

**SIXTY-FIRST DAY'S PROCEEDINGS DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

---



---

Little Rock, Arkansas  
March 11, 2011

The House was called to order at 10:15 a.m. by Mr. Moore, the Speaker. The following members answered to the roll call:

Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright, Mr. Speaker.

Total .....95

The following member(s) was absent and did not answer to the roll call:  
Carnine, Hyde, King, H. Wilkins.

Total .....4

A quorum was present.

Unanimous leave was granted for Representative(s) Carnine, Hyde, King, H. Wilkins.

The House stood and was led in prayer by Pastor Chris Morrison, Deroche Missionary Baptist Church, Bismarck, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	March 11, 2011
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	STEPHANIE MALONE CHAIRPERSON
HOUSE RESOLUTION NO. 1029 BY REPRESENTATIVE B. WILKINS	DO PASS
HOUSE RESOLUTION NO. 1031 BY REPRESENTATIVE WORD	DO PASS
HOUSE RESOLUTION NO. 1040 BY REPRESENTATIVE LEA	DO PASS
HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001 BY REPRESENTATIVE CARTER	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1008 BY REPRESENTATIVE JEAN	DO PASS
HOUSE MEMORIAL RESOLUTION NO. 1006 BY REPRESENTATIVE BENEDICT	DO PASS

COMMITTEE REPORT

	March 11, 2011
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	JERRY R. BROWN CHAIRPERSON
HOUSE BILL NO. 1773 BY REPRESENTATIVE DALE	DO PASS
HOUSE BILL NO. 1898 BY REPRESENTATIVE INGRAM	DO PASS
HOUSE BILL NO. 1942 BY REPRESENTATIVE LAMPKIN	DO PASS
SENATE BILL NO. 47 BY SENATOR G. BAKER	DO PASS
SENATE BILL NO. 531 BY SENATOR B. SAMPLE	DO PASS

COMMITTEE REPORT

	March 11, 2011
CITY, COUNTY AND LOCAL AFFAIRS	CHAROLETTE WAGNER
	CHAIRPERSON
HOUSE BILL NO. 1434	DO PASS
BY REPRESENTATIVE HALL	
HOUSE BILL NO. 1474	DO PASS
BY REPRESENTATIVE MCLEAN	
HOUSE BILL NO. 1557	DO PASS
BY REPRESENTATIVE G. SMITH	
HOUSE BILL NO. 1705	DO PASS
BY REPRESENTATIVE J. ROEBUCK	

COMMITTEE REPORT

	March 11, 2011
INSURANCE AND COMMERCE	FRED ALLEN
	CHAIRPERSON
HOUSE BILL NO. 1981	DO PASS
BY REPRESENTATIVE J. EDWARDS	
HOUSE BILL NO. 2016	DO PASS
BY REPRESENTATIVE INGRAM	

COMMITTEE REPORT

	March 11, 2011
STATE AGENCIES	CLARK HALL
AND GOVERNMENTAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1498	DO PASS
BY REPRESENTATIVE LINCK	
HOUSE BILL NO. 1926	DO PASS
BY REPRESENTATIVE J. EDWARDS	

Upon motion of Representative D. Altes, **HOUSE BILL NO. 2153** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2153**

Amend **HOUSE BILL NO. 2153** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 26-52-301(3)(D), regarding the levy of the gross receipts tax, is amended to read as follows:

(D)(i) Service of:

- (a) Providing transportation or delivery of money, property, or valuables by armored car;
- (b) Providing cleaning or janitorial work;
- (c) Pool cleaning and servicing;
- (d) Pager services;
- (e) Telephone answering services;
- (f) Lawn care and landscaping services;
- (g) Parking a motor vehicle or allowing the motor vehicle to be parked;
- (h) Storing a motor vehicle;
- (i) Storing furs; and
- (j) Providing indoor tanning at a tanning salon.

(ii) As used in subdivision (3)(D)(i) of this section:

(a) "Landscaping" means the installation, preservation, or enhancement of ground covering by planting trees, bushes and shrubbery, grass, flowers, and other types of decorative plants;

(b) "Lawn care" means the maintenance, preservation, or enhancement of ground covering of nonresidential property and does not include planting trees, bushes and shrubbery, grass, flowers, and other types of decorative plants; ~~and~~

(c) "Residential" means a single family residence used solely as the principal place of residence of the owner; and

(d) "Storing a motor vehicle" does not include storage after the vehicle has been towed or removed if the storage is subject to the Excise Tax on Wrecker, Towing, and Storage Services Act, § 26-63-501 et seq.

SECTION 2. Arkansas Code § 26-52-316(a), regarding services subject to the gross receipts tax, is amended to read as follows:

(a) The gross proceeds or gross receipts derived from the following services are subject to this chapter:

- ~~(1)~~ Wrecker and towing services;
- ~~(2)~~(1) Collection and disposal of solid wastes;
- ~~(3)~~(2) The cleaning of parking lots and gutters;
- ~~(4)~~(3) Dry cleaning and laundry services;
- ~~(5)~~(4) Industrial laundry services;
- ~~(6)~~(5) Body piercing, tattooing, and electrolysis services;
- ~~(7)~~(6) Pest control services;
- ~~(8)~~(7) Security and alarm monitoring services;
- ~~(9)~~(8) Boat storage and docking fees;
- ~~(10)~~(9) The furnishing of camping spaces or trailer spaces at public or privately owned campgrounds, except for federal campgrounds, on less than a month-to-month basis;
- ~~(11)~~(10) Locksmith services; and
- ~~(12)~~(11) Pet grooming and kennel services.

SECTION 3. Arkansas Code Title 26, Chapter 63, is amended to add an additional subchapter to read as follows:

Subchapter 5 —

Excise Tax on Wrecker, Towing, and Storage Services Act

26-63-501. Title.

This subchapter is known and may be cited as the "Excise Tax on Wrecker, Towing, and Storage Services Act".

26-63-502. Definitions.

As used in this subchapter:

(1) "Administrative services" means the administrative activities related to providing wrecker and towing services and includes:

- (A) Labor services for cargo recovery;
- (B) Removal of debris;
- (C) Providing statutory notices; and
- (D) Processing of paperwork;

(2) "Storage services" means the impounding or holding of a vehicle, trailer, or semitrailer related to providing wrecker and towing services; and

(3)(A) "Wrecker and towing services" means the pushing, pulling, carrying, or hoisting of any vehicle, trailer, or semitrailer from an initial point of service to some other destination.

(B) "Wrecker and towing services" includes the rendering, furnishing, or performing of a removal service on a damaged, disabled, immovable, or nonoperable vehicle, trailer, or semitrailer from a location such as a ditch, pond, hole, or other place before towing.

(C) "Wrecker and towing services" does not include the transportation of a motor vehicle to or from a new or used car dealership for the purpose of placing the motor vehicle into inventory for sale or returning the motor vehicle to an automobile auction for sale.

26-63-503. Tax levied.

(a) In lieu of the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., there is levied a wrecker, towing, administration, and storage tax at the rate of ten percent (10%) on the gross proceeds or gross receipts derived from the following:

(1) The furnishing of wrecker and towing services when both the origin and destination of towing services are performed within this state;

(2) The furnishing of storage services within this state; and

(3) Administrative services performed in this state.

(b) Except as provided under the Arkansas Constitution or federal law, an exemption under the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., does not apply to this subchapter.

SECTION 4. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended to add an additional section to read as follows:

26-52-444. Limitation on gross receipts tax on sale of tow vehicle.

(a) As used in this section, "tow vehicle" means a vehicle subject to registration under § 27-14-601(a)(3)(J)(i) that is used exclusively to tow, recover, upright, transport, or otherwise facilitate the movement of other vehicles on public highways, roads, and streets.

(b) The gross receipts or gross proceeds in excess of nine thousand one hundred fifty dollars (\$9,150) derived from the sale of a tow vehicle to a person engaged in the business of providing wrecker and towing services who is licensed by the Arkansas Towing and Recovery Board under § 27-50-1201 et seq. are exempt from taxation under:

(1) The gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.;

(2) The compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.; and

(3) Any municipal or county sales tax."

/s/ Denny Altus

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Benedict, **HOUSE BILL NO. 1803** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1803**

Amend **HOUSE BILL NO. 1803** as originally introduced:

Page 2, line 14, delete "registered"

AND

Page 6, delete line 28 and substitute the following:

"subdivision (a)(2)(A).

(E) If three (3) horses test positive for equine infectious anemia in one (1) county, the certified herds in that county and in each adjacent county are no longer certified herds under this subchapter."

/s/ Lori Benedict

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Kerr, **HOUSE BILL NO. 1146** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1146**

Amend **HOUSE BILL NO. 1146** as engrossed,

H3/3/11 (version: 3/3/2011 09:31:02 AM)

Page 1, line 30, delete "position before" and substitute "position covered by the system before"

AND

Page 1, line 33, delete "position before" and substitute "position covered by the system before"

AND

Page 1, delete lines 35 and 36, and substitute the following:

"for crediting service and the employee shall contribute an additional five percent (5%) of the gross payroll for the"

/s/ Allen Kerr

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Barnett, HOUSE JOINT RESOLUTION NO. 1001 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE JOINT RESOLUTION NO. 1001

Amend House Joint Resolution No. 1001 as engrossed,

H3/8/11 (version: 3/8/2011 09:58:06 AM)

Delete Representative Mauch as a cosponsor of the bill

/s/ Jonathan Barnett

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative J. Edwards, HOUSE BILL NO. 1790 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1790

Amend HOUSE BILL NO. 1790 as engrossed,

H3/9/11 (version: 3/9/2011 12:02:40 PM)

Page 1, line 36, delete "(b)" and substitute "(b)(1)"

AND

Page 2, line 3, delete "veteran." and substitute:

"veteran if:

(A) The quality of performance is equal to or better than the best offer;

(B) The service-disabled veteran's bid does not exceed three percent (3%) of the price of the successful bid made by a bidder who is not a service-disabled veteran; and

C) The service-disabled veteran agrees to meet the price and other bid conditions that otherwise would have been awarded to a bidder who is not a service-disabled veteran;



(2) This subsection does not require a state contracting official to award a bid to a service-disabled veteran if the awarding of the bid results in a higher bid price to the State of Arkansas."

/s/ John Edwards

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Carter, **HOUSE BILL NO. 1728** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1728**

Amend **HOUSE BILL NO. 1728** as originally introduced:

Add Representatives D. Altes, Baird, Barnett, Bell, Benedict, Biviano, Branscum, J. Burris, Clemmer, Collins-Smith, Dale, Deffenbaugh, English, Eubanks, Garner, Gillam, Harris, Hickerson, Hobbs, Jean, Johnston, Kerr, Lea, Linck, Mauch, Mayberry, D. Meeks, S. Meeks, Perry, Rice, Sanders, Shepherd, Slinkard, Steel, Stubblefield, Summers, Westerman, Woods as cosponsors of the bill

AND

Add Senators G. Baker, Bledsoe, Files, Holland, J. Hutchinson, M. Lamoureux, B. Pritchard, Rapert, J. Taylor, Whitaker, E. Williams, D. Wyatt as cosponsors of the bill

AND

Page 1, delete lines 29 through 36

AND

Page 2, delete lines 1 through 3 and substitute the following:

"(b)(1) ~~No~~ A weekly benefit amount shall not be less than twelve percent (12%) of the state average weekly wage for insured employment for the preceding calendar year for benefit years beginning after June 30, 1987.

(2) However, effective July, 1, 2012, the weekly benefit amount shall not be greater than eighty-one dollars (\$81.00).

(c)(1) ~~No~~ A weekly benefit amount shall not be greater than sixty-six and two-thirds percent (662/3%) of the state average weekly wage for insured employment for the previous calendar year for benefit years beginning after June 30, 1985.

(2) ~~However, for benefit years beginning July 1, 2003, through June 30, 2005, the maximum weekly benefit amount shall not exceed three hundred forty-five dollars (\$345)~~

However, effective July, 1, 2012, the weekly benefit amount shall not be greater than four hundred fifty-one dollars (\$451)."

AND

Page 3, delete lines 34 and 35 and substitute the following:

"equal to at least his or her weekly benefit amount until, subsequent to the date of the disqualification, the claimant has been paid wages in two (2) quarters for insured work totaling not less than thirty-five (35) times his or her weekly benefit amount."

AND

Page 4, delete lines 6 though 8 and substitute the following:

"have earned wages equal to at least his or her weekly benefit amount Until, subsequent to the date of the disqualification, the claimant has been paid wages in two (2) quarters for insured work totaling not less than thirty-five (35) times his or her weekly benefit amount; and"

AND

Page 4, line 30, delete "alternate job" and substitute "alternate suitable job"

AND

Page 5, line 8 delete "(a)"

AND

Page 5, delete lines 10 through 18 in their entirety

AND

Page 6, delete lines 1 and 2 and substitute the following:

"(i) Until, subsequent to the date of the disqualification, the claimant has been paid wages in two (2) quarters for insured work totaling not less than thirty-five (35) times his or her weekly benefit amount; and"

/s/ Davy Carter

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 1952** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1952**

Amend **HOUSE BILL NO. 1952** as originally introduced:

Page 5, delete lines 15-17

AND

Page 5, line 18, delete "(m)" and substitute "(l)"

AND

Page 5, line 23, delete "(n)" and substitute "(m)"

AND

Page 5, line 25, delete "(o) Except as provided in subsection (q)" and substitute "(n) Except as provided in subsection (p)"

AND

Page 5, line 29, delete "(p)" and substitute "(o)"

AND

Page 5, line 32, delete "(q)(1)" and substitute "(p)(1)"

Page 5, line 25, delete "(o) Except as provided in subsection (q)" and substitute "(n) Except as provided in subsection (p)"

AND

Page 5, line 29, delete "(p)" and substitute "(o)"

AND

Page 5, line 32, delete "(q)(1)" and substitute "(p)(1)"

/s/ Johnnie Roebuck

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Linck, **HOUSE BILL NO. 1892** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1892

Amend **HOUSE BILL NO. 1892** as originally introduced:

Page 1, delete line 31 and substitute the following language:

"(a) As used in this section, "near fair market value" means ninety percent (90%) or more of the appraised value, as appraised by a professional appraiser within six (6) months of the sale of the buildings or real property.

~~(a)~~(b) A school district in the State of Arkansas that is consolidated"

AND

Page 1, line 34, delete "school district;" and substitute "school district at near fair market value;"

AND

Page 2, line 5, delete "(b)" and substitute "~~(b)~~(c)"

AND

Page 2, delete line 19 and substitute the following language:

"-- Donation of property for educational purposes ~~only~~ and beneficial educational services only"

AND

Page 2, delete lines 31-32, and substitute the following: "and that the donation ~~thereof~~ of the real property would serve a beneficial educational service for the ~~pupils~~ citizens of the school district,"

AND

Page 3, line 9, delete "or services" and substitute "and beneficial educational services"

AND

Page 3, delete line 25 and substitute the following language:

"property available to a publicly supported institution of higher education, a technical institute, a community college, a not-for-profit organization, a county, or a city"

AND

Page 3, line 33, delete "or services" and substitute "and beneficial educational services"

/s/ Kelley Linck

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Clemmer, **HOUSE BILL NO. 1999** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1999**

Amend **HOUSE BILL NO. 1999** as originally introduced:

Page 1, delete all language after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-82-302(2), concerning the definition of "approved institution", is amended to read as follows:

(2) "Approved institution" means a public or private college or university:

(A) ~~Which~~ That is dedicated to educational purposes, and is located:

~~(i) located in~~ In Arkansas, ~~or;~~

~~(ii) located out~~ Out of state and educating Arkansas residents in dentistry, optometry, veterinary medicine, podiatry, chiropractic, or osteopathy under agreement with the Board of Control for Southern Regional Education; or

~~(iii) Out of state and educating Arkansas residents in a program of study that is not offered in Arkansas under agreement with the Department of Higher Education;~~

(B) ~~accredited~~ Accredited by an accrediting agency certified and recognized by the United States Department of Education or the Division of Agency Evaluation and Institutional Accreditation, or a school giving satisfactory assurance that it has the potential for accreditation and is making progress which, if continued, will result in its achieving accreditation;

~~(B)(C)~~ Which That does not discriminate in the admission of students on the basis of race, color, religion, sex, or national origin; and

~~(C)(D)~~ Which That subscribes to the principle of academic freedom;

SECTION 2. Arkansas Code § 6-82-306(b)(1), concerning eligibility for the Arkansas Governor's Scholars Program, is amended to read as follows:

(b) A student is eligible for this scholarship if he or she:

(1) Meets the admission requirements and is accepted for enrollment as a full-time undergraduate student in an ~~eligible public or private college or university in Arkansas~~ approved institution;

SECTION 3. Arkansas Code § 6-82-311(b)(1), concerning the term, renewal and allocation of scholarships, is amended to read as follows:

(b)(1) A scholarship shall correspond to academic terms, semesters, quarters, or equivalent time periods at the ~~eligible~~ approved institutions."

/s/ Ann Clemmer

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Woods, **HOUSE BILL NO. 1905** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1905

Amend **HOUSE BILL NO. 1905** as engrossed,  
H3/9/11 (version: 03/09/2011 11:47:14 AM)

Page 6, delete lines 6 through 8 and substitute the following:

"(xvi) A representative of the Community Health Centers of Arkansas, Inc.

(xvii) A representative of the University of Arkansas for Medical Sciences;

(xviii) A representative of the Arkansas Health Care Association; and

(xix) Two (2) health care consumers."

/s/ Jon Woods

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative McLean, **HOUSE BILL NO. 1994** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1994**

Amend **HOUSE BILL NO. 1994** as originally introduced:

Page 1, delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code Title 16 is amended to create a new chapter to read as follows:

Chapter 99 Treatment for Alcohol Abuse

Subchapter 1 — General Provisions

[Reserved]

Subchapter 2 — Arkansas Driving While Intoxicated Court Program Act

16-99-201. Title.

This subchapter shall be known and may be cited as the "Arkansas Driving While Intoxicated Court Program Act".

16-99-202 Purpose and intent. (a) There is a critical need for judicial intervention and support for effective treatment programs that reduce the incidence of alcohol abuse, alcohol addiction, impaired-driving incidents, and family separation due to parental alcohol abuse and alcohol-related crimes.

(b) It is the intent of the General Assembly for this subchapter to enhance public safety by facilitating the creation, expansion, and coordination of driving-while-intoxicated court programs.

(c) The goals of the driving-while-intoxicated court programs in this state shall be consistent with the standards adopted by the United States Department of Justice and recommended by the National Association of Drug Court Professionals and the National Center for Driving While Intoxicated (DWI) Courts and shall include the following key components:

(1) Integration of substance abuse treatment with justice system case processing;

(2) Use of a nonadversarial approach in which prosecution and defense promote public safety while protecting the right of the accused to due process;

(3) Early identification of eligible participants and prompt placement of eligible participants;

(4) Access to a continuum of treatment, rehabilitation, and related services;

(5) Frequent testing for alcohol and illicit drugs;

(6) A coordinated strategy among the judge, prosecution, defense, and treatment providers to govern offender compliance;

(7) Ongoing judicial interaction with each participant;

(8) Monitoring and evaluation of the achievement of program goals and effectiveness;

(9) Continuing

interdisciplinary education to promote effective planning, implementation, and operation; and (10) Development of partnerships with public agencies and community-based organizations to generate local support and enhance drug court effectiveness. (d)(1) Driving while intoxicated (DWI) court programs are specialized court dockets within the existing structure of the Arkansas court system. (2) The programs offer judicial monitoring of intensive treatment and strict supervision of addicts in alcohol and alcohol-related cases. (3) The implementation of a driving while intoxicated (DWI) court and the creation of a driving while intoxicated (DWI) court docket shall be at the discretion of the district judge and may be made a part of the District Court Rules as part of the plan required by Supreme Court Administrative Order No. 18.

16-99-203. Driving while intoxicated (DWI) court programs authorized.

(a)(1) Each district court and juvenile division of circuit court of this state may implement a driving while intoxicated (DWI) court program under this subchapter.

(2) The structure, method, and operation of each program may differ and should be based upon the specific needs of and resources available to the district where the program is located. (b)(1) A program may incorporate services from the Office of Alcohol and Drug Abuse Prevention of the Department of Human Services, and the Administrative Office of the Courts. (2) Subject to an appropriation, funding, and position authorization, both programmatic and administrative, the district court and juvenile division of circuit court may:

(A) Provide positions for persons to serve as probation officers, alcohol counselors, and administrative assistants; (B) Provide for alcohol and drug testing for program participants; (C) Provide for intensive outpatient treatment for program participants; and

(D) Provide for intensive short-term and long-term residential treatment for program participants. (3) Subject to appropriation, funding, and position authorization, both programmatic and administrative, the Department of Human Services may:

(A) Provide positions for persons to serve as drug counselors and administrative assistants in delinquency cases, dependency-neglect cases, and family in need of services cases; (B) Provide for alcohol testing or drug testing, or both, for program participants in delinquency cases, dependency-neglect cases, and family in need of services cases;

(C) Provide for intensive outpatient treatment for program participants in delinquency cases, dependency-neglect cases, and family in need of services cases; (D) Provide for intensive short-term and long-term residential treatment for program participants in delinquency cases, dependency-neglect cases, and family in need of services cases; (E) Certify and



license treatment providers and treatment facilities that serve program participants;

(F) Provide and oversee residential beds for programs;

(G) Oversee catchment area facilities for programs; (H)

Act as a liaison between the courts and program participants; and (I)

Oversee performance standards for residential and long-term facilities providing services to programs. (4) Subject to appropriation, funding, and position

authorization, both programmatic and administrative, the Administrative Office of the Courts may: (A) Provide state-level coordination and support for

driving while intoxicated (DWI) court judges and their programs; (B)

Administer funds for the maintenance and operation of local programs;

(C) Provide training and education to driving while intoxicated (DWI) court judges and other professionals involved in the programs; and

(D) Operate as a liaison between driving while intoxicated (DWI) court judges and other state-level agencies providing services to programs. (c)(1) A program shall

not be available to a defendant who: (A) Has a pending violent

criminal charge against him or her; (B) Has been convicted of a

violent felony offense or adjudicated delinquent as a juvenile of a violent felony offense; or

(C)(i) Is required to register under the Sex Offender

Registration Act of 1997, § 12-12-901 et seq. (ii) The exclusion under subdivision (c)(1)(C)(i) of this section does not apply to the offense of prostitution, § 5-70-102.

(2) Eligible offenses may be further restricted by

the rules of a specific program. (3) This subchapter does not require a

driving while intoxicated (DWI) court judge to consider or accept every offender with a treatable condition or addiction, regardless of the fact that the controlling offense is eligible for consideration in the program.

(4) A defendant who is denied entry to a program shall be prosecuted as provided by law. (d)(1) Programs may require a separate judicial processing system differing in practice and design from the traditional adversarial criminal prosecution and trial systems.

(2) A driving while intoxicated (DWI) court team shall be designated by a district judge or a judge from the juvenile division of circuit court assigned to manage the driving while intoxicated court docket and may

include:

(A) A district judge;

(B) A prosecuting attorney;

(C) A public defender or private defense attorney;

(D) One (1) or more addiction counselors;

(E) One (1) or more probation officers;

(F) One (1) or more private treatment provider representatives;

and

(G) Any other individual or individuals determined necessary by the driving while intoxicated court judge. (e) Each district court may develop a training and implementation manual for programs with the assistance of the:

(1) Department of Human Services;

(2) Department of Education;

(3) Department of Career Education;

(4) Department of Community Correction; and

(5) Administrative Office of the Courts. (f)(1) A Division of Driving While Intoxicated (DWI) Court Programs is created within the Administrative Office of the Courts.

(2) The position of driving while intoxicated (DWI) court coordinator and duties associated with the position shall be included within the division, and the court coordinator may:

(A) Provide assistance, counsel, and advice to the Arkansas District Judges Council DWI Courts Committee;

(B) Serve as a coordinator among driving while intoxicated (DWI) court judges, the Department of Community Correction, the Office of Alcohol and Drug Abuse Prevention, private treatment provider representatives, and public health advocates;

(C) Establish, manage, and maintain a uniform statewide information system to track information and data on drug court program participants, to be reviewed by the committee;

(D) Train and educate driving while intoxicated (DWI) court judges and driving while intoxicated (DWI) court staff in those judicial districts maintaining a program;

(E) Provide staff assistance to the Arkansas Drug Court Professionals Association;

(F) Oversee the disbursement of funds appropriated to the Administrative Office of the Courts for the maintenance and operation of local programs based on a formula developed by the Administrative Office of the Courts and reviewed by the committee; and

(G) Develop guidelines to be reviewed by the committee to serve as a framework for developing effective local programs and to provide a structure for conducting research and evaluation for program accountability. 16-99-204. Cost and fees.

(a) The driving while intoxicated (DWI) court judge may order the offender to pay:

(1) Court costs as provided in § 16-10-305;

(2) Treatment costs;

(3) Drug testing costs;

(4) A program user fee; and

(5) Necessary supervision fees, including any applicable residential treatment fees. (b)(1) The driving while intoxicated (DWI) court judge shall establish a schedule for the payment of costs and fees. (2) The cost for treatment, drug testing, and supervision shall be set by the treatment and supervision providers respectively and made part of the order of the driving while intoxicated (DWI) court judge for payment. (3) Program user fees shall be set by the driving while intoxicated (DWI) court judge. (4) Treatment, drug testing, and supervision costs or fees may be paid directly or indirectly to the respective providers. (5)(A) All court costs and program user fees assessed by the driving while intoxicated (DWI) court judge shall be paid to the court clerk or his or her designee for remittance to the county treasury under § 14-14-1313. (6) All court costs shall be credited to the county administration of justice fund and distributed under § 16-10-307. (7) All program user fees shall be credited to a fund known as the Driving While Intoxicated (DWI) Court Program Fund and appropriated by the quorum court for the benefit and administration of the program. (8) Court orders for costs and fees shall remain an obligation of the offender with court monitoring until fully paid.

16-99-205. Collection of data. (a) A driving while intoxicated (DWI) court program shall collect and provide data on applicants, participants, and the entire program as required by the Division of Driving While Intoxicated (DWI) Court Programs within the Administrative Office of the Courts under the rules promulgated under § 16-98-307. (b) The data collected for evaluation purposes under subsection (a) of this section shall: (1) Include a minimum standard data set developed and specified by the division; and (2) Be maintained in the court files or be otherwise accessible by the courts and the division. (c)(1) As directed by the division, after an individual is discharged either upon completion or termination of a program, the program shall conduct, as much as practical, follow-up contacts with and reviews of former driving while intoxicated court participants for key outcome indicators of alcohol use, recidivism, and employment. (2)(A) The follow-up contacts with and reviews of former participants shall be conducted as frequently and for a period of time as determined by the programs based upon the nature of the drug court program and the nature of the participants. (B) The follow-up contacts with and reviews of former participants are not extensions of the driving while intoxicated (DWI) court's jurisdiction over the participants. (d) For purposes of standardized measurement of success of programs across the state, the Division of Driving While Intoxicated (DWI) Court Programs in consultation with other state agencies and subject to the review of the Driving While Intoxicated (DWI) Court Committee shall adopt an

operational definition of terms such as "recidivism", "retention", "relapses", "restarts", "sanctions imposed", and "incentives given" to be used in any evaluation and report of the programs. (e) Each program shall provide to the division all information requested by the division. (f) The division, the Office of Alcohol and Drug Abuse Prevention, and the Arkansas Crime Information Center shall work together to share and make available data to provide a comprehensive data management system for the state's programs. (g)(1) The Administrative Office of the Courts shall:  
(A) Develop a statewide evaluation model to be reviewed by the committee; and  
(B) Conduct ongoing evaluations of the effectiveness and efficiency of all the programs. (2) A report of the evaluations of the Administrative Office of the Courts shall be submitted to the General Assembly by July 1 of each year."

/s/ James McLean

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

/s/ Mrs. Sherri Stacks  
 Chief Clerk

Upon motion of Representative Hall, **HOUSE BILL NO. 1172** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1172**

Amend **HOUSE BILL NO. 1172** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 64, Subchapter 4 is amended to add an additional section to read as follows:

6-64-419. Advanced practice nurses at area health education center.

(a) The University of Arkansas for Medical Sciences may create a program to:

(1) Train advanced practice nurses for programs operated through area health education centers; and

(2) Employ advanced practice nurses as employees of an area health education center.

(b) An advanced practice nurse in training in or employed by an area health education center shall sign a collaborative practice agreement with the area health education center.

(c) A collaborative practice agreement under this section shall specify without limitation:

(1) The relationship between the area health education center and the advanced practice nurse; and

(2) For an advanced practice nurse:

(A) In training, the training required to become an advanced practice nurse employee of the area health education center; and

(B) Employee advanced practice nurse, the location within the area served by the area health education center at which the advanced practice nurse will practice."

/s/ Clark Hall

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative T. Steele, **HOUSE BILL NO. 1937** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1937**

Amend **HOUSE BILL NO. 1937** as originally introduced:

Page 1, line 32, delete "residence, and" and substitute "residence, transcript indication of learning disability, and"

AND

Page 2, line 5, delete "and"

AND

Page 2, delete line 7, and substitute the following:

"scholarships; and

(7) The number of students with an indication of a learning disability on the applicant's transcript who applied for the scholarship and either received or did not receive a scholarship.

/s/ Tracy Steele

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative English, **HOUSE BILL NO. 1703** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1703

Amend **HOUSE BILL NO. 1703** as engrossed,

H3/10/11 (version: 3/10/2011 12:14:16 PM)

Page 1, line 27, delete "a property" and substitute "a personal property"

AND

Page 1, line 29, delete "a" and substitute "an additional"

AND

Page 1, line 30, delete "26-36-201" and substitute "26-36-201(c)"

AND

Page 4, line 16, delete "(A)"

AND

Page 4, delete line 19 and substitute the following:

"(2) The county collector shall collect ~~this~~ the penalty"

AND

Page 4, delete lines 21 through 23 and substitute the following:

"(c) The county collector shall extend an additional penalty of ten percent (10%) upon all delinquent taxpayers if the taxpayers' delinquent personal property taxes are not satisfied or paid in full by October 15 following"

AND

Page 4, delete line 26 and substitute the following:

"(d) ~~No~~ A penalty shall not be assessed against ~~any~~ a"

AND

Page 4, line 30, delete "(c)" and substitute "(e)"

/s/ Jane English

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

/s/ Mrs. Sherri Stacks

Chief Clerk

Upon motion of Representative Webb, **HOUSE BILL NO. 1394** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1394**

Amend **HOUSE BILL NO. 1394** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 15-72-201 is amended to read as follows:  
15-72-201. Definitions.

As used in this act, unless the context otherwise requires:

(1) "Hydraulic fracturing fluid" means the base fluid type used in a particular hydraulic fracturing treatment in wells;

(2) "Hydraulic fracturing treatment" means stimulating a well by the application of hydraulic fracturing fluids and additives with force in order to create artificial fractures in the formation for the purpose of improving the capacity of a well to produce hydrocarbons;

~~(4)~~(3) "Operator" means the person who has the right to enter upon the lands of another for the purpose of exploring, drilling, and developing for the production of brine, oil, gas, and all other petroleum hydrocarbons;

~~(2)~~(4) "Person" means any natural person, corporation, association, partnership, trustee, guardian, executor, administrator, fiduciary, or representative of any kind; and

(5) "Pollution" means contamination or other alteration of the physical, chemical, or biological properties of any waters, or discharge of any liquid, gaseous, or solid substance in any waters that will, or is likely to, render the waters harmful, detrimental, or injurious to:

(A) The public health, safety, or welfare;

(B) Domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial use; or

(C) Livestock, wild animals, birds, fish, or other aquatic life.

~~(3)~~(6) "Surface owner" means the owner or owners of record of the surface of the property on which the drilling operation is to occur.

SECTION 2. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended to add additional sections to read as follows:

15-72-220. Fracture drilling -- Water quality.

(a)(1) Except as provided under subdivision (a)(2) of this section, the Arkansas Pollution Control and Ecology Commission shall initiate rulemaking by the effective date of this act to require oil and gas developers using hydraulic fracturing treatment when drilling to use the United States Bureau of Land Management Gold

Book Best Management Practices, as in effect on February 1, 2011, and industry-made reasonable and prudent practices for stabilization to provide for safe and efficient operations while minimizing undesirable impacts to the environment, including without limitation pollution.

(2) The Arkansas Pollution Control and Ecology Commission alternatively may develop best management practices that are no less stringent in minimizing undesirable impacts to the environment, including without limitation pollution.

(b) Depending on availability of resources, the Arkansas Department of Environmental Quality shall review the cumulative impact of multiple well sites and associated infrastructure within the same watershed.

(c) If a surface owner or surface tenant provides credible evidence to the Arkansas Department of Environmental Quality or the Arkansas Oil and Gas Commission of pollution of a fresh water supply that is within two thousand five hundred feet (2,500') of an oil or gas well, the well operator shall test all fresh water supplies within two thousand five hundred feet (2,500') of the well within sixty (60) days and make test results available to any surface owners, surface tenants, and the public.

(d) The Arkansas Pollution Control and Ecology Commission shall initiate rulemaking on the effective date of this act to amend Regulation 1 to:

(1) Require synthetic liners, clay liners, or both in all pits with strength and design consistent with the best available state regulatory and industry best practice standard;

(2) Limit the period of time that fluids can be stored consistent with current scientific information and the public interest;

(3) Require signage to warn the public and, when deemed necessary by the Arkansas Oil and Gas Commission, fencing and netting to protect wildlife from the dangers of open pits;

(4) Require pit contents and used pit liners to be disposed offsite in accordance with all applicable laws; and

(5) Require the installation of leak detection systems.

(e)(1) The Arkansas Oil and Gas Commission shall initiate rulemaking on the effective date of this act to update casing requirements to incorporate the American Society for Testing and Materials International cementing and casing standards, as in effect on January 1, 2011, and the American Petroleum Institute cementing and casing standards, as in effect on January 1, 2011, and require intermediate casing in areas where wells pass through fresh water.

(2) The Arkansas Oil and Gas Commission shall:



(A) Conduct and publish a risk assessment of the likelihood of cementing and casing failures;

(B) Identify the potential risks to water supplies if a casing were to fail; and

(C) Require that well operators always use at least two (2) layers of casing, install centralizers, and pressure test all casing consistent with the best regulatory and industry practice.

15-72-221. Powers and duties.

(a) Notwithstanding any independent authority granted to the Arkansas Oil and Gas Commission, the Arkansas Pollution Control and Ecology Commission has the authority and the affirmative duty under the Arkansas Water and Air Pollution Control Act, Arkansas Code § 8-4-101 et seq., to make rules to prevent any person, including the owner, operator, or contractor involved in oil and gas operations, from causing pollution to the waters of the state, as prohibited by Arkansas Code § 8-4-217(a)(1);

(b) The Arkansas Department of Environmental Quality has the authority and the duty to enforce any rule concerning oil and gas operations made by the Arkansas Pollution Control and Ecology Commission; and

(c) The Arkansas Oil and Gas Commission has the independent authority to cooperate with the Arkansas Department of Environmental Quality and the Arkansas Pollution Control and Ecology Commission to prevent and remediate pollution of the waters of the state."

/s/ Kathy Webb

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Webb, **HOUSE BILL NO. 1395** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1395**

Amend **HOUSE BILL NO. 1395** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended to add additional sections to read as follows:

15-72-220. Hydraulic fracturing treatment — Air quality.

The Arkansas Pollution Control and Ecology Commission shall initiate rulemaking on the effective date of this act to:

(1) Require that an oil and gas developer take all economically feasible measures to reduce or eliminate air emissions during gas drilling, production, transportation, and waste disposal; and

(2)(A)(i) Require an oil and gas developer to monitor and report air quality for air pollutants regulated under either the Clean Air Act, 42 U.S.C. § 7401 et seq., or Arkansas law if:

(a) A drill pad is within one thousand feet (1,000') of a habitable dwelling; or

(b) The Arkansas Department of Environmental Quality determines that there is a reasonable risk of air pollution due to the cumulative effect of multiple wells located in the same geographic area.

(ii) The Arkansas Department of Environmental Quality shall:

(a) Treat the source for permitting purposes consistent with the federal aggregation definitions under 40 C.F.R. 52.21(b)(6); and

(b) Rescind general compressor permit 1868-AGP-OO unless it can establish that all compressors are permitted consistent with these factors.

(B) The department may lower by regulation the amount of air pollutants that trigger the air permit requirement;

(3)(A) Develop a program for estimating the emissions of criteria and hazardous air pollutants from the entire gas development sector including mobile sources.

(B) Mobile sources shall include without limitation:

(a) A drill pad is within one thousand feet (1,000') of a habitable dwelling; or

(b) The Arkansas Department of Environmental Quality determines that there is a reasonable risk of air pollution due to the cumulative effect of multiple wells located in the same geographic area.

(ii) The Arkansas Department of Environmental Quality shall:

(a) Treat the source for permitting purposes consistent with the federal aggregation definitions under 40 C.F.R. 52.21(b)(6); and

(b) Rescind general compressor permit 1868-AGP-OO unless it can establish that all compressors are permitted consistent with these factors.

(B) The department may lower by regulation the amount of air pollutants that trigger the air permit requirement;

(3)(A) Develop a program for estimating the emissions of criteria and hazardous air pollutants from the entire gas development sector including mobile sources.

(B) Mobile sources shall include without limitation:

(5) Require the Arkansas Department of Environmental Quality to evaluate its network of air monitors and ensure that permanent air monitors sufficient to protect the public health and the environment are located in the counties where natural gas development is occurring.

15-72-221. Powers and duties.

(a) The Arkansas Pollution Control and Ecology Commission has the authority and the affirmative duty under the Arkansas Water and Air Pollution Control Act, Arkansas Code § 8-4-101 et seq., to make rules to prevent any person, including the owner, operator, or contractor involved in oil and gas operations, from causing air pollution, as prohibited by Arkansas Code § 8-4-310(a)(1);

(b) Gas production activities can cause significant air pollution, in part because many individual relatively minor sources such as individual wells in a field may combine to be a cumulatively major source of air pollution; and

(c) Air pollution from major sources and cumulatively major sources must be controlled to protect public health and the environment."

/s/ Kathy Webb

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative Lindsey, **HOUSE BILL NO. 2048** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2048

Amend **HOUSE BILL NO. 2048** as originally introduced:

Add Representatives Allen, D. Altes, T. Baker, Barnett, J. Brown, J. Burris, Carter, Catlett, Dale, J. Dickinson, J. Edwards, Ingram, Lampkin, Perry, Pierce, T. Steele, Summers, Wagner, Woods, Wren as cosponsors of the bill

AND

Add Senators D. Wyatt, Bookout, G. Baker, Burnett, L. Chesterfield, J. Dismang, Elliott, Fletcher, J. Hutchinson, D. Johnson, J. Key, M. Lamoureux, Luker, P. Malone, Salmon, Teague, R. Thompson, Whitaker as cosponsors of the bill

/s/ Uvalde Lindsey

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

Upon motion of Representative D. Altes, **HOUSE BILL NO. 2211** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2211

Amend **HOUSE BILL NO. 2211** as originally introduced:

Delete everything after the enactment clause and substitute the following:

"SECTION 1. Arkansas Code § 27-53-208 is amended to read as follows:

27-53-208. Use of accident and supplemental reports.

(a)(4) As used in this section:

(1) "Accident" or "motor vehicle accident" means contact between a motor vehicle and one (1) or more of the following:

(A) Another motor vehicle;

(B) A pedestrian;

(C) An item, object, or animal, whether on a public road, street, or highway or on private property;

2)(A) "Commercial solicitation" means an attempt to use or offer for use information contained in a motor vehicle accident report to solicit a:

(i) Person named in the motor vehicle accident report;

(ii) Relative of the person; or

(iii) Professional, business, or commercial relation of the person.

(B) "Commercial solicitation" does not include:

(i) Use of public media; or

(ii) Obtaining information to verify or settle claims by insurance companies or attorneys retained by a party to the accident;

(3) "Customer" means a person who, within sixty (60) days of a motor vehicle accident, seeks services or products from a person that holds himself or herself out as:

(A) Licensed as a practitioner; or

(B) Provide relief or a healing benefit from injury or pain caused by a motor vehicle accident;

(4) "Direct contact" means:

(A) Contact by telephone, in person, or through other means of live contact with the injured person for commercial solicitation; or

(B) Contact through use of deceit or misrepresentation to induce an injured person to receive medical treatment, including without limitation representing that an appointment with a doctor, chiropractor, or other medical provider has been arranged by a provider of automobile or health insurance;

(5)(A) "Motor vehicle accident report" means the report of a motor vehicle accident required under § 27-53-206, a supplemental report to a motor vehicle accident report, or other report regarding a motor vehicle accident that occurred within the State of Arkansas on a form prescribed or used by the Department of Arkansas State Police, the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department, or a police department or sheriff's department within the State of Arkansas.

(B) "Motor vehicle accident report" does not include the report required by § 27-19-501;

(5) "Patient" means a person who, within sixty (60) days of a motor vehicle accident, seeks care or treatment from a person who:

(A) Is a practitioner; or

(B) Holds himself or herself out as being licensed as a practitioner;

(6) "Practitioner" means a person licensed as a medical doctor, osteopathic doctor, doctor of chiropractic, dentist, nurse, physical therapist, massage therapist, dietitian, lay midwife, occupational therapist, optometrist, pharmacist, physician's assistant, psychologist, disease intervention specialist, speech language pathologist, audiologist, acupuncturist, perfusionist, orthotist, pedorthist, or otherwise licensed by, or holding himself or herself out to practice a profession required to be licensed in §§ 17-80 101 et seq. to 17-107-101 et seq.;

(7) "Public media" means telephone directories, professional directories, newspapers and other periodicals, radio and television, billboards, and mailed communications not involving direct contact with a person; and

(8)(A) "Runner" means a person who receives a pecuniary benefit from a practitioner to solicit, procure, or attempt to procure a patient or customer at the direction or request of a practitioner whose purpose is:

(i) To obtain benefits under a contract of insurance; or

(ii) To assert a claim against an insured or an insurer for providing services to the patient or customer.

(B) "Runner" does not include:

(i) A practitioner who uses public media to obtain patients or customers; or

(ii) A health, mental health, or substance abuse information service that provides information on request and without charge.

(b)(1) All required accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the use of the Department of Arkansas State Police.

(2) The Department of Arkansas State Police may disclose the identity of a person involved in an accident when the identity is not otherwise known or when the person denies his or her presence at the accident. ~~They~~ The Department of Arkansas State Police may disclose to ~~any~~ a person involved in the accident or to ~~their~~ his or her attorney or agent the name and address of ~~any and all~~ occupants and passengers in ~~any of~~ the vehicles involved in the accident as may be shown by the reports.

~~(b)(4)(c)(1)~~ No report shall A report shall not be used as evidence in ~~any~~ a civil or criminal trial arising out of an accident.

(2) The Department of Arkansas State Police shall furnish the report ~~upon~~ on the demand of ~~any~~ a person who has made or claims to have made the report or, ~~upon~~ on demand of ~~any~~ a court, a certificate showing that a specified accident report has or has not been made to the Department of Arkansas State Police solely to prove a compliance or a

failure to comply with the requirement that the report be made to the Department of Arkansas State Police.

(d)(1) It is unlawful for a practitioner:

(A) To solicit a patient or customer within sixty (60) days of a motor vehicle accident using a motor vehicle accident report for the purpose of commercial solicitation; or

(B) To compensate or give anything of value to a person acting as a runner or organization to recommend or secure employment by a patient or customer if a practitioner's intent is to obtain benefits under a contract of insurance or to assert a claim against an insured or an insurer for providing services to the patient or customer within sixty (60) days of a motor vehicle accident.

(2) It is unlawful for a practitioner, runner, or a person acting on their behalf, to solicit a patient or customer within sixty (60) days of a motor vehicle accident to induce or cause the patient or customer to seek benefits under a contract of insurance, to seek medical treatment, or to assert a claim against an insured, a governmental entity, or an insurer on behalf of an injured person.

(3) It is unlawful for a person or for a firm, corporation, partnership, or association to act as a runner for a practitioner within sixty (60) days of a motor vehicle accident.

(4) This prohibition does not apply if:

(A) An injured person involved in the motor vehicle collision has an ongoing relationship with the doctor, chiropractor, or other practitioner making contact;

(B) An injured person has requested information from or treatment by the doctor, chiropractor, or other practitioner; or

(C) The person or entity communicating with the injured person provides health or automobile liability insurance, or similar coverage, for the injured person.

(e) A violation of this section is a Class A misdemeanor.

/s/ Denny Altes

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

/s/ Mrs. Sherri Stacks  
Chief Clerk

The House gave Representative Mauch unanimous leave to withdraw HOUSE BILL NO. 1997.

ENGROSSED BILL REPORTS

---

DENNY ALTES, CHAIRPERSON

March 11, 2011

The following bill(s) reported correctly engrossed:

- HOUSE BILL NO. 1146 BY REPRESENTATIVE KERR
- HOUSE BILL NO. 1172 BY REPRESENTATIVE HALL
- HOUSE BILL NO. 1394 BY REPRESENTATIVE WEBB
- HOUSE BILL NO. 1395 BY REPRESENTATIVE WEBB
- HOUSE BILL NO. 1703 BY REPRESENTATIVE ENGLISH
- HOUSE BILL NO. 1728 - TITLE - BY REPRESENTATIVE CARTER
- HOUSE BILL NO. 1790 BY REPRESENTATIVE J. EDWARDS
- HOUSE BILL NO. 1802 BY REPRESENTATIVE T. ROGERS
- HOUSE BILL NO. 1803 BY REPRESENTATIVE BENEDICT
- HOUSE BILL NO. 1892 BY REPRESENTATIVE LINCK
- HOUSE BILL NO. 1905 BY REPRESENTATIVE WOODS
- HOUSE BILL NO. 1937 BY REPRESENTATIVE T. STEELE
- HOUSE BILL NO. 1952 BY REPRESENTATIVE J. ROEBUCK
- HOUSE BILL NO. 1994 BY REPRESENTATIVE MCLEAN
- HOUSE BILL NO. 1999 BY REPRESENTATIVE CLEMMER
- HOUSE BILL NO. 2048 - TITLE - BY REPRESENTATIVE LINDSEY
- HOUSE BILL NO. 2153 BY REPRESENTATIVE D. ALTES
- HOUSE BILL NO. 2211 BY REPRESENTATIVE D. ALTES
- HOUSE JOINT
- RESOLUTION NO. 1001 - TITLE - BY REPRESENTATIVE BARNETT



HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1728

---

BY: REPRESENTATIVES CARTER, *D. ALTES*, BAIRD, BARNETT, BELL, BENEDICT, BIVIANO, BRANSCUM, J. BURRIS, CLEMMER, COLLINS-SMITH, DALE, DEFFENBAUGH, ENGLISH, EUBANKS, GARNER, GILLAM, HARRIS, HICKERSON, HOBBS, JEAN, JOHNSTON, KERR, LEA, LINCK, MAUCH, MAYBERRY, D. MEEKS, S. MEEKS, PERRY, RICE, SANDERS, SHEPHERD, SLINKARD, STEEL, STUBBLEFIELD, SUMMERS, WESTERMAN, WOODS

BY: SENATORS J. DISMANG, G. BAKER, BLEDSOE, FILES, HOLLAND, J. HUTCHINSON, M. LAMOUREUX, B. PRITCHARD, RAPERT, J. TAYLOR, WHITAKER, E. WILLIAMS, D. WYATT

AN ACT TO SPECIFY MINIMUM AND MAXIMUM UNEMPLOYMENT BENEFITS; TO AMEND REQUIREMENTS FOR RECEIVING UNEMPLOYMENT BENEFITS FOR DISCHARGE FOR ABSENTEEISM, MISCONDUCT, AND FAILURE TO ACCEPT SUITABLE WORK; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2048

---

BY: REPRESENTATIVES LINDSEY, TYLER, LEDING, PENNARTZ, CHEATHAM, WILLIAMS, ALLEN, *D. ALTES*, T. BAKER, BARNETT, J. BROWN, J. BURRIS, CARTER, CATLETT, DALE, J. DICKINSON, J. EDWARDS, INGRAM, LAMPKIN, PERRY, PIERCE, T. STEELE, SUMMERS, WAGNER, WOODS, WREN

BY: SENATORS *D. WYATT*, BOOKOUT, G. BAKER, BURNETT, L. CHESTERFIELD, J. DISMANG, ELLIOTT, FLETCHER, J. HUTCHINSON, D. JOHNSON, J. KEY, M. LAMOUREUX, LUKER, P. MALONE, SALMON, TEAGUE, R. THOMPSON, WHITAKER

AN ACT TO CREATE THE ARKANSAS ACCELERATION FUND WITHIN THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR THE PURPOSE OF ADVANCING THE GROWTH OF HIGH-WAGE, KNOWLEDGE-BASED, AND HIGH-TECHNOLOGY JOBS IN ARKANSAS; TO CREATE THE ARKANSAS ACCELERATION FUND COMMITTEE; AND FOR OTHER PURPOSES.

HOUSE JOINT RESOLUTION BILL ENGROSSED AS TITLE AMENDED  
HOUSE JOINT RESOLUTION NO. 1001

---

BY: REPRESENTATIVES BARNETT, MOORE, CARNINE, RICE, ALLEN, D. ALTES, T. BAKER, BENEDICT, T. BRADFORD, BRANSCUM, J. BROWN, CATLETT, CHEATHAM, COLLINS-SMITH, L. COWLING, DALE, DEFFENBAUGH, J. DICKINSON, J. EDWARDS, E. ELLIOTT, EUBANKS, FIELDING, GASKILL, GILLAM, HALL, HICKERSON, HUBBARD, HYDE, INGRAM, JEAN, KING, LAMPKIN, LEDING, LENDERMAN, LINDSEY, LOVE, LOVELL, S. MALONE, MCCRARY, MCLEAN, MURDOCK, NICKELS, B. OVERBEY, PATTERSON, PENNARTZ, PERRY, PIERCE, POST, POWERS, RATLIFF, J. ROEBUCK, T. ROGERS, SHEPHERD, SLINKARD, G. SMITH, STEEL, T. STEELE, STEWART, STUBBLEFIELD, SUMMERS, T. THOMPSON, TYLER, VINES, WAGNER, WARDLAW, WEBB, B. WILKINS, H. WILKINS, WILLIAMS, WORD, WREN, WRIGHT

BY: SENATORS B. SAMPLE, J. JEFFRESS, P. MALONE, S. HARRELSON, D. WYATT

A BILL FOR AN ACT TO BE ENTITLED FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO LEVY A TEMPORARY SALES AND USE TAX OF ONE-HALF (0.5%) FOR STATE HIGHWAYS AND BRIDGES, COUNTY ROADS, BRIDGES AND OTHER SURFACE TRANSPORTATION, AND CITY STREETS, BRIDGES AND OTHER SURFACE TRANSPORTATION, WITH THE STATE'S PORTION TO SECURE STATE OF ARKANSAS GENERAL OBLIGATION FOUR-LANE HIGHWAY CONSTRUCTION AND IMPROVEMENT BONDS IN THE TOTAL PRINCIPAL AMOUNT NOT TO EXCEED ONE BILLION THREE HUNDRED MILLION DOLLARS (\$1,300,000,000) FOR THE PURPOSE OF CONSTRUCTING AND IMPROVING FOUR-LANE HIGHWAYS IN THE STATE OF ARKANSAS; PRESCRIBING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF SUCH BONDS WHICH WILL MATURE AND BE PAID IN FULL IN APPROXIMATELY TEN (10) YEARS, WHICH PAYMENT IN FULL SHALL TERMINATE THE TEMPORARY SALES AND USE TAX; DESCRIBING THE SOURCES OF REPAYMENT OF THE BONDS; PERMANENTLY DEDICATING A PORTION OF THE PROCEEDS DERIVED FROM THE EXISTING MOTOR FUEL AND DISTILLATE FUEL TAXES TO THE STATE AID STREET FUND; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

HOUSE RESOLUTION NO. 1025

---

BY: REPRESENTATIVE PENNARTZ

TO ENCOURAGE THE ARKANSAS CONGRESSIONAL DELEGATION TO SUPPORT THE MAINTENANCE, FUNDING, AND COMPLETION OF THE TWELVE-FOOT CHANNEL ON THE ARKANSAS RIVER.

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

Morning Hour Expired.

Representative D. Hutchinson moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1428

Amend HOUSE BILL NO. 1428 as engrossed,  
H2/28/11 (version: 02/28/2011 09:31:00 AM)

Add Senator J. Hutchinson as a cosponsor of the bill

AND

Page 2, delete line 30 and substitute the following:

"(b)(1) An insurer shall establish and administer the open enrollment period for the purpose of offering a child-only plan to each qualified individual.

(2) During the open enrollment period and within thirty (30) days of a"

AND

Page 3, delete lines 1 and 2, and substitute the following:

"to qualified individuals under § 23-79-509(a)(1)(C)."

AND

Page 3, delete line 5, and substitute the following:

"Comprehensive Health Insurance Pool shall be determined under policies and procedures established by the Board of Directors of the Arkansas Comprehensive Health Insurance Pool."

AND

Page 3, delete line 9, and substitute the following:

"this act expires on January 1, 2014.

SECTION 2. Arkansas Code § 23-79-509(a)(1), concerning the general eligibility requirements of the Arkansas Comprehensive Health Insurance Pool, is amended to read as follows:

(a) General Eligibility Requirements. The following requirements apply to a resident eligible person or a trade adjustment assistance eligible person in order for the person to be eligible for plan coverage:

(1) Except as provided in subdivision (a)(2) of this section or subsection (b) of this section, any individual person who meets the definition of resident eligible person as defined by § 23-79-503 or a trade adjustment assistance eligible person as defined by § 23-79-503 and is either a citizen of the United States or an alien lawfully admitted for permanent residence who continues to be a resident of this state shall be eligible for plan coverage if evidence is provided of:

(A) A notice of rejection or refusal by an insurer to issue substantially similar individual health insurance coverage by reason of the existence or history of a medical condition or upon such other evidence that the Board of Directors of the Arkansas Comprehensive Health Insurance Pool deems sufficient in order to verify that the applicant is unable to obtain the coverage from an insurer due to the existence or history of a medical condition;

(B)(i) A refusal by an insurer to issue individual health insurance coverage except at a rate that the board determines is substantially in excess of the applicable plan rate.

ii) A rejection or refusal by a group health plan or insurer offering only stop-loss or excess-of-loss insurance or contracts, agreements, or other arrangements for reinsurance coverage with respect to the applicant shall not be sufficient evidence under this subsection; or

(C)(i) Until September 30, 2011, a refusal by an insurer to issue individual health insurance coverage to a child under nineteen (19) years of age.

(ii) After September 30, 2011, the eligibility of a child under nineteen (19) years of age for individual health insurance coverage shall be determined by the board; or

(D) Evidence that the applicant was covered under a qualified high risk pool of another state, provided that the coverage terminated no more than sixty-three (63) days prior to the date the pool receives the applicant's application for coverage and the other state's qualified high risk pool did not terminate the person's coverage for fraud;"

AND

Page 3, line 11, delete "SECTION 2" and substitute "SECTION 3"

/s/ Jeremy Hutchinson

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Baird, Carnine, Hyde, Johnston, King, Rogers, Sanders, Thompson, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....89

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks  
Chief Clerk

Representative Lea moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1021

Amend HOUSE BILL NO. 1021 as engrossed,  
H1/20/11 (version: 01/20/2011 09:24:40 AM)

Add Senator Rapert as a co-sponsor of the bill

AND

Page 1, line 30 delete "purposely causing" and substitute "causing ~~the~~ a person whom the actor knows to be a"

AND

Page 1, delete line 33 and substitute:

"other bodily fluid by purposely throwing, tossing, ~~or~~ expelling, or otherwise transferring the fluid or material."

/s/Jason Rapert

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Hyde, King, H. Wilkins, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

Total number voting in the affirmative .....94

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Mrs. Sherri Stacks

Chief Clerk

Representative Post moved to pass over HOUSE BILL NO. 2060 and leave it on the Calendar. Motion carried.



HOUSE BILL NO. 1916

---

BY: REPRESENTATIVE HOBBS

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Hyde, King, H. Wilkins, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

Total number voting in the affirmative .....94

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

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

HOUSE BILL NO. 1895

---

**BY: REPRESENTATIVE POWERS**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....	91
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Carnine, Hyde, King, H. Wilkins, Mr. Speaker.	
Total .....	5
VOTING PRESENT: Leding, Lindsey, Webb.	
Total .....	3
Total number of votes cast .....	94
Total number voting in the affirmative .....	91
Necessary to the passage of the bill .....	51

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

Upon motion by Representative Powers the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1895**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....	91
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Carnine, Hyde, King, H. Wilkins, Mr. Speaker.	
Total .....	5
VOTING PRESENT: Leding, Lindsey, Webb.	
Total .....	3
Total number of votes cast .....	94
Total number voting in the affirmative .....	91
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion by Representative Powers the Clincher motion prevailed.

HOUSE BILL NO. 1424

---

BY: REPRESENTATIVE WESTERMAN

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Barnett, Carnine, Edwards, Elliott, Hyde, King, Webb, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative.....90

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

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

HOUSE BILL NO. 1628

---

BY: REPRESENTATIVE LEDING

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

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Wren, Wright.

Total .....85

NEGATIVE: Altes, Bell, Collins-Smith, Mayberry.

Total .....4

ABSENT OR NOT VOTING: Carnine, Clemmer, Edwards, Hyde, King, Webb, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT: Elliott, Word.

Total .....2

Total number of votes cast .....91

Total number voting in the affirmative .....85

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

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

HOUSE BILL NO. 1924

---

BY: REPRESENTATIVE J. ROEBUCK

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

AFFIRMATIVE: Allen, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Altes, Carnine, Hutchinson, Hyde, King, Webb, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative.....91

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

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

HOUSE BILL NO. 1810

---

BY: REPRESENTATIVE D. HUTCHINSON

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

AFFIRMATIVE: Allen, Altes, Baird, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gillam, Hall, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Ingram, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Shepherd, Slinkard, G. Smith, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....81

NEGATIVE: Baker, Bell, Gaskill, Hammer, Hobbs, Sanders, Steel.

Total .....7

ABSENT OR NOT VOTING: Barnett, Carnine, Hyde, Jean, King, Pierce, Webb, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT: Lindsey, Nickels.

Total .....2

Total number of votes cast .....90

Total number voting in the affirmative .....81

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

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

Upon motion by Representative D. Hutchinson the Clincher motion prevailed.

HOUSE BILL NO. 1966

---

BY: REPRESENTATIVE LEDING

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE: Gaskill.

Total .....1

ABSENT OR NOT VOTING: Brown, Carnine, Elliott, Hall, Hyde, King, Webb, H. Wilkins, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative.....89

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

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



HOUSE BILL NO. 1623

---

BY: REPRESENTATIVE T. THOMPSON

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Brown, Carnine, Elliott, Hammer, Hyde, King, H. Wilkins, Wright, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....90

Total number voting in the affirmative .....90

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

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

HOUSE BILL NO. 2028

---

BY: REPRESENTATIVE PERRY

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Brown, Carnine, Elliott, Hyde, King, Murdock, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative.....91

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

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

HOUSE BILL NO. 1949

---

BY: REPRESENTATIVE PERRY

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....92

NEGATIVE: Gaskill.

Total .....1

ABSENT OR NOT VOTING: Carnine, Elliott, Hyde, King, H. Wilkins, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Total number voting in the affirmative .....92

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

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

HOUSE BILL NO. 1902

---

BY: REPRESENTATIVE MOORE

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

AFFIRMATIVE: Allen, Altes, Baker, Barnett, Biviano, Bradford, Branscum, Brown, Burris, Catlett, Cheatham, Collins-Smith, Cowling, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, Eubanks, Fielding, Gaskill, Gillam, Hall, Hickerson, Ingram, Jean, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, McCrary, McLean, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Shepherd, Slinkard, G. Smith, Steele, Stewart, Stubblefield, Summers, Thompson, Vines, Wagner, Wardlaw, Webb, B. Wilkins, Williams, Word, Wren, Wright, Mr. Speaker.

Total .....67

NEGATIVE: Baird, Bell, Benedict, Carter, Clemmer, Collins, Cozart, English, Garner, Hammer, Harris, Hobbs, Hopper, Hubbard, Hutchinson, Johnston, Lea, Mauch, Mayberry, D. Meeks, S. Meeks, Sanders, Westerman, Woods.

Total .....24

ABSENT OR NOT VOTING: Carnine, Hyde, Kerr, King, Steel, Tyler, Walker, H. Wilkins.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

Total number voting in the affirmative.....67

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

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

Upon motion by Representative Moore the Clincher motion prevailed.

HOUSE BILL NO. 1426

---

BY: REPRESENTATIVE BAIRD

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Catlett, Clemmer, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....85

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Carter, Cheatham, Collins, Elliott, Hickerson, Hyde, King, Leding, Murdock, Powers, Walker, H. Wilkins, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast .....85

Total number voting in the affirmative .....85

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

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

HOUSE BILL NO. 2038

---

BY: REPRESENTATIVE VINES

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart. Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, Williams, Word, Wren, Wright.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Elliott, Hyde, Kerr, King, Murdock, Perry, Webb, H. Wilkins, Woods, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....88

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

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

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

Representative Deffenbaugh moved to pass over HOUSE BILL NO. 2026 and leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1829

---

BY: REPRESENTATIVE SLINKARD

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....85

NEGATIVE: Westerman.

Total .....1

ABSENT OR NOT VOTING: Carnine, Collins-Smith, Elliott, Harris, Hickerson, Hyde, King, Murdock, Rogers, Sanders, H. Wilkins, Mr. Speaker.

Total .....12

VOTING PRESENT: Bell.

Total .....1

Total number of votes cast .....87

Total number voting in the affirmative .....85

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

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

HOUSE BILL NO. 1620

BY: REPRESENTATIVE CHEATHAM

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Collins-Smith, Elliott, Hickerson, Hyde, King, Murdock, Ratliff, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative.....89

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

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



HOUSE BILL NO. 1348

---

**BY: REPRESENTATIVE SUMMERS**

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

AFFIRMATIVE: Allen, Altes, Baird, Barnett, Bell, Biviano, Bradford, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, English, Fielding, Garner, Gillam, Hammer, Harris, Hobbs, Hopper, Hutchinson, Ingram, Jean, Kerr, Lampkin, Leding, Lenderman, Linck, Lindsey, Love, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Patterson, Perry, Pierce, Post, Rice, Rogers, Slinkard, G. Smith, Steele, Stewart, Summers, Thompson, Tyler, Vines, Wagner, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wright.

Total .....67

NEGATIVE: Baker, Benedict, Branscum, Edwards, Eubanks, Gaskill, Hubbard, Lovell, Overbey, Pennartz, Ratliff, Roebuck, Shepherd, Steel, Stubblefield, Wardlaw, Wren.

Total .....17

ABSENT OR NOT VOTING: Carnine, Collins-Smith, Elliott, Hall, Hickerson, Hyde, Johnston, King, Lea, Murdock, Powers, Sanders, Walker, H. Wilkins, Mr. Speaker.

Total .....15

VOTING PRESENT:

Total .....0

Total number of votes cast .....84

Total number voting in the affirmative .....67

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

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

HOUSE BILL NO. 1875

---

BY: REPRESENTATIVE J. ROEBUCK

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....85

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Biviano, Carnine, Clemmer, Collins-Smith, Elliott, Hall, Hyde, King, Murdock, Powers, Tyler, Walker, H. Wilkins, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast .....85

Total number voting in the affirmative.....85

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

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

HOUSE BILL NO. 1878

---

**BY: REPRESENTATIVE PIERCE**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Cheatham, Collins-Smith, Hall, Hyde, King, Post, Thompson, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....89

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

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1878**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Cheatham, Collins-Smith, Hall, Hyde, King, Post, Thompson, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....89

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

So the Emergency Clause was adopted.

Mr. Speaker,

The House Rules Committee considered the issue referred to us by you. The Committee concluded that the scope of practice for pharmacists was not expanded by **SENATE BILL NO. 437** and therefore, the provisions of Joint Rule 17 do not apply to **SENATE BILL NO. 437** and **SENATE BILL NO. 437** was properly introduced.

Representative Keith Ingram, Chairman  
House Rules Committee

Upon motion of Representative T. Rogers, **HOUSE BILL NO. 1802** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1802**

Amend **HOUSE BILL NO. 1802** as originally introduced:

Page 1, delete lines 35 and 36, and substitute the following:

"(4) Water purchased from a public surface-water delivery project to:

(A) Reduce or replace water used for in-ground irrigation; or

(B) Reduce dependence on ground water used for agriculture."

AND

Page 2, delete line 1

/s/ Tiffany Rogers

The vote was as follows:

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Kerr, Lampkin, Lea, Leding, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....87

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Collins-Smith, Hall, Hutchinson, Hyde, Johnston, King, Lenderman, Linck, Walker, H. Wilkins, Mr. Speaker.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast .....87

Total number voting in the affirmative .....87

Necessary to the adoption of the amendment.....51

So the Amendment was adopted.

/s/ Mrs. Sherri Stacks  
Chief Clerk

HOUSE BILL NO. 1899

---

BY: REPRESENTATIVE INGRAM

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....88

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Collins-Smith, Hall, Hutchinson, Hyde, Johnston, King, Post, Thompson, H. Wilkins, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....88

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

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

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



HOUSE BILL NO. 1817

---

**BY: REPRESENTATIVE WOODS**

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hopper, Hubbard, Hutchinson, Ingram, Jean, Johnston, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, Murdock, Nickels, Overbey, Patterson, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....85

NEGATIVE: S. Meeks, Pierce, Wardlaw, Webb.

Total .....4

ABSENT OR NOT VOTING: Bell, Carnine, Cowling, Hobbs, Hyde, King, H. Wilkins, Mr. Speaker.

Total .....8

VOTING PRESENT: Pennartz, Steel.

Total .....2

Total number of votes cast .....91

Total number voting in the affirmative .....85

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

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

Upon motion by Representative Woods the Clincher motion prevailed.

HOUSE BILL NO. 1812

---

BY: REPRESENTATIVE T. ROGERS

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

AFFIRMATIVE: Allen, Altes, Baird, Baker, Barnett, Bell, Benedict, Biviano, Bradford, Branscum, Brown, Burris, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-Smith, Cowling, Cozart, Dale, Deffenbaugh, Dickinson, Edwards, Elliott, English, Eubanks, Fielding, Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, Ingram, Jean, Kerr, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love, Lovell, Mauch, Mayberry, McCrary, D. Meeks, S. Meeks, Murdock, Nickels, Overbey, Patterson, Pennartz, Perry, Post, Powers, Ratliff, Rice, Roebuck, Rogers, Sanders, Shepherd, Slinkard, G. Smith, Steel, Steele, Stewart, Stubblefield, Summers, Thompson, Tyler, Vines, Wagner, Walker, Wardlaw, Webb, Westerman, B. Wilkins, Williams, Woods, Word, Wren, Wright.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Carnine, Hutchinson, Hyde, Johnston, King, Malone, McLean, Pierce, H. Wilkins, Mr. Speaker.

Total .....10

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative.....89

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

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

Representative H. Wilkins moved to pass over HOUSE BILL NO. 1414 and leave it on the Calendar. Motion carried.

## HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

---

HOUSE BILL NO. 1348	BY REPRESENTATIVE SUMMERS
HOUSE BILL NO. 1424	BY REPRESENTATIVE WESTERMAN
HOUSE BILL NO. 1426	BY REPRESENTATIVE BAIRD
HOUSE BILL NO. 1620	BY REPRESENTATIVE CHEATHAM
HOUSE BILL NO. 1623	BY REPRESENTATIVE T. THOMPSON
HOUSE BILL NO. 1628	BY REPRESENTATIVE LEDING
HOUSE BILL NO. 1810	BY REPRESENTATIVE D. HUTCHINSON
HOUSE BILL NO. 1812	BY REPRESENTATIVE T. ROGERS
HOUSE BILL NO. 1817	BY REPRESENTATIVE WOODS
HOUSE BILL NO. 1829	BY REPRESENTATIVE SLINKARD
HOUSE BILL NO. 1875	BY REPRESENTATIVE J.ROEBUCK
HOUSE BILL NO. 1878	BY REPRESENTATIVE PIERCE
HOUSE BILL NO. 1895	BY REPRESENTATIVE POWERS
HOUSE BILL NO. 1899	BY REPRESENTATIVE INGRAM
HOUSE BILL NO. 1902	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1916	BY REPRESENTATIVE HOBBS
HOUSE BILL NO. 1924	BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 1949	BY REPRESENTATIVE PERRY
HOUSE BILL NO. 1966	BY REPRESENTATIVE LEDING
HOUSE BILL NO. 2028	BY REPRESENTATIVE PERRY
HOUSE BILL NO. 2038	BY REPRESENTATIVE VINES

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

March 11, 2011

MR. SPEAKER:

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

HOUSE BILL NO. 1021

BY REPRESENTATIVE LEA, ET AL

HOUSE BILL NO. 1428

BY REPRESENTATIVE D. HUTCHINSON

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 2:05 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Denny Altes,  
Chairperson

RECEIPT FROM THE GOVERNOR

---

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1021

BY REPRESENTATIVE LEA, ET AL

HOUSE BILL NO. 1428

BY REPRESENTATIVE D. HUTCHINSON

/s/ Mike Beebe - Governor

TIME: 2:05 p.m.

By: Rebecca Rains

Upon motion of Representative Fred Allen, the House adjourned at 12:30 p.m. until 1:30 p.m., Monday, March 14, 2011.

ATTEST:

\_\_\_\_\_  
Robert S. Moore, Jr.  
Speaker of the House of Representatives

\_\_\_\_\_  
Sherri Stacks  
Chief Clerk

