

**ONE-HUNDRETH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
April 23, 2013

The House was called to order at 9:00 a.m. by Mr. Carter, the Speaker. The following members answered to the roll call:

Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, Dickinson, Dotson, C. Douglas, 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, Love, Lowery, Magie, Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Smith, Steel, Thompson, Vines, Wagner, Walker, Wardlaw, Westerman, Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wright, Mr. Speaker.

Total93

The following member(s) was absent and did not answer to the roll call:
Altes, Edwards, Harris, Linck, McCrary, Talley, Wren

Total.....7

A quorum was present.

Unanimous leave was granted for Representative(s): Altes, Linck, McCrary, Talley, Wren.

The House stood and was led in prayer by House Chaplain, Pastor Greg Addison, First Baptist Church, Cabot, 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.

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

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 2278

Amend HOUSE BILL NO. 2278 as engrossed,

S4/11/13 (version: 04/11/2013 04:00:53 PM)

Page 2, delete line 13 and substitute:

“transaction of business.

(f) A member shall abstain from a vote if the member or member’s organization may benefit from the action voted upon.”

/s/ Jeremy Hutchinson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Biviano, Bragg, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, 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, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, T. Thompson, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Womack, Word, Wright, Mr. Speaker.

Total89

NEGATIVE: Vines.

Total1

ABSENT OR NOT VOTING: D. Altes, Bell, Branscum, J. Edwards, Harris, Linck, McCrary, Talley, Williams, Wren.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative89

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

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks
Chief Clerk

SENATE BILL NO. 22

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: [D. Altes], C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, McElroy, McGill, McLean, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, [Shepherd], Slinkard, F. Smith, [Talley], T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Womack, Word, [Wren], Wright, Mr. Speaker.

Total77

NEGATIVE: Alexander, [Ballinger], Barnett, Bell, C. Douglas, [Farrer], [Harris], Hobbs, Jean, [Mayberry], D. Meeks, Miller, Payton, Rice, Westerman.

Total15

ABSENT OR NOT VOTING: J. Edwards, Eubanks, Linck, McCrary, Steel, Williams.

Total6

VOTING PRESENT: Dotson, Hopper.

Total2

Total number of votes cast94

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.

There being an Emergency Clause attached to **SENATE BILL NO. 22**, 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, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, McElroy, McGill, McLean, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Richey, Sabin, Scott, [Shepherd], Slinkard, F. Smith, [Talley], T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, H. Wilkins, Womack, Word, [Wren], Wright, Mr. Speaker.

Total77

NEGATIVE: Alexander, [Ballinger], Barnett, Bell, C. Douglas, [Farrer], [Harris], Hobbs, Jean, [Mayberry], D. Meeks, Miller, Payton, Rice, Westerman.

Total15

ABSENT OR NOT VOTING: J. Edwards, Eubanks, Linck, McCrary, Steel, Williams.

Total6

VOTING PRESENT: Dotson, Hopper.

Total2

Total number of votes cast94

Total number voting in the affirmative77

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

So the Emergency Clause was adopted.

PAIR VOTE
ON
SENATE BILL NO. 22

AYE: **REPRESENTATIVE BRENT TALLEY**
NAY: **REPRESENTATIVE ANDY MAYBERRY**
WITNESS: **REPRESENTATIVE JOE JETT**

This pair form was signed by Representative Brent Talley and Representative Andy Mayberry in the presence of each other and witnessed by Representative Joe Jett.

Total votes cast.....	94
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	77
Total number voting in the negative.....	15
Total number voting absent or not voting.....	6
Total number voting present.....	2

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

PAIR VOTE
ON
SENATE BILL NO. 22

AYE: REPRESENTATIVE TOMMY WREN

NAY: REPRESENTATIVE JOE FARRER

WITNESS: REPRESENTATIVE BILL GOSSAGE

This pair form was signed by Representative Tommy Wren and Representative Joe Farrer in the presence of each other and witnessed by Representative Bill Gossage.

Total votes cast.....	94
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	77
Total number voting in the negative.....	15
Total number voting absent or not voting.....	6
Total number voting present.....	2

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

PAIR VOTE
ON
SENATE BILL NO. 22

AYE: **REPRESENTATIVE DENNY ALTES**
NAY: **REPRESENTATIVE BOB BALLINGER**
WITNESS: **REPRESENTATIVE JAMES RATLIFF**

This pair form was signed by Representative Denny Altes and Representative Bob Ballinger in the presence of each other and witnessed by Representative James Ratliff.

Total votes cast.....	94
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	77
Total number voting in the negative.....	15
Total number voting absent or not voting.....	6
Total number voting present.....	2

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

PAIR VOTE
ON
SENATE BILL NO. 22

AYE: REPRESENTATIVE MATTHEW SHEPHERD

NAY: REPRESENTATIVE JUSTIN HARRIS

WITNESS: REPRESENTATIVE DAVID KIZZIA

This pair form was signed by Representative Matthew Shepherd and Representative Justin Harris in the presence of each other and witnessed by Representative David Kizzia.

Total votes cast.....	94
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	77
Total number voting in the negative.....	15
Total number voting absent or not voting.....	6
Total number voting present.....	2

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

SENATE BILL NO. 364

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: [D. Altes], C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, 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, Womack, Word, [Wren], Wright, Mr. Speaker.

Total78

NEGATIVE: Alexander, [Ballinger], Barnett, Bell, C. Douglas, [Farrer], [Harris], Jean, [Mayberry], D. Meeks, Miller, Payton, Rice, Westerman.

Total14

ABSENT OR NOT VOTING: J. Edwards, Eubanks, Linck, McCrary, Williams.

Total5

VOTING PRESENT: Dotson, Hobbs, Hopper.

Total3

Total number of votes cast95

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.

There being an Emergency Clause attached to **SENATE BILL NO. 364**, 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, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, House, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, 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, Womack, Word, [Wren], Wright, Mr. Speaker.

Total78

NEGATIVE: Alexander, [Ballinger], Barnett, Bell, C. Douglas, [Farrer], [Harris], Jean, [Mayberry], D. Meeks, Miller, Payton, Rice, Westerman.

Total14

ABSENT OR NOT VOTING: J. Edwards, Eubanks, Linck, McCrary, Williams.

Total5

VOTING PRESENT: Dotson, Hobbs, Hopper.

Total3

Total number of votes cast95

Total number voting in the affirmative78

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

So the Emergency Clause was adopted.

PAIR VOTE
ON
SENATE BILL NO. 364

AYE: **REPRESENTATIVE BRENT TALLEY**
NAY: **REPRESENTATIVE ANDY MAYBERRY**
WITNESS: **REPRESENTATIVE JOE JETT**

This pair form was signed by Representative Brent Talley and Representative Andy Mayberry in the presence of each other and witnessed by Representative Joe Jett.

Total votes cast.....	95
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	78
Total number voting in the negative.....	14
Total number voting absent or not voting.....	5
Total number voting present.....	3

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

PAIR VOTE
ON
SENATE BILL NO. 364

AYE: **REPRESENTATIVE TOMMY WREN**
 NAY: **REPRESENTATIVE JOE FARRER**
 WITNESS: **REPRESENTATIVE BILL GOSSAGE**

This pair form was signed by Representative Tommy Wren and Representative Joe Farrer in the presence of each other and witnessed by Representative Bill Gossage.

Total votes cast.....	95
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	78
Total number voting in the negative.....	14
Total number voting absent or not voting.....	5
Total number voting present.....	3

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

PAIR VOTE
ON
SENATE BILL NO. 364

AYE: **REPRESENTATIVE DENNY ALTES**
NAY: **REPRESENTATIVE BOB BALLINGER**
WITNESS: **REPRESENTATIVE JAMES RATLIFF**

This pair form was signed by Representative Denny Altes and Representative Bob Ballinger in the presence of each other and witnessed by Representative James Ratliff.

Total votes cast.....95

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

Total number voting in the affirmative.....78

Total number voting in the negative.....14

Total number voting absent or not voting.....5

Total number voting present.....3

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

PAIR VOTE
ON
SENATE BILL NO. 364

AYE: REPRESENTATIVE MATTHEW SHEPHERD

NAY: REPRESENTATIVE JUSTIN HARRIS

WITNESS: REPRESENTATIVE DAVID KIZZIA

This pair form was signed by Representative Matthew Shepherd and Representative Justin Harris in the presence of each other and witnessed by Representative David Kizzia.

Total votes cast.....	95
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	78
Total number voting in the negative.....	14
Total number voting absent or not voting.....	5
Total number voting present.....	3

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

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 22	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 364	BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 2232	BY REPRESENTATIVE BAIRD
HOUSE BILL NO. 2233	BY REPRESENTATIVE BAIRD

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

April 23, 2013

MR. SPEAKER:

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

HOUSE BILL NO. 2232

BY REPRESENTATIVE BAIRD

HOUSE BILL NO. 2233

BY REPRESENTATIVE BAIRD

HOUSE BILL NO. 2278

BY REPRESENTATIVE WARDLAW, ET AL

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. 2232

BY REPRESENTATIVE BAIRD

HOUSE BILL NO. 2233

BY REPRESENTATIVE BAIRD

HOUSE BILL NO. 2278

BY REPRESENTATIVE WARDLAW, ET AL

/s/ Mike Beebe - Governor

TIME: 11:00 a.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

April 22, 2013

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on April 22, 2013, I approved the following measures from the Regular Session of the Eighty-ninth General Assembly:

HOUSE JOINT RESOLUTION NO. 1009

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001

- | | | |
|--------------------------------|--------------------------------|--------------------------------|
| HOUSE BILL NO. 1017 - ACT 1440 | HOUSE BILL NO. 1585 - ACT 1459 | HOUSE BILL NO. 1878 - ACT 1478 |
| HOUSE BILL NO. 1039 - ACT 1441 | HOUSE BILL NO. 1638 - ACT 1460 | HOUSE BILL NO. 1896 - ACT 1479 |
| HOUSE BILL NO. 1088 - ACT 1442 | HOUSE BILL NO. 1712 - ACT 1461 | HOUSE BILL NO. 1901 - ACT 1480 |
| HOUSE BILL NO. 1154 - ACT 1443 | HOUSE BILL NO. 1714 - ACT 1462 | HOUSE BILL NO. 1910 - ACT 1481 |
| HOUSE BILL NO. 1170 - ACT 1444 | HOUSE BILL NO. 1719 - ACT 1463 | HOUSE BILL NO. 1911 - ACT 1482 |
| HOUSE BILL NO. 1183 - ACT 1445 | HOUSE BILL NO. 1722 - ACT 1464 | HOUSE BILL NO. 1921 - ACT 1483 |
| HOUSE BILL NO. 1199 - ACT 1446 | HOUSE BILL NO. 1730 - ACT 1465 | HOUSE BILL NO. 1922 - ACT 1484 |
| HOUSE BILL NO. 1202 - ACT 1447 | HOUSE BILL NO. 1742 - ACT 1466 | HOUSE BILL NO. 1934 - ACT 1485 |
| HOUSE BILL NO. 1205 - ACT 1448 | HOUSE BILL NO. 1774 - ACT 1467 | HOUSE BILL NO. 1940 - ACT 1486 |
| HOUSE BILL NO. 1214 - ACT 1449 | HOUSE BILL NO. 1779 - ACT 1468 | HOUSE BILL NO. 1962 - ACT 1487 |
| HOUSE BILL NO. 1234 - ACT 1450 | HOUSE BILL NO. 1789 - ACT 1469 | HOUSE BILL NO. 1966 - ACT 1488 |
| HOUSE BILL NO. 1398 - ACT 1451 | HOUSE BILL NO. 1797 - ACT 1470 | HOUSE BILL NO. 1990 - ACT 1489 |
| HOUSE BILL NO. 1399 - ACT 1452 | HOUSE BILL NO. 1805 - ACT 1471 | HOUSE BILL NO. 1993 - ACT 1490 |
| HOUSE BILL NO. 1482 - ACT 1453 | HOUSE BILL NO. 1809 - ACT 1472 | HOUSE BILL NO. 1996 - ACT 1491 |
| HOUSE BILL NO. 1493 - ACT 1454 | HOUSE BILL NO. 1817 - ACT 1473 | HOUSE BILL NO. 2000 - ACT 1492 |
| HOUSE BILL NO. 1542 - ACT 1455 | HOUSE BILL NO. 1832 - ACT 1474 | HOUSE BILL NO. 2006 - ACT 1493 |
| HOUSE BILL NO. 1551 - ACT 1456 | HOUSE BILL NO. 1840 - ACT 1475 | HOUSE BILL NO. 2009 - ACT 1494 |
| HOUSE BILL NO. 1552 - ACT 1457 | HOUSE BILL NO. 1870 - ACT 1476 | HOUSE BILL NO. 2028 - ACT 1495 |
| HOUSE BILL NO. 1570 - ACT 1458 | HOUSE BILL NO. 1871 - ACT 1477 | |

Sincerely,

/s/ Mike Beebe

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STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

April 23, 2013

To Whom It May Concern:

I am writing this letter in regards to my nay - vote on **HOUSE BILL NO. 2278**. It was my intention to vote YES on this Bill.

Please see that this matter is noted in the journal. Thank you.

Sincerely,

/s/ John T. Vines
State Representative
District 25

JTV/mj

Upon motion of Representative Duncan Baird, the House adjourned at 9:13 a.m. until 12:00 p.m. noon, Friday, May 17, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk