

**TENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
January 17, 2007

The House was called to order at 1:30 p.m. by Mr. Scott Sullivan, the Speaker Pro Tempore. The following members answered to the roll call:

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total98

The following member(s) was absent and did not answer to the roll call:
Chesterfield, Schulte.

Total2

A quorum was present.

Unanimous leave was granted for Representative(s) Chesterfield, Schulte.

The House stood and was led in prayer by Reverend Ken Shaddox, Pastor, First Baptist Church, Searcy, 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

	January 17, 2007
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	LINDA CHESTERFIELD CHAIRPERSON
HOUSE BILL NO. 1025	DO PASS
BY REPRESENTATIVE CREEKMORE	AS AMENDED # 1

COMMITTEE REPORT

	January 17, 2007
CITY, COUNTY AND LOCAL AFFAIRS	STEPHANIE FLOWERS CHAIRPERSON
HOUSE BILL NO. 1043	DO PASS
BY REPRESENTATIVE WILLS	
HOUSE BILL NO. 1086	DO PASS
BY REPRESENTATIVE OVERBEY	
HOUSE BILL NO. 1122	DO PASS
BY REPRESENTATIVE SHELBY	

COMMITTEE REPORT

	January 17, 2007
STATE AGENCIES AND GOVERNMENTAL AFFAIRS	JEFF WOOD CHAIRPERSON
HOUSE BILL NO. 1093	DO PASS
BY REPRESENTATIVE OVERBEY	

COMMITTEE REPORT

	January 17, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1063	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1064	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1074	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1076	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1078	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1079	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1087	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1088	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1089	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1090	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1091	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1092	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	January 17, 2007
RULES	DAVID DUNN
	CHAIRPERSON
HOUSE BILL NO. 1044	DO PASS
BY REPRESENTATIVE SULLIVAN	
HOUSE BILL NO. 1104	DO PASS
BY REPRESENTATIVE THYER	

Upon motion of Representative Walters, **HOUSE BILL NO. 1041** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1041

Amend **HOUSE BILL NO. 1041** as engrossed,

H1/10/07 (version: 01-10-2007 09:02):

Delete lines 29 and 30 and substitute the following:

"the court shall direct that a copy of the safety plan and a copy of the court order regarding the safety plan be provided to the school superintendent and school counselor where the juvenile is enrolled."

AND

Delete lines 33 and 34 and substitute the following:

"copy of the safety plan and a copy of the court order regarding the safety plan be provided to the school superintendent and school counselor where the juvenile is enrolled."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Walters, **HOUSE BILL NO. 1041** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1041

Amend **HOUSE BILL NO. 1041** as engrossed,

H1/10/07 (version: 01-10-2007 09:02):

Page 2, line 7, add a new subdivision to read as follows:

"(4) When a student attains an age that he or she is no longer under the jurisdiction of the juvenile court, the safety plan and the order regarding the safety plan shall be removed from the school's permanent records and destroyed."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Gaskill, **HOUSE BILL NO. 1031** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1031

Amend **HOUSE BILL NO. 1031** as originally introduced:

Add Representatives Reynolds, Hoyt, and Roebuck as cosponsors of the bill.

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 60, Subchapter 2 is amended to add an additional section to read as follows:

6-60-213. Reduced tuition for certain police officers.

(a) As used in this section:

(1)(A) "Covered police officer" means:

(i) Any employee of the Department of Arkansas State

Police who:

(a) Holds the rank of state trooper or a

higher rank; and

(b) Has been an employee of the

department for ten (10) or more years;

(ii) Any highway patrol police officer who has been an employee of the highway patrol for ten (10) or more years;

(iii) Any officer of the State Capitol Police who has been an employee of the State Capitol Police for ten (10) or more years; or

(iv) Any wildlife officer who has been an employee of the Arkansas State Game and Fish Commission for ten (10) or more years.

(B) "Covered police officer" does not include:

(i) A civilian employee; or

(ii) Any person who is temporarily employed as a covered police officer due to an emergency situation;

(2) "Dependent" means a spouse or any natural child, stepchild, or adopted child of a covered police officer;

(3) "Institution of higher education" means a university, college, technical college, community college, or technical institute; and

(4)(A) "Tuition" means charges levied for attendance at an institution of higher education.

(B) "Tuition" does not include any fees charged or used for student activities, including without limitation any student athletic fee.

(b) Any covered police officer or his or her dependent who is enrolled or has been accepted for enrollment in a public institution of higher education in Arkansas shall have tuition reduced at a rate equal to the reduced rate of tuition provided to employees of that public institution of higher education.

(c) No covered police officer or his or her dependent may utilize the reduced rate of tuition for educational purposes beyond the baccalaureate degree.

(d)(1) Except as provided in subdivision (d)(2) of this section, a covered police officer or his or her dependent shall receive a reduced rate of tuition so long as the covered police officer or his or her dependent remains in good academic standing as determined by the public institution of higher education in which he or she is enrolled.

(2)(A) The reduced rate of tuition shall be terminated if the covered police officer or his or her dependent has not completed a baccalaureate degree program within five (5) years of initial admission to a public institution of higher education.

(B) The covered police officer or his or her dependent may appeal any termination to the board of trustees of the public institution of higher education in which he or she is enrolled in instances of:

(i) Severe personal illness;

(ii) Medical disability; or

(iii) Activation for full-time military service.”

/s/ Billy Gaskill

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

January 17, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1031 - TITLE - BY REPRESENTATIVE GASKILL, ET AL

HOUSE BILL NO. 1041 BY REPRESENTATIVE WALTERS, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1031

BY: REPRESENTATIVES GASKILL, PATTERSON, *REYNOLDS*, *HOYT*, *J. ROEBUCK*

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE REDUCED COLLEGE TUITION TO STATE POLICE OFFICERS AND THEIR DEPENDENTS; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION NO. 1002

BY: REPRESENTATIVE WALTERS

HOUSE RESOLUTION NO. 1002 was placed on third reading, the question being shall the Resolution be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Chesterfield, Schulte, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative.....	97
Necessary to the adoption of the resolution	51

So the Resolution was adopted.

Morning Hour Expired.

HOUSE BILL NO. 1013

BY: REPRESENTATIVE D. CREEKMORE

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: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Schulte, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1013** the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Schulte, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1102

BY: REPRESENTATIVE HALL

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

AFFIRMATIVE: Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Abernathy, Chesterfield, Davis, Schulte, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

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

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1013 BY REPRESENTATIVE D. CREEKMORE

HOUSE BILL NO. 1102 BY REPRESENTATIVE HALL

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 17 BY SENATOR R. THOMPSON

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

January 17, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on January 17, 2007, I approved the following measure from the Regular Session of the Eighty-sixth General Assembly:

HOUSE BILL 1057 - ACT 3

Sincerely,

/s/ Mike Beebe

HOUSE BILL NO. 1163

BY: REPRESENTATIVES BURRIS, STEWART

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE CONCERNING THE ADMINISTRATION OF CONCEALED HANDGUN LICENSING BY THE DEPARTMENT OF ARKANSAS STATE POLICE; TO REQUIRE A CONCEALED HANDGUN LICENSE TO BEAR A DIGITAL PHOTOGRAPH OF THE LICENSEE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on RULES.

HOUSE BILL NO. 1164

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 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1165

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 STATE BOARD OF COSMETOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1166

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 WAR MEMORIAL STADIUM COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1167

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 STATE ATHLETIC COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1168

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES, OPERATING EXPENSES AND GRANTS FOR THE PURPOSE OF MONITORING AND EVALUATING PROGRAM EXPENDITURES FROM THE PROGRAM ACCOUNTS OF THE TOBACCO SETTLEMENT PROGRAM FUND FOR THE ARKANSAS TOBACCO SETTLEMENT COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1169

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 OIL AND GAS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1170

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE BLIND FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1171

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 STATE DEPARTMENT FOR SOCIAL SECURITY ADMINISTRATION DISABILITY DETERMINATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1172

BY: REPRESENTATIVE GREENBERG

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING POLICE PENSION AND RELIEF FUNDS OF CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

Upon motion of Representative David Evans, the House adjourned at 1:53 p.m. until 1:30 p.m., Thursday, January 18, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

