

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

Little Rock, Arkansas

April 6, 2013

The House was called to order at 10:00 a.m. by Mr. Carter, the Speaker. The following members answered to the roll call:

Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, 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, Murdock, Neal, Nickels, Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, Thompson, Vines, Wagner, Walker, Wardlaw, Westerman, Whitaker, B. Wilkins, H. Wilkins, Womack, Word, Wren, Wright, Mr. Speaker.

Total95

The following member(s) was absent and did not answer to the roll call: Altes, Cozart, Miller, Smith, Williams.

Total5

A quorum was present.

Unanimous leave was granted for Representative(s) Altes, Cozart, Miller, Smith, Williams.

The House stood and was led in prayer by Pastor John Vaprezsán, Freedom Baptist Church, Morgan, 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

April 6, 2013

JOINT BUDGET

DUNCAN BAIRD

CHAIRPERSON

HOUSE BILL NO. 1223

DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1483

DO PASS

BY REPRESENTATIVE E. ARMSTRONG

HOUSE BILL NO. 1493

DO PASS

BY REPRESENTATIVE HAMMER

AS AMENDED #2

HOUSE BILL NO. 1523

DO PASS

BY REPRESENTATIVE MCLEAN

HOUSE BILL NO. 1532

DO PASS

BY REPRESENTATIVE BROADAWAY

HOUSE BILL NO. 1578

DO PASS

BY REPRESENTATIVE WRIGHT

HOUSE BILL NO. 1579

DO PASS

BY REPRESENTATIVE WRIGHT

HOUSE BILL NO. 1589

DO PASS

BY REPRESENTATIVE HAMMER

HOUSE BILL NO. 1630

DO PASS

BY REPRESENTATIVE RICE

HOUSE BILL NO. 1634

DO PASS

BY REPRESENTATIVE VINES

HOUSE BILL NO. 1636

DO PASS

BY REPRESENTATIVE C. DOUGLAS

HOUSE BILL NO. 1663

DO PASS

BY REPRESENTATIVE C. ARMSTRONG

HOUSE BILL NO. 1664

DO PASS

BY REPRESENTATIVE C. ARMSTRONG

HOUSE BILL NO. 1666

DO PASS

BY REPRESENTATIVE MCGILL

HOUSE BILL NO. 1667

DO PASS

BY REPRESENTATIVE MCGILL

HOUSE BILL NO. 1669

DO PASS

BY REPRESENTATIVE MURDOCK

COMMITTEE REPORT, CONTINUED

JOINT BUDGET

HOUSE BILL NO. 1673	DO PASS
BY REPRESENTATIVE SMITH	
HOUSE BILL NO. 1674	DO PASS
BY REPRESENTATIVE HODGES	
HOUSE BILL NO. 1680	DO PASS
BY REPRESENTATIVE MURDOCK	
SENATE BILL NO. 45	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 155	DO PASS
BY JOINT BUDGET COMMITTEE	AS AMENDED #1
SENATE BILL NO. 552	DO PASS
BY SENATOR INGRAM	AS AMENDED #1

Upon motion of Representative Wardlaw, **HOUSE BILL NO. 2278** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2278

Amend **HOUSE BILL NO. 2278** as engrossed,
H4/3/13 (version: 04/03/2013 10:56:00 AM)

Page 1, delete lines 34 and 35 and substitute:

“(3)(A) There shall be no more than two (2) members of the board who are employees of the Division of Youth Services of the Department of Human Services who are appointed by the Director of the Department of Human Services.

(B) An employee of the division shall serve as a non-voting board member.”

/s/ Jeff Wardlaw

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. 1990** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1990

Amend **HOUSE BILL NO. 1990** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 16-17-1112(b), concerning the state district court program, is amended to add a new subdivision to read as follows:

(7)(A) The Thirty-Third District shall be composed of the counties of Grant and Hot Spring.

(B) The Thirty-Third District shall have five (5) departments as follows:

- (i) One (1) located in Sheridan;
- (ii) One (1) located in Malvern;
- (iii) One (1) located in Donaldson;
- (iv) One (1) located in Friendship; and
- (v) One (1) located in Rockport.

(C) The Thirty-Third District shall be served by one (1) state district court judge.

(D) The Thirty-Third District judge shall be elected districtwide.

(E) The Thirty-Third District court shall have district-wide jurisdiction."

/s/ David Kizzia

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Perry, **SENATE BILL NO. 871** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 871

Amend **SENATE BILL NO. 871** as engrossed,
S4/1/13 (version: 04/01/2013 03:29:31 PM)

Page 1, delete lines 30 through 34 and substitute:

"(xii) ~~An attorney at law rendering services in the performance of his or her duties as an attorney at law~~ licensed in Arkansas rendering legal services to his or her client, when the conduct that would subject the attorney to the jurisdiction of this subchapter is ancillary to the provision of the legal services offered;"

/s/ Mark Perry

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. 2252** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2252

Amend **HOUSE BILL NO. 2252** as originally introduced:

Add Representatives Sabin, Linck as cosponsors of the bill

AND

Page 1, line 23, delete "STRATEGIES" and substitute "STRATEGIES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. TEMPORARY LANGUAGE — DO NOT CODIFY.

The Arkansas Department of Environmental Quality shall not issue a general permit for a Concentrated Animal Feeding Operation in a watershed of an Extraordinary Resource Water as identified by the Arkansas Pollution Control and Ecology Commission's Regulation 2 as it existed on April 5, 2013, for a period of two (2) years from the effective date of this act.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the preservation of Extraordinary Resource Water is vital to protecting the environment and water in the state and that the natural resources in the state are subject to contamination by concentrated animal feeding operations. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

/s/ Greg Leding

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Leding, **SENATE BILL NO. 869** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 869

Amend **SENATE BILL NO. 869** as engrossed,

S4/1/13 (version: 04/01/2013 2:40:55 PM)

Page 1, line 14, delete "TO DECLARE AN EMERGENCY;"

AND

Page 1, line 21, delete "OFFENSES; AND TO DECLARE AN" and substitute "OFFENSES."

AND

Page 1, delete line 22

AND

Page 5, delete lines 22 through 36

AND

Page 6, delete line 1

/s/ Greg Leding

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative C. Douglas, **HOUSE BILL NO. 2281** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2281

Amend **HOUSE BILL NO. 2281** as originally introduced:

Add Representative Vines as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 12-12-103(b), as amended by Acts 2013, No. 404, concerning pawnshop records, is amended to read as follows:

(b) The records required under subsection (a) of this section shall include:

~~(A)(1)~~ A detailed record of each transaction, including the type of identification displayed by the person from whom the property was received;

~~(B)(2)~~ The name, address, race, sex, height, weight, and date of birth of the person from whom the property was received;

~~(C)(3)~~ The driver's license number, personal identification number issued under § 27-16-805, or the number from another form of photographic identification of the person from whom the property was received; and

~~(D)(4)~~ A description of each item pawned or purchased, including without limitation:

~~(i) Identifying the identifying numbers or serial numbers;~~

and

~~(ii) The amount paid by the pawnshop or pawnbroker for the item pawned."~~

/s/ Charlotte Douglas

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative C. Douglas, **HOUSE BILL NO. 2289** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2289

Amend **HOUSE BILL NO. 2289** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 16-17-129(a)(2)(A), concerning the assessment of fees by a district court, is amended to read as follows:

(2)(A) In addition to all fines ~~now or as may hereafter be~~ provided by law, the governing body of each town or city ~~in which a city court is located~~ may that has a police department or city marshal, and which contributes to the expenses of a district court under § 16-17-1203, by ordinance may levy and collect an additional fine not to exceed twenty dollars (\$20.00) from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture for any misdemeanor or traffic violation ~~in the city court of the city or town~~ cases from the contributing town or city filed in the district court to which the town or city contributes."

/s/ Charlotte Douglas

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. 4 TO HOUSE BILL NO. 1329

Amend **HOUSE BILL NO. 1329** as engrossed,
H4/2/13 (version: 04/02/2013 10:17:00 AM)

Delete Section 1 in its entirety and substitute:

"SECTION 1. 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 fifty dollars (\$50.00) if the applicant is sixty-five (65) years of age or older;"

AND

Page 2, line 30, delete "§ 5-73-311(a)(2)(A)" and substitute "§ 5-73-311(a)(2)"

AND

Page 2, line 31, delete "or (B) is" and substitute "is"

/s/ Andrea Lea

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Wright, **HOUSE BILL NO. 1840** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1840

Amend **HOUSE BILL NO. 1840** as engrossed,
H4/1/13 (version: 04/01/2013 11:04:29 AM)

Page 1, delete lines 28 and 29 and substitute:

"(ii) Is not granted access to passwords or codes which can be used to arm or disarm the system installed at specific end-user premises; and"

/s/ Marshall Wright

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. 2186** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2186

Amend **HOUSE BILL NO. 2186** as originally introduced:

Add Senator E. Williams as a cosponsor of the bill

AND

Page 1, delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 6-14-101 is amended to read as follows:

6-14-101. Annual school election date – Applicability of general election laws.

(a)(1) In an even-numbered year the annual school election shall be held in conjunction with the general election under § 7-5-102.

(2) An annual school election held in conjunction with a general election:

(A) Is subject to § 6-14-111(a), § 6-14-116, § 6-14-118, and § 6-14-122; and

(B) Is not subject to the remaining provisions of this subchapter.

(b) In an odd-numbered year, the annual school election shall be held as provided in this subchapter on the Tuesday next after the first Monday in November.

(c) The general election laws shall apply to school elections insofar as they are not in conflict with ~~the school election laws~~ this subchapter.

SECTION 2. Arkansas Code § 6-14-102 is amended to read as follows:

6-14-102. Annual school election date — Special school election.

~~(a)(1) The annual school election shall be held in each school district of the state on the third Tuesday in September.~~

~~(2) The annual school election shall only concern only issues related to the school district that are authorized to be on the ballot by the Arkansas Constitution or by statute, and no other issues shall appear on the ballot.~~

(2) If the annual school election issues are included on a special election ballot that contains issues unrelated to school district issues, the annual school election issues shall be set apart and clearly designated as being for the annual school election.

~~(b) The board of directors of any school district shall have the authority to hold a school election concerning the tax rate or debt issues on a date other than that fixed by law~~ the date of the annual school election provided that:

~~(1) All constitutional and statutory requirements for the annual school election are met, notwithstanding subdivision (a)(1) of this section; and~~

(2) The election is held before the date of the annual school election for that calendar year; and

(3) The Commissioner of Education approves the date of the election.

(c)(1) In ~~any an~~ an election year or special election under this section, if no more than one (1) candidate for any school district director position presents a petition or notice as required by § 6-14-111 and if there are no other ballot issues to be submitted to school district electors for consideration, with the exception of the local tax rate if that rate is not being changed or restructured, the board of directors of any school district, by resolution, may request the county board of election commissioners to reduce the number of polling places or to open no polling places on election day so that the election can be conducted by absentee ballot and early voting only.

(2)(A) If requested by proper resolution adopted by the board of directors of any school district, the county board of election commissioners may provide that no polling places be open on an election day under this section so that the election can be conducted by absentee ballot and early voting only.

(B) In a county that uses voting machines or electronic vote tabulating devices, for an election under this section, the county board of election commissioners may choose to use paper ballots counted by hand and may provide that no voting machines shall be used in the election, notwithstanding any other provision in the Arkansas Code.

SECTION 3. Arkansas Code § 6-14-106(a)(4), concerning polling places for school elections, are amended to read as follows:

~~(4)(A) The polling sites for each school election shall be the same as those established for the immediately preceding school election unless changed established~~ by order of the county board of election commissioners.

~~(B) Each polling site for a school district's annual school election shall be located within the school district.~~

SECTION 4. Arkansas Code § 6-14-118 is amended to read as follows:

6-14-118. Expenses.

(a)(1)(A) In school elections held under § 6-14-102 at which only school election issues are on the ballot, the school districts in the county shall reimburse the county for the cost of the election less expenses incurred for election officials at individual polling places, with each school district's share of the total being determined by multiplying the total cost of the election by a fraction, the numerator of which is the number of votes cast in the specific school election and the denominator of which is the total number of votes cast in the entire election.

~~(2)(B)~~ Expenses incurred for election officials at individual polling places shall be paid by the school district in which the polling place is located.

(2)(A) For a school election that is held in conjunction with an election for the consideration of issues other than school election issues, a school district shall reimburse the county for expenses incurred in the election that are related to the school election, with each school district's share of the total being determined by:

(i) Multiplying the total cost of the election, less expenses incurred for election officials at individual polling places, by a fraction, the numerator of which is the number of issues in the specific school district's school election and the denominator of which is the total number of issues in the entire election; and

(ii) Adding to the cost determined under subdivision (a)(1)(B) of this section the expenses incurred for election officials at individual polling places within a school district that are designated only for the school election.

(B) For an election held under this subdivision (a)(2), if the county board of election commissioners includes the school election on a separate ballot as authorized by law, the school district shall reimburse the county for:

(i) The cost of printing and programming the separate ballot; and

(ii) The cost of any additional poll workers and election supplies that the county board of election commissioners certifies to be necessary to process the separate ballot.

~~(b) At all annual or special elections, the~~ The board of directors of each school district shall pay the expenses of the election under this section out of the school fund.

SECTION 5. Arkansas Code § 6-14-121(a)(1), concerning school district runoff elections, is amended to read as follows:

(a)(1) Whenever there are more than two (2) candidates for election to any position on a board of directors at ~~any election held in this state~~ an election held under § 6-14-102, and whenever no candidate for any school district position receives a majority of the votes cast for the office or whenever there is a tie vote, there shall be a runoff election held ~~in~~ for the school district.

SECTION 6. Arkansas Code § 6-14-122(b), concerning school elections for consolidation, annexation, or merger of school districts, is amended to read as follows:

(b) The boards of directors of the school districts may, by resolution duly adopted and with the approval of the Commissioner of Education, set a date for the annual school election in that year for the school districts involved on a date other

than the date set in ~~§ 6-14-102~~ under this subchapter for all school districts, provided only one (1) annual school election may be held in any school district in one (1) calendar year."

/s/ J. Nate Bell

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Womack, **HOUSE BILL NO. 2181** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2181

Amend **HOUSE BILL NO. 2181** as originally introduced:

Page 1, delete lines 28 through 30 and substitute:

"right to parent unless the state or a state agency has a compelling government interest.

(c) The state has a compelling government interest to protect the health, safety, and well-being of a child."

/s/ Richard Womack

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative J. Edwards, **SENATE BILL NO. 1037** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 1037

Amend **SENATE BILL NO. 1037** as engrossed,
S3/21/13 (version: 3/21/2013 3:18:01 PM)

Page 2, line 11, delete "an athlete" and substitute "a student-athlete"

AND

Page 2, line 24, delete "an athlete" and substitute "a student-athlete"

AND

Page 3, line 5, delete "regulations;" and substitute "regulations; or"

AND

Page 3, delete lines 8 through 11 and substitute the following:

"violations of athletic association or conference regulations."

/s/ John C. Edwards

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. 2168** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2168

Amend **HOUSE BILL NO. 2168** as originally introduced:

Delete everything after the enacting clause and substitute: Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1, is amended to add a new section to read as follows:

5-36-125. Unlawful transfer of stolen property to a pawn shop or pawnbroker.

(a) A person commits the offense of unlawful transfer of stolen property to a pawn shop or pawnbroker if he or she sells, pawns, or otherwise transfers an ownership interest in stolen property of another person to a pawn shop or pawnbroker:

(1) Knowing that the property was stolen; or
(2) Having good reason to believe that the property was stolen.
(b) Unlawful transfer of stolen property to a pawn shop or pawnbroker is a:
(1) Class A misdemeanor; or
(2) Class D felony for a second or subsequent offense within five (5) years of a prior offense."

"SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1, is amended to add a new section to read as follows:

5-36-125. Unlawful transfer of stolen property to a pawn shop or pawnbroker.

(a) A person commits the offense of unlawful transfer of stolen property to a pawn shop or pawnbroker if he or she sells, pawns, or otherwise transfers an ownership interest in stolen property of another person to a pawn shop or pawnbroker:

(1) Knowing that the property was stolen; or
(2) Having good reason to believe that the property was stolen.
(b) Unlawful transfer of stolen property to a pawn shop or pawnbroker is a:
(1) Class A misdemeanor; or
(2) Class D felony for a second or subsequent offense within five (5) years of a prior offense."

/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 Steel, **HOUSE BILL NO. 1996** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1996

Amend **HOUSE BILL NO. 1996** as engrossed,
H4/3/13 (version: 04/03/2013 11:27:06 AM)

Page 2, delete lines 22 through 30 and substitute the following:

"an ongoing investigation, and the Federal Bureau of Investigation for any lawful purpose;"

/s/ G. Nate Steel

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Williams, **HOUSE BILL NO. 1638** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1638

Amend **HOUSE BILL NO. 1638** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 5-4-205(d), regarding restitution in criminal cases, is amended to read as follows:

(d) A record of a defendant shall not be ~~expunged~~ sealed under the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901 16-90-1401 et seq., until all court-ordered restitution has been paid.

SECTION 2. Arkansas Code § 5-64-413 is repealed.

~~5-64-413. Probation — Discharge and dismissal.~~

~~(a) When any person who has not previously pleaded guilty or nolo contendere or been found guilty of any offense under this chapter or under any statute of the United States or of any state relating to a controlled substance pleads guilty or nolo contendere to or is found guilty of possession of a controlled substance under § 5-64-419, the court without entering a judgment of guilt and with the consent of the defendant may defer further proceedings and place the defendant on~~

probation for a period of not less than one (1) year under such terms and conditions as may be set by the court.

~~(b) The court may require as a condition for probation that the defendant undergo an evaluative examination by a physician or medical facility approved by the court and, if warranted, undergo in-patient or out-patient treatment and rehabilitation for drug abuse.~~

~~(c) Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided.~~

~~(d)(1) Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her.~~

~~(2) Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for a second or subsequent conviction under § 5-64-408.~~

~~(3) There may be only one (1) discharge and dismissal under this section with respect to any person.~~

~~(4)(A) A person against whom proceedings are discharged or dismissed may seek to have the criminal records sealed, consistent with the procedures established in § 16-90-901 et seq.~~

~~(B) A person who has been placed on probation under this section for a misdemeanor offense shall have his or her record expunged under the procedures established in § 16-90-901 et seq.~~

SECTION 3. Arkansas Code § 12-12-1001(15), regarding crime reporting and investigation definitions, is amended as follows:

(15) “~~Expunged~~ Sealed record” means a record that was ~~expunged~~ sealed under the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901 16-90-1401 et seq.;

SECTION 4. Arkansas Code § 12-12-1008(d), regarding dissemination of criminal history information for criminal justice purposes, is amended to read as follows:

~~(d) Expunged records~~ A sealed record will be made available to criminal justice agencies for criminal justice purposes as other laws permit.

SECTION 5. Arkansas Code §§ 16-90-601 through 16-90-603 are repealed.
~~16-90-601. Minor felony offenders subsequently pardoned for offense.~~

~~Any person who committed a felony in this state while under sixteen (16) years of age, was convicted and given a suspended sentence, subsequently received a pardon for the conviction, and has not since been convicted of another~~

criminal offense shall have the criminal record expunged by the sentencing court.

~~16-90-602. Minor nonviolent felony offenders — Petition.~~

~~(a) A person who is convicted of a nonviolent felony committed while the person was under the age of eighteen (18) years and who was incarcerated or whose sentence was suspended, or who was placed on probation, may petition the convicting court to have the record of the conviction expunged upon completion of the sentence or expiration of the suspension or probation period or at any time thereafter.~~

~~(b) When a petition is filed with the court for expunging the record of conviction of a minor as authorized in this section, the court may enter an order expunging the record as requested in the petition if it determines that it is in the best interest of the~~

~~16-90-603. Minor felony offenders — Expungement of record.~~

~~The procedure, effect, and definition of “expungement” as used in this subchapter shall be in accordance with that established in § 16-90-901 et seq.~~

~~SECTION 6. Arkansas Code § 16-90-605 is repealed.~~

~~16-90-605. Governor's pardon — Court order — Exclusions.~~

~~(a) The Governor shall notify the sentencing court upon issuing a pardon and the court shall issue an order expunging the records relating to the conviction of the person pardoned.~~

~~(b) The records relating to the conviction of a person pardoned prior to July 15, 1991, shall be expunged upon a copy of the pardon's being filed with the sentencing court by the person.~~

~~(c) This section shall not apply to a pardon issued for:~~

~~(1) Any offense in which the victim is a person under the age of eighteen (18);~~

~~(2) Any sex offense; or~~

~~(3) An offense resulting in death or serious physical injury.~~

~~SECTION 7. SECTION 7. Arkansas Code §§ 16-90-901 — 16-90-906, as amended by Acts 2013, No. 282, are repealed.~~

~~Subchapter 9 — Expungement and Sealing of Criminal Records~~

~~16-90-901. Definition.~~

~~(a)(1) As used in §§ 5-64-407, 16-90-601, 16-90-602, 16-90-605, 16-93-301 — 16-93-303, 16-93-314, and 16-93-1207, “expunge” shall mean that the record or records in question shall be sealed, sequestered, and treated as confidential in accordance with the procedures established by this subchapter.~~

~~(2) Unless otherwise provided by this subchapter, “expunge” shall not mean the physical destruction of any records.~~

~~(3) No person who is found guilty of or pleads guilty or nolo contendere to a sexual offense as defined in this section and in which the victim was under the age of eighteen (18) years shall be eligible to have the offense expunged under the procedures set forth in this subchapter.~~

~~(b) For purposes of this subchapter, "sexual offense" shall be defined as conduct prohibited by § 5-14-101 et seq., §§ 5-26-202, 5-27-602, 5-27-603, 5-27-605, 16-93-303(a)(1)(B), and any other subsequently enacted criminal law prohibiting sexual conduct with a child.~~

~~16-90-902. Effect of expungement.~~

~~(a) An individual whose record has been expunged in accordance with the procedures established by this subchapter shall have all privileges and rights restored and shall be completely exonerated, and the record which has been expunged shall not affect any of his or her civil rights or liberties unless otherwise specifically provided by law.~~

~~(b) Upon the entry of the uniform order to seal records of an individual, the individual's underlying conduct shall be deemed as a matter of law never to have occurred, and the individual may state that no such conduct ever occurred and that no such records exist.~~

~~16-90-903. Release of sealed records.~~

~~(a) The custodian of the records shall not disclose the existence of such records or release such records except when requested by:~~

~~(1) The individual whose records were sealed or the individual's attorney, authorized in writing by the individual;~~

~~(2) A criminal justice agency, as defined in § 12-12-1001, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency by the individual whose record has been sealed;~~

~~(3) A court, upon a showing of a subsequent adjudication of guilt of the individual whose record has been sealed;~~

~~(4) A prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with the prosecution of an offense; or~~

~~(5) The Arkansas Crime Information Center.~~

~~(b)(1) As used in this section, "custodian" shall not mean the Arkansas Crime Information Center.~~

~~(2) Access to data maintained by the Arkansas Crime Information Center shall continue to be governed by § 12-12-1001 et seq.~~

~~16-90-904. Procedure for sealing of records.~~

~~(a)(1) An individual who is eligible to have an offense expunged may file a uniform petition to seal records, as described in § 16-90-905, in the circuit court or district court in the county where the offense was committed and in which the person was convicted for the offense he or she is now petitioning to have expunged.~~

~~(2)(A) Unless the circuit court or district court is presented with and finds that there is clear and convincing evidence that a misdemeanor conviction should not be expunged under this subchapter, the circuit court or district court shall expunge the misdemeanor conviction for a person after the person files a petition as described in this section, except for the following offenses:~~

~~(i) Negligent homicide, § 5-10-105, if it was a Class A misdemeanor;~~

~~(ii) Battery in the third degree, § 5-13-203;~~

~~(iii) Indecent exposure, § 5-14-112;~~

~~(iv) Public sexual indecency, § 5-14-111;~~

~~(v) Sexual assault in the fourth degree, § 5-14-127;~~

~~(vi) Domestic battering in the third degree, § 5-26-305; or~~

~~(vii) Driving while intoxicated, § 5-65-103.~~

~~(B) An offense listed in subdivisions (a)(2)(A)(i)-(vii) of this section:~~

~~(i) May be expunged after a period of five (5) years has elapsed since the completion of the person's sentence for that misdemeanor conviction; and~~

~~(ii) Shall be expunged after the period of time required in subdivision (a)(2)(B)(i) of this section unless the circuit court or district court is presented with and finds that there is clear and convincing evidence that the misdemeanor conviction should not be expunged under this subchapter.~~

~~(3)(A) The circuit clerk or district court clerk shall collect a fee of fifty dollars (\$50.00) for filing the uniform petition to seal records unless the petitioner is indigent and the fee is waived under Rule 72 of the Arkansas Rules of Civil Procedure.~~

~~(B) The circuit clerk or district court clerk shall remit:~~

~~(i) One-half (1/2) of the fee by the tenth day of each month to the Administration of Justice Funds Section of the Office of Administrative Services of the Department of Finance and Administration on a form provided by that office for deposit into the State Administration of Justice Fund; and~~

~~(ii) The remaining one-half (1/2) of the fee remitted as follows:~~

~~(a) If collected in circuit court, to the county treasurer to be deposited into the county general fund by the tenth day of each month;~~

~~(b) If collected in district court, to the treasury of each political subdivision that contributes to the expenses of the district court based on the percentage of the expenses contributed by the political subdivision by the tenth day of each month; or~~

~~(c) In a district court funded solely by the county, to the county treasurer of the county in which the district court is located to be deposited into the county general fund by the tenth day of each month.~~

~~(b)(1)(A) A copy of the uniform petition for sealing of the record shall be served upon the prosecuting authority for the county in which the petition is filed, the arresting agency, and any city court or district court where the individual appeared before the transfer of the case to circuit court.~~

~~(B) It shall not be necessary to make any agency a party to the action.~~

~~(2)(A) Any person desiring to oppose the sealing of the record shall file a notice of opposition with the court setting forth reasons within thirty (30) days after receipt of the uniform petition or after the uniform petition is filed, whichever is the later date.~~

~~(B) If no opposition is filed, the court may grant the petition.~~

~~(C) If notice of opposition is filed, the court shall set the matter for a hearing.~~

~~(c) If the court determines that the record should be sealed, the uniform order, as described in § 16-90-905, shall be entered and filed with the circuit clerk.~~

~~(d) The circuit clerk shall certify copies of the uniform order to the prosecuting attorney who filed the underlying charges, the arresting agency, any city court or district court where the individual appeared before the transfer of the case to circuit court, the Administrative Office of the Courts, and the Arkansas Crime Information Center.~~

~~(e)(1) The circuit clerk and the clerk of any city court or district court where the individual appeared before the transfer of the case to circuit court shall remove all petitions, orders, docket sheets, and documents relating to the case, place them in a file, and sequester them in a separate and confidential holding area within the clerk's office.~~

~~(2)(A) A docket sheet shall be prepared to replace the sealed docket sheet.~~

~~(B) The replacement docket sheet shall contain the docket~~

number, a statement that the case has been sealed, and the date that the order to seal the record was issued.

~~(3) All indices to the file of the individual with a sealed record shall be maintained in a manner to prevent general access to the identification of the individual.~~

~~(f) Upon notification of an order to seal records, all circuit clerks, city clerks, district clerks, arresting agencies, and other criminal justice agencies maintaining such conviction records in a computer-generated database shall either segregate the entire record into a separate file or ensure by other electronic means that the sealed record shall not be available for general access unless otherwise authorized by law.~~

~~16-90-905. Uniform petition and order to seal records.~~

~~(a)(1) The Arkansas Crime Information Center shall adopt and provide a uniform petition and order to seal records that shall be used by all petitioners and by all circuit and district courts in this state.~~

~~(2) No order to seal or expunge records covered by this subchapter shall be effective unless the uniform order is entered.~~

~~(3)(A) The petition shall include a statement verified under oath indicating whether the petitioner has felony charges pending in any state or federal court and the status of those charges.~~

~~(B) The petition shall also include a statement that the information contained in the petition is true and correct to the best of the petitioner's knowledge, and the order shall contain, at a minimum, the following data elements:~~

~~(i) The person's full name, race, sex, and date of birth;~~

~~(ii) The person's full name at the time of arrest and adjudication of guilt, if different from the person's current name;~~

~~(iii) The crimes for which the person was adjudicated guilty and the date of the disposition;~~

~~(iv) The identity of the court;~~

~~(v) The provision under which the individual was sentenced that provides for sealing or expungement of the record; and~~

~~(vi) The specific records to be sealed.~~

~~(b)(1) If no record exists in the state central repository of the arrest for the charges in the petition, a record shall be established before the uniform order to seal becomes effective.~~

~~(2) When no record exists in the state central repository, it shall be the duty of the petitioner and the original arresting agency to submit fingerprint cards on the petitioner, according to § 12-12-1006 and procedures established by the~~

~~Arkansas Crime Information Center.~~

~~16-90-906. When no guilty verdict.~~

~~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 is eligible to have all arrest records, petitions, orders, docket sheets, and any other documents relating to the case expunged in accordance with the procedures defined by this subchapter and upon entry of an order of expungement may state that no such charges, arrest, and the resulting trial ever occurred.~~

SECTION 8. Arkansas Code Title 16, Chapter 90, Subchapter 12, is repealed.

~~Subchapter 12~~

~~Encouragement of Treatment and Rehabilitation of Drug Users~~

~~16-90-1201. Expungement of record.~~

~~(a) The record of a felony offense for possession of a controlled substance or counterfeit substance in violation of § 5-64-419, § 5-64-441, or the former § 5-64-401(c) shall be expunged under this section.~~

~~(b) This section shall apply if:~~

~~(1) The intake officer appointed by the court determines that the defendant has a drug addiction and recommends the defendant as a candidate for residential drug treatment;~~

~~(2) The court places the defendant on probation and includes as part of the terms and conditions of the probation that:~~

~~(A) The defendant successfully complete a drug treatment program approved by the court; and~~

~~(B) The defendant remain drug free until successful completion of probation; and~~

~~(3) The defendant successfully complete the terms and conditions of the probation.~~

~~(c) Nothing in this section shall require or compel any court of this state to order probation under this section, nor shall any defendant be availed the benefit of this section as a matter of right.~~

~~(d) This section shall be supplemental to all other laws concerning probation and expungement.~~

~~(e) As used in this section, the procedure, effect, and definition of "expungement" shall be in accordance with that established in § 16-90-901 et seq.~~

SECTION 9. Arkansas Code Title 16, Chapter 90, is amended to add a new subchapter to read as follows:

Subchapter 14 — Comprehensive Criminal Record Sealing Act of 2013

16-90-1401. Title.

This subchapter shall be known and may be cited as the "Comprehensive Criminal Record Sealing Act of 2013".

16-90-1402. Intent.

(a) The General Assembly recognizes that historically the laws of this state involving the procedure a person must follow to have his or her prior criminal history information sealed have been confusing, from the standpoint of both practicality and terminology.

(b) It is the intent of the General Assembly to provide in clear terms in what instances and, if applicable, how a person may attempt to have his or her criminal history information sealed.

16-90-1403. Scope.

(a) This subchapter governs all proceedings involving the sealing of criminal records.

(b) Inconsistencies between this subchapter and any other sections within the Arkansas Code in existence on the effective date of this act are resolved in favor of this subchapter, except that this subchapter does not apply to:

(1) The Arkansas Drug Court Act, § 16-98-301 et seq.;

(2) Extended juvenile jurisdiction records under, § 9-27-508, unless the records are considered adult criminal records under § 9-27-501 et seq; and

(3) The sealing of juvenile records.

(c)(1) A court may hear a proceeding under this subchapter only if a uniform petition is initially filed by the petitioner.

(2) A court may only use a uniform order if the court decides to seal a criminal record under this subchapter.

16-90-1404. Definitions.

As used in this subchapter:

(1) "Completion of a person's sentence" means that the person, after being found guilty:

(A) Has paid his or her fine, court costs, or other monetary obligation as defined in § 16-13-701 in full, unless the obligation has been excused by the sentencing court;

(B) Served any time in county or regional jail, a Department of Community Correction facility, or a Department of Correction facility in full; and

(C) If applicable:

(i) Has been discharged from probation or parole;

(ii) Completed any suspended sentence;

(iii) Paid any court-ordered restitution;

(iv) Completed any court-ordered community service;

(v) Paid any driver's license suspension reinstatement fees, if a driver's license suspension reinstatement fee was assessed as a result of the person's arrest, plea of guilty or nolo contendere, or a finding of guilt for the offense;
and

(vi) Completed all other driver's license reinstatement requirements, if a driver's license suspension was imposed as a result of the person's arrest, plea of guilty or nolo contendere, or a finding of guilt for the offense;

(2) "Conviction":

(A) Includes the following, after the final act of judgment:

(i) A plea of guilty or nolo contendere, unless entered pursuant to court-ordered probation described in subdivision (2)(B)(iv) of this section, by a person formally charged with an offense;

(ii) A finding of guilt, unless entered pursuant to court-ordered probation described in subdivision (2)(B)(iv) of this section, by a judge or jury after a trial;

(iii) A finding of guilt, unless entered pursuant to court-ordered probation described in subdivision (2)(B)(iv) of this section, after entry of a plea of nolo contendere;

(iv) A sentence of supervised probation on a felony charge;

(v) A suspended imposition of sentence, as defined in § 16-93-1202, with a fine;

(vi) A sentence under § 16-93-1201 et seq.;

(vii) A suspended sentence that is revocable and can subject the person to incarceration or a fine, or both; or

(viii) A finding of guilt of a person whose case proceeded under § 16-93-301 et seq., and who violated the terms and conditions of § 16-93-301 et seq.; and

(B) Does not include:

(i) An order nolle prosequi;

(ii) A suspended imposition of sentence, as defined in § 16-93-1202, with no fine;

(iii) An acquittal for any reason;

(iv) An order that the defendant enter a diversionary program that requires him or her to accomplish certain court-ordered objectives but that does not result in a finding of guilt if the program is successfully completed;

(v) A court-ordered probationary period under:

(a) The former § 5-64-413; or

(b) Section 16-93-301 et seq.;

(vi) The entry of a plea of guilty or nolo contendere without the court's making a finding of guilt or entering a judgment of guilt with the consent of the defendant or the resultant dismissal and discharge of the defendant as prescribed by § 16-93-301 et seq.;

(vii) The entry of a directed verdict by a court at trial; or

(viii) The dismissal of a charge either with or without prejudice;

(3) "Court" means a sentencing district court or sentencing circuit court, unless otherwise specifically identified;

(4)(A) "Seal" means to expunge, remove, sequester, and treat as confidential the record or records in question according to the procedures established by this subchapter.

(B) "Seal" does not include the physical destruction of a record of a conviction unless this subchapter requires the physical destruction of the record of a conviction;

(5) "Sentence" means the outcome formally entered by a court upon a person in criminal proceedings;

(6) "Sex offense" means:

(A) The same as defined in § 12-12-903; and

(B) A felony offense repealed by Acts 2001, No. 1738; and

(7) "Uniform order" means a uniform order to seal a record described in § 16-90-1414; and

(8) "Uniform petition" means a uniform petition to seal a record described in § 16-90-1414.

16-90-1405. Eligibility to file a uniform petition to seal a misdemeanor offense or violation.

(a) A person is eligible to file a uniform petition under this subchapter to seal his or her record of a misdemeanor or violation sixty (60) days after:

(1) The completion of his or her sentence for the misdemeanor or violation, including full payment of restitution;

(2) Full payment of court costs; and

(3) Full payment of driver's license suspension reinstatement fees, if a driver's license suspension reinstatement fee was assessed as a result of the person's arrest or conviction for the misdemeanor or violation.

(b) There is not a limit to the number of times a person may file a uniform petition to seal his or her record of a misdemeanor or violation, except that the person may not file:

(1) A new uniform petition to seal one of the following criminal offenses until after a period of five (5) years has elapsed since the completion of the person's sentence for the conviction:

(A) Negligent homicide, § 5-10-105, if it was a Class A misdemeanor;

(B) Battery in the third degree, § 5-13-203;

(C) Indecent exposure, § 5-14-112;

(D) Public sexual indecency, § 5-14-111;

(5) Sexual assault in the fourth degree, § 5-14-127;

(F) Domestic battering in the third degree, § 5-26-305; or

(G) A misdemeanor violation of § 5-65-103;

(2) A new uniform petition to seal a criminal offense listed in subdivision (b)(1)(A) — (G) of this section before one (1) year from the date of the order denying the previous uniform petition;

(3) A new uniform petition to seal any other misdemeanor or violation before ninety (90) days from the date of an order denying a uniform petition to seal the misdemeanor or violation;

(4) A new uniform petition to seal a misdemeanor or violation under this section if an appeal of a previous denial of a uniform petition to seal a misdemeanor or violation for the same misdemeanor or violation is still pending; or

(5) A new uniform petition to seal a misdemeanor or violation under this section if:

(A) The person was a holder of a commercial driver license or commercial learner's permit at the time the misdemeanor or violation was committed; and

(B) The misdemeanor or violation was a traffic offense, other than a parking violation, vehicle weight violation, or vehicle defect violation, committed in any type of motor vehicle.

(c) Except as provided in subsection (b) of this section, a person is eligible to file a uniform petition to seal a misdemeanor or violation under this section even if his or her misdemeanor or violation occurred before the effective date of this act.

16-90-1406. Felony convictions eligible for sealing.

Unless prohibited under § 16-90-1408, a person may petition a court to seal a record of a conviction after five (5) years has elapsed since the completion of the person's sentence for:

(1) A Class C felony or Class D felony;

(2) An unclassified felony;

(3) An offense under § 5-64-401 et seq. that is a Class A felony or Class B felony;

(4) Solicitation to commit, attempt to commit, or conspiracy to commit the substantive offenses listed in subdivisions (1)-(3) of this section; or

(5) A felony not involving violence committed while the person was less than eighteen (18) years of age.

16-90-1407. Special procedures for sealing a controlled substance possession conviction.

A person may petition the court to seal a record of a conviction for possession of a controlled substance, § 5-64-419, or counterfeit substance, § 5-64-441, upon the completion of the person's sentence if, prior to sentencing:

(1) An intake officer appointed by the court, where applicable, determines that the person has a drug addiction and recommends the person as a candidate for residential drug treatment;

(2) The court places the person on probation and includes as part of the terms and conditions of the probation that:

(A) The person successfully complete a drug treatment program approved by the court; and

(B) The person remain drug-free until successful completion of probation; and

(3) The person successfully completes the terms and conditions of the probation.

16-90-1408. Felony convictions ineligible for sealing.

(a) A record of a conviction of any the following offenses is not eligible to be sealed under this subchapter:

(1) A Class Y felony, Class A felony, or Class B felony, except as provided in § 16-90-1406;

(2) Manslaughter, § 5-10-104;

(3) An unclassified felony if the maximum sentence of imprisonment for the unclassified felony is more than ten (10) years;

(4) A felony sex offense;

(5) A felony involving violence under § 5-4-501(d)(2); and

(6) A felony for which a person served any portion of his or her sentence as an inmate in the Department of Correction.

(b)(1) A felony traffic offense committed in any type of motor vehicle if the person was a holder of a commercial learner's permit or commercial driver license at the time the felony offense was committed is not eligible for sealing under this subchapter.

(2) As used in this subsection, "traffic offense" does not include a parking violation, vehicle weight violation, or vehicle defect violation.

16-90-1409. Sealing records of arrests.

(a) A person may petition a district court or circuit court to seal a record of a prior arrest if charges have not been filed by the prosecuting attorney within one (1) year of the date of the arrest.

(b) The petition shall be filed in the county in which the arrest was made.

16-90-1410. Sealing records of nolle prosequi, dismissed cases, or cases where the disposition is an acquittal.

(a) A person may petition to seal the records of a case in which there was for any reason:

(1) Entry of an order nolle prosequi upon motion of the prosecuting attorney after one (1) year has passed since the date of the entry of the order nolle prosequi;

(2) Entry of an order of dismissal;

(3) An acquittal, unless that acquittal was for reason of mental disease or defect under § 5-2-301 et seq.; or

(4) A decision by the prosecuting attorney not to file charges. (b)

The petition shall be filed in the court in which the order nolle prosequi or order of dismissal was entered.

16-90-1411. Sealing of records for a pardoned person — Pardons for youthful felony offenders.

(a)(1) The Governor shall notify the court upon issuing a pardon, and the court shall issue an order sealing the record of a conviction of the person pardoned.

(2) The record of a conviction relating to the conviction of a person pardoned before July 15, 1991, shall be sealed upon the filing of a copy of the pardon with the court by the person.

(3) This section does not apply to a pardon issued for:

(A) Any offense in which the victim is a person under eighteen (18) years of age;

(B) A sex offense; or

(C) An offense resulting in death or serious physical injury.

(b) A person shall have his or her record of a conviction sealed by the court if the person:

(1) Committed a felony in this state while under sixteen (16) years of age;

(2) Was convicted and given a suspended sentence;

(3) Received a pardon for the conviction; and

(4) Has not been convicted of another criminal offense.

(c) This section does not prevent a person from requesting that his or her criminal record be sealed under § 16-90-1405 or § 16-90-1406.

16-90-1412. Sealing of records for former prisoners.

A person is not prohibited from filing a petition under this subchapter if:

(1) He or she was sentenced to the Department of Correction for an offense the conviction for which he or she is now attempting to have sealed; and

(2) The record of the conviction is eligible for sealing under this subchapter.

16-90-1413. Procedure for sealing of records.

(a)(1) A person who is eligible to have a record sealed under this subchapter may file a uniform petition in the circuit court or district court in the county where the offense was committed and in which the person was convicted for the offense he or she is now petitioning to have sealed.

(2) Except as provided for in § 16-90-1405, if a person has previously petitioned the court for the sealing of a record and that petition was subsequently denied, the person may not file a uniform petition under this subchapter regarding that record until one (1) year has passed since the denial of the previous petition.

(b)(1)(A) A copy of the uniform petition shall be served upon the prosecuting attorney for the county in which the uniform petition is filed and the arresting agency, if the arresting agency is a named party, within three (3) days of the filing of the uniform petition.

(B) It is not necessary to make the arresting agency a party to the action.

(2)(A) The prosecuting attorney may file a notice of opposition with the court for a petition seeking to seal a record of an eligible misdemeanor conviction or violation setting forth reasons for the opposition to the sealing within thirty (30) days after receipt of the uniform petition or after the uniform petition is filed, whichever is the later date.

(B)(i) If notice of opposition is not filed, the court may grant the uniform petition.

(ii) If notice of opposition is filed, the court shall set the matter for a hearing if the record for which the uniform petition was filed is eligible for sealing under this subchapter unless the prosecuting attorney consents to allow the court to decide the case solely on the pleadings.

(3)(A) The prosecuting attorney may file a notice of opposition with the court for a petition seeking to seal a record of an eligible felony conviction setting forth reasons for the opposition to the sealing.

(B) A court may not sign a uniform order sealing an eligible felony conviction without a hearing.

(c)(1) The court may not grant the uniform petition until ninety (90) days have passed since the uniform petition was served on the prosecuting attorney, although the court may deny the uniform petition at any time.

(2) If the court determines that the record shall be sealed under the standards of § 16-90-1415, the uniform order described in § 16-90-1414 shall be entered and filed with the circuit clerk.

(d)(1) The circuit court clerk shall certify copies of the uniform order to the prosecuting attorney who filed the underlying charges, the arresting agency, the Arkansas Crime Information Center, and, if applicable, any district court where the person appeared before the transfer or appeal of the case to circuit court.

(2) The Administrative Office of the Courts shall only accept certified copies of the uniform orders filed in circuit court.

(e)(1) The circuit court clerk and, if applicable, the district court clerk where the person appeared before the transfer or appeal of the case to circuit court shall:

(A) Remove all petitions, orders, docket sheets, receipts, and documents relating to the record;

(B) Place the records described in subdivision (e)(1)(A) of this section in a file; and

(C) Sequester the records described in subdivision (e)(1)(A) of this section in a separate and confidential holding area within the clerk's office.

(2)(A) A docket sheet shall be prepared to replace the sealed docket sheet.

(B) The replacement docket sheet shall contain the docket number, a statement that the record has been sealed, and the date that the order to seal the record was issued.

(3) All indices to the file of the person with a sealed record shall be maintained in a manner to prevent general access to the identification of the person.

(f) The prosecuting attorney shall:

(1) Remove the entire case file and documents or other items related to the record;

(2) Place the records described in subdivision (e)(1)(A) of this section in a file; and

(3) Sequester the records described in subdivision (e)(1)(A) of this section in a confidential holding area within his or her office.

(g) The arresting agency shall:

(1) Remove its entire record file and documents or other items relating

to the record, including any evidence still in the arresting agency's possession;

(2) Place the records described in subdivision (e)(1)(A) of this section in a file; and

(3) Sequester the records described in subdivision (e)(1)(A) of this section in a confidential holding area within the arresting agency.

(h) Upon notification of a uniform order, all circuit clerks, district clerks, arresting agencies, and other criminal justice agencies maintaining records in a computer-generated database shall either segregate the entire record, including receipts, into a separate file or ensure by other electronic means that the sealed record shall not be available for general access unless otherwise authorized by law.

16-90-1414. Uniform petition and uniform order to seal records.

(a)(1) The Arkansas Crime Information Center shall adopt and provide the following to be used by a petitioner and any circuit court or district court in this state:

(A) A uniform petition to seal records; and

(B) A uniform order to seal records.

(2) An order to seal records covered by this subchapter shall not be effective unless the uniform order is entered.

(3)(A) The uniform petition shall include a statement verified under oath indicating whether the petitioner has felony charges pending in any state or federal court and the status of the pending felony charges as well as whether the person is required to register as a sex offender under the Sex Offender Registration Act of 1997, § 12-12-901 et seq.

(B) The uniform petition also shall include a statement that the information contained in the petition is true and correct to the best of the petitioner's knowledge.

(4) The uniform order shall contain, at a minimum, the following data:

(A) The person's full name, race, gender, and date of birth;

(B) The person's full name at the time of arrest and adjudication of guilt, if applicable, if different from the person's current name;

(C) The offense for which the person was adjudicated guilty and the date of the disposition, if applicable;

(D) The identity of the court;

(E) The provision under this subchapter that provides for sealing of the record, if applicable;

(F) The specific records to be sealed;

(G) The arrest tracking number;

(H) The system identification (SID) number; and

(I) The Federal Bureau of Investigation number, if known.

(b)(1) If a record for the charges of the offense does not exist at the center, a record shall be established before the uniform order becomes effective.

(2) When a record does exist in the center, the petitioner and the original arresting agency shall submit fingerprint cards on the petitioner under § 12-12-1006 and procedures established by the center.

16-90-1415. Burden of proof — Standard of review.

(a) For a uniform petition filed under § 16-90-1405, unless the circuit court or district court is presented with and finds that there is clear and convincing evidence that a misdemeanor or violation conviction should not be sealed under this subchapter, the circuit court or district court shall seal the misdemeanor or violation conviction for a person after the person files a petition as described in this section.

(b)(1) A uniform petition filed under § 16-90-1406 may be granted if the court finds by clear and convincing evidence that doing so would further the interests of justice, considering the following factors:

(A) Whether the person appears likely to reoffend;

(B) The person's other criminal history;

(C) The existence of any pending charges or criminal investigations involving the person;

(D) Input from the victim of the offense for which the person was convicted, if applicable; and

(E) Any other information provided by the state that would cause a reasonable person to consider the person a further threat to society.

(2) The factors listed in subdivision (b)(1) of this section are not exclusive.

(c) A uniform petition filed under § 16-90-1407 may be granted if the court finds that doing so is in the best interest of the petitioner and the state.

(d) A uniform petition filed under § 16-90-1409 or § 16-90-1410 shall be granted unless the state shows by a preponderance of the evidence that doing so would:

(1) Place the public at risk; or

(2) Not further the interests of justice.

(e) A uniform petition filed under § 16-90-1411 shall be granted if the court finds that the requirements of § 16-90-1411 are met.

(f)(1) An appeal of the grant or denial of the uniform petition to seal may be taken by either party.

(2) An appeal from the district court shall be taken to the circuit court, which shall review the case de novo.

(3) An appeal from the circuit court shall be taken as provided by

Supreme Court rule, and the appellate court shall review the case using an abuse of discretion standard.

16-90-1416. Release of sealed records.

(a) The custodian of a sealed record shall not disclose the existence of the sealed record or release the sealed record except when requested by:

(1) The person whose record was sealed or the person's attorney when authorized in writing by the person;

(2) A criminal justice agency, as defined in § 12-12-1001, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with the criminal justice agency by the person whose record has been sealed;

(3) A court, upon a showing of:

(A) A subsequent adjudication of guilt of the person whose record has been sealed; or

(B) Another good reason shown to be in the interests of justice;

(4) A prosecuting attorney, and the request is accompanied by a statement that the request is being made for a criminal justice purpose; or

(5) The Arkansas Crime Information Center.

(b)(1) As used in this section, "custodian" does not mean the Arkansas Crime Information Center.

(2) Access to data maintained by the center shall be governed by § 12-12-1001 et seq.

16-90-1417. Effect of sealing.

(a)(1) A person whose record has been sealed under this subchapter shall have all privileges and rights restored, and the record that has been sealed shall not affect any of his or her civil rights or liberties unless otherwise specifically provided by law.

(2) A person who wants to reacquire the right to vote removed from him or her as the result of a felony conviction must follow the procedures in Arkansas Constitution, Amendment 51, § 11.

(3) The effect of this subchapter does not reconfer the right to carry a firearm if that right was removed as the result of a felony conviction.

(b)(1) Upon the entry of the uniform order, the person's underlying conduct shall be deemed as a matter of law never to have occurred, and the person may state that the underlying conduct did not occur and that a record of the person that was sealed does not exist.

(2) This subchapter does not prevent the use of a prior conviction otherwise sealed under this subchapter for the following purposes:

(A) Any criminal proceeding for any purpose not otherwise prohibited by law;

(B) Determination of offender status under the former § 5-64-413;

(C) Habitual offender status, § 5-4-501 et seq.;

(D) Impeachment upon cross-examination as dictated by the Arkansas Rules of Evidence; or

(E) Any disclosure mandated by Rule 17, 18, or 19 of the Arkansas Rules of Criminal Procedure.

16-90-1418. Uniform petition and uniform order — Creation.

The Arkansas Crime Information Center shall develop and draft the form to be used for the uniform petition and uniform order under this subchapter.

16-90-1419. Filing fee.

(a) The circuit clerk or district court clerk shall collect a fee of fifty dollars (\$50.00) for filing the uniform petition unless the petitioner is indigent and the fee is waived under Rule 72 of the Arkansas Rules of Civil Procedure.

(b) The circuit clerk or district court clerk shall remit:

(1) One-half (1/2) of the fee by the tenth day of each month to the Administration of Justice Funds Section of the Office of Administrative Services of the Department of Finance and Administration on a form provided by that office for deposit into the State Administration of Justice Fund; and

(2) The remaining one-half (1/2) of the fee as follows:

(A) If collected in circuit court, to the county treasurer to be deposited into the county general fund by the tenth day of each month;

(B) If collected in district court, to the treasury of each political subdivision that contributes to the expenses of the district court based on the percentage of the expenses contributed by the political subdivision by the tenth day of each month; or

(C) In a district court funded solely by the county, to the county treasurer of the county in which the district court is located to be deposited into the county general fund by the tenth day of each month.

SECTION 10. Arkansas Code § 16-93-301 is amended to read as follows:

16-93-301. Definitions.

As used in this subchapter, "~~expungement~~" "sealing" means the procedure and effect as defined in the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901(a) 16-90-1401 et seq.

SECTION 11. Arkansas Code § 16-93-303 is amended to read as follows:

16-93-303. Probation — First time offenders — Procedure.

(a)(1)(A)(i) Whenever an accused enters a plea of guilty or nolo contendere prior to an adjudication of guilt, the judge of the circuit court or district court, in the case of a defendant who previously has not been convicted of a felony, without making a finding of guilt or entering a judgment of guilt and with the consent of the defendant, may defer further proceedings and place the defendant on probation for a period of not less than one (1) year, under such terms and conditions as may be set by the court.

(ii) A sentence of a fine not exceeding three thousand five hundred dollars (\$3,500) or an assessment of court costs against a defendant does not negate the benefits provided by this section or cause the probation placed on the defendant under this section to constitute a conviction except under subsections (c)-(e) of this section.

(iii) A serious felony involving violence or a felony involving violence as provided in ~~§ 5-4-501~~ § 5-4-501 shall not be eligible for ~~expungement~~ sealing of record under this subchapter.

(B) However, ~~ne~~ a person who is found guilty of or pleads guilty or nolo contendere to a sexual offense as defined by § 5-14-101 et seq. and §§ 5-26-202, 5-27-602, 5-27-603, and 5-27-605 ~~in which the victim was under eighteen (18) years of age shall be~~ is not eligible for ~~expungement or~~ sealing of the record under this subchapter.

(2) Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided.

(3) ~~Nothing in this subsection shall~~ This subsection does not require or compel any court of this state to establish first offender procedures as provided in this section and §§ 16-93-301 and 16-93-302, ~~nor shall any defendant be availed the benefit of this section and §§ 16-93-301 and 16-93-302 as a matter of right.~~

(b) Upon fulfillment of the terms and conditions of probation or upon release by the court prior to the termination period thereof, the defendant shall be discharged without court adjudication of guilt, whereupon the court shall enter an appropriate order that shall effectively dismiss the case, discharge the defendant, and ~~expunge~~ seal the record, if consistent with the procedures established in the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901 16-90-1401 et seq.

(c) During the period of probation described in subdivision (a)(1)(A)(i) of this section, a defendant is considered as not having a felony conviction except for:

(1) Application of any law prohibiting possession of a firearm by certain persons;

(2) A determination of habitual offender status;

(3) A determination of criminal history;
 (4) A determination of criminal history scores;
 (5) Sentencing; and
 (6) A purpose of impeachment as a witness under Rule 609 of the Arkansas Rules of Evidence.

(d) After successful completion of probation placed on the defendant under this section, a defendant is considered as not having a felony conviction except for:

(1) A determination of habitual offender status;
 (2) A determination of criminal history;
 (3) A determination of criminal history scores;
 (4) Sentencing; and
 (5) A purpose of impeachment as a witness under Rule 609 of the Arkansas Rules of Evidence.

(e) The eligibility to possess a firearm of a person whose record has been ~~expunged and sealed~~ under this subchapter and the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901 16-90-1401 et seq., is governed by § 5-73-103.

SECTION 12. Arkansas Code § 16-93-304 is amended to read as follows:

16-93-304. Probation — First-time offenders — Arkansas Crime Information Center.

(a) All district court judges and circuit court judges shall immediately report to the Arkansas Crime Information Center, in the form prescribed by the center, all probations of criminal defendants under §§ 16-93-301 — 16-93-303.

(b) Prior to granting probation to a criminal defendant under §§ 16-93-301 — 16-93-303, the court shall query the center to determine whether the criminal defendant has previously been granted probation under the provisions of §§ 16-93-301 — 16-93-303.

(c) If the center determines that an individual has utilized §§ 16-93-301 — 16-93-303 more than one (1) time, the center shall notify the last sentencing judge of that fact.

(d) During the probationary period under this subchapter, the center shall report the case as pending and shall not record it as guilty until the circuit court or district court enters an adjudication of guilt.

SECTION 13. Arkansas Code § 16-93-314(b)(1), regarding discharge of probation, is amended to read as follows:

(b)(1) Subject to the provisions of §§ 5-4-501 — 5-4-504, a person against whom proceedings are discharged or dismissed under subsection (a) of this section may seek to have the criminal record sealed, consistent with the procedures

established in the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-901-16-90-1401 et seq.

SECTION 14. Arkansas Code § 16-93-1202(10), concerning the definition of "target group" for the purposes of community punishment, is amended to read as follows:

(10)(A)(i) "Target group" means a group of offenders and offenses determined to be, but not limited to, theft, theft by receiving, hot checks, residential burglary, commercial burglary, failure to appear, fraudulent use of credit cards, criminal mischief, breaking or entering, drug paraphernalia, driving while intoxicated, fourth or subsequent offense, all other Class C or Class D felonies that are not either violent or sexual and that meet the eligibility criteria determined by the General Assembly to have significant impact on the use of correctional resources, Class A and Class B controlled substance felonies, and all other unclassified felonies for which the prescribed limitations on a sentence do not exceed the prescribed limitations for a Class C felony and that are not either violent or sexual.

(ii) Offenders committing solicitation, attempt, or conspiracy of the substantive offenses listed in subdivision (10)(A)(i) of this section are also included in the group.

(iii) ~~For the purposes of~~ As used in this subdivision (10)(A), "violent or sexual" includes all offenses against the person codified in § 5-10-101 et seq., § 5-11-101 et seq., § 5-12-101 et seq., § 5-13-201 et seq., § 5-13-301 et seq., and § 5-14-101 et seq., and any offense containing as an element of the offense the use of physical force, the threatened use of serious physical force, the infliction of physical harm, or the creation of a substantial risk of serious physical harm.

(iv) For the purpose of ~~an expungement or a~~ the sealing of a criminal record under § 16-93-1207, "target group" includes any misdemeanor conviction except a misdemeanor conviction for which the offender is required to register as a sex offender or a misdemeanor conviction for driving while intoxicated.

(B) Offenders and offenses falling within the target group population may access community correction facilities pursuant to ~~§ 16-93-1206 or~~ § 16-93-1208;

SECTION 15. Arkansas Code § 16-93-1207 is amended to read as follows:

16-93-1207. Order of court.

(a) Upon the sentencing or placing on probation of any person under the provisions of this subchapter, the sentencing court shall issue an order or commitment, whichever is appropriate, in writing, setting forth the following:

(1) That the offender is being:

(A) Committed to the Department of Correction;

(B) Committed to the Department of Correction with judicial transfer to the Department of Community Correction;

(C) Placed on suspended imposition of sentence;

(D) Placed on probation under the provisions of this subchapter; or

(E) Committed to a county jail for a misdemeanor offense committed after January 1, 2007;

(2) That the offender has knowledge and understanding of the consequences of the sentence or placement on probation and violations thereof;

(3) A designation of sentence or supervision length along with community correction program distinctions of that sentence or supervision length;

(4) Any applicable terms and conditions of the sentence or probation term; and

(5) Presentence investigation or sentencing information, including, but not limited to, criminal history elements and other appropriate or necessary information for correctional use.

(b)(1) Upon the successful completion of probation or a commitment to the Department of Correction with judicial transfer to the Department of Community Correction or a commitment to a county jail for one (1) of the offenses targeted by the General Assembly for community correction placement, the court may direct that the record of the offender be ~~expunged~~ sealed ~~of the offense of~~ with regards to the offense of which the offender was either convicted or placed on probation under the condition that the offender has no more than one (1) previous felony conviction and that the previous felony was other than a conviction for:

(A) A capital offense;

(B) Murder in the first degree, § 5-10-102;

(C) Murder in the second degree, § 5-10-103;

(D) ~~First degree rape~~ Rape, § 5-14-103;

(E) Kidnapping, § 5-11-102;

(F) Aggravated robbery, § 5-12-103; or

(G) Delivering controlled substances to a minor as prohibited in the former § 5-64-410 [repealed].

(2) The fact that a prior felony conviction has been previously ~~expunged~~ sealed shall not prevent its counting as a prior conviction for the purposes of this subsection.

(3) The procedure, effect, and definition of "~~expungement~~" "sealed" for the purposes of this subsection shall be in accordance with that established in the

Comprehensive Criminal Record Sealing Act of 2013, § 16-90-904 16-90-1401 et seq.

SECTION 16. Arkansas Code § 16-98-303(g), regarding the sealing of criminal records in drug court, is amended to read as follows:

(g)(1) A drug court program judge, on his or her own motion or upon a request from an offender, may order ~~expungement and~~ dismissal of a case and the sealing of the record if:

(A) The offender has successfully completed a drug court program, as determined by the drug court program judge;

(B) The offender has received aftercare programming;

(C) The drug court program judge has received a recommendation from the prosecuting attorney for ~~expungement and~~ dismissal of the case and the sealing of the record; and

(D) The drug court program judge, after considering the offender's past criminal history, ~~feels expungement and~~ determines that dismissal of the case and the sealing of the record is appropriate.

(2)(A) Except as provided in subdivision (g)(2)(B) of this section, if the offender has ~~plead~~ pleaded guilty or nolo contendere to or has been found guilty of an offense falling within a target group under § 16-93-1202(10)(A)(i) in another Arkansas court, the drug court program judge may order ~~expungement and~~ sealing and dismissal of the offense falling within a target group with the written concurrence of the other Arkansas court.

(B) The following offenses ~~shall not be~~ are not eligible for ~~expungement~~ sealing under subdivision (g)(2)(A) of this section:

(i) Residential burglary, § 5-39-201(a);

(ii) Commercial burglary, § 5-39-201(b);

(iii) Breaking or entering, § 5-39-202; and

(iv) The fourth and subsequent offense of driving while intoxicated, § 5-65-103.

(3) Unless otherwise ordered by the drug court program judge, ~~expungement~~ sealing under this subsection shall be as described in the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-904 16-90-1401 et seq.

SECTION 17. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that currently the law is silent as to who is eligible to have his or her criminal record sealed; that a citizen of Arkansas might not know that he or she is eligible to have a criminal conviction sealed; and that this act is immediately necessary because the statutes permitting a person to have a criminal conviction sealed exist to allow a citizen of Arkansas with a past criminal

conviction to move on with his or her life without the cloud of being a person with a criminal record. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

/s/ Darrin Williams

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Copenhaver, **HOUSE BILL NO. 2009** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2009

Amend **HOUSE BILL NO. 2009** as engrossed,
H3/27/13 (version: 03/27/2013 11:40:26 AM)

Add Senator J. Woods as a cosponsor of the bill

AND

Page 2, line 6, delete "activities" and substitute "nonlicensed activities"

AND

Page 2, line 27, delete "may offer" and substitute "may offer and disseminate"

AND

Page 2, line 35, delete "Establishes and" and substitute "Establishes at the time of licensure and"

AND

Page 3, delete line 4 and substitute:

"for the travel retailer and an officer or other person who directs or controls the travel retailer's operations; and"

AND

Page 3, delete line 7 and substitute:

"(C)(i) Provides on application for and renewal of a limited lines travel insurance producer license, a list of each travel retailer that offers"

AND

Page 3, line 17, delete "offers" and substitute "offers and disseminates"

AND

Page 4, delete lines 11 and 12 and substitute:

"this subchapter may receive compensation if listed on the registry maintained by the limited lines travel insurance producer under subdivision (e)(3)(B) of this section."

/s/ Harold Copenhaver

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Sabin, **HOUSE JOINT RESOLUTION NO. 1009** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE JOINT RESOLUTION NO. 1009

Amend **HOUSE JOINT RESOLUTION NO. 1009** as engrossed,

H4/3/13 (version: 04/03/2013 11:07:17 AM)

Page 5, delete lines 2 through 4 and substitute the following:

"is invited;

(vi) Payments by regional or national organizations for travel to regional or national conferences at which the State of Arkansas is requested to be represented by a person or persons elected to an office under subsection (a) of this section;

(vii) Campaign contributions; and

(viii) Any devise or inheritance;"

AND

Page 6, delete lines 15 and 16 and substitute the following:

"the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court shall consider racial, gender, and geographical diversity."

AND

Page 8, delete lines 3 through 5 and substitute the following:

"(g)(1) The commission shall provide that the salaries of circuit judges be uniform throughout the state.

(2)(A) Except as provided in this subdivision (g)(2), the commission may increase or diminish the salaries for the positions under subsection (d) of this section.

(B) The commission may increase, but not diminish, the salaries for the positions under subdivisions (d)(9)-(14) of this section."

/s/ Warwick Sabin

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. 2292** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2292

Amend **HOUSE BILL NO. 2292** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 12-27-104(a) — (c), concerning the membership of the Board of Corrections, are amended to read as follows:

(a) The Board of Corrections shall be composed of seven (7) voting members, to include:

(1)(A) ~~Five (5)~~ Four (4) citizen members, two (2) of whom shall be appointed by the President Pro Tempore of the Senate and two (2) of whom shall be appointed by the Speaker of the House of Representatives;

(B) One (1) member shall be selected from each congressional district of the state in which he or she resides and as the congressional district existed on January 1, 2013;

(2) The chair of the Parole Board; and

(3) One (1) member of a criminal justice faculty who is employed at any four-year university in Arkansas, to be appointed by the Governor; and

(4) One (1) at-large member to be appointed by the Governor.

(b) The Board of Corrections shall elect a chair annually in accordance with rules and regulations developed by the Board of Corrections.

(c)(1) ~~All members of the Board of Corrections shall serve a term of seven (7) years~~ Members of the Board of Corrections shall serve staggered terms of five (5) years; unless they resign or are removed.

~~(2) Vacancies occurring before the expiration of a term shall be filled in the manner provided for members first appointed.~~

~~(3)~~(2) Members shall serve until their replacements are appointed.

~~(4)~~(3) ~~The Governor shall appoint those members not determined by virtue of their office when vacancies occur~~ If a vacancy occurs in the membership of the Board of Corrections, the officer who made the original appointment shall appoint a successor who shall serve the remainder of the unexpired term of the member whom he or she succeeded.

(4) A member may be reappointed until the member has served a maximum of thirteen (13) years.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. The process for initial appointments to the Board of Corrections under this act is as follows:

(1) The Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate shall make the appointments required under this act within thirty (30) days of the effective date of this act;

(2) The term of each board member currently serving shall expire immediately upon the taking of the oath by his or her successor appointed under this act;

(3) A current board member:

(A) May be reappointed as provided in § 12-27-104, as amended by this act; and

(B) If reappointed, shall serve the new term provided in this act;

(4) At the first regular meeting of the newly appointed board members, the term of each of the members appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall be determined by a random draw with:

(A) One (1) member serving an initial term of one (2) years;

(B) One (1) member serving an initial term of three (3) years;

(C) Two (2) members serving initial terms of four (4) years; and
(5) The persons appointed by the Governor shall serve initial terms of
five (5) years."

/s/ Jim Dotson

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

/s/ Mrs. Sherri Stacks
 Chief Clerk

SENATE CONCURRENT RESOLUTION NO. 3

BY: SENATOR MALOCH

RECOGNIZING THE 125TH ANNIVERSARY OF ALCOA.

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

The House gave Representative Kizzia unanimous leave to withdraw **HOUSE BILL NO. 1777**. Recommended Committee study by the Committee on EDUCATION-House.

The House gave Representative Payton unanimous leave to withdraw **HOUSE BILL NO. 1012**.

The House gave Representative Payton unanimous leave to withdraw **HOUSE BILL NO. 1899**.

The House gave Representative Payton unanimous leave to withdraw **HOUSE BILL NO. 1385**. Recommended Committee study by the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT-House.

ENGROSSED BILL REPORTS

DAVY CARTER, CHAIRPERSON

April 6, 2013

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1053	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1056	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1106	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1143	BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 1155	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1157	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1219	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1329	BY REPRESENTATIVE LEA
HOUSE BILL NO. 1638	BY REPRESENTATIVE WILLIAMS
HOUSE BILL NO. 1840	BY REPRESENTATIVE WRIGHT
HOUSE BILL NO. 1871	BY REPRESENTATIVE WORD
HOUSE BILL NO. 1990	BY REPRESENTATIVE KIZZIA
HOUSE BILL NO. 1994	BY REPRESENTATIVE NICKELS
HOUSE BILL NO. 1996	BY REPRESENTATIVE STEEL
HOUSE BILL NO. 2009 – TITLE –	BY REPRESENTATIVE COPENHAVER
HOUSE BILL NO. 2168	BY REPRESENTATIVE VINES
HOUSE BILL NO. 2181	BY REPRESENTATIVE WOMACK
HOUSE BILL NO. 2186 – TITLE -	BY REPRESENTATIVE BELL
HOUSE BILL NO. 2221 – TITLE –	BY REPRESENTATIVE DOTSON
HOUSE BILL NO. 2250	BY REPRESENTATIVE HAMMER
HOUSE BILL NO. 2252 – TITLE –	BY REPRESENTATIVE LEDING
HOUSE BILL NO. 2278	BY REPRESENTATIVE WARDLAW
HOUSE BILL NO. 2281 – TITLE –	BY REPRESENTATIVE C. DOUGLAS
HOUSE BILL NO. 2289	BY REPRESENTATIVE C. DOUGLAS
HOUSE BILL NO. 2290 – TITLE –	BY REPRESENTATIVE DOTSON
HOUSE BILL NO. 2292	BY REPRESENTATIVE DOTSON
HOUSE JOINT RESOLUTION	
NO. 1009	BY REPRESENTATIVE SABIN
SENATE BILL NO. 65	BY SENATOR KEY (CARNINE)
SENATE BILL NO. 836 – TITLE –	BY SENATOR KEY (CARNINE)
SENATE BILL NO. 845	BY SENATOR KEY (BALLINGER)
SENATE BILL NO. 866	BY SENATOR SAMPLE (KERR)
SENATE BILL NO. 869 – TITLE –	BY SENATOR ELLIOTT (LEDING)

ENGROSSED BILL REPORTS, CONTINUED

SENATE BILL NO. 871 BY SENATOR KEY (PERRY)
 SENATE BILL NO. 932 BY SENATOR BURNETT (WILLIAMS)
 SENATE BILL NO. 1002 – TITLE – BY SENATOR THOMPSON (RATLIFF)
 SENATE BILL NO. 1037 BY SENATOR INGRAM (EDWARDS)
 SENATE BILL NO. 1067 – TITLE – BY SENATOR ENGLISH (KERR)
 SENATE BILL NO. 1133 BY SENATOR HUTCHINSON (HAMMER)

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 2009

BY: REPRESENTATIVE COPENHAVER

BY: *SENATOR J. WOODS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A LICENSE FOR A LIMITED LINES TRAVEL INSURANCE PRODUCER; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 2186

BY: REPRESENTATIVE BELL

BY: *SENATOR E. WILLIAMS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ELECTION EFFICIENCY ACT OF 2013; TO ENCOURAGE VOTER TURNOUT AT ELECTIONS; TO AMEND THE LAW CONCERNING THE DATES ON WHICH CERTAIN ELECTIONS CAN BE HELD; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2221

BY: REPRESENTATIVE DOTSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS EDUCATION HOMESTEAD PROPERTY TAX CREDIT ACT; TO CREATE AN ADDITIONAL HOMESTEAD PROPERTY TAX CREDIT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2252

BY: REPRESENTATIVES LEDING, *SABIN*, *LINCK*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND CERTAIN LAWS CONCERNING WATER QUALITY STANDARDS; TO AMEND THE LAW PERTAINING TO THE CLASSIFICATION, ATTAINMENT, AND ENFORCEMENT OF WATER QUALITY STANDARDS; TO IMPROVE THE PROCESS FOR REFINING AND REVISING WATER QUALITY STANDARDS; TO CREATE COST-EFFECTIVE ATTAINMENT STRATEGIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2281

BY: REPRESENTATIVES C. DOUGLAS, *VINES*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING PAWN SHOPS, PAWNBROKERS, OR OTHER COMMERCIAL ENTITIES THAT ACQUIRE PRECIOUS METALS THROUGH PURCHASE OR OTHER MEANS; CONCERNING THE DISPOSITION OF PRECIOUS METALS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2290

BY: REPRESENTATIVES DOTSON, BIVIANO, ALEXANDER, BALLINGER, BELL,
J. BURRIS, COZART, DEFFENBAUGH, EUBANKS, FARRER, FITE, HAMMER,
HARRIS, HOPPER, KERR, LEA, LOWERY, D. MEEKS, MILLER, NEAL, PAYTON,
RICE, SCOTT, WESTERMAN, WOMACK

BY: SENATORS HESTER, J. WOODS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE
MEMBERSHIP OF THE STATE BOARD OF EDUCATION; TO REQUIRE THE
ELECTION OF STATE BOARD OF EDUCATION MEMBERS; AND FOR OTHER
PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 836

BY: SENATOR J. KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS
PROVISIONS OF THE ARKANSAS CODE CONCERNING PUBLIC EDUCATION;
AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 869

BY: SENATORS ELLIOTT, *IRVIN*, *RAPERT*
BY: REPRESENTATIVES LEDING, *D. MEEKS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A SAFE HARBOR FOR VICTIMS OF CERTAIN SEX TRAFFICKING AND COMMERCIAL SEX OFFENSES; TO PROVIDE FOR A FINE; TO PROVIDE FOR A STUDY; TO DEVELOP A PROTOCOL; TO ESTABLISH A SAFE HARBOR FOR SEXUALLY EXPLOITED CHILDREN FUND; TO PROVIDE FOR TRAINING; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 1002

BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE RATLIFF

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, PART 2, CONCERNING STUDENTS WHO OBTAIN A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE; AND FOR OTHER PURPOSES.

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 1067

BY: SENATOR J. ENGLISH
BY: REPRESENTATIVE KERR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PREVENT ELECTION MISCONDUCT; TO AMEND THE LAWS CONCERNING ABSENTEE BALLOTS; AND FOR OTHER PURPOSES.

Upon motion of Representative Hammer, **HOUSE BILL NO. 2250** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2250

Amend **HOUSE BILL NO. 2250** as engrossed,
H4/1/13 (version: 04/01/2013 10:43:18 AM)

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 5-5-201, concerning forfeiture of a conveyance upon conviction of certain offenses, is amended to add a new subsection to read as follows:

(c)(1) An all-terrain vehicle used in the commission of a second or subsequent offense for criminal trespass, § 5-39-203, that occurs within five (5) years of a prior offense of criminal trespass, § 5-39-203, is subject to seizure and forfeiture under this subchapter.

(2) As used in this subsection, "all-terrain vehicle" means the same as defined in § 27-21-102."

/s/ Kim Hammer

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Williams, **SENATE BILL NO. 932** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 932

Amend **SENATE BILL NO. 932** as engrossed,
S4/2/13 (version: 04/02/2013 2:35:43 PM)

Add Representatives Williams and Steel as cosponsors of the bill

/s/ Darrin Williams

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Carnine, **SENATE BILL NO. 65** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 65

Amend **SENATE BILL NO. 65** as engrossed,
S3/12/13 (version: 03/12/2013 09:45:15 AM)

Page 6, delete Section 2 of the bill in its entirety and substitute:

"SECTION 2. Arkansas Code § 6-15-430(b)(1), concerning student transfers from a school district that is identified as being in academic distress, is amended to read as follows:

(b)(1) Any student attending a public school district classified as being in academic distress shall automatically be eligible and entitled pursuant to the ~~Arkansas Public School Choice Act of 1989, § 6-18-206~~ Public School Choice Act of 2013, § 6-18-1901 et seq., to transfer to another ~~geographically contiguous~~ school district not in academic distress during the time period that a school district is classified as being in academic distress and, therefore, not be required to file a petition by ~~July 1~~ June 1 but shall meet all other requirements and conditions of the ~~Arkansas Public School Choice Act of 1989, § 6-18-206~~ Public School Choice Act of 2013, § 6-18-1901 et seq.

SECTION 3. Arkansas Code § 6-18-202(g), concerning the age and attendance requirements for attending public schools, is amended to read as follows:

(g) This section shall not be construed to restrict a student's ability to participate in a tuition agreement with a nonresident school district or to officially transfer to another school district pursuant to the ~~Arkansas Public School Choice Act of 1989, § 6-18-206~~ Public School Choice Act of 2013, § 6-18-1901 et seq.

SECTION 4. Arkansas Code § 6-18-227(b)(2)(A)(i), concerning the Arkansas Opportunity Public School Choice Act of 2004, is amended to read as follows:

(2)(A)(i) For the purposes of continuity of educational choice, the transfer shall operate as an irrevocable election for each subsequent entire school year and shall remain in force until the student completes high school or the parent, guardian, or the student, if the student is over eighteen (18) years of age, makes application no later than July 30 for attendance or transfer as provided for by §§ ~~6-18-202, 6-18-206, and § 6-18-316~~, or by June 1 under the Public School Choice Act of 2013, § 6-18-1901 et seq.

SECTION 5. Arkansas Code § 6-21-812(a), concerning student transfers from a school district that is identified as being in fiscal distress, is amended to read as follows:

(a)(1) Any student attending a public school district classified as being in facilities distress shall automatically be eligible and entitled under the ~~Arkansas Public School Choice Act of 1989, § 6-18-206~~ Public School Choice Act of 2013, § 6-18-1901 et seq., to transfer to another ~~geographically contiguous~~ school district not in facilities distress during the time period that a district is classified as being in facilities distress.

(2) The student is not required to file a petition by ~~July 1~~ June 1 but shall meet all other requirements and conditions of the ~~Arkansas Public School Choice Act of 1989, § 6-18-206~~ Public School Choice Act of 2013, § 6-18-1901 et seq.

SECTION 6. Arkansas Code Title 6, Chapter 18, is amended to add an additional subchapter to read as follows:

Subchapter 19 — Public School Choice Act of 2013

6-18-1901. Title — Legislative findings.

(a) This subchapter shall be known and may be cited as the "Public School Choice Act of 2013".

(b) The General Assembly finds that:

(1) The students in Arkansas's public schools and their parents will become more informed about and involved in the public educational system if students and their parents are provided greater freedom to determine the most effective school for meeting their individual educational needs. There is no right school for every student, and permitting students to choose from among different schools with differing assets will increase the likelihood that some at-risk students will stay in school and that other, more motivated students will find their full academic potential;

(2) Giving more options to parents and students with respect to where the students attend public school will increase the responsiveness and effectiveness of the state's schools because teachers, administrators, and school board members will have added incentive to satisfy the educational needs of the students who reside in the district; and

(3) These benefits of enhanced quality and effectiveness in our public schools justify permitting a student to apply for admission to a school in any school district beyond the school district in which the student resides, provided that the transfer by the student does not conflict with an enforceable judicial decree or court order remedying the effects of past racial segregation in the school district.

6-18-1902. Definitions.

As used in this subchapter:

(1) "Nonresident district" means a school district other than a student's resident district;

(2) "Parent" means a student's parent, guardian, or other person having custody or care of the student;

(3) "Resident district" means the school district in which the student resides as determined under § 6-18-202; and

(4) "Transfer student" means a public school student who transfers to a nonresident district through a public school choice option under this subchapter.

6-18-1903. Public school choice program established.

(a) A public school choice program is established to enable a student to attend a school in a nonresident district, subject to the limitations under § 6-18-1906.

(b) Each school district shall participate in a public school choice program consistent with this subchapter.

(c) This subchapter does not require a school district to add teachers, staff, or classrooms, or in any way to exceed the requirements and standards established by existing law.

(d)(1) The board of directors of a public school district shall adopt by resolution specific standards for acceptance and rejection of applications under this subchapter.

(2) The standards:

(A) May include without limitation the capacity of a program, class, grade level, or school building;

(B) Shall include a statement that priority will be given to an applicant who has a sibling or stepsibling who:

(i) Resides in the same household; and

(ii) Is already enrolled in the nonresident district by choice; and

(C) Shall not include an applicant's:

(i) Academic achievement;

(ii) Athletic or other extracurricular ability;

(iii) English proficiency level; or

(iv) Previous disciplinary proceedings, except that an expulsion from another district may be included under § 6-18-510.

(3) A school district receiving transfers under this act shall not discriminate on the basis of gender, national origin, race, ethnicity, religion, or disability.

(e) A nonresident district shall:

(1) Accept credits toward graduation that were awarded by another district; and

(2) Award a diploma to a nonresident student if the student meets the nonresident district's graduation requirements.

(f) The superintendent of a school district shall cause public announcements to be made over the broadcast media and either in the print media or on the Internet to inform parents of students in adjoining districts of the:

(1) Availability of the program;

(2) Application deadline; and

(3) Requirements and procedure for nonresident students to participate in the program.

6-18-1904. General provisions.

(a) The transfer of a student under the Arkansas Public School Choice Act of 1989, § 6-18-206 [repealed], is not voided by this subchapter and shall be treated as a transfer under this subchapter.

(b)(1) A student may accept only one (1) school choice transfer per school year.

(2)(A) A student who accepts a public school choice transfer may return to his or her resident district during the school year.

(B) If a transferred student returns to his or her resident district, the student's transfer is voided, and the student shall reapply if the student seeks a future school choice transfer.

(c)(1) A transfer student attending a nonresident school under this subchapter may complete all remaining school years at the nonresident district.

(2) A present or future sibling of a student who continues enrollment in the nonresident district under this subsection may enroll in or continue enrollment in the nonresident district until the sibling of the transfer student completes his or her secondary education, if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law. (d)(1) The transfer student or the transfer student's parent is responsible for the transportation of the transfer student to and from the school in the nonresident district where the transfer student is enrolled.

(2) The nonresident district may enter into a written agreement with the student, the student's parent, or the resident district to provide the transportation.

(3) The State Board of Education may resolve disputes concerning transportation arising under this subsection.

(e) For purposes of determining a school district's state aid, a transfer student is counted as a part of the average daily membership of the nonresident district where the transfer student is enrolled.

6-18-1905. Application for a transfer.

(a) If a student seeks to attend a school in a nonresident district, the student's parent shall submit an application:

(1) To the nonresident district with a copy to the resident district;

(2) On a form approved by the Department of Education; and

(3) Postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.

(b)(1) By August 1 of the school year in which the student seeks to enroll in a nonresident district under this subchapter, the superintendent of the nonresident district shall notify the parent and the resident district in writing as to whether the student's application has been accepted or rejected.

(2) If the application is rejected, the superintendent of the nonresident district shall state in the notification letter the reason for rejection.

(3) If the application is accepted, the superintendent of the nonresident district shall state in the notification letter:

(A) A reasonable deadline by which the student shall enroll in the nonresident district and after which the acceptance notification is null; and

(B) Instructions for the renewal procedures established by the nonresident district.

6-18-1906. Limitations.

(a) If the provisions of this subchapter conflict with a provision of an enforceable desegregation court order or a district's court-approved desegregation plan regarding the effects of past racial segregation in student assignment, the provisions of the order or plan shall govern.

(b)(1) A school district annually may declare an exemption under this section if the school district is subject to the desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation.

(2)(A) An exemption declared by a board of directors under this subsection is irrevocable for one (1) year from the date the school district notifies the Department of Education of the declaration of exemption.

(B) After each year of exemption, the board of directors may elect to participate in public school choice under this section if the school district's participation does not conflict with the school district's federal court-ordered desegregation program.

(3) A school district shall notify the department by April 1 if in the next school year the school district intends to:

(A) Declare an exemption under this section; or

(B) Resume participation after a period of exemption.

(c)(1)(A) There is established a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district, under this section of not more than three percent (3%) of the school district's three-quarter average daily membership for the immediately preceding school year.

(B) For the purpose of determining the percentage of school choice transfers under this subsection, siblings who are counted in the numerator as transfer students shall count as one (1) student, and siblings who are counted in the denominator as part of the average daily membership shall count as one (1) student.

(2) Annually by June 1, the Department of Education shall report to each school district the net maximum number of school choice transfers for the current school year.

(3) If a student is unable to transfer due to the limits under this subsection, the resident district shall give the student priority for a transfer in the following year in the order that the resident district receives notices of applications under § 6-18-1905, as evidenced by a notation made by the district on the applications indicating date and time of receipt.

6-18-1907. Rules — Appeal — Data collection and reporting.

(a) The State Board of Education may promulgate rules to implement this subchapter.

(b)(1) A student whose application for a transfer under § 6-18-1905 is rejected by the nonresident district may request a hearing before the state board to reconsider the transfer.

(2)(A) A request for a hearing before the state board shall be in writing and shall be postmarked no later than ten (10) days after the student or the student's parent receives a notice of rejection of the application under § 6-18-1905.

(B) As part of the review process, the parent may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the student.

(3) If the state board overturns the determination of the nonresident district on appeal, the state board shall notify the parent, the nonresident district, and the resident district of the basis for the state board's decision.

(c)(1) The department shall collect data from school districts on the number of applications for student transfers under this section and study the effects of school

choice transfers under this subchapter, including without limitation the net maximum number of transfers and exemptions, on both resident and nonresident districts for up to two (2) years to determine if a racially segregative impact has occurred to any school district.

(2) Annually by October 1, the department shall report its findings from the study of the data under this subsection to the Senate Committee on Education and the House Committee on Education its finding.

6-18-1909. Effective date.

The provisions of this subchapter shall remain in effect until July 1, 2015."

AND

Page 9, line 9, delete "SECTION 3" and substitute "SECTION 7"

/s/ Les Carnine

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Hammer, **SENATE BILL NO. 1133** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 1133

Amend **SENATE BILL NO. 1133** as engrossed,

S3/28/13 (version: 03/28/2013 3:25:31 PM)

Page 2, delete lines 2 through 10 and substitute:

"5-65-122. Driving while intoxicated - Sixth or subsequent offense.

(a)(1) A sixth of subsequent offense of violating § 5-65-103 occurring within ten (10) years of a prior offense is a Class B felony.

(2)(A) A person may be sentenced under this section to two (2) years' community service in lieu of imprisonment or fine unless a person under sixteen (16) years of age was in the vehicle at the time of the offense, for which the person may be sentenced under this section to three (3) years' community service in lieu of imprisonment or fine.

(B) If the court orders community service under subdivision (a)(2)(A) of this section, it shall clearly set forth in written findings the reasons for the order of community service.

(b) The following are considered a prior offense for purposes of subsection (a) of this section:

(1) A prior conviction for violation of a penal law of another state, federal, or foreign jurisdiction that is equivalent to § 5-65-103; or

(2) A prior conviction for violation of § 5-10-105(a)(1)(A) or (B)."

/s/ Kim Hammer

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Carnine, **SENATE BILL NO. 836** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 836

Amend **SENATE BILL NO. 836** as engrossed,
S3/26/13 (version: 03/26/2013 09:19:28 AM)

Page 6, delete lines 4 and 5 and substitute:

"purpose of starting, augmenting, or replenishing the fund:

(4) Revenues received from open-enrollment public charter schools for the repayment of a loan granted under the Open-Enrollment Public Charter School Facilities Loan Fund program; and

(5) Other revenues as may be provided by law."

/s/ Les Carnine

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Ratliff, **SENATE BILL NO. 1002** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 1002

Amend **SENATE BILL NO. 1002** as engrossed,
S3/18/13 (version: 03/18/2013 09:23:53 AM)

Add Representative Ratliff as a cosponsor of the bill

AND

Immediately following SECTION 1, add the following additional section:

"SECTION 2. Arkansas Code § 6-85-207(3), concerning the eligibility requirements for a traditional student under the Arkansas Academic Challenge Scholarship Program - Part 2, is amended to read as follows:

(3) ~~Graduated from a private high school, an out-of-state high school, or a home school high school and achieved~~ Achieved a minimum composite score of nineteen (19) on the ACT or the equivalent score on an ACT equivalent and:

(A) Graduated from a private high school, an out-of-state high school, or a home school high school; or

(B) In the year in which the student would have been a junior or senior in high school, completed the requirements for high school graduation and obtained a General Educational Development certificate instead of receiving a diploma."

/s/ James Ratliff

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Ballinger, **SENATE BILL NO. 845** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 845

Amend **SENATE BILL NO. 845** as originally introduced:

Add Representatives Ballinger, Bragg, Dotson, Farrer, Fite, Harris, Hutchison, D. Meeks, Payton, Scott, Westerman as cosponsors of the bill

AND

Add Senators Bledsoe, Caldwell, A. Clark, J. Hendren, Hester, Holland, D. Sanders, E. Williams as cosponsors of the bill

/s/ Bob Ballinger

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Kerr, **SENATE BILL NO. 1067** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 1067

Amend **SENATE BILL NO. 1067** as engrossed,
S3/19/13 (version: 03/19/2013 9:08:39 AM)

Add Representative Kerr as a cosponsor of the bill

AND

Page 3, delete lines 20 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 13

AND

Renumber the sections appropriately

AND

Page 9, delete lines 19 through 36

AND

Page 10, delete lines 1 through 11

AND

Page 10, line 12, delete "(8)" and substitute "(5)"

AND

Page 10, line 15, delete "(9)" and substitute "(6)"

/s/ Allen Kerr

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Kerr, **SENATE BILL NO. 866** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 866

Amend **SENATE BILL NO. 866** as engrossed,
S4/1/13 (version: 04/01/2013 02:38:12 PM)

Add Representative Kerr as a cosponsor of the bill

AND

Page 1, delete lines 28 and 29, and substitute the following:

"subdivision (A) shall be full paid fire chiefs, one (1) shall be a volunteer fire chief, and one (1) shall be a retired fire chief or a volunteer fire chief;"

AND

Page 1, line 33, delete "three (3) of which" and substitute "~~of which~~ all of whom"

AND

Page 1, delete lines 34 and 35, and substitute the following:

"firefighters and two (2) of which shall be career firefighters;"

AND

Page 2, delete line 8, and substitute the following:

"~~Commission~~ Fire Training Academy, the Director of the Arkansas Department of Emergency Management or his or her designee, and the State Fire Marshal or his or her designee shall be an ex officio member members."

AND

Page 2, line 31, delete "or"

AND

Page 2, delete line 32, and substitute the following:

“under this act shall be determined at the discretion of the Arkansas Fire”

/s/ Allen Kerr

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Morning Hour Expired.

HOUSE BILL NO. 1999

BY: REPRESENTATIVE BELL

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Bell, Biviano, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Farrer, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Jean, Jett, Julian, Kerr, Lampkin, Lea, Leding, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McLean, D. Meeks, S. Meeks, Neal, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total78

NEGATIVE: Fielding, Hopper, Kizzia, Lenderman, Love, Murdock.

Total6

ABSENT OR NOT VOTING: D. Altes, Barnett, Bragg, Clemmer, Cozart, C. Douglas, Ferguson, McGill, Miller, Nickels, B. Overbey, F. Smith, H. Wilkins, Williams, Mr. Speaker.

Total15

VOTING PRESENT: Word.

Total1

Total number of votes cast85

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

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

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

HOUSE BILL NO. 2039

BY: REPRESENTATIVE MAYBERRY

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

AFFIRMATIVE: Alexander, C. Armstrong, Baine, Baltz, Biviano, Bragg, Branscum, Broadaway, J. Burris, Catlett, Clemmer, Copenhaver, Davis, Deffenbaugh, J. Dickinson, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Hawthorne, Hillman, Holcomb, Hopper, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lenderman, Linck, Love, Lowery, Mayberry, McCrary, McGill, McLean, D. Meeks, Murdock, Neal, Payton, Perry, Ratliff, Richey, Shepherd, Talley, Vines, Wardlaw, D. Whitaker, B. Wilkins, Wren.

Total54

NEGATIVE: Baird, Bell, Collins, C. Douglas, Hobbs, Lea, S. Malone, Nickels, Scott, Steel, Walker, Westerman, H. Wilkins, Word.

Total14

ABSENT OR NOT VOTING: D. Altes, E. Armstrong, Ballinger, Barnett, Carnine, Cozart, Dale, Dotson, D. Douglas, J. Edwards, Fielding, Harris, Hickerson, Hodges, House, Lampkin, Leding, Magie, McElroy, Miller, B. Overbey, Rice, Sabin, Slinkard, F. Smith, T. Thompson, W. Wagner, Williams, Womack, Wright, Mr. Speaker.

Total31

VOTING PRESENT: S. Meeks.

Total1

Total number of votes cast69

Total number voting in the affirmative54

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

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

Upon motion of Representative Clemmer the Clincher motion prevailed.

HOUSE BILL NO. 1761

BY: REPRESENTATIVE RATLIFF

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

AFFIRMATIVE: C. Armstrong, Baltz, Barnett, Biviano, Branscum, Broadaway, Carnine, Catlett, Clemmer, Copenhaver, Dale, Deffenbaugh, D. Douglas, Eubanks, Ferguson, Gillam, Gossage, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, Jean, Jett, Julian, Lampkin, Lenderman, Linck, Lowery, Magie, S. Malone, McCrary, McElroy, McGill, McLean, D. Meeks, Murdock, Neal, B. Overbey, Ratliff, Shepherd, Slinkard, Steel, Talley, Vines, W. Wagner, Wardlaw, B. Wilkins, Word, Wren, Wright.

Total52

NEGATIVE: Alexander, E. Armstrong, Baine, Baird, Ballinger, Bell, Bragg, Collins, Davis, Dotson, J. Edwards, Farrer, Fite, Hammer, Harris, Hutchison, Kerr, Kizzia, Lea, Leding, Mayberry, S. Meeks, Nickels, Perry, Sabin, Scott, Westerman, D. Whitaker, Womack.

Total29

ABSENT OR NOT VOTING: D. Altes, J. Burris, Cozart, J. Dickinson, C. Douglas, Fielding, Hickerson, House, Love, Miller, Payton, Rice, Richey, F. Smith, T. Thompson, Walker, H. Wilkins, Williams, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative.....52

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

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

Upon motion of Representative Lenderman the Clincher motion prevailed.

HOUSE BILL NO. 1215

BY: REPRESENTATIVE WESTERMAN

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

AFFIRMATIVE: Alexander, C. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, 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, Kerr, Kizzia, Lampkin, Lea, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, D. Meeks, S. Meeks, Murdock, B. Overbey, Payton, Ratliff, Rice, Scott, Shepherd, Slinkard, Steel, Talley, Vines, W. Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Word, Wren, Wright.

Total78

NEGATIVE: Julian, Leding, Love, McLean, Sabin, D. Whitaker.

Total6

ABSENT OR NOT VOTING: D. Altes, E. Armstrong, Cozart, J. Edwards, McCrary, Miller, Neal, Nickels, Perry, Richey, F. Smith, T. Thompson, H. Wilkins, Williams, Womack, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative78

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

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

HOUSE BILL NO. 1958

BY: REPRESENTATIVE WARDLAW

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Word, Wren, Wright.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Clemmer, Cozart, Kizzia, Miller, Richey, F. Smith, H. Wilkins, Williams, Womack, Mr. Speaker.

Total11

VOTING PRESENT: Fite.

Total1

Total number of votes cast89

Total number voting in the affirmative.....88

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

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

HOUSE BILL NO. 1934

BY: REPRESENTATIVE WARDLAW

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Gillam, Gossage, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, D. Meeks, Murdock, Neal, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Word, Wren, Wright.

Total78

NEGATIVE: Farrer, Hammer, Hutchison.

Total3

ABSENT OR NOT VOTING: D. Altes, Baird, Ballinger, Bell, Clemmer, Cozart, C. Douglas, Fite, Harris, McLean, S. Meeks, Miller, Payton, F. Smith, Vines, H. Wilkins, Williams, Womack, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative78

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

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

HOUSE BILL NO. 1164

BY: REPRESENTATIVE KERR

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Word, Wren, Wright.

Total86

NEGATIVE: Hillman.

Total1

ABSENT OR NOT VOTING: D. Altes, Baird, Broadway, Clemmer, Cozart, Fielding, McGill, Miller, F. Smith, H. Wilkins, Williams, Womack, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative.....86

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

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

HOUSE BILL NO. 2036

BY: REPRESENTATIVE SLINKARD

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

AFFIRMATIVE: Alexander, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, D. Meeks, S. Meeks, Murdock, Neal, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Word, Wren, Wright.

Total83

NEGATIVE: Walker.

Total1

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, E. Armstrong, Baird, Clemmer, Cozart, Fielding, Hodges, McGill, McLean, Miller, F. Smith, T. Thompson, H. Wilkins, Williams, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative83

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

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

HOUSE BILL NO. 1632

BY: REPRESENTATIVE PERRY

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

AFFIRMATIVE: Alexander, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, Carnine, Catlett, Clemmer, Collins, Dale, Davis, Deffenbaugh, Dotson, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hickerson, Hillman, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Neal, Nickels, Perry, Ratliff, Rice, Scott, Shepherd, Slinkard, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, Wren.

Total65

NEGATIVE: Hobbs, Hodges, Love, McGill, Richey, Sabin, B. Wilkins.

Total7

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, Baird, J. Burris, Copenhaver, Cozart, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Fielding, Hawthorne, McElroy, McLean, Miller, B. Overbey, Payton, F. Smith, Steel, Talley, Walker, Wardlaw, H. Wilkins, Williams, Womack, Word, Wright, Mr. Speaker.

Total28

VOTING PRESENT:

Total0

Total number of votes cast72

Total number voting in the affirmative.....65

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

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

Upon motion of Representative Perry the Clincher motion prevailed.

HOUSE BILL NO. 1568

BY: REPRESENTATIVE S. MEEKS

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

AFFIRMATIVE: Alexander, C. Armstrong, Baine, Carnine, Catlett, Clemmer, Dale, Davis, Deffenbaugh, Dotson, C. Douglas, D. Douglas, Eubanks, Ferguson, Fielding, Fite, Gillam, Hammer, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, House, Hutchison, Julian, Kerr, Lampkin, Lea, Leding, Linck, Lowery, McElroy, McGill, D. Meeks, S. Meeks, Payton, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, D. Whitaker, B. Wilkins, Word.

Total46

NEGATIVE: Baltz, Bell, Harris, Kizzia, Lenderman, McLean, Murdock, Perry, Ratliff, Richey, Vines, Walker, Wren, Wright.

Total14

ABSENT OR NOT VOTING: D. Altes, E. Armstrong, Baird, Ballinger, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Collins, Copenhaver, Cozart, J. Dickinson, J. Edwards, Gossage, Hickerson, Jean, Jett, Love, Magie, S. Malone, Mayberry, McCrary, Miller, Neal, Nickels, B. Overbey, Rice, F. Smith, T. Thompson, W. Wagner, Wardlaw, Westerman, H. Wilkins, Williams, Womack, Mr. Speaker.

Total38

VOTING PRESENT: Farrer, Hopper.

Total2

Total number of votes cast62

Total number voting in the affirmative46

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

So the Bill failed.

HOUSE BILL NO. 2210

BY: REPRESENTATIVE S. MALONE

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, C. Douglas, D. Douglas, Eubanks, Ferguson, Fite, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, Murdock, Neal, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, Word, Wren, Wright.

Total74

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Baird, Bell, Cozart, J. Dickinson, Dotson, J. Edwards, Farrer, Fielding, Gillam, Gossage, Love, Magie, S. Meeks, Miller, Nickels, Payton, F. Smith, Talley, Walker, Wardlaw, B. Wilkins, H. Wilkins, Williams, Womack, Mr. Speaker.

Total26

VOTING PRESENT:

Total0

Total number of votes cast74

Total number voting in the affirmative.....74

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

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

HOUSE BILL NO. 1748

BY: REPRESENTATIVE VINES

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, Murdock, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Talley, T. Thompson, Vines, W. Wagner, Walker, Westerman, D. Whitaker, Womack, Wren.

Total80

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Broadaway, Cozart, Fielding, Hickerson, Julian, Love, S. Meeks, Miller, Neal, Nickels, F. Smith, Steel, Wardlaw, B. Wilkins, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total20

VOTING PRESENT:

Total0

Total number of votes cast80

Total number voting in the affirmative80

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

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

HOUSE BILL NO. 1747

BY: REPRESENTATIVE VINES

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Hammer, Harris, Hawthorne, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McLean, S. Meeks, Murdock, Neal, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total78

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Baird, Ballinger, Broadway, Cozart, Deffenbaugh, Dotson, Gossage, Hickerson, Julian, Love, McGill, Miller, Nickels, F. Smith, Wardlaw, Westerman, H. Wilkins, Williams, Word, Mr. Speaker.

Total21

VOTING PRESENT: D. Meeks.

Total1

Total number of votes cast79

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

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

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

Representative Burris moved to limit debate to three minutes per side – for and against the bill. Motion carried.

HOUSE BILL NO. 1536

BY: REPRESENTATIVE ALEXANDER

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

AFFIRMATIVE: Alexander, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, J. Burris, Catlett, Clemmer, Collins, Dale, Davis, Deffenbaugh, Dotson, C. Douglas, J. Edwards, Eubanks, Farrer, Fite, Gillam, Gossage, Hammer, Harris, Hickerson, Hobbs, Holcomb, House, Hutchison, Jean, Jett, Kerr, Kizzia, Lea, Leding, Lenderman, Linck, Lowery, Mayberry, McGill, McLean, D. Meeks, S. Meeks, Murdock, Neal, Payton, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Vines, Westerman, D. Whitaker, Womack, Wren.

Total60

NEGATIVE: Broadaway, Copenhaver, Ferguson, Hawthorne, Hillman, Hopper, Julian, Love, Magie, McCrary, McElroy, Nickels, Perry, Steel, Talley, T. Thompson, W. Wagner, Walker, Wardlaw.

Total19

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, E. Armstrong, Carnine, Cozart, J. Dickinson, D. Douglas, Fielding, Hodges, Lampkin, S. Malone, Miller, B. Overbey, Slinkard, F. Smith, B. Wilkins, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast79

Total number voting in the affirmative60

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

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

Upon motion of Representative Bell the Clincher motion prevailed.

HOUSE BILL NO. 1809

BY: REPRESENTATIVE LOWERY

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

AFFIRMATIVE: Alexander, Baine, Biviano, Broadway, J. Burris, Catlett, Dale, Deffenbaugh, J. Edwards, Eubanks, Ferguson, Gillam, Gossage, Hillman, Hopper, House, Linck, Lowery, Magie, McElroy, Murdock, Perry, Ratliff, Richey, Scott.

Total25

NEGATIVE: Baltz, Bell, Copenhaver, Fielding, Fite, Hammer, Harris, Hawthorne, Hobbs, Hutchison, Jett, Julian, Kizzia, Lea, Lenderman, Love, D. Meeks, Payton, Shepherd, Steel, Talley, Vines, Walker, B. Wilkins, Word, Wren, Wright.

Total27

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, E. Armstrong, Baird, Ballinger, Barnett, Bragg, Branscum, Carnine, Collins, Cozart, Davis, J. Dickinson, Dotson, C. Douglas, D. Douglas, Hickerson, Hodges, Holcomb, Jean, Kerr, Lampkin, Leding, S. Malone, Mayberry, McCrary, McGill, McLean, S. Meeks, Miller, Neal, Nickels, B. Overbey, Rice, Sabin, Slinkard, F. Smith, T. Thompson, W. Wagner, Wardlaw, Westerman, D. Whitaker, H. Wilkins, Williams, Womack, Mr. Speaker.

Total46

VOTING PRESENT: Clemmer, Farrer.

Total2

Total number of votes cast54

Total number voting in the affirmative.....25

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

So the Bill failed.

Upon motion of Representative Baird, **HOUSE BILL NO. 1053** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1053

Amend **HOUSE BILL NO. 1053** as originally introduced:

Page 2, delete line 10 in its entirety and substitute the following:

"(17) D007C INFORMATION SYSTEMS MANAGER 2 GRADE C128"

AND

Page 2, insert an additional item immediately following item (25) to read as follows:

"(26) D029C SENIOR GIS ANALYST 1 GRADE C124"

AND

Page 3, line 28, delete "257" and substitute "259"

AND

Appropriately renumber the items numbers in SECTION 1

AND

Page 4, line 10, delete "\$15,800,353" and substitute "\$15,931,416"

AND

PAGE 4, line 12, delete "4,757,220" and substitute "4,800,471"

AND

Page 4, line 15, delete "9,519,905" and substitute "9,545,591"

AND

Page 4, line 22, delete "\$98,011,094" and substitute "\$98,211,094"

AND

Page 5, insert an additional SECTION immediately following SECTION 5 to read as follows:

" SECTION 6. APPROPRIATION - BROADBAND SERVICES AND ENHANCEMENTS - CASH FUNDS. There is hereby appropriated to the Department of Information Systems, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, the following:

(A) for operating expenses, services enhancements, and grants, in a sum not to exceed.....\$10,000,000."

AND

Page 9, insert an additional SECTION immediately following SECTION 9 to read as follows:

" SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GIFTS, GRANTS AND DONATIONS. The Director may accept on behalf of the Department of Information Systems, from any source, the

donation of gifts, grants, cash, bequeaths, devices, donations, real or personal property and equipment for the establishment, maintenance, operations, or improvement of broadband services, enhancements and grants."

AND

Appropriately renumber the SECTION numbers of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1056** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1056

Amend **HOUSE BILL NO. 1056** as engrossed,

H3/8/13 (version: 3/8/2013 3:48:48 PM)

Immediately following SECTION 44, add two new sections to read as follows:

" SECTION 45. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 8-6-607(5), concerning the collection of fees is amended to read as follows:

(5) Beginning July 1, ~~2012~~2013, excluding the disposal fees that are to be deposited into the Marketing Board Fund under subdivision (4) of this section, the first ~~one hundred twenty five thousand dollars (\$125,000)~~ one hundred fifty thousand dollars (\$150,000) of the fees collected each fiscal year under this section shall be deposited into the State Treasury and credited to the Crime Information System Fund to be used exclusively for the scrap metal log book program.

SECTION 46. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 19-5-1011(c), concerning the Crime Information System Fund, is amended to read as follows:

(c) Beginning July 1, ~~2012~~2013, excluding the disposal fees that are to be deposited into the Marketing Board Fund under § 8-6-607(4), the first ~~one hundred twenty five thousand dollars (\$125,000)~~ one hundred fifty thousand dollars (\$150,000) of fees collected each fiscal year under § 8-6-607 shall be deposited into

the State Treasury and credited to the Crime Information System Fund to be used exclusively for the scrap metal log book program.

(d) Notwithstanding any other rule, regulation, or provision of law to the contrary, the Arkansas Crime Information Center may transfer appropriation from the Contingency line item authorized for the Arkansas Crime Information Center to the Scrap Metal Logbook line item appropriation."

AND

Appropriately renumber subsequent sections of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1106** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1106

Amend **HOUSE BILL NO. 1106** as originally introduced:

Page 2, line 24 delete "1" and substitute "2"

AND

Page 3, line 1 delete "103" and substitute "104"

AND

Insert an additional Section immediately following SECTION 11 to read as follows:

“ SECTION 12. APPROPRIATION - ARKANSAS 911 RURAL ENHANCEMENT PROGRAM. There is hereby appropriated, to the Arkansas Department of Emergency Management, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Department of Emergency Management – Arkansas 911 Rural Enhancement Program for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$55,422

(02) PERSONAL SERVICES MATCHING	15,518
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	916,060
(B) CONF. & TRAVEL	5,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	8,000
(E) DATA PROC.	0
(04) ENHANCEMENT GRANTS	<u>2,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$3,000,000"</u>

AND

Appropriately renumber the subsequent SECTIONS of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1155** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1155

Amend **HOUSE BILL NO. 1155** as originally introduced:

Page 9, delete Section 19 in its entirety

And

Appropriately renumber subsequent Sections of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1157** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1157

Amend **HOUSE BILL NO. 1157** as originally introduced:

Please add a new section immediately following SECTION 21 to read as follows:

" SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. This act includes sufficient appropriation and funding to address salary inequities with the ranks of State Police Corporals and State Police Sergeants. On July 1, 2013 equity salary adjustments up to the career level of the assigned grade may be awarded to current employees in accordance with the plan established by the Office of Personnel Management and approved by the Chief Fiscal Officer."

AND

Appropriately renumber the subsequent sections of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Baird, **HOUSE BILL NO. 1219** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1219

Amend **HOUSE BILL NO. 1219** as engrossed,

H4/1/13 (version: 04/01/2013 03:59:59 PM)

Insert the additional sections immediately following SECTION 15 to read as follows:

SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER PROVISION - MEDICAID PROGRAM. Notwithstanding the provisions of Initiated Act 1 of 2000, or Arkansas Code 19-12-107 regarding the establishment of the Arkansas Healthy Century Trust

Fund, or any other law to the contrary, immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the State Treasurer and Auditor of State the balance of all moneys in excess of one hundred million dollars (\$100,000,000) in the Arkansas Healthy Century Trust Fund from the Arkansas Healthy Century Trust Fund to the Medicaid Expansion Program Account of the Tobacco Settlement Program Fund.

SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND TRANSFER PROVISION - MEDICAID PROGRAM. Notwithstanding the provisions of Initiated Act 1 of 2000, or Arkansas Code 19-12-104 regarding the establishment and administration of the Tobacco Settlement Cash Holding Fund, or any other laws to the contrary, the entire amount of the settlement funds received, approximately twenty-two million seven hundred sixty-eight thousand one hundred twenty-six dollars (\$22,768,126), or so much as is actually awarded and received by the state, through the settlement agreement in the nearly decade old dispute between Arkansas and the tobacco companies that signed the Master Settlement Agreement, shall be deposited into the Tobacco Settlement Cash Holding Fund and not distributed under the provisions of the Tobacco Settlement Proceeds Act, but instead such settlement funds shall be deposited directly into and credited to the Medicaid Expansion Program Account of the Tobacco Settlement Program Fund."

AND

Appropriately renumber the subsequent SECTION numbers of the bill.

/s/ Duncan Baird

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

/s/ Mrs. Sherri Stacks
Chief Clerk

HOUSE BILL NO. 1543

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: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Steel, Talley, T. Thompson, Vines, Walker, Wardlaw, D. Whitaker, Wren, Wright.

Total70

NEGATIVE: Alexander, Ballinger, Bell, Davis, C. Douglas, Farrer, Harris, Lea, Westerman.

Total9

ABSENT OR NOT VOTING: D. Altes, Baird, Clemmer, Cozart, Dotson, Hawthorne, House, Hutchison, S. Malone, Miller, Neal, Payton, Slinkard, F. Smith, W. Wagner, B. Wilkins, H. Wilkins, Williams, Womack, Word, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast.....79

Total number voting in the affirmative70

Necessary to the passage of the bill75

So the Bill failed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1543**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Collins, Copenhaver, Dale, Deffenbaugh, J. Dickinson, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Linck, Love, Lowery, Magie, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Steel, Talley, T. Thompson, Vines, Walker, Wardlaw, D. Whitaker, Wren, Wright.

Total70

NEGATIVE: Alexander, Ballinger, Bell, Davis, C. Douglas, Farrer, Harris, Lea, Westerman.

Total9

ABSENT OR NOT VOTING: D. Altes, Baird, Clemmer, Cozart, Dotson, Hawthorne, House, Hutchison, S. Malone, Miller, Neal, Payton, Slinkard, F. Smith, W. Wagner, B. Wilkins, H. Wilkins, Williams, Womack, Word, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast79

Total number voting in the affirmative70

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

So the Emergency Clause was not adopted.

HOUSE BILL NO. 1564

BY: REPRESENTATIVE LEA

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: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

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. 1564**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative81

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1623

BY: REPRESENTATIVE WRIGHT

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: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

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. 1623**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative81

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1628

BY: REPRESENTATIVE LEA

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: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

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. 1628**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative81

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1639

BY: REPRESENTATIVE SHEPHERD

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: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast.....81

Total number voting in the affirmative81

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. 1639**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Nickels, B. Overbey, Payton, Perry, Ratliff, Richey, Sabin, Scott, Shepherd, Steel, T. Thompson, Vines, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total81

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Cozart, Farrer, Hawthorne, Hickerson, McCrary, Miller, Murdock, Neal, Rice, Slinkard, F. Smith, Talley, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative81

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2184

BY: REPRESENTATIVE J. BURRIS

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

AFFIRMATIVE: Alexander, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Deffenbaugh, Hawthorne, Hickerson, Love, McLean, Miller, Neal, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total14

VOTING PRESENT: C. Armstrong.

Total1

Total number of votes cast86

Total number voting in the affirmative85

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

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

SENATE BILL NO. 492

BY: SENATOR FILES

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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

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. 492**, 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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Total number voting in the affirmative87

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

So the Emergency Clause was adopted.

SENATE BILL NO. 493

BY: SENATOR FILES

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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

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. 493**, 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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Total number voting in the affirmative87

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

So the Emergency Clause was adopted.

SENATE BILL NO. 657

BY: SENATOR J. ENGLISH

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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

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. 657**, 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, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Womack, Wren, Wright.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Cozart, Hawthorne, Hickerson, McCrary, Miller, Neal, Payton, F. Smith, H. Wilkins, Williams, Word, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Total number voting in the affirmative87

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

So the Emergency Clause was adopted.

Representative Baird moved to re-refer **SENATE BILL NO. 162** back to the JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

The vote was as follows:

AFFIRMATIVE: Alexander, Baird, Ballinger, Bell, Bragg, Branscum, J. Burris, Collins, Davis, Dotson, Eubanks, Farrer, Ferguson, Fite, Gossage, Hammer, Harris, Hickerson, Hobbs, Hutchison, Lea, Love, D. Meeks, Payton, Scott, Steel, Talley, B. Wilkins, Wright.

Total29

NEGATIVE: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Biviano, Broadway, Carnine, Catlett, Copenhaver, Dale, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Fielding, Hawthorne, Hillman, Hodges, Holcomb, Hopper, House, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Linck, Magie, Mayberry, McCrary, McElroy, McGill, S. Meeks, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Shepherd, Slinkard, W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, Womack, Wren.

Total55

ABSENT OR NOT VOTING: D. Altes, Clemmer, Cozart, Gillam, Lowery, S. Malone, McLean, Miller, Neal, F. Smith, T. Thompson, Vines, H. Wilkins, Williams, Word, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast.....84

Total number voting in the affirmative29

Necessary to the adoption of the motion.....51

So the Motion was not adopted.

Representative Rice moved for immediate consideration of **SENATE BILL NO. 162**. Motion carried.

SENATE BILL NO. 162

BY: SENATOR E. CHEATHAM

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: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Broadaway, Carnine, Catlett, Copenhaver, Dale, Deffenbaugh, J. Dickinson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Fielding, Gillam, Gossage, Hawthorne, Hillman, Hodges, Holcomb, Hopper, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Magie, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Talley, T. Thompson, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, Womack, Wren.

Total58

NEGATIVE: Alexander, Baird, Ballinger, Bell, Biviano, Bragg, J. Burris, Collins, Davis, Dotson, Farrer, Ferguson, Fite, Hammer, Harris, Hobbs, Linck, D. Meeks, S. Meeks, Westerman, Wright, Mr. Speaker.

Total22

ABSENT OR NOT VOTING: D. Altes, Branscum, Clemmer, Cozart, Hickerson, House, Hutchison, Jean, Love, Lowery, S. Malone, Miller, Neal, Payton, F. Smith, Steel, Vines, H. Wilkins, Williams, Word.

Total20

VOTING PRESENT:

Total0

Total number of votes cast80

Total number voting in the affirmative58

Necessary to the passage of the bill51

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

Upon motion of Representative Catlett the Clincher motion prevailed.

There being an Emergency Clause attached to **SENATE BILL NO. 162**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Broadaway, Carnine, Catlett, Copenhaver, Dale, Deffenbaugh, J. Dickinson, J. Edwards, Eubanks, Fielding, Gossage, Hawthorne, Hillman, Hodges, Holcomb, Hopper, Jett, Julian, Kerr, Kizzia, Lampkin, Leding, Lenderman, Love, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, Murdock, Nickels, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, D. Whitaker, B. Wilkins, Word, Wren.

Total57

NEGATIVE: Alexander, Baird, Ballinger, Bell, Collins, Davis, D. Douglas, Farrer, Ferguson, Fite, Gillam, Hammer, Harris, Hobbs, Hutchison, Lea, Linck, D. Meeks, S. Meeks, Westerman, Womack, Wright.

Total22

ABSENT OR NOT VOTING: D. Altes, Biviano, Bragg, Branscum, J. Burris, Clemmer, Cozart, Dotson, C. Douglas, Hickerson, House, Jean, Lowery, Miller, Neal, Payton, F. Smith, Steel, H. Wilkins, Williams, Mr. Speaker.

Total21

VOTING PRESENT:

Total0

Total number of votes cast.....79

Total number voting in the affirmative57

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

So the Emergency Clause was not adopted.

SENATE BILL NO. 934

BY: SENATOR D. WYATT

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

AFFIRMATIVE: E. Armstrong, Baine, Baltz, Barnett, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Copenhaver, Dale, Deffenbaugh, J. Dickinson, D. Douglas, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, Hutchison, Jean, Jett, Julian, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Shepherd, Steel, Talley, T. Thompson, Vines, W. Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Wright.

Total69

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, C. Armstrong, Baird, Ballinger, Bell, Biviano, Collins, Cozart, Davis, Dotson, C. Douglas, J. Edwards, Fielding, Harris, House, Kerr, Love, Miller, Neal, Nickels, Scott, Slinkard, F. Smith, D. Whitaker, H. Wilkins, Williams, Womack, Word, Wren, Mr. Speaker.

Total31

VOTING PRESENT:

Total0

Total number of votes cast.....69

Total number voting in the affirmative69

Necessary to the passage of the bill51

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

SENATE BILL NO. 498

BY: SENATOR BLEDSOE

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

AFFIRMATIVE: C. Armstrong, E. Armstrong, Baine, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, D. Douglas, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hutchison, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, B. Overbey, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, W. Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Womack, Wren, Wright.

Total77

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Alexander, D. Altes, Baird, Ballinger, Cozart, Dotson, C. Douglas, J. Edwards, Harris, Hopper, House, Jean, Miller, Neal, Nickels, Payton, F. Smith, Vines, D. Whitaker, H. Wilkins, Williams, Word, Mr. Speaker.

Total23

VOTING PRESENT:

Total0

Total number of votes cast77

Total number voting in the affirmative77

Necessary to the passage of the bill51

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

SENATE BILL NO. 920

BY: SENATOR E. WILLIAMS

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Ferguson, Fite, Gillam, Gossage, Hammer, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Lowery, Magie, S. Malone, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Talley, T. Thompson, Vines, W. Wagner, Walker, Westerman, D. Whitaker, Womack, Wren.

Total79

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Baird, Cozart, Farrer, Fielding, Harris, Love, Miller, Neal, Nickels, F. Smith, Steel, Wardlaw, B. Wilkins, H. Wilkins, Williams, Word, Wright, Mr. Speaker.

Total19

VOTING PRESENT: Linck, Mayberry.

Total2

Total number of votes cast.....81

Total number voting in the affirmative79

Necessary to the passage of the bill51

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

SENATE BILL NO. 977

BY: SENATOR J. DISMANG

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

AFFIRMATIVE: Alexander, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, Womack, Wren, Wright.

Total85

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Altes, Baird, Cozart, Fielding, Jett, Miller, Neal, Nickels, F. Smith, Walker, B. Wilkins, H. Wilkins, Williams, Word, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative85

Necessary to the passage of the bill51

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

SENATE BILL NO. 258

BY: SENATOR D. SANDERS

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

AFFIRMATIVE: Alexander, E. Armstrong, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, Branscum, Broadaway, J. Burris, Carnine, Catlett, Clemmer, Collins, Copenhaver, 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, House, Hutchison, Jean, Jett, Julian, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Lowery, Magie, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Murdock, Nickels, B. Overbey, Payton, Perry, Ratliff, Sabin, Scott, Shepherd, Slinkard, Steel, Talley, T. Thompson, Vines, W. Wagner, Westerman, D. Whitaker, B. Wilkins, Womack, Wright.

Total82

NEGATIVE: Hopper, Wren.

Total2

ABSENT OR NOT VOTING: D. Altes, C. Armstrong, Bragg, Cozart, Love, Miller, Neal, Rice, Richey, F. Smith, Walker, Wardlaw, H. Wilkins, Williams, Word, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast.....84

Total number voting in the affirmative82

Necessary to the passage of the bill51

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

SENATE BILL NO. 260

BY: SENATOR D. SANDERS

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

AFFIRMATIVE: Alexander, Baine, Baird, Ballinger, Baltz, Barnett, Bell, Biviano, J. Burris, Carnine, Clemmer, Collins, Copenhaver, Davis, Deffenbaugh, Dotson, C. Douglas, J. Edwards, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hickerson, Hobbs, Holcomb, House, Hutchison, Jean, Jett, Kerr, Kizzia, Lea, Lenderman, Lowery, S. Malone, Mayberry, McLean, D. Meeks, S. Meeks, Murdock, Neal, Nickels, Payton, Shepherd, Slinkard, Steel, Westerman, B. Wilkins, Womack, Wright.

Total54

NEGATIVE: C. Armstrong, E. Armstrong, Bragg, Catlett, D. Douglas, Hawthorne, Hopper, Julian, Linck, Love, Magie, McElroy, McGill, Perry, Ratliff, Richey, Sabin, Talley, T. Thompson, Vines, Walker, Wardlaw, D. Whitaker, Wren.

Total24

ABSENT OR NOT VOTING: D. Altes, Branscum, Broadaway, Cozart, Dale, J. Dickinson, Eubanks, Hillman, Hodges, Lampkin, Leding, McCrary, Miller, B. Overbey, Rice, Scott, F. Smith, W. Wagner, H. Wilkins, Williams, Word, Mr. Speaker.

Total22

VOTING PRESENT:

Total0

Total number of votes cast.....78

Total number voting in the affirmative54

Necessary to the passage of the bill51

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

Upon motion of Representative Baine the Clincher motion prevailed.

Representative Burris moved to meet at 3:00 p.m. as a Committee of the Whole to discuss Medicaid Expansion. Motion carried.

Without objection, please do not transmit **SENATE BILL NO. 162** to the Senate.

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

AMENDMENT NO. 3 TO HOUSE BILL NO. 2290

Amend **HOUSE BILL NO. 2290** as engrossed,
H3/20/13 (version: 03/20/2013 10:41:17 AM)

Page 1, line 12, delete "EDUCATION;" and substitute "EDUCATION; TO REQUIRE THE ELECTION OF STATE BOARD OF EDUCATION MEMBERS;"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE MEMBERSHIP OF THE STATE BOARD OF EDUCATION AND REQUIRE THE ELECTION OF STATE BOARD OF EDUCATION MEMBERS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-1-101 is amended to read as follows:
6-11-101. Members.

(a)(1) The State Board of Education shall be composed of nine (9) members, each of whom is elected in the manner required under the general election laws of this state as follows:

~~(1)(A)~~ Two (2) members to be selected elected from each of the congressional districts of the state as they exist on the July 31, 2007; and

~~(2)(B)~~ One (1) member to be appointed elected as a member at large from within the state.

(2) A candidate shall file for office with the Secretary of State in the manner required under the general election laws of this state.

(b)~~(4)~~ The term of office of a member of the state board ~~shall be for a single term of seven (7) years;~~

(1)(A) Shall be four (4) years.

(B) The terms shall be staggered as follows:

(i) One (1) member from each congressional district shall serve an initial term of two (2) years;

(ii) One (1) member from each congressional district shall serve an initial term of four (4) years; and

(iii) The member-at-large shall serve an initial term of four (4) years;

(2) Shall be limited to two (2) four-year terms; and

(3) Shall begin on January 1 and end on December 31.

~~(2)(A) Any member appointed to the state board to fill a vacancy for an uncompleted term with less than three (3) years remaining on the original term may be reappointed to an additional term of seven (7) years.~~

~~(B) No member serving three (3) or more years on the state board may be reappointed.~~

~~(3) No current or new member shall be allowed to resign in order to be appointed to a new term on the state board.~~

~~(4) Nothing in this section shall be construed to change the terms of any member of the state board who was appointed prior to June 3, 2004.~~

~~(c) The membership of the state board shall reflect the diversity in general education.~~

~~(d)(1) No person may serve as a member of the state board unless he or she is a qualified elector and is a person of high moral standards and recognized ability.~~

(2)(c) A member of the state board:

(1) Shall be a qualified elector who is twenty-five (25) years of age or older;

(2) For a position representing a congressional district, shall be a resident of the congressional district from which he or she is seeking election for one (1) year preceding the election; and

(3) Shall not be:

(A) Neither the The Commissioner of Education nor any;

(B) A candidate for any other public office;

(C) The holder of a public office in the state;

(D) schoolteacher An employee of a public school or school district in this state;

(E) A county or city superintendent;

(F) An employee of a state-supported college or university, institution of higher education; or

(G) A member of any board of trustees of any state a state-supported institution of higher learning shall serve as a member of the state board education in this state.

~~(e)(d) The members of the state board shall be appointed by the Governor, subject to the confirmation of the Senate and shall take the oath of office for officers prescribed by the Arkansas Constitution.~~

(f)(4)(e)(1) Whenever a vacancy occurs in the membership of the state board by death, resignation, or removal from office, the Governor shall appoint a successor

who shall serve the remainder of the unexpired term of the member that whom he or she succeeded, subject to all other provisions of this section.

~~(2) Resignation, removal from the district from which he or she is appointed, disqualification, incapacitation from mental or physical disability or otherwise, or change in status from the eligibility requirements for membership on the state board shall automatically create a vacancy in the membership of the state board, and no such member shall thereafter exercise any of the functions of membership on the state board even though his or her successor has not been appointed~~ The Governor shall fill a vacancy with a person who meets the qualifications for the position vacated.

~~(g)(1) Members of the state board shall be subject to removal from office by the Governor when the actions or condition of a member shall be considered as sufficient cause for removal.~~

~~(2) However, before a member may be removed for cause, this cause must have been accepted as true, good, and sufficient by a majority written vote of all members of the state board after a formal hearing at a regular or special session of the state board.~~

~~(h)(f)~~ The members of the state board shall serve without remuneration but may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq., as follows:

(1) Actual expenses while attending regular and special meetings of the state board; and

(2) A per diem allowance when in attendance at regular or special meetings of the state board.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY.

(a) The first election of members of the State Board of Education under this act shall be the 2014 general election.

(b)(1) The term of a person who is a member of the state board on the effective date of this act or who is appointed to the state board after the effective date of this act and before the 2014 general election shall expire on December 31, 2014.

(2) A person who is a member of the state board before the 2014 general election and who meets all other qualifications for members under this act is eligible to be a candidate for a position on the state board in the 2014 general election.

(c) At the first regular meeting of the state board following the election, the members representing each of the four (4) congressional districts shall draw for staggered terms as provided under this act."

/s/ Jim Dotson

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

/s/ Mrs. Sherri Stacks
Chief Clerk

Upon motion of Representative Word, **HOUSE BILL NO. 1871** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1871

Amend **HOUSE BILL NO. 1871** as originally introduced:

Page 1, delete all language after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 19-5-1228 is amended to read as follows:
19-5-1228. Area Agencies on Aging Fund.

(a)(1) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Area Agencies on Aging Fund".

(2) The Treasurer of State shall credit to the fund the amount certified each quarter under § 26-51-454.

(b)(1) The Treasurer of State shall distribute moneys in the fund to the Division of Aging and Adult Services of the Department of Human Services to be distributed to the eight (8) area agencies on aging based on the division's funding formula.

(2) The division's funding formula shall take into consideration the following factors without limitation:

(A) The geographical distribution of the older individuals in the state; and

(B) The distribution of the older individuals in the state who have the greatest economic need and social need, with particular consideration of the low-income minority older individuals.

SECTION 2. DO NOT CODIFY. (a)(1) The Division of Aging and Adult Services of the Department of Human Services shall establish the Funding Formula Task Force to create a funding formula for the distribution of funds to the eight (8) area agencies on aging.

(2) The funding formula created by the task force shall take into consideration the following factors without limitation:

(A) The geographical distribution of the older individuals in the state; and

(B) The distribution of the older individuals in the state who have the greatest economic need and social need, with particular consideration of the low-income minority older individuals.

(b) The membership of the task force shall consist of:

(1) The Director of the Division of Aging and Adult Services or the director's designee;

(2) The chief executive of each of the eight (8) area agencies on aging or his or her designee;

(3) Two (2) members of the Governor's Advisory Council on Aging;

(4) One (1) member of the Arkansas Silver Haired Legislators Alumni Association; and

(5) One (1) representative from the American Association of Retired Persons, AARP.

(c) The task force shall create the funding formula required by this section no later than July 1, 2014, to ensure the funding formula has time to receive approval from the United States Administration for Community Living/Administration on Aging and is promulgated by the division before the 2015 fiscal year.

(d) The task force shall be dissolved on December 31, 2014."

/s/ James L. Word

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. 2221** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2221

Amend **HOUSE BILL NO. 2221** as originally introduced:

Page 1, line 9, delete "EXEMPTION" and substitute "PROPERTY TAX CREDIT"
AND

Page 1, line 10, delete "EXEMPTION" and substitute "PROPERTY TAX CREDIT"
AND

Delete the subtitle in its entirety and substitute:

"TO CREATE THE ARKANSAS EDUCATION
HOMESTEAD PROPERTY TAX CREDIT ACT; AND
TO CREATE AN ADDITIONAL HOMESTEAD
PROPERTY TAX CREDIT."

AND

Delete SECTION 3, and substitute the following:

"SECTION 3. Arkansas Code § 26-26-1118(a)(1), concerning the limitation on the increase of a property's assessed value, is amended to read as follows:

(a)(1)(A) There is established a homestead property tax credit for each assessment year that reduces the amount of real property taxes assessed on the homestead of each property owner by three hundred fifty dollars (\$350).

(B) A taxpayer who is eligible for a homestead property tax credit under subdivision (a)(1)(A) of this section shall receive an additional homestead property tax credit in the amount of one hundred dollars (\$100) for each child:

(i) For whom the taxpayer is the parent or guardian;

(ii) Who is at least five (5) years of age but not more than seventeen (17) years of age; and

(iii) Who is either:

(a) Enrolled in a private school; or

(b) Attending a home school as defined in § 6-15-

501.

~~(B)~~ (C) However, an assessment shall not be reduced to less than zero dollars (\$0.00)."

/s/ Jim Dotson

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Burris, **HOUSE BILL NO. 1143** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1143

Amend **HOUSE BILL NO. 1143** as engrossed,
H4/3/13 (version: 04/03/2013 10:48:26 AM)

Page 1, delete line 20 and substitute the following:

"WHEREAS, Arkansas has historically addressed state-specific needs to achieve personal responsibility and affordable health care for its citizens such as the ARHealthNetworks partnership between the state and small businesses; and

WHEREAS, Arkansas has initiated nationally recognized and transformative changes in the healthcare delivery system through alignment of payment incentives, health care delivery system improvements, enhanced rural health care access, initiatives to reduce waste, fraud and abuse, policies and plan structures to encourage the proper utilization of the healthcare system, and policies to advance disease prevention and health promotion; and

WHEREAS, Arkansas is uniquely situated to serve as a laboratory of comprehensive and innovative healthcare reform that can reduce the state and federal obligations to entitlement spending; and

WHEREAS, faced with the disruptive challenges from federal legislation and regulations, the General Assembly asserts its responsibility for local control and innovation to achieve health care access, improved health care quality, reduce traditional Medicaid enrollment, remove disincentives for work and social mobility, and required cost-containment; and

WHEREAS, the General Assembly hereby creates the Health Care Independence Act of 2013;

NOW THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:"

AND

Page 4, delete lines 15 and 16 and substitute the following:

"(b)(1) Implementation of the program is conditioned upon the receipt of necessary federal approvals.

(2) If the Department of Human Services does not receive the necessary federal approvals, the program shall not be implemented."

AND

Page 4, delete lines 32 through 34 and substitute the following:

"(2) Upon the receipt of necessary federal approval, during calendar year 2015 the Department of Human Services shall include and transition to the Health Insurance Marketplace:"

AND

Page 5, line 4, delete "develop" and substitute "develop and implement"

AND

Page 6, delete line 3 and substitute the following:

"2015.

(3) As soon as practicable, the Department of Human Services shall seek conditional federal approval to place Health Saving Accounts and Medical Savings Accounts on the Health Insurance Marketplace."

AND

Page 7, line 26, delete "shall" and substitute "may"

AND

Page 7, delete line 28 and substitute the following:

"20-77-2101 et seq., including without limitation:

(A) Increases in premium tax collections;

(B) Reductions in uncompensated care; and

(C) Other spending reductions resulting from the Health Care

Independence Act of 2013, 20-77-2101 et seq."

AND

Page 7, delete line 33 and substitute the following:

"the Health Care Independence Act of 2013, § 20-77-2101 et seq.

SECTION 3. NOT TO BE CODIFIED. (a) The implementation of this act is suspended until an appropriation for the implementation of this act is passed by a three-fourths vote of both houses of the Eighty-Ninth General Assembly.

(b) If an appropriation for the implementation of this act is not passed by the Eighty-Ninth General Assembly, this act is void."

AND

Appropriately renumber the sections of the bill

/s/ John Burris

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. 1994** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1994

Amend **HOUSE BILL NO. 1994** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 11-9-805(b)(1), concerning a final settlement of a workers' compensation claim involving a joint petition, is amended to read as follows:

(b)(1) If the commission decides ~~it is for~~ that a final settlement award is in the best interests of the claimant that a final award be made, it may order a claimant, the commission may:

(A) Enter an order that:

(i) an award that shall be final as to Is final concerning the rights of all the parties to the joint petition; and

(ii) Appropriately allocates the claim proceeds; and

(B) Determine an amount for the future medical needs of a claimant when deciding whether or not a final settlement award is in the best interests of the claimant."

/s/ James E. Nickels

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

/s/ Mrs. Sherri Stacks

Chief Clerk

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1164	BY REPRESENTATIVE KERR
HOUSE BILL NO. 1215	BY REPRESENTATIVE WESTERMAN
HOUSE BILL NO. 1536	BY REPRESENTATIVE ALEXANDER
HOUSE BILL NO. 1564	BY REPRESENTATIVE LEA
HOUSE BILL NO. 1623	BY REPRESENTATIVE WRIGHT
HOUSE BILL NO. 1628	BY REPRESENTATIVE LEA
HOUSE BILL NO. 1632	BY REPRESENTATIVE PERRY
HOUSE BILL NO. 1639	BY REPRESENTATIVE SHEPHERD
HOUSE BILL NO. 1747	BY REPRESENTATIVE VINES
HOUSE BILL NO. 1748	BY REPRESENTATIVE VINES
HOUSE BILL NO. 1761	BY REPRESENTATIVE RATLIFF
HOUSE BILL NO. 1934	BY REPRESENTATIVE WARDLAW
HOUSE BILL NO. 1958	BY REPRESENTATIVE WARDLAW
HOUSE BILL NO. 1999	BY REPRESENTATIVE BELL
HOUSE BILL NO. 2036	BY REPRESENTATIVE SLINKARD
HOUSE BILL NO. 2039	BY REPRESENTATIVE MAYBERRY
HOUSE BILL NO. 2184	BY REPRESENTATIVE J. BURRIS
HOUSE BILL NO. 2210	BY REPRESENTATIVE S. MALONE

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 258	BY SENATOR D. SANDERS
SENATE BILL NO. 260	BY SENATOR D. SANDERS
SENATE BILL NO. 492	BY SENATOR FILES
SENATE BILL NO. 493	BY SENATOR FILES
SENATE BILL NO. 498	BY SENATOR BLEDSOE
SENATE BILL NO. 657	BY SENATOR J. ENGLISH
SENATE BILL NO. 920	BY SENATOR E. WILLIAMS
SENATE BILL NO. 934	BY SENATOR D. WYATT
SENATE BILL NO. 977	BY SENATOR J. DISMANG

SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT
RESOLUTION NO. 3

BY SENATOR MALOCH

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 26	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 60	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 499	BY SENATOR CALDWELL
SENATE BILL NO. 521	BY SENATOR CALDWELL
SENATE BILL NO. 522	BY SENATOR CALDWELL
SENATE BILL NO. 523	BY SENATOR CALDWELL
SENATE BILL NO. 524	BY SENATOR CALDWELL
SENATE BILL NO. 525	BY SENATOR CALDWELL
SENATE BILL NO. 616	BY SENATOR CALDWELL
SENATE BILL NO. 653	BY SENATOR J. WOODS
SENATE BILL NO. 719	BY SENATOR B. KING
SENATE BILL NO. 817	BY SENATOR MALOCH
SENATE BILL NO. 874	BY SENATOR RAPERT
SENATE BILL NO. 916	BY SENATOR J. WOODS
SENATE BILL NO. 940	BY SENATOR B. SAMPLE
SENATE BILL NO. 961	BY SENATOR B. KING
SENATE BILL NO. 968	BY SENATOR MALOCH
SENATE BILL NO. 1031	BY SENATOR D. JOHNSON
SENATE BILL NO. 1115	BY SENATOR J. KEY
SENATE BILL NO. 1122	BY SENATOR D. JOHNSON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

April 6, 2013

MR. SPEAKER:

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

HOUSE BILL NO. 1297

BY REPRESENTATIVE GILLAM, ET AL

HOUSE BILL NO. 1867

BY REPRESENTATIVE HAMMER, ET AL

HOUSE BILL NO. 2146

BY REPRESENTATIVE FITE, 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 9:30 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. 1297

BY REPRESENTATIVE GILLAM, ET AL

HOUSE BILL NO. 1867

BY REPRESENTATIVE HAMMER, ET AL

HOUSE BILL NO. 2146

BY REPRESENTATIVE FITE, ET AL

/s/ Mike Beebe - Governor

TIME: 9:30 a.m.

By: Marc Harrison

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

April 5, 2013

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on April 5, 2013, I approved the following measures from the Regular Session of the Eighty-ninth General Assembly:

HOUSE BILL NO. 1468 – ACT 768

HOUSE BILL NO. 1780 – ACT 769

HOUSE BILL NO. 1065 – ACT 926

HOUSE BILL NO. 1070 – ACT 927

HOUSE BILL NO. 1075 – ACT 928

HOUSE BILL NO. 1078 – ACT 929

HOUSE BILL NO. 1096 – ACT 930

HOUSE BILL NO. 1097 – ACT 931

HOUSE BILL NO. 1196 – ACT 932

HOUSE BILL NO. 1286 – ACT 933

HOUSE BILL NO. 1287 – ACT 934

HOUSE BILL NO. 1288 – ACT 935

HOUSE BILL NO. 1289 – ACT 936

HOUSE BILL NO. 1290 – ACT 937

HOUSE BILL NO. 1291 – ACT 938

HOUSE BILL NO. 1292 – ACT 939

HOUSE BILL NO. 1293 – ACT 940

HOUSE BILL NO. 1302 – ACT 941

HOUSE BILL NO. 1303 – ACT 942

HOUSE BILL NO. 1304 – ACT 943

HOUSE BILL NO. 1305 – ACT 944

HOUSE BILL NO. 1306 – ACT 945

HOUSE BILL NO. 1316 – ACT 946

HOUSE BILL NO. 1317 – ACT 947

HOUSE BILL NO. 1318 – ACT 948

HOUSE BILL NO. 1319 – ACT 949

HOUSE BILL NO. 1320 – ACT 950

HOUSE BILL NO. 1321 – ACT 951

HOUSE BILL NO. 1322 – ACT 952

HOUSE BILL NO. 1345 – ACT 953

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

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

April 8, 2013

To Whom It May Concern:

I was called away from my seat during the vote on **HOUSE BILL NO. 2210**. Had I been in my seat, I would have voted “yes”.

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

Sincerely,

/s/ David Fielding
State Representative
District 5

DF/mlj

SENATE BILL NO. 26

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS TOWING AND RECOVERY BOARD 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 Calendar.

SENATE BILL NO. 60

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE BOARD OF COLLECTION AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 455

BY: SENATOR MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE HEALTH INSURANCE PAYMENT PROCESS FOR ORTHOTIC DEVICES AND PROSTHETIC SERVICES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 499

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR PLANNING AND DEVELOPMENT GRANTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 521

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR CONSTRUCTING AND EQUIPPING A WORKFORCE TRAINING FACILITY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 522

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR PERSONAL SERVICES, OPERATING EXPENSES AND CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 523

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR CONSTRUCTING AND EQUIPPING THE STUDENT CENTER FACILITY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 524

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR CLASSROOMS IN THE CROSS COUNTY TECHNOLOGY CENTER; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 525

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR TECHNOLOGY INFRASTRUCTURE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 616

BY: SENATOR CALDWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE EAST ARKANSAS COMMUNITY COLLEGE FOR RENOVATING AND EQUIPPING CLASSROOM BUILDING 3; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 634

BY: SENATOR S. FLOWERS**BY: REPRESENTATIVES HODGES, H. WILKINS, MURDOCK**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING ASSISTANCE TO DISABLED VOTERS; 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. 653

BY: SENATOR J. WOODS**BY: REPRESENTATIVE HARRIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE TERMINATION OF A PERSON'S OBLIGATION TO REGISTER AS A SEX OFFENDER; 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. 655

BY: SENATE EFFICIENCY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SENATE FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 719

BY: SENATOR B. KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE VOTER INTEGRITY UNIT WITH THE SECRETARY OF STATE; TO ENSURE EFFECTIVE AND THOROUGH INVESTIGATIONS OF ALLEGED ELECTION MISCONDUCT; TO PROTECT THE INTEGRITY OF ELECTIONS; 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. 817

BY: SENATOR MALOCH

BY: REPRESENTATIVE GILLAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAWS CONCERNING THE REAPPRAISAL OF MINERAL INTERESTS; TO REQUIRE THAT PRODUCING MINERAL INTERESTS BE REAPPRAISED ANNUALLY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 824

BY: SENATOR D. JOHNSON

BY: REPRESENTATIVE WILLIAMS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE ENABLING LEGISLATION FOR AMENDMENT 89 TO THE ARKANSAS CONSTITUTION RELATING TO ENERGY EFFICIENCY BONDS AUTHORIZED BY STATE ENTITIES; TO PROVIDE FOR THE AUTHORIZATION AND ISSUANCE OF BONDS FOR ENERGY EFFICIENCY PROJECTS; TO ALLOW THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY TO ISSUE BONDS AT THE REQUEST OF A STATE ENTITY FOR ENERGY EFFICIENCY PROJECTS; TO REGULATE ENERGY EFFICIENCY PROJECT BONDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 874

BY: SENATOR RAPERT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE OFFENSE OF NEGLIGENT HOMICIDE; 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. 916

BY: SENATORS J. WOODS, E. CHEATHAM, J. DISMANG, J. ENGLISH, S. FLOWERS, J. HUTCHINSON, D. WYATT

BY: REPRESENTATIVES HARRIS, BAINE, GILLAM, NEAL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THAT VULNERABLE CITIZENS RECEIVE MEDICATIONS NECESSARY FOR THE TREATMENT OF LIFE-ALTERING ILLNESS AND FOR SUSTAINING A PRODUCTIVE QUALITY OF LIFE; TO CREATE THE CONTINUITY OF CARE ACT OF 2013; 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. 940

BY: SENATOR B. SAMPLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING LICENSING OF THE STATE BOARD OF BARBER EXAMINERS; 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. 961

BY: SENATOR B. KING

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING CERTAIN ELECTION CRIMES; 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. 968

BY: SENATOR MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REGULATE PHYSICIAN DISPENSING OF LEGEND DRUGS; TO AUTHORIZE THE STATE MEDICAL BOARD TO REGULATE PHYSICIAN DISPENSING OF LEGEND DRUGS; 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. 970

BY: SENATOR MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING VIOLATIONS OF CERTAIN LAWS RELATED TO OIL AND GAS PRODUCTION AND CONSERVATION; TO AMEND THE PENALTIES FOR VIOLATING THE RULES, REGULATIONS, OR ORDERS OF THE OIL AND GAS COMMISSION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 1019

BY: SENATORS J. DISMANG, BOOKOUT

BY: REPRESENTATIVE J. BURRIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW REGARDING MEDICAID; TO CREATE THE MEDICAID ELIGIBILITY VERIFICATION SYSTEM; 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. 1020

BY: SENATORS J. DISMANG, BOOKOUT, D. SANDERS

BY: REPRESENTATIVES J. BURRIS, WESTERMAN, CARTER, BIVIANO

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING HEALTH INSURANCE FOR CITIZENS OF THE STATE OF ARKANSAS; TO CREATE THE HEALTH CARE INDEPENDENCE ACT OF 2013; 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 PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 1036

BY: SENATORS K. INGRAM, S. FLOWERS

BY: REPRESENTATIVE FERGUSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 11-10-210 OF THE DEPARTMENT OF WORKFORCE SERVICES LAW; 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 PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 1050

BY: SENATOR ELLIOTT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS CODE CONCERNING THE ADVISORY COMMITTEE ON PUBLIC SCHOOL ACADEMIC FACILITIES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 1111

BY: SENATOR S. FLOWERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ISSUANCE OR DENIAL OF A LICENSE TO CARRY A CONCEALED HANDGUN; 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. 1115

BY: SENATOR J. KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING CYBERBULLYING OF PUBLIC SCHOOL STAFF; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 1122

BY: SENATOR D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING HEALTH MAINTENANCE ORGANIZATIONS; TO TRANSFER REGULATORY RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH FOR

HEALTH MAINTENANCE ORGANIZATIONS TO THE INSURANCE COMMISSIONER; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

SENATE BILL NO. 1147

BY: SENATORS L. CHESTERFIELD, *ELLIOTT, J. KEY*

BY: *REPRESENTATIVE MCLEAN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EVALUATE THE IMPACT OF SCHOOL DISCIPLINE ON STUDENT ACHIEVEMENT; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Duncan Baird, the House adjourned at 1:00 p.m. until noon, Monday, April 8, 2013.

ATTEST:

Davy Carter
Speaker of the House of Representatives

Sherri Stacks
Chief Clerk