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

Little Rock, Arkansas

January 19, 2005

The Senate was called to order at 1:00 o'clock p.m. by the President.

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

ALTES, ARGUE, BAKER, BISBEE, BOOKOUT,
BROADWAY, BROWN, BRYLES, CAPPS, CRITCHER,
FARIS, GLOVER, HENDREN, HIGGINBOTHOM, HILL,
HOLT, HORN, G.JEFFRESS, J.JEFFRESS, JOHNSON,
LAVERTY, LUKER, MADISON, MALONE, MILLER,
SALMON, SMITH, STEELE, TAYLOR, TRUSTY,
WHITAKER, WILKINSON, WOMACK, WOOLDRIDGE.

Leave was requested for Senator Wilkins.

The Senate was led in prayer by Bishop Charles Crutchfield, Arkansas
Conference United Methodist Church, Little Rock, Arkansas.

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

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

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

January 19, 2005

Mr. President:

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

SENATE BILL NO. 70, BY SENATOR LUKER,
SENATE BILL NO. 71, BY SENATOR SMITH,

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

Respectfully submitted,
(SIGNED) SENATOR ED WILKINSON

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

January 19, 2005

Mr. President:

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

SENATE BILL NO. 38, BY SENATOR MALONE,

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

Respectfully submitted,
(SIGNED) SENATOR TIM WOOLDRIDGE

ARKANSAS SENATE
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

January 19, 2005

Mr. President:

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

SENATE BILL NO. 49, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,
(SIGNED) SENATOR JACK CRITCHER

The President declared the morning hour to have expired.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROADWAY
BY: REPRESENTATIVE J. JOHNSON

SENATE CONCURRENT RESOLUTION CELEBRATING THE LIFE AND MOURNING THE PASSING OF PATRICIA ANN BURLESON DANIELS.

Senate Concurrent Memorial Resolution No. 1 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 103
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 103 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 104
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SENTENCING COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

Senate Bill No. 104 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

SENATE BILL NO. 105
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, J. JEFFRESS & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE NUMBER OF TRUSTEES ON THE BOARD OF TRUSTEES OF THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 105 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

SENATE BILL NO. 106
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, J. JEFFRESS & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO ALLOW AN INCREASE IN THE AMORTIZATION PERIOD FOR UNFUNDED LIABILITIES IN THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 106 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

SENATE BILL NO. 107
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, J. JEFFRESS & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE RATE OF INTEREST EARNED ON THE ARKANSAS STATE POLICE OFFICERS DEFERRED OPTION PLAN; AND FOR OTHER PURPOSES.

Senate Bill No. 107 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

SENATE BILL NO. 108
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, J. JEFFRESS & BOOKOUT

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A DISABILITY MEDICAL EXAMINATION BE PERFORMED BY A BOARD OF MEDICAL PROFESSIONALS AS DEFINED BY THE RULES OF THE BOARD OF TRUSTEES OF THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 108 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

SENATE BILL NO. 109
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MALONE
REPRESENTATIVES STOVALL, J. JOHNSON & HARDWICK

A Bill for an Act to be Entitled: AN ACT TO CONTROL THE DISTRIBUTION OF CERTAIN PRECURSOR INGREDIENTS UTILIZED TO MANUFACTURE METHAMPHETAMINE; TO CLASSIFY EPHEDRINE COMBINATION PRODUCTS, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE AS SCHEDULE V CONTROLLED SUBSTANCES; TO CREATE OFFENSES REGARDING THE SALE AND PURCHASE OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE; AND FOR OTHER PURPOSES.

Senate Bill No. 109 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 110
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ENCOURAGE SMALL SCHOOL DISTRICTS TO FORM PARTNERSHIPS WITH OTHER SCHOOL DISTRICTS OR TO ENTER INTO AGREEMENTS WITH EDUCATIONAL SERVICE COOPERATIVES FOR THE PURPOSE OF IMPROVING MEDICAID BILLING FOR MEDICALLY NECESSARY SERVICES DELIVERED TO ARKANSAS SCHOOL CHILDREN; AND FOR OTHER PURPOSES.

Senate Bill No. 110 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 111
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE TASK FORCE ON MENTAL HEALTH TREATMENT SERVICES; AND FOR OTHER PURPOSES.

Senate Bill No. 111 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 112
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HENDREN

A Bill for an Act to be Entitled: AN ACT TO REPEAL MANDATES FOR A SCHOOL DISTRICT TO PROVIDE TWO HUNDRED (200) MINUTES OF PLANNING TIME FOR TEACHERS; AND FOR OTHER PURPOSES.

Senate Bill No. 112 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 113
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR CRITCHER

A Bill for an Act to be Entitled: AN ACT TO MAKE CERTAIN OFFENDERS ELIGIBLE FOR PAROLE OR COMMUNITY PUNISHMENT TRANSFER UNDER THE SEVENTY-PERCENT RULE; AND OTHER PURPOSES.

Senate Bill No. 113 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1009
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE EDWARDS

A Bill for an Act to be Entitled: AN ACT TO REQUIRE A COUNTY CLERK TO FILE A REPORT OF EQUALIZED ASSESSED PROPERTY VALUES WITH THE ASSESSMENT COORDINATION DEPARTMENT WITHIN THIRTY (30) DAYS AFTER THE COUNTY EQUALIZATION BOARD ADJOURNS; AND FOR OTHER PURPOSES.

House Bill No. 1009 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1028
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE THOMPSON

A Bill for an Act to be Entitled: AN ACT TO ALLOW INTRODUCTION OF EVIDENCE OF OTHER CRIMES IN SEX OFFENSE CASES; AND FOR OTHER PURPOSES.

House Bill No. 1028 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1064
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BOND, KEY, J. MARTIN & LAMOUREUX

A Bill for an Act to be Entitled: AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR CONTRIBUTIONS MADE TO A HEALTH SAVINGS ACCOUNT; TO EXEMPT THE INTEREST EARNED ON THE ACCOUNT FROM INCOME TAX; TO MAKE CONFORMING AMENDMENTS TO EXISTING LAW; AND FOR OTHER PURPOSES.

House Bill No. 1064 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1068
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BORHAUER

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LITTER CONTROL ACT TO GIVE ILLEGAL DUMPS CONTROL OFFICERS THE POWER TO ISSUE CITATIONS FOR LITTERING; TO CLARIFY THE PROPER DISPOSAL OF SOLID WASTE FROM ILLEGAL DUMPS AND TO CORRECT REFERENCES TO THE COURT OF COMPETENT JURISDICTION; AND FOR OTHER PURPOSES.

House Bill No. 1068 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE BILL NO. 1109
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES D. JOHNSON, CHILDERS, JACKSON, ADAMS,
ANDERSON, BERRY, BOLIN, BOND, BORHAUER, BRIGHT, COOPER,
COWLING, D. CREEKMORE, DICKINSON, DUNN, GEORGE, R. GREEN, HARDY,
HARRELSON, J. HUTCHINSON, T. HUTCHINSON, JEFFREY, J. JOHNSON,
KENNEY, KIDD, MALOCH, M. MARTIN, MATAYO, MATHIS, MAXWELL,
MCDANIEL, NICHOLS, NORTON, PATE, PETRUS, S. PRATER, PYLE, RANKIN,
ROEBUCK, ROSENBAUM, L. SMITH, SULLIVAN, THOMASON, THOMPSON,
THYER, WALTERS, WELLS, WILLS, WOOD & WYATT
BY: SENATORS BISBEE, BROADWAY, CRITCHER & SALMON

A Bill for an Act to be Entitled: AN ACT TO PERMIT THE ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF INDIAN OCEAN TSUNAMI VICTIMS; AND FOR OTHER PURPOSES.

House Bill No. 1109 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1117
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES D. CREEKMORE & J. MARTIN

A Bill for an Act to be Entitled: AN ACT TO AMEND THE PETITION FORM FOR AN ORDER OF PROTECTION TO ELIMINATE ANY REQUIREMENT FOR DISCLOSURE OF SOCIAL SECURITY NUMBERS; AND FOR OTHER PURPOSES.

House Bill No. 1117 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 114
EIGHTY-FIFTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR WOOLDRIDGE

A Bill for an Act to be Entitled: AN ACT TO INCLUDE IN THE DEFINITION OF NEGLECT IN THE ARKANSAS CHILD MALTREATMENT ACT AND THE ARKANSAS JUVENILE CODE THE CAUSING OF A NEWBORN CHILD TO BE BORN ADDICTED TO AN ILLEGAL SUBSTANCE OR BORN WITH A LIFE-THREATENING HEALTH PROBLEM AS A RESULT OF THE PREGNANT MOTHER'S USE BEFORE BIRTH OF AN ILLEGAL SUBSTANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 114 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

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HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1009

HOUSE BILL NO. 1064

HOUSE BILL NO. 1068

HOUSE BILL NO. 1109

HOUSE BILL NO. 1117

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED, EMERGENCY CLAUSE HAVING FAILED OF ADOPTION

HOUSE BILL NO. 1028

On motion of Senator Hill, the Senate adjourned until 11:00 a. m., Thursday,
January 20, 2005.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

