

SIXTY-SIXTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

March 20, 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, Barnett, 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.

Total98

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

Total2

A quorum was present.

Unanimous leave was granted for Representative(s) Walker.

The House stood and was led in prayer by Pastor Jarrod Pettit, Spring Creek Baptist Church, Benton, 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

| | |
|--|----------------------------|
| | March 20, 2013 |
| AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS | DAVID MEEKS CHAIRPERSON |
| HOUSE BILL NO. 1631 BY REPRESENTATIVE WARDLAW | DO PASS |
| HOUSE BILL NO. 1848 BY REPRESENTATIVE BROADAWAY | DO PASS |
| HOUSE BILL NO. 1849 BY REPRESENTATIVE BROADAWAY | DO PASS |
| HOUSE RESOLUTION NO. 1033 BY REPRESENTATIVE E. ARMSTRONG | DO PASS |
| HOUSE RESOLUTION NO. 1050 BY REPRESENTATIVE LOWERY | DO PASS AS AMENDED #1 |
| HOUSE RESOLUTION NO. 1052 BY REPRESENTATIVE BAINE | DO PASS |
| HOUSE MEMORIAL RESOLUTION NO. 1002 BY REPRESENTATIVE EDWARDS | DO PASS |
| HOUSE MEMORIAL RESOLUTION NO. 1003 BY REPRESENTATIVE EDWARDS | DO PASS |
| SENATE BILL NO. 779 BY SENATOR HESTER | DO PASS |
| SENATE BILL NO. 830 BY SENATOR CLARK | DO PASS |

COMMITTEE REPORT

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|---|---------------------------------|
| | March 20, 2013 |
| AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT | MATTHEW SHEPHERD CHAIRPERSON |
| HOUSE BILL NO. 1580 BY REPRESENTATIVE TALLEY | DO PASS |
| HOUSE BILL NO. 1653 BY REPRESENTATIVE LEA | DO PASS |
| HOUSE BILL NO. 1703 BY REPRESENTATIVE BARNETT | DO PASS |

COMMITTEE REPORT, CONTINUEDAGRICULTURE, FORESTRY
AND ECONOMIC DEVELOPMENT

| | |
|----------------------------|---------------|
| HOUSE BILL NO. 1832 | DO PASS |
| BY REPRESENTATIVE WILLIAMS | AS AMENDED #1 |
| HOUSE BILL NO. 2088 | DO PASS |
| BY REPRESENTATIVE GILLAM | |

COMMITTEE REPORT

March 20, 2013

CITY, COUNTY AND LOCAL AFFAIRS

DAVID FIELDING
CHAIRPERSON

| | |
|--------------------------------|---------|
| HOUSE BILL NO. 1465 | DO PASS |
| BY REPRESENTATIVE E. ARMSTRONG | |
| HOUSE BILL NO. 1533 | DO PASS |
| BY REPRESENTATIVE KIZZIA | |
| HOUSE BILL NO. 1695 | DO PASS |
| BY REPRESENTATIVE CATLETT | |
| HOUSE BILL NO. 1850 | DO PASS |
| BY REPRESENTATIVE PERRY | |
| SENATE BILL NO. 808 | DO PASS |
| BY SENATOR HESTER | |
| SENATE BILL NO. 910 | DO PASS |
| BY SENATOR CLARK | |

COMMITTEE REPORT

March 20, 2013

INSURANCE AND COMMERCE

TOMMY WREN
CHAIRPERSON

| | |
|----------------------------|---------|
| HOUSE BILL NO. 1510 | DO PASS |
| BY REPRESENTATIVE WHITAKER | |
| HOUSE BILL NO. 1779 | DO PASS |
| BY REPRESENTATIVE HOLCOMB | |

COMMITTEE REPORT, CONTINUED

INSURANCE AND COMMERCE

| | |
|---------------------------|---------|
| HOUSE BILL NO. 1936 | DO PASS |
| BY REPRESENTATIVE WARDLAW | |
| SENATE BILL NO. 786 | DO PASS |
| BY SENATOR KEY | |
| SENATE BILL NO. 880 | DO PASS |
| BY SENATOR WOODS | |

COMMITTEE REPORT

March 20, 2013

STATE AGENCIES

ANDREA LEA

AND GOVERNMENTAL AFFAIRS

CHAIRPERSON

| | |
|------------------------------|---------------------|
| HOUSE BILL NO. 1216 | DO PASS, CONCUR IN |
| BY REPRESENTATIVE LINCK | SENATE AMENDMENT #1 |
| HOUSE BILL NO. 1249 | DO PASS |
| BY REPRESENTATIVE HOBBS | |
| HOUSE BILL NO. 1712 | DO PASS |
| BY REPRESENTATIVE BRAGG | |
| HOUSE BILL NO. 1892 | DO PASS |
| BY REPRESENTATIVE BELL | |
| HOUSE BILL NO. 1983 | DO PASS |
| BY REPRESENTATIVE COZART | |
| HOUSE BILL NO. 2007 | DO PASS |
| BY REPRESENTATIVE COPENHAVER | |
| HOUSE BILL NO. 2021 | DO PASS |
| BY REPRESENTATIVE SHEPHERD | AS AMENDED #1 |
| HOUSE BILL NO. 2031 | DO PASS |
| BY REPRESENTATIVE MALONE | |
| HOUSE BILL NO. 2145 | DO PASS |
| BY REPRESENTATIVE HAMMER | AS AMENDED #1 |
| HOUSE BILL NO. 2211 | DO PASS |
| BY REPRESENTATIVE BURRIS | |
| HOUSE BILL NO. 2283 | DO PASS |
| BY REPRESENTATIVE HAMMER | AS AMENDED #1 |

COMMITTEE REPORT, CONTINUED

STATE AGENCIES

AND GOVERNMENTAL AFFAIRS

SENATE BILL NO. 340

DO PASS

BY SENATOR JOHNSON

SENATE BILL NO. 446

DO PASS

BY SENATOR LINDSEY

COMMITTEE REPORT

March 20, 2013

STATE AGENCIES

BUTCH WILKINS

AND GOVERNMENTAL AFFAIRS

VICE CHAIRPERSON

HOUSE BILL NO. 2066

DO PASS

BY REPRESENTATIVE LEA

HOUSE BILL NO. 2067

DO PASS

BY REPRESENTATIVE LEA

HOUSE BILL NO. 2068

DO PASS

BY REPRESENTATIVE LEA

HOUSE BILL NO. 2084

DO PASS

BY REPRESENTATIVE LEA

COMMITTEE REPORT

March 20, 2013

STATE AGENCIES

DEBRA HOBBS

AND GOVERNMENTAL AFFAIRS

PRESIDING MEMBER

HOUSE BILL NO. 2083

DO PASS

BY REPRESENTATIVE LEA

COMMITTEE REPORT

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|-----------------------------|------------------|
| | March 20, 2013 |
| RULES | STEPHANIE MALONE |
| | CHAIRPERSON |
| HOUSE BILL NO. 1398 | DO PASS |
| BY REPRESENTATIVE LEDING | |
| HOUSE BILL NO. 1405 | DO PASS |
| BY REPRESENTATIVE LEDING | AS AMENDED #1 |
| HOUSE BILL NO. 1541 | DO PASS |
| BY REPRESENTATIVE NICKELS | |
| HOUSE BILL NO. 1618 | DO PASS |
| BY REPRESENTATIVE BAINE | |
| HOUSE BILL NO. 1780 | DO PASS |
| BY REPRESENTATIVE MAYBERRY | |
| HOUSE BILL NO. 2087 | DO PASS |
| BY REPRESENTATIVE BROADAWAY | |
| HOUSE BILL NO. 2089 | DO PASS |
| BY REPRESENTATIVE GILLAM | |

COMMITTEE REPORT

| | |
|--------------------|------------------|
| | March 20, 2013 |
| RULES | ANDY DAVIS |
| | VICE CHAIRPERSON |
| SENATE CONCURRENT | |
| RESOLUTION NO. 1 | DO PASS |
| BY SENATOR BURNETT | |

Upon motion of Representative S. Meeks, **HOUSE BILL NO. 2038** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2038

Amend **HOUSE BILL NO. 2038** as originally introduced:

Page 1, line 9, delete "INTERIM" and substitute "JOINT INTERIM"

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE STATE AND FEDERAL
RELATIONS JOINT INTERIM COMMITTEE."

AND

Page 1, line 21, delete "INTERIM" and substitute "JOINT INTERIM"

AND

Page 1, line 23, delete "Interim" and substitute "Joint I

AND

Page 1, line 25, delete "Interim" and substitute "Joint Interim"

AND

Page 1, delete lines 27 through 30 and substitute the following:

"(1)(A) Seven (7) members of the Senate appointed by the President
Pro Tempore of the Senate.

(B) No more than five (5) members of the Senate appointed to
the committee shall represent the same political party; and

(2)(A) Thirteen (13) members of the House of Representatives
appointed by the Speaker of the House of Representatives.

(B) No more than eight (8) members of the House of
Representatives appointed to the committee shall represent the same political
party."

AND

Page 2, line 16, delete "Interim" and substitute "Joint Interim"

AND

Page 2, delete lines 21 through 26 and substitute the following:

"(B) Upon a vote of three-fourths (3/4) of the members present,
file a letter of grievance with the governmental body or federal agency issuing the
federal law or regulation; and

(C) Upon a vote of three-fourths (3/4) of the members present,
issue a recommendation to the Legislative Council or the General Assembly that a
resolution of grievance be adopted and delivered to the governmental body or
federal agency issuing the federal law or regulation."

/s/ Stephen Meeks

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Malone, **HOUSE BILL NO. 2107** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2107

Amend **HOUSE BILL NO. 2107** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 11-9-410(a)(2)(D), concerning the rights of an employer in the recovery by an injured employee against a third party, is amended to read as follows:

(D)(i) Any excess amount of a settlement or judgment remaining after the employer or the carrier has been reimbursed the amount paid in workers' compensation benefits arising from an injury or death shall belong to the injured employee or his or her dependents.

(ii) An employer or carrier is entitled to a future credit in the claim for workers' compensation benefits in the amount paid to or on behalf of the injured or deceased employee or his or her dependents from the settlement or judgment in this subdivision (a)(2).

(iii) An employer or carrier is not required to pay additional workers' compensation benefits for the injuries or death arising from an incident involving a third party until the future credit is exhausted.

SECTION 2. Arkansas Code § 11-9-410(b)(2), concerning subrogation in a third-party claim, is amended to read as follows:

(2) After reasonable notice and opportunity to be represented in the action has been given to the compensation beneficiary, the liability of the third party to the compensation beneficiary, to the employer, and to the carrier shall be determined in the action, ~~as well as the third party's liability to the employer and carrier.~~

SECTION 3. Arkansas Code § 11-9-410(b)(3)(A), concerning recovery amounts from a third-party liability action, is amended to read as follows:

(3)(A) After recovery shall be had against the third party, by suit or otherwise, the compensation beneficiary ~~shall be~~ is entitled to any amount recovered over and above the amount that the employer and carrier have paid or are liable for in compensation, after deducting reasonable costs of collection except that:

(i) An employer or carrier is entitled to a future credit in a claim for workers' compensation benefits in the amount of a settlement or judgment to be paid to or on behalf of the injured or deceased employee or his or her dependents from a third party after the employer or carrier has been reimbursed the

amount paid to or on behalf of the injured or deceased employee or his or her dependents; and

(ii) An employer or carrier is not required to pay additional workers' compensation benefits for the injuries or death arising from an incident involving a third party until the future credit is exhausted.

SECTION 4. Arkansas Code § 11-9-410, concerning third-party liability, is amended to add additional subsections to read as follows:

(d) Waiver or Abrogation of Subrogation.

(1) The right of an employer or carrier to recover in an action in tort from a third party that caused the injury or death of an employee is absolute and may only be waived with the written consent of the employer or carrier.

(2) The written consent of the employer of an injured employee or the carrier of the employer is required in any settlement of an action in tort against a third party outside of this section.

(e) The purpose and intent of this section is to prevent any double recovery to the injured employee."

/s/ Stephanie Malone

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Altes, **HOUSE BILL NO. 1700** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1700

Amend **HOUSE BILL NO. 1700** as engrossed,
H3/12/13 (version: 03/12/2013 9:43:04 AM)

Add Representatives Alexander, Ballinger, Barnett, Bell, Bragg, Carnine, Cozart, Dale, Deffenbaugh, C. Douglas, Hammer, Hobbs, Lea, S. Meeks, Rice, Scott, Westerman, and Word as cosponsors of the bill

AND

Add Senator Files as lead co-sponsor and Senators A. Clark, B. King, and J. Woods as cosponsors of the bill

AND

Page 1, line 21, delete Section 1

AND

Page 3, line 5, delete "knowingly possesses" and substitute "possesses"

AND

Page 3, line 7, delete "to employ" and substitute "to unlawfully employ"

AND

Renumber the sections according

/s/ Denny Altes

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Leding, **HOUSE BILL NO. 1581** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1581

Amend **HOUSE BILL NO. 1581** as engrossed,

H3/8/2013 (version: 03/08/2013 2:05:39 PM)

Page 3, delete line 6 and substitute:

"consumption and does not hold itself out to be a food service establishment;"

AND

Page 3, delete lines 8 and 9 and substitute:

"(5) A train station that serves passengers;

(6) A bus station; and

(7) A privately owned and operated facility that provides food, fuel, shower or other sanitary facilities, and overnight parking."

/s/ Greg Leding

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Ballinger, **HOUSE BILL NO. 1752** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1752

Amend **HOUSE BILL NO. 1752** as engrossed,

H3/8/13 (version: 03/08/2013 1:44:36 PM)

Page 1, line 13, delete "FO ARKANSAS" and substitute "OF ARKANSANS"

AND

Page 6, line 20, delete "Attorney General" and substitute "Arkansas Public Defender Commission"

AND

Page 6, line 26, delete "Attorney General" and substitute "Arkansas Public Defender Commission"

/s/ Bob Ballinger

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative E. Armstrong, **HOUSE BILL NO. 1888** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1888

Amend **HOUSE BILL NO. 1888** as originally introduced:

Page 2, delete line 15, and substitute the following:

"(1) The recorder;"

AND

Page 2, delete line 27, and substitute the following:

"(1) The recorder;"

AND

Page 2, delete line 31, and substitute the following:

"by the mayor and approved by the city council.

SECTION 4. Arkansas Code § 14-42-111 is repealed.

~~14-42-111. Mayor of city of the second class or town unable to perform duties.~~

~~Whenever the mayor of an incorporated town or city of the second class is unable to perform the functions of his office, or is absent and cannot be obtained, the recorder of the town or city shall be authorized and empowered to perform the functions of a magistrate during the disability or absence of the mayor, with all the power and jurisdiction of the mayor, to all intents and purposes whatever."~~

/s/ Eddie Armstrong

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Nickels, **HOUSE BILL NO. 1616** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1616

Amend **HOUSE BILL NO. 1616** as engrossed,

H3/13/13 (version: 03/13/2013 11:43:43 AM)

Add Senator D. Sanders as a cosponsor of the bill

/s/ James Nickels

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baine, **HOUSE BILL NO. 1619** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1619

Amend **HOUSE BILL NO. 1619** as engrossed,
H3/12/13 (version: 03/12/2013 09:37:25 AM)

Add Senator B. Pierce as a cosponsor of the bill

AND

Page 1, line 34, delete "twelve (12)" and substitute "thirty-six (36)"

AND

Page 6, line 5, delete "ninety (90)" and substitute "thirty (30)"

AND

Page 7, delete line 17, and substitute the following:

"~~this subchapter.~~ A manufacturer whose products are sold in this state is not required to obtain a dealer's license for an employee operating as the manufacturer's sales representative if the manufacturer holds a license or permit under subsection (a) of this section."

AND

Page 14, delete line 26, and substitute the following:

"(2)(A) A minimum of five (5) members is required for a quorum.

(B) All action by the board shall be by a majority vote of the"

/s/ John Baine

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Altes, **HOUSE BILL NO. 1011** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1011

Amend **HOUSE BILL NO. 1011** as engrossed,
H2/28/13 (version: 02/28/2013 09:03:10 AM)

Page 10, delete lines 11 through 27 and substitute the following:

"(d) A person licensed under this chapter may:"

AND

Page 10, line 32, delete "(f)(1)" and substitute "(e)(1)"

AND

Page 10, line 33, delete "subsection (d) of this section" and substitute "this chapter"

AND

Page 10, line 35, delete "subsection (d) of this section" and substitute "this chapter"

/s/ Denny Altes

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

/s/ Mrs. Sherri Stacks
Chief Clerk'

Upon motion of Representative Lea, **HOUSE BILL NO. 1329** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1329

Amend **HOUSE BILL NO. 1329** as engrossed,
H3/5/13 (version: 03/05/2013 8:54:54 AM)

Page 2, delete lines 1 through 21 and substitute:

"SECTION 2. Arkansas Code § 5-73-311(a)(2), concerning the application fee to obtain a concealed handgun license, is amended to read as follows:

(2) A nonrefundable license fee of one hundred dollars (\$100), except that the nonrefundable license fee is:

(A) Fifty dollars (\$50.00) if the applicant:

(i) Is sixty (60) years of age or older; or

(ii) Is a veteran who was honorably discharged from the service

in which the veteran served more than one (1) year before the date of the application; or

(B)(i) Waived if the applicant has either:

(a) Obtained an order of protection against another person under the Domestic Abuse Act of 1991, § 9-15-101 et seq.; or

(b) Obtained an order of protection from a court of another state, a federally recognized Indian tribe, or a territory with jurisdiction over the parties against another person under the laws or rules of the other state, federally recognized Indian tribe, or territory, and the requirements of § 9-15-302 concerning the full faith and credit for an out-of-state order of protection have been met.

(ii) The applicant shall present a copy of the order of protection to the department at the time of application to obtain the waiver of the nonrefundable license fee;"

/s/ Andrea Lea

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Slinkard, **HOUSE BILL NO. 1985** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1985

Amend **HOUSE BILL NO. 1985** as originally introduced:

Page 1, delete lines 10 through 15 and substitute:

"RECLAIMING A VEHICLE; TO RESTRICT TOW LICENSES AND PERMITS OF OUT-OF-STATE TOWING BUSINESSES TO THOSE IN COMPLIANCE WITH ARKANSAS'S RECIPROCITY REQUIREMENTS; AND FOR OTHER PURPOSES."
AND

Delete the subtitle in its entirety and substitute:

"TO ALLOW OWNER CHOICE OF TOWING COMPANY WHEN RECLAIMING A VEHICLE; AND TO REQUIRE COMPLIANCE WITH ARKANSAS'S

RECIPROCITY REQUIREMENTS."

AND

Delete SECTION 2 in its entirety and appropriately renumber the remaining section of the bill.

/s/ Mary L. Slinkard

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Linck, **HOUSE BILL NO. 2043** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2043

Amend **HOUSE BILL NO. 2043** as originally introduced:

Page 3, delete lines 11 through 19, and substitute the following:

"(1) Presents a court order directing the department to issue a title for cancellation, an application for cancellation of title or manufacturer's certificate of origin, and a copy of an affidavit of affixation to be recorded under § 14-15-402 in the county in which the home is to be affixed; or"

AND

Page 3, line 20, delete "(3)" and substitute "(2)"

AND

Page 4, delete lines 2 and 3, and substitute the following:

"which it is affixed and is a lender that holds a lien, security interest, or encumbrance against the"

AND

Page 4, delete lines 18 through 36, and substitute the following:

"any;

(3) The following information:

(A) A statement from:

(i) The owner applicant that there are no liens, security interests, or encumbrances upon the manufactured home or mobile home; or

(ii) The lender applicant that there are no liens, security interests, or encumbrances upon the manufactured home or mobile home other than that of the lender applicant; and

(B) A statement from an attorney licensed to practice law in Arkansas or a title insurance agent licensed in Arkansas that the manufactured home or mobile home is free and clear of, or has been released from, all recorded liens, security interests, or encumbrances other than that of a lender applicant."

AND

Page 5, delete line 1

AND

Page 5, delete line 12, and substitute the following:

"home or mobile home if requested by the department.

(c) The department shall record the lien of a lender applicant on the certificate of title to be issued under this section upon receipt of a copy of the instrument creating and evidencing the lien as required under § 27-14-802."

AND

Page 5, line 13, delete "(c)" and substitute "(d)"

AND

Page 5, line 26, delete "(d)" and substitute "(e)"

/s/ Kelley Linck

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Dotson, **HOUSE BILL NO. 2224** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2224

Amend **HOUSE BILL NO. 2224** as originally introduced:

Page 1, delete lines 25 through 36 and substitute:

"in grades nine through twelve (9-12) shall be trained in quality psychomotor skill bases in cardiopulmonary resuscitation before the student graduates from high school.

(b) The course shall not be a certification process but shall follow the standards established by the American Heart Association, the American Red Cross, or another nationally recognized organization that uses current, evidence-based emergency cardiac care guidelines and incorporates psychomotor skill development in the instruction and the use of automated external defibrillators."

AND

Page 2, delete line 1

/s/ Jim Dotson

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 1789** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1789

Amend **HOUSE BILL NO. 1789** as originally introduced:

Page 2, delete lines 23 through 25 and substitute:

"(e) The principal of the resident school shall permit a home-schooled student to pursue participation in an interscholastic activity of the resident school if the student or the student's parent:

(1) Before the signup, tryout, or participation deadlines established for students enrolled in the resident school, provides to the principal a notice of the student's desire to pursue participation; and

(2) Informs the principal in the notice that the student has demonstrated academic eligibility by obtaining:

(A) A minimum test score of the thirtieth percentile on a nationally recognized norm-referenced test in the previous twelve (12) months;

(B) A minimum score on a test approved by the State Board of Education; or

(C) A minimum score on a test approved by the Arkansas Activities Association."

AND

Page 2, delete line 35 and 36 and substitute:

"(B) Standards of behavior and codes of conduct; and
(C) The academic criteria under subdivision (e)(2) of this
section;"

AND

Page 3, delete lines 1 through 9

AND

Page 3, delete line 17 and substitute:

"district;

(2) Required to be at school not more than one (1) period per school
day if necessary for insurance purposes; and"

AND

Page 3, line 18, delete "(2)" and substitute "(3)"

/s/ Mark Lowery

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 2144** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2144

Amend **HOUSE BILL NO. 2144** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 16-90-906 is amended to read as follows:
16-90-906. When no guilty verdict.

(a) Any individual who has been charged and arrested for any criminal offense where the charges are subsequently nolle prossed or dismissed or the

individual is acquitted at trial may file a uniform petition to seal records under this subchapter and is eligible to have all arrest records, citations, informations, indictments, petitions, orders, docket sheets, and any other documents relating to the ~~case~~ charges expunged in accordance with the procedures defined by this subchapter and upon entry of ~~an order of expungement~~ a uniform order to seal the records may state that ~~no such~~ the charges, arrest, and the resulting trial ~~ever occurred~~ did not occur.

(b) If the charge described in subsection (a) of this section was for a misdemeanor offense or violation, a court shall grant the uniform petition to seal records and enter a uniform order to seal the records as described in subsection (a) of this section."

/s/ Mark Lowery

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Hickerson, **HOUSE BILL NO. 1555** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1555

Amend **HOUSE BILL NO. 1555** as engrossed,
H3/18/13 (version: 03/18/2013 10:29:23 AM)

Page 1, line 10, delete "ADMITTED"

AND

Page 1, line 11, delete "TO" and substitute "DETAINED IN"

AND

Page 1, line 18, delete "ADMITTED TO" and substitute "DETAINED IN"

AND

Page 2, line 4, delete "committed" and substitute "detained or involuntarily admitted"

AND

Page 2, line 7, delete "the a" and substitute "a"

AND

Page 2, line 9, delete "person committed" and substitute "person who is detained in or involuntarily admitted"

AND

Page 2, line 11, delete "committed" and substitute "detained or involuntarily admitted"

AND

Page 2, line 16, delete "committed" and substitute "who is detained in or involuntarily admitted"

AND

Page 2, line 21, delete "committed" and substitute "who is detained in or involuntarily admitted"

AND

Page 2, line 25, delete "committed" and substitute "who is detained in or involuntarily admitted"

AND

Page 2, line 29, delete "committed" and substitute "detained or involuntarily admitted"

/s/ Mary P. Hickerson

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Kerr, **HOUSE BILL NO. 1866** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1866

Amend **HOUSE BILL NO. 1866** as originally introduced:

Page 1, delete line 27, and substitute the following:

"(a) Title 26 U.S.C. § 1341(a)(1)-(3) and (b)(2), as they existed on January 1, 2013, regarding the"

AND

Page 1, delete line 30, and substitute the following:

"liability under this chapter.

(b)(1) Title 26 U.S.C. § 1341(a)(4) and (5), (b)(1), and (b)(3)-(5), concerning the methods of calculating the deduction authorized under 26 U.S.C. § 1341 and special rules for net operating losses and capital losses, are not adopted.

(2) For the purpose of computing income tax when a taxpayer restores a substantial amount held under a claim of right under this section:

(A) The tax imposed under this chapter is calculated for the taxable year by allowing a deduction in the tax year the taxpayer restores the amount held under a claim of right; and

(B) Net operating losses and capital losses are calculated and deducted under §§ 26-51-427 and 26-51-815.

(c) The Director of the Department of Finance and Administration may promulgate rules to administer this section."

/s/ Allen Kerr

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Branscum, **HOUSE BILL NO. 1687** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1687

Amend **HOUSE BILL NO. 1687** as originally introduced:

Page 2, line 2, delete "~~be stayed;~~" and substitute "be stayed;"

AND

Page 2, line 3, delete "~~and;~~"

AND

Page 2, delete lines 4 through 7

AND

Page 2, line 8, delete "(C)" and substitute "(C)(i)"

AND

Page 2, line 11, delete "party; and" and substitute "party."

AND

Page 2, delete lines 12 through 24, and substitute the following:

"(ii) As used in subdivision (c)(6)(C)(i) of this section, "substantial prejudice" means that the following will occur to the party seeking a stay, a modification of the terms of a stay, or the termination of a stay if the request is denied:

(a) Actual harm to health; or

(b) Adverse economic impact, including without limitation interruption, curtailment, or deferral of business or increased cost of construction or operation;

(D) Upon application by a party for a stay, to modify the terms of a stay, or to terminate a stay, the chair of the commission shall:

(i) Grant a temporary stay, modify the terms of a stay, or terminate a stay effective until the earlier of the next regularly scheduled commission meeting or the next special meeting called for the purpose of considering the application; or

(ii) Place the application on the agenda for the next regularly scheduled commission meeting or call a special commission meeting for the purpose of considering the application if more than thirty (30) days will pass between the receipt of the application and the next regularly scheduled commission meeting; and

(E) Notwithstanding subdivision (c)(6)(D) of this section, the commission shall render a final decision on an application to provide for a stay, modify the terms of a stay, or terminate a stay within thirty (30) days of receipt of the application."

/s/ David L. Branscum

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Bell, **HOUSE BILL NO. 2076** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2076

Amend **HOUSE BILL NO. 2076** as originally introduced:

Page 2, delete lines 34 through 36 and substitute the following:

"(B) The Department of Higher Education shall comply with the provisions of § 26-36-301 et seq. for collection of the debt through a setoff."

AND

Page 3, delete line 1

/s/ Nate Bell

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Alexander, **HOUSE BILL NO. 1897** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1897

Amend **HOUSE BILL NO. 1897** as originally introduced:

Add Representatives Ballinger, D. Altes, Davis, Dotson, Fite, Harris, Hutchison, Lowery, Neal, Payton, Scott as cosponsors of the bill

AND

Page 5, line 10, delete "the adequate" and substitute "ninety-two percent (92%) of the adequate"

/s/ Randy Alexander

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Vines, **HOUSE BILL NO. 1699** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1699

Amend **HOUSE BILL NO. 1699** as originally introduced:

Page 1, delete line 23 and substitute:

"SECTION 1. Arkansas Code Title 27, Chapter 20, Subchapter 1 is amended to add an additional section to read as follows:

27-20-120. Veterans of Foreign Wars motorcycle license plates.

(a) As used in this section:

(1) "Eligible applicant" means a person who establishes by membership card or Life Member card upon initial application that he or she is a member of the:

(A) Veterans of Foreign Wars;

(B) Ladies Auxiliary to the Veterans of Foreign Wars;

(C) Men's Auxiliary to the Veterans of Foreign Wars;

(D) Auxiliary to the Veterans of Foreign Wars;

(E) Junior Girls of the Ladies Auxiliary to the Veteran of Foreign Wars; or

(F) Sons of the Veterans of Foreign Wars; and

(2) "Special motorcycle license plate" means a special license plate issued under this section for a motorcycle as defined under § 27-20-101(1).

(b) The Department of Finance and Administration is authorized to issue a special motorcycle license plate to an eligible applicant.

(c) The Department of Finance and Administration shall design the special license plate issued under this section in consultation with the Department of Arkansas Veterans of Foreign Wars.

(d)(1) The special license plate created and issued under this section shall be issued and renewed to an eligible applicant under subdivision (a)(1)(A) of this section upon payment of a one dollar (\$1.00) fee, which the Department of Finance and Administration is authorized to collect.

(2) An applicant that qualifies for a license plate under subdivisions (a)(1)(B) through (F) of this section shall pay the fee for licensing a motorcycle under § 27-14-601.

(e) The registration of a special license plate under this section may continue from year to year if it is renewed each year within the time and manner required by law.

SECTION 2. Arkansas Code § 27-24-206(a), concerning fees and"

AND

Page 1, line 28, delete "§ 27-24-212(e)" and substitute "§ 27-24-212"

AND

Page 1, delete line 31 and substitute:

"SECTION 3. Arkansas Code Title 27, Chapter 24, Subchapter 2 is"

AND

Page 2, delete line 15 and substitute "(6) Sons of the Veterans of Foreign Wars."

AND

Page 2, delete line 19 and substitute:

"(2) In place of the legend "The Natural State" at the bottom"

AND

Page 2, delete line 22 and substitute:

"(16), upon proof as required under § 27-24-204 that the applicant is eligible to be issued the decal."

AND

Page 2, delete lines 23 through 36 and substitute the following:

“(e) An applicant who qualifies for a special license plate under subdivision (c)(1) of this section:

(1)(A) Shall pay a fundraising fee of ten dollars (\$10.00) for the issuance and renewal of the first special license plate; and

(B) Shall pay an annual fee not to exceed one dollar (\$1.00) that the Director of the Department of Finance and Administration may charge for the issuance and renewal of the first special license plate; and

(2) May obtain and renew additional special license plates upon payment of a ten dollar (\$10.00) fundraising fee and the fee for licensing a motor vehicle under § 27-14-601.

(f) An applicant that qualifies for a special license plate under subdivision (c)(2)-(6) of this section shall pay a fundraising fee of ten dollars (\$10.00) and the fee for licensing a motor vehicle as provided in § 27-14-601 for the issuance and renewal of any license plate issued under this subdivision.”

AND

Page 3, delete lines 1-3 and substitute the following:

“(g) The ten dollar (\$10.00) fundraising fee paid by any applicant on issuance or renewal of a special license plate under this section”

AND

Page 3, delete lines 7 – 36 and substitute the following:

“SECTION 4. EFFECTIVE DATE. This act is effective on and after January”

/s/ John T. Vines

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Kizzia, **HOUSE BILL NO. 1534** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1534

Amend **HOUSE BILL NO. 1534** as originally introduced:

Page 1, delete lines 26 through 32 and substitute the following:

"(b) A Unless a child is at least four feet nine inches (4' 9") tall, a child who is less than six (6) nine (9) years of age and who weighs less than sixty pounds (60 lbs.) eighty pounds (80 lbs.) shall be restrained in a child passenger safety seat properly secured to the vehicle.

(c) If a child is at least six (6) nine (9) years of age or and at least sixty pounds (60 lbs.) eighty pounds (80 lbs.) in weight or is at least four feet nine inches (4' 9") tall, a safety belt properly secured to the vehicle shall be sufficient to meet the requirements of this section."

/s/ David Kizzia

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Dotson, **HOUSE BILL NO. 2290** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2290

Amend **HOUSE BILL NO. 2290** as originally introduced:

Page 3, delete lines 15 through 17 and substitute:

"(2) The term of each state board member currently serving shall expire:

(A)(i) Immediately upon the taking of the oath by his or her successor appointed under this act.

(ii) A current state board member:

(a) May be reappointed as provided in § 6-11-101
as amended by this act; and
(b) Shall serve for the new term provided in this
act; and"

/s/ Jim Dotson

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. 1982** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1982

Amend **HOUSE BILL NO. 1982** as engrossed,
 H3/19/13 (version: 03/19/2013 10:38:43 AM)

Add Senator J. Dismang as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. DO NOT CODIFY. Legislative intent.

It is the intent of the General Assembly to protect the state's agricultural producers and farmers from the destruction of their equipment and implements due to purposeful destruction by persons stripping equipment and implements for copper.

SECTION 2. Arkansas Code Title 17, Chapter 44, is amended to add additional new sections to read as follows:

17-44-107. Regulation of copper sellers.

(a)(1) Before a person may sell copper to a commercial buyer of copper, the person is required to deliver the copper to the county sheriff of the county or other law enforcement officer as designated by the county sheriff in which the seller resides in order to:

(A) Acquire a permit from the county sheriff to sell the copper;

and

(B) Allow the county sheriff to take a photograph of the copper to be sold.

(2) A person who complies with the requirements of this shall be issued a permit to sell the copper by the county sheriff.

(b) A commercial buyer of copper is required to request from the seller a copy of the permit and photograph described under subsection (a) of this section before agreeing to purchase the copper.

(c) A person who holds a heating, ventilation, and air conditioning license, a plumber's license, an electrician's license, or a general contractor's license is exempt from the requirements of this section.

17-44-108. Transactions or acquisitions involving copper — Payment by check required.

A commercial scrap metal dealer or recycler subject to the requirements of this chapter is prohibited from purchasing or otherwise acquiring copper by performing a cash transaction."

/s/ David Hillman

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

/s/ Mrs. Sherri Stacks
Chief Clerk

ENGROSSED BILL REPORTS

DAVY CARTER, CHAIRPERSON

March 20, 2013

The following bill(s) reported correctly engrossed:

| | |
|-------------------------------|--------------------------------|
| HOUSE BILL NO. 1011 | BY REPRESENTATIVE ALTES |
| HOUSE BILL NO. 1329 | BY REPRESENTATIVE LEA |
| HOUSE BILL NO. 1534 | BY REPRESENTATIVE KIZZIA |
| HOUSE BILL NO. 1555 – TITLE – | BY REPRESENTATIVE HICKERSON |
| HOUSE BILL NO. 1616 – TITLE – | BY REPRESENTATIVE NICKELS |
| HOUSE BILL NO. 1619 – TITLE – | BY REPRESENTATIVE BAINE |
| HOUSE BILL NO. 1687 | BY REPRESENTATIVE BRANSCUM |
| HOUSE BILL NO. 1699 | BY REPRESENTATIVE VINES |
| HOUSE BILL NO. 1700 – TITLE – | BY REPRESENTATIVE ALTES |
| HOUSE BILL NO. 1752 – TITLE – | BY REPRESENTATIVE BALLINGER |
| HOUSE BILL NO. 1789 | BY REPRESENTATIVE LOWERY |
| HOUSE BILL NO. 1866 | BY REPRESENTATIVE KERR |
| HOUSE BILL NO. 1888 | BY REPRESENTATIVE E. ARMSTRONG |
| HOUSE BILL NO. 1897 – TITLE – | BY REPRESENTATIVE ALEXANDER |
| HOUSE BILL NO. 1982 – TITLE – | BY REPRESENTATIVE HILLMAN |
| HOUSE BILL NO. 1985 – TITLE – | BY REPRESENTATIVE SLINKARD |
| HOUSE BILL NO. 2038 – TITLE – | BY REPRESENTATIVE S. MEEKS |
| HOUSE BILL NO. 2043 | BY REPRESENTATIVE LINCK |
| HOUSE BILL NO. 2076 | BY REPRESENTATIVE BELL |
| HOUSE BILL NO. 2107 | BY REPRESENTATIVE MALONE |
| HOUSE BILL NO. 2144 | BY REPRESENTATIVE LOWERY |
| HOUSE BILL NO. 2224 | BY REPRESENTATIVE DOTSON |
| HOUSE BILL NO. 2290 | BY REPRESENTATIVE DOTSON |

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1555

BY: REPRESENTATIVE HICKERSON

BY: *SENATOR HICKEY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A MECHANISM FOR TRANSFERRING BACK TO ARKANSAS ANY ARKANSAS CITIZEN WHO HAS BEEN DETAINED IN A PRIVATE HOSPITAL IN ANOTHER STATE FOR THE TREATMENT OF MENTAL ILLNESS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1616

BY: REPRESENTATIVE NICKELS

BY: *SENATOR D. SANDERS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING BAND, MUSIC, AND VISUAL ARTS CREDITS FOR PUBLIC SCHOOL STUDENTS IN MIDDLE SCHOOL AND HIGH SCHOOL; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1619

BY: REPRESENTATIVE BAINE

BY: *SENATOR B. PIERCE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE REGULATION OF TOBACCO PRODUCTS; TO AMEND THE ARKANSAS TOBACCO PRODUCTS TAX ACT OF 1977; TO MAKE TECHNICAL CHANGES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1700

BY: REPRESENTATIVES D. ALTES, *ALEXANDER*, *BALLINGER*, *BARNETT*, *BELL*, *BRAGG*, *CARNINE*, *COZART*, *DALE*, *DEFFENBAUGH*, *C. DOUGLAS*, *HAMMER*, *HOBBS*, *LEA*, *S. MEEKS*, *RICE*, *SCOTT*, *WESTERMAN*, *WORD*
BY: *SENATORS FILES*, *A. CLARK*, *B. KING*, *J. WOODS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT MAKING TECHNICAL CORRECTIONS CONCERNING THE POSSESSION OF A HANDGUN AND OTHER WEAPONS IN CERTAIN PLACES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1752

BY: REPRESENTATIVES *BALLINGER*, *ALEXANDER*, *D. ALTES*, *BARNETT*, *BELL*, *BRAGG*, *COZART*, *DAVIS*, *DOTSON*, *D. DOUGLAS*, *FARRER*, *FITE*, *HARRIS*, *HOBBS*, *HUTCHISON*, *JEAN*, *LOWERY*, *D. MEEKS*, *S. MEEKS*, *MILLER*, *PAYTON*, *SCOTT*, *WOMACK*

BY: *SENATORS J. WOODS*, *J. ENGLISH*, *B. KING*, *RAPERT*, *G. STUBBLEFIELD*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND PUBLIC OFFICERS TO DISREGARD UNCONSTITUTIONAL OVERREACHES OF POWER; TO PROTECT THE CONSTITUTIONAL RIGHTS OF ARKANSANS; TO PREVENT THE FEDERAL GOVERNMENT FROM REGULATING THE MANUFACTURE, ASSEMBLY, AND TRADE OF FIREARMS WITHIN THE BORDERS OF ARKANSAS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1897

BY: REPRESENTATIVES ALEXANDER, BALLINGER, D. ALTES, DAVIS,
DOTSON, FITE, HARRIS, HUTCHISON, LOWERY, NEAL, PAYTON, SCOTT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH THE PARENTAL CHOICE SCHOLARSHIP PROGRAM, TO CREATE A SCHOLARSHIP PROGRAM THAT PROVIDES ALL ARKANSAS CHILDREN THE OPTION TO ATTEND THE PUBLIC OR PRIVATE ELEMENTARY OR SECONDARY SCHOOL OF THEIR PARENTS' CHOICE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1982

BY: REPRESENTATIVE HILLMAN
BY: SENATOR J. DISMANG

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING PROTECTION OF AGRICULTURAL EQUIPMENT AND IMPLEMENTS; TO REGULATE TRANSACTIONS INVOLVING CERTAIN METALS ASSOCIATED WITH AGRICULTURAL PRODUCTION; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1985

BY: REPRESENTATIVE SLINKARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE TOWING COMPANIES TO ALLOW VEHICLE OWNERS TO USE A TOWING COMPANY OF THEIR CHOICE WHEN RECLAIMING A VEHICLE; TO RESTRICT TOW LICENSES AND PERMITS OF OUT-OF-STATE TOWING BUSINESSES TO THOSE IN COMPLIANCE WITH ARKANSAS'S RECIPROCITY REQUIREMENTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2038

BY: REPRESENTATIVE S. MEEKS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE STATE AND FEDERAL RELATIONS JOINT INTERIM COMMITTEE; AND FOR OTHER PURPOSES.

The Speaker called for the report from the House Special Committee on Inter-Legislative Branch Relations.

The Committee reported that the House of Representatives prevailed convincingly in the inaugural “Hoops for Kids Sake” event on Tuesday, March 19, at the Jack T. Stephens Center in Little Rock, winning its meager challenge from the Senate by a score of 69-60, and in the process raising almost \$13,000 for the benefit of Big Brothers and Big Sisters of Central Arkansas.

The report was submitted by Gabe Holmstrom, Committee Chair.

Morning Hour Expired.

Representative House asked for a Point of Order regarding HOUSE BILL NO. 1855 and if it was properly introduced. Chair overruled.

Representative Nickels moved for immediate consideration. Motion carried.

HOUSE BILL NO. 1855

BY: REPRESENTATIVE NICKELS

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

AFFIRMATIVE: D. Altes, C. Armstrong, E. Armstrong, Baine, Baird, Baltz, Bell, Branscum, Broadway, J. Burris, Catlett, Dale, Davis, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Gillam, Gossage, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, McCrary, McElroy, McGill, McLean, Miller, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Sabin, Shepherd, F. Smith, Steel, Talley, Vines, W. Wagner, Wardlaw, D. Whitaker, B. Wilkins, Wren, Wright.

Total63

NEGATIVE: Alexander, Ballinger, Barnett, Biviano, Bragg, Carnine, Collins, Farrer, Fite, Hammer, Harris, House, Hutchison, Jean, Kerr, Mayberry, D. Meeks, Scott, Slinkard, Westerman, H. Wilkins, Williams, Womack, Word.

Total24

ABSENT OR NOT VOTING: Clemmer, Copenhaver, Cozart, Dotson, Fielding, Love, S. Meeks, Murdock, Rice, Richey, T. Thompson, Walker, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative.....63

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

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

Upon motion of Representative Shepherd the Clincher motion prevailed.

HOUSE BILL NO. 1135

BY: REPRESENTATIVE LENDERMAN

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, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren.

Total83

NEGATIVE: Ballinger, Bell, Harris, Lea.

Total4

ABSENT OR NOT VOTING: Alexander, Carnine, Collins, Dotson, Eubanks, Farrer, Payton, Richey, Walker, Wardlaw, Wright, Mr. Speaker.

Total12

VOTING PRESENT: Hobbs.

Total1

Total number of votes cast.....88

Total number voting in the affirmative83

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. 1135**, 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, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack, Word, Wren.

Total83

NEGATIVE: Ballinger, Bell, Harris, Lea.

Total4

ABSENT OR NOT VOTING: Alexander, Carnine, Collins, Dotson, Eubanks, Farrer, Payton, Richey, Walker, Wardlaw, Wright, Mr. Speaker.

Total12

VOTING PRESENT: Hobbs.

Total1

Total number of votes cast88

Total number voting in the affirmative83

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1137

BY: REPRESENTATIVE LENDERMAN

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, Broadaway, J. Burris, 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, B. Overbey, Payton, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Barnett, Carnine, C. Douglas, S. Malone, Nickels, Richey, T. Thompson, Walker, B. Wilkins, Wright, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

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. 1137**, 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, 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, B. Overbey, Payton, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Barnett, Carnine, C. Douglas, S. Malone, Nickels, Richey, T. Thompson, Walker, B. Wilkins, Wright, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative89

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

So the Emergency Clause was adopted.

Representative Catlett moved that the record by which **HOUSE RESOLUTION NO. 1025** was adopted be expunged from the record.

The vote was as follows

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, 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, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, 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, Womack, Word, Wren, Wright.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Barnett, Carnine, S. Malone, Nickels, Richey, Walker, Williams, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the adoption of the motion.....67

So the Motion carried.

Representative Lenderman moved to take **SENATE BILL NO. 140** out of proper order. Without objection, so ordered.

HOUSE BILL NO. 1103

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: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, 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, 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.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Branscum, J. Edwards, Eubanks, Farrer, Hickerson, Hillman, McLean, Richey, Walker, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1103**, 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, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, 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, 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.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Branscum, J. Edwards, Eubanks, Farrer, Hickerson, Hillman, McLean, Richey, Walker, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

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

So the Emergency Clause was adopted.

SENATE BILL NO. 23

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: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, 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, 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, D. Meeks, S. Meeks, Miller, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Bell, J. Edwards, McLean, Murdock, Richey, Walker, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 23**, 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, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, 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, 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, D. Meeks, S. Meeks, Miller, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Bell, J. Edwards, McLean, Murdock, Richey, Walker, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

SENATE BILL NO. 80

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: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, 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, Hickerson, Hillman, Hobbs, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Bell, Hawthorne, Hodges, Linck, Miller, Payton, Richey, F. Smith, Walker, B. Wilkins, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative88

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 80**, 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, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, 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, Hickerson, Hillman, Hobbs, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren, Wright.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Bell, Hawthorne, Hodges, Linck, Miller, Payton, Richey, F. Smith, Walker, B. Wilkins, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Total number voting in the affirmative88

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

So the Emergency Clause was adopted.

STATE OF ARKANSAS
ARKANSAS SENATE

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

FAX: 501-682-2917

CELL: 501- 837-7777

E-MAIL: ann.cornwell@senate.ar.gov

STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

March 20, 2013

The Honorable Sherri Stacks
Chief Clerk
State Capitol
Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, **SENATE BILL NO. 215**.

Respectfully submitted,

/s/ Ann Cornwell

Ann Cornwell, Director
Secretary of the Senate

Leave was granted to return **SENATE BILL NO. 215** back to the Senate.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

| | |
|---------------------|-----------------------------|
| HOUSE BILL NO. 1135 | BY REPRESENTATIVE LENDERMAN |
| HOUSE BILL NO. 1137 | BY REPRESENTATIVE LENDERMAN |
| HOUSE BILL NO. 1855 | BY REPRESENTATIVE SHEPHERD |

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

| | |
|--------------------------------------|-----------------------|
| SENATE BILL NO. 417 AS AMENDED #1 | BY SENATOR J. HENDREN |
|--------------------------------------|-----------------------|

NOTICE OF RETURN OF SENATE BILLS AS REQUESTED

| | |
|---------------------|------------------|
| SENATE BILL NO. 215 | BY SENATOR IRVIN |
|---------------------|------------------|

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

| | |
|---------------------|-------------------------------|
| HOUSE BILL NO. 1136 | BY REPRESENTATIVE LENDERMAN |
| HOUSE BILL NO. 1383 | BY REPRESENTATIVE VINES |
| HOUSE BILL NO. 1527 | BY REPRESENTATIVE D. WHITAKER |
| HOUSE BILL NO. 1633 | BY REPRESENTATIVE J. EDWARDS |
| HOUSE BILL NO. 1701 | BY REPRESENTATIVE BARNETT |

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

| | |
|----------------------|------------------------|
| SENATE BILL NO. 116 | BY SENATOR R. THOMPSON |
| SENATE BILL NO. 793 | BY SENATOR TEAGUE |
| SENATE BILL NO. 805 | BY SENATOR J. WOODS |
| SENATE BILL NO. 897 | BY SENATOR D. JOHNSON |
| SENATE BILL NO. 905 | BY SENATOR B. PIERCE |
| SENATE BILL NO. 939 | BY SENATOR B. SAMPLE |
| SENATE BILL NO. 1038 | BY SENATOR IRVIN |
| SENATE BILL NO. 1059 | BY SENATOR HESTER |
| SENATE BILL NO. 1107 | BY SENATOR RAPERT |

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 20, 2013

MR. SPEAKER:

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

| | |
|---------------------|------------------------------------|
| HOUSE BILL NO. 1278 | BY REPRESENTATIVE D. DOUGLAS |
| HOUSE BILL NO. 1475 | BY REPRESENTATIVE HAWTHORNE, ET AL |
| HOUSE BILL NO. 1694 | 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 9:20 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. 1278 | BY REPRESENTATIVE D. DOUGLAS |
| HOUSE BILL NO. 1475 | BY REPRESENTATIVE HAWTHORNE, ET AL |
| HOUSE BILL NO. 1694 | BY REPRESENTATIVE GILLAM, ET AL |

/s/ Mike Beebe - Governor

TIME: 9:20 a.m.

By: Samantha Williams

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 20, 2013

MR. SPEAKER:

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

- HOUSE BILL NO. 1136 BY REPRESENTATIVE LENDERMAN
- HOUSE BILL NO. 1383 BY REPRESENTATIVE VINES, ET AL
- HOUSE BILL NO. 1527 BY REPRESENTATIVE D. WHITAKER
- HOUSE BILL NO. 1633 BY REPRESENTATIVE EDWARDS, ET AL
- HOUSE BILL NO. 1701 BY REPRESENTATIVE BARNETT

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 4:40 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. 1136 BY REPRESENTATIVE LENDERMAN
- HOUSE BILL NO. 1383 BY REPRESENTATIVE VINES, ET AL
- HOUSE BILL NO. 1527 BY REPRESENTATIVE D. WHITAKER
- HOUSE BILL NO. 1633 BY REPRESENTATIVE EDWARDS, ET AL
- HOUSE BILL NO. 1701 BY REPRESENTATIVE BARNETT

/s/ Mike Beebe - Governor

TIME: 4:40 p.m.

By: Sarah Agee

STATE OF ARKANSAS
 HOUSE OF REPRESENTATIVES EIGHTY-NINTH GENERAL ASSEMBLY

350 STATE CAPITOL

500 WOODLANE AVENUE

LITTLE ROCK, ARKANSAS 72201-1037

(501) 682-7771 TDD (501) 682-9148

DAVY CARTER, SPEAKER

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 20, 2013
SUBJECT: Amendment #1 to **HOUSE BILL NO. 1973**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 1973.

Page 2, second paragraph, line 1 should be read "SECTION 3. Arkansas Code § 12-12-903(12)(A)(i), concerning the "(changed SECTION 2 to SECTION 3)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 1973.

/s/ Rep. Davy Carter, Chairperson
 Speaker of the House

/s/ Justin T. Harris
 Rep. Justin T. Harris

/s/ Rep. Stephanie Malone, Chairperson
 House Rules

/s/ John W. Catlett
 Rep. John W. Catlett

/s/ Rep. Jeremy Gillam, Chairperson
 House Management Committee

/s/ Finos "Buddy" Johnson,
 Parliamentarian

cc: Sherri Stacks, Chief Clerk
 Marty Garrity, Director, Bureau of Legislative Research

Hall of the House of Representatives

89th General Assembly – Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 1973

TO CREATE THE OFFENSE OF THE SEXUAL GROOMING OF A CHILD, TO REQUIRE REGISTRATION WITH THE SEX OFFENDER REGISTRY UPON CONVICTION OF SEXUAL GROOMING OF A CHILD, AND CONCERNING UNLAWFUL SEXUAL OFFENSES AGAINST A CHILD.

Amendment No. 1 to House Bill No. 1973

Amend House Bill No. 1973 as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 5-27-302(5), concerning the definition of "visual or print medium", is amended to read as follows:

(5) "Visual or print medium" means any film, photograph, negative, slide, book, magazine, magnetic image, electronic image, or other visual or print medium other than material specifically used by a licensed medical professional or mental health professional, or both, for the purpose of assessment, evaluation, and treatment of a sex offender.

SECTION 2. Arkansas Code Title 5, Chapter 27, Subchapter 3, is amended to add a new section to read as follows:

5-27-307. Sexually grooming a child.

(a) As used in this section "disseminates" means to allow to view, expose, furnish, present, sell, or otherwise distribute.

(b) A person commits sexually grooming a child if he or she knowingly disseminates to a child thirteen (13) years of age or younger with or without consideration a visual or print medium depicting sexually explicit conduct with the purpose to entice, induce, or groom the child thirteen (13) years of age or younger to engage in the following with a person:

- (1) Sexual intercourse;
- (2) Sexually explicit conduct; or
- (3) Deviate sexual activity.

(c) Sexually grooming a child is a:

- (1) Class D felony if the actor is twenty-one (21) years of age or older;

or

(2) Class A misdemeanor if the actor is younger than twenty-one (21) years of age.

(d) It is an affirmative defense to prosecution under this section that the actor was not more than three (3) years older than the victim.

(e) It is not a defense to prosecution under this section that the actor does not know the age of the child or believes the child is fourteen (14) years of age or older.

3 SJS 3/19/13

SECTION 2. Arkansas Code § 12-12-903(12)(A)(i), concerning the definition of "sex offense", is amended to add a new subdivision to read as follows:

(bb) Sexually grooming a child, § 5-27-307;"

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES EIGHTY-NINTH GENERAL ASSEMBLY
350 STATE CAPITOL
500 WOODLANE AVENUE
LITTLE ROCK, ARKANSAS 72201-1037
(501) 682-7771 TDD (501) 682-9148

DAVY CARTER, SPEAKER

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 20, 2013
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2038**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2038.

Page 1, in the third, fourth and fifth paragraphs, "Joint Interim" should be underlined.

Page 2, first paragraph, line one "Joint Interim" should be underlined.

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2038.

/s/ Rep. Davy Carter, Chairperson
Speaker of the House

/s/ Justin T. Harris
Rep. Justin T. Harris

/s/ Rep. Stephanie Malone, Chairperson
House Rules

/s/ John W. Catlett
Rep. John W. Catlett

/s/ Rep. Jeremy Gillam, Chairperson
House Management Committee

/s/ Finos "Buddy" Johnson,
Parliamentarian

cc: Sherri Stacks, Chief Clerk
Marty Garrity, Director, Bureau of Legislative Research

Hall of the House of Representatives

89th General Assembly – Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 2038

TO CREATE THE STATE AND FEDERAL RELATIONS INTERIM COMMITTEE.

Amendment No. 1 to House Bill No. 2038

Page 1, line 9, delete "INTERIM" and substitute "JOINT INTERIM"

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE STATE AND FEDERAL
RELATIONS JOINT INTERIM COMMITTEE."

AND

Page 1, line 21, delete "INTERIM" and substitute "JOINT INTERIM" **SJS 3/20/13**

AND

Page 1, line 23, delete "Interim" and substitute "Joint Interim" **SJS 3/20/13**

AND

Page 1, line 25, delete "Interim" and substitute "Joint Interim" **SJS 3/20/13**

AND

Page 1, delete lines 27 through 30 and substitute the following:

"(1)(A) Seven (7) members of the Senate appointed by the President
Pro Tempore of the Senate.

(B) No more than five (5) members of the Senate appointed to
the committee shall represent the same political party; and

(2)(A) Thirteen (13) members of the House of Representatives
appointed by the Speaker of the House of Representatives.

(B) No more than eight (8) members of the House of
Representatives appointed to the committee shall represent the same political
party."

AND

Page 2, line 16, delete "Interim" and substitute "Joint Interim" **SJS 3/20/13**

AND

Page 2, delete lines 21 through 26 and substitute the following:

"(B) Upon a vote of three-fourths (3/4) of the members present,
file a letter of grievance with the governmental body or federal agency issuing the
federal law or regulation; and

(C) Upon a vote of three-fourths (3/4) of the members present, issue a recommendation to the Legislative Council or the General Assembly that a resolution of grievance be adopted and delivered to the governmental body or federal agency issuing the federal law or regulation."

SENATE BILL NO. 144

BY: SENATOR J. KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO RESOLVE ISSUES AND REQUIREMENTS OF THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 160

BY: SENATOR E. CHEATHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF "SALARY" FOR RETIREMENT PURPOSES UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM TO INCLUDE PENSIONABLE SALARY ONLY; TO CLARIFY THE CALCULATION OF SERVICE CREDIT AND BENEFITS PAID TO A MEMBER OF THE SYSTEM BY COURT ORDER, CONTRACT BUYOUT, OR SETTLEMENT AGREEMENT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 169

BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM AND CERTAIN BENEFIT PROGRAMS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 437

BY: SENATORS TEAGUE, MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR HUNGER RELIEF GRANTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 636

BY: SENATOR J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES FOR A GRANT FOR CONSTRUCTION OF AN ADULT SERVICES CENTER; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 857

BY: SENATOR A. CLARK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE DUTY OF THE DEPARTMENT OF WORKFORCE SERVICES TO ENFORCE THE LAW REGARDING INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR FAILURE TO ACCEPT OR SEEK SUITABLE WORK; TO REQUIRE QUARTERLY REPORTS TO THE LEGISLATIVE COUNCIL CONCERNING ENFORCEMENT EFFORTS CONCERNING INELIGIBILITY FOR EXTENDED UNEMPLOYMENT BENEFITS FOR FAILURE TO ACCEPT OR SEEK SUITABLE WORK; 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.

SENATE BILL NO. 1099

BY: SENATOR G. STUBBLEFIELD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING THE PROCEDURES FOR CONDUCTING A MEETING OF THE STATE BOARD OF ELECTION COMMISSIONERS; 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. 1141

BY: SENATOR D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY OF THE ARKANSAS ARTS COUNCIL; 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 STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 1142

BY: SENATOR D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY OF THE HISTORIC ARKANSAS MUSEUM COMMISSION; 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 STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 1143

BY: SENATOR D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING THE POWERS AND DUTIES OF THE OLD STATE HOUSE COMMISSION; 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 STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

Upon motion of Representative Duncan Baird, the House adjourned at 2:35 p.m. until 1:30 p.m., Thursday, March 21, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk

