, Mr. Speaker.

Total14

VOTING PRESENT: Hobbs.

Total1

Total number of votes cast.....86

Total number voting in the affirmative83

Necessary to the passage of the bill51

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

SENATE BILL NO. 1080

BY: SENATOR FILES

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: D. Altes, Ballinger, Davis, J. Edwards, Fite, Gossage, Hammer, Hawthorne, Hillman, House, Julian, Lenderman, Love, McGill, D. Meeks, Murdock, Neal, Ratliff, Scott, Shepherd, Steel, Williams, Wright.

Total23

NEGATIVE: Baine, Catlett, Dale, Deffenbaugh, Ferguson, Harris, Hickerson, Hopper, Hutchison, Kizzia, Lampkin, Magie, McElroy, McLean, S. Meeks, Miller, Nickels, Payton, Vines, Walker.

Total20

ABSENT OR NOT VOTING: Alexander, C. Armstrong, E. Armstrong, Baird, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Clemmer, Collins, Copenhaver, Cozart, J. Dickinson, Dotson, C. Douglas, D. Douglas, Eubanks, Farrer, Fielding, Gillam, Hodges, Holcomb, Jean, Jett, Kerr, Lea, Leding, Linck, Lowery, S. Malone, Mayberry, McCrary, B. Overbey, Perry, Rice, Richey, Sabin, Slinkard, F. Smith, Talley, T. Thompson, W. Wagner, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Word, Wren, Mr. Speaker.

Total55

VOTING PRESENT: Hobbs, H. Wilkins.

Total2

Total number of votes cast45

Total number voting in the affirmative23

Necessary to the passage of the bill51

So the Bill failed.

Upon motion of Representative Baird, **HOUSE BILL NO. 1154** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 6 TO HOUSE BILL NO. 1154

Amend **HOUSE BILL NO. 1154** as engrossed,
H4/16/13 (version: 04/16/2013 05:03:29 PM)

Page 37, line 26, delete "\$85,000" and substitute "\$185,000"

AND

Page 37, immediately following SECTION 86, insert four new sections:

" SECTION 87. APPROPRIATION - PARTNERS FOR INCLUSIVE COMMUNITIES - SICKLE CELL ANEMIA TASK FORCE. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for a funding and appropriation transfer for a grant to the University of Arkansas - Fayetteville - College of Education and Health Professions for personal services and general operating expenses of the Partners for Inclusive Communities - Sickle Cell Anemia Task Force, in a sum not to exceed\$100,000.

SECTION 88. APPROPRIATION - RADIATION THERAPY INSTITUTES GRANT. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for a funding and appropriation transfer for a grant to the Department of Human Services for a grant to Radiation Therapy Institutes for providing radiation therapy services, in a sum not to exceed ...\$250,000.

SECTION 89. APPROPRIATION - FLYING SCHOOL MUSEUMS. There is hereby appropriated, to the Department of Finance and Administration - Disbursing Officer, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for a funding and appropriation transfer for a grant to the Department of Arkansas Heritage for grants for maintenance and operations, construction, repairs and personal services for flying school museums, in a sum not to exceed\$100,000.

SECTION 90. APPROPRIATION - GRANTS FOR BROADBAND

ACTIVITIES. There is hereby appropriated to the Department of Finance and Administration - Disbursing Officer, payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for a transfer of funding and appropriation for a grant for the Arkansas Science and Technology Authority for broadband mapping and other activities that will increase broadband access and adoption through better data collection and broadband planning, in a sum not to exceed
.....\$1,300,000.".

AND
Appropriately renumber the SECTION numbers.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1202** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 1202

Amend **HOUSE BILL NO. 1202** as engrossed,
H3/18/13 (version: 03/18/2013 03:10:22 PM)

Page 2, line 2, delete "30" and substitute "32"

AND

Page 2, line 17, delete "93" and substitute "95"

AND

Page 3, line 2, delete "\$3,035,185" and substitute "\$3,244,249"

AND

Page 3, line 4, delete "1,075,073" and substitute "1,137,792"

AND

Page 3, line 6, delete "1,032,373" and substitute "1,082,373"

AND

Page 3, line 7, delete "28,751" and substitute "31,968"

AND

Page 3, line 13, delete "\$6,789,261" and substitute "\$7,114,261".

/s/ Duncan Baird

The Amendment was read and the vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baird, Baltz, Bragg, Broadaway, J. Burris, Catlett, Collins, Copenhaver, Cozart, J. Dickinson, J. Edwards, Ferguson, Fielding, Hawthorne, Hillman, Hodges, Holcomb, Hutchison, Jett, Julian, Kizzia, Leding, Lenderman, Love, Magie, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total54

NEGATIVE: Alexander, Ballinger, Barnett, Bell, Carnine, Dale, Deffenbaugh, Eubanks, Farrer, Fite, Gossage, Hammer, Harris, Hickerson, Hobbs, Hopper, House, Kerr, Lea, Lowery, D. Meeks, Miller, Payton, Slinkard, Womack.

Total25

ABSENT OR NOT VOTING: D. Altes, Baine, Biviano, Branscum, Clemmer, Davis, Dotson, C. Douglas, D. Douglas, Gillam, Jean, Lampkin, S. Malone, Mayberry, S. Meeks, Rice, Scott, Westerman, B. Wilkins, Mr. Speaker.

Total20

VOTING PRESENT: Linck.

Total1

Total number of votes cast80

Total number voting in the affirmative54

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

HOUSE BILL NO. 1214

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1214**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 209

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 209**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 210

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total 18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 210**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 211

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 211**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 221

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast.....82

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 221**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Bell, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Word, Wren, Wright.

Total82

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Ballinger, Biviano, Clemmer, Dotson, C. Douglas, Farrer, Hickerson, Hopper, Kerr, S. Malone, Miller, Payton, Westerman, B. Wilkins, Womack, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1088

BY: JOINT BUDGET COMMITTEE

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Baine, Baird, Bragg, J. Burris, Collins, Cozart, Dale, Deffenbaugh, D. Douglas, Gillam, Hammer, Hickerson, Hillman, Hutchison, Jett, Lea, S. Malone, Mayberry, McElroy, McLean, D. Meeks, S. Meeks, Neal, Scott, Shepherd, Slinkard, Vines.

Total27

NEGATIVE: E. Armstrong, Baltz, Barnett, Broadaway, Carnine, Catlett, Copenhaver, J. Dickinson, J. Edwards, Fielding, Fite, Harris, Hawthorne, Hobbs, Holcomb, House, Julian, Kerr, Leding, Lenderman, Love, Magie, McCrary, McGill, Miller, Nickels, Perry, Ratliff, Richey, Steel, T. Thompson, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Wright.

Total37

ABSENT OR NOT VOTING: Alexander, D. Altes, C. Armstrong, Ballinger, Bell, Biviano, Branscum, Clemmer, Davis, Dotson, C. Douglas, Eubanks, Farrer, Ferguson, Gossage, Hodges, Hopper, Jean, Kizzia, Lampkin, Linck, Lowery, Murdock, B. Overbey, Payton, Rice, Sabin, F. Smith, Talley, W. Wagner, Westerman, B. Wilkins, Womack, Word, Wren, Mr. Speaker.

Total36

VOTING PRESENT:

Total0

Total number of votes cast.....64

Total number voting in the affirmative27

Necessary to the passage of the bill75

So the Bill failed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1088**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Baine, Baird, Bragg, J. Burris, Collins, Cozart, Dale, Deffenbaugh, D. Douglas, Gillam, Hammer, Hickerson, Hillman, Hutchison, Jett, Lea, S. Malone, Mayberry, McElroy, McLean, D. Meeks, S. Meeks, Neal, Scott, Shepherd, Slinkard, Vines.

Total27

NEGATIVE: E. Armstrong, Baltz, Barnett, Broadaway, Carnine, Catlett, Copenhaver, J. Dickinson, J. Edwards, Fielding, Fite, Harris, Hawthorne, Hobbs, Holcomb, House, Julian, Kerr, Leding, Lenderman, Love, Magie, McCrary, McGill, Miller, Nickels, Perry, Ratliff, Richey, Steel, T. Thompson, Walker, Wardlaw, D. Whitaker, H. Wilkins, Williams, Wright.

Total37

ABSENT OR NOT VOTING: Alexander, D. Altes, C. Armstrong, Ballinger, Bell, Biviano, Branscum, Clemmer, Davis, Dotson, C. Douglas, Eubanks, Farrer, Ferguson, Gossage, Hodges, Hopper, Jean, Kizzia, Lampkin, Linck, Lowery, Murdock, B. Overbey, Payton, Rice, Sabin, F. Smith, Talley, W. Wagner, Westerman, B. Wilkins, Womack, Word, Wren, Mr. Speaker.

Total36

VOTING PRESENT:

Total0

Total number of votes cast64

Total number voting in the affirmative27

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was not adopted.

HOUSE BILL NO. 1493

BY: REPRESENTATIVE HAMMER

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Neal, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, Walker, D. Whitaker, H. Wilkins, Williams, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Branscum, Clemmer, Eubanks, Farrer, Hopper, Lampkin, Linck, Miller, Murdock, Nickels, Payton, W. Wagner, Wardlaw, Westerman, B. Wilkins, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1493**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Neal, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, Walker, D. Whitaker, H. Wilkins, Williams, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Branscum, Clemmer, Eubanks, Farrer, Hopper, Lampkin, Linck, Miller, Murdock, Nickels, Payton, W. Wagner, Wardlaw, Westerman, B. Wilkins, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative81

Necessary to the passage of the bill67

So the Emergency Clause was adopted.

STATE OF ARKANSAS
ARKANSAS SENATE

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

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STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 17, 2013

The Honorable Sherri Stacks
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, **SENATE BILL NO. 1084**.

Respectfully submitted,

/s/ Ann Cornwell

Ann Cornwell, Director
Secretary of the Senate

Leave was granted to return **SENATE BILL NO. 1084** to the Senate.

NOTICE OF RETURN OF SENATE BILL AS REQUESTED

SENATE BILL NO. 1084

BY SENATOR FILES

The House stood in recess at 4:46 p.m. and reconvened at 5:13 p.m.

Representative Burris moved that the record by which **SENATE BILL NO. 1020** passed be expunged from the record.

The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Wren, Wright.

Total79

NEGATIVE: Barnett, Farrer, Hobbs, Miller, Payton.

Total5

ABSENT OR NOT VOTING: Ballinger, Bell, Carnine, Cozart, Dale, Dotson, Hopper, Jean, Nickels, Rice, Slinkard, T. Thompson, B. Wilkins, Womack, Word, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative79

Necessary to the passage of the bill67

So the Motion was adopted.

Representative Burris moved to re-refer **SENATE BILL NO. 1020** back to the Committee on PUBLIC HEALTH, WELFARE AND LABOR. Motion carried.

The House stood in recess at 5:17 p.m. and reconvened at 7:02 p.m.

Upon motion of Representative Burris, **SENATE BILL NO. 1020** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO SENATE BILL NO. 1020

Amend **SENATE BILL NO. 1020** as engrossed,
H4/10/13 (version: 04/10/2013 03:48:52 PM)

To add Senator Irvin as a cosponsor of the bill

AND

Page 4, line 28, delete "and"

AND

Page 4, delete line 31 and substitute the following:

"Health Insurance Marketplace; and

(9) "Independence account" mean individual financing structures that operate similar to a health savings account or a medical savings account."

AND

Page 4, delete lines 34 through 36 and substitute the following:

"(a) The Department of Human Services shall:

(1) Create and administer the Health Care Independence Program;

and

(2)(A) Submit and apply for any:

(i) Federal waivers necessary to implement the program in a manner consistent with this subchapter, including without limitation approval for a comprehensive waiver under Section 1115 of the Social Security Act, 42 U.S.C. § 1315; and

(ii)(a) Medicaid State Plan Amendments necessary to implement the program in a manner consistent with this subchapter.

(b) The Department of Human Services shall submit only those Medicaid State Plan Amendments under subdivision (a)(2)(A)(ii)(a) of this section that are optional and therefore may be revoked by the state at its discretion.

(B)(i) As part of its actions under subdivision (a)(2)(A) of this section, the Department of Human Services shall confirm that employers shall not be subject to the penalties, including without limitation an assessable payment, under Section 1513 of Pub. L. No. 111-148, as existing on January 1, 2013, concerning shared responsibility, for employees who are eligible individuals if the employees:

(a) Are enrolled in the program; and

(b) Enroll in a Qualified Health Plan through the Health Insurance Marketplace.

(ii) If the Department of Human Services is unable to confirm provisions under subdivision (a)(2)(B)(i) of this section, the program shall not be implemented."

AND

Page 5, delete lines 1 through 3

AND

Page 6, delete lines 26 through 34 and substitute the following:

"(j)(1) The Department of Human Services shall develop a model and seek from the Center for Medicare and Medicaid Services all necessary waivers and approvals to allow non-aged, non-disabled program-eligible participants to enroll in a program that will create and utilize Independence Accounts that operate similar to a Health Savings Account or Medical Savings Account during the calendar year 2015.

(2) The Independence Accounts shall:

(A) Allow a participant to purchase cost-effective high-deductible health insurance; and

(B) Promote independence and self-sufficiency.

(3) The state shall implement cost sharing and co-pays and, as a condition of participation, earnings shall exceed fifty percent (50%) of the federal poverty level.

(4) Participants may receive rewards based on healthy living and self-sufficiency.

(5)(A) At the end of each fiscal year, if there are funds remaining in the account, a majority of the state's contribution will remain in the participant's control as a positive incentive for the responsible use of the health care system and personal responsibility of health maintenance.

(B) Uses of the funds may include without limitation rolling the funds into a private sector health savings account for the participant according to rules promulgated by the Department of Human Services.

(6) The Department of Human Services shall promulgate rules to implement this subsection (j)."

AND

Page 7, line 24, delete "(b)" and substitute "(b)(1)"

AND

Page 7, delete line 26 and substitute the following:

"subchapter.

(2) A participating carrier in the Health Insurance Marketplace shall maintain a medical loss ratio of at least eighty percent (80%) for an individual and small group market policy and at least eighty-five percent (85%) for a large group market policy as required under Pub. L. No. 111-148, as existing on January 1, 2013."

AND

Page 9, delete line 2 and substitute the following:

"not passed by the Eighty-Ninth General Assembly, this act is void.

SECTION 4. NOT TO BE CODIFIED. The enactment and adoption of this act shall supersede Section 21 of HB1219 of the Eighty-Ninth General Assembly, if Section 21 of HB1219 of the Eighty-Ninth General Assembly is enacted and adopted by the Eighty-Ninth General Assembly."

AND

Appropriately renumber all sections of the bill

/s/ John Burris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total74

NEGATIVE: Ballinger, Barnett, Bell, Carnine, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Gossage, Hammer, Harris, Hobbs, Hopper, Jean, Kerr, D. Meeks, Miller, Payton, Westerman, Womack.

Total22

ABSENT OR NOT VOTING: Alexander, D. Altes, Rice, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative74

Necessary to the adoption of the motion51

So the Motion was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Burris, **SENATE BILL NO. 1020** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO SENATE BILL NO. 1020

Amend **SENATE BILL NO. 1020** as engrossed,
H4/10/13 (version: 04/10/2013 03:48:52 PM)

Delete Section 5 of the bill in its entirety

AND

Immediately following the last section of the bill add an additional section to read as follows:

“SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Health Care Independence Program requires private insurance companies to create, present to the Department of Human Services for approval, implement, and market a new kind of insurance policy; and that the private insurance companies need certainty about the law creating the Health Care Independence Program before fully investing time, funds, personnel, and other resources to the development of the new insurance policies. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

/s/ John Burris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total73

NEGATIVE: Ballinger, Barnett, Bell, Carnine, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Fite, Gossage, Harris, Hobbs, Hopper, Hutchison, Jean, Kerr, D. Meeks, S. Meeks, Miller, Westerman, Womack.

Total23

ABSENT OR NOT VOTING: Alexander, Payton, Rice, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative73

Necessary to the adoption of the motion51

So the Motion was adopted.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Steel moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1901

Amend HOUSE BILL NO. 1901 as engrossed,
H3/22/13 (version: 03/22/2013 09:56:41 AM)

Page 3, delete lines 1 through 3 and substitute:

"(e) Nothing in this section:

(1) Prevents an employer from complying with the requirements of federal, state, or local laws, rules, or regulations or the rules or regulations of self-regulatory organizations; or

(2)(A) Affects an employer's existing rights or obligations to request an employee to disclose his or her username and password for the purpose of accessing a social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the employer of allegations of an employee's violation of federal, state, or local laws or regulations or of the employer's written policies.

(B) If an employer exercises its rights under subdivision (e)(2)(A) of this section, the employee's username and password shall only be used for the purpose of the formal investigation or a related proceeding."

/s/ Missy Irvin

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Love, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Gillam, Lampkin, Lowery, Miller, Rice, Word, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Steel moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1901

Amend **HOUSE BILL NO. 1901** as engrossed,
H3/22/13 (version: 03/22/2013 09:56:41 AM)

Page 2, line 20, delete "(b)" and substitute "(b)(1)"

AND

Page 2, line 22, delete "(1)" and substitute "(A)"

AND

Page 2, line 24, delete "(2)" and substitute "(B)"

AND

Page 2, line 26, delete "(3)" and substitute "(C)"

AND

Page 2, delete line 27 and substitute:

"social media account.

(2) If an employer inadvertently receives an employee's username, password, or other login information to the employee's social media account through the use of an electronic device provided to the employee by the employer or a program that monitors an employer's network the employer is not liable for having the information but may not use the information to gain access to an employee's social media account."

/s/ Missy Irvin

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kizzia, Lea, Leding, Lenderman, Linck, Love, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: C. Douglas, Gillam, Kerr, Lampkin, Lowery, Miller, Rice, Word, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Edwards moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1921

Amend **HOUSE BILL NO. 1921** as engrossed,
H4/10/13 (version: 04/10/2013 9:55:20 AM)

Page 2, line 2, delete "Terminal."

AND

Page 2, line 5, delete "Terminal."

AND

Page 2, line 7, delete "authorities, private terminals." and substitute "authorities"

AND

Page 2, line 10, delete "or private"

AND

Page 2, line 24, delete "authority, private terminal." and substitute "authority"

AND

Page 2, line 27, delete "authority." and substitute "authority"

AND

Page 2, line 28, delete "private terminal."

AND

Page 2, line 34, delete "authority, private terminal." and substitute "authority"

/s/ Jake Files

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Love, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, C. Douglas, Gillam, Lampkin, Lowery, Miller, Payton, Westerman, Word, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Gillam moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1962

Amend **HOUSE BILL NO. 1962** as engrossed,
H3/19/13 (version: 03/19/2013 2:11:09 PM)

Page 2, line 4, delete "living" and substitute "living full time"

AND

Page 2, delete lines 19 through 30 and substitute:

"(4)(A) In determining a reasonable amount of alimony to be paid by either party, the court may provide for periodic payments as follows, as calculated in the family support chart, if the payee is determined to be a dependent spouse:

(i) Up to, but not to exceed, twenty-five percent (25%) of the payer's net income for an award of lifetime alimony if the marriage lasted less than ten (10) years;

(ii) Up to, but not to exceed, thirty-five percent (35%) of the payer's net income for an award of lifetime alimony if the marriage lasted ten (10) years or more; or

(iii) Any amount for an award for a predetermined and set number of years.

(B) A court may deviate from the threshold amounts described in this subdivision (a)(4) in cases where there is a preexisting medical condition to be considered or if there is an extreme financial disparity between the spouses."

AND

Page 3, line 13, delete "rehabilitation or" and substitute "rehabilitation"

AND

Page 3, line 14, delete "reimbursement"

AND

Page 3, line 22, delete "wholly dependent" and substitute "dependent"

AND

Page 3, line 23, delete "plan, a reimbursement plan, or both" and substitute "plan"

AND

Page 3, line 35, delete "guarantee in such amount" and substitute "guarantee such as life insurance in an ~~such~~ amount"

/s/ Jon Woods

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, Dotson, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Branscum, J. Dickinson, C. Douglas, Hickerson, Lampkin, Neal, Westerman, Word, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Gillam moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1962

Amend HOUSE BILL NO. 1962 as engrossed,
S4/2/13 (version: 04/02/2013 9:45:48 AM)

Page 2, delete lines 19 through 34

AND

Page 2, line 35, delete "~~(3)(5)(A)~~" and substitute "~~(3)(4)(A)~~"

AND

Page 3, line 5, delete "~~(4)(6)~~" and substitute "~~(4)(5)~~"

AND

Page 3, line 8, delete "~~(5)(A)(7)(A)~~" and substitute "~~(5)(A)(6)(A)~~"

AND

Page 3, delete line 15 and substitute:

"the individual to live independently from the custodial parent.

(7) Both a person paying alimony and a person receiving alimony are entitled to petition the court for a review, modification, or both of the court's alimony order at any time based upon a significant and material change of circumstances."

AND

Page 3, delete lines 24 through 32 and substitute:

"(2) When a request for rehabilitative alimony is made to the court, the payer may request or the court may require the recipient to provide a plan of rehabilitation for the court to consider in determining:

(A) Whether or not the plan is feasible; and

(B) The amount and duration of the award.

(3) If the recipient fails to meet the requirements of the rehabilitative plan, the payer may petition the court for a review to determine if rehabilitative alimony shall continue or be modified."

/s/ Jon Woods

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, Dotson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: J. Dickinson, C. Douglas, J. Edwards, Hawthorne, Hickerson, Lampkin, Neal, Westerman, Word, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Hammer moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 2283

Amend HOUSE BILL NO. 2283 as engrossed,

H3/21/13 (version: 03/21/2013 11:58:16 AM)

Add Senator G. Stubblefield as a cosponsor of the bill

/s/ Gary Stubblefield

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, J. Dickinson, Dotson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Deffenbaugh, C. Douglas, J. Edwards, Hickerson, Ratliff, Word, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks

Chief Clerk

SENATE BILL NO. 1158

BY: SENATOR D. SANDERS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Magie, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total93

NEGATIVE: Mayberry.

Total1

ABSENT OR NOT VOTING: Baird, Ballinger, Lowery, S. Malone, Steel, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

SENATE BILL NO. 909

BY: SENATOR K. INGRAM

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Wren, Wright.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Baird, C. Douglas, J. Edwards, Harris, Miller, Payton, Westerman, Word, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

SENATE BILL NO. 1050

BY: SENATOR ELLIOTT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Bragg, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Wren, Wright.

Total77

NEGATIVE: Alexander, Ballinger, Harris, Hobbs, D. Meeks, Womack.

Total6

ABSENT OR NOT VOTING: Baird, Bell, Branscum, Collins, Dotson, C. Douglas, J. Edwards, Kerr, Linck, S. Meeks, Miller, Neal, Payton, Walker, Westerman, Word, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Total number voting in the affirmative77

Necessary to the passage of the bill51

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

SENATE BILL NO. 1115

BY: SENATOR J. KEY

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, E. Armstrong, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, Carnine, Catlett, Clemmer, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Julian, Kizzia, Leding, Lenderman, Lowery, S. Malone, Mayberry, McCrary, McGill, McLean, D. Meeks, S. Meeks, Neal, Nickels, B. Overbey, Payton, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, F. Smith, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, D. Whitaker, B. Wilkins, Womack, Wren.

Total70

NEGATIVE: Baird, Ballinger, Collins, Harris, Love, Walker.

Total6

ABSENT OR NOT VOTING: C. Armstrong, Baine, Bell, J. Burris, Dotson, Jett, Kerr, Lampkin, Lea, Linck, Magie, McElroy, Miller, Murdock, Perry, Sabin, Steel, Westerman, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total23

VOTING PRESENT: Hobbs.

Total1

Total number of votes cast.....77

Total number voting in the affirmative70

Necessary to the passage of the bill51

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

The House stood in recess at 7:57 p.m.

STATE OF ARKANSAS
ARKANSAS SENATE

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

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CELL: 501- 837-7777

E-MAIL: ann.cornwell@senate.ar.gov

STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 17, 2013

The Honorable Sherri Stacks
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, **HOUSE BILL NO. 1878**.

Respectfully submitted,

/s/ Ann Cornwell

Ann Cornwell, Director
Secretary of the Senate

Leave was granted to return **HOUSE BILL NO. 1878** back to the Senate.

The House reconvened at 8:55 p.m.

Representative Burriss moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1143

Amend HOUSE BILL NO. 1143 as engrossed,

(version: 04/16/2013 03:22:35 PM)

Add Senator Irvin as a cosponsor of the bill

AND

Page 4, line 29, delete "and"

AND

Page 4, delete line 32 and substitute the following:

"Health Insurance Marketplace; and

(9) "Independence account" mean individual financing structures that operate similar to a health savings account or a medical savings account."

AND

Page 4, delete lines 35 and 36 and substitute the following:

"(a) The Department of Human Services shall:

(1) Create and administer the Health Care Independence Program;

and

(2)(A) Submit and apply for any:

(i) Federal waivers necessary to implement the program in a manner consistent with this subchapter, including without limitation approval for a comprehensive waiver under Section 1115 of the Social Security Act, 42 U.S.C. § 1315; and

(ii)(a) Medicaid State Plan Amendments necessary to implement the program in a manner consistent with this subchapter.

(b) The Department of Human Services shall submit only those Medicaid State Plan Amendments under subdivision (a)(2)(A)(ii)(a) of this section that are optional and therefore may be revoked by the state at its discretion.

(B)(i) As part of its actions under subdivision (a)(2)(A) of this section, the Department of Human Services shall confirm that employers shall not be subject to the penalties, including without limitation an assessable payment, under

Section 1513 of Pub. L. No. 111-148, as existing on January 1, 2013, concerning shared responsibility, for employees who are eligible individuals if the employees:

(a) Are enrolled in the program; and

(b) Enroll in a Qualified Health Plan through the Health Insurance Marketplace.

(ii) If the Department of Human Services is unable to confirm provisions under subdivision (a)(2)(B)(i) of this section, the program shall not be implemented."

AND

Page 5, delete lines 1 through 4

AND

Page 6, delete lines 27 through 35 and substitute the following:

"(j)(1) The Department of Human Services shall develop a model and seek from the Center for Medicare and Medicaid Services all necessary waivers and approvals to allow non-aged, non-disabled program-eligible participants to enroll in a program that will create and utilize Independence Accounts that operate similar to a Health Savings Account or Medical Savings Account during the calendar year 2015.

(2) The Independence Accounts shall:

(A) Allow a participant to purchase cost-effective high-deductible health insurance; and

(B) Promote independence and self-sufficiency.

(3) The state shall implement cost sharing and co-pays and, as a condition of participation, earnings shall exceed fifty percent (50%) of the federal poverty level.

(4) Participants may receive rewards based on healthy living and self-sufficiency.

(5)(A) At the end of each fiscal year, if there are funds remaining in the account, a majority of the state's contribution will remain in the participant's control as a positive incentive for the responsible use of the health care system and personal responsibility of health maintenance.

(B) Uses of the funds may include without limitation rolling the funds into a private sector health savings account for the participant according to rules promulgated by the Department of Human Services.

(6) The Department of Human Services shall promulgate rules to implement this subsection (j)."

AND

Page 7, line 25, delete "(b)" and substitute "(b)(1)"

AND

Page 7, delete line 27 and substitute the following:

"subchapter.

(2) A participating carrier in the Health Insurance Marketplace shall maintain a medical loss ratio of at least eighty percent (80%) for an individual and small group market policy and at least eighty-five percent (85%) for a large group market policy as required under Pub. L. No. 111-148, as existing on January 1, 2013."

AND

Page 9, delete line 3 and substitute the following:

"not passed by the Eighty-Ninth General Assembly, this act is void.

SECTION 4. NOT TO BE CODIFIED. The enactment and adoption of this act shall supersede Section 21 of HB1219 of the Eighty-Ninth General Assembly, if Section 21 of HB1219 of the Eighty-Ninth General Assembly is enacted and adopted."

/s/ Jonathan Dismang

The Amendment was read and the vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total71

NEGATIVE: Ballinger, Barnett, Bell, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Fite, Gossage, Hammer, Harris, Hobbs, Hopper, Jean, D. Meeks, S. Meeks, Miller, Payton, Westerman, Womack.

Total22

ABSENT OR NOT VOTING: Alexander, Carnine, Kerr, Perry, Rice, Slinkard, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative71

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

Representative Burris moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1143

Amend **HOUSE BILL NO. 1143** as engrossed,

(version: 04/16/2013 03:22:35 PM)

Insert a new section immediately following the last section of the bill to read as follows:

“SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Health Care Independence Program requires private insurance companies to create, present to the Department of Human Services for approval, implement, and market a new kind of insurance policy; and that the private insurance companies need certainty about the law creating the Health Care Independence Program before fully investing time, funds, personnel, and other resources to the development of the new insurance policies. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

/s/ Jonathan Dismang

The Amendment was read and the vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren, Wright.

Total72

NEGATIVE: Ballinger, Barnett, Bell, Carnine, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Fite, Gossage, Hammer, Harris, Hobbs, Hopper, Jean, Kerr, D. Meeks, S. Meeks, Miller, Payton, Westerman, Womack.

Total24

ABSENT OR NOT VOTING: Alexander, Rice, Slinkard, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative72

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

SENATE BILL NO. 1020

BY: SENATOR J. DISMANG

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren.

Total70

NEGATIVE: Ballinger, Bell, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Fite, Gossage, Hammer, Harris, Hobbs, Hopper, Hutchison, Jean, Kerr, D. Meeks, S. Meeks, Miller, Payton, Westerman, Womack.

Total23

ABSENT OR NOT VOTING: Alexander, Carnine, S. Malone, Rice, Slinkard, Wright, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative70

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 1020**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Collins, Copenhaver, Davis, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Word, Wren.

Total70

NEGATIVE: Ballinger, Bell, Cozart, Dale, Deffenbaugh, Dotson, C. Douglas, Farrer, Fite, Gossage, Hammer, Harris, Hobbs, Hopper, Hutchison, Jean, Kerr, D. Meeks, S. Meeks, Miller, Payton, Westerman, Womack.

Total23

ABSENT OR NOT VOTING: Alexander, Carnine, S. Malone, Rice, Slinkard, Wright, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative70

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 719

BY: SENATOR B. KING

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, J. Burris, Carnine, Catlett, Clemmer, Collins, Cozart, Davis, Deffenbaugh, Dotson, C. Douglas, D. Douglas, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Julian, Lea, Lowery, S. Malone, Mayberry, McCrary, McGill, McLean, D. Meeks, Miller, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, Vines, Walker, Wardlaw, Westerman, Womack, Wright.

Total66

NEGATIVE: Broadaway, Dale, Hillman, Hobbs, Jett, Kerr, Leding, Sabin, D. Whitaker.

Total9

ABSENT OR NOT VOTING: Baine, Branscum, Copenhaver, J. Dickinson, J. Edwards, Fielding, Kizzia, Lampkin, Lenderman, Linck, Love, Magie, McElroy, S. Meeks, Murdock, Rice, Richey, T. Thompson, W. Wagner, B. Wilkins, Williams, Wren, Mr. Speaker.

Total23

VOTING PRESENT: H. Wilkins, Word.

Total2

Total number of votes cast.....77

Total number voting in the affirmative66

Necessary to the passage of the bill51

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

 HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1214	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1493	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 1896	BY REPRESENTATIVE CLEMMER
HOUSE BILL NO. 2006	BY REPRESENTATIVE LEDING

 NOTICE OF RETURN OF HOUSE BILL, AS REQUESTED

HOUSE BILL NO. 1878	BY REPRESENTATIVE H. WILKINS
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 SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 209	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 210	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 211	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 221	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 821	BY SENATOR K. INGRAM
AS AMENDED #1	
SENATE BILL NO. 860	BY SENATOR RAPERT
AS AMENDED #1	
SENATE BILL NO. 909	BY SENATOR K. INGRAM
SENATE BILL NO. 940	BY SENATOR B. SAMPLE
SENATE BILL NO. 1010	BY SENATOR J. HUTCHINSON
SENATE BILL NO. 1024	BY SENATOR K. INGRAM
SENATE BILL NO. 1050	BY SENATOR ELLIOTT
SENATE BILL NO. 1064	BY SENATOR S. FLOWERS
AS AMENDED #1	
SENATE BILL NO. 1086	BY SENATOR K. INGRAM
SENATE BILL NO. 1097	BY SENATOR ELLIOTT
SENATE BILL NO. 1108	BY SENATOR RAPERT
SENATE BILL NO. 1115	BY SENATOR J. KEY
SENATE BILL NO. 1122	BY SENATOR D. JOHNSON
SENATE BILL NO. 1158	BY SENATOR D. SANDERS
AS AMENDED #1	

SENATE BILL ORDERED RETURNED TO THE SENATE AS PASSED,
THE EMERGENCY CLAUSE HAVING FAILED ADOPTION

SENATE BILL NO. 162

BY SENATOR E. CHEATHAM

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1017

BY REPRESENTATIVE D. ALTES

AS AMENDED #1

HOUSE BILL NO. 1102

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1118

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1132

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1143

BY REPRESENTATIVE J. BURRIS

AS AMENDED #1 & #2

HOUSE BILL NO. 1153

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1159

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1183

BY REPRESENTATIVE WRIGHT

HOUSE BILL NO. 1199

BY REPRESENTATIVE KIZZIA

HOUSE BILL NO. 1212

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1213

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1219

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1220

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1224

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1323

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1339

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1482

BY REPRESENTATIVE FERGUSON

HOUSE BILL NO. 1532

BY REPRESENTATIVE BROADAWAY

HOUSE BILL NO. 1542

BY REPRESENTATIVE KIZZIA

HOUSE BILL NO. 1543

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1578

BY REPRESENTATIVE WRIGHT

HOUSE BILL NO. 1579

BY REPRESENTATIVE WRIGHT

HOUSE BILL NO. 1612

BY REPRESENTATIVE EUBANKS

HOUSE BILL NO. 1638

BY REPRESENTATIVE WILLIAMS

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED, CONTINUED

HOUSE BILL NO. 1712 AS AMENDED #2	BY REPRESENTATIVE BRAGG
HOUSE BILL NO. 1714	BY REPRESENTATIVE WORD
HOUSE BILL NO. 1719	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1722	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1742	BY REPRESENTATIVE LINCK
HOUSE BILL NO. 1774	BY REPRESENTATIVE MCLEAN
HOUSE BILL NO. 1870	BY REPRESENTATIVE HODGES
HOUSE BILL NO. 1871	BY REPRESENTATIVE WORD
HOUSE BILL NO. 1878	BY REPRESENTATIVE H. WILKINS
HOUSE BILL NO. 1940	BY REPRESENTATIVE C. DOUGLAS
HOUSE BILL NO. 1993 AS AMENDED #1	BY REPRESENTATIVE STEEL
HOUSE BILL NO. 2009	BY REPRESENTATIVE COPENHAVER
HOUSE BILL NO. 2124 AS AMENDED #1	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2199	BY REPRESENTATIVE GILLAM
HOUSE BILL NO. 2267	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2278 AS AMENDED #1 & #2	BY REPRESENTATIVE WARDLAW
HOUSE BILL NO. 2283 AS AMENDED #1	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2297	BY REPRESENTATIVE STEEL

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE HAVING FAILED TO PASS

HOUSE BILL NO. 1741	BY REPRESENTATIVE WESTERMAN
HOUSE BILL NO. 1939	BY REPRESENTATIVE C. DOUGLAS

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 21	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 102	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 120	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 122	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 198	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 301	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 365	BY SENATOR TEAGUE
SENATE BILL NO. 1159	BY SENATOR D. SANDERS
SENATE BILL NO. 1164	BY SENATOR RAPERT
SENATE BILL NO. 1170	BY SENATOR RAPERT
SENATE BILL NO. 1173	BY SENATOR RAPERT
SENATE BILL NO. 1189	BY SENATOR BOOKOUT

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

April 17, 2013

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1143	BY REPRESENTATIVE J. BURRIS, ET AL
HOUSE BILL NO. 1155	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1395	BY REPRESENTATIVE WILLIAMS, ET AL
HOUSE BILL NO. 1471	BY HOUSE MANAGEMENT
HOUSE BILL NO. 1727	BY REPRESENTATIVE WILLIAMS, ET AL
HOUSE BILL NO. 1879	BY REPRESENTATIVE H. WILKINS
HOUSE BILL NO. 1920	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 1990	BY REPRESENTATIVE KIZZIA
HOUSE BILL NO. 2036	BY REPRESENTATIVE SLINKARD, ET AL
HOUSE BILL NO. 2108	BY REPRESENTATIVE S. MALONE
HOUSE BILL NO. 2128	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2197	BY REPRESENTATIVE GILLAM
HOUSE BILL NO. 2208	BY REPRESENTATIVE H. WILKINS, ET AL
HOUSE BILL NO. 2210	BY REPRESENTATIVE S. MALONE
HOUSE BILL NO. 2248	BY REPRESENTATIVE BARNETT
HOUSE BILL NO. 2250	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2275	BY REPRESENTATIVE D. WHITAKER
HOUSE BILL NO. 2289	BY REPRESENTATIVE C. DOUGLAS

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 11:00 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Davy Carter,
Chairperson

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1143	BY REPRESENTATIVE J. BURRIS, ET AL
HOUSE BILL NO. 1155	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1395	BY REPRESENTATIVE WILLIAMS, ET AL
HOUSE BILL NO. 1471	BY HOUSE MANAGEMENT
HOUSE BILL NO. 1727	BY REPRESENTATIVE WILLIAMS, ET AL
HOUSE BILL NO. 1879	BY REPRESENTATIVE H. WILKINS
HOUSE BILL NO. 1920	BY REPRESENTATIVE J. EDWARDS
HOUSE BILL NO. 1990	BY REPRESENTATIVE KIZZIA
HOUSE BILL NO. 2036	BY REPRESENTATIVE SLINKARD, ET AL
HOUSE BILL NO. 2108	BY REPRESENTATIVE S. MALONE
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HOUSE BILL NO. 2248	BY REPRESENTATIVE BARNETT
HOUSE BILL NO. 2250	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2275	BY REPRESENTATIVE D. WHITAKER
HOUSE BILL NO. 2289	BY REPRESENTATIVE C. DOUGLAS

/s/ Mike Beebe - Governor

TIME: 11:00 a.m.

By: Sarah Agee

SENATE BILL NO. 21

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE TITLE 19, CHAPTER 6, SUBCHAPTERS 2, 3, 4 AND 8 - THE REVENUE CLASSIFICATION LAW OF ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 102

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 ECONOMIC DEVELOPMENT COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 120

BY: JOINT BUDGET COMMITTEE

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF YOUTH SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 122

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 DEPARTMENT OF HIGHER EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 198

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 DEPARTMENT OF EDUCATION - DIVISION OF PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 301

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 UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 365

BY: SENATOR TEAGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ACT 3 OF THE REGULAR SESSION OF 2013, THE GENERAL APPROPRIATION ACT FOR THE ORDINARY EXPENSES OF THE EXECUTIVE, JUDICIAL AND LEGISLATIVE BRANCHES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 1159

BY: SENATOR D. SANDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE PERSONS AND ENTITIES TO COMPLY WITH ARKANSAS TAX LAW IN ORDER TO QUALIFY AS MEDICAID PROVIDERS.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 1164

BY: SENATOR RAPERT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE LEGAL STANDING AND NOTIFICATION TO MEMBERS OF THE GENERAL ASSEMBLY AND THE LEGISLATIVE COUNCIL CONCERNING A CONSTITUTIONAL CHALLENGE TO OR THE INTERPRETATION OF CERTAIN ARKANSAS LAWS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 1173

BY: SENATOR RAPERT

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ADMINISTRATION OF EPINEPHRINE BY SCHOOL PERSONNEL TO CHILDREN EXPERIENCING A LIFE-THREATENING ANAPHYLACTIC REACTION DUE TO FOOD ALLERGIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 1189

BY: SENATOR BOOKOUT

BY: REPRESENTATIVE BIVIANO

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE HEALTH INSURANCE MARKETPLACE NAVIGATOR PROGRAMS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

Upon motion of Representative Duncan Baird, the House adjourned at 9:05 p.m. until 1:00 p.m., Thursday, April 18, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk

