

SIXTEENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

January 29, 2013

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

Alexander, Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadway, Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, Dickinson, Dotson, D. Douglas, Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Smith, Talley, Thompson, Vines, Wagner, Wardlaw, Westerman, Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright, Mr. Speaker.

Total95

The following member(s) was absent and did not answer to the roll call:
Barnett, C. Douglas, Malone, Steel, Walker.

Total5

A quorum was present.

Unanimous leave was granted for Representative(s) Barnett, C. Douglas, Malone, Walker.

The House stood and was led in prayer by Father Carey Stone, St. Luke's Episcopal Church, North 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 29, 2013
JUDICIARY	MARSHALL WRIGHT
	CHAIRPERSON
HOUSE BILL NO. 1020	DO PASS
BY REPRESENTATIVE JETT	
SENATE BILL NO. 12	DO PASS
BY SENATOR IRVIN	

COMMITTEE REPORT

	January 29, 2013
JOINT BUDGET COMMITTEE	DUNCAN BAIRD
	CHAIRPERSON
HOUSE BILL NO. 1045	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1046	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	
HOUSE BILL NO. 1049	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1050	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. 1060	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1071	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Joint Budget Committee **HOUSE BILL NO. 1158** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1158

Amend **HOUSE BILL NO. 1158** as originally introduced:

Page 1, line 34, delete "5" and insert "6"

And

Page 2, line 5, delete "34" and insert "33"

And

Page 2, line 7, delete "130" and insert "129"

And

Page 2, line 9, delete "56" and insert "57".

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hillman, **HOUSE BILL NO. 1122** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1122

Amend **HOUSE BILL NO. 1122** as originally introduced:

Page 2, delete line 28 and substitute the following:

"(B) An individual who performs professional services at"

/s/ David Hillman

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

/s/ Mrs. Sherri Stacks
Chief Clerk

The House gave Representative Cozart unanimous leave to withdraw
HOUSE BILL NO. 1099.

ENGROSSED BILL REPORTS

DAVY CARTER, CHAIRPERSON

January 29, 2013

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1122

BY REPRESENTATIVE HILLMAN

HOUSE BILL NO. 1158

BY JOINT BUDGET COMMITTEE

Morning Hour Expired.

HOUSE BILL NO. 1013

BY: REPRESENTATIVE J. EDWARDS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, 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, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Barnett, C. Douglas, S. Malone, Walker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

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

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1013

BY REPRESENTATIVE J. EDWARDS

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1022

BY REPRESENTATIVE GILLAM

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 40

BY SENATOR B. SAMPLE

SENATE BILL NO. 51

BY SENATOR B. SAMPLE

SENATE BILL NO. 55

BY SENATOR J. WOODS

SENATE BILL NO. 107

BY SENATOR U. LINDSEY

SENATE BILL NO. 118

BY SENATOR R. THOMPSON

SENATE BILL NO. 129

BY SENATOR J. HUTCHINSON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

January 29, 2013

MR. SPEAKER:

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

HOUSE BILL NO. 1022

BY REPRESENTATIVE GILLAM, 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 3:25 p.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. 1022

BY REPRESENTATIVE GILLAM, ET AL

/s/ Mike Beebe - Governor

TIME: 3:25 p.m.

By: Samantha Williams

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

January 29, 2013

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on January 29, 2013, I approved the following measure from the Regular Session of the Eighty-ninth General Assembly:

HOUSE BILL NO. 1024 – ACT 3

Sincerely,

/s/ Mike Beebe

STATE CAPITOL, SUITE 250 • LITTLE ROCK, AR 72201
TELEPHONE (501) 682-2345 • FAX (501) 682-1382
INTERNET WEB SITE • www.governor.arkansas.gov

HOUSE BILL NO. 1190

BY: REPRESENTATIVE HAMMER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING MEDICAID REIMBURSEMENTS FOR NURSING PROFESSIONALS; 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 BILL NO. 1191

BY: REPRESENTATIVE HAMMER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL METHODS FOR COLLECTING DELINQUENT RURAL FIRE DEPARTMENT DUES AND FEES; TO ALLOW COUNTY COLLECTORS AND FIRE CHIEFS TO CERTIFY DELINQUENT RURAL FIRE DEPARTMENT DUES AND FEES TO THE COMMISSIONER OF STATE LANDS FOR COLLECTION; TO ALLOW THE COMMISSIONER OF STATE LANDS TO INCLUDE DELINQUENT RURAL FIRE DEPARTMENT DUES AND FEES IN THE SALE OR REDEMPTION PRICE OF TAX-DELINQUENT PROPERTY; TO MAKE TECHNICAL CHANGES; 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. 1192

BY: REPRESENTATIVE HAMMER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO LIMIT THE POWER OF EMINENT DOMAIN FOR PROPERTY OWNERS' IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1193

BY: REPRESENTATIVES HAMMER, NEAL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING SALES OF REAL OR PERSONAL PROPERTY UNDER JUDICIAL DECREES; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1194

BY: REPRESENTATIVE CATLETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE BOARD OF TRUSTEES OF THE ARKANSAS TEACHER RETIREMENT SYSTEM TO ADJUST THE MULTIPLIERS FOR A LIFE ANNUITY IF ACTUARIALLY APPROPRIATE TO MAINTAIN THE FINANCIAL SOUNDNESS OF THE SYSTEM; TO REMOVE OBSOLETE LANGUAGE; TO DECLARE AN EMERGENCY; 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. 1195

BY: REPRESENTATIVES VINES, BRANSCUM, GILLAM, LAMPKIN, LINCK, B. OVERBEY, TALLEY, WARDLAW, WOMACK, WRIGHT

BY: SENATOR A. CLARK

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

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

HOUSE BILL NO. 1196

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 DEPARTMENT OF ARKANSAS HERITAGE FOR THE FISCAL YEAR ENDING JUNE 30, 2014; 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. 1197

BY: REPRESENTATIVE DAVIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS; TO CLARIFY THE LAWS REGARDING THE TRANSFER OF WATER POLLUTION PERMITS; TO CLARIFY THE FINANCIAL ASSURANCE REQUIREMENTS FOR NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS; TO ESTABLISH ADDITIONAL FINANCIAL ASSURANCE REQUIREMENTS FOR NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS; TO CREATE THE WATER PERFORMANCE BOND FUND; 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 BILL NO. 1198

BY: REPRESENTATIVE KIZZIA

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE ARKANSAS TEACHER RETIREMENT SYSTEM TO CREATE A TIER II BENEFIT PROGRAM FOR MEMBERS OF THE ARKANSAS TEACHER RETIREMENT SYSTEM HIRED AFTER A CERTAIN DATE; 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. 1199

BY: REPRESENTATIVE KIZZIA

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF TITLE 24, CHAPTER 7, SUBCHAPTER 7 OF THE ARKANSAS CODE CONCERNING TEACHER RETIREMENT; 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.

SENATE BILL NO. 40

BY: REPRESENTATIVE B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE LAW CONCERNING THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 51

BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW CONCERNING THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 55

BY: SENATOR J. WOODS

BY: REPRESENTATIVE NEAL

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING THE PENALTIES FOR VIOLATING THE UNIFORM MOTOR VEHICLE DRIVER'S LICENSE ACT; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 107

BY: SENATORS U. LINDSEY, IRVIN, BURNETT, J. HENDREN, HESTER, E. CHEATHAM

BY: REPRESENTATIVES LEDING, D. WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE OPERATION OF ALL-TERRAIN VEHICLES BY CERTAIN MUNICIPAL OFFICIALS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 118

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A STATE-SUPPORTED RETIREMENT SYSTEM TO REQUIRE A QUALIFIED DOMESTIC RELATIONS ORDER TO SUBSTANTIALLY COMPLY WITH THE UNIFORM LEGAL FORM OF A QUALIFIED DOMESTIC RELATIONS ORDER TO PAY BENEFITS; TO MAKE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 129

BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO SPECIFY THAT AN APPEAL FROM A DECISION OF THE BOARD OF TRUSTEES OF THE ARKANSAS TEACHER RETIREMENT SYSTEM SHALL BE FILED IN THE PULASKI COUNTY CIRCUIT COURT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

Upon motion of Representative Duncan Baird, the House adjourned at 4:13 p.m. until 1:30 p.m., Wednesday, January 30, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk

