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

Little Rock, Arkansas
April 18, 2013

The Senate was called to order at 11:00 a.m. o'clock a.m. by the President.

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

BLEDSE, 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 Lieutenant Governor Mark Darr.

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.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 209, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 210, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 211, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 221, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 940, BY SENATOR BILL SAMPLE,
SENATE BILL NO. 1024, BY SENATOR KEITH INGRAM,
SENATE BILL NO. 1086, BY SENATOR KEITH INGRAM,
SENATE BILL NO. 1097, BY SENATOR JOYCE ELLIOTT,
SENATE BILL NO. 1108, BY SENATOR JASON RAPERT,
SENATE BILL NO. 1122, BY SENATOR DAVID JOHNSON,
SENATE BILL NO. 909, BY SENATOR KEITH INGRAM,
SENATE BILL NO. 1050, BY SENATOR JOYCE ELLIOTT,
SENATE BILL NO. 1115, BY SENATOR JOHNNY KEY,
SENATE BILL NO. 26, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 155, BY JOINT BUDGET COMMITTEE,
SENATE BILL NO. 162, BY SENATOR EDDIE CHEATHAM,
SENATE BILL NO. 755, BY SENATOR CECILE BLEDSOE,
SENATE BILL NO. 914, BY SENATOR DAVID SANDERS,
SENATE BILL NO. 1010, BY SENATOR JEREMY HUTCHINSON,
SENATE BILL NO. 1067, 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 10:00 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) SENATOR BILL SAMPLE, CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE BILL NO. 209
SENATE BILL NO. 210
SENATE BILL NO. 211
SENATE BILL NO. 221
SENATE BILL NO. 940
SENATE BILL NO. 1024
SENATE BILL NO. 1086
SENATE BILL NO. 1097
SENATE BILL NO. 1108
SENATE BILL NO. 1122
SENATE BILL NO. 909
SENATE BILL NO. 1050
SENATE BILL NO. 1115
SENATE BILL NO. 26
SENATE BILL NO. 155
SENATE BILL NO. 162
SENATE BILL NO. 755
SENATE BILL NO. 914
SENATE BILL NO. 1010
SENATE BILL NO. 1067

RECEIVED the above papers from the Secretary of the Senate this 18th day of April, 2013
at 10:00 a.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) SARAH AGEE
Secretary

Senate Bill No. 719 was returned from the House as passed as amended.

On motion of Senator King, Senate Bill No. 719 was ordered re-referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 1020 was returned from the House as passed as amended.

On motion of Senator Dismang, Senate Bill No. 1020 was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 1064, BY SENATOR STEPHANIE FLOWERS,

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 JOHNNY KEY, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1896, BY REPRESENTATIVE ANN CLEMMER,
HOUSE BILL NO. 1910, BY REPRESENTATIVE CHARLES ARMSTRONG,
HOUSE BILL NO. 1911, BY REPRESENTATIVE CHARLES ARMSTRONG,

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 JOHNNY KEY, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 1007, 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.

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 821, BY SENATOR KEITH INGRAM,

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 EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1205, BY REPRESENTATIVE JIM NICKELS,
HOUSE BILL NO. 1551, BY REPRESENTATIVE FRED LOVE,
HOUSE BILL NO. 1552, BY REPRESENTATIVE FRED LOVE,
HOUSE BILL NO. 1570, BY REPRESENTATIVE MICAH NEAL
HOUSE BILL NO. 1805, BY REPRESENTATIVE JAMES WORD,
HOUSE BILL NO. 1809, BY REPRESENTATIVE MARK LOWERY,

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 EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 1118, BY SENATOR KEITH INGRAM,

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

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1922, BY REPRESENTATIVE JOHN EDWARDS,

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
SENATOR STEPHANIE FLOWERS
SENATOR BRUCE MALOCH
SENATOR JONATHAN DISMANG
SENATOR ALAN CLARK
SENATOR RONALD CALDWELL
SENATOR DAVID SANDERS

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 11, BY SENATOR GARY STUBBLEFIELD,
SENATE BILL NO. 135, BY SENATOR JASON RAPERT,
SENATE BILL NO. 298, BY SENATOR JONATHAN DISMANG,
SENATE BILL NO. 299, BY SENATOR LARRY TEAGUE,
SENATE BILL NO. 853, BY SENATOR LARRY TEAGUE,

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 JAKE FILES
CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 1091, BY SENATOR JAKE FILES,

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 LARRY TEAGUE, VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 334, BY SENATOR JAKE FILES,

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 LARRY TEAGUE, VICE CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 463, BY SENATOR JIM HENDREN,
SENATE BILL NO. 791, BY SENATOR BILL SAMPLE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass as amended Nos. 3 and 4.

Respectfully submitted,

(SIGNED) SENATOR JAKE FILES
CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1234, BY REPRESENTATIVE DARRIN WILLIAMS,
HOUSE BILL NO. 1399, BY REPRESENTATIVE JOE FARRER,
HOUSE BILL NO. 1832, BY REPRESENTATIVE DARRIN WILLIAMS,
HOUSE BILL NO. 1934, BY REPRESENTATIVE JEFF WARDLAW,

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 JAKE FILES, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1039, BY REPRESENTATIVE JEFF WARDLAW,
HOUSE BILL NO. 1966, BY REPRESENTATIVE DAVY CARTER,

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

Respectfully submitted,

(SIGNED) SENATOR JAKE FILES, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

HOUSE BILL NO. 1585, BY REPRESENTATIVE CHARLIE COLLINS,

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 JAKE FILES, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 719, 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 it do pass concur in House Amendment No. 1.

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN
SENATOR BRYAN KING
SENATOR BOBBY J. PIERCE
SENATOR JANE ENGLISH
SENATOR JIMMY HICKEY

On motion of Senator Sanders, [Senate Bill No. 1158](#) was called up for the purpose of considering [Amendment No. 1](#) thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 1158](#)

Amend [Senate Bill No. 1158](#) as engrossed, S4/11/13:

Add Representative Deffenbaugh as a cosponsor of the bill

(SIGNED) REPRESENTATIVE GARY DEFFENBAUGH

[Amendment No. 1 to Senate Bill No. 1158](#), adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Sanders, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Sanders, **Senate Bill No. 1158** was called up for third reading and final disposition.

SENATE BILL NO. 1158
As Engrossed: S4/11/13 H4/17/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. SANDERS
BY: REPRESENTATIVE DEFFENBAUGH

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS CONCUSSION PROTOCOL ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 1158 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

Senate Bill No. 1158 was ordered enrolled.

The President declared the morning hour to have expired.

On motion of Senator Rapert, [Senate Bill No. 1110](#) was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed on the Calendar.

On motion of Senator Rapert, and without objection, [Senate Bill No. 1110](#) was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Rapert, [Senate Joint Resolution No. 4](#) was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed on the Calendar.

On motion of Senator Rapert, and without objection, [Senate Joint Resolution No. 4](#) was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

On motion of Senator Rapert, [Senate Bill No. 859](#) was withdrawn from the Committee on INSURANCE & COMMERCE, and placed on the Calendar.

On motion of Senator Rapert, and without objection, [Senate Bill No. 859](#) was recommended for study in the interim by Senate Interim Committee on INSURANCE & COMMERCE.



Arkansas Senate

89TH GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR
SECRETARY OF THE SENATE
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STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 18, 2013

The Honorable Sherri Stacks

Chief Clerk

State Capitol

Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, SB1164.

Respectfully submitted,

(SIGNED) ANN CORNWELL

Secretary of the Senate

On motion of Senator Dismang, **House Bill No. 1508** was called up for third reading and final disposition.

HOUSE BILL NO. 1508
As Engrossed: H4/12/13 H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BIVIANO
BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT TO ENACT THE *ARKANSAS HEALTH INSURANCE MARKETPLACE ACT*; TO PROMOTE COMPETITION AMONG HEALTH INSURANCE CARRIERS; TO DECREASE THE COST OF HEALTH *INSURANCE*; TO *DECLARE AN EMERGENCY*; AND FOR OTHER PURPOSES.

House Bill No. 1508 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, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, 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.

Total27

NEGATIVE: Bledsoe, J. Hendren, Hester, J. Hutchinson, B. King.

Total5

ABSENT OR NOT VOTING: A. Clark, J. English, G. Stubblefield.

Total3

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **House Bill No. 1508**, 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: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, 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	27
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NEGATIVE: Bledsoe, J. Hendren, Hester, J. Hutchinson, B. King.

Total	5
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ABSENT OR NOT VOTING: A. Clark, J. English, G. Stubblefield.

Total	3
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VOTING PRESENT:

Total	0
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Total number of votes cast.....	32
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1508 was ordered immediately returned to the House as passed.

Senator Pierce moved that the record pertaining to the vote by which House Bill No. 1878 failed be expunged, the motion was duly seconded and prevailed.

On motion of Senator Pierce, the rules were suspended in considering House Bill No. 1878 at this time.

On motion of Senator Pierce, House Bill No. 1878 was called up for third reading and final disposition.

HOUSE BILL NO. 1878
As Engrossed: S4/17/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE H. WILKINS

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT THE ARKANSAS STATE CLAIMS COMMISSION HAS NO JURISDICTION OVER CLAIMS AGAINST THE DIVISION OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN SERVICES FOR ACTS COMMITTED BY JUVENILES; AND FOR OTHER PURPOSES.

House Bill No. 1878 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, J. Dismang, Elliott, Files, J. Hendren, Hester, Hickey, K. Ingram, Irvin, J. Key, B. King, U. Lindsey, Maloch, B. Pierce, B. Sample, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total25

NEGATIVE: A. Clark, J. English, S. Flowers, Holland, J. Hutchinson, D. Johnson, D. Sanders.

Total 7

ABSENT OR NOT VOTING: M. Lamoureux, Rapert, G. Stubblefield.

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

House Bill No. 1878 was ordered immediately returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 860, BY SENATOR JASON RAPERT,

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 JEREMY HUTCHINSON, CHAIRMAN
SENATOR BRYAN KING
SENATOR JON WOODS
SENATOR JANE ENGLISH
SENATOR ROBERT THOMPSON

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, **House Bill No. 1214** was called up for third reading and final disposition.

On motion of Senator Teague, the rules were suspended in considering **House Bill No. 1214** at this time.

HOUSE BILL NO. 1214
As Engrossed: S4/16/13
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 HUMAN SERVICES - DIVISION OF COUNTY OPERATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1214 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: B. King.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1214**, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: B. King.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1214 was ordered immediately returned to the House as passed.

On motion of Senator Teague, the rules were suspended in considering **House Bill No. 1493** at this time.

On motion of Senator Teague, **House Bill No. 1493** was called up for third reading and final disposition.

HOUSE BILL NO. 1493
As Engrossed: H3/13/13 H4/9/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE HAMMER

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR A STATE INTERNET PUBLIC NOTICE CALENDAR AND FOR BROADBAND SERVICES ENHANCEMENTS FOR THE SECRETARY OF STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1493 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING: B. King.

Total1

VOTING PRESENT:

Total0

Total number of votes cast..... 34
Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1493**, 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 Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1493 was ordered immediately returned to the House as passed.

On motion of Senator Williams, the Senate recessed until 1:30 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

STATE OF ARKANSAS



STATE OF ARKANSAS
OFFICE OF THE GOVERNOR

State Capitol
Little Rock, Arkansas 72201

April 18, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 18, 2013, and pursuant to Article 6, Section 15 of the Arkansas Constitution, the following measure from the Regular Session of the Eighty-ninth General Assembly became law without my signature:

Senate Bill 796 - ACT 1302

Sincerely,

(SIGNED) MIKE BEEBE

STATE OF ARKANSAS

Mike Beebe
Governor

April 18, 2013

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on April 18, 2013, I approved the following measures from the Regular Session of the Eighty-Ninth General Assembly:

Senate Bill No. 048 - ACT 1303
Senate Bill No. 076 - ACT 1304
Senate Bill No. 087 - ACT 1305
Senate Bill No. 121 - ACT 1306
Senate Bill No. 157 - ACT 1307
Senate Bill No. 213 - ACT 1308
Senate Bill No. 233 - ACT 1309
Senate Bill No. 234 - ACT 1310
Senate Bill No. 251 - ACT 1311
Senate Bill No. 405 - ACT 1312
Senate Bill No. 430 - ACT 1313
Senate Bill No. 442 - ACT 1314
Senate Bill No. 590 - ACT 1315
Senate Bill No. 655 - ACT 1316
Senate Bill No. 702 - ACT 1317
Senate Bill No. 761 - ACT 1318
Senate Bill No. 842 - ACT 1319
Senate Bill No. 919 - ACT 1320
Senate Bill No. 952 - ACT 1321
Senate Bill No. 996 - ACT 1322
Senate Bill No. 1011 - ACT 1323
Senate Bill No. 1037 - ACT 1324
Senate Bill No. 1047 - ACT 1325
Senate Bill No. 1051 - ACT 1326
Senate Bill No. 1106 - ACT 1327
Senate Bill No. 1111 - ACT 1328
Senate Bill No. 1147 - ACT 1329
Senate Bill No. 1170 - ACT 1330
Senate Bill No. 1171 - ACT 1331

Sincerely,

(SIGNED) MIKE BEEBE

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 1020, 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 concur in House Amendment Nos. 3 & 4.

Respectfully submitted,

(SIGNED) SENATOR CECILE BLEDSOE, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on JOINT CONSTITUTIONAL AMENDMENTS, to whom was referred:

SENATE JOINT RESOLUTION NO. 16, BY SENATOR BILL SAMPLE,

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. 3.

Respectfully submitted,

(SIGNED) SENATOR EDDIE JOE WILLIAMS, CHAIRMAN

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on JOINT CONSTITUTIONAL AMENDMENTS, to whom was referred:

HOUSE JOINT RESOLUTION NO. 1009, BY REPRESENTATIVE
WARWICK SABIN,

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

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1797, BY REPRESENTATIVE BRUCE COZART,

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, VICE CHAIRMAN

On motion of Senator Williams, the Senate recessed until conclusion of Joint Budget Committee meeting.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

We, your Committee on REVENUE & TAXATION, to whom was referred:

SENATE BILL NO. 334, BY SENATOR JAKE FILES,

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. 3.

Respectfully submitted,

(SIGNED) SENATOR JAKE FILES, CHAIRMAN
SENATOR BART HESTER
SENATOR LARRY TEAGUE
SENATOR MICHAEL LAMOUREUX
SENATOR BILL SAMPLE

Senator Files requested leave for Senator Johnson. Leave granted.

On motion of Senator Sample, **House Bill No. 2006** was called up for third reading and final disposition.

HOUSE BILL NO. 2006
As Engrossed: H4/12/13 H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT TO AUTHORIZE ISSUANCE OR RENEWAL OF A DRIVER'S LICENSE FOR ELIGIBLE NONIMMIGRANT EMPLOYEES AND THEIR DEPENDENTS FOR PERIODS OF EXTENSION OR APPLICATION FOR EXTENSION; AND FOR OTHER PURPOSES.

House Bill No. 2006 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, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hendren, Hickey, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, D. Wyatt.

Total	29
NEGATIVE: Hester, Holland, J. Woods.	
Total	3
ABSENT OR NOT VOTING: B. King.	
Total	1
EXCUSED: D. Johnson.	
Total	1
VOTING PRESENT: Bledsoe.	
Total	1
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. 2006 was ordered immediately returned to the House as passed.

On motion of Senator Sample, **House Bill No. 2028** was called up for third reading and final disposition.

HOUSE BILL NO. 2028
As Engrossed: H4/2/13 S4/12/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VINES

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE PRACTICES OF CREDIT CARD ISSUERS; AND TO ESTABLISH THE TERMS TO BE USED IN CREDIT CARD TRANSACTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2028 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, Caldwell, E. Cheatham, L. Chesterfield, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, J. Key, B. King, U. Lindsey, B. Pierce, Rapert, B. Sample, E. Williams, J. Woods, D. Wyatt.

Total23

NEGATIVE: A. Clark, S. Flowers, Maloch.

Total3

ABSENT OR NOT VOTING: Bookout, J. Dismang, Irvin, M. Lamoureux, D. Sanders, G. Stubblefield, Teague, R. Thompson.

Total8

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total0

Total number of votes cast.....26

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2028 was ordered immediately returned to the House as passed as amended.

On motion of Senator Elliott, **House Bill No. 2196** was called up for third reading and final disposition.

HOUSE BILL NO. 2196
As Engrossed: H3/22/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT CONCERNING INVESTIGATION, SITE ASSESSMENT, AND CORRECTIVE ACTION RELATING TO STORAGE TANKS; TO CLARIFY THE RIGHT OF THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY AND AN OWNER OR OPERATOR TO ACCESS PROPERTY FOR PURPOSES OF INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTION; TO PROHIBIT A RELEASE SITE PROPERTY OWNER OR ADJACENT PROPERTY OWNER FROM INTERFERING WITH INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTIONS; TO CLARIFY THE RIGHTS OF A RELEASE SITE PROPERTY OWNER OR ADJACENT PROPERTY OWNER WITH RESPECT TO INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2196 was pulled down at this time.

On motion of Senator Lindsey, **House Bill No. 2252** was called up for third reading and final disposition.

HOUSE BILL NO. 2252
As Engrossed: H4/6/13 H4/10/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES LEDING, SABIN & LINCK

A Bill for an Act to be Entitled: AN ACT TO AMEND CERTAIN LAWS CONCERNING WATER QUALITY STANDARDS; TO AMEND THE LAW PERTAINING TO THE CLASSIFICATION, ATTAINMENT, AND ENFORCEMENT OF WATER QUALITY STANDARDS; TO IMPROVE THE PROCESS FOR REFINING AND REVISING WATER QUALITY STANDARDS; TO CREATE COST-EFFECTIVE ATTAINMENT STRATEGIES; AND FOR OTHER PURPOSES.

House Bill No. 2252 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, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, B. Sample, G. Stubblefield, Teague, R. Thompson, D. Wyatt.

Total23

NEGATIVE: Bledsoe, A. Clark, J. Hendren, Hester, Hickey, Holland, Rapert, D. Sanders, E. Williams.

Total9

ABSENT OR NOT VOTING: B. King, J. Woods.

Total2

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **House Bill No. 2252**, 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: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, J. English, Files, S. Flowers, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, B. Sample, G. Stubblefield, Teague, R. Thompson, D. Wyatt.

Total.....23

NEGATIVE: Bledsoe, A. Clark, J. Hendren, Hester, Hickey, Holland, Rapert, D. Sanders, E. Williams.

Total.....9

ABSENT OR NOT VOTING: B. King, J. Woods.

Total.....2

EXCUSED: D. Johnson.

Total..... 1

VOTING PRESENT:

Total.....0

Total number of votes cast.....31
Necessary to the adoption of the Emergency Clause 24

So the Emergency Clause failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 2252 was ordered immediately returned to the House as passed; Emergency Clause having failed of adoption.

On motion of Senator Dismang, **Senate Bill No. 1020** was called up for the purpose of considering **Amendment Nos. 3 & 4** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 1020

Amend **Senate Bill No. 1020** as engrossed, H4/10/13:

To add Senator Irvin as a cosponsor of the bill

AND

Page 4, line 28, delete "and"

AND

Page 4, delete line 31 and substitute the following:

"Health Insurance Marketplace; and

(9) "Independence account" mean individual financing structures that operate similar to a health savings account or a medical savings account."

AND

Page 4, delete lines 34 through 36 and substitute the following:

"(a) The Department of Human Services shall:

(1) Create and administer the Health Care Independence Program; and

(2)(A) Submit and apply for any:

(i) Federal waivers necessary to implement the program in a manner consistent with this subchapter, including without limitation approval for a comprehensive waiver under Section 1115 of the Social Security Act, 42 U.S.C. § 1315; and

(ii)(a) Medicaid State Plan Amendments necessary to implement the program in a manner consistent with this subchapter.

(b) The Department of Human Services shall submit only those Medicaid State Plan Amendments under subdivision (a)(2)(A)(ii)(a) of this section that are optional and therefore may be revoked by the state at its discretion.

(B)(i) As part of its actions under subdivision (a)(2)(A) of this section, the Department of Human Services shall confirm that employers shall not be subject to the penalties, including without limitation an assessable payment, under Section 1513 of Pub. L. No. 111-148, as existing on January 1, 2013, concerning shared responsibility, for employees who are eligible individuals if the employees:

(a) Are enrolled in the program; and

(b) Enroll in a Qualified Health Plan through the Health

Insurance Marketplace.

(ii) If the Department of Human Services is unable to confirm provisions under subdivision (a)(2)(B)(i) of this section, the program shall not be implemented."

AND

Page 5, delete lines 1 through 3

AND

Page 6, delete lines 26 through 34 and substitute the following:

“(j)(1) The Department of Human Services shall develop a model and seek from the Center for Medicare and Medicaid Services all necessary waivers and approvals to allow non-aged, non-disabled program-eligible participants to enroll in a program that will create and utilize Independence Accounts that operate similar to a Health Savings Account or Medical Savings Account during the calendar year 2015.

(2) The Independence Accounts shall:

(A) Allow a participant to purchase cost-effective high-deductible health insurance; and

(B) Promote independence and self-sufficiency.

(3) The state shall implement cost sharing and co-pays and, as a condition of participation, earnings shall exceed fifty percent (50%) of the federal poverty level.

(4) Participants may receive rewards based on healthy living and self-sufficiency.

(5)(A) At the end of each fiscal year, if there are funds remaining in the account, a majority of the state's contribution will remain in the participant's control as a positive incentive for the responsible use of the health care system and personal responsibility of health maintenance.

(B) Uses of the funds may include without limitation rolling the funds into a private sector health savings account for the participant according to rules promulgated by the Department of Human Services.

(6) The Department of Human Services shall promulgate rules to implement this subsection (j).”

AND

Page 7, line 24, delete “(b)” and substitute “(b)(1)”

AND

Page 7, delete line 26 and substitute the following:

"subchapter.

(2) A participating carrier in the Health Insurance Marketplace shall maintain a medical loss ratio of at least eighty percent (80%) for an individual and small group market policy and at least eighty-five percent (85%) for a large group market policy as required under Pub. L. No. 111-148, as existing on January 1, 2013."

AND

Page 9, delete line 2 and substitute the following:

“not passed by the Eighty-Ninth General Assembly, this act is void.

SECTION 4. NOT TO BE CODIFIED. The enactment and adoption of this act shall supersede Section 21 of HB1219 of the Eighty-Ninth General Assembly, if Section 21 of HB1219 of the Eighty-Ninth General Assembly is enacted and adopted by the Eighty-Ninth General Assembly.”

AND

Appropriately renumber all sections of the bill

(SIGNED) REPRESENTATIVE JOHN BURRIS

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 1020

Amend **Senate Bill No. 1020** as engrossed, H4/10/13:

Delete Section 5 of the bill in its entirety

AND

Immediately following the last section of the bill add an additional section to read as follows:

“SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Health Care Independence Program requires private insurance companies to create, present to the Department of Human Services for approval, implement, and market a new kind of insurance policy; and that the private insurance companies need certainty about the law creating the Health Care Independence Program before fully investing time, funds, personnel, and other resources to the development of the new insurance policies. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

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

(SIGNED) REPRESENTATIVE JOHN BURRIS

Amendment Nos. 3 and 4 to Senate Bill No. 1020, adopted by the House, were read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Dismang, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Dismang, **Senate Bill No. 1020** was called up for third reading and final disposition.

SENATE BILL NO. 1020
As Engrossed: S4/2/13 H4/10/13 H4/17/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS J. DISMANG, BOOKOUT, D. SANDERS & IRVIN
BY: REPRESENTATIVES J. BURRIS, CARTER & BIVIANO

A Bill for an Act to be Entitled: *AN ACT CONCERNING HEALTH INSURANCE FOR CITIZENS OF THE STATE OF ARKANSAS; TO CREATE THE HEALTH CARE INDEPENDENCE ACT OF 2013; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.*

Senate Bill No. 1020 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, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total27

NEGATIVE: Bledsoe, A. Clark, J. English, J. Hendren, Hester.

Total5

ABSENT OR NOT VOTING: B. King, G. Stubblefield.

Total2

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **Senate Bill No. 1020**, 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: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total	27
-------------	----

NEGATIVE: Bledsoe, A. Clark, J. English, J. Hendren, Hester.

Total	5
-------------	---

ABSENT OR NOT VOTING: B. King, G. Stubblefield.

Total	2
-------------	---

EXCUSED: D. Johnson.

Total.....	1
------------	---

VOTING PRESENT:

Total	0
-------------	---

Total number of votes cast	32
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1020 was ordered enrolled.

On motion of Senator King, **Senate Bill No. 719** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 719

Amend **Senate Bill No. 719** as engrossed, S3/28/13:

Page 3, delete lines 22 through 36

AND

Page 4, delete lines 1 through 3

(SIGNED) REPRESENTATIVE CHARLOTTE DOUGLAS

Amendment No. 1 to Senate Bill No. 719, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator King, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator King, **Senate Bill No. 719** was called up for third reading and final disposition.

SENATE BILL NO. 719
As Engrossed: S3/28/13 H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. KING

A Bill for an Act to be Entitled: AN ACT TO CREATE THE VOTER INTEGRITY UNIT WITH THE SECRETARY OF STATE; TO ENSURE EFFECTIVE AND THOROUGH INVESTIGATIONS OF ALLEGED ELECTION MISCONDUCT; TO PROTECT THE INTEGRITY OF ELECTIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 719 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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

Senate Bill No. 719 was ordered enrolled.

On motion of Senator Ingram, **Senate Bill No. 821** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

**HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION**

Amendment No. 1 to SENATE BILL NO. 821

Amend **Senate Bill No. 821** as engrossed, S3/25/13:

Page 1, line 10, delete "REQUIRE PAID" and substitute "REQUIRE SPONSORS TO FILE CERTAIN INFORMATION REGARDING PAID"

AND

Page 1, line 11, delete "TO REGISTER"

AND

Page 2, line 23, delete "Unregistered and untrained" and substitute "Untrained"

AND

Page 5, delete lines 2 and 3 and substitute the following:
"initiative or referendum petition if the sponsor has not provided the information required under § 7-9-601 to the Secretary of State before the person solicits"

AND

Page 5, delete lines 25 through 27 and substitute the following:
"agent of a sponsor knows that the person acting as canvasser's name or address is not included on the sponsor's list filed with the Secretary of State under § 7-9-601;"

AND

Page 12, delete lines 10 and 11 and substitute the following:
"filing the petitions under this subsection shall also submit the following:
 (A) A statement identifying the paid canvassers by name; and
 (B) A statement signed by the sponsor indicating that the sponsor:
 (i) Provided a copy of the most recent edition of the Secretary
of State's initiatives and referenda handbook to each paid canvasser before the paid
canvasser solicited signatures; and
 (ii) Explained the requirements under Arkansas law for
obtaining signatures on an initiative or referendum petition to each paid canvasser before
the paid canvasser solicited signatures."

AND

Page 13, line 36, delete "(3)" and substitute "(3)(A)"

AND

Page 13, line 36, delete "who was not registered or"

AND

Page 14, delete lines 1 and 2 and substitute the following:
"whose name and the information required under § 7-9-601 were not submitted by the sponsor to the Secretary of State before the petitioner signed the petition.

(B) A canvasser is a paid canvasser if he or she is paid money or anything of value for soliciting signatures before or after the signatures are obtained;"

AND

Page 17, line 11, delete "Registration of"

AND

Page 17, line 13, delete "Registration" and substitute "Hiring"

AND

Page 17, delete lines 18 through 26 and substitute the following:

"(2) Before a signature is solicited by a paid canvasser the sponsor shall:

(A) Provide the paid canvasser with a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook;

(B) Explain the Arkansas law applicable to obtaining signatures on an initiative or referendum petition to the canvasser; and

(C)(i) Provide a complete list of all paid canvassers' names and current residential addresses to the Secretary of State.

(ii) If additional paid canvassers agree to solicit signatures on behalf of a sponsor after the complete list is provided, the sponsor shall provide an updated list of all paid canvassers' names and current residential addresses to the Secretary of State."

AND

Page 17, line 27, delete "To register" and substitute "Before obtaining a signature on an initiative or referendum petition"

AND

Page 17, line 28, delete "Secretary of State a completed application, which shall" and substitute "sponsor:"

AND

Page 17, delete line 29

AND

Page 17, line 30, delete "applicant" and substitute "person"

AND

Page 17, line 31, delete "applicant" and substitute "person"

AND

Page 17, delete line 32 and substitute the following:
"person's permanent domicile address if the person's permanent domicile"

AND

Page 17, line 33, delete "applicant's" and substitute "person's"

AND

Page 17, delete lines 34 through 36

AND

Page 18, line 1, delete "(4)" and substitute "(3)"

AND

Page 18, line 2, delete "applicant" and substitute "person"

AND

Page 18, line 5, delete "(5)" and substitute "(4)"

AND

Page 18, line 5, delete "applicant" and substitute "person"

AND

Page 18, delete lines 8 and 9 and substitute the following:
"(5) A signed statement that the person has been provided a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook by the sponsor; and"

AND

Page 18, line 10, delete "(7)" and substitute "(6)"

AND

Page 18, line 10, delete "applicant" and substitute "person"

AND

Page 18, line 11, delete "application" and substitute "information required under this section"

AND

Page 18, delete lines 12 through 36 and substitute the following:

"(c) A sponsor shall maintain the information required under this section for each paid canvasser for three (3) years after the general election.

(d) As used in this section, "paid canvasser" means a person who is paid or with whom there is an agreement to pay money or anything of value before or after a signature on an initiative or referendum petition is solicited in exchange for soliciting or obtaining a signature on a petition."

AND

Page 19, delete lines 1 through 28

(SIGNED) REPRESENTATIVE JOHN VINES

Amendment No. 1 to Senate Bill No. 821, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Ingram, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Ingram, **Senate Bill No. 821** was called up for third reading and final disposition.

SENATE BILL NO. 821

As Engrossed: S3/12/13 S3/20/13 S3/25/13 H4/16/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS K. INGRAM, E. WILLIAMS, B. SAMPLE, RAPERT, R. THOMPSON & MALOCH

BY: REPRESENTATIVES VINES, SLINKARD & FERGUSON

A Bill for an Act to be Entitled: AN ACT CONCERNING INITIATIVES AND REFERENDUMS; TO *REQUIRE SPONSORS TO FILE CERTAIN INFORMATION REGARDING PAID* CANVASSERS OF INITIATIVE AND REFERENDUM PETITIONS WITH THE SECRETARY OF STATE BEFORE CANVASSING; TO REQUIRE NOTICE TO THE STATE POLICE OR TO COUNTY PROSECUTING ATTORNEYS OF SUSPECTED FORGERY OF SIGNATURES ON PETITIONS; TO REQUIRE SPONSORS OF STATEWIDE PETITIONS TO ASSUME THE BURDEN OF DEFENDING THE SUFFICIENCY OF POPULAR NAMES AND BALLOT TITLES IN JUDICIAL PROCEEDINGS; TO REGULATE THE COUNTING OF SIGNATURES ON INITIATIVE AND REFERENDUM PETITIONS; TO REPEAL PROVISIONS OF ARKANSAS LAW PROVIDING FOR REVIEW OF THE LEGAL SUFFICIENCY OF STATEWIDE INITIATIVE PETITIONS AND BALLOT TITLES BEFORE COMPLETED PETITIONS ARE FILED; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 821 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, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, 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.....32

NEGATIVE: A. Clark.

Total..... 1

ABSENT OR NOT VOTING: S. Flowers.

Total1

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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. 821**, 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, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, 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.

Total32

NEGATIVE: A. Clark.

Total1

ABSENT OR NOT VOTING: S. Flowers.

Total1

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 821 was ordered enrolled.

On motion of Senator Rapert, **Senate Bill No. 860** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 860

Amend **Senate Bill No. 860** as originally introduced:

Add Representative Williams as a cosponsor of the bill

AND

Page 1, line 25, delete "~~ten (10) three (3)~~" and substitute "~~ten (10) seven (7)~~"

(SIGNED) REPRESENTATIVE DARRIN WILLIAMS

Amendment No. 1 to Senate Bill No. 860, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Rapert, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Rapert, **Senate Bill No. 860** was called up for third reading and final disposition.

SENATE BILL NO. 860
As Engrossed: H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR RAPERT
BY: REPRESENTATIVE WILLIAMS

A Bill for an Act to be Entitled: AN ACT CONCERNING SANCTIONS ADMINISTERED TO A PAROLE VIOLATOR; AND FOR OTHER PURPOSES.

Senate Bill No. 860 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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

Senate Bill No. 860 was ordered enrolled.

On motion of Senator Flowers, **Senate Bill No. 1064** was called up for the purpose of considering **Amendment No. 1** thereto, adopted by the House.

HALL OF THE HOUSE OF REPRESENTATIVES
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 1064

Amend **Senate Bill No. 1064** as originally introduced:

Add Representative Linck as a cosponsor of the bill

AND

Page 1, line 25, delete "~~October 1~~ July 1" and substitute "October 1"

AND

Page 1, line 31, delete "version of the plan in" and substitute "summary of the plan as a supplement to"

AND

Page 1, line 34, delete "plan" and substitute "summary"

(SIGNED) REPRESENTATIVE KELLEY LINCK

Amendment No. 1 to Senate Bill No. 1064, adopted by the House, was read the first time, rules suspended, read the second time and concurred in, by the Senate

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Flowers, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Flowers, **Senate Bill No. 1064** was called up for third reading and final disposition.

SENATE BILL NO. 1064
As Engrossed: H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR S. FLOWERS
BY: REPRESENTATIVE LINCK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE ARKANSAS CODE CONCERNING PARENTAL INVOLVEMENT PLANS FOR PUBLIC SCHOOLS; TO PROVIDE FOR A PARENT-FRIENDLY VERSION OF SCHOOL DISTRICT PARENTAL INVOLVEMENT PLANS TO PARENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 1064 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, 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:	
Total	0
EXCUSED: D. Johnson.	
Total.....	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1064 was ordered enrolled.

On motion of Senator Files, **Senate Bill No. 334** was placed back on second reading for purpose of Amendment Nos. 2 and 3.

* * * * * **RECEDE** * * * * *

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 334

Amend **Senate Bill No. 334** as originally introduced:

Page 1, line 17, delete "TO"

AND

Page 1, line 18, delete "DECLARE AN EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO REDUCE THE SALES AND USE TAX RELATING TO THE PARTIAL REPLACEMENT AND REPAIR OF MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; AND TO PROVIDE A REFUND MECHANISM FOR CERTAIN SALES AND USE TAXES."

AND

Page 2, line 14, delete "July 1, 2013" and substitute "July 1, 2014"

AND

Page 2, line 16, delete "July 1, 2014" and substitute "July 1, 2015"

AND

Page 2, line 18, delete "July 1, 2015" and substitute "July 1, 2016"

AND

Page 2, line 20, delete "July 1, 2016" and substitute "July 1, 2017"

AND

Page 2, line 22, delete "July 1, 2017" and substitute "July 1, 2018"

5912

AND

Page 2, line 24, delete "July 1, 2018" and substitute "July 1, 2019"

AND

Page 3, delete lines 4 through 13, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 3, delete lines 20 through 24

AND

Page 4, line 8, delete "July 1, 2013" and substitute "July 1, 2014"

AND

Page 4, line 10, delete "July 1, 2014" and substitute "July 1, 2015"

AND

Page 4, line 12, delete "July 1, 2015" and substitute "July 1, 2016"

AND

Page 4, line 14, delete "July 1, 2016" and substitute "July 1, 2017"

AND

Page 4, line 16, delete "July 1, 2017" and substitute "July 1, 2018"

AND

Page 4, line 18, delete "July 1, 2018" and substitute "July 1, 2019"

AND

Page 4, delete lines 34 through 36, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 5, delete lines 1 through 7

AND

Page 5, delete lines 14 through 18

AND

Page 5, delete lines 20 through 36, and substitute the following:

"SECTION 3. Arkansas Code Title 15, Chapter 4, is amended to add an additional subchapter to read as follows:

Subchapter 35 — Incentives for Major Maintenance and Improvement Projects

15-4-3501. Increased tax refund for major maintenance and improvement projects.

(a) A taxpayer that is eligible for a refund of excise taxes under § 26-52-446 or § 26-53-149 is eligible for a refund of one hundred percent (100%) of the sales and use taxes levied in §§ 26-52-301, 26-52-302, 26-53-106, and 26-53-107 on the tangible personal property and services subject to §§ 26-52-446 and 26-53-149 for projects that meet the following requirements:

(1) The taxpayer has entered into a financial incentive agreement with the Arkansas Economic Development Commission for the project; and

(2) The taxpayer expends at least three million dollars (\$3,000,000) on an approved project that includes the purchase of tangible personal property and services that are either exempt or subject to a partial refund of tax under § 26-52-402, § 26-52-446, § 26-53-114, or § 26-53-149.

(b) A taxpayer shall file with the commission an application for the increased refund for major maintenance and improvement projects provided in this section.

(c) The increased refund of sales and use taxes for major maintenance and improvement projects provided in this section is a discretionary incentive and is not available unless offered by the Director of the Arkansas Economic Development Commission.

(d) The Director of the Arkansas Economic Development Commission shall forward the taxpayer's application, financial incentive agreement, any other pertinent documentation, and a written copy of the determination under this subsection to the Director of the Department of Finance and Administration if the Director of the Arkansas Economic Development Commission:

(1) Determines that the taxpayer is eligible for the increased refund for major maintenance and improvement projects provided for in this section;

(2) Determines that the taxpayer has provided reasonable proof that there will be a positive return on the taxpayer's investment in the major maintenance and improvement project that is sufficient to offset the taxes refunded under this section;

(3) Determines that the taxpayer has provided a defined scope, beginning date, and ending date for the major maintenance and improvement project;

(4) Determines that the refund is reasonably necessary for the taxpayer to remain competitive and preserve Arkansas jobs; and

(5) Agrees to provide the incentive under this section.

(e) A taxpayer that has been approved for the increased refund for major maintenance and improvement projects provided for in this section may make changes in a major maintenance and improvement project by written amendment to the project plan filed with the commission as part of the financial incentive agreement required under this section.

(f) Except as otherwise provided in this section, a refund under this section is subject to the Arkansas Tax Procedure Act, § 26-18-101 et seq., in the same manner as other refunds permitted under § 26-18-507.

(g) An expenditure shall not qualify for both the increased refund for major maintenance and improvement projects under this section and the retention tax credit provided for in § 15-4-2706(c).

(h) The Director of the Arkansas Economic Development Commission and the Director of the Arkansas Department of Finance and Administration may promulgate rules necessary to implement this section.

SECTION 4. EFFECTIVE DATE. This act is effective on and after July 1, 2014."

AND

Page 6, delete lines 1 through 12

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

* * * * * **RECEDE** * * * * *

The record pertaining to the adoption of Amendment No. 2 to **Senate Bill No. 334** was receded from, in accordance with a prevailing motion on April 18, 2013.

**ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment 3 to SENATE BILL NO. 334**

Amend **Senate Bill No. 334** as originally introduced:

Page 1, line 17, delete "TO"

AND

Page 1, line 18, delete "DECLARE AN EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO REDUCE THE SALES AND USE TAX RELATING TO THE PARTIAL REPLACEMENT AND REPAIR OF MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; AND TO PROVIDE A REFUND MECHANISM FOR CERTAIN SALES AND USE TAXES."

AND

Page 2, delete lines 11 through 26, and substitute the following:

"(b) Beginning July 1, 2014, the taxes levied under §§ 26-52-301 and 26-52-302 that are subject to a refund under this section are the taxes in excess of four and seven-eighths percent (4.875%)."

AND

Page 3, delete lines 4 through 13, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 3, delete lines 20 through 24

AND

Page 4, delete lines 5 through 20, and substitute the following:

"(b) Beginning July 1, 2014, the taxes levied under §§ 26-53-106 and 26-53-107 that are subject to a refund under this section are the taxes in excess of four and seven-eighths percent (4.875%)."

AND

Page 4, delete lines 34 thorough 36, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 5, delete lines 1 through 7

AND

Page 5, delete lines 14 through 18

AND

Page 5, delete lines 20 through 36, and substitute the following:

"SECTION 3. Arkansas Code Title 15, Chapter 4, is amended to add an additional subchapter to read as follows:

Subchapter 35 — Incentives for Major Maintenance and Improvement Projects

15-4-3501. Increased tax refund for major maintenance and improvement projects.

(a) A taxpayer that is eligible for a refund of excise taxes under § 26-52-446 or § 26-53-149 is eligible for a refund of one hundred percent (100%) of the sales and use taxes levied in §§ 26-52-301, 26-52-302, 26-53-106, and 26-53-107 on the tangible personal property and services subject to §§ 26-52-446 and 26-53-149 for projects that meet the following requirements:

(1) The taxpayer has entered into a financial incentive agreement with the Arkansas Economic Development Commission for the project; and

(2) The taxpayer expends at least three million dollars (\$3,000,000) on an approved project that includes the purchase of tangible personal property and services that are either exempt or subject to a partial refund of tax under § 26-52-402, § 26-52-446, § 26-53-114, or § 26-53-149.

(b) A taxpayer shall file with the commission an application for the increased refund for major maintenance and improvement projects provided in this section.

(c) The increased refund of sales and use taxes for major maintenance and improvement projects provided in this section is a discretionary incentive and is not available unless offered by the Director of the Arkansas Economic Development Commission.

(d) The Director of the Arkansas Economic Development Commission shall forward the taxpayer's application, financial incentive agreement, any other pertinent documentation, and a written copy of the determination under this subsection to the Director of the Department of Finance and Administration if the Director of the Arkansas Economic Development Commission:

(1) Determines that the taxpayer is eligible for the increased refund for major maintenance and improvement projects provided for in this section;

(2) Determines that the taxpayer has provided reasonable proof that there will be a positive return on the taxpayer's investment in the major maintenance and improvement project that is sufficient to offset the taxes refunded under this section;

(3) Determines that the taxpayer has provided a defined scope, beginning date, and ending date for the major maintenance and improvement project;

(4) Determines that the refund is reasonably necessary for the taxpayer to remain competitive and preserve Arkansas jobs; and

(5) Agrees to provide the incentive under this section.

(e) A taxpayer that has been approved for the increased refund for major maintenance and improvement projects provided for in this section may make changes in a major maintenance and improvement project by written amendment to the project plan filed with the commission as part of the financial incentive agreement required under this section.

(f) Except as otherwise provided in this section, a refund under this section is subject to the Arkansas Tax Procedure Act, § 26-18-101 et seq., in the same manner as other refunds permitted under § 26-18-507.

(g) An expenditure shall not qualify for both the increased refund for major maintenance and improvement projects under this section and the retention tax credit provided for in § 15-4-2706(c).

(h) The Director of the Arkansas Economic Development Commission and the Director of the Arkansas Department of Finance and Administration may promulgate rules necessary to implement this section.

SECTION 4. EFFECTIVE DATE. This act is effective on and after July 1, 2014."

AND

Page 6, delete lines 1 through 12

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 334 was ordered engrossed.

On motion of Senator Hendren, **Senate Bill No. 463** was placed back on second reading for purpose of Amendment Nos. 3 and 4.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 463

Amend **Senate Bill No. 463** as engrossed, S4/16/13:

Page 2, line 2, delete "2015" and substitute "2014"

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 463

Amend **Senate Bill No. 463** as engrossed, S4/16/13:

Page 1, line 31, delete "2015" and substitute "2014"

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 463 was ordered engrossed.

On motion of Senator Sample, **Senate Bill No. 791** was placed back on second reading for purpose of Amendment Nos. 3 and 4.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 791

Amend **Senate Bill No. 791** as engrossed, S4/16/13:

Add Senators Caldwell, E. Cheatham, J. Dismang, J. English, Hester, Hickey, Holland, J. Hutchinson, J. Key, B. King, U. Lindsey, Maloch, B. Pierce, Rapert, G. Stubblefield, Teague, J. Woods, D. Wyatt, A. Clark as cosponsors of the bill
AND

Add Representatives Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz, Barnett, Biviano, Bragg, Branscum, Broadway, Carnine, Catlett, Clemmer, Copenhaver, Cozart, Dale, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas, J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne, Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Jett, Kerr, Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, S. Malone, Mayberry, McCrary, McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, B. Overbey, Payton, Perry, Ratliff, Rice, Richey, Scott, Shepherd, Slinkard, Steel, T. Thompson, Vines, W. Wagner, Wardlaw, Westerman, D. Whitaker, B. Wilkins, Williams, Womack, Wren, Wright as cosponsors of the bill

(SIGNED) SENATOR BILL SAMPLE

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

(SIGNED) ANN CORNWELL, SECRETARY

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 4 to SENATE BILL NO. 791

Amend **Senate Bill No. 791** as engrossed, S4/16/13:

Page 4, line 36, delete "33" and substitute "33 or sector 115111"

AND

Page 9, line 9, delete "33" and substitute "33 or sector 115111"

(SIGNED) SENATOR JONATHAN DISMANG

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 791 was ordered engrossed.

On motion of Senator Ingram, **Senate Bill No. 1118** 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. 1118

Amend **Senate Bill No. 1118** as originally introduced:

Page 1, delete lines 25 through 36 and substitute the following:

"SECTION 1. Arkansas Code § 3-8-204 is repealed.

~~3-8-204. Petition procedure.~~

~~(a) Every petition for a local option election shall be prepared in accordance with Initiated Act No. 1 of 1942, §§ 3-8-201 — 3-8-203 and 3-8-205 — 3-8-209, and it shall be filed and the subsequent proceedings thereupon shall be had and conducted in the manner provided for county initiated measures by Arkansas Constitution, Amendment 7, and enabling acts pertaining thereto.~~

~~(b) Every petition for a local option election under Initiated Act No. 1 of 1942, §§ 3-8-201 — 3-8-203 and 3-8-205 — 3-8-209, shall be prepared substantially in the form provided for initiative petitions in § 7-9-104, except that the petitions shall be directed to the county clerk instead of to the Secretary of State.~~

~~(c) All petitions shall have attached thereto the form of verification and shall be signed by the person circulating the petitions in the same form or manner as is provided in § 7-9-109.~~

~~(d) In all other respects, the petitions shall be circulated and sufficiency thereof shall be determined, and may be reviewed in the same manner and procedure, insofar as are applicable thereto, as provided in Acts 1935, No. 4 [repealed], for initiated county measures.~~

~~(e) Any person who is a qualified elector of the State of Arkansas and who is a resident and registered voter of the county, municipality, ward, precinct, or other defined area in which a local option election is being requested by petitions under Initiated Act No. 1 of 1942, §§ 3-8-201 — 3-8-203 and 3-8-205 — 3-8-209, may sign the local option petition in his or her own proper handwriting and not otherwise.~~

~~(f) A person shall be guilty of a Class A misdemeanor if that person:~~

~~(1) Signs any name other than his or her own to any petition;~~

~~(2) Knowingly signs his or her name more than once to any petition;~~

~~(3) Knowingly signs a petition when he or she is not legally entitled to sign a petition;~~

~~(4) Knowingly and falsely misrepresents the purpose and effect of the petition for the purpose of causing anyone to sign the petition.~~

~~(5) Acting in the capacity of canvasser, knowingly makes a false statement on a petition verification form; or~~

~~(6) Acting in the capacity of a notary, knowingly fails to witness a canvasser's affidavit either by witnessing the signing of the instrument and personally knowing the signer or being presented with proof of identity of the signer.~~

~~(g)(1) The provisions of this section are intended to be supplemental to Initiated Act No. 1 of 1942, §§ 3-8-201 — 3-8-203 and 3-8-205 — 3-8-209, and to establish reasonable and necessary provisions for providing safeguards in the form of petitions and the circulation thereof and to prohibit unauthorized persons from signing the petitions.~~

~~(2) Therefore, the provisions of this section shall be deemed to repeal only such parts of the Initiated Act No. 1 of 1942, §§ 3-8-201 - 3-8-203 and 3-8-205 - 3-8-209 as may be specifically inconsistent herewith.~~

SECTION 2. Arkansas Code § 3-8-205, concerning sufficiency of petitions in local option elections, is amended to add an additional subdivision to read as follows:

(f) Except as provided in this section, a petition for local option election shall be governed by § 7-9-101 et seq. and § 3-8-701 et seq.

SECTION 3. Arkansas Code § 3-8-302 is repealed.

~~3-8-302. Petition and order for election.~~

~~(a) Upon application by written petition, signed by a number of legal voters in any county, city, town, district, or precinct to be affected equal to thirty-five percent (35%) of the qualified voters, it shall be the duty of the judge of the county court in the county at the next regular term thereof, after receiving the petitions, to make an order on his or her order book directing an election to be held in the county, city, town, district, or precinct to be affected thereby, on some day named in the petition no earlier than sixty (60) days after the application is lodged with the judge of the court. However, in counties having two (2) judicial districts, the legal voters in either district may petition for an election and the election can only affect the judicial district where the election may be held.~~

~~(b) The order shall direct the sheriff or other officer of the county, who may be appointed to hold the election, to open a poll at each and all of the voting places in the county, city, town, district, or precinct on the appointed date, for the purpose of taking the sense of the legal voters of the county, city, town, district, or precinct, who are qualified to vote at elections for county officers, upon the proposition whether or not spirituous, vinous, or malt liquors shall be sold, bartered, or loaned therein.~~

SECTION 4. Arkansas Code § 3-8-304 is repealed.

~~3-8-304. Notice and conduct of election.~~

~~(a) It shall be the duty of the county clerk to give the sheriff of the county, or the officer as may be appointed to hold the election, a certified copy of the order of the county court as it appears on the order book within five (5) days after the order is made.~~

~~(b) It shall be the duty of the sheriff or other officer to have the order published in some weekly or daily paper published in the county for at least two (2) weeks before the election and also to advertise the order by printed or written handbills posted at some conspicuous place in each precinct in the county, for the same length of time, and when the election is held for the entire town, district, or precinct of any county, then at five (5) conspicuous places therein for the same length of time. In any case, if there is no weekly or daily newspaper published in the county or if the proprietor of the newspaper refuses to publish the notice, the printed or written handbills, posted as before provided for, shall be sufficient notice.~~

~~(c) The sheriff or other officer shall have the advertisement and notices herein provided for published and posted as herein required within seven (7) days after he or she receives the order of the county court.~~

~~(d) All elections provided for in this act shall be held by the officers who would be qualified to hold elections for county officers, and they shall be selected in the same way, and all elections provided for herein shall be held in accordance with the provisions of the general election laws of the state.~~

SECTION 5. Arkansas Code § 3-8-502(a)(2), concerning petitions for certain local option elections, is amended to read as follows:

(2) The petition requesting a local option election shall be prepared in the manner provided by § 3-8-204 3-8-205.

SECTION 6. Arkansas Code § 3-8-502, concerning certain local option elections in certain annexed areas, is amended to add an additional subdivision as follows:

(c) Except as provided in this section, a petition for local option election shall be governed by § 7-9-101 et seq. and § 3-8-701 et seq."

AND

Page 2, delete lines 1 through 36

AND

Page 3, line 2, delete "SECTION 2" and substitute "SECTION 7"

AND

Page 7, delete line 10 and substitute the following:

"(B) The total amount of expenditures made by the committee or on behalf of the committee by an advertising agency, public relations firm, or political consultant during the"

AND

Page 10, delete line 21 and substitute the following:

"(\$1,000) or be imprisoned for not more than one (1) year, or both.

SECTION 8. Arkansas Code Title 3, Chapter 8, is amended to add an additional subchapter to read as follows:

Subchapter 7 — Paid Canvassers

3-8-701. Definitions.

As used in this subchapter:

(1) "Canvasser" means a person who circulates a local option election petition or a part or parts of a local option election petition to obtain the signatures of petitioners thereto;

(2) "Paid canvasser" means a person who is paid or with whom there is an agreement to pay money or anything of value before or after a signature on a local option election petition is solicited in exchange for soliciting or obtaining a signature on a petition;

(3) "Petitioner" means a person who signs a petition requesting a local option election; and

(4) "Sponsor" means a person who arranges for the circulation of a local option election petition or who files a local option election petition with the official charged with verifying the signatures.

3-8-702. Hiring and training of paid canvassers.

(a)(1) A person shall not provide money or anything of value to another person for obtaining signatures on a local option election petition unless the person receiving the money or item of value meets the requirements of this section.

(2) Before a signature is solicited by a paid canvasser the sponsor shall:

(A) Provide the paid canvasser with a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook;

(B) Explain the Arkansas law applicable to obtaining signatures on a local option election petition to the canvasser; and

(C)(i) Provide a complete list of all paid canvassers' names and current residential addresses to the Secretary of State.

(ii) If additional paid canvassers agree to solicit signatures on behalf of a sponsor after the complete list is provided, the sponsor shall provide an updated list of all paid canvassers' names and current residential addresses to the Secretary of State.

(b) Before obtaining a signature on a local option election petition as a paid canvasser, a person shall submit in person or by mail to the sponsor:

(1) The full name and any assumed name of the person;

(2) The current residence address of the person and the person's permanent domicile address if the person's permanent domicile address is different from the person's current residence address;

(3) A signed statement taken under oath or solemn affirmation that states that the person has not pleaded guilty or nolo contendere to or been found guilty of a criminal offense involving a violation of the election laws, fraud, forgery, or identification theft in any state;

(4) A signed statement that the person has read and understands the Arkansas law applicable to obtaining signatures on a local option election petition;

(5) A signed statement that the person has been provided a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook by the sponsor; and

(6) A photograph of the person taken within ninety (90) days of the submission of the information required under this section.

(c) A sponsor shall maintain the information required under this section for each paid canvasser for three (3) years after the general election."

AND

Page 10, line 23, delete "SECTION 3" and substitute "SECTION 9"

AND

Page 10, delete line 27 and substitute the following:

"5-55-601. Petition fraud."

AND

Page 10, delete lines 29 through 36 and substitute the following:

"201 et seq., § 3-8-701 et seq., or § 7-9-101 et seq.

(b) A person commits the offense of petition fraud:

(1) If the person knowingly:

(A) Signs a name other than his or her name to a petition;

(B) Signs his or her name more than one (1) time to a petition; or

(C) Signs a petition when he or she is not legally entitled to sign the

petition;

(2) If the person acting as a canvasser, notary, sponsor as defined under § 7-9-101, or agent of a sponsor:

(A) Signs a name other than his or her own to a petition;

(B) Prints a name, address, or birth date other than his or her own to a petition unless the signor requires assistance due to disability and the person complies with § 7-9-103;

(C) Solicits or obtains a signature to a petition knowing that the person signing is not qualified to sign the petition;

(D) Knowingly pays a person any form of compensation in exchange for signing a petition as a petitioner;

(E) Accepts or pays money or anything of value for obtaining signatures on a petition when the person acting as a canvasser, sponsor, or agent of a sponsor knows that the person acting as a canvasser's name or address is not included on the sponsor's list filed with the Secretary of State under § 7-9-601; or

(F) Knowingly misrepresents the purpose and effect of the petition or the measure affected for the purpose of causing a person to sign a petition;

(3) If the person acting as a canvasser, knowingly makes a false statement on a petition verification form;

(4) If the person acting as a notary, knowingly fails to witness a canvasser's affidavit by witnessing the signing of the instrument in person and either personally knowing the signor or by being presented with proof of the identity of the signer; or

(5) If the person acting as a sponsor, files a petition or a part of a petition with the official charged with verifying the signatures knowing that the petition or part of the petition contains one (1) or more false or fraudulent signatures unless each false or fraudulent signature is clearly stricken by the sponsor before filing."

AND

Page 11, delete lines 1 through 11

AND

Page 11, line 12, delete "D felony" and substitute "A misdemeanor"

AND

Page 11, line 14, add the following:

"SECTION 10. Arkansas Code § 7-9-103(b), concerning certain criminal offenses regarding petitions, is repealed.

~~(b) A person shall be deemed guilty of a Class A misdemeanor if the person:~~

~~(1) Signs any name other than his or her own to any petition;~~

~~(2) Knowingly signs his or her name more than once to any petition;~~

~~(3) Knowingly signs a petition when he or she is not legally entitled to sign it;~~

~~(4) Knowingly and falsely misrepresents the purpose and effect of the petition or the measure affected for the purpose of causing anyone to sign a petition;~~

~~(5) Acting in the capacity of canvasser, knowingly makes a false statement on a petition verification form; or~~

~~(6) Acting in the capacity of a notary, knowingly fails to witness a canvasser's affidavit either by witnessing the signing of the instrument and personally knowing the signer or by being presented with proof of identity of the signer."~~

(SIGNED) SENATOR KEITH INGRAM

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1118 was ordered engrossed.

On motion of Senator Sample, **Senate Joint Resolution No. 16** was placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE JOINT RESOLUTION NO. 16

Amend **Senate Joint Resolution No. 16** as engrossed, S3/20/13:

Add Representative Vines as a cosponsor of the bill

AND

Page 2, line 7, delete "ninety percent (90%)" and substitute "seventy-five percent (75%)"

AND

Page 2, line 9, delete "ninety percent (90%)" and substitute "seventy-five percent (75%)"

(SIGNED) SENATOR BILL SAMPLE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Joint Resolution No. 16 was ordered engrossed.

On motion of Senator Files, [House Bill No. 1585](#) 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. 1585

Amend [House Bill No. 1585](#) as engrossed, H4/1/13:

Delete the subtitle in its entirety and substitute:

"TO AMEND THE INCOME TAX RATES AND BRACKETS; AND TO ADJUST THE MINIMUM AND MAXIMUM DOLLAR AMOUNTS IN CERTAIN INCOME TAX BRACKETS."

AND

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

"SECTION 1. Arkansas Code § 26-51-201(a), concerning the income tax on individuals, trusts, and estates, is amended to read as follows:

(a) A For tax years beginning on and after January 1, 2012, a tax is imposed upon, and with respect to, the entire income of every resident, individual, trust, or estate. The tax shall be levied, collected, and paid annually upon the entire net income as defined and computed in this chapter at the following rates, giving effect to the tax credits provided hereafter, in the manner set forth:

(1)(A) On the first ~~two thousand nine hundred ninety-nine dollars (\$2,999)~~ four thousand ninety-nine dollars (\$4,099) of net income or any part thereof, one percent (1%);

(B) For tax years beginning on and after January 1, 2014, on the first four thousand ninety-nine dollars (\$4,099) of net income or any part thereof, nine-tenths percent (0.9%);

(2)(A) On the next ~~three thousand dollars (\$3,000)~~ four thousand one hundred dollars (\$4,100) of net income or any part thereof, ~~two and one-half percent (2½%);~~ two and five-tenths percent (2.5%).

(B) For tax years beginning on and after January 1, 2015, on the next four thousand one hundred dollars (\$4,100) of net income or any part thereof, two and four-tenths percent (2.4%);

(3)(A) On the next ~~three thousand dollars (\$3,000)~~ four thousand dollars (\$4,000) of net income or any part thereof, ~~three and one-half percent (3½%);~~ three and five-tenths percent (3.5%).

(B) For tax years beginning on and after January 1, 2015, on the next four thousand dollars (\$4,000) of net income or any part thereof, three and four-tenths percent (3.4%);

(4)(A) On the next ~~six thousand dollars (\$6,000)~~ eight thousand two hundred dollars (\$8,200) of net income or any part thereof, ~~four and one-half percent (4½%);~~ four and five-tenths percent (4.5%).

(B) For tax years beginning on and after January 1, 2015, on the next eight thousand two hundred dollars (\$8,200) of net income or any part thereof, four and four-tenths percent (4.4%);

(5)(A) On the next ten thousand dollars (\$10,000) thirteen thousand six hundred dollars (\$13,600) of net income or any part thereof, six percent (6%); and

(B) For tax years beginning on and after January 1, 2015, on the next thirteen thousand six hundred dollars (\$13,600) of net income or any part thereof, five and nine-tenths percent (5.9%); and

(6)(A) On net income of twenty-five thousand dollars (\$25,000) thirty-four thousand dollars (\$34,000) and above, seven percent (7%).

(B) For tax years beginning on and after January 1, 2015, on net income of thirty-four thousand dollars (\$34,000) and above, six and nine-tenths percent (6.9%).

SECTION 2. Arkansas Code § 26-51-201(d), concerning the cost-of-living adjustment for the income tax rates applicable to individuals, trusts, and estates, is amended to read as follows:

~~(d)(1) Not later than December 15 of 1998, and each subsequent calendar year, the The Director of the Department of Finance and Administration shall prescribe annually a table which shall apply in lieu of the table contained in subsection (a) of this section with respect to each succeeding taxable years beginning in the succeeding calendar year. The Director of the Department of Finance and Administration director shall increase the minimum and maximum dollar amounts for each rate bracket, rounding to the nearest one hundred dollars (\$100), for which a tax is imposed under such the table by the cost-of-living adjustment for such each calendar year and by not changing the rate applicable to any rate bracket as adjusted. The yearly cost-of-living adjustment increase in each rate bracket as provided in subdivision (d)(2) of this section shall apply to the brackets as contained in subsection (a) of this section as in effect on January 1, 1998.~~

(2) For purposes of subdivision (d)(1) of this section, the cost-of-living adjustment for any a calendar year is the percentage, if any, by which the CPI for the current calendar year ~~preceding the taxable year~~ exceeds the CPI for the preceding calendar year 1997, not to exceed three percent (3%). The CPI for any calendar year is the average of the Consumer Price Index as of the close of the twelve-month period ending on August 31 of such calendar year. "Consumer Price Index" means the last Consumer Price Index for All Urban Consumers published by the United States Department of Labor.

~~(3) The new tables, as adjusted annually, shall apply for tax returns filed for taxable year 1999 and thereafter, and shall be used by the director in preparing the income tax withholding tables pursuant to § 26-51-907."~~

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1585 was ordered engrossed.

On motion of Senator Files, **House Bill No. 1966** was 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. 1966

Amend **House Bill No. 1966** as engrossed, S4/16/13:

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

"state income tax.

(3) The amount of net capital gain in excess of ten million dollars (\$10,000,000) from a gain realized on or after January 1, 2014, is exempt from the state income tax.

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

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1966 was ordered engrossed.

On motion of Senator Woods, **House Joint Resolution No. 1009** 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 JOINT RESOLUTION NO. 1009

Amend **House Joint Resolution No. 1009** as engrossed, H4/6/13:

Page 1, delete lines 9 through 22 and substitute the following:

"TO AMEND THE ARKANSAS CONSTITUTION CONCERNING ELECTED STATE OFFICIALS; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY AND ELECTED

CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT FROM ACCEPTING GIFTS FROM LOBBYISTS, AND DEFINING KEY TERMS RELATING TO THAT PROHIBITION; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY FROM SETTING THEIR OWN SALARIES AND THE SALARIES OF ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT, JUSTICES, AND JUDGES; ESTABLISHING A SEVEN-MEMBER INDEPENDENT CITIZENS COMMISSION TO SET SALARIES FOR MEMBERS OF THE GENERAL ASSEMBLY, ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT, JUSTICES, AND JUDGES; ESTABLISHING THE APPOINTMENT PROCESS FOR MEMBERS OF THE INDEPENDENT CITIZENS COMMISSION, AND PROHIBITING MEMBERS OF THE INDEPENDENT CITIZENS COMMISSION FROM ACCEPTING GIFTS FROM LOBBYISTS; PROHIBITING CERTAIN CONTRIBUTIONS, INCLUDING CONTRIBUTIONS BY CORPORATIONS, TO CANDIDATES 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."

AND

Page 2, delete lines 6 through 36 and substitute the following:

"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. 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 contribution from other than:

(i) An individual;

(ii) A political party that meets the definition of a political party under Arkansas Code § 7-1-101;

(iii) A political party that meets the requirements of Arkansas Code § 7-7-205;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee; or

(B) Accept a 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 Code § 7-1-101;

(iii) A political party that meets the requirements of Arkansas Code § 7-7-205;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee.

(2) A candidate may accept a 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 Code § 7-1-101, a political party that meets the requirements of Arkansas Code § 7-7-205, 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 Code § 7-1-101;

(C) A political party that meets the requirements of Arkansas Code § 7-7-205;

(D) A county political party committee;

(E) A legislative caucus committee; or

(F) An approved political action committee.

(c) As used in this section:

(1)(A) "Approved political action committee" means any person that:

(i) Receives contributions from one (1) or more persons in order to make contributions to a candidate, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee;

(ii) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(iii) Registers pursuant to Arkansas Code § 7-6-215 prior to making contributions.

(B) "Approved political action committee" does not include an organized political party as defined in § 7-1-101, a county political party committee, the candidate's own campaign committee, an exploratory committee, or a ballot question committee or legislative question committee as defined in § 7-9-402;

(2) "Candidate" means an individual who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to any public office;

(3)(A) "Contribution" or "contributions" means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, or pledges or promises of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office made for the purpose of influencing the nomination or election of any candidate.

(B)(i) "Contribution" or "contributions" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report under Arkansas law.

(ii) "Contribution" or "contributions" further includes any transfer of anything of value received by a committee from another committee.

(C) "Contribution" or "contributions" does not include noncompensated, nonreimbursed, volunteer personal services or travel;

(4) "County political party committee" means a person that:

(A) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;

(B) Is recognized by an organized political party, as defined in Arkansas Code § 7-1-101, as being affiliated with that political party;

(C) Receives contributions from one (1) or more persons in order to make contributions to a candidate, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee;

(D) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(E) Registers pursuant to Arkansas Code § 7-6-226 prior to making contributions;

(5)(A) "Election" means each election held to nominate or elect a candidate to any public office, including school elections.

(B) For the purposes of this section, a preferential primary, a general primary, a special election, and a general election shall each constitute a separate election;

(6) "Expenditure" or "expenditures" means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate;

(7)(A) "Exploratory committee" means a person that receives contributions which are held to be transferred to the campaign of a single candidate in an election.

(B) "Exploratory committee" does not include:

(i) A political party:

(a) That meets the definition of a political party under Arkansas Code § 7-1-101; or

(b) A political party that meets the requirements of Arkansas Code § 7-7-205; or

(ii) The candidate's own campaign committee;

(8)(A) "Legislative caucus committee" means a person that is composed exclusively of members of the General Assembly, that elects or appoints officers and recognizes identified legislators as members of the organization, and that exists for research and other support of policy development and interests that the membership hold in common.

(B) "Legislative caucus committee" includes, but is not limited to, a political party caucus of the General Assembly, the Senate, or the House of Representatives.

(C) An organization whose only nonlegislator members are the Lieutenant Governor or the Governor is a "legislative caucus committee" for the purposes of this section;

(9)(A) "Person" means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

(B) "Person" includes:

(i) A political party that meets the definition of a political party under Arkansas Code § 7-1-101 or a political party that meets the requirements of Arkansas Code § 7-7-205;

(ii) A county political party committee; and

(iii) A legislative caucus committee; and

(10) "Public office" means an office created by or under authority of the laws of the State of Arkansas or of a subdivision thereof that is filled by the voters, except a federal office.

(d)(1) A person who knowingly violates this section is guilty of a Class A misdemeanor.

(2) In addition to the penalty under subdivision (d)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints.

(e)(1) Except as provided in subdivision (e)(2) of this section, 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.

(2) The General Assembly may amend subsection (d) of this section by a majority vote of each house.

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

(a) A former member of the General Assembly shall not be eligible to be registered as a lobbyist under Arkansas Code § 21-8-601 et seq. 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)(1) A person who knowingly violates this section is guilty of a Class D felony.

(2) In addition to the penalty under subdivision (c)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints. (d)(1) Except as provided in subdivision (d)(2) of this section, 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.

(2) The General Assembly may amend subsection (c) of this section by a majority vote of each house.

§ 30. Gifts from lobbyists.

(a) Persons elected or appointed 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 or contracting with a lobbyist:

(1) Governor;

(2) Lieutenant Governor;

(3) Secretary of State;

(4) Treasurer of State;

(5) Auditor of State;

(6) Attorney General;

and members of elected constitutional offices, or the executive department, members of the General Assembly, justices, and judges, under Article 19, § 31, of this Constitution.

(b) As used in this section:

(1)(A) "Administrative action" means a decision on, or proposal, consideration, or making of a rule, regulation, ratemaking proceeding, or policy action by a governmental body.

(B) "Administrative action" does not include ministerial action;

(2)(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 or appointed 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 or appointed 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)(2)(B)(iii);

(iv) Anything of value that is readily available to the general public at no cost;

(v) Food or drink available at a planned activity to which a specific governmental body 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 or appointed to an office under subsection (a) of this section;

(vii) Campaign contributions; and

(viii) Any devise or inheritance;

(3) "Governmental body" or "governmental bodies" means an office, department, commission, council, board, committee, legislative body, agency, or other establishment of the executive, judicial, or legislative branch of the state, municipality, county, school district, improvement district, or any political district or subdivision thereof;

(4)(A) "Income" means any money or anything of value received or to be received as a claim for future services, whether in the form of a retainer, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, or any other form of recompense or any combination thereof.

(B) "Income" includes a payment made under obligation for services or other value received;

(5) "Legislative action" means introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto, or any other official action or nonaction on any bill, ordinance, law, resolution, amendment, nomination, appointment, report, or other matter pending or proposed before a committee or house of the General Assembly, a quorum court, or a city council or board of directors of a municipality;

(6) "Legislator" means a person who is a member of the General Assembly, a quorum court of a county, or the city council or board of directors of a municipality;

(7) "Lobbying" means communicating directly or soliciting others to communicate with a public servant with the purpose of influencing legislative action or administrative action;

(8) "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 one (1) or more governmental bodies;

(B) Expends four hundred dollars (\$400) or more in a calendar quarter for lobbying one (1) or more governmental bodies, 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 public servant to influence any legislative action or administrative action of one (1) or more governmental bodies 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;

(9)(A) "Person" means a business, individual, union, association, firm, committee, club, or other organization or group of persons.

(B) As used in subdivision (b)(9)(A) of this section, "business" includes without limitation a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, receivership, trust, or any legal entity through which business is conducted;

(10)(A) "Public appointee" means an individual who is appointed to a governmental body.

(B) "Public appointee" does not include an individual appointed to an elective office;

(11)(A) "Public employee" means an individual who is employed by a governmental body or who is appointed to serve a governmental body.

(B) "Public employee" does not include a public official or a public appointee;

(12) "Public official" means a legislator or any other person holding an elective office of any governmental body, whether elected or appointed to the office, and shall include such persons during the time period between the date they were elected and the date they took office; and

(13) "Public servant" means all public officials, public employees, and public appointees.

(c)(1) A person who knowingly violates this section is guilty of a Class B misdemeanor.

(2) In addition to the penalty under subdivision (c)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints. (d)(1) Except as provided in subdivision (d)(2) of this section, 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.

(2) The General Assembly may amend subsection (c) of this section by a majority vote of each house.

§ 31. Independent citizens commission.

(a) As provided in this section, members of the General Assembly shall have no authority to set salaries for:

(1) Their positions as members of the General Assembly;

(2) Elected constitutional officers of the executive department;

(3) Justices; and

(4) Judges.

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

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

(B) A person shall not serve more than two (2) terms on the independent citizens commission.

(3) The independent 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 independent citizens commission shall be filled in the manner of the original appointment.

(5) The independent citizens commission shall elect from its membership:

(A) A chair; and

(B) Other officers deemed necessary by the independent citizens commission.

(6) Four (4) members of the independent citizens commission shall constitute a quorum for the purpose of transacting business.

(7) A majority vote of the total membership of the independent citizens commission is required for any action of the independent citizens commission.

(8) The office of the Auditor of State shall provide staff assistance as may be requested by the independent citizens commission.

(c)(1) In making appointments to the independent citizens 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 independent citizens 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 independent citizens commission:

(A) A person holding civil office;

(B) An employee of the State of Arkansas;

(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) An employee of the State of Arkansas; or

(c) A 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 independent citizens commission shall have the duty to review and adjust as it deems 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 independent citizens commission.

(2)(A) If the independent citizens commission proposes to adjust a salary for a position under subsection (d) of this section, the independent citizens commission shall:

(i) Provide notice to the public of the proposed salary adjustment;

(ii) Make available to the public any data reviewed by the independent citizens commission in determining the proposed salary adjustment; and

(iii) Afford the public a reasonable opportunity to provide public comment on the proposed salary adjustment.

(B) A proposed salary adjustment of the independent citizens commission shall not be considered a rule under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(3) Upon satisfying (e)(2)(A)(i)-(iii) of this section, the independent citizens commission may file the adjusted salary with the Auditor of State.

(4) An adjustment to a salary shall be effective ten (10) days after it is filed with the Auditor of State.

(5) When considering whether or not to adjust a salary for a position under subsection (d) of this section, the independent citizens commission shall include in its considerations the overall economic condition of the state at that time.

(f)(1)(A) The independent citizens commission, by a majority vote of the total membership of the independent citizens 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 independent citizens commission.

(B) Stipends shall be paid by the Auditor of State from funds available for that purpose.

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

(g)(1) The independent citizens 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 independent citizens commission may increase or diminish the salaries for the positions under subsection (d) of this section.

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

(3)(A) Except as provided in subdivision (g)(3)(B) of this section, no single adjustment at any one (1) time to a salary by the independent citizens commission shall exceed fifteen percent (15%) of the salary to be increased or diminished.

(B) Salary adjustments resulting from the initial review of the independent citizens commission under subdivision (i)(3) of this section shall not be subject to subdivision (g)(3)(A) of this section.

(4) The independent citizens commission shall provide for salaries to be paid in monthly installments.

(h) Salaries for the positions under subsection (d) of this section shall continue as existing on November 4, 2014, until adjusted by the independent citizens commission.

(i)(1) Initial members of the independent citizens 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 independent citizens commission, which shall occur within forty-five (45) days of the effective date of this section.

(3)(A) The independent citizens commission:

(i) Shall complete an initial review of 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

(ii) May file any adjustments in salary resulting from the initial review with the Auditor of State upon satisfying (e)(2)(A)(i)-(iii) of this section.

(B) No later than ninety (90) days after the effective date of this section, the independent citizens commission shall also provide recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives concerning the amounts to be paid to members of the General Assembly for:

(i) Per diem;

(ii) Reimbursement for expenses; and

(iii) Reimbursement for mileage.

(4)(A) After completing the initial review under subdivision (i)(3) of this section, the independent citizens commission shall meet as necessary to review the salaries of the positions under subsection (d) of this section but shall not meet less than one (1) time per year.

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

(i) No later than ninety (90) days before the commencement of a regular session, the independent citizens commission shall provide recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives concerning the amounts to be paid to members of the General Assembly for:

(1) Per diem;

(2) Reimbursement for expenses; and

(3) Reimbursement for mileage.

(k) The independent citizens commission shall be subject to the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(l) 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, § 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 of the Arkansas Constitution is amended to read as follows:

§ 30. General and special appropriations.

~~The~~ Except as provided in Arkansas Constitution, Article 19, § 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 of 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, § 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, § 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."

AND

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Page 13, delete lines 1 through 36

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Page 14, delete lines 1 through 36

(SIGNED) SENATOR JON WOODS

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

(SIGNED) ANN CORNWELL, SECRETARY

House Joint Resolution No. 1009 was ordered engrossed.

On motion of Senator Hutchinson, **Senate Bill No. 1007** was called up for third reading and final disposition.

SENATE BILL NO. 1007
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. HUTCHINSON
BY: REPRESENTATIVE HOLCOMB

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AUTHORITY OF THE ARKANSAS FIRE PROTECTION LICENSING BOARD; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 1007 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, J. Dismang, Elliott, Files, S. Flowers, J. Hendren, Hickey, Holland, J. Hutchinson, K. Ingram, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total28

NEGATIVE: Hester.

Total1

ABSENT OR NOT VOTING: A. Clark, J. English, Irvin, B. King, G. Stubblefield.

Total5

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **Senate Bill No. 1007**, 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, J. Dismang, Elliott, Files, S. Flowers, J. Hendren, Hickey, Holland, J. Hutchinson, K. Ingram, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total	28
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NEGATIVE: Hester.

Total	1
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ABSENT OR NOT VOTING: A. Clark, J. English, Irvin, B. King, G. Stubblefield.

Total	5
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EXCUSED: D. Johnson.

Total.....	1
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VOTING PRESENT:

Total	0
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Total number of votes cast.....	29
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1007 was ordered immediately transmitted to the House.

On motion of Senator Williams, **House Bill No. 1205** was called up for third reading and final disposition.

HOUSE BILL NO. 1205

As Engrossed: H3/7/13 H4/3/13 H4/11/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE NICKELS

BY: SENATOR ELLIOTT

A Bill for an Act to be Entitled: AN ACT CONCERNING STATE AGENCY EMPLOYEE GRIEVANCES; TO PROVIDE THE POSSIBILITY OF RELIEF FOR EMPLOYEES *WITH GROUNDS FOR A GRIEVANCE; AND FOR OTHER PURPOSES.*

House Bill No. 1205 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, 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	33
NEGATIVE: J. Key.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
EXCUSED: D. Johnson.	
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. 1205 was ordered immediately returned to the House as passed.

On motion of Senator Williams, **House Bill No. 1551** was called up for third reading and final disposition.

**HOUSE BILL NO. 1551
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LOVE**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW CONCERNING CERTIFIED ELECTION MONITORS; TO INCREASE THE NUMBER OF ELECTION MONITORS FOR ELECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 1551 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1551 was ordered immediately returned to the House as passed.

On motion of Senator Williams, **House Bill No. 1552** was called up for third reading and final disposition.

**HOUSE BILL NO. 1552
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LOVE**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW CONCERNING QUALIFICATIONS FOR CERTAIN PERSONS CONDUCTING ELECTIONS; TO REQUIRE TRAINING FOR ALL COUNTY ELECTION COMMISSIONERS, POLL WORKERS, AND CERTIFIED ELECTION MONITORS; AND FOR OTHER PURPOSES.

House Bill No. 1552 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1552 was ordered immediately returned to the House as passed.

On motion of Senator Hester, **House Bill No. 1570** was called up for third reading and final disposition.

HOUSE BILL NO. 1570
As Engrossed: H4/5/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE NEAL

A Bill for an Act to be Entitled: *AN ACT TO ESTABLISH A WEB PAGE TO PROVIDE A MENU OF LINKS TO EMPLOYER- RELATED STATE WEB APPLICATIONS FOR REQUIRED REPORTING; AND FOR OTHER PURPOSES.*

House Bill No. 1570 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1570 was ordered immediately returned to the House as passed.

On motion of Senator Williams, **House Bill No. 1805** was called up for third reading and final disposition.

**HOUSE BILL NO. 1805
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WORD**

A Bill for an Act to be Entitled: AN ACT TO PREVENT CANDIDATES FROM RUNNING FOR MORE THAN ONE (1) OFFICE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1805 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1805 was ordered immediately returned to the House as passed.

On motion of Senator English, **House Bill No. 1809** was called up for third reading and final disposition.

HOUSE BILL NO. 1809
As Engrossed: H4/12/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES LOWERY AND LINCK

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW CONCERNING THE LICENSING OF VOICE STRESS ANALYSIS EXAMINERS; AND FOR OTHER PURPOSES.

House Bill No. 1809 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1809 was ordered immediately returned to the House as passed.

On motion of Senator Teague, the rules were suspended in considering **Senate Bill No. 54** at this time.

On motion of Senator Teague, **Senate Bill No. 54** was called up for third reading and final disposition.

SENATE BILL NO. 54
As Engrossed: S3/4/13 S3/13/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO CREATE THE ARKANSAS BUY AMERICAN ACT; TO REQUIRE THE USE OF AMERICAN-MANUFACTURED *IRON AND STEEL* IN THE CONSTRUCTION, RECONSTRUCTION, ALTERATION, AND IMPROVEMENT OF PUBLIC BUILDINGS AND PUBLIC WORKS; AND FOR OTHER PURPOSES.

Senate Bill No. 54 was placed on third reading and final disposition, the question being: Shall the Bill pass?

Senator Clark spoke against the Bill.

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

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, L. Chesterfield, Elliott, S. Flowers, U. Lindsey, Maloch, B. Pierce, Teague, R. Thompson, J. Woods, D. Wyatt.

Total 14

NEGATIVE: Bledsoe, A. Clark, J. Dismang, J. Hendren, Hester, Hickey, Holland, J. Key, D. Sanders, E. Williams.

Total 10

ABSENT OR NOT VOTING: J. English, Files, J. Hutchinson, K. Ingram, Irvin, B. King, M. Lamoureux, Rapert, B. Sample, G. Stubblefield.

Total 10

EXCUSED: D. Johnson.

Total..... 1

VOTING PRESENT:

Total	0
Total number of votes cast.....	24
Necessary to the passage of the bill	18

So the Bill failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Elliott, **House Bill No. 1896** was called up for third reading and final disposition.

HOUSE BILL NO. 1896
As Engrossed: H4/9/13 H4/12/13 H4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CLEMMER
BY: SENATOR ELLIOTT

A Bill for an Act to be Entitled: AN ACT CONCERNING PUBLIC SCHOOLS, INSTITUTIONS OF HIGHER EDUCATION, AND *REMEDIATION*; *TO REQUIRE THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION TO JOINTLY STUDY AND REPORT ON REMEDIATION ISSUES*; AND FOR OTHER PURPOSES.

House Bill No. 1896 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, 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
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NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1896 was ordered immediately returned to the House as passed.

On motion of Senator Elliott, House Bill No. 1910 was called up for third reading and final disposition.

HOUSE BILL NO. 1910

As Engrossed: H4/10/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE C. ARMSTRONG

A Bill for an Act to be Entitled: AN ACT CONCERNING THE HIRING OF TRUANCY OFFICERS FOR CONTIGUOUS SCHOOL DISTRICTS WITH HIGH DROPOUT RATES; AND FOR OTHER PURPOSES.

House Bill No. 1910 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, 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:

Total 0

EXCUSED: D. Johnson.

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. 1910 was ordered immediately returned to the House as passed.

On motion of Senator Elliott, House Bill No. 1911 was called up for third reading and final disposition.

HOUSE BILL NO. 1911
As Engrossed: H4/10/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE C. ARMSTRONG

A Bill for an Act to be Entitled: AN ACT TO PROVIDE SPECIAL TRANSPORTATION FUNDING FOR ALTERNATIVE LEARNING ENVIRONMENT HIGH-PRIORITY SCHOOLS; AND FOR OTHER PURPOSES.

House Bill No. 1911 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1911 was ordered immediately returned to the House as passed.

On motion of Senator Sanders, **House Bill No. 1922** was called up for third reading and final disposition.

HOUSE BILL NO. 1922
As Engrossed: H4/9/13 H4/11/13 S4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES J. EDWARDS AND DAVIS
BY: SENATOR D. SANDERS

A Bill for an Act to be Entitled: AN ACT TO IMPROVE ECONOMIC OPPORTUNITIES IN ARKANSAS BY PROTECTING THE WATER RESOURCES OF THE STATE; AND FOR OTHER PURPOSES.

House Bill No. 1922 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, E. Cheatham, L. Chesterfield, A. Clark, J. Dismang, Elliott, S. Flowers, Holland, J. Hutchinson, K. Ingram, J. Key, U. Lindsey, Maloch, Rapert, B. Sample, D. Sanders, R. Thompson, J. Woods, D. Wyatt.

Total 19

NEGATIVE: Bledsoe, J. Hendren, Hester, B. Pierce.

Total 4

ABSENT OR NOT VOTING: Burnett, Caldwell, J. English, Files, Hickey, Irvin, B. King, M. Lamoureux, G. Stubblefield, Teague, E. Williams.

Total 11

EXCUSED: D. Johnson.

Total 1

VOTING PRESENT:

Total 0

Total number of votes cast..... 23

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. 1922 was ordered immediately returned to the House as passed as amended.

Senate Bill No. 1164 was returned from the House as requested.

On motion of Senator Rapert, and without objection, Senate Bill No. 1164 was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

On motion of Senator Ingram, Senate Bill No. 343 was withdrawn from the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, and placed on the Calendar.

On motion of Senator Ingram, and without objection, Senate Bill No. 343 was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.



Arkansas Senate

89TH GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

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CELL: 501-837-7777

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

STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 18, 2013

The Honorable Sherri Stacks

Chief Clerk

State Capitol

Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, SB1029.

Respectfully submitted,

(Signed) Ann Cornwell

Secretary of the Senate

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE JOINT RESOLUTION NO. 16, BY SENATOR BILL SAMPLE,

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 Lamoureux, the Senate recessed until 4:00 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.



Arkansas Senate

89TH GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

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

STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS 72201

April 18, 2013

The Honorable Sherri Stacks

Chief Clerk

State Capitol

Little Rock, AR 72201

Dear Ms. Stacks:

The Senate respectfully requests the return to the Senate, SB999.

Respectfully submitted,

(Signed) Ann Cornwell

Secretary of the Senate

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 1118, 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

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 463, BY SENATOR JIM HENDREN,

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 18, 2013

Mr. President:

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

SENATE BILL NO. 791, BY SENATOR BILL SAMPLE,

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 18, 2013

Mr. President:

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

HOUSE BILL NO. 1966, BY REPRESENTATIVE DAVY CARTER,

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 Files, the rules were suspended in considering **House Bill No. 1039** at this time.

On motion of Senator Files, **House Bill No. 1039** was 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. 1039

Amend **House Bill No. 1039** as engrossed, S4/16/13:
Page 3, line 2, delete "July 1, 2014" and substitute "January 1, 2014"

(SIGNED) SENATOR JAKE FILES

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Files, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Files, **House Bill No. 1039** was called up for third reading and final disposition.

HOUSE BILL NO. 1039

As Engrossed: H1/31/13 H2/14/13 H3/1/13 H3/5/13 H3/13/13 S4/16/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WARDLAW, WREN, BALLINGER ET AL

BY: SENATORS TEAGUE, G. STUBBLEFIELD, B. KING, E. CHEATHAM, HESTER, HOLLAND, U. LINDSEY, MALOCH, B. PIERCE, J. WOODS, D. WYATT, J. DISMANG, J. HUTCHINSON, IRVIN, J. KEY, RAPERT, E. WILLIAMS, B. SAMPLE & A. CLARK

A Bill for an Act to be Entitled: *AN ACT TO CREATE AN EXEMPTION FROM THE SALES AND USE TAX FOR UTILITIES USED BY QUALIFYING AGRICULTURAL STRUCTURES AND QUALIFYING AQUACULTURE AND HORTICULTURE EQUIPMENT; AND FOR OTHER PURPOSES.*

House Bill No. 1039 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, 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:

Total 0

EXCUSED: D. Johnson.

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. 1039 was ordered engrossed.

On motion of Senator Pierce, Senate Bill No. 11 was called up for third reading and final disposition.

SENATE BILL NO. 11

As Engrossed: S1/31/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS G. STUBBLEFIELD, HICKEY & B. KING

BY: REPRESENTATIVES WARDLAW, EUBANKS, DEFFENBAUGH, B. WILKINS,
HUTCHISON, COZART & GILLAM

A Bill for an Act to be Entitled: AN ACT TO CREATE AN EXEMPTION FROM THE SALES AND USE TAX FOR EXPENDABLE SUPPLIES FOR FARM MACHINERY; AND FOR OTHER PURPOSES.

Senate Bill No. 11 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, 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.

Total34

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

EXCUSED: D. Johnson.

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

Senate Bill No. 11 was ordered immediately transmitted to the House as passed.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1585, BY REPRESENTATIVE CHARLIE COLLINS,

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 Rapert, **Senate Bill No. 135** was called up for third reading and final disposition.

SENATE BILL NO. 135
As Engrossed: S4/1/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS RAPERT, E. CHEATHAM, ELLIOTT, J. ENGLISH, HOLLAND, K. INGRAM, U. LINDSEY, MALOCH, B. PIERCE, TEAGUE, R. THOMPSON & D. WYATT
BY: REPRESENTATIVE WILLIAMS

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE STATE SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS IF CERTAIN FUND BALANCES EXIST; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 135 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **Senate Bill No. 135**, 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, 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
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NEGATIVE:

Total	0
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ABSENT OR NOT VOTING:

Total	0
-------------	---

EXCUSED: D. Johnson.

Total	1
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VOTING PRESENT:

Total	0
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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

Senate Bill No. 135 was ordered immediately transmitted to the House.

On motion of Senator Files, the Senate rescinded its previous action in the adoption of **Amendment No. 2** to **Senate Bill No. 334**.

Senate Bill No. 334 was ordered engrossed.

On motion of Senator Dismang, **Senate Bill No. 298** was called up for third reading and final disposition.

SENATE BILL NO. 298
As Engrossed: S4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT CONCERNING THE TAX TREATMENT OF UTILITIES FOR CERTAIN FACILITIES; TO CREATE AN EXEMPTION FROM THE SALES AND USE TAX FOR UTILITIES USED BY A GRAIN DRYING AND STORAGE FACILITY; AND FOR OTHER PURPOSES.

Senate Bill No. 298 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, 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.

Total34

NEGATIVE:

Total 0

ABSENT OR NOT VOTING:

Total 0

EXCUSED: D. Johnson.

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

Senate Bill No. 298 was ordered immediately transmitted to the House as passed.

On motion of Senator Files, Senate Bill No. 299 was called up for third reading and final disposition.

SENATE BILL NO. 299

As Engrossed: S4/16/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS TEAGUE, E. CHEATHAM, B. PIERCE & B. SAMPLE

BY: REPRESENTATIVES BRAGG, LAMPKIN & WARDLAW

A Bill for an Act to be Entitled: AN ACT TO AMEND THE SALES AND USE TAX EXEMPTION FOR TIMBER HARVESTING MACHINERY, EQUIPMENT, AND RELATED ATTACHMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 299 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

Total number of votes cast34

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 299 was ordered immediately transmitted to the House as passed.

On motion of Senator Hendren, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Hendren, **Senate Bill No. 463** was called up for third reading and final disposition.

SENATE BILL NO. 463

As Engrossed: S2/28/13 S4/16/13 S4/18/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

**BY: SENATORS J. HENDREN, BLEDSOE, BOOKOUT, BURNETT, CALDWELL, E. CHEATHAM, J. DISMANG, J. ENGLISH, FILES, S. FLOWERS, HESTER, HICKEY, HOLLAND, J. HUTCHINSON, IRVIN, J. KEY, B. KING, B. PIERCE, RAPERT, D. SANDERS, G. STUBBLEFIELD, E. WILLIAMS & J. WOODS
BY: REPRESENTATIVES ALEXANDER, D. ALTES, E. ARMSTRONG ET AL**

A Bill for an Act to be Entitled: AN ACT TO CREATE AN EXEMPTION FROM THE INCOME TAX FOR SERVICE PAY OR ALLOWANCES RECEIVED BY ACTIVE DUTY MEMBERS OF THE ARMED SERVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 463 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, 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:

Total 0

EXCUSED: D. Johnson.

Total 1

VOTING PRESENT:

Total 0

Total number of votes cast34
Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 463 was ordered immediately transmitted to the House as passed.

On motion of Senator Sample, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Sample, Senate Bill No. 791 was called up for third reading and final disposition.

SENATE BILL NO. 791

As Engrossed: S4/12/13 S4/16/13 S4/18/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS B. SAMPLE, FILES, CALDWELL, E. CHEATHAM, J. DISMANG,
J. ENGLISH, HESTER, HICKEY, HOLLAND, J. HUTCHINSON, J. KEY, B. KING,
U. LINDSEY, MALOCH, B. PIERCE, RAPERT, G. STUBBLEFIELD, TEAGUE, J. WOODS,
D. WYATT & A. CLARK

BY: REPRESENTATIVES ALEXANDER, D. ALTES ET AL

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE SALES AND USE TAX ON NATURAL GAS AND ELECTRICITY USED BY MANUFACTURERS; AND FOR OTHER PURPOSES.

Senate Bill No. 791 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, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, J. Key, B. King, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total 30

NEGATIVE: S. Flowers.

Total 1

ABSENT OR NOT VOTING: J. English, G. Stubblefield, Teague.

Total 3

EXCUSED: D. Johnson.

Total 1

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

Senate Bill No. 791 was ordered immediately transmitted to the House as passed.

On motion of Senator Teague, **Senate Bill No. 853** was called up for third reading and final disposition.

SENATE BILL NO. 853
As Engrossed: S4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT TO CREATE AN EXEMPTION FROM THE SALES AND USE TAX FOR DENTAL APPLIANCES SOLD BY OR TO DENTISTS OR CERTAIN OTHER PROFESSIONALS; AND FOR OTHER PURPOSES.

Senate Bill No. 853 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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

Senate Bill No. 853 was ordered immediately transmitted to the House as passed.

On motion of Senator Files, **Senate Bill No. 1091** was called up for third reading and final disposition.

SENATE BILL NO. 1091
As Engrossed: S4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FILES

A Bill for an Act to be Entitled: *AN ACT TO AMEND THE DISPOSITION OF REVENUES GENERATED BY THE AD VALOREM TAX ASSESSED ON CERTAIN UTILITIES AND CARRIERS; AND FOR OTHER PURPOSES.*

Senate Bill No. 1091 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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

Senate Bill No. 1091 was ordered immediately transmitted to the House as passed.

On motion of Senator Ingram, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Ingram, **Senate Bill No. 1118** was called up for third reading and final disposition.

SENATE BILL NO. 1118
As Engrossed: S4/18/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR K. INGRAM

A Bill for an Act to be Entitled: AN ACT TO AMEND AND CREATE SECTIONS RELATING TO INITIATED ACT NO. 1 OF 1942 CONCERNING LOCAL OPTION ELECTION PETITION PROCEDURES; TO ENACT A LOCAL OPTION ELECTION PETITION FRAUD OFFENSE; AND FOR OTHER PURPOSES.

Senate Bill No. 1118 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, 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:	
Total	0
EXCUSED: D. Johnson.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast	34
Necessary to the passage of the bill	24

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 1118 was ordered immediately transmitted to the House as passed.

On motion of Senator Sample, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Sample, **Senate Joint Resolution No. 16** was called up for third reading and final disposition.

SENATE JOINT RESOLUTION NO. 16

As Engrossed: S3/20/13 S4/18/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR B. SAMPLE

BY: REPRESENTATIVE VINES

SENATE JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE 5, SECTION 1, OF THE ARKANSAS CONSTITUTION CONCERNING INITIATIVE AND REFERENDUM; AND PROVIDING CERTAIN REQUIREMENTS FOR THE CORRECTION OR AMENDMENT OF INSUFFICIENT STATE-WIDE PETITIONS.

Subtitle

PROPOSING AN AMENDMENT TO ARTICLE 5,
SECTION 1, OF THE ARKANSAS
CONSTITUTION CONCERNING INITIATIVE
AND REFERENDUM.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE THE HOUSE OF REPRESENTATIVES, 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. The subsection of Article 5, Section 1, of the Arkansas Constitution titled "Amendment of Petition" is amended to read as follows:

Amendment of Petition. (a)(1) If the Secretary of State, county clerk or city clerk, as the case may be, shall decide any petition to be insufficient, he or she shall without delay notify the ~~sponsors~~ sponsors of such petition, and permit at least thirty (30) days from the date of such notification, in the instance of a state-wide petition, or ten (10) days in the instance of a municipal or county petition, for correction or amendment.

(2) For a state-wide petition, correction or amendment of an insufficient petition shall be permitted only if the petition contains valid signatures of legal voters equal to:

(A) At least seventy-five percent (75%) of the number of state-wide signatures of legal voters required; and

(B) At least seventy-five percent (75%) of the required number of signatures of legal voters from each of at least fifteen (15) counties of the state.

(b) In the event of legal proceedings to prevent giving legal effect to any petition upon any grounds, the burden of proof shall be upon the person or persons attacking the validity of the petition.

Senator Dismang spoke for the Bill.

Senate Joint Resolution No. 16 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:

ROLL CALL:

AFFIRMATIVE: Bookout, Burnett, Caldwell, E. Cheatham, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, 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.

Total29

NEGATIVE: Bledsoe, L. Chesterfield, S. Flowers, J. Key.

Total4

ABSENT OR NOT VOTING: A. Clark.

Total1

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

Total number of votes cast..... 33
Necessary to the adoption of the Joint Resolution..... 18

Senate Joint Resolution No. 16 read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Joint Resolution No. 16 was ordered immediately transmitted to the House as adopted.

STATE OF ARKANSAS

ALAN CLARK
SENATOR
13TH DISTRICT
OFFICE: 501 262 3360
alanclark4statesenate@yahoo.com

POST OFFICE BOX 211
LONSDALE, ARKANSAS 72087



Arkansas Senate
State Capitol
Little Rock, Arkansas 72201

April 18, 2013

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

Dear Ms. Cornwell,

During session on Thursday, April 18, 2013, Senate Joint Resolution No. 16 was brought up for 3rd reading and vote. I was shown as not voting on this bill.

I should have been recorded as voting YES on this piece of legislation. Please file this letter in the Senate Journal along with the roll call that was taken on Senate Joint Resolution No. 16.

Thank you,

(Signed) ALAN CLARK

Senator Alan Clark
District 13

On motion of Senator Rapert, **House Bill No. 1234** was called up for third reading and final disposition.

HOUSE BILL NO. 1234

As Engrossed: H4/8/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES WILLIAMS, ALEXANDER ET AL

BY: SENATOR RAPERT

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE STATE SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS IF CERTAIN FUND BALANCES EXIST; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1234 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

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

There being an emergency clause attached to **House Bill No. 1234**, 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, 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:

Total 0

EXCUSED: D. Johnson.

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

House Bill No. 1234 was ordered immediately returned to the House as passed.

On motion of Senator Files, **House Bill No. 1399** was called up for third reading and final disposition.

HOUSE BILL NO. 1399
As Engrossed: S4/16/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE FARRER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE INCOME TAX TREATMENT OF VOLUNTEER FIREFIGHTERS; TO CREATE THE VOLUNTEER FIREFIGHTER TAX PROTECTION ACT; AND FOR OTHER PURPOSES.

House Bill No. 1399 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, 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:	
Total	0
EXCUSED: D. Johnson.	
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. 1399 was ordered immediately returned to the House as passed as amended.

On motion of Senator Files, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Files, **House Bill No. 1585** was called up for third reading and final disposition.

HOUSE BILL NO. 1585
As Engrossed: H3/13/13 H4/1/13 S4/18/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES COLLINS, D. ALTES ET AL
BY: SENATORS D. SANDERS AND RAPERT

A Bill for an Act to be Entitled: AN ACT TO AMEND THE INCOME TAX RATES AND BRACKETS FOR INDIVIDUALS, TRUSTS, AND ESTATES; TO ADJUST THE MINIMUM AND MAXIMUM DOLLAR AMOUNTS IN CERTAIN INCOME TAX BRACKETS FOR INDIVIDUALS, TRUSTS, AND ESTATES; AND FOR OTHER PURPOSES.

Senator Maloch spoke against the Bill.

Senator Files closed for the Bill.

House Bill No. 1585 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, Caldwell, L. Chesterfield, J. Dismang, Elliott, J. English, Files, J. Hendren, Hester, Hickey, Holland, J. Hutchinson, K. Ingram, Irvin, J. Key, B. King, M. Lamoureux, U. Lindsey, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods.

Total.....28

NEGATIVE: E. Cheatham, A. Clark, S. Flowers, Maloch, D. Wyatt.

Total.....5

ABSENT OR NOT VOTING: Burnett.

Total.....1

EXCUSED: D. Johnson.

Total.....1

VOTING PRESENT:

Total.....0

Total number of votes cast33
Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1585 was ordered immediately returned to the House as passed as amended.

On motion of Senator Dismang, House Bill No. 1832 was called up for third reading and final disposition.

HOUSE BILL NO. 1832
As Engrossed: H3/21/13 S3/26/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES WILLIAMS, STEEL, J. EDWARDS ET AL
BY: SENATORS J. DISMANG, FILES, TEAGUE, MALOCH, B. SAMPLE, HESTER,
L. CHESTERFIELD, J. ENGLISH, B. PIERCE, RAPERT, J. WOODS & D. SANDERS

A Bill for an Act to be Entitled: AN ACT TO PROMOTE ACCESS TO CAPITAL FOR JOB CREATION AND ECONOMIC DEVELOPMENT IN LOW-INCOME COMMUNITIES; TO CREATE AND REGULATE ELIGIBILITY OF THE NEW MARKET TAX CREDIT; AND FOR OTHER PURPOSES.

House Bill No. 1832 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, 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: D. Wyatt.

Total 1

ABSENT OR NOT VOTING:

Total 0

EXCUSED: D. Johnson.

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

There being an emergency clause attached to **House Bill No. 1832**, 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, 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: D. Wyatt.

Total..... 1

ABSENT OR NOT VOTING:

Total..... 0

EXCUSED: D. Johnson.

Total..... 1

VOTING PRESENT:

Total..... 0

Total number of votes cast 34

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1832 was ordered immediately returned to the House as passed as amended.

On motion of Senator Files, House Bill No. 1934 was called up for third reading and final disposition.

HOUSE BILL NO. 1934
As Engrossed: H4/1/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WARDLAW

A Bill for an Act to be Entitled: AN ACT TO ENHANCE THE COLLECTION OF SOLID WASTE FEES RESULTING FROM THE STATE MANDATE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; AND OTHER PURPOSES.

House Bill No. 1934 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, 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:

Total 0

EXCUSED: D. Johnson.

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. 1934 was ordered immediately returned to the House as passed.

On motion of Senator Files, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Files, **House Bill No. 1966** was called up for third reading and final disposition.

HOUSE BILL NO. 1966
As Engrossed: H3/28/13 H4/3/13 S4/16/13 S4/18/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES CARTER AND COLLINS
BY: SENATOR J. DISMANG

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAWS CONCERNING THE STANDARD DEDUCTION AND THE INCOME TAX ON CAPITAL GAINS; AND FOR OTHER PURPOSES.

House Bill No. 1966 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, J. Key, B. King, M. Lamoureux, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, Teague, R. Thompson, E. Williams, J. Woods, D. Wyatt.

Total	32
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: U. Lindsey.	
Total	1
EXCUSED: D. Johnson.	
Total	1
VOTING PRESENT: S. Flowers.	
Total	1
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

House Bill No. 1966 was ordered immediately returned to the House as passed as amended.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

SENATE BILL NO. 334, BY SENATOR JAKE FILES,

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 Files, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Files, **Senate Bill No. 334** was called up for third reading and final disposition.

SENATE BILL NO. 334
As Engrossed: S4/18/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FILES
BY: REPRESENTATIVE WREN

A Bill for an Act to be Entitled: AN ACT CONCERNING THE SALES AND USE TAX RELATING TO THE PARTIAL REPLACEMENT AND REPAIR OF MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; TO REDUCE THE SALES AND USE TAX RELATING TO THE PARTIAL REPLACEMENT AND REPAIR OF MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; TO PROVIDE A REFUND

MECHANISM FOR THE SALES AND USE TAX PAID IN RELATION TO THE PARTIAL REPLACEMENT AND REPAIR OF MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; AND FOR OTHER PURPOSES.

Senate Bill No. 334 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, 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.

Total34

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....34

Necessary to the passage of the bill18

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. 334**, 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, 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:

Total 0

EXCUSED: D. Johnson.

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

Senate Bill No. 334 was ordered immediately transmitted to the House.

On motion of Senator Elliott, **House Bill No. 2196** was called up for third reading and final disposition.

HOUSE BILL NO. 2196
As Engrossed: H3/22/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT CONCERNING INVESTIGATION, SITE ASSESSMENT, AND CORRECTIVE ACTION RELATING TO STORAGE TANKS; TO CLARIFY THE RIGHT OF THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY AND AN OWNER OR OPERATOR TO ACCESS PROPERTY FOR PURPOSES OF INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTION; TO PROHIBIT A RELEASE SITE PROPERTY OWNER OR ADJACENT PROPERTY OWNER FROM INTERFERING WITH INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTIONS; TO CLARIFY THE RIGHTS OF A RELEASE SITE PROPERTY OWNER OR ADJACENT PROPERTY OWNER WITH RESPECT TO INVESTIGATION, SITE ASSESSMENT, OR CORRECTIVE ACTIONS; AND FOR OTHER PURPOSES.

House Bill No. 2196 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, Caldwell, E. Cheatham, L. Chesterfield, A. Clark, Elliott, J. English, Files, S. Flowers, J. Hendren, J. Hutchinson, K. Ingram, Irvin, J. Key, M. Lamoureux, U. Lindsey, Maloch, B. Pierce, B. Sample, D. Sanders, Teague, R. Thompson, J. Woods, D. Wyatt.

Total25

NEGATIVE: Bledsoe, J. Dismang, Hester, Hickey, Holland, Rapert, E. Williams.

Total7

ABSENT OR NOT VOTING: B. King, G. Stubblefield.

Total2

EXCUSED: D. Johnson.

Total1

VOTING PRESENT:

Total0

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

House Bill No. 2196 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE JOINT RESOLUTION NO. 1009, BY REP. WARWICK SABIN,

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, and without objection, the rules were suspended pertaining to passage of Amendment and Bill on the same day.

On motion of Senator Woods, **House Joint Resolution No. 1009** was called up for third reading and final disposition.

HOUSE JOINT RESOLUTION NO. 1009
As Engrossed: H3/15/13 H4/3/13 H4/6/13 S4/18/13
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE SABIN
BY: SENATOR J. WOODS

A Bill for an Act to be Entitled: *TO AMEND THE ARKANSAS CONSTITUTION CONCERNING ELECTED STATE OFFICIALS; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY AND ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT FROM ACCEPTING GIFTS FROM LOBBYISTS, AND DEFINING KEY TERMS RELATING TO THAT PROHIBITION; PROHIBITING MEMBERS OF THE GENERAL ASSEMBLY FROM SETTING THEIR OWN SALARIES AND THE SALARIES OF ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT, JUSTICES, AND JUDGES; ESTABLISHING A SEVEN-MEMBER INDEPENDENT CITIZENS COMMISSION TO SET SALARIES FOR MEMBERS OF THE GENERAL ASSEMBLY, ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE DEPARTMENT, JUSTICES, AND JUDGES; ESTABLISHING THE APPOINTMENT PROCESS FOR MEMBERS OF THE INDEPENDENT CITIZENS COMMISSION, AND PROHIBITING MEMBERS OF THE INDEPENDENT CITIZENS COMMISSION FROM ACCEPTING GIFTS FROM LOBBYISTS; PROHIBITING CERTAIN CONTRIBUTIONS, INCLUDING CONTRIBUTIONS BY CORPORATIONS, TO CANDIDATES 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. 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 contribution from other than:

(i) An individual;

(ii) A political party that meets the definition of a political party under Arkansas Code § 7-1-101;

Code § 7-7-205;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee; or

(B) Accept a 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 Code § 7-1-101;

Code § 7-7-205;

(iv) A county political party committee;

(v) A legislative caucus committee; or

(vi) An approved political action committee.

(2) A candidate may accept a 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 Code § 7-1-101, a political party that meets the requirements of Arkansas Code § 7-7-205, 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 Code § 7-1-101;

Code § 7-7-205;

(D) A county political party committee;

(E) A legislative caucus committee; or

(F) An approved political action committee.

(c) As used in this section:

(1)(A) "Approved political action committee" means any person that:

(i) Receives contributions from one (1) or more persons in order to make contributions to a candidate, ballot question committee, legislative question committee, political party, county political party committee, or other political action committee;

(ii) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(iii) Registers pursuant to Arkansas Code § 7-6-215 prior to making contributions.

(B) "Approved political action committee" does not include an organized political party as defined in § 7-1-101, a county political party committee, the candidate's own campaign committee, an exploratory committee, or a ballot question committee or legislative question committee as defined in § 7-9-402;

(2) "Candidate" means an individual who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to any public office;

(3)(A) "Contribution" or "contributions" means, whether direct or indirect, advances, deposits, or transfers of funds, contracts, or obligations, whether or not legally enforceable, payments, gifts, subscriptions, assessments, payment for services, dues, advancements, forbearance, loans, or pledges or promises of money or anything of value, whether or not legally enforceable, to a candidate, committee, or holder of elective office made for the purpose of influencing the nomination or election of any candidate.

(B)(i) "Contribution" or "contributions" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; and any payments for the services of any person serving as an agent of a candidate or committee by a person other than the candidate or committee or persons whose expenditures the candidates or committee must report under Arkansas law.

(ii) "Contribution" or "contributions" further includes any transfer of anything of value received by a committee from another committee.

(C) "Contribution" or "contributions" does not include noncompensated, nonreimbursed, volunteer personal services or travel;

(4) "County political party committee" means a person that:

(A) Is organized at the county level for the purpose of supporting its affiliate party and making contributions;

(B) Is recognized by an organized political party, as defined in Arkansas Code § 7-1-101, as being affiliated with that political party;

(C) Receives contributions from one (1) or more persons in order to make contributions to a candidate, ballot question committee, legislative question committee, political party, political action committee, or other county political party committee;

(D) Does not accept any contribution or cumulative contributions in excess of five thousand dollars (\$5,000) from any person in any calendar year; and

(E) Registers pursuant to Arkansas Code § 7-6-226 prior to making contributions;

(5)(A) "Election" means each election held to nominate or elect a candidate to any public office, including school elections.

(B) For the purposes of this section, a preferential primary, a general primary, a special election, and a general election shall each constitute a separate election;

(6) "Expenditure" or "expenditures" means a purchase, payment, distribution, gift, loan, or advance of money or anything of value, and a contract, promise, or agreement to make an expenditure, made for the purpose of influencing the nomination or election of any candidate;

(7)(A) "Exploratory committee" means a person that receives contributions which are held to be transferred to the campaign of a single candidate in an election.

(B) "Exploratory committee" does not include:

(i) A political party:

(a) That meets the definition of a political party under Arkansas Code § 7-1-101; or

(b) A political party that meets the requirements of Arkansas Code § 7-7-205; or

(ii) The candidate's own campaign committee;

(8)(A) "Legislative caucus committee" means a person that is composed exclusively of members of the General Assembly, that elects or appoints officers and recognizes identified legislators as members of the organization, and that exists for research and other support of policy development and interests that the membership hold in common.

(B) "Legislative caucus committee" includes, but is not limited to, a political party caucus of the General Assembly, the Senate, or the House of Representatives.

(C) An organization whose only nonlegislator members are the Lieutenant Governor or the Governor is a "legislative caucus committee" for the purposes of this section;

(9)(A) "Person" means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, corporation, association, committee, or any other organization or group of persons acting in concert.

(B) "Person" includes:

(i) A political party that meets the definition of a political party under Arkansas Code § 7-1-101 or a political party that meets the requirements of Arkansas Code § 7-7-205;

(ii) A county political party committee; and

(iii) A legislative caucus committee; and

(10) "Public office" means an office created by or under authority of the laws of the State of Arkansas or of a subdivision thereof that is filled by the voters, except a federal office.

(d)(1) A person who knowingly violates this section is guilty of a Class A misdemeanor.

(2) In addition to the penalty under subdivision (d)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints.

(e)(1) Except as provided in subdivision (e)(2) of this section, 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.

(2) The General Assembly may amend subsection (d) of this section by a majority vote of each house.

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

(a) A former member of the General Assembly shall not be eligible to be registered as a lobbyist under Arkansas Code § 21-8-601 et seq. 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)(1) A person who knowingly violates this section is guilty of a Class D felony.

(2) In addition to the penalty under subdivision (c)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints.

(d)(1) Except as provided in subdivision (d)(2) of this section, 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.

(2) The General Assembly may amend subsection (c) of this section by a majority vote of each house.

§ 30. Gifts from lobbyists.

(a) Persons elected or appointed 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 or contracting with 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;
- (8) Member of the General Assembly; and
- (9) Member of the independent citizens commission for the purpose of setting

salaries of elected constitutional officers of the executive department, members of the General Assembly, justices, and judges under Article 19, § 31, of this Constitution.

(b) As used in this section:

(1)(A) "Administrative action" means a decision on, or proposal, consideration, or making of a rule, regulation, ratemaking proceeding, or policy action by a governmental body.

(B) "Administrative action" does not include ministerial action;

(2)(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 or appointed 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 or appointed 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)(2)(B)(iii);

(iv) Anything of value that is readily available to the general public at no cost;

(v) Food or drink available at a planned activity to which a specific governmental body 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 or appointed to an office under subsection (a) of this section;

(vii) Campaign contributions; and

(viii) Any devise or inheritance;

(3) "Governmental body" or "governmental bodies" means an office, department, commission, council, board, committee, legislative body, agency, or other establishment of the executive, judicial, or legislative branch of the state, municipality, county, school district, improvement district, or any political district or subdivision thereof;

(4)(A) "Income" means any money or anything of value received or to be received as a claim for future services, whether in the form of a retainer, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, or any other form of recompense or any combination thereof.

(B) "Income" includes a payment made under obligation for services or other value received;

(5) "Legislative action" means introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto, or any other official action or nonaction on any bill, ordinance, law, resolution, amendment, nomination, appointment, report, or other matter pending or proposed before a committee or house of the General Assembly, a quorum court, or a city council or board of directors of a municipality;

(6) "Legislator" means a person who is a member of the General Assembly, a quorum court of a county, or the city council or board of directors of a municipality;

(7) "Lobbying" means communicating directly or soliciting others to communicate with a public servant with the purpose of influencing legislative action or administrative action;

(8) "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 one (1) or more governmental bodies;

(B) Expends four hundred dollars (\$400) or more in a calendar quarter for lobbying one (1) or more governmental bodies, 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 public servant to influence any legislative action or administrative action of one (1) or more governmental bodies 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;

(9)(A) "Person" means a business, individual, union, association, firm, committee, club, or other organization or group of persons.

(B) As used in subdivision (b)(9)(A) of this section, "business" includes without limitation a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, receivership, trust, or any legal entity through which business is conducted;

(10)(A) "Public appointee" means an individual who is appointed to a governmental body.

(B) "Public appointee" does not include an individual appointed to an elective office;

(11)(A) "Public employee" means an individual who is employed by a governmental body or who is appointed to serve a governmental body.

(B) "Public employee" does not include a public official or a public appointee;

(12) "Public official" means a legislator or any other person holding an elective office of any governmental body, whether elected or appointed to the office, and shall include such persons during the time period between the date they were elected and the date they took office; and

(13) "Public servant" means all public officials, public employees, and public appointees.

(c)(1) A person who knowingly violates this section is guilty of a Class B misdemeanor.

(2) In addition to the penalty under subdivision (c)(1) of this section, the General Assembly shall provide by law for this section to be under the jurisdiction of the Arkansas Ethics Commission, including without limitation authorization of the following actions by the Arkansas Ethics Commission:

(A) Promulgating reasonable rules to implement and administer this section as necessary;

(B) Issuing advisory opinions and guidelines on the requirements of this section; and

(C) Investigating complaints of alleged violations of this section and rendering findings and disciplinary action for such complaints. (d)(1) Except as provided in subdivision (d)(2) of this section, 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.

(2) The General Assembly may amend subsection (c) of this section by a majority vote of each house.

§ 31. Independent citizens commission.

(a) As provided in this section, members of the General Assembly shall have no authority to set salaries for:

(1) Their positions as members of the General Assembly;

(2) Elected constitutional officers of the executive department;

(3) Justices; and

(4) Judges.

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

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

(B) A person shall not serve more than two (2) terms on the independent citizens commission.

(3) The independent 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 independent citizens commission shall be filled in the manner of the original appointment.

(5) The independent citizens commission shall elect from its membership:

(A) A chair; and

(B) Other officers deemed necessary by the independent citizens commission.

(6) Four (4) members of the independent citizens commission shall constitute a quorum for the purpose of transacting business.

(7) A majority vote of the total membership of the independent citizens commission is required for any action of the independent citizens commission.

(8) The office of the Auditor of State shall provide staff assistance as may be requested by the independent citizens commission.

(c)(1) In making appointments to the independent citizens 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 independent citizens 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 independent citizens commission:

(A) A person holding civil office;

(B) An employee of the State of Arkansas;

(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) An employee of the State of Arkansas; or

(c) A 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 independent citizens commission shall have the duty to review and adjust as it deems 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 independent citizens commission.

(2)(A) If the independent citizens commission proposes to adjust a salary for a position under subsection (d) of this section, the independent citizens commission shall:

(i) Provide notice to the public of the proposed salary adjustment;

(ii) Make available to the public any data reviewed by the independent citizens commission in determining the proposed salary adjustment; and

(iii) Afford the public a reasonable opportunity to provide public comment on the proposed salary adjustment.

(B) A proposed salary adjustment of the independent citizens commission shall not be considered a rule under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(3) Upon satisfying (e)(2)(A)(i)-(iii) of this section, the independent citizens commission may file the adjusted salary with the Auditor of State.

(4) An adjustment to a salary shall be effective ten (10) days after it is filed with the Auditor of State.

(5) When considering whether or not to adjust a salary for a position under subsection (d) of this section, the independent citizens commission shall include in its considerations the overall economic condition of the state at that time.

(f)(1)(A) The independent citizens commission, by a majority vote of the total membership of the independent citizens 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 independent citizens commission.

(B) Stipends shall be paid by the Auditor of State from funds available for that purpose.

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

(g)(1) The independent citizens 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 independent citizens commission may increase or diminish the salaries for the positions under subsection (d) of this section.

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

(3)(A) Except as provided in subdivision (g)(3)(B) of this section, no single adjustment at any one (1) time to a salary by the independent citizens commission shall exceed fifteen percent (15%) of the salary to be increased or diminished.

(B) Salary adjustments resulting from the initial review of the independent citizens commission under subdivision (i)(3) of this section shall not be subject to subdivision (g)(3)(A) of this section.

(4) The independent citizens commission shall provide for salaries to be paid in monthly installments.

(h) Salaries for the positions under subsection (d) of this section shall continue as existing on November 4, 2014, until adjusted by the independent citizens commission.

(i)(1) Initial members of the independent citizens 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 independent citizens commission, which shall occur within forty-five (45) days of the effective date of this section.

(3)(A) The independent citizens commission:

(i) Shall complete an initial review of 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

(ii) May file any adjustments in salary resulting from the initial review with the Auditor of State upon satisfying (e)(2)(A)(i)-(iii) of this section.

(B) No later than ninety (90) days after the effective date of this section, the independent citizens commission shall also provide recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives concerning the amounts to be paid to members of the General Assembly for:

(i) Per diem;

(ii) Reimbursement for expenses; and

(iii) Reimbursement for mileage.

(4)(A) After completing the initial review under subdivision (i)(3) of this section, the independent citizens commission shall meet as necessary to review the salaries of the positions under subsection (d) of this section but shall not meet less than one (1) time per year.

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

(i) No later than ninety (90) days before the commencement of a regular session, the independent citizens commission shall provide recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives concerning the amounts to be paid to members of the General Assembly for:

(1) Per diem;

(2) Reimbursement for expenses; and

(3) Reimbursement for mileage.

(k) The independent citizens commission shall be subject to the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.

(l) 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, § 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 of the Arkansas Constitution is amended to read as follows:

§ 30. General and special appropriations.

~~The~~ Except as provided in Arkansas Constitution, Article 19, § 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 of 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, § 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, § 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 placed on third reading and final disposition, the question being: Shall the Bill pass?

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

ROLL CALL

AFFIRMATIVE: Bledsoe, Bookout, Caldwell, E. Cheatham, L. Chesterfield, J. Dismang, Elliott, Files, S. Flowers, Hickey, Holland, K. Ingram, B. King, U. Lindsey, Maloch, B. Pierce, Rapert, B. Sample, D. Sanders, G. Stubblefield, R. Thompson, J. Woods, D. Wyatt.

Total 23

NEGATIVE: J. Hendren, J. Hutchinson, Irvin, J. Key.

Total 4

ABSENT OR NOT VOTING: Burnett, A. Clark, J. English, Hester, M. Lamoureux, Teague, E. Williams.

Total 7

EXCUSED: D. Johnson.

Total 1

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 Joint Resolution No. 1009 was concurred in.

On motion of Senator Woods, House Joint Resolution No. 1009 held in Chamber.

ARKANSAS SENATE
EIGHTY-NINTH GENERAL ASSEMBLY
REGULAR SESSION

April 18, 2013

Mr. President:

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

HOUSE BILL NO. 1039, BY REPRESENTATIVE JEFF WARDLAW,

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

House Bill No. 1039 was returned to the House as passed as amended.

On motion of Senator Teague, the Senate recessed until 6:00 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

Senate Bill No. 1029 was returned from the House as requested.

On motion of Senator Ingram, and without objection, Senate Bill No. 1029 was recommended for study in the interim by Senate Interim Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Senate Bill No. 999 was returned from the House as requested.

On motion of Senator Clark, and without objection, Senate Bill No. 999 was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

On motion of Senator Rapert, Senate Bill No. 1105 was withdrawn from the Committee on REVENUE & TAXATION, and placed on the Calendar.

On motion of Senator Rapert, and without objection, Senate Bill No. 1105 was recommended for study in the interim by Senate Interim Committee on REVENUE & TAXATION.

On motion of Senator Hutchinson, Senate Bill No. 1008 was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Hutchinson, and without objection, Senate Bill No. 1008 was recommended for study in the interim by Senate Interim Committee on JUDICIARY.

Senate Bill No. 122 was returned from the House as passed as amended.

Senate Bill No. 21 was returned from the House as passed and ordered enrolled.

Senate Bill No. 102 was returned from the House as passed and ordered enrolled.

Senate Bill No. 120 was returned from the House as passed and ordered enrolled.

Senate Bill No. 198 was returned from the House as passed and ordered enrolled.

Senate Bill No. 301 was returned from the House as passed and ordered enrolled.

Senate Bill No. 441 was returned from the House as passed and ordered enrolled.

Senate Bill No. 794 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1062 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1080 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1100 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1182 was returned from the House as passed and ordered enrolled.

Senate Bill No. 1189 was returned from the House as passed and ordered enrolled.

Received from the House

HOUSE BILL NO. 1088
 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 BOARD OF EXAMINERS IN COUNSELING FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1088 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1154
As Engrossed: H3/8/13 H3/18/13 H4/1/13 H4/9/13 H4/16/13 H4/17/13 H4/18/13
 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 MISCELLANEOUS GRANTS AND EXPENSES AND VARIOUS AGENCY TRANSFERS FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1154 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 2004

As Engrossed: H4/17/13

EIGHTY-NINTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT TO REQUIRE FULL PAYMENT OF WAGES AFTER TERMINATION OF EMPLOYMENT; AND FOR OTHER PURPOSES.

House Bill No. 2004 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

Received from the House

HOUSE BILL NO. 1202

As Engrossed: H2/14/13 H3/18/13 H4/17/13 H4/18/13

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 AND FOR GRANTS AND AID TO LOCAL SCHOOL DISTRICTS AND SPECIAL PROGRAMS FOR THE DEPARTMENT OF CAREER EDUCATION FOR THE FISCAL YEAR ENDING JUNE 30, 2014; AND FOR OTHER PURPOSES.

House Bill No. 1202 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Teague, the Senate recessed until 8:00 p.m.

The Senate reconvened after recess. The Secretary called the roll, and a quorum was present.

Senate Bill No. 342 was returned from the House as passed and ordered enrolled.

Senate Bill No. 720 was returned from the House as passed and ordered enrolled.

* * * * *

SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

SENATE BILL NO. 11
SENATE BILL NO. 135
SENATE BILL NO. 298
SENATE BILL NO. 299
SENATE BILL NO. 334
SENATE BILL NO. 463
SENATE BILL NO. 791
SENATE BILL NO. 853
SENATE BILL NO. 1007
SENATE BILL NO. 1091
SENATE BILL NO. 1118

SENATE JOINT RESOLUTION TRANSMITTED
TO THE HOUSE AS ADOPTED

SENATE JOINT RESOLUTION NO. 16

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1205
HOUSE BILL NO. 1214
HOUSE BILL NO. 1234
HOUSE BILL NO. 1493
HOUSE BILL NO. 1508
HOUSE BILL NO. 1551
HOUSE BILL NO. 1552
HOUSE BILL NO. 1570
HOUSE BILL NO. 1805
HOUSE BILL NO. 1809
HOUSE BILL NO. 1896
HOUSE BILL NO. 1910
HOUSE BILL NO. 1911
HOUSE BILL NO. 1934
HOUSE BILL NO. 2006
HOUSE BILL NO. 2196

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1039 AS AMENDED NOS. 1 & 2
HOUSE BILL NO. 1399 AS AMENDED NO. 1
HOUSE BILL NO. 1585 AS AMENDED NO. 1
HOUSE BILL NO. 1832 AS AMENDED NOS. 1 & 2
HOUSE BILL NO. 1878 AS AMENDED NO. 1
HOUSE BILL NO. 1922 AS AMENDED NO. 1
HOUSE BILL NO. 1966 AS AMENDED NOS. 1 & 2
HOUSE BILL NO. 2028 AS AMENDED NO. 1

HOUSE BILL RETURNED TO THE HOUSE
AS PASSED
EMERGENCY CLAUSE HAVING FAILED OF ADOPTION

HOUSE BILL NO. 2252

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 21
SENATE BILL NO. 102
SENATE BILL NO. 120
SENATE BILL NO. 198
SENATE BILL NO. 301
SENATE BILL NO. 342
SENATE BILL NO. 441
SENATE BILL NO. 720
SENATE BILL NO. 794
SENATE BILL NO. 1062
SENATE BILL NO. 1080
SENATE BILL NO. 1100
SENATE BILL NO. 1182
SENATE BILL NO. 1189

SENATE BILLS RETURNED FROM THE HOUSE AS PASSED AS REQUESTED

SENATE BILL NO. 999
SENATE BILL NO. 1029
SENATE BILL NO. 1164

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED AS AMENDED

SENATE BILL NO. 122 AS AMENDED NO. 1
SENATE BILL NO. 719 AS AMENDED NO. 1
SENATE BILL NO. 1020 AS AMENDED NOS. 3 & 4

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1088
HOUSE BILL NO. 1154
HOUSE BILL NO. 1202
HOUSE BILL NO. 2004

On motion of Senator Holland, the Senate adjourned until 9:00 a.m., Friday, April 19, 2013.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE