

MINUTES OF THE MEETING
OF THE
ARKANSAS LEGISLATIVE COUNCIL

Friday, December 21, 2012

The Arkansas Legislative Council met at 9:00 a.m., Friday, December 21, 2012 in Committee Room A of the Big Mac Building, Little Rock, Arkansas. Co-Chair Tommy Lee Baker called the meeting to order and dispensed with the calling of the roll. The members who attended are listed on the sign-in sheets.

Minutes of the Last Meeting

Co-Chair Baker referred the members to the minutes of the November 16, 2012 meeting of the Legislative Council and asked if there were any questions. There were no questions.

Representative Wilkins moved that the minutes of the November 16, 2012 meeting of the Legislative Council be approved. The motion received a second and passed by voice vote.

Presentation of Revenue Report

Co-Chair Baker recognized Richard Wilson, Assistant Director for Research Services with the Bureau of Legislative Research, to present the monthly revenue report for November 2012. Mr. Wilson reported that the Monthly Revenue Report for November 2012 (Exhibit D), reflects that after five months of the current fiscal year, collections for gross receipts are \$ 55.7 million ahead of the same period last year for a growth rate of two point five percent (2.5%) and the net revenue available is \$53 million ahead of the same period last year for a growth rate of two point eight percent (2.8%). Mr. Wilson noted that on November 15, 2012, the official forecast was revised and since that date the graph shows that the net general revenue available for distribution is \$4.6 million over the revised official revenue forecast. The spreadsheet reflects that gross receipts are flat for the five-month period, but reflects a growth rate of three point seven percent (3.7%) for the month of November. The spreadsheet also reflects a growth rate of three point eight (3.8%) for income tax collections. There were no questions.

Report of the Executive Subcommittee

Co-Chair Baker recognized Co-Chair Mary Anne Salmon to present the report of the Executive Subcommittee. Co-Chair Salmon reported that the Executive Subcommittee met on December 20, 2012 and went into executive session to discuss increasing the salary of the Director of the Bureau of Legislative Research. The Executive Subcommittee passed a motion to increase the director's salary to make the salary comparable to the salaries of other directors of other legislative agencies. And with this increase, the director's salary will be the maximum allowed, which is \$154,904.00.

Co-Chair Salmon also reported that the Executive Subcommittee discussed whether to allow Legislative Council Subcommittees to meet after December 21, 2012 since any issues could be

discussed by the Joint Budget Committee after this date. The Executive Subcommittee recommends that Legislative Council subcommittees not be allowed to meet after December 21, 2012.

The Executive Subcommittee also heard from Marty Garrity, Director, Bureau of Legislative Research, who reported that Governor Mike Beebe had declared December 21, 2012, as a day of mourning for the victims of the school shooting that occurred at Sandy Hook Elementary School in Newtown, Connecticut, and he has asked that a moment of silence be observed at 9:30 a.m. today. Ms. Garrity also presented the current IRS mileage reimbursement rates and the Executive Subcommittee chose to leave to the next Executive Subcommittee of Legislative Council the decision of whether or not any changes on mileage rates were necessary. There were no questions concerning this report.

Co-Chair Salmon moved that the report of the Executive Subcommittee be adopted, which would include the adoption of the recommendations by the Executive Subcommittee to increase the salary of the director of the Bureau of Legislative Research and that ALC Subcommittees not meet after December 21, 2012. The motion received a second from Senator Jim Luker and was passed by voice vote.

Recognition of the Legislative Council Co-Chairs

Co-Chair Baker recognized Senator Jim Luker who asked that Marty Garrity read a Senate Citation sponsored by Senator Robert Thompson and others. Ms. Garrity read the citation that recognized and commends Co-Chair Mary Anne Salmon for her service as a member of the House of Representatives, as a member of the Senate, as Vice Chair of the Senate Education Committee, and as Co-Chair of the Legislative Council while conducting herself with professionalism, genuineness, and humor.

Following the reading and the presentation of the citation to Senator Salmon, Senator Luker asked that while recognizing Senator Salmon, the members also recognize Representative Tommy Lee Baker for his leadership of the Legislative Council. The members of the Legislative Council and the staff responded with applause.

Co-Chair Baker recognized Representative Robert S. Moore, Jr., Speaker of the House of Representatives. Representative Moore commented that Representative Baker had served in the House of Representatives, and he came from Osceola where he was community leader and involved in the city council and had served as President of the Municipal League. Representative Baker has served as chairman of the House Committee on City, County, and Local Affairs and then as Co-Chair of the Legislative Council. Representative Moore presented to Co-Chair Baker a plaque commemorating him for his service. The members of the Legislative Council and the staff responded with applause.

Co-Chair Baker recognized Co-Chair Salmon who commented that she wished the members to know how good and dedicated Representative Baker has been as the Co-Chair of the Legislative Council. Co-Chair Salmon thanked Senator Luker and the members of the Legislative Council for the citation and recognition and stated that she has very much enjoyed working with the Legislative Council members.

Co-Chair Baker also commented that he very much appreciated Senator Salmon and her willingness to work with him. Co-Chair Baker thanked the members of the Legislative Council for their

recognition of him and commented that he had heard that if you love your job, you are always on vacation and that he has loved serving as Co-Chair of the Legislative Council.

Standing Subcommittees

Administrative Rules and Regulations Subcommittee

Co-Chair Baker recognized Representative James Word to present the report of the Administrative Rules and Regulations Subcommittee. Representative Word referred members to the Administrative Rules and Regulations Subcommittee Report in their packets and reported that the subcommittee met twice during December 2012; once on December 12, 2012, and again on December 18, 2012. Representative Word reported that during the December 12, 2012 meeting, the subcommittee reviewed a total of twenty-eight (28) rules and during the December 18, 2012 meeting, the subcommittee reviewed three (3) rules and took no action on one of those rules. Representative Word offered to answer questions. There were no questions.

Representative James Word moved that the report of the Administrative Rules and Regulations Subcommittee be adopted. The motion received a second and was passed by voice vote.

Claims Review Subcommittee

Co-Chair Baker recognized Representative Randy Stewart to present the report of the Claims Review Subcommittee. Representative Stewart reported that the Claims Review Subcommittee met on December 17, 2012 and took the following actions during that meeting: reissued one warrant; affirmed the award in five cases; affirmed the Claims Commission's denial in thirteen cases; held two claims for further review during the next subcommittee meeting; remanded one claim back to the Claims Commission for a full hearing; and passed a motion to raise the limit from \$12,500.00 to \$15,000.00 during the upcoming regular session. Representative Stewart offered to answer questions. There were no questions.

Representative Stewart moved that the report of the Claims Review Subcommittee be adopted. The motion received a second and was passed by voice vote.

Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Baker recognized Senator Johnny Key to present the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee. Senator Key reported that the Performance Evaluation and Expenditure Review (PEER) Subcommittee met on December 13, 2012 and took the following actions during the meeting: reviewed several items that included a miscellaneous federal grant request from the Insurance Department in the amount of \$18.5 million for the Level One "B" Cooperative Agreement (item D.3 in the subcommittee report), and held the request from the Assessment Coordination Department for a \$50,000.00 budget classification (item C.1 in the subcommittee report). Senator Key offered to answer questions on the report.

Co-Chair Baker recognized Representative John Burris for a question. Representative Burris asked that item D.3 in the subcommittee report, which is the miscellaneous federal grant request from Insurance Department in the amount of \$18.5 million for the Level One "B" Cooperative Agreement be removed from the report for a separate vote by the committee.

Co-Chair Baker stated that request would need to be in the form of a motion and recognized Representative Burris for the motion. **Representative Burris moved that item D.3 in the subcommittee report, which is the miscellaneous federal grant request from Insurance Department in the amount of \$18.5 million for the Level One "B" Cooperative Agreement be removed from the report for a separate vote by the committee. The motion received a second and the motion failed by voice vote.**

There was a call for a roll call vote on the motion. Co-Chair Baker recognized Representative Burris who spoke for the motion and asked that the members of the committee extend the courtesy of a separate discussion of this controversial issue with a separate vote on the issue. Co-Chair Baker asked if other members wished to speak on the motion and there was no response. Co-Chair Baker asked to see the hands of the members who are requesting a roll call vote on the motion. Upon seeing five hands, Co-Chair Baker stated the roll call vote on the motion would take place after a moment of silence is observed this morning.

At 9:30 a.m., Co-Chair Baker announced that Governor Beebe had declared December 21, 2012 a day of mourning for the victims of the school shooting in Sandy Hook, Connecticut and he asked that a moment of silence be observed to honor this request. Following the moment of silence, Co-Chair Baker thanked everyone and asked for the Lord's blessing on the family and friends of those affected by the shooting.

Co-Chair Baker recognized Senator Kim Hendren who asked the chair for an explanation of the issue that members will be voting on by the roll call because he would like to be informed before he votes. Co-Chair Baker responded that this issue concerns item D.3 on the PEER Subcommittee report that is a request by the Insurance Department for review of a contract related to the health insurance exchange that was very controversial during the PEER Subcommittee meeting, and which was reviewed by the subcommittee after several roll call votes. Co-Chair Baker stated the roll call vote is on the motion to remove item D.3 and he explained that a "No" vote on the motion would put the committee in a position to adopt the PEER Subcommittee report with no revisions, and a "Yes" vote would require further action from the committee.

Co-Chair Baker recognized Senator Johnny Key who further explained that item D.3, in the PEER Subcommittee Report on page 2, is a contract in the amount of \$18.5 million for the Insurance Department Level One "B" Cooperative Agreement and that the roll call vote is on Representative Burris' motion to remove this item from the report for separate discussion from the other items in the PEER Subcommittee Report.

Co-Chair Baker stated that the roll call vote on the motion would commence and if the motion fails to pass, the committee would proceed with the adoption of the PEER Subcommittee Report and if the motion passes the item would be pulled for discussion. **After a roll call vote, the motion to remove item D.3, which is the Insurance Department Level One "B" Cooperative Agreement contract in the amount of \$18.5 million, from the PEER Subcommittee report for separate discussion and separate vote by the committee failed to pass by seventeen (17) "yes" votes and twenty-nine (29) "no" votes.**

Senator Johnny Key moved that the report of the Performance Evaluation and Expenditure Review (PEER) Subcommittee be adopted and the motion received a second.

Co-Chair Baker recognized Representative Burris to speak against the motion. Representative Burris commented that as a result of the previous motion failing, many of the committee members are in the position of voting against the adoption of the report and a variety of items in the report. Representative Burris commented he intends to vote in the future for any procedural motion because that is a courtesy that all members should extend to each other. Representative Burris commented he would vote no on the motion to adopt the report because the report includes a \$18 million federal grant for a partnership grant that the legislature never authorized.

Co-Chair Baker called for the voice vote on the motion to adopt the Performance Evaluation and Expenditure Review (PEER) Subcommittee report and the motion passed.

Review Subcommittee

Co-Chair Baker recognized Representative Larry Cowling to present the report of the Review Subcommittee. Representative Cowling reported that the Review Subcommittee met on December 12, 2012 and reviewed all items on the agenda; which included methods of finance, a general contractors construction project, discretionary grants, and contracts. The grants for Planned Parenthood of Arkansas and Eastern Oklahoma were reviewed during the December 12, 2012 meeting, but members requested that the agency be present to answer questions at another meeting.

Representative Cowling reported that the Review Subcommittee met again at 8:00 a.m. this morning, December 21, 2012, for a discussion with the groups who received grant funding through the Arkansas Department of Health to provide syphilis-elimination education and HIV prevention services.

Representative Larry Cowling moved that the report of the Review Subcommittee be adopted. The motion received a second and was passed by voice vote.

Co-Chair Baker recognized Representative Debra Hobbs for a question and she asked if there was an agency representative in attendance who would answer questions concerning the Planned Parenthood grants. Co-Chair Baker asked staff to contact the Department of Health to ask that a representative of the agency come to the meeting to answer questions.

Co-Chair Baker recognized Senator Linda Chesterfield, who commented that these grants to provide prevention education for syphilis and the HIV-AIDS virus, were to given to Planned Parenthood and the Little Rock School District is happy with the grant and the services that have been provided and that no material findings of misappropriation of funds have been found. Senator Chesterfield urged members to support the motion.

Co-Chair Baker recognized Senator Joyce Elliott who commented that members should be aware that the grants are not new grants, but are extensions to existing grants; one until June 30 and the other until December 31, 2013. Senator Elliott stated that the grants are being administered in two Little Rock schools in her district, and the schools and the school district must agree to the grant before the work is carried out.

Co-Chair Baker recognized Senator Jason Rapert who asked that the chair restate Senator Chesterfield's motion and clarify what the motion is on which the members would be voting. Co-Chair Baker stated the motion is to adopt the Review Subcommittee report, which includes the subcommittee actions taken during the December 12, 2012 subcommittee meeting and the

discussion that took place during the December 21, 2012 subcommittee meeting. Senator Rapert commented that the Health Department was unable to provide any documentation on the original grant awards when it was requested. He also informed the members that the State of Oklahoma has de-funded Planned Parenthood of the Heartland for over charging the WIC Program.

Co-Chair Baker recognized Representative Hobbs who stated she had questions beyond these two grants and she wanted more information on the entire grant process. **Representative Hobbs moved that the portion of the report concerning the grants be removed from the Review Subcommittee report until a representative of the Health Department is available to respond to questions.**

Co-Chair Baker stated he would recognize Representative Hobbs to make a substitute motion and asked that she restate her motion. **Representative Debra Hobbs made a substitute motion that the Arkansas Department of Health grants, listed as item "c" under discretionary grants on page one of the Review Subcommittee Report, be pulled from the report for a separate vote once the members are provided more information about these grants. The motion received a second.**

Co-Chair Baker recognized Senator Joyce Elliott who asked to be recognized for a substitute motion to the substitute motion and Co-Chair Baker recognized her for a motion. **Senator Joyce Elliott made a substitute motion to the substitute motion that the vote on the Review Subcommittee report be delayed until the representatives of the Department of Health are available to respond to questions and that the vote be on the Review Subcommittee report as a whole. The motion received a second and was passed by voice vote.**

Personnel Subcommittee

Co-Chair Baker recognized Senator Jim Luker to present the report of the Uniform Personnel Classification and Compensation Plan Subcommittee. Senator Luker reported that in the absence of the subcommittee co-chairs, he is presenting the report of the Personnel Subcommittee. Senator Luker reported that the Personnel Subcommittee met on December 13, 2012 and referred members to the report in the their packets for details and offered to answer questions. There were no questions.

Senator Jim Luker moved the adoption of the report of the Uniform Personnel Classification and Compensation Plan Subcommittee. The motion received a second and was passed by voice vote.

Announcement

Co-Chair Baker announced that the Joint Budget Committee would meet immediately upon adjournment of this Legislative Council meeting.

Reports of Interim or Special Committees

Co-Chair Baker recognized Representative Tim Summers to present the report of the Task Force on Substance Abuse Prevention (Exhibit G.2) and the report of the Task Force on Substance Abuse Treatment Services (Exhibit G.3).

Task Force on Substance Abuse Prevention

Representative Summers reported that the Task Force on Substance Abuse Prevention has been meeting over the last two years and has the following recommendations for the 89th General Assembly: (1) Oppose any legislation that would change the Arkansas Tobacco Settlement Proceeds Act of 2000; (2) Support legislation to require warnings to women regarding fetal alcohol spectrum disorder at the point of sale of alcohol in restaurants and bars; and (3) Support legislation to reinstate the authority of law enforcement to seize drivers licenses of all underage individuals charged with Minor in Possession for the purpose of administrative suspension. Representative Summers stated this concluded his report for the Task Force on Substance Abuse Prevention.

Task Force on Substance Abuse Treatment Services

Representative Summers reported that the recommendations from the Task Force on Substance Abuse Treatment Services are as follows:

- Seek new funding resources to expand treatment capacity that includes: (1) expansion/reimbursement parity in the Medicaid Program; (2) continued funding of substance abuse treatment services (SATS); (3) reimbursement parity within the Health Information Exchange between substance abuse and mental health services; and (4) support drug courts.
- Continue accountability and quality improvements.
- Support a treatment continuum of care.
- Revise Involuntary Commitment laws.
- Support Advocacy.

Representative Summers stated this concluded his report for the Task Force on Substance Abuse Treatment Services.

Co-Chair Baker recognized Senator Bill Pritchard who commented that he had chaired both of these task forces on substance abuse over the past years and the recommendations had not been acted upon in previous sessions of the General Assembly. Senator Pritchard stated that there is a connection between mental health disease and substance abuse, often people are dual diagnosed, and that people with mental illness are treating themselves with legal and illegal drugs. Senator Pritchard commented that the reports contain statistics that illustrate the drain this has been on the state in terms of lost lives and people who are incarcerated instead of receiving the treatment that they need. Senator Pritchard stated that the report shows that ninety-four percent (94%) of the people who need treatment are not receiving treatment services. Senator Pritchard urged the members to get involved in this issue and during the 2013 Regular Session to give the resources necessary to deal the with the extreme problem of mental health and the disease of substance abuse addiction.

An oral report from the Arkansas Lottery Commission Legislative Oversight Committee (Exhibit G.1) was not presented during the meeting.

Review of Communications

Co-Chair Baker referred members to the communications listed on the agenda as items H.1 through H.14, in their packets and stated that action by the Legislative Council would be needed on item H.5, the items under H.7, and item H.13b. Co-Chair Baker asked that the members review the communications and, if there are questions on any item, it would be discussed.

Arkansas State Library

Co-Chair Baker referred the members to the request from the Arkansas State Library (Exhibit H.5) for the Legislative Council's review of the sale of unimproved residential land parcels and asked if there was a motion.

Co-Chair Salmon moved that the sale of unimproved residential land parcels by the Arkansas State Library be filed as reviewed. The motion received a second and was passed by voice vote.

Arkansas Teacher Retirement System

Co-Chair Baker stated the next item requiring action is the request from the Arkansas Teacher Retirement System for the Legislative Council's retrospective review of the imminent need investments with EnCap Energy Capital Fund IX, L.P. and Franklin Park Co-Investment Fund, L.P., submitted pursuant to A.C.A § 19-11-1303 (Exhibit H.7a). Co-Chair Baker asked if there was a motion on this item.

Senator Jimmy Jeffress moved that the imminent need investments with EnCap Energy Capital Fund IX, L.P. and Franklin Park Co-Investment Fund, L.P., submitted pursuant to A.C.A § 19-11-1303 (Exhibit H.7a), be filed as reviewed. The motion received a second and was passed by voice vote.

Co-Chair Baker stated the next item requiring action is the request from the Arkansas Teacher Retirement System for the Legislative Council's review of the partial equity ownership investments with Franklin Park Venture Fund 2013, L.P. and Franklin Park International Fund 2013, L.P., submitted pursuant to A.C.A § 19-11-1302 (Exhibit H.7b).

Senator Jimmy Jeffress moved that the partial equity ownership investments with Franklin Park Venture Fund 2013, L.P. and Franklin Park International Fund 2013, L.P., submitted pursuant to A.C.A § 19-11-1302 (Exhibit H.7b), be filed as reviewed. The motion received a second and was passed by voice vote.

Review of Contract

Co-Chair Baker stated the next item requiring action is the request from the Department of Finance and Administration for the Legislative Council's review of the contract between Arkansas State University at Beebe and Hydco, Inc., which is submitted pursuant to A.C.A. § 19-11-264.

Senator Randy Laverty moved that the contract between the Arkansas State University at Beebe and Hydco, Inc., which is submitted pursuant to A.C.A. § 19-11-264, be filed as reviewed. The motion received a second and was passed by voice vote.

There were no requests to review the other communications and these were filed without objection.

Review Subcommittee Additional Information

Co-Chair Baker stated that pursuant to the motion passed earlier, the committee would now hear from the representatives of the Arkansas Department of Health concerning the grants with the Planned Parenthood groups. Co-Chair Baker recognized Robert Brech and Ann Purvis with the Arkansas Health Department. Co-Chair Baker recognized Representative Debra Hobbs for questions.

The following information was provided in response to questions from Representative Hobbs and other members of the Legislative Council:

- There are nine different entities that received grants from the Department of Health to provide educational services for syphilis and HIV-AIDS prevention.
- The entities who received these grants and the amounts of the grants are: a grant extension until December 31, 2013 in the amount of \$17,000.00 to an existing contract in the amount of \$58,000.00 to the Future Builders of Central Arkansas; a grant extension until December 31, 2013 in the amount of \$13,000.00 to an existing contract in the amount of \$52,000.00 to Planned Parenthood of Arkansas; a grant extension until June 30, 2013 in the amount of \$20,000.00 to an existing contract in the amount of \$200,000.00 to Planned Parenthood of Arkansas; a grant extension until June 30, 2013 in the amount of \$28,000.00 to an existing contract in the amount of \$201,600.00 to Chicot Memorial Medical Center located in Lake Village, Arkansas; a grant extension until June 30, 2013 in the amount of \$13,000.00 to an existing contract in the amount of \$132,427.00 to AR CARE; a grant extension until June 30, 2013 in the amount of \$18,000.00 to an existing contract in the amount of \$114,000.00 to Better Community Development, Inc.; a grant extension until June 30, 2013 in the amount of \$20,000.00 to an existing contract in the amount of \$140,000.00 to African-American AIDS Policy and Training Institute; a grant extension until June 30, 2013 in the amount of \$18,000.00 to an existing contract in the amount of \$168,000.00 to St. Francis House of Northwest Arkansas; and The Living and Affected Corporation.
- These entities will provide syphilis and HIV-AIDS prevention education services in the schools and the services include some technical assistance for testing and counseling.
- The Planned Parenthood groups submit bi-monthly activity reports to the Health Department that explain if the objectives of the grant are being met and the number of people that are being reached.

- The payments to the Planned Parenthood groups are made when the invoice is submitted to the Health Department and it is verified that the services provided match the services in the grant and are allowable.
- The Arkansas Health Department receives an award from the Center for Disease Control (CDC) for the grants and the Arkansas Health Department must meet certain objectives by being in the communities and that there are targeted populations that must be served through sub grants from the Arkansas Health Department to community-based organizations.
- The Arkansas Health Department is going through another “Request for Application” process and is accepting applications from organizations that meet the requirements to be a community-based organization with objectives for these particular purposes, and which have an evidenced-based program to support the objectives.
- The Arkansas Health Department publicizes on its web page the request for applications along with the grant packet that includes the application criteria and also publishes announcements in the communities.
- The total grant amount awarded to the Arkansas Health Department is unknown at this time because the Arkansas Health Department has not yet received a notice of award from the Center for Disease Control. Ms. Purvis agreed to provide to Representative Hobbs the total amount awarded by the Center for Disease Control as soon as that amount is known.
- The local Health Department office in each community is the place to go to request assistance for people in the community who are infected with HIV-AIDS or a sexually transmitted disease as this is one of the main missions of the Arkansas Health Department.
- The Arkansas Health Department does a good job of maintaining the confidentiality of the health records of people requiring assistance and the Arkansas Health Department also assists with trying to track and contact other people who may have been in contact with an infected person.

Co-Chair Baker recognized Senator Linda Chesterfield. **Senator Chesterfield moved for immediate consideration. The motion was passed by voice vote.**

Co-Chair Baker called for a voice vote on the motion to adopt the report of the Review Subcommittee as it was submitted and the motion was passed.

New Business

Co-Chair Baker asked if any member had new business to bring before the Legislative Council and there was none.

New Proposals and Resolutions

Co-Chair Baker recognized Senator Jason Rapert to present Interim Resolution 2011-010, which urges the United States Congress and the President of the United States to stand beside Israel in the face of increased attacks upon Israel as a sovereign nation, to honor our nation's long-standing relationship with Israel as an ally, and to support the Arkansas Jewish Community and the Nation of Israel.

Senator Rapert asked that he be allowed to yield the floor to Senator Bledsoe at this time. Co-Chair Baker recognized Senator Cecile Bledsoe who commented that she has been a long-time supporter of Israel and the Jewish people and that Interim Resolution 2011-010 expresses some of her thoughts in this regard. Senator Bledsoe asked that her name be added to Interim Resolution 2011-010 as a co-sponsor.

Senator Jason Rapert asked if it would be proper to include Senator Bledsoe's request in the motion to adopt the resolution and Co-Chair Baker stated that would be proper. Senator Rapert commented that the Nation of Israel has been under extreme stress in the past few months due to increased violence and attacks on the nation, that the Nation of Israel is a long-standing supporter and ally of the United States, and that a very vibrant Jewish community exists in Arkansas. Senator Rapert stated that Happy Caldwell, the Director of Christians United for Israel, was in attendance this morning, but had to leave before he could thank the legislature for taking this step. Senator Rapert commented that he has been in touch with members of the Jewish community in Arkansas and that they wished to voice their support also. Senator Rapert stated that this is a non-controversial item and he urged members for a good vote on the resolution.

Senator Jason Rapert moved that Interim Resolution 2011-010 be revised to include Senator Cecile Bledsoe as a co-sponsor and that Interim Resolution 2011-010 be adopted by the Legislative Council. The motion received a second.

Co-Chair Baker recognized Senator Jim Luker. Senator Luker commented that he intended to vote against the resolution, not because he disagreed with points included in the resolution, but because it lacks any balance in acknowledging that there are many innocent people throughout that part of the world who are suffering. Senator Luker stated he believes that the State Department and the Department of Defense are better able than the Legislative Council to conduct the foreign policy of this country. Senator Luker stated that he had asked to offer a substitute resolution, but was informed that would not be in order. Senator Luker commented that he wishes the vote would be on a resolution which states, that in the spirit of the season where the birth of the prince of peace is celebrated, that we call on all parties of all faiths to pray for a peaceful resolution of the conflicts throughout the Middle East and throughout all of the world. **Senator Luker requested that, for these reasons, his vote be recorded as "no" on the motion to adopt Interim Resolution 2011-010. Co-Chair Baker stated that it would be recorded that Senator Luker voted "no" on the motion to adopt Interim Resolution 2011-010. The motion passed by voice vote.**

Adjournment

Co-Chair Baker stated that this concluded the business before the Legislative Council and that the Joint Budget Committee would meet immediately upon adjournment. At 10:25 a.m., the Legislative Council meeting was adjourned.

Respectfully submitted,

ATTEST:

Representative Tommy Lee Baker
Co-Chair, House

Marty Garrity
Executive Secretary