

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

Little Rock, Arkansas
January 28, 2015

The House was called to order at 1:34 p.m. by Mr. Gillam, the Speaker. The following members answered to the roll call:

C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Beck, Bell, Bennett, Bentley, Blake, Boyd, Bragg, Branscum, Broadaway, Brown, Collins, Copeland, Cozart, Davis, Deffenbaugh, Della Rosa, Dotson, C. Douglas, D. Douglas, Drown, Eads, Eaves, Eubanks, Farrer, D. Ferguson, K. Ferguson, Fielding, C. Fite, L. Fite, Flowers, Gates, Gonzales, Gossage, Michael Gray, Michelle Gray, Harris, Henderson, Hendren, Hickerson, Hillman, G. Hodges, M. Hodges, Holcomb, House, Jean, Jett, Johnson, Ladyman, Lampkin, Leding, Lemons, Linck, Love, Lundstrum, Magie, Mayberry, McElroy, McGill, McNair, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nicks, Overbey, Payton, Petty, Pitsch, Ratliff, Richey, Richmond, Rushing, Sabin, Scott, Shepherd, Smith, Sorvillo, Speaks, Sturch, Sullivan, Talley, Tosh, Tucker, Vaught, Vines, Walker, Wallace, Wardlaw, Whitaker, Womack, Wright, Mr. Speaker.

Total99

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

Total1

A quorum was present.

The House stood and was led in prayer by House Chaplain, Reverend Tim Noel, Pastor, Trinity Baptist Church, Searcy, Arkansas.

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

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

COMMITTEE REPORT

	January 28, 2015
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	DAVID HILLMAN CHAIRPERSON
HOUSE CONCURRENT RESOLUTION NO. 1003 BY REPRESENTATIVE D. DOUGLAS	DO PASS

COMMITTEE REPORT

	January 28, 2015
CITY, COUNTY AND LOCAL AFFAIRS	BETTY OVERBEY CHAIRPERSON
HOUSE BILL NO. 1005 BY REPRESENTATIVE MCELROY	DO PASS
HOUSE BILL NO. 1073 BY REPRESENTATIVE BOYD	DO PASS
HOUSE BILL NO. 1081 BY REPRESENTATIVE VINES	DO PASS
HOUSE BILL NO. 1118 BY REPRESENTATIVE OVERBEY	DO PASS

COMMITTEE REPORT

	January 28, 2015
HOUSE RULES	JOHN VINES CHAIRPERSON
HOUSE BILL NO. 1002 BY REPRESENTATIVE SABIN	DO PASS
HOUSE BILL NO. 1024 BY REPRESENTATIVE BROADAWAY	DO PASS

COMMITTEE REPORT

JOINT BUDGET	January 28, 2015
	LANE JEAN
	CHAIRPERSON
HOUSE BILL NO. 1025	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative Gillam, **SENATE BILL NO. 6** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 6

Amend **SENATE BILL NO. 6** as engrossed,
S1/22/15 (version: 01/22/2015 11:46:47 AM):

Add Representatives Jean, Jett, Collins, Bragg, Branscum, Cozart, D. Douglas, Eaves, L. Fite, Henderson as cosponsors of the bill

AND

Page 4, delete line 30, and substitute the following:

"(b)(1) Except as otherwise provided in this subsection, if a"

AND

Page 4, delete lines 33 through 35, and substitute the following:

"(2) If a taxpayer has a net capital gain ~~for tax years beginning on and after January 1, 2015, fifty percent (50%),~~ the following portion of the gain is exempt from state income tax-:

(A) From January 1, 2015, through January 31, 2015, fifty percent (50%); and

(B) Beginning on and after February 1, 2015, forty percent (40%)."

/s/ Jeremy Gillam

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

/s/ Sherri Stacks
Chief Clerk

Upon motion of Representative Davis, **HOUSE BILL NO. 1082** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1082

Amend **HOUSE BILL NO. 1082** as originally introduced:

Page 2, line 4, delete "sworn affidavit" and substitute "signed statement"

AND

Page 2, line 10, delete "~~the United States Postal Service~~ certified mail" and substitute "the United States Postal Service"

AND

Page 2, line 16, delete "affidavit" and substitute "signed statement"

AND

Page 2, delete line 23, and substitute the following:

"(C) Documentation showing that the sewer utility mailed the"

AND

Page 2, delete line 26, and substitute the following:

"this section.

(3) The signed statement required under this subsection may be sent to a water utility electronically."

/s/ Andy Davis

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

/s/ Sherri Stacks
Chief Clerk

Upon motion of Representative Davis, **HOUSE BILL NO. 1157** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1157

Amend **HOUSE BILL NO. 1157** as originally introduced:

Page 2, delete line 8, and substitute the following:

"(2) As used in this subsection, "family" means "family" as defined in the rules or procedures of the state law"

/s/ Andy Davis

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

/s/ Sherri Stacks
Chief Clerk

Upon motion of Representative J. Mayberry, **HOUSE BILL NO. 1150** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1150

Amend **HOUSE BILL NO. 1150** as originally introduced:

Page 2, delete lines 30 through 35, and substitute the following:

" (ii) "Minority party" means the political party that received the second greatest total number of votes for all of its candidates for the constitutional offices of this state in the last preceding general election if:

(a) All of the constitutional officers of this state are from a single political party; or

(b) Candidates of more than one (1) political party were elected to less than a majority of the constitutional offices and the candidates were elected to an equal number of constitutional offices;"

/s/ Julie Mayberry

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

/s/ Sherri Stacks
Chief Clerk

Upon motion of Representative Petty, HOUSE BILL NO. 1012 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1012

Amend HOUSE BILL NO. 1012 as originally introduced:

Page 3, delete lines 23 through 26 and substitute:

"(B) ~~In no case shall the~~ The number of viewers shall not exceed ~~five (5)~~ eighteen (18) per execution."

/s/ Rebecca Petty

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

/s/ Sherri Stacks
Chief Clerk

ENGROSSED BILL REPORTS

JEREMY GILLIAM, CHAIRPERSON

January 28, 2015

The following bill(s) reported correctly engrossed:

- HOUSE BILL NO. 1012 BY REPRESENTATIVE PETTY
- HOUSE BILL NO. 1082 BY REPRESENTATIVE DAVIS
- HOUSE BILL NO. 1150 BY REPRESENTATIVE J. MAYBERRY
- HOUSE BILL NO. 1157 BY REPRESENTATIVE DAVIS
- SENATE BILL NO. 6 - TITLE - BY REPRESENTATIVE GILLAM

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 6

BY: SENATORS J. DISMANG, *BLEDSON*, *BURNETT*, *CALDWELL*, *E. CHEATHAM*, *L. CHESTERFIELD*, *A. CLARK*, *COLLINS-SMITH*, *J. COOPER*, *J. ENGLISH*, *FILES*, *FLIPPO*, *S. FLOWERS*, *J. HENDREN*, *HESTER*, *HICKEY*, *J. HUTCHINSON*, *IRVIN*, *B. JOHNSON*, *U. LINDSEY*, *MALOCH*, *B. PIERCE*, *RAPERT*, *RICE*, *B. SAMPLE*, *D. SANDERS*, *G. STUBBLEFIELD*, *TEAGUE*, *E. WILLIAMS*, *J. WOODS*

BY: REPRESENTATIVES *GILLAM*, *JEAN*, *JETT*, *COLLINS*, *BRAGG*, *BRANSCUM*, *COZART*, *D. DOUGLAS*, *EAVES*, *L. FITE*, *HENDERSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE MIDDLE CLASS TAX RELIEF ACT OF 2015; TO AMEND THE INCOME TAX RATES FOR INDIVIDUALS, TRUSTS, AND ESTATES; TO ADJUST THE MINIMUM AND MAXIMUM DOLLAR AMOUNTS IN CERTAIN INCOME BRACKETS FOR INDIVIDUALS, TRUSTS, AND ESTATES; TO AMEND THE INCOME TAX APPLICABLE TO CAPITAL GAINS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

HOUSE BILL NO. 1185

BY: REPRESENTATIVE LEDING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS VETERANS TRAUMATIC BRAIN INJURY RECOVERY AND TREATMENT ACT; AND FOR OTHER PURPOSES.

Was read the first time. Speaker Gillam declared **HOUSE BILL NO. 1185** a shell bill and referred the bill to the Committee on Journal, Enrolled, and Engrossed Bills.

HOUSE BILL NO. 1186

BY: REPRESENTATIVE LEDING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REGULATE AIRCRAFT INSURANCE PRACTICES; TO MODIFY THE DEFINITION OF "CASUALTY INSURANCE" UNDER THE INSURANCE LAWS OF ARKANSAS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1187

BY: REPRESENTATIVE LEDING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT AGAINST INCOME TAX FOR BUSINESSES WHO EMPLOY RECENTLY RETURNED COMBAT VETERANS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1188

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1189

BY: REPRESENTATIVE HILLMAN

BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING ACCOUNTANTS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1190

BY: REPRESENTATIVE HAMMER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING REQUIREMENTS FOR A CONCEALED CARRY PERMIT; CONCERNING A CONCEALED CARRY PERMIT FOR PERSONS BETWEEN EIGHTEEN AND TWENTY-ONE YEARS OF AGE WHO ARE CURRENT OR FORMER MILITARY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1191

BY: REPRESENTATIVE COLLINS

BY: SENATOR U. LINDSEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE REGULATION OF RATES AND CHARGES UNDER THE ENERGY CONSERVATION ENDORSEMENT ACT OF 1977; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1192

BY: REPRESENTATIVE LEDING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO BE ACCOMPANIED BY A SERVICE ANIMAL; TO ADD A DEFINITION OF SERVICE ANIMAL; TO REMOVE DUPLICATE REFERENCES WITHIN THE ARKANSAS CODE PERTAINING TO A SEARCH AND RESCUE DOG; 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.

HOUSE RESOLUTION NO. 1006

BY: REPRESENTATIVE D. MEEKS

TO RECOGNIZE INTERNATIONAL OMPHALOCELE AWARENESS DAY ON JANUARY 31, 2015; AND TO COMMEND THE MOTHERS OF OMPHALOCELES FOR THEIR ADVOCACY EFFORTS.

Was read the first time, rules suspended, read the second time, and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

Upon motion of Representative S. Meeks, the House adjourned at 4:20 p.m. until 1:30 p.m., Thursday, January 29, 2015.

ATTEST:

Jeremy Gillam
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk