

**TWENTY-THIRD DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

February 5, 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, C. Douglas, 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, Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, Overbey, Payton, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, Smith, Steel, Talley, Thompson, Vines, Wagner, Wardlaw, Westerman, Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren, Wright, Mr. Speaker.

Total97

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

Total3

A quorum was present.

Unanimous leave was granted for Representative(s) Barnett, Richey, Walker.

The House stood and was led in prayer by Mr. Lance Guest, Brookland Church of Christ, Brookland, 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

EDUCATION	February 5, 2013
	JAMES MCLEAN
	CHAIRPERSON
HOUSE BILL NO. 1244	DO PASS
BY REPRESENTATIVE LAMPKIN	
SENATE BILL NO. 148	DO PASS
BY SENATOR KEY	

COMMITTEE REPORT

JUDICIARY	February 5, 2013
	MARSHALL WRIGHT
	CHAIRPERSON
HOUSE BILL NO. 1203	DO PASS
BY REPRESENTATIVE D. MEEKS	AS AMENDED # 1

COMMITTEE REPORT

JUDICIARY	February 5, 2013
	JOHN VINES
	VICE CHAIRPERSON
HOUSE BILL NO. 1021	DO PASS
BY REPRESENTATIVE WRIGHT	AS AMENDED # 1
SENATE BILL NO. 96	DO PASS
BY SENATOR WOODS	

COMMITTEE REPORT

PUBLIC TRANSPORTATION	February 5, 2013
	JONATHAN BARNETT
	CHAIRPERSON
HOUSE BILL NO. 1195	DO PASS
BY REPRESENTATIVE VINES	
SENATE BILL NO. 55	DO PASS
BY SENATOR WOODS	

COMMITTEE REPORT, CONTINUED

PUBLIC TRANSPORTATION

SENATE BILL NO. 70	DO PASS
BY SENATOR TEAGUE	
SENATE BILL NO. 107	DO PASS
BY SENATOR LINDSEY	

COMMITTEE REPORT

	February 5, 2013
JOINT BUDGET	DUNCAN BAIRD
	CHAIRPERSON
HOUSE BILL NO. 1133	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. 1148	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. 1162	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1163	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1222	DO PASS
BY JOINT BUDGET COMMITTEE	

The House gave Representative Carnine unanimous leave to withdraw
HOUSE BILL NO. 1176.

Morning Hour Expired.

HOUSE BILL NO. 1002

BY: REPRESENTATIVE J. EDWARDS

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: Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, 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, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Barnett, Richey, Walker, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

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 **HOUSE BILL 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: 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, C. Douglas, 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, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, 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.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Barnett, Richey, Walker, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	96
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. 1002

BY REPRESENTATIVE J. EDWARDS

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 52

BY SENATOR HESTER

SENATE BILL NO. 115

BY SENATOR R. THOMPSON

SENATE BILL NO. 133

BY SENATOR G. STUBBLEFIELD

SENATE BILL NO. 231

BY SENATOR J. HUTCHINSON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 5, 2013

MR. SPEAKER:

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

HOUSE BILL NO. 1061	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1062	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1066	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1067	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1068	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1069	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1072	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1074	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1079	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1081	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1085	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1086	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1092	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1093	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1094	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1095	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1111	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1112	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1115	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1117	BY JOINT BUDGET COMMITTEE

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 9:50 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. 1061	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1062	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1066	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1067	BY JOINT BUDGET COMMITTEE
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HOUSE BILL NO. 1115	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1117	BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 9:50 a.m.

By: Sarah Agee

HOUSE BILL NO. 1250

BY: REPRESENTATIVES D. WHITAKER, BAINE, BALLINGER, BROADAWAY, CATLETT, HILLMAN, NEAL, VINES, WARDLAW

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMENDING BATTERY IN THE SECOND DEGREE AND ENHANCING PENALTIES WHEN INJURY TO ANOTHER PERSON OCCURS AS A RESULT OF DRIVING WHILE INTOXICATED; 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. 1251

BY: REPRESENTATIVE SABIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE PARTNERSHIP FOR PUBLIC FACILITIES AND INFRASTRUCTURE ACT; TO REGULATE PUBLIC-PRIVATE PARTNERSHIPS FOR PUBLIC FACILITIES AND INFRASTRUCTURE; 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. 1252

BY: REPRESENTATIVES BIVIANO, WILLIAMS, LOWERY, LENDERMAN, JEAN, LAMPKIN, HOPPER, GILLAM, EUBANKS, MURDOCK, WRIGHT, C. DOUGLAS, DALE, D. ALTES, C. ARMSTRONG, BARNETT, CARNINE, CATLETT, COZART

BY: SENATOR J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW PRIVATE UNIVERSITIES TO CREATE AND MAINTAIN A LAW ENFORCEMENT AGENCY DESIGNED TO PROTECT AND ENFORCE STATE LAW ON THE CAMPUS; 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. 1253

BY: REPRESENTATIVE WRIGHT

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING A WAIVER OF A PAROLE REVOCATION HEARING; 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. 1254

BY: REPRESENTATIVE WRIGHT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO § 16-93-207; AND FOR OTHER PURPOSES

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

SENATE BILL NO. 52

BY: SENATOR HESTER

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING VICTIMS' RIGHTS IN CAPITAL PUNISHMENT CASES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 115

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXCLUDE FUNDS DISTRIBUTABLE FROM A TRUST ACCOUNT ESTABLISHED BY A STATE-SUPPORTED RETIREMENT SYSTEM FROM THE UNCLAIMED PROPERTY ACT; 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. 133

BY: SENATOR G. STUBBLEFIELD

BY: REPRESENTATIVE HUTCHISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE DISTRIBUTION OF FUNDS FOR THE PURCHASE OF VOTING SYSTEMS; 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.

SENATE BILL NO. 231

BY: SENATORS J. HUTCHINSON, HESTER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT A RETIRED PARTICIPANT IN A STATE GROUP HEALTH INSURANCE PLAN TO PAY PREMIUMS BY A BANK ACCOUNT DRAFT; TO MAKE TECHNICAL CORRECTIONS; 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.

Upon motion of Representative Duncan Baird, the House adjourned at 3:11 p.m. until 1:30 p.m., Wednesday, February 6, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk