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NINTH DAY'S PROCEEDINGS
SENATE CHAMBER
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas
January 20, 2015

The Senate was called to order at 1:30 o'clock p.m. by the President.

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

BLEDSON, BURNETT, CALDWELL, CHEATHAM,
CHESTERFIELD, CLARK, COLLINS-SMITH, COOPER,
DISMANG, ELLIOTT, ENGLISH, FILES, FLIPPO,
FLOWERS, HENDREN, HESTER, HICKEY,
HUTCHINSON, INGRAM, IRVIN, B. JOHNSON,
D. JOHNSON, KING, LINDSEY, MALOCH, PIERCE,
RAPERT, RICE, SAMPLE, SANDERS, STUBBLEFIELD,
TEAGUE, WILLIAMS, WOODS.

The Senate was led in prayer by Senator Sanders.

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

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

SENATE BILL NO. 59
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE ARKANSAS STATE CLAIMS COMMISSION TO PROVIDE SPECIFIC FINDINGS OF FACT AND CONCLUSIONS OF LAW TO SUPPORT A FINAL ADJUDICATION FOR A CLAIM CONSIDERED BY THE COMMISSION; AND FOR OTHER PURPOSES.

Senate Bill No. 59 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 60
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 FIRE PROTECTION LICENSING BOARD FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 60 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 61
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. SAMPLE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS BLUE RIBBON COMMITTEE ON HIGHWAY FINANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 61 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY & LEGISLATIVE AFFAIRS.

SENATE BILL NO. 62
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR A GRANT FOR TEACH FOR AMERICA; AND FOR OTHER PURPOSES.

Senate Bill No. 62 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 63
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF ADMINISTRATIVE SERVICES FOR AFTER SCHOOL LITERACY AND NUTRITION PROGRAMS; AND FOR OTHER PURPOSES.

Senate Bill No. 63 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 64
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. WOODS
BY: REPRESENTATIVE D. WHITAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR AN ENHANCED PENALTY FOR THE OFFENSE OF DRIVING WHILE INTOXICATED WHEN A PERSON CAUSES AN ACCIDENT OR DRIVES WITHOUT A DRIVER'S LICENSE IN EFFECT WHILE INTOXICATED; AND FOR OTHER PURPOSES.

Senate Bill No. 64 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

The President declared the morning hour to have expired.

Senator Teague moved that the record pertaining to the vote by which House Bill No. 1023 passed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Teague, the rules were suspended in considering House Bill No. 1023 at this time.

On motion of Senator Teague, House Bill No. 1023 was called up for third reading and final disposition.

HOUSE BILL NO. 1023
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR SALARIES OF ELECTED PROSECUTING ATTORNEYS AND EXPENSES OF THE JUDICIAL BRANCH OF GOVERNMENT FOR THE AUDITOR OF STATE - GENERAL APPROPRIATIONS, ARKANSAS SENATE AND ARKANSAS HOUSE OF REPRESENTATIVES FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

House Bill No. 1023 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Bledsoe, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, Collins-Smith, J. Cooper, J. Dismang, Elliott, J. English, Files, Flippo, S. Flowers, J. Hendren, Hester, Hickey, J. Hutchinson, K. Ingram, Irvin, B. Johnson, D. Johnson, B. King, U. Lindsey, Maloch, B. Pierce, Rapert, Rice, B. Sample, D. Sanders, G. Stubblefield, Teague, E. Williams, J. Woods.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1023**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Bledsoe, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, Collins-Smith, J. Cooper, J. Dismang, Elliott, J. English, Files, Flippo, S. Flowers, J. Hendren, Hester, Hickey, J. Hutchinson, K. Ingram, Irvin, B. Johnson, D. Johnson, B. King, U. Lindsey, Maloch, B. Pierce, Rapert, Rice, B. Sample, D. Sanders, G. Stubblefield, Teague, E. Williams, J. Woods.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the adoption of the emergency clause.....24

So the emergency clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1023 was ordered immediately returned to the House as passed.

SENATE BILL NO. 65
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR ROAD AND BRIDGE REPAIR, MAINTENANCE, GRANTS, OPERATING EXPENSES OF THE NOAA WEATHER WARNING SYSTEM, AND OPERATING AND OTHER EXPENSES OF THE PUBLIC TRANSPORTATION PROGRAM FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 65 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 66
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR MAINTAINING AND OPERATING A CONTINUING EDUCATION PROGRAM FOR THE COUNTY CLERKS, CIRCUIT CLERKS, COUNTY TREASURERS, COUNTY COLLECTORS AND COUNTY CORONERS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 66 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 67
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 DEPUTY PROSECUTING ATTORNEYS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 67 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 68
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE REIMBURSEMENT OF A PORTION OF FULL-TIME JUVENILE PROBATION AND INTAKE OFFICERS' SALARIES AND FOR PAYING PERSONAL SERVICES FOR DRUG COURT JUVENILE PROBATION AND INTAKE OFFICERS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 68 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 69
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 AUDITOR OF STATE OPERATIONS AND UNCLAIMED PROPERTY PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 69 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 70
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 SUPREME COURT FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 70 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 71
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 MINORITY HEALTH COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 71 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 72
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ARKANSAS MINORITY HEALTH COMMISSION FOR THE MINORITY HEALTH INITIATIVE OF THE TARGETED STATE NEEDS PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 72 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 73
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
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 STUDENT LOAN AUTHORITY FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND FOR OTHER PURPOSES.

Senate Bill No. 73 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 74
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR SALARIES AND EXPENSES OF THE GOVERNOR'S LEGISLATIVE LIAISONS, LEGISLATIVE CLERK, LEGISLATIVE ASSISTANT CLERK, LEGISLATIVE SENIOR ADMINISTRATIVE ASSISTANT, LEGISLATIVE RECEPTIONIST AND LEGISLATIVE ADMINISTRATIVE ASSISTANT DURING THE NINETIETH SESSION OF THE ARKANSAS GENERAL ASSEMBLY FOR THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR ENDING JUNE 30, 2015; AND FOR OTHER PURPOSES.

Senate Bill No. 74 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 75
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR U. LINDSEY

A Bill for an Act to be Entitled: AN ACT TO AMEND HOW PRIVATE SCHOOL SERVICE IS RECORDED FOR PURPOSES OF RETIREMENT BENEFITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 75 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

SENATE BILL NO. 76
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HESTER
BY: REPRESENTATIVE DOTSON

A Bill for an Act to be Entitled: AN ACT TO ALLOW A PUBLIC SCHOOL TO EXCEED THE MAXIMUM CLASS SIZE AS ADOPTED BY THE STATE BOARD OF EDUCATION UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 76 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 77
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HESTER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT BUILDING CONSTRUCTION PROJECTS UNDER ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS DO NOT REQUIRE AN OWNER TO SECURE THE SERVICES OF A LICENSED ARCHITECT; AND FOR OTHER PURPOSES.

Senate Bill No. 77 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 78
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. STUBBLEFIELD

A Bill for an Act to be Entitled: AN ACT TO ELIMINATE PHYSICIAN SUPERVISION REQUIREMENTS IN ANESTHESIA ADMINISTRATION; TO MODIFY THE DEFINITION OF "PRACTICE OF CERTIFIED REGISTERED NURSE ANESTHESIA" BY DELETING SUPERVISION LANGUAGE PREVIOUSLY REQUIRED TO MEET MEDICARE REIMBURSEMENT MANDATES; TO PROVIDE IMMUNITY IN CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Senate Bill No. 78 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 79
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. WOODS
BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT TO ENACT THE PERSONAL RIGHTS PROTECTION ACT; TO PROTECT THE PROPERTY RIGHTS OF AN INDIVIDUAL TO THE USE OF THE INDIVIDUAL'S NAME, VOICE, SIGNATURE, AND LIKENESS; AND FOR OTHER PURPOSES.

Senate Bill No. 79 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1011
As Engrossed: H1/13/15
NINETIETH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BELL

A Bill for an Act to be Entitled: AN ACT TO GIVE THE DEPARTMENT OF HIGHER EDUCATION THE AUTHORITY TO APPROVE A SCHOLARSHIP HOLD FOR UP TO TWENTY-FOUR (24) MONTHS FOR MOST SCHOLARSHIP PROGRAMS; AND FOR OTHER PURPOSES.

House Bill No. 1011 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1014

NINETIETH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES GILLAM, GOSSAGE, EUBANKS, COZART,
C. ARMSTRONG, DEFFENBAUGH, C. DOUGLAS, HARRIS, G. HODGES,
LEDING, LOWERY, MCELROY, MURDOCK, SABIN

BY: SENATORS J. ENGLISH, U. LINDSEY, E. WILLIAMS, A. CLARK, B. PIERCE,
J. HENDREN, E. CHEATHAM, B. JOHNSON, ELLIOTT, COLLINS-SMITH

A Bill for an Act to be Entitled: AN ACT TO EXEMPT STATE INSTITUTIONS, POLITICAL SUBDIVISIONS, AND ANY OTHER APPLICABLE ENTITY WITH TORT LIABILITY IMMUNITY FROM THE REQUIREMENT TO OBTAIN GENERAL LIABILITY INSURANCE COVERAGE WHEN OBTAINING A CHILD CARE FACILITY LICENSE; AND FOR OTHER PURPOSES.

House Bill No. 1014 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1049

NINETIETH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE C. FITE

A Bill for an Act to be Entitled: AN ACT CONCERNING THE MEMBERSHIP OF THE STATE PARKS, RECREATION, AND TRAVEL COMMISSION; AND FOR OTHER PURPOSES.

House Bill No. 1049 was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY, & ECONOMIC DEVELOPMENT.

HOUSE BILL RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1023

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1011

HOUSE BILL NO. 1014

HOUSE BILL NO. 1049

On motion of Senator Dismang, the Senate adjourned until 1:30 p.m.,
Wednesday, January 21, 2015.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE