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**EIGHTY-SIXTH DAY'S PROCEEDINGS  
SENATE CHAMBER  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION**

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Little Rock, Arkansas  
April 9, 2013

The Senate was called to order at 1:30 o'clock p.m. by the President.

The Secretary called the roll, and the following members answered to roll call:

BLEDSON, BOOKOUT, BURNETT, CALDWELL, CHEATHAM,  
CHESTERFIELD, CLARK, DISMANG, ELLIOTT, ENGLISH,  
FILES, FLOWERS, HENDREN, HESTER, HICKEY, HOLLAND,  
HUTCHINSON, INGRAM, IRVIN, JOHNSON, KEY, KING,  
LAMOUREUX, LINDSEY, MALOCH, PIERCE, RAPERT,  
SAMPLE, SANDERS, STUBBLEFIELD, TEAGUE, THOMPSON,  
WILLIAMS, WOOD, WYATT.

The Senate was led in prayer by Happy Caldwell, Founder/Pastor, AGAPE Church.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Burnett, the reading of the Journal was dispensed with.

On motion of Senator Clark, **Senate Bill No. 999** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 2.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 2 to SENATE BILL NO. 999**

Amend **Senate Bill No. 999** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 5, Chapter 73, Subchapter 1, is amended to add a new section to read as follows:

5-73-112. Possession of a firearm permitted.

Possession or constructive possession of a firearm by a person, including in the person's vehicle, is not a criminal offense unless the possession specifically violates:

- (1) Federal law;
- (2) State law; or
- (3) Local ordinance."

(SIGNED) SENATOR ALAN CLARK

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 999** was ordered engrossed.

On motion of Senator Elliott, **Senate Bill No. 1051** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 2.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 2 to SENATE BILL NO. 1051**

Amend **Senate Bill No. 1051** as engrossed, S4/6/13:

Add Senators D. Johnson, L. Chesterfield as cosponsors of the bill

AND

Add Representatives H. Wilkins, Love, Sabin as cosponsors of the bill

AND

Page 2, delete lines 16 and 17 and substitute:

"labels, graduation rates, and other stand-alone descriptions;

(3) Evaluate the relationship of the whole community's social and economic determinants to the successful development of the whole child; and

(4) Help create pathways and opportunities to spur systemic cooperation."

(SIGNED) SENATOR JOYCE ELLIOTT

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 1051** was ordered engrossed.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 117, BY SENATOR DAVID BURNETT,  
SENATE BILL NO. 137, BY SENATOR BILL SAMPLE,  
SENATE BILL NO. 389, BY SENATOR BRYAN KING,  
SENATE BILL NO. 554, BY SENATOR JOHNNY KEY,  
SENATE BILL NO. 640, BY SENATOR DAVID JOHNSON ET AL,  
SENATE BILL NO. 780, BY SENATOR CECILE BLEDSOE,  
SENATE BILL NO. 798, BY SENATOR JIMMY HICKEY JR.,  
SENATE BILL NO. 805, BY SENATOR JON WOODS,  
SENATE BILL NO. 816, BY SENATOR JOHNNY KEY,  
SENATE BILL NO. 822, BY SENATOR KEITH INGRAM ET AL,  
SENATE BILL NO. 829, BY SENATOR BRUCE MALOCH,  
SENATE BILL NO. 832, BY SENATOR JAKE FILES,  
SENATE BILL NO. 838, BY SENATOR JASON RAPERT ET AL,  
SENATE BILL NO. 858, BY SENATOR JASON RAPERT,  
SENATE BILL NO. 899, BY SENATOR JIMMY HICKEY JR.,  
SENATE BILL NO. 901, BY SENATOR JON WOODS ET AL,  
SENATE BILL NO. 929, BY SENATOR LARRY TEAGUE,  
SENATE BILL NO. 948, BY SENATOR JON WOODS,  
SENATE BILL NO. 953, BY SENATOR DAVID JOHNSON,  
SENATE BILL NO. 1023, BY SENATOR KEITH INGRAM,  
SENATE BILL NO. 1065, BY SENATOR JANE ENGLISH,

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 9:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 117  
SENATE BILL NO. 137  
SENATE BILL NO. 389  
SENATE BILL NO. 554  
SENATE BILL NO. 640  
SENATE BILL NO. 780  
SENATE BILL NO. 798  
SENATE BILL NO. 805  
SENATE BILL NO. 816  
SENATE BILL NO. 822  
SENATE BILL NO. 829  
SENATE BILL NO. 832  
SENATE BILL NO. 838  
SENATE BILL NO. 858  
SENATE BILL NO. 899  
SENATE BILL NO. 901  
SENATE BILL NO. 929  
SENATE BILL NO. 948  
SENATE BILL NO. 953  
SENATE BILL NO. 1023  
SENATE BILL NO. 1065

RECEIVED the above papers from the Secretary of the Senate this 9th day of April, 2013  
at 9:45 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 215, BY SENATOR MISSY IRVIN,  
SENATE BILL NO. 496, BY SENATOR EDDIE CHEATHAM ET AL,  
SENATE BILL NO. 694, BY SENATOR UVALDE LINDSEY,  
SENATE BILL NO. 795, BY SENATOR JASON RAPERT,  
SENATE BILL NO. 814, BY SENATOR JOHNNY KEY ET AL,  
SENATE BILL NO. 820, BY SENATOR DAVID BURNETT,  
SENATE BILL NO. 862, BY SENATOR MISSY IRVIN,  
SENATE BILL NO. 889, BY SENATOR EDDIE CHEATHAM,  
SENATE BILL NO. 973, BY SENATOR JIM HENDREN,  
SENATE BILL NO. 974, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 1028, BY SENATOR KEITH INGRAM,  
SENATE BILL NO. 1043, BY SENATOR LINDA CHESTERFIELD,  
SENATE BILL NO. 1044, BY SENATOR LINDA CHESTERFIELD,  
SENATE BILL NO. 1071, BY SENATOR JAKE FILES 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 9:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE  
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 215

SENATE BILL NO. 496

SENATE BILL NO. 694

SENATE BILL NO. 795

SENATE BILL NO. 814

SENATE BILL NO. 820

SENATE BILL NO. 862

SENATE BILL NO. 889

SENATE BILL NO. 973

SENATE BILL NO. 974

SENATE BILL NO. 1028

SENATE BILL NO. 1043

SENATE BILL NO. 1044

SENATE BILL NO. 1071

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at 9:45 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 718, BY SENATOR JAKE FILES,  
SENATE BILL NO. 819, BY SENATOR ALAN CLARK,  
SENATE BILL NO. 902, BY SENATOR ALAN CLARK,  
SENATE BILL NO. 935, BY SENATOR JIMMY HICKEY JR.,  
SENATE BILL NO. 989, BY SENATOR BRYAN KING,  
SENATE BILL NO. 1005, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 1033, BY SENATOR GARY STUBBLEFIELD,  
SENATE BILL NO. 1048, BY SENATOR JEREMY HUTCHINSON,  
SENATE BILL NO. 1174, BY SENATOR BILL SAMPLE,

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 9:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 718  
SENATE BILL NO. 819  
SENATE BILL NO. 902  
SENATE BILL NO . 935  
SENATE BILL NO. 989  
SENATE BILL NO. 1005  
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SENATE BILL NO. 1048  
SENATE BILL NO. 1174

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(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENROLLED BILLS, to whom was referred:

SENATE BILL NO. 1070, BY SENATOR STEPHANIE FLOWERS,  
SENATE BILL NO. 1087, BY SENATOR JONATHAN DISMANG,  
SENATE BILL NO. 1168, BY SENATOR BRUCE HOLLAND,

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 9:45 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 1070

SENATE BILL NO. 1087

SENATE BILL NO. 1168

RECEIVED the above papers from the Secretary of the Senate this 9th day of April, 2013 at 9:45 a.m.

(SIGNED) MIKE BEEBE  
Governor

(SIGNED) SARAH AGEE  
Secretary

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

**SENATE BILL NO. 999**, BY SENATOR ALAN CLARK,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE  
CHAIRMAN

On motion of Senator Clark, **Senate Bill No. 999** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

**SENATE BILL NO. 1051**, BY SENATOR JOYCE ELLIOTT,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE  
CHAIRMAN

On motion of Senator Elliott, **Senate Bill No. 1051** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 1047, BY SENATOR JEREMY HUTCHINSON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR MISSY IRVIN, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 1097, BY SENATOR JOYCE ELLIOTT,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 2.

Respectfully submitted,

(SIGNED) SENATOR MISSY IRVIN, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

**HOUSE BILL NO. 1688**, BY REPRESENTATIVE ANDY DAVIS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR MISSY IRVIN, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

**HOUSE BILL NO. 1695**, BY REPRESENTATIVE JOHN CATLETT,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR MISSY IRVIN, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

SENATE BILL NO. 871, BY SENATOR JOHNNY KEY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR KEITH INGRAM, VICE-CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

HOUSE BILL NO. 1747, BY REPRESENTATIVE JOHN T. VINES,  
HOUSE BILL NO. 1748, BY REPRESENTATIVE JOHN T. VINES,  
HOUSE BILL NO. 2019, BY REPRESENTATIVE DAVID L. BRANSCUM,  
HOUSE BILL NO. 2028, BY REPRESENTATIVE JOHN T. VINES,  
HOUSE BILL NO. 2047, BY REPRESENTATIVE WALLS MCCRARY,  
HOUSE BILL NO. 2090, BY REPRESENTATIVE MARY BROADAWAY,  
HOUSE BILL NO. 2281, BY REPRESENTATIVE CHARLOTTE DOUGLAS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR KEITH INGRAM  
VICE-CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

HOUSE BILL 1419, BY REPRESENTATIVE JOHN BURRIS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR KEITH INGRAM  
VICE-CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on JOINT BUDGET, to whom was referred:

SENATE BILL NO. 76, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 87, BY JOINT BUDGET COMMITTEE,  
SENATE BILL NO. 234, BY JOINT BUDGET COMMITTEE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR LARRY TEAGUE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, to whom was referred:

SENATE BILL NO. 720, BY SENATOR BRYAN KING,  
SENATE BILL NO. 721, BY SENATOR BRYAN KING,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR ROBERT THOMPSON, ACTING CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1808, BY REPRESENTATIVE MARK LOWERY,  
HOUSE BILL NO. 2089, BY REPRESENTATIVE JEREMY GILLAM,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR ROBERT THOMPSON, ACTING CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 2211, BY REPRESENTATIVE JOHN BURRIS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1840, BY REPRESENTATIVE MARSHALL WRIGHT,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1005

*As Engrossed: H3/21/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE EUBANKS

BY: SENATOR G. STUBBLEFIELD

HOUSE CONCURRENT RESOLUTION RECOGNIZING THE ONE HUNDREDTH ANNIVERSARY OF THE SUBIACO ACADEMY ALUMNI ASSOCIATION.

House Concurrent Resolution No. 1005 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Caldwell, Senate Bill No. 1171 was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

Amendment No. 1 to SENATE BILL NO. 1171

Amend Senate Bill No. 1171 as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 5-64-308 is amended to read as follows:

5-64-308. ~~Written prescriptions~~ Prescriptions.

(a) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II may be dispensed without the written prescription of a practitioner or the oral, faxed, or electronic prescription of a practitioner, if issued in compliance with federal law and regulations.

~~(b)(1) In an emergency situation, as defined by rule of the Director of the Division of Health of the Department of Health and Human Services, a Schedule II drug may be dispensed upon oral prescription of a practitioner, reduced promptly to writing, and filed by~~

~~the pharmacy~~ Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or Schedule IV that is a prescription drug shall not be dispensed without a written or oral prescription of a practitioner or the faxed or electronic prescription of a practitioner, if issued in compliance with federal law and regulations.

~~(2) The prescription shall be retained in conformity with the requirements of section 6 of this subchapter. The prescription shall not be filled or refilled more than six (6) months after the date of the prescription or be refilled more than five (5) times, unless renewed by the practitioner.~~

~~(3) No prescription for a Schedule II substance may be refilled.~~

~~(c)(1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or Schedule IV that is a prescription drug shall not be dispensed without a written or oral prescription of a practitioner.~~

~~(2) The prescription shall not be filled or refilled more than six (6) months after the date of the prescription or be refilled more than five (5) times, unless renewed by the practitioner.~~

~~(d) A controlled substance included in Schedule V shall not be distributed or dispensed other than for a medical purpose.~~

SECTION 2. Arkansas Code § 20-56-211(11)(C)(ii), concerning a misbranded drug or device, is repealed.

~~(ii) Upon the oral prescription of a physician, dentist, or veterinarian which is reduced promptly to writing by the pharmacist; or~~

SECTION 3. Arkansas Code § 20-56-211(11)(C)(iii), concerning a misbranded drug or device, is amended to read as follows:

~~(iii)(ii)(a) By refilling any a written or oral prescription if the refilling is authorized by the prescriber either in the original prescription or by oral order which is promptly reduced to writing by the pharmacist.~~

~~(b) However, any a drug dispensed by filling or refilling a written or oral prescription of a physician, dentist, or veterinarian shall be is exempt from the requirements of this section except subdivisions (1) and (9) of this section if the drug bears a label containing:~~

~~(1) the The name and address of the dispenser;~~

~~(2) the The serial number and date of the~~

prescription or its filling;

~~(3) the The name of the prescriber and;~~

~~(4) if If stated in the prescription, the name of the~~

patient; and

~~(5) the The directions for use and cautionary~~

statements, if any, contained in the prescription.

~~(c) This exemption shall does not apply to any a drug dispensed in the course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail.~~

SECTION 4. Arkansas Code § 20-64-201(9), concerning the definition of "official written order" as used in the Uniform Narcotic Drug Act, is amended to read as follows:

~~(9)(A) "Official written order" means an order written on a form provided for that purpose by the United States Director of the Drug Enforcement Administration under any the laws of the United States making provision therefor, if such order forms are authorized and required by federal law and, if no such an order form is not provided, then on an official form provided for that purpose by the Director of the Department of Health.~~

~~(B) When permitted by federal law, an official written order may also be written and submitted electronically;~~

SECTION 5. Arkansas Code § 20-64-201, concerning the definitions used in the Uniform Narcotic Drug Act, is amended to add an additional subdivision to read as follows:

(16) "Written prescription" means a prescription that is presented to an apothecary in compliance with federal law and regulations, including a written, oral, faxed, or electronic prescription.

SECTION 6. Arkansas Code § 20-64-210(2), concerning labels used by a manufacturer or wholesaler for narcotic drugs, is amended to read as follows:

(2)(A) ~~Whenever~~ When an apothecary sells or dispenses ~~any a~~ narcotic drug on a prescription issued by a physician, dentist, or veterinarian, he or she shall affix to the container in which ~~such the~~ drug is sold or dispensed, a label showing:

(i) ~~his~~ His or her own name, address, and registry number, or the name, address, and registry number of the apothecary for whom he or she is lawfully acting;

(ii) ~~the~~ The name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal;

(iii) ~~the~~ The name, address, and registry number of the physician, dentist, or veterinarian by from whom the prescription was ~~written~~ prescribed; and

(iv) ~~such~~ The directions ~~as may be stated on~~ for the use of the prescription.

(B) ~~No person shall~~ A person shall not alter, deface, or remove ~~any a~~ label ~~so~~ affixed as required under this subdivision (2).

SECTION 7. Arkansas Code § 20-64-217(1)(b), concerning the use of fraud or deceit to obtain a narcotic drug, is amended to read as follows:

(b) by the forgery or alteration of a prescription or of any ~~written~~ order; or

SECTION 8. Arkansas Code § 20-64-217(5), concerning the use of fraud or deceit to obtain a narcotic drug, is amended to read as follows:

(5) ~~No person shall~~ A person shall not make or utter ~~any a~~ false or forged prescription or false or forged ~~written~~ order.

SECTION 9. Arkansas Code § 20-64-314 is amended to read as follows:

20-64-314. Depressant and stimulant drugs — Limitations on filling of prescriptions.

(a)(1)(A) ~~No~~ A prescription for ~~any a~~ depressant or stimulant drug ~~may be~~ shall not be filled or refilled more than six (6) months after the date on which the prescription was issued, ~~and no~~.

(B) A prescription ~~which that~~ is authorized to be refilled ~~may be~~ shall not be refilled more than five (5) times.

(2) ~~However, nothing in this subchapter shall be construed as preventing this subchapter does not prevent~~ a practitioner from issuing a new written prescription for the same drug ~~either in writing or orally. An oral prescription for the drug shall be promptly reduced to writing on a new prescription blank and filed by the pharmacist filling it.~~

(b) If no indication of refill status is indicated on the prescription, it shall not be refilled."

(SIGNED) SENATOR RONALD CALDWELL

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1171 was ordered engrossed.

On motion of Senator Key, **House Bill No. 1540** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1540**

Amend **House Bill No. 1540** as originally introduced:

Immediately following SECTION 2, add an additional section to read as follows:

"SECTION 3. EFFECTIVE DATE. This act is effective on and after January 1, 2014."

(SIGNED) SENATOR JOHNNY KEY

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1540** was ordered engrossed.

On motion of Senator Hutchinson, **House Bill No. 1735** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1735**

Amend **House Bill No. 1735** as originally introduced:

Page 6, delete Section 13 in its entirety

AND

Page 7, delete Section 15 in its entirety

AND

Renumber the sections accordingly

(SIGNED) SENATOR JEREMY HUTCHINSON

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1735 was ordered engrossed.

On motion of Senator Woods, House Bill No. 1962 was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION  
Amendment No. 2 to HOUSE BILL NO. 1962

Amend House Bill No. 1962 as engrossed, S4/2/13:

Page 2, delete lines 19 through 34

AND

Page 2, line 35, delete "~~(3)~~(5)(A)" and substitute "~~(3)~~(4)(A)"

AND

Page 3, line 5, delete "~~(4)(6)~~" and substitute "~~(4)(5)~~"

AND

Page 3, line 8, delete "~~(5)(A)(7)(A)~~" and substitute "~~(5)(A)(6)(A)~~"

AND

Page 3, delete line 15 and substitute:

"the individual to live independently from the custodial parent.

(7) Both a person paying alimony and a person receiving alimony are entitled to petition the court for a review, modification, or both of the court's alimony order at any time based upon a significant and material change of circumstances."

AND

Page 3, delete lines 24 through 32 and substitute:

"(2) When a request for rehabilitative alimony is made to the court, the payer may request or the court may require the recipient to provide a plan of rehabilitation for the court to consider in determining:

(A) Whether or not the plan is feasible; and

(B) The amount and duration of the award.

(3) If the recipient fails to meet the requirements of the rehabilitative plan, the payer may petition the court for a review to determine if rehabilitative alimony shall continue or be modified."

(SIGNED) SENATOR JON WOODS

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1962 was ordered engrossed.

On motion of Senator Sample, **House Bill No. 1999** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 1999**

Amend **House Bill No. 1999** as engrossed, H4/4/13:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 27, Chapter 24, Subchapter 1, concerning general provisions of the Special License Plate Act of 2005, § 27-24-101 et seq., is amended to add an additional section to read as follows:

27-24-111. Limitation on types of special license plates.

(a) The types of special license plates issued under this chapter by the Department of Finance and Administration is limited to the total types of special license plates in existence on January 1, 2014.

(b) A new type of special license plate may be created and issued under this chapter only if a law authorizing an existing type of special license plate is repealed."

(SIGNED) SENATOR BILL SAMPLE

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1999** was ordered engrossed.

On motion of Senator Ingram, **House Bill No. 2108** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION  
Amendment No. 1 to HOUSE BILL NO. 2108

Amend **House Bill No. 2108** as engrossed, H3/25/13:  
Page 1, line 27, delete "Treasurer of State by" and substitute "Administration of Justice Fund Section of the Office of Administrative Services of the Department of Finance and Administration by"

(SIGNED) SENATOR KEITH INGRAM

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2108** was ordered engrossed.

On motion of Senator Irvin, **House Bill No. 2210** was placed back on second reading for purpose of Amendment No. 1.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 1 to HOUSE BILL NO. 2210**

Amend **House Bill No. 2210** as engrossed, H4/4/13:

Add Senator Irvin as a cosponsor of the bill  
 AND

Page 1, line 33, delete "(C)" and substitute "(C)(i)"

AND

Page 2, delete line 1 and substitute the following:  
"with oral analgesic drugs.

(ii) A prescription written by an optometrist for hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs, is limited to no more than seventy-two (72) hours and no authorized refills."

AND

Page 2, line 22, delete "(b)" and substitute "(b)(1)"

AND

Page 2, line 25, delete "drugs in combination" and substitute "drugs, regardless of their schedule, in combination"

AND

Page 2, delete line 26 and substitute the following:  
"drugs.

(2) A prescription written by an optometrist for hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs, is limited to no more than seventy-two (72) hours and no authorized refills."

(SIGNED) SENATOR MISSY IRVIN

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2210** was ordered engrossed.

On motion of Senator Ingram, the rules were suspended in considering **Senate Bill No. 1086** at this time.

On motion of Senator Ingram, **Senate Bill No. 1086** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 3.

**ARKANSAS SENATE**  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**Amendment No. 3 to SENATE BILL NO. 1086**

Amend **Senate Bill No. 1086** as engrossed, S3/21/13:

Page 1, line 36, delete "§ 16-90-308(a)" and substitute "§ 16-90-308(a) and (b)"

AND

Page 2, line 17, add the following:

"(b)(1) Payments from the account shall be made to the defendant upon an order of the judge of the circuit court wherein the charges were filed upon a showing that the money or thing of value shall be used for the exclusive purpose of retaining legal representation for the defendant at any stage of the criminal proceedings arising out of the criminal charge or to pay for already rendered legal representation and that the defendant would otherwise be unable to or has been unable to afford adequate legal representation.

(2) As used in subdivision (b)(1) of this section, "legal representation" includes costs of expert witnesses and testing of evidence."

(SIGNED) SENATOR KEITH INGRAM

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 1086** was ordered engrossed.

Senator Rapert presented Pastor Happy Caldwell, Founder of the AGAPE Church, with a Senate Citation.

On motion of Senator Maloch, **Senate Bill No. 841** was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

On motion of Senator Maloch, and without objection, **Senate Bill No. 841** was recommended for study in the interim by Senate Interim Committee on INSURANCE & COMMERCE.

STATE OF ARKANSAS

Mike Beebe  
Governor

April 9, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 9, 2013, I approved the following measures from the Regular Session of the Eighty-Ninth General Assembly:

**Senate Bill No. 374** - ACT 1018  
**Senate Bill No. 781** - ACT 1019

Sincerely,

(SIGNED) MIKE BEEBE

The President declared the morning hour to have expired.

On motion of Senator Bledsoe, **Senate Bill No. 888** was called up for third reading and final disposition.

**SENATE BILL NO. 888**  
*As Engrossed: S4/8/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: SENATORS BLEDSOE AND IRVIN**  
**BY: REPRESENTATIVE FERGUSON**

A Bill for an Act to be Entitled: *AN ACT TO PROVIDE PARITY FOR MAMMOGRAPHY SERVICES REIMBURSEMENT; TO REQUIRE PAYMENT OF AT LEAST THE MEDICARE RELATIVE VALUE UNIT RATE FOR DIGITAL MAMMOGRAPHY UNTIL A CPT CODE IS ESTABLISHED; AND FOR OTHER PURPOSES.*

Senator Ingram spoke for the bill.

**Senate Bill No. 888** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	32
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Caldwell, J. Hutchinson, D. Sanders.	
Total .....	3
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	32
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**Senate Bill No. 888** was ordered immediately transmitted to the House as passed.



## STATE OF ARKANSAS

*House of Representatives*

April 9, 2013

The Honorable Ann Cornwell

Secretary of the Senate

State Capitol

Little Rock, AR 72201

Dear Ms. Cornwell:

The House of Representatives respectfully requests the return to the House, SB65.

Respectfully submitted,

(SIGNED) Sherri Stacks

Chief Clerk, House of Representatives

**Senate Bill No. 65** returned to the House as requested.

Senator Irvin presented a Senate Citation to Justin Blankinship.

On motion of Senator Stubblefield, **Senate Bill No. 818** was called up for third reading and final disposition.

**SENATE BILL NO. 818**

*As Engrossed: S3/12/13 S3/25/13 S4/3/13*

**EIGHTY-NINTH GENERAL ASSEMBLY**

**REGULAR SESSION**

*BY: SENATORS G. STUBBLEFIELD, A. CLARK, J. DISMANG, HESTER, B. KING,  
RAPERT*

**BY: REPRESENTATIVES ALEXANDER, BALLINGER, DOTSON, FITE, HARRIS, D.  
MEEKS, S. MEEKS, MILLER, NEAL & WOMACK**

A Bill for an Act to be Entitled: **AN ACT TO BAR THE DISBURSEMENT OF FUNDS BY THE STATE TO CERTAIN ENTITIES; AND FOR OTHER PURPOSES.**

Senator Chesterfield spoke against the Bill.

Senator Elliott asked to be associated with Senator Chesterfield's remarks as her District is affected.

Senator Rapert spoke for the Bill.

A Pair was announced at the desk.

STATE OF ARKANSAS  
ARKANSAS SENATE  
State Capitol  
Little Rock, Arkansas 72201

EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

DATE 4-9-2013

PAIR VOTE

SENATE BILL NO. 818

VOTING YEA (SIGNED) EDDIE JOE WILLIAMS

VOTING NAY (SIGNED) EDDIE CHEATHAM

(SIGNED) ANN CORNWELL  
SECRETARY OF SENATE

ROLL CALL

**Senate Bill No. 818** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, A. Clark, J. Dismang, J. English, Files, J. Hendren, Hester, Hickey, Holland, Irvin, J. Key, B. King, M. Lamoureux, Rapert, B. Sample, D. Sanders, G. Stubblefield, E. Williams, J. Woods.

Total..... 19

NEGATIVE: Burnett, E. Cheatham, L. Chesterfield, Elliott, S. Flowers, K. Ingram, D. Johnson, U. Lindsey, B. Pierce, Teague, D. Wyatt.

Total..... 11

ABSENT OR NOT VOTING: Bookout, Caldwell, J. Hutchinson, Maloch,  
 R. Thompson.  
 Total .....5

VOTING PRESENT:  
 Total .....0

Total number of votes cast .....30  
 Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 818 was ordered immediately transmitted to the House as passed.

On motion of Senator Ingram, Senate Bill No. 1024 was called up for third reading and final disposition.

SENATE BILL NO. 1024  
*As Engrossed: S4/6/13*  
 EIGHTY-NINTH GENERAL ASSEMBLY  
 REGULAR SESSION  
 BY: SENATOR K. INGRAM

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE USE OF WHEEL AND TIRE LOCKING DEVICES; TO REGULATE INDIVIDUALS AND ENTITIES THAT USE WHEEL AND TIRE LOCKING DEVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 1024 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hickey, Holland, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, J. Woods, D. Wyatt.

Total ..... 27

NEGATIVE: Hester.

Total ..... 1

ABSENT OR NOT VOTING: Bookout, Burnett, Caldwell, J. Hutchinson, B. King, R. Thompson, E. Williams.

Total ..... 7

VOTING PRESENT:

Total ..... 0

Total number of votes cast..... 28

Necessary to the passage of the bill ..... 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1024 was ordered immediately transmitted to the House as passed.

On motion of Senator Irvin, **House Bill No. 1384** was called up for third reading and final disposition.

**HOUSE BILL NO. 1384**  
*As Engrossed: H2/27/13 S3/27/13 S4/4/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE MILLER**  
*BY: SENATOR IRVIN*

A Bill for an Act to be Entitled: *AN ACT TO REQUIRE THAT IN-HOME CAREGIVERS WHO ARE PAID THROUGH THE MEDICAID PROGRAM BE TESTED FOR ILLEGAL DRUG USE; TO REQUIRE CRIMINAL BACKGROUND CHECKS; AND FOR OTHER PURPOSES.*

**House Bill No. 1384** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	34
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: S. Flowers.	
Total .....	1
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	34
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1384** was ordered immediately returned to the House as passed as amended.

On motion of Senator Pierce, **Senate Bill No. 930** was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

On motion of Senator Pierce, and without objection, **Senate Bill No. 930** was recommended for study in the interim by Senate Interim Committee on INSURANCE & COMMERCE.

On motion of Senator Thompson, **House Bill No. 1164** was called up for third reading and final disposition.

**HOUSE BILL NO. 1164**  
*As Engrossed: H4/2/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE KERR**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE GENERAL PROVISIONS OF THE ARKANSAS CODE CONCERNING RETIREMENT AND PENSIONS; AND FOR OTHER PURPOSES.

**House Bill No. 1164** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total ..... 35

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING:

Total .....0

VOTING PRESENT:

Total .....0

Total number of votes cast .....35

Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1164 was ordered immediately transmitted to the House as passed.

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

On motion of Senator Clark, House Bill No. 1712 was called up for third reading and final disposition.

HOUSE BILL NO. 1712

*As Engrossed: H3/13/13 H3/18/13 S4/8/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES BRAGG, COZART, DALE, HAMMER, SCOTT, SLINKARD & VINES

BY: SENATOR A. CLARK

A Bill for an Act to be Entitled: AN ACT TO PREVENT THE USE OF CERTAIN ELECTRONIC DEVICES IN THE POLLING PLACE; AND FOR OTHER PURPOSES.

House Bill No. 1712 was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total ..... 30

NEGATIVE: S. Flowers.

Total ..... 1

ABSENT OR NOT VOTING: Caldwell, J. English, B. King, G. Stubblefield.

Total ..... 4

VOTING PRESENT:

Total ..... 0

Total number of votes cast..... 31

Necessary to the passage of the bill ..... 18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1712 was ordered immediately returned to the House as passed as amended.

\* \* \* \* \* EXPUNGED \* \* \* \* \*

The record pertaining to the vote by which House Bill No. 1712 passed was expunged, in accordance with a prevailing motion on April 12, 2013.

On motion of Senator Hutchinson, **House Bill No. 1448** was called up for third reading and final disposition.

**HOUSE BILL NO. 1448**  
*As Engrossed: H3/28/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE FITE**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE FOR *EXTENDED POST-CONVICTION NO CONTACT ORDERS* UPON A CONVICTION FOR CERTAIN CRIMINAL OFFENSES; AND FOR OTHER PURPOSES.

**House Bill No. 1448** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	35
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1448** was ordered immediately returned to the House as passed.

On motion of Senator Woods, **House Bill No. 1737** was called up for third reading and final disposition.

**HOUSE BILL NO. 1737**  
*As Engrossed: H3/25/13 S4/8/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE COLLINS**  
*BY: SENATOR J. WOODS*

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW CONCERNING ELECTION PRECINCTS AND BALLOT REPORTING; TO DEFINE "PRECINCT"; TO LIMIT PRECINCT SIZE TO THREE THOUSAND (3,000) REGISTERED VOTERS; AND FOR OTHER PURPOSES.

**House Bill No. 1737** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Burnett, E. Cheatham, A. Clark, J. Dismang, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, J. Woods, D. Wyatt.

Total ..... 26

NEGATIVE: S. Flowers.

Total ..... 1

ABSENT OR NOT VOTING: Bookout, Caldwell, L. Chesterfield, Elliott, D. Johnson, B. King, G. Stubblefield, E. Williams.

Total ..... 8

VOTING PRESENT:

Total ..... 0

Total number of votes cast..... 27

Necessary to the passage of the bill ..... 18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1737** was ordered immediately returned to the House as passed as amended.

On motion of Senator Irvin, **House Bill No. 1855** was called up for third reading and final disposition.

**HOUSE BILL NO. 1855**  
*As Engrossed: H3/18/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVES SHEPHERD AND STEEL**  
**BY: SENATOR IRVIN**

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE OFFICE OF PROSECUTING ATTORNEY AS A NONPARTISAN OFFICE; TO AMEND THE LAW CONCERNING THE DATES OF CERTAIN ELECTIONS; AND FOR OTHER PURPOSES.

- Senator Thompson spoke for the Bill.
- Senator Burnett spoke for the Bill.
- Senator Key spoke against the Bill.
- Senator Irvin closed for the Bill.

**House Bill No. 1855** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bookout, Burnett, E. Cheatham, L. Chesterfield, Elliott, Hickey, K. Ingram, Irvin, D. Johnson, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, D. Sanders, G. Stubblefield, Teague, R. Thompson, J. Woods, D. Wyatt.

Total .....20

NEGATIVE: Bledsoe, A. Clark, J. Dismang, J. English, Files, S. Flowers, J. Hendren, Hester, Holland, J. Hutchinson, J. Key, Rapert, B. Sample.

Total .....13

ABSENT OR NOT VOTING: Caldwell, E. Williams.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast .....33

Necessary to the passage of the bill .....18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1855** was ordered immediately returned to the House as passed.

## STATE OF ARKANSAS

GARY STUBBLEFIELD

SENATOR  
6TH DISTRICT  
PHONE: 479-635-4314  
garystub@yahoo.com  
2542 SKEETS ROAD  
BRANCH, ARKANSAS 72928



Arkansas Senate  
State Capitol  
Little Rock, Arkansas 72201

April 10, 2013

Ms. Ann Cornwell, Director  
Secretary of the Senate  
Senate Fiscal Officer  
State Capitol, Room 320  
Little Rock, Arkansas 72201

Dear Ms. Cornwell,

During session on Tuesday, April 9, 2013, House Bill No. 1855 was brought up for 3rd reading and vote. I was distracted and accidently was recorded as voting on this bill.

I should have been recorded as voting NO on this piece of legislation. Please file this letter in the Senate Journal along with the roll call that was taken on House Bill No. 1855.

Thank you,

(SIGNED) SENATOR GARY STUBBLEFIELD  
District 6

On motion of Senator Irvin, **House Bill No. 1968** was called up for third reading and final disposition.

**HOUSE BILL NO. 1968**  
*As Engrossed: S4/4/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE WESTERMAN**  
*BY: SENATOR IRVIN*

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ACCESS TO CARE ACT; TO LOWER THE COST OF CARE AND INCREASE ACCESS TO CARE FOR MEDICAID PATIENTS; AND FOR OTHER PURPOSES.

**House Bill No. 1968** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	34
NEGATIVE: S. Flowers.	
Total .....	1
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	35
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 1968** was ordered immediately returned to the House as passed as amended.

On motion of Senator Bledsoe, **House Bill No. 2121** was called up for third reading and final disposition.

**HOUSE BILL NO. 2121**

*As Engrossed: H3/25/13 H3/26/13 H4/4/13*

**EIGHTY-NINTH GENERAL ASSEMBLY**

**REGULAR SESSION**

**BY: REPRESENTATIVES HAWTHORNE, E. ARMSTRONG, BALTZ, FERGUSON,  
KIZZIA & SCOTT**

A Bill for an Act to be Entitled: *AN ACT TO REQUIRE HEALTH BENEFITS PLANS TO PROVIDE FOR CORRECTIVE SURGERY AND TREATMENT FOR CRANIOFACIAL ANOMALY; AND FOR OTHER PURPOSES.*

**House Bill No. 2121** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, E. Cheatham, L. Chesterfield, A. Clark, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, U. Lindsey, Maloch, B. Pierce, Rapert, D. Sanders, G. Stubblefield, Teague, R. Thompson, J. Woods, D. Wyatt.

Total .....28

NEGATIVE: S. Flowers.

Total ..... 1

ABSENT OR NOT VOTING: Caldwell, J. Dismang, Elliott, M. Lamoureux, B. Sample, E. Williams.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast.....29

Necessary to the passage of the bill ..... 18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2121** was ordered immediately returned to the House as passed.

On motion of Senator Wyatt, **House Bill No. 2230** was called up for third reading and final disposition.

**HOUSE BILL NO. 2230**  
*As Engrossed: H4/3/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE WRIGHT**

A Bill for an Act to be Entitled: AN ACT TO CREATE AND AUTHORIZE FOR ISSUANCE A SPECIAL LICENSE PLATE IN SUPPORT OF THE ARKANSAS RICE COUNCIL; AND FOR OTHER PURPOSES.

**House Bill No. 2230** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods.

Total .....	33
NEGATIVE: L. Chesterfield.	
Total .....	1
ABSENT OR NOT VOTING: D. Wyatt.	
Total .....	1
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	34
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2230** was ordered immediately returned to the House as passed.

On motion of Senator Woods, **House Bill No. 2277** was called up for third reading and final disposition.

**HOUSE BILL NO. 2277**  
*As Engrossed: H3/26/13 S4/8/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: REPRESENTATIVE GILLAM**  
**BY: SENATOR J. WOODS**

A Bill for an Act to be Entitled: AN ACT TO REQUIRE THE POSTING OF A WARNING SIGN IN A PRIVATE CLUB; TO EDUCATE THE PUBLIC CONCERNING THE RISK OF DRINKING ALCOHOLIC BEVERAGES DURING PREGNANCY; AND FOR OTHER PURPOSES.

**House Bill No. 2277** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....	34
NEGATIVE: Hester.	
Total .....	1
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	35
Necessary to the passage of the bill .....	18

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

(SIGNED) ANN CORNWELL, SECRETARY

**House Bill No. 2277** was ordered immediately returned to the House as passed as passed.

Senate Bill No. 65 returned from the House having adopted the Emergency Clause.

On motion of Senator Key, Senate Bill No. 65 was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on JUDICIARY, to whom was referred:

SENATE BILL NO. 1162, BY SENATOR JONATHAN DISMANG,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass to concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR ROBERT THOMPSON  
VICE-CHAIRMAN  
SENATOR JANE ENGLISH  
SENATOR BRYAN KING  
SENATOR GARY STUBBLEFIELD  
SENATOR EDDIE JOE WILLIAMS  
SENATOR JON WOODS

On motion of Senator Teague, the Senate resolved itself into the Committee of the Whole for the purpose of Joint Budget bills.

Without objection, the Committee of the Whole was dissolved, and the Senate took up its regular order of business.

On motion of Senator Teague, the rules were suspended in considering **Senate Bill No. 86** at this time.

On motion of Senator Teague, **Senate Bill No. 86** was called up for third reading and final disposition.

**SENATE BILL NO. 86**  
*As Engrossed: S4/8/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**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 PUBLIC DEFENDER COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

**Senate Bill No. 86** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total ..... 34

NEGATIVE:

Total ..... 0

ABSENT OR NOT VOTING: B. King.

Total ..... 1

VOTING PRESENT:

Total ..... 0

Total number of votes cast .....34  
Necessary to the passage of the bill .....27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 86**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: B. King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....34  
Necessary to the adoption of the Emergency Clause .....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Teague, **Senate Bill No. 86** was held in the Chamber.

On motion of Senator Teague, the rules were suspended in considering **Senate Bill No. 157** at this time.

On motion of Senator Teague, **Senate Bill No. 157** was called up for third reading and final disposition.

**SENATE BILL NO. 157**  
*As Engrossed: S4/5/13 S4/8/13*  
**EIGHTY-NINTH GENERAL ASSEMBLY**  
**REGULAR SESSION**  
**BY: JOINT BUDGET COMMITTEE**

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES, SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT COURTS FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

**Senate Bill No. 157** was placed on third reading and final disposition, the question being: Shall the Bill pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total..... 34

NEGATIVE:

Total..... 0

ABSENT OR NOT VOTING: B. King.

Total..... 1

VOTING PRESENT:

Total..... 0

Total number of votes cast .....34  
Necessary to the passage of the bill .....27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 157**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

AFFIRMATIVE: Bledsoe, Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, D. Johnson, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total .....34

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: B. King.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast .....34  
Necessary to the adoption of the Emergency Clause .....24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Teague, **Senate Bill No. 157** was held in the Chamber.

On motion of Senator Irvin, **Senate Bill No. 913** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed on the Calendar.

On motion of Senator Irvin, and without objection, **Senate Bill No. 913** was recommended for study in the interim by Senate Interim Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Rapert, **Senate Bill No. 1102** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Rapert, and without objection, **Senate Bill No. 1102** was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

On motion of Senator Rapert, **Senate Bill No. 1109** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Rapert, and without objection, **Senate Bill No. 1109** was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1053

*As Engrossed: H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF INFORMATION SYSTEMS FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

**House Bill No. 1053** was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1056

*As Engrossed: H3/8/13 H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

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 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

**House Bill No. 1056** was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1106

*As Engrossed: H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

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 DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1106 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1152

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

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 TOBACCO PREVENTION AND CESSATION PROGRAMS FOR THE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1152 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1155

*As Engrossed: H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

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 OFFICE OF ATTORNEY GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1155 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1157

*As Engrossed: H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF ARKANSAS STATE POLICE FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1157 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1223  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF CORRECTION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1223 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1993  
*As Engrossed: H4/3/13*  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION  
BY: REPRESENTATIVE STEEL

A Bill for an Act to be Entitled: AN ACT CONCERNING SENTENCES FOR JUVENILES CONVICTED OF CAPITAL MURDER OR TREASON; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1993 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

Received from the House

HOUSE BILL NO. 1996

*As Engrossed: H4/3/13 H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES STEEL AND BELL

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS; AND FOR OTHER PURPOSES.

House Bill No. 1996 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY & LEGISLATIVE AFFAIRS.

Received from the House

HOUSE BILL NO. 2250

*As Engrossed: H4/1/13 H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE HAMMER

A Bill for an Act to be Entitled: AN ACT TO ENHANCE CRIMINAL TRESPASS PENALTIES; TO PERMIT THE SEIZURE OF FOUR-WHEEL RECREATIONAL VEHICLES THAT ARE USED IN CONJUNCTION WITH A CRIMINAL TRESPASS VIOLATION; AND FOR OTHER PURPOSES.

House Bill No. 2250 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

**SENATE BILL NO. 1086**, BY SENATOR KEITH INGRAM,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE  
CHAIRMAN

On motion of Senator Ingram, **Senate Bill No. 1086** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 1171, BY SENATOR RONALD CALDWELL,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

HOUSE BILL NO. 1540, BY REPRESENTATIVE JOHN BURRIS,  
HOUSE BILL NO. 1735, BY REPRESENTATIVE DARRIN WILLIAMS,  
HOUSE BILL NO. 1999, BY REPRESENTATIVE NATE BELL,  
HOUSE BILL NO. 2108, BY REPRESENTATIVE STEPHANIE MALONE,  
HOUSE BILL NO. 2210, BY REPRESENTATIVE STEPHANIE MALONE,

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

**HOUSE BILL NO. 1962**, BY REPRESENTATIVE JEREMY GILLAM,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

On motion of Senator Woods, **House Bill No. 1962** was ordered re-referred to the Committee on JUDICIARY.

Senate Bill No. 45 was returned from the House as passed and ordered enrolled.

Senate Bill No. 60 was returned from the House as passed and ordered enrolled.

Senate Bill No. 75 was returned from the House as passed and ordered enrolled.

Senate Bill No. 85 was returned from the House as passed and ordered enrolled.

Senate Bill No. 100 was returned from the House as passed and ordered enrolled.

Senate Bill No. 132 was returned from the House as passed and ordered enrolled.

Senate Bill No. 196 was returned from the House as passed and ordered enrolled.

Senate Bill No. 302 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1831, BY REPRESENTATIVE DARRIN WILLIAMS,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR DAVID BURNETT, CHAIRMAN

Received from the House

HOUSE JOINT RESOLUTION NO. 1009

*As Engrossed: H3/15/13 H4/3/13 H4/6/13*

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE SABIN

BY: SENATOR J. WOODS

HOUSE JOINT RESOLUTION TO AMEND THE ARKANSAS CONSTITUTION CONCERNING ELECTED STATE OFFICIALS; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY AND ELECTED CONSTITUTIONAL OFFICERS FROM ACCEPTING GIFTS FROM LOBBYISTS; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY FROM ESTABLISHING THEIR OWN SALARIES; ESTABLISHING AN INDEPENDENT CITIZENS COMMISSION TO SET SALARIES FOR MEMBERS OF THE GENERAL ASSEMBLY, ELECTED CONSTITUTIONAL OFFICERS, AND *JUDGES*; PROHIBITING CORPORATE CONTRIBUTIONS TO CAMPAIGNS FOR PUBLIC OFFICE; PROHIBITING A MEMBER OF THE GENERAL ASSEMBLY FROM REGISTERING AS A LOBBYIST UNTIL TWO (2) YEARS AFTER THE EXPIRATION OF HIS OR HER TERM; AND ESTABLISHING TERM LIMITS FOR MEMBERS OF THE GENERAL ASSEMBLY.

**Subtitle**

THE ARKANSAS ELECTED OFFICIALS  
ETHICS, TRANSPARENCY, AND FINANCIAL  
REFORM AMENDMENT OF 2014.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

SECTION 1. This amendment shall be known and may be cited as "The Arkansas Elected Officials Ethics, Transparency, and Financial Reform Amendment of 2014."

SECTION 2. Article 19 of the Arkansas Constitution is amended to add additional sections to read as follows:

§ 28. Campaign contributions.

(a)(1) It is unlawful for a candidate for public office or a person acting on the candidate's behalf to:

(A) Accept a campaign contribution from other than:

(i) An individual;

(ii) A political party that meets the definition of a political party

under Arkansas law;

(iii) A political party that meets the petition requirements for new

political parties;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee; or

(B) Accept a campaign contribution in excess of the maximum amount allowed by law per election from:

(i) An individual;

(ii) A political party that meets the definition of a political party

under Arkansas law;

(iii) A political party that meets the petition requirements for new

political parties;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee.

(2) A candidate may accept a campaign contribution or contributions up to the maximum amount allowed by law from a prospective contributor for each election, whether opposed or unopposed.

(b)(1) It is unlawful for an individual, a political party that meets the definition of a political party under Arkansas law, a political party that meets the petition requirements for new political parties, a county political party committee, a legislative caucus committee, or an approved political action committee to make a contribution to a candidate for public office, or to a person acting on the candidate's behalf, that in the aggregate exceeds the maximum amount allowed by law.

(2) The following entities may make a contribution or contributions up to the maximum amount allowed by law to a candidate, whether opposed or unopposed, for each election:

(A) An individual;

(B) A political party that meets the definition of a political party under

Arkansas law;

(C) A political party that meets the petition requirements for new

political parties;

(D) A county political party;

(E) A legislative caucus committee; or

(F) An approved political action committee.

(c) A person knowingly violating this section is guilty of a Class B misdemeanor.

(d) The General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section so long as such amendments are germane to this section and consistent with its policy and purposes.

§ 29. Registration as a lobbyist by former member of the General Assembly.

(a) A former member of the General Assembly shall not be eligible to be registered as a lobbyist until two (2) years after the expiration of the term of office for which he or she was elected.

(b) Subsection (a) of this section applies to all persons elected or reelected to the General Assembly on or after November 4, 2014.

(c) The General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section so long as such amendments are germane to this section and consistent with its policy and purposes.

§ 30. Gifts from lobbyists.

(a) Persons elected to the following offices shall not knowingly or willfully solicit or accept a gift from a lobbyist, a person acting on behalf of a lobbyist, or a person employing a lobbyist:

(1) Governor;

(2) Lieutenant Governor;

(3) Secretary of State;

(4) Treasurer of State;

(5) Auditor of State;

(6) Attorney General;

(7) Commissioner of State Lands; and

(8) Member of the General Assembly.

(b) As used in this section:

(1)(A) "Gift" means any payment, entertainment, advance, services, or anything of value unless consideration of equal or greater value has been given therefor.

(B) "Gift" does not include:

(i)(a) Informational material such as books, reports, pamphlets, calendars, or periodicals informing a person elected to an office under subsection (a) of this section regarding his or her official duties.

(b) Payments for travel or reimbursement for any expenses are not informational material;

(ii) Gifts that are not used and which, within thirty (30) days after receipt, are returned to the donor;

(iii) Gifts from the spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin of a person elected to an office under subsection (a) of this section, or the spouse of any of these persons, unless the person is acting as an agent or intermediary for any person not covered by this subdivision (b)(1)(B)(iii);

(iv) Anything of value that is readily available to the general public;

(v) Food or drink available at a planned activity to which a specific governmental body or identifiable group of public servants 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;

(2) "Lobbying" means communicating directly or soliciting others to communicate with a person elected to an office under subsection (a) of this section with the purpose of influencing governmental action or legislative action; and

(3) "Lobbyist" means a person who:

(A) Receives income or reimbursement in a combined amount of four hundred dollars (\$400) or more in a calendar quarter for lobbying a person elected to an office under subsection (a) of this section;

(B) Expends four hundred dollars (\$400) or more in a calendar quarter for lobbying one (1) or more persons elected to an office under subsection (a) of this section, excluding the cost of personal travel, lodging, meals, or dues; or

(C) Expends four hundred dollars (\$400) or more in a calendar quarter, including postage, for the express purpose of soliciting others to communicate with a person elected to an office under subsection (a) of this section to influence any governmental action or legislative action unless the communication has been filed with the

Secretary of State or the communication has been published in the news media. If the communication is filed with the Secretary of State, the filing shall include the approximate number of recipients.

(c) The General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section, so long as such amendments are germane to this section and consistent with its policy and purposes.

§ 31. Citizens commission.

(a) Members of the General Assembly shall have no authority to set salaries for their positions.

(b)(1) There is created an independent citizens commission for the purposes of setting salaries of elected officials of the executive department, members of the General Assembly, and judges as provided in this section.

(2) Each member of the citizens commission shall serve a term of four (4) years.

(3) The citizens commission shall consist of seven (7) members as follows:

(A) Two (2) members appointed by the Governor;

(B) Two (2) members appointed by the President Pro Tempore of the

Senate;

(C) Two (2) members appointed by the Speaker of the House of

Representatives; and

(D) One (1) member appointed by the Chief Justice of the Supreme

Court.

(4) Vacancies on the commission shall be filled in the manner of the original appointment.

(c)(1) In making appointments to the commission, the Governor, 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.

(2) A member of the commission shall be:

(A) A citizen of the United States;

(B) A resident of the State of Arkansas for at least two (2) years preceding his or her appointment;

(C) A qualified elector; and

(D) At least twenty-five (25) years of age.

(3) The following persons shall not serve on the citizens commission:

(A) A person holding civil office;

(B) A public employee;

(C) A person required by law to register as a lobbyist; or

(D)(i) An immediate family member of a:

(a) Person holding civil office;

(b) Public employee; or

(c) Person required by law to register as a lobbyist.

(ii) As used in subdivision (c)(3)(D)(i) of this section, "immediate family member" means a person's spouse, a child of the person or spouse, a child's spouse, a parent of the person or the spouse, a brother or sister of the person or the spouse, anyone living or residing in the same residence or household with the person or the spouse, or anyone acting or serving as an agent of the person.

(d) The citizens commission shall have the duty to review and adjust as necessary the salaries for the following positions:

(1) Governor;

(2) Lieutenant Governor;

(3) Attorney General;

(4) Secretary of State;

(5) Treasurer of State;

(6) Auditor of State;

(7) Commissioner of State Lands;

- (8) Member of the General Assembly;
- (9) Chief Justice of the Supreme Court;
- (10) Justice of the Supreme Court;
- (11) Chief Judge of the Court of Appeals;
- (12) Judge of the Court of Appeals;
- (13) Circuit court judge; and
- (14) District court judge.

(e)(1) The salaries of the positions under subsection (d) of this section:

(A) Shall not be subject to appropriation by the General Assembly;

and

(B) Shall be paid from the Constitutional Officers Fund or its successor fund or fund accounts in the amount determined by the commission.

(2) If the commission elects to adjust a salary for a position under subsection (d) of this section, the citizens commission shall file the adjusted salary with the Treasurer of State.

(3) An adjustment to a salary shall be effective thirty (30) days after it is filed with the Treasurer of State.

(f)(1) The citizens commission, by a majority vote of the total membership of the commission cast during its first regularly scheduled meeting of each calendar year, may authorize payment to its members of a stipend not to exceed eighty-five dollars (\$85.00) per day for each meeting attended or for any day while performing any proper business of the commission.

(2) Members of the commission shall receive no other compensation, expense reimbursement, or in-lieu-of payments.

(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.

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

(h) Salaries for the positions under subsection (d) of this section shall continue as existing on the effective date of this section until adjusted by the commission.

(i)(1) Initial members of the commission shall be appointed within thirty (30) days of the effective date of this section.

(2) The President Pro Tempore of the Senate shall call the first meeting of the commission, which shall occur within forty-five (45) days of the effective date of this section.

(3) After the initial appointments are completed, the commission shall review the salaries for the positions under subsection (d) of this section no later than ninety (90) days after the effective date of this section and shall file any adjustments in salary with the Treasurer of State.

(4)(A) After completing the review under subdivision (i)(3) of this section, the commission shall meet as necessary to review the salaries of the positions under subsection (d) of this section.

(B) The commission may adjust the salaries of the positions under subsection (d) of this section as it deems necessary.

(j) The General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section, so long as such amendments are germane to this section and consistent with its policy and purposes.

SECTION 3. Section 2 of Amendment 73 of the Arkansas Constitution is amended to read as follows:

§ 2. Legislative Branch.

(a) ~~The Arkansas House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties. No member of the Arkansas House of Representatives may serve more than three such two-year terms.~~

(b) ~~The Arkansas Senate shall consist of members to be chosen every four years by the qualified electors of the several districts. No member of the Arkansas Senate may serve more than two such four-year terms.~~

(c)(1) A member of the General Assembly shall serve no more than sixteen (16) years, whether consecutive or nonconsecutive.

(2) A member who completes his or her sixteenth year of service during a term of office for which he or she has been elected may serve until the completion of that term of office.

(3) The years of service in both the Senate and the House of Representatives shall be added together and included to determine the total number of years in office.

(4) A partial legislative term served as a result of a special election under Article 5, § 6, or a two-year term served as a result of apportionment of the Senate shall not be included in calculating the total number of years served by a member of the General Assembly.

SECTION 4. Section 16 of Article 5 of the Arkansas Constitution is repealed.

~~§ 16. Per diem and mileage of General Assembly.~~

~~Each member of the General Assembly shall receive six dollars per day for his services during the first sixty days of any regular session of the General Assembly, and if any regular session shall be extended, such member shall serve without further per diem. Each member of the General Assembly shall also receive ten cents per mile for each mile traveled in going to and returning from the seat of government, over the most direct and practicable route. When convened in extraordinary session by the Governor, they shall each receive three dollars per day for their services during the first fifteen days, and if such extraordinary session shall extend beyond fifteen days, they shall receive no further per diem. They shall be entitled to the same mileage for any extraordinary session as herein provided for regular sessions. The terms of all members of the General Assembly shall begin on the day of their election, and they shall receive no compensation, perquisite or allowance whatever, except as herein provided.~~

SECTION 5. Section 29 of Article 5 of the Arkansas Constitution is amended to read as follows:

§ 29. Appropriations.

~~No~~ Except as provided in Arkansas Constitution, Article 19, Section 31, no money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents; and no appropriations made by the General Assembly after December 31, 2008, shall be for a longer period than one (1) fiscal year.

SECTION 6. Section 30 of Article 5 to the Arkansas Constitution is amended to read as follows:

§ 30. General and special appropriations.

~~The~~ Except as provided in Arkansas Constitution, Article 19, Section 31, the general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State; all other appropriations shall be made by separate bills, each embracing but one subject.

SECTION 7. Section 4 of Article 16 to the Arkansas Constitution is amended to read as follows:

§ 4. Salaries and fees of state officers.

~~The Except as provided in Arkansas Constitution, Article 19, Section 31, the General Assembly shall fix the salaries and fees of all officers in the State; and no greater salary or fee than that fixed by law shall be paid to any officer, employee, or other person, or at any rate other than par value; and the number and salaries of the clerks and employees of the different departments of the State shall be fixed by law.~~

SECTION 8. Section 12 of Article 16 of the Arkansas Constitution is amended to read as follows:

§ 12. Disbursement of funds — Appropriation required.

~~No Except as provided in Arkansas Constitution, Article 19, Section 31, no money shall be paid out of the treasury until the same shall have been appropriated by law; and then only in accordance with said appropriation.~~

SECTION 9. Section 11 of Article 19 of the Arkansas Constitution is repealed.

~~§ 11. Salaries of state officers — Increase or decrease during term prohibited — Fees.~~

~~The Governor, Secretary of State, Auditor, Treasurer, Attorney General, Judges of the Supreme Court, Judges of the Circuit Court, Commissioner of State Lands, and Prosecuting Attorneys, shall each receive a salary to be established by law, which shall not be increased or diminished during their respective terms, nor shall any of them, except the Prosecuting Attorneys, after the adoption of this Constitution, receive to his own use any fees, costs, perquisites of office, or other compensation; and all fees that may hereafter be payable by law, for any service performed by any officer mentioned in this section, except Prosecuting Attorneys, shall be paid in advance into the State Treasury; Provided, That the salaries of the respective officers herein mentioned shall never exceed per annum:~~

~~For Governor, the sum of \$4,000~~

~~For Secretary of State, the sum of \$2,500~~

~~For Treasurer of State, the sum of \$3,000~~

~~For Auditor of State, the sum of \$3,000~~

~~For Attorney General, the sum of \$2,500~~

~~For Commissioner of State Lands, the sum of \$2,500~~

~~For the Judges of the Supreme Court, each, the sum of \$4,000~~

~~For Judges of the Circuit Courts, and Chancellors, each, the sum of \$3,000~~

~~For Prosecuting Attorneys, the sum of \$400~~

~~And provided further, That the General Assembly shall provide for no increase of salaries of its members which shall take effect before the meeting of the next General Assembly.~~

SECTION 10. Section 6 of Amendment 6 to the Arkansas Constitution is repealed.

~~§ 6. Salary of Lieutenant Governor.~~

~~The Lieutenant Governor shall receive for his services an annual salary of two thousand dollars, and shall not receive or be entitled to any other compensation, fee or perquisite, for any duty or service he may be required to perform by the Constitution or by law.~~

SECTION 11. Section 2 of Amendment 9 to the Arkansas Constitution is repealed.

~~§ 2. Compensation of judges.~~

~~The Supreme Court judges shall at stated times receive compensation for their services to be fixed by law. When the salary of the judges under this amendment to the Constitution shall have been established by law, such salary shall not thereafter be increased or diminished during their respective terms. Until otherwise provided by law, the judges of the Supreme Court shall each receive a salary of Seven thousand five hundred dollars per annum.~~

SECTION 12. Amendment 15 to the Arkansas Constitution is repealed.

~~Salaries of state officials.~~

~~The annual salaries of the State and District Officers hereinafter mentioned, which shall be paid in monthly installments, shall be as follows:~~

~~For Governor, the sum of \$6,000.00; for Secretary of State, the sum of \$4,000.00; for Treasurer of the State, the sum of \$4,000.00; for Auditor of the State, the sum of \$4,000.00; for Attorney General, the sum of \$5,000.00; for Judge of the Circuit Courts and Chancellors, each, the sum of \$3,600.00.~~

~~The members of the General Assembly shall receive as their salary the sum of One Thousand (\$1,000.00) Dollars, except the Speaker of the House of Representatives, who shall receive his salary of Eleven Hundred Dollars (\$1,100.00), for each period of two (2) years; and in addition to such salary the members of the general Assembly shall receive five cents per mile for each mile traveled in going to and returning from the seat of government over the most direct and practicable route, and provided further that when said members are required to attend an extraordinary session of the General Assembly they shall receive in addition to the salary herein provided the sum of 6.00 per day for each day they are required to attend, and mileage at the rate herein provided.~~

SECTION 13. Amendment 43 to the Arkansas Constitution is repealed.

~~Salaries and expenses of judges.~~

~~The General Assembly shall by law determine the amount and method of payment of salaries and expenses of the judges of the Supreme Court, Circuit Courts, Chancery Courts, and Municipal Courts of Arkansas; provided such salaries and expenses may be increased but not diminished during the term for which such judges are elected; provided further that the salaries of Circuit and Chancery Judges shall be uniform throughout the state.~~

SECTION 14. Section 1 of Amendment 70 of the Arkansas Constitution is amended to read as follows:

§ 1. Executive Department and General Assembly — ~~Salaries~~ — Restrictions on reimbursements.

(a) No official of the Executive Department shall be reimbursed by the State of Arkansas for any expenses except those reasonably connected to their official duties and only if such reimbursement is made for documented expenses actually incurred and from the regular budget appropriated for the official's office. Such restrictions on expense reimbursement are of a general application and also are intended specifically to prohibit the appropriation and use of public relations funds. ~~The annual salaries of the Executive Department, which shall be paid in monthly installments, shall be as follows: the Governor, the sum of \$60,000; the Lieutenant Governor, the sum of \$29,000; the Secretary of State, the sum of \$37,500; the Treasurer of State, the sum of \$37,000; the Attorney General, the sum of \$50,000; the Commissioner of State Lands, the sum of \$37,500; and the Auditor of State, the sum of \$37,500. Except as provided herein in this Constitution, such officials of the Executive Department shall not receive any other income from the State of Arkansas, whether in the form of salaries or expenses.~~

(b) ~~The members of the General Assembly shall receive as their annual salary the sum of \$12,500, except the President Pro Tempore of the Senate and the Speaker of the House of Representatives, who shall each receive the sum of \$14,000 annually, with such salaries to be payable in equal monthly installments. Except as provided herein in this Constitution, no member of the General Assembly shall receive any other income for service in the General Assembly, whether in the form of salaries or expenses, including, but not limited to, public relations funds. Provided further, that no member of the General Assembly shall be entitled to per diem unless authorized by law, or to reimbursement for expenses or mileage unless authorized by law, documented, and reasonably related to their official duties.~~

SECTION 15. Section 3 of Amendment 70 to the Arkansas Constitution is repealed.

~~§ 3. Salary adjustments.~~

~~The salaries of the Executive Department officials and members of the General Assembly provided for in Section 1 or 2 of this amendment or adjusted pursuant to this section may be increased annually through subsequent appropriations by the General Assembly by an amount not to exceed the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two years immediately preceding the year of the salary appropriation.~~

SECTION 16. Subsection 16(E) of Amendment 80 to the Arkansas Constitution, concerning the salary and expenses of Justices and Judges, is amended to read as follows:

(E) The General Assembly shall by law determine the amount and method of payment of expenses of Justices and Judges. Such ~~salaries and~~ expenses may be increased, but not diminished, during the term for which such Justices or Judges are selected or elected. ~~Salaries of Circuit Judges shall be uniform throughout the state.~~

SECTION 17. Severability.

In the event any section, subsection, subdivision, paragraph, subparagraph, item, sentence, clause, phrase, or word of this amendment is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this amendment, which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of this amendment.

SECTION 18. Effective date.

This amendment shall be effective on November 5, 2014.

House Joint Resolution No. 1009 was read the first time, rules suspended, read the second time and placed on the Calendar.

Senate Bill No. 175 was returned from the House as passed and ordered enrolled.

Senate Bill No. 176 was returned from the House as passed and ordered enrolled.

Senate Bill No. 177 was returned from the House as passed and ordered enrolled.

Senate Bill No. 178 was returned from the House as passed and ordered enrolled.

Senate Bill No. 180 was returned from the House as passed and ordered enrolled.

Senate Bill No. 181 was returned from the House as passed and ordered enrolled.

Senate Bill No. 183 was returned from the House as passed and ordered enrolled.

Senate Bill No. 184 was returned from the House as passed and ordered enrolled.

Senate Bill No. 187 was returned from the House as passed and ordered enrolled.

Senate Bill No. 188 was returned from the House as passed and ordered enrolled.

Senate Bill No. 189 was returned from the House as passed and ordered enrolled.

Senate Bill No. 190 was returned from the House as passed and ordered enrolled.

Senate Bill No. 191 was returned from the House as passed and ordered enrolled.

Senate Bill No. 192 was returned from the House as passed and ordered enrolled.

Senate Bill No. 193 was returned from the House as passed and ordered enrolled.

Senate Bill No. 194 was returned from the House as passed and ordered enrolled.

Senate Bill No. 264 was returned from the House as passed and ordered enrolled.

Senate Bill No. 432 was returned from the House as passed and ordered enrolled.

Senate Bill No. 502 was returned from the House as passed and ordered enrolled.

Senate Bill No. 503 was returned from the House as passed and ordered enrolled.

Senate Bill No. 504 was returned from the House as passed and ordered enrolled.

Senate Bill No. 518 was returned from the House as passed and ordered enrolled.

Senate Bill No. 530 was returned from the House as passed and ordered enrolled.

Senate Bill No. 531 was returned from the House as passed and ordered enrolled.

Senate Bill No. 865 was returned from the House as passed and ordered enrolled.

Senate Bill No. 942 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1016 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1092 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1095 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1123 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1134 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1138 was returned from the House as passed and ordered enrolled.

Senate Bill No. 836 was returned from the House as passed as amended.

Senate Bill No. 866 was returned from the House as passed as amended.

On motion of Senator Key, Senate Bill No. 836 was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Sample, Senate Bill No. 866 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 1002 was returned from the House as passed as amended.

On motion of Senator Thompson, Senate Bill No. 1002 was ordered re-referred to the Committee on EDUCATION.

Senate Bill No. 845 was returned from the House as passed as amended.

Senate Bill No. 861 was returned from the House as passed as amended.

Senate Bill No. 1067 was returned from the House as passed as amended.

On motion of Senator English, Senate Bill No. 1067 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT, to whom was referred:

HOUSE BILL NO. 1536, BY REPRESENTATIVE RANDY ALEXANDER,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR BRUCE HOLLAND, CHAIRMAN

ARKANSAS SENATE  
EIGHTY-NINTH GENERAL ASSEMBLY  
REGULAR SESSION

April 9, 2013

Mr. President:

We, your Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT, to whom was referred:

**HOUSE BILL NO. 1787**, BY REPRESENTATIVE DAVID KIZZIA,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR BRUCE HOLLAND, CHAIRMAN

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SENATE BILLS TRANSMITTED TO THE HOUSE  
AS PASSED

SENATE BILL NO. 818

SENATE BILL NO. 888

SENATE BILL NO. 1024

SENATE BILL RETURNED TO THE HOUSE  
AS REQUESTED

SENATE BILL NO. 65

HOUSE BILLS RETURNED TO THE HOUSE

AS PASSED

HOUSE BILL NO. 1109  
HOUSE BILL NO. 1110  
HOUSE BILL NO. 1164  
HOUSE BILL NO. 1448  
HOUSE BILL NO. 1478  
HOUSE BILL NO. 1689  
HOUSE BILL NO. 1715  
HOUSE BILL NO. 1716  
HOUSE BILL NO. 1717  
HOUSE BILL NO. 1720  
HOUSE BILL NO. 1721  
HOUSE BILL NO. 1723  
HOUSE BILL NO. 1724  
HOUSE BILL NO. 1725  
HOUSE BILL NO. 1726  
HOUSE BILL NO. 1729  
HOUSE BILL NO. 1731  
HOUSE BILL NO. 1732  
HOUSE BILL NO. 1733  
HOUSE BILL NO. 1734  
HOUSE BILL NO. 1853  
HOUSE BILL NO. 1855  
HOUSE BILL NO. 2022  
HOUSE BILL NO. 2121  
HOUSE BILL NO. 2175  
HOUSE BILL NO. 2204  
HOUSE BILL NO. 2230

HOUSE BILLS RETURNED TO THE HOUSE  
AS PASSED AS AMENDED

HOUSE BILL NO. 1294 AS AMENDED NO. 1  
HOUSE BILL NO. 1384 AS AMENDED NOS. 1 AND 3  
HOUSE BILL NO. 1712 AS AMENDED NO. 1  
HOUSE BILL NO. 1713 AS AMENDED NO. 1  
HOUSE BILL NO. 1737 AS AMENDED NO. 1  
HOUSE BILL NO. 1935 AS AMENDED NO. 1  
HOUSE BILL NO. 1968 AS AMENDED NO. 1  
HOUSE BILL NO. 1973 AS AMENDED NO. 1  
HOUSE BILL NO. 1975 AS AMENDED NO. 1  
HOUSE BILL NO. 2277 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSE  
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 45  
SENATE BILL NO. 60  
SENATE BILL NO. 75  
SENATE BILL NO. 85  
SENATE BILL NO. 100  
SENATE BILL NO. 132  
SENATE BILL NO. 175  
SENATE BILL NO. 176  
SENATE BILL NO. 177  
SENATE BILL NO. 178  
SENATE BILL NO. 180  
SENATE BILL NO. 181  
SENATE BILL NO. 183  
SENATE BILL NO. 184  
SENATE BILL NO. 187  
SENATE BILL NO. 188  
SENATE BILL NO. 189

SENATE BILL NO. 190  
SENATE BILL NO. 191  
SENATE BILL NO. 192  
SENATE BILL NO. 193  
SENATE BILL NO. 194  
SENATE BILL NO. 196  
SENATE BILL NO. 264  
SENATE BILL NO. 302  
SENATE BILL NO. 432  
SENATE BILL NO. 502  
SENATE BILL NO. 503  
SENATE BILL NO. 504  
SENATE BILL NO. 518  
SENATE BILL NO. 530  
SENATE BILL NO. 531  
SENATE BILL NO. 865  
SENATE BILL NO. 942  
SENATE BILL NO. 1016  
SENATE BILL NO. 1092  
SENATE BILL NO. 1095  
SENATE BILL NO. 1123  
SENATE BILL NO. 1134  
SENATE BILL NO. 1138

SENATE BILLS RETURNED FROM THE HOUSE  
AS PASSED AS AMENDED

SENATE BILL NO. 836 AS AMENDED NO. 1  
SENATE BILL NO. 845 AS AMENDED NO. 1  
SENATE BILL NO. 861 AS AMENDED NO. 1  
SENATE BILL NO. 866 AS AMENDED NO. 1  
SENATE BILL NO. 1002 AS AMENDED NO. 1  
SENATE BILL NO. 1067 AS AMENDED NO. 1

SENATE BILL RETURNED FROM THE HOUSE  
AS PASSED THE EMERGENCY CLAUSE

SENATE BILL NO. 65

HOUSE BILLS TRANSMITTED TO THE SENATE  
AS PASSED

HOUSE BILL NO. 1053

HOUSE BILL NO. 1056

HOUSE BILL NO. 1106

HOUSE BILL NO. 1152

HOUSE BILL NO. 1155

HOUSE BILL NO. 1157

HOUSE BILL NO. 1223

HOUSE BILL NO. 1993

HOUSE BILL NO. 1966

HOUSE BILL NO. 2250

HOUSE JOINT RESOLUTION TRANSMITTED  
TO THE SENATE AS ADOPTED

HOUSE JOINT RESOLUTION NO. 1009

HOUSE CONCURRENT RESOLUTION TRANSMITTED  
TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1005

On motion of Senator Hester, the Senate adjourned until 1:30 p.m., Wednesday, April 10, 2013.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE