

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

Little Rock, Arkansas
January 23, 2007

The House was called to order at 1:30 p.m. by Mr. Petrus, the Speaker. 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, Chesterfield, 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, Schulte, Shelby, Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Representative Roy Ragland.

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

EDUCATION	January 23, 2007
	MIKE KENNEY
	CHAIRPERSON
HOUSE BILL NO. 1032	DO PASS
BY REPRESENTATIVE WALTERS	

COMMITTEE REPORT

EDUCATION	January 23, 2007
	BILL ABERNATHY
	VICE-CHAIRPERSON
HOUSE BILL NO. 1011	DO PASS
BY REPRESENTATIVE PYLE	
HOUSE CONCURRENT RESOLUTION NO. 1004	DO PASS
BY REPRESENTATIVE L. SMITH	

COMMITTEE REPORT

JOINT BUDGET	January 23, 2007
	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1045	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1046	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1047	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1048	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1049	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1050	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1051	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT ON JOINT BUDGET, CONTINUED

HOUSE BILL NO. 1052	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1053	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1054	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1055	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1058	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1060	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1061	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1200	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1

COMMITTEE REPORT

	January 23, 2007
JUDICIARY	ROBERT JEFFREY
	CHAIRPERSON
HOUSE BILL NO. 1103	DO PASS
BY REPRESENTATIVE E. BROWN	
HOUSE BILL NO. 1134	DO PASS
BY REPRESENTATIVE E. BROWN	
HOUSE BILL NO. 1146	DO PASS
BY REPRESENTATIVE WALTERS	
HOUSE CONCURRENT RESOLUTION NO. 1005	DO PASS
BY REPRESENTATIVE OVERBEY	

COMMITTEE REPORT

PUBLIC HEALTH, WELFARE AND LABOR	January 23, 2007
	EDDIE COOPER
	CHAIRPERSON
HOUSE BILL NO. 1024	DO PASS
BY REPRESENTATIVE R. GREEN	
HOUSE BILL NO. 1131	DO PASS
BY REPRESENTATIVE S. PRATER	AS AMENDED #2 & 3

Upon motion of Representative Thyer, **HOUSE BILL NO. 1007** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1007

Amend **HOUSE BILL NO. 1007** as originally introduced:

Page 1, line 24, delete "meeting." and substitute "day for each meeting."

AND

Page 3, line 36, delete "meeting." and substitute "day for each meeting."

AND

Page 5, line 2, delete "meeting," and substitute "~~meeting,~~ day for each meeting."

AND

Page 5, delete lines 11 and 12 and substitute the following:

“(5) Arkansas State Board of Chiropractic Examiners; ~~and~~
 (6) Arkansas Delta Development Commission; and
 (7) Arkansas Community Assistance Commission.”

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
 Chief Clerk

Upon motion of Representative Overbey, **HOUSE BILL NO. 1179** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1179

Amend **HOUSE BILL NO. 1179** as originally introduced:

Page 2, delete lines 4 and 5, and substitute the following:

"incorporated town shall lie within ~~five (5) miles from~~ the planning territorial jurisdiction, as defined by § 14-56-413, ~~the corporate limits of~~"

/s/ George Overbey

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****01/30/07*****

Upon motion of Representative Hyde, HOUSE BILL NO. 1209 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1209

Amend HOUSE BILL NO. 1209 as originally introduced:

Page 1, delete subsection (b), beginning with line 31 through 36 in its entirety

AND

Page 2, delete line 1, and substitute the following language:

(b) Except as provided in subsections (c) and (d) of this section, an agreement or contract that requires a party to a contract or that party's surety or insurer to indemnify, insure, defend, or hold harmless another party against liability is unenforceable as against public policy if the:

(1) Damage results from death or bodily injury to a person arising out of the negligence or fault of the indemnitee, its agent, representative, subcontractor, or supplier; or

(2) Damage results to property arising out of the negligence or fault of the indemnitee, its agent, representative, subcontractor, or supplier.

/s/ Barry Hyde

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****01/30/07*****

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

January 23, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1007 BY REPRESENTATIVE THYER

HOUSE BILL NO. 1179 BY REPRESENTATIVE OVERBEY, ET AL

The House stood in recess at 1:39 p.m.

The House reconvened at 1:46 p.m.

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT RESOLUTION NO. 2

BY SENATOR CRITCHER

HOUSE BILL NO. 1281

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 LAND DEPARTMENT AND FOR DISTRIBUTING PROCEEDS FROM THE SALE OR REDEMPTION OF TAX DELINQUENT LAND 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. 1282

BY: REPRESENTATIVES GEORGE, WELLS, ABERNATHY, ADCOCK, T. BAKER, BLOUNT, T. BRADFORD, J. BROWN, COOPER, CORNWELL, D. CREEKMORE, DAVENPORT, DUNN, GASKILL, HOYT, HYDE, KEY, KING, W. LEWELLEN, OVERBEY, PIERCE, S. PRATER, RAINEY, REEP, J. ROEBUCK, SHELBY, STEWART, SULLIVAN, SUMPTER, WAGNER, WALTERS, WEBB, WILLS, WOOD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND CIVIL IMMUNITY TO PERSONS WHO RENDER VOLUNTARY DENTAL SERVICES AT FREE OR LOW-COST DENTAL CLINICS; AND FOR OTHER PURPOSES.

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. 1283

BY: REPRESENTATIVE SHELBY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE THE PROCEDURES CONCERNING CORONER'S DEATH INVESTIGATIONS; AND FOR OTHER PURPOSES.

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. 1284

BY: REPRESENTATIVES WILLS, HYDE, ADCOCK, ALLEN, DAVIS, EVERETT, GEORGE, HOYT, PIERCE, REYNOLDS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCLUDE DEMOLITION WORK UNDER THE CONTRACTORS LICENSING LAW; AND FOR OTHER PURPOSES.

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. 1285

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO DESIGNATE THE ARKANSAS PUBLIC DEFENDER COMMISSION A CRIMINAL JUSTICE AGENCY FOR PURPOSES OF ARKANSAS CRIME INFORMATION CENTER ACCESS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1286

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ADD A MEMBER TO THE SUPERVISORY BOARD FOR THE ARKANSAS CRIME INFORMATION CENTER; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE BILL NO. 1287

BY: REPRESENTATIVES REYNOLDS, GARNER, HAWKINS, HOYT, HYDE, KIDD, RAGLAND, ROSENBAUM, WILLS

BY: SENATOR BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A MAXIMUM OF THREE (3) THREE-YEAR TERMS FOR MEMBERS OF THE RESIDENTIAL BUILDING CONTRACTORS COMMITTEE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE RESOLUTION NO. 1003

BY: REPRESENTATIVE MEDLEY

A BILL FOR AN ACT TO BE ENTITLED REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS TO SECURE OUR NATION'S BORDERS AND TO DEVELOP A COMPREHENSIVE IMMIGRATION POLICY.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

HOUSE RESOLUTION NO. 1004

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED TO AMEND HOUSE RULE 10.(a)(1) TO PROVIDE THAT THE ELECTION OF THE SPEAKER-DESIGNATE SHALL BE BY OPEN AND PUBLIC BALLOT.

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

HOUSE RESOLUTION NO. 1005

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED TO AMEND HOUSE RULE 10.(a)(1) TO CHANGE THE TIME PERIOD FOR HOLDING THE ELECTION OF THE SPEAKER-DESIGNATE.

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

HOUSE RESOLUTION NO. 1006

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED TO AMEND HOUSE RULE 52.(c)(1) TO PROVIDE THAT THE CHAIRPERSON OF EACH STANDING COMMITTEE AND EACH SELECT COMMITTEE SHALL BE SELECTED BY THE MEMBERSHIP OF THE COMMITTEE.

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

Upon motion of Representative David Evans, the House adjourned at 1:55 p.m. until 1:30 p.m., Wednesday, January 24, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk