

**THIRD DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES
FISCAL SESSION**

Little Rock, Arkansas
February 10, 2010

The House was called to order at 1:30 p.m. by Mr. Wills, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Baird, Baker, Barnett, Betts, Blount, Bradford, Breedlove, Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, Cowling, Creekmore, Dale, Davenport, Davis, Dickinson, Dismang, Dunn, Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, Lewellen, Lindsey, Lovell, Lowery, Maloch, Malone, Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

The following member(s) was absent and did not answer to the roll call:
Carter, J. Rogers.

Total2

A quorum was present.

Unanimous leave was granted for Representative(s) Carter, J. Rogers.

The House stood and was led in prayer by House Chaplain Cornell Maltbia, True Holiness Saints Center, Conway, 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

	February 10, 2010
JOINT BUDGET	BRUCE MALOCH
	CHAIRPERSON
HOUSE BILL NO. 1003	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1004	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1005	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1006	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1007	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1008	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1009	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1010	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1011	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1012	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1014	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1015	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1016	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1017	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1018	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1021	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1022	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1023	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1025	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1026	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1027	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1028	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1029	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1030	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1031	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1033	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1034	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1036	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1038	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1039	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1042	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1047	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1048	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1049	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1050	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1051	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1054	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1055	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1056	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1057	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1058	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1059	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1060	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1061	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1062	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1063	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1064	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1065	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1067	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1069	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1071	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1073	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1074	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1075	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1076	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1077	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1078	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1079	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1080	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1082	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1083	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1084	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1085	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1086	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1088	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1089	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1090	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1093	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1095	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1096	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1097	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1098	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1099	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1102	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1105	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1108	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1109	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1110	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1112	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1113	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1114	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1116	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1117	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1118	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1119	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1120	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1121	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1124	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1125	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1127	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1128	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1130	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1131	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1132	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1133	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1134	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1136	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1137	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1138	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1139	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1140	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1141	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1142	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1143	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1144	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1146	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1147	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1149	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1150	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1151	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1152	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1153	DO PASS
BY JOINT BUDGET COMMITTEE	

HOUSE CONCURRENT RESOLUTION NO. 1002

BY: REPRESENTATIVE MALOCH

HOUSE CONCURRENT RESOLUTION NO. 1002 was placed on third reading, the question being shall the Resolution be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carter, J. Rogers.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the adoption of the resolution67

So the Resolution was adopted.

There being an Emergency Clause attached to **HOUSE CONCURRENT RESOLUTION NO. 1002**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carter, J. Rogers.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

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

So the Emergency Clause was adopted.

HOUSE CONCURRENT RESOLUTION NO. 1006

BY: REPRESENTATIVE WILLS

HOUSE CONCURRENT RESOLUTION NO. 1006 was placed on third reading, the question being shall the Resolution be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Carter, J. Rogers.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative	98
Necessary to the adoption of the resolution	67

So the Resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 1004

BY: REPRESENTATIVE EVERETT

HOUSE CONCURRENT RESOLUTION NO. 1004 was placed on third reading, the question being shall the Resolution be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total97

NEGATIVE: R. Green.

Total1

ABSENT OR NOT VOTING: Carter, J. Rogers.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative97

Necessary to the adoption of the resolution67

So the Resolution was adopted.

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1002	BY REPRESENTATIVE MALOCH
HOUSE CONCURRENT RESOLUTION NO. 1004	BY REPRESENTATIVE EVERETT
HOUSE CONCURRENT RESOLUTION NO. 1006	BY REPRESENTATIVE WILLS

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT RESOLUTION NO. 3	BY SENATOR SALMON
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ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas
February 10, 2010

MR. SPEAKER:

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

HOUSE CONCURRENT BY REPRESENTATIVE HYDE
RESOLUTION NO. 1003

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 10:55 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Wilhelmina Lewellen,
Chairperson

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE CONCURRENT BY REPRESENTATIVE HYDE
RESOLUTION NO. 1003

/s/ Mike Beebe - Governor

TIME: 10:55 a.m.

By: Marc Harrison

HOUSE BILL NO. 1155

BY: REPRESENTATIVE COOK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF PARKS AND TOURISM FOR THE DAVIDSONVILLE HISTORIC STATE PARK FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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. 1156

BY: REPRESENTATIVE MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE SOUTHERN ARKANSAS UNIVERSITY - SYSTEM ADMINISTRATION FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.

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

SENATE CONCURRENT RESOLUTION NO. 3

BY: SENATORS SALMON, BROADWAY, T. SMITH

A BILL FOR AN ACT TO BE ENTITLED TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL TO AMEND THE ARKANSAS SCHOLARSHIP LOTTERY ACT, ARKANSAS CODE § 23-115-101 ET SEQ. AND § 6-85-201 ET SEQ., AND OTHER ARKANSAS CODE SECTIONS RELATING TO THE ADMINISTRATION OF THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, PART 2; TO REQUIRE THE ARKANSAS LOTTERY COMMISSION TO WITHHOLD STATE INCOME TAX FROM LOTTERY PRIZE WINNINGS; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Curren Everett, the House adjourned at 3:41 p.m. until 10:30 a.m., Thursday, February 11, 2010.

ATTEST:

 Robbie Wills
 Speaker of the House of Representatives

 Sherri Stacks
 Chief Clerk