

FOURTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

January 13, 2011

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

Allen, Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, F. Smith, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total98

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

Total 1

A quorum was present.

Unanimous leave was granted for Representative(s) Barnett.

The House stood and was led in prayer by Pastor Donna Hankins-Hull, First United Methodist Church, Little Rock, 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 13, 2011

JOINT BUDGET

UVALDE LINDSEY

VICE-CHAIRPERSON

SENATE BILL NO. 1

DO PASS

BY SENATE EFFICIENCY

Upon motion of Representative J. Edwards, **HOUSE BILL NO. 1014** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1014

Amend **HOUSE BILL NO. 1014** as originally introduced:

Page 2, delete lines 24 through 30 and substitute:

"safety shall become effective on July 1, 2011."

/s/ John Edwards

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Pennartz, **HOUSE RESOLUTION NO. 1003** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE RESOLUTION NO. 1003

Amend **HOUSE RESOLUTION NO. 1003** as originally introduced:
Add Representatives Altes, Malone, Stubblefield, Post, Rice, and Deffenbaugh as cosponsors of the resolution.

/s/ Tracy Pennartz

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

/s/ Mrs. Sherri Stacks
Chief Clerk

ENGROSSED BILL REPORTS

HOUSE BILL NO. 1014 BY REPRESENTATIVE EDWARDS
HOUSE RESOLUTION NO. 1003 – TITLE – BY REPRESENTATIVE PENNARTZ

HOUSE RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE RESOLUTION NO. 1003

**BY: REPRESENTATIVES PENNARTZ, D. ALTES, S. MALONE, STUBBLEFIELD,
POST, RICE, DEFFENBAUGH**

A BILL FOR AN ACT TO BE ENTITLED TO HONOR THE UNITED STATES MARSHALS AND THEIR ROLE IN ARKANSAS HISTORY AND TO SUPPORT THE UNITED STATES MARSHALS MUSEUM IN FORT SMITH, ARKANSAS.

Morning Hour Expired.

SENATE CONCURRENT RESOLUTION NO.2

BY: SENATOR WHITAKER

PROVIDING THAT THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY SHALL RECESS ON THURSDAY, JANUARY 13, 2011, AND RECONVENE ON TUESDAY, JANUARY 18, 2011.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Representative Webb moved to re-refer **HOUSE BILL NO. 1063** back to JOINT BUDGET. Motion carried.

HOUSE BILL NO. 1090

BY: REPRESENTATIVE WEBB

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: Allen, Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, F. Smith, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Barnett.	
Total	1
VOTING PRESENT: English, Hobbs.	
Total	2
Total number of votes cast.....	98
Total number voting in the affirmative	96
Necessary to the passage of the bill	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1090**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Allen, Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck. Rogers, Sanders, Shepherd, Slinkard, F. Smith, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Barnett.	
Total	1
VOTING PRESENT: English, Hobbs.	
Total	2
Total number of votes cast	98
Total number voting in the affirmative	96
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1090

BY REPRESENTATIVE WEBB

SENATE CONCURRENT RESOLUTION ORDERED RETURNED TO THE
SENATE AS PASSED

SENATE CONCURRENT
RESOLUTION NO. 2

BY SENATOR WHITAKER

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

January 13, 2011

To Whom It May Concern:

I inadvertently voted "present" on **HOUSE BILL NO. 1090**. It was, however, my intention to vote "yes".

Sincerely,

/s/ Debra M. Hobbs
State Representative

DH/jwa

HOUSE BILL NO. 1099

BY: REPRESENTATIVES LENDERMAN, RATLIFF, B. WILKINS

A BILL FOR AN ACT TO BE ENTITLED TO ALLOW PUBLIC SCHOOL DISTRICTS FLEXIBILITY IN SCHOOL START DATES; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1100

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 STATE BOARD OF FINANCE FOR THE PURPOSE OF MANAGING AND INVESTING THE TOBACCO SETTLEMENT PROCEEDS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1101

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR INVESTMENTS OF CERTAIN TREASURY BALANCES, DEBT SERVICES, AND PREMIUMS AND DISCOUNTS BY THE STATE BOARD OF FINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1102

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 STATE BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1103

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 PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1104

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 STATE ATHLETIC COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1105

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 BOARD OF EXAMINERS IN COUNSELING FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1106

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 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1107

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 MOTOR VEHICLE COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1108

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 STATE BANK DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1109

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 COURT OF APPEALS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1110

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 GOVERNOR'S MANSION COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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. 1111

BY: REPRESENTATIVE STEWART

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE ARKANSAS TEACHER RETIREMENT SYSTEM TO PURCHASE ARMED FORCES RESERVE SERVICE CREDIT; TO ALLOW THE PURCHASE OF ONE YEAR OF CREDIT IN THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR ONE YEAR OF SERVICE IN THE NATIONAL GUARD AND ARMED FORCES RESERVE UP TO A MAXIMUM OF FIVE YEARS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1112

BY: REPRESENTATIVE STEWART

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE STATE POLICE RETIREMENT SYSTEM TO PURCHASE CREDITED SERVICE IN THE SYSTEM FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS FOR SERVICE IN THE NATIONAL GUARD OR ARMED FORCES RESERVE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1113

BY: REPRESENTATIVES B. OVERBEY, T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE ELECTION PROCEDURE FOR A VACANCY IN CERTAIN ELECTED MUNICIPAL OFFICES; 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. 1114

BY: REPRESENTATIVES B. OVERBEY, T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL THE STATUTE CONCERNING THE PROCESS OF REACTIVATION OF AN INACTIVE CITY OR INCORPORATED TOWN; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1115

BY: REPRESENTATIVES B. OVERBEY, T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING PLANNING FOR AN ABSENTEE MAYOR IN CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1116

BY: REPRESENTATIVE D. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROMOTE THE SAFETY AND WELL-BEING OF NEWBORNS BY REQUIRING A CHILD MALTREATMENT CENTRAL REGISTRY CHECK FOR ALL BIRTHING MOTHERS AT THE TIME OF FILING THE CERTIFICATE OF BIRTH; AND FOR OTHER PURPOSES.

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 Allen, the House adjourned at 1:48 p.m. until 1:30 p.m., Tuesday, January 18, 2011.

ATTEST:

Robert S. Moore, Jr.
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk

