

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

---



---

Little Rock, Arkansas

February 6, 2007

The House was called to order at 1:32 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, 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.

Total .....99

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

Total .....1

A quorum was present.

Unanimous leave was granted for Representative Chesterfield.

The House stood and was led in prayer by Reverend Ronnie Deal, Pastor, First Baptist Church, Greenwood, 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

EDUCATION	February 6, 2007
	MIKE KENNEY
	CHAIRPERSON
HOUSE CONCURRENT RESOLUTION NO. 1007	DO PASS
BY REPRESENTATIVE SAMPLE	
SENATE BILL NO. 30	DO PASS
BY SENATOR MADISON	
SENATE CONCURRENT RESOLUTION NO. 6	DO PASS
BY SENATOR WILKINSON	

COMMITTEE REPORT

PUBLIC HEALTH, WELFARE AND LABOR	February 6, 2007
	EDDIE COOPER
	CHAIRPERSON
HOUSE BILL NO. 1323	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 1363	DO PASS
BY REPRESENTATIVE KEY	
HOUSE BILL NO. 1364	DO PASS
BY REPRESENTATIVE KEY	

COMMITTEE REPORT

PUBLIC TRANSPORTATION	February 6, 2007
	FRANK GLIDEWELL
	VICE CHAIRPERSON
HOUSE BILL NO. 1128	DO PASS
BY REPRESENTATIVE ROSENBAUM	
HOUSE BILL NO. 1377	DO PASS
BY REPRESENTATIVE D. HUTCHINSON	
HOUSE BILL NO. 1383	DO PASS
BY REPRESENTATIVE WOOD	

COMMITTEE REPORT

JOINT BUDGET	February 6, 2007
	BRUCE MALOCH
	VICE CHAIRPERSON
HOUSE BILL NO. 1077	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1105	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1116	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1117	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1119	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1149	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1166	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1371	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative Hall, **HOUSE BILL NO. 1029** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1029**

Amend **HOUSE BILL NO. 1029** as originally introduced:

Page 1, delete lines 28 through 36

AND

Page 2, delete lines 1 through 36, and substitute the following:

“(1) "Clothing" means all human wearing apparel suitable for general use including footwear;

(2) "Clothing accessory or equipment" means an incidental item that is not clothing worn on the person or in conjunction with clothing;

(3) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;

(4) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task;

(5) "Protective equipment" means an item for human wear designed for protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use;

(6) "School computer supply" means an item commonly used by a student in a course of study in which a computer is used;”

AND

Page 3, line 34, add the following new section:

“SECTION 2. **EMERGENCY CLAUSE.** It is found and determined by the General Assembly of the State of Arkansas that preparing children to return to school is very costly and that to help defray the cost a sales tax holiday on the sale of clothing, footwear, and school supplies is necessary. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2007.”

/s/ Clark Hall

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 1123** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1123**

Amend **HOUSE BILL NO. 1123** as originally introduced:

Page 1, delete line 20 and substitute the following:

"SECTION 1. The purpose of this act is to:

(1) Support properly researched and industry tested animal husbandry practices that provide consumers with a wholesome food supply;

(2) Opposed elevating the rights of animals to the same level as those of people;

(3) Oppose cruel and abusive treatment of animals;

(4) Ensure that violations of Arkansas animal cruelty laws remain a misdemeanor except in extreme cases of cruelty to dogs, cats, and horses; and

(5) Oppose legislation and rules that would prohibit or unduly restrict the use of animals in research.

SECTION 2. Arkansas Code Title 5, Chapter 62, Subchapter 1 is amended"

AND

Page 1, line 22, delete "animals" and substitute "pets"

AND

Page 1, delete lines 28 through 34 and substitute the following:

"(2) "Pet" means any domesticated animal that is normally maintained in or near a household and that is dependent upon the care of a human.

(b) A person is guilty of aggravated cruelty to pets if, with no"

AND

Page 2, delete line 3 and substitute the following:

"(1) Hunting, trapping, fishing, or any activity approved by the Arkansas State Game and Fish Commission;"

AND

Page 2, delete line 7 and substitute the following:

"102 or any other animal raised for commercial consumption or use;"

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Lovell, **HOUSE CONCURRENT RESOLUTION NO. 1006** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE CONCURRENT RESOLUTION NO. 1006

Amend **HOUSE CONCURRENT RESOLUTION NO. 1006** as originally introduced:

Add Senators J. Jeffress, Salmon, Taylor, Wilkins as cosponsors of the resolution

AND

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

"National Agricultural Statistics Service add the date of June 1 as an additional reporting date to the "Agricultural Statistics Board" calendar and change the reporting date from August 1 to"

/s/ Buddy Lovell

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Smith, **HOUSE JOINT RESOLUTION NO. 1002** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION NO. 1002**

Amend **HOUSE JOINT RESOLUTION NO. 1002** as originally introduced:

Add Representative Petrus as a cosponsor of the resolution

AND

Add Senator Thompson as a cosponsor of the resolution

AND

Page 1, immediately following the BE IT RESOLVED clause, add a new section to read as follows:

"SECTION 1. WHEREAS, in 1789 Congress submitted the Madison Amendment, which relates to the timing of Congressional pay raises, to the states as part of the proposed Bill of Rights, but it was not ratified by three-fourths (3/4) of the states and certified by the United States archivist until two hundred three (203) years later in 1992, making it the Twenty-seventh Amendment to the United States Constitution and establishing a precedent such that the Equal Rights Amendment is sufficiently contemporaneous and therefore remains viable; and

WHEREAS, the Equal Rights Amendment was first introduced in Congress in 1923 and filed every session thereafter until it was finally approved by Congress in 1972 and sent to the states for ratification with a seven-year deadline, and in 1978 Congress extended the deadline for three (3) more years; and

WHEREAS, the restricting time limit for the Equal Rights Amendment is in the resolving clause and is not part of the amendment proposed by Congress, and the amendment is already ratified by thirty-five (35) states; and

WHEREAS, Congress passed a time extension for the Equal Rights Amendment on October 20, 1978, demonstrating that a time limit in a resolving clause can be disregarded if it is not part of the proposed amendment; and

WHEREAS, the United States Supreme Court, in Coleman v. Miller, 307 U.S. 433, 456 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social, and economic factors affecting the nation, and to be aware of the importance to the nation of a proposed amendment; and

WHEREAS, if an amendment to the Constitution of the United States has been proposed by two-thirds (2/3) of both houses of Congress and ratified by three-fourths (3/4) of the state legislatures, it is for Congress under the principles of Coleman v. Miller to determine the validity of the state ratifications occurring after a time limit in the resolving clause but not in the amendment itself; and

WHEREAS, the Equal Rights Amendment for men and women is needed in the United States Constitution because while women enjoy more rights today than they did when the Equal Rights Amendment was first introduced in 1923 or when it was passed by Congress in 1972, hard-won laws against gender discrimination do not rest on any unequivocal constitutional foundation, but rather those laws can be inconsistently enforced or even repealed; and

WHEREAS, equality for men and women is necessary in order to have a clear constitutional guarantee that gender is considered a suspect classification and entitled to the same strict scrutiny that courts reserve for race, religion, and national origin; and

WHEREAS, nothing in this House Joint Resolution shall be interpreted to conflict with or negate Arkansas Constitution, Amendment 83 regarding marriage in Arkansas."

AND

Appropriately renumber the sections of the resolution.

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Johnson, **HOUSE BILL NO. 1036** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 1036**

Amend **HOUSE BILL NO. 1036** as engrossed,

H1/30/07 (version: 01-30-2007 09:03):

Delete Representative D. Dunn as a cosponsor of the bill

AND

Add Representative Lowery as a cosponsor of the bill

AND

Delete SECTION 2 in its entirety and substitute the following:

"SECTION 2. Arkansas Code § 23-52-102 is amended to read as follows:

23-52-102. Definitions.

As used in this chapter:

- (1) "Board" means the State Board of Collection Agencies;
- (2) "Check" means a check, warrant, draft, money order, travelers' check, or other instrument for the payment of money, whether or not negotiable, but excluding:
  - (A) Any such instrument drawn on an account or financial institution outside of the United States; and
  - (B) Money or currency of any nation;
- (3) "Check-casher" means a person who for compensation engages, in whole or in part, in the check-cashing business, but excluding:
  - (A) The United States, any state of the United States, any political subdivision of such state, or any department or agency of the United States or such state;
  - (B) Receipt of money by any incorporated telegraph company at any agency or office of the company for immediate transmission by telegraph;
  - (C) Any state or federally chartered bank, savings and loan association, or credit union;
  - (D) Any retail seller primarily engaged in the business of selling consumer or other goods to retail buyers that cash checks or issue money orders for a fee as a service to its customers that is incidental to its main purpose or business so long as revenue from such fees does not exceed three percent (3%) of such retail seller's gross revenues; and
  - (E) Issuance of a money order;
- (4) "Check-cashing business" means the business of a ~~check-cashier~~

selling currency or a check to another person in exchange for a check, with or without a deferred presentment option;

(5) "Deferred presentment option" in connection with the check-cashing business means a transaction pursuant to a written agreement involving the following combination of activities in exchange for a fee:

(A) Accepting a customer's personal check ~~dated on the date it was written~~;

(B) Paying that customer an amount of money equal to the face amount of that check less any fees charged pursuant to this chapter; and

(C) ~~Granting~~ Holding the customer's personal check for an agreed period of time before presentment of the customer's personal check for payment or deposit or granting the customer the option to repurchase the customer's personal check for an agreed period of time prior to presentment of such check for payment or deposit. The term "deferred presentment" includes related terms such as "delayed deposit", "deferred deposit", or substantially similar terms evidencing the same type of transaction;

(6) "Permit" means a permit to engage in the check-cashing business issued by the board in accordance with this chapter; and

(7) "Person" means an individual, group of individuals, partnership, incorporated or unincorporated association, corporation, or any other business unit or legal entity.

SECTION 3. Arkansas Code § 23-52-104 is amended to read as follows:

23-52-104. Permissible check-casher fees.

(a) A check-casher may charge a reasonable fee to defray operational costs incurred in the check-cashing business, including, without limitation:

(1) Investigating the checking account and copying required documents;

(2) Photographing the person signing the check;

(3) Securing check and customer records in a safe, fireproof place;

(4) Maintaining records as required by this chapter;

(5) Maintaining required capital and liquidity; and

(6) Processing, documenting, and closing the check-cashing or deferred-deposit transactions.

(b) Unless otherwise authorized by this chapter, the fees authorized by this section shall not exceed the following:

(1) For the service of ~~selling~~ exchanging currency or a check in exchange for checks ~~a check, without regard to whether in a transaction in which a deferred presentment option is not involved,~~ a check-casher may charge:

(A) A fee not to exceed five percent (5%) of the face amount of the check if the check is the payment of any kind of state public assistance or federal social security benefit payable to the bearer of the check or the check is otherwise a check issued by a federal or state governmental entity;

(B) A fee not in excess of ten percent (10%) of the face amount of any ~~personal check or money order~~ or personal check; or

(C) A fee not in excess of six percent (6%) of the face amount of the check in the case of all other checks. Such a fee may be collected separately or by paying the customer an amount of money equal to the face amount of the check less the appropriate fee under this chapter;

(2) ~~For a deferred presentment option which involves a personal check, an additional fee not to exceed ten dollars (\$10.00) may be charged by a check-casher~~ For the service of exchanging currency or a check for a check in a transaction in which a deferred presentment option is involved, the check-casher may charge a fee not to exceed seventeen percent (17%) per annum of the face amount of the check; and

(3) In addition to the foregoing fees, a check-casher may charge a fee of no more than five dollars (\$5.00) to set up an initial customer account and issue an optional identification card for providing check-cashing services. A replacement optional identification card may be issued at a cost not to exceed five dollars (\$5.00)."

AND

Page 4, delete line 2, and substitute the following:

"SECTION 4. EMERGENCY CLAUSE. It is found and determined by the"

/s/ David Johnson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

ENGROSSED BILL REPORTS

---

BENNY C. PETRUS, CHAIRMAN

February 6, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1029                    BY REPRESENTATIVE HALL, ET AL  
 HOUSE BILL NO. 1036 - TITLE - BY REPRESENTATIVE D. JOHNSON, ET AL  
 HOUSE BILL NO. 1123                    BY REPRESENTATIVE SAUNDERS  
 HOUSE CONCURRENT  
   RESOLUTION NO. 1006                BY REPRESENTATIVE LOVELL  
 HOUSE JOINT  
   RESOLUTION NO. 1002                BY REPRESENTATIVE L. SMITH, ET AL  
 SENATE BILL NO. 185 - TITLE - BY SENATOR GLOVER

HOUSE BILL ENGROSSED AS TITLE AMENDED  
 HOUSE BILL NO. 1036

---

BY: REPRESENTATIVES D. JOHNSON, BURRIS, COOK, CORNWELL, DICKINSON, HALL, HARRELSON, J. JOHNSON, KEY, MALOCH, MEDLEY, S. PRATER, REEP, WEBB, ABERNATHY, ALLEN, BERRY, BOND, BREEDLOVE, E. BROWN, J. BROWN, D. CREEKMORE, DAVIS, S. DOBBINS, EDWARDS, D. EVANS, FLOWERS, GARNER, GASKILL, R. GREEN, GREENBERG, HARRIS, HOYT, D. HUTCHINSON, KING, LAMOUREUX, W. LEWELLEN, LOVELL, M. MARTIN, PATE, PENNARTZ, PICKETT, PIERCE, POWERS, RAGLAND, RAINEY, REYNOLDS, J. ROEBUCK, ROSENBAUM, SAMPLE, L. SMITH, SULLIVAN, WALTERS, WILLS, LOWERY

BY: SENATORS WOMACK, WHITAKER, GLOVER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF UNLAWFUL CONSUMER LOANS; TO ENFORCE THE PROVISIONS OF ARKANSAS CONSTITUTION, ARTICLE 19, § 13; AND FOR OTHER PURPOSES.

HOUSE CONCURRENT RESOLUTION ENGROSSED AS TITLE AMENDED  
HOUSE CONCURRENT RESOLUTION NO. 1006

---

BY: REPRESENTATIVE LOVELL

BY: SENATORS J. JEFFRESS, SALMON, J. TAYLOR, WILKINS

A BILL FOR AN ACT TO BE ENTITLED URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO CHANGE THE REPORTING DATES AND TO ADD ADDITIONAL DATES TO ITS AGRICULTURAL STATISTICS BOARD CALENDAR CONCERNING THE REPORTING OF RICE PRICES AND RICE STOCKS TO THE USDA NATIONAL AGRICULTURAL STATISTICS SERVICE.

HOUSE JOINT RESOLUTION ENGROSSED AS TITLE AMENDED  
HOUSE JOINT RESOLUTION NO. 1002

---

BY: REPRESENTATIVES L. SMITH, ABERNATHY, ALLEN, T. BAKER, BERRY, BLOUNT, BOND, T. BRADFORD, E. BROWN, J. BROWN, BURRIS, CASH, CHEATHAM, CHESTERFIELD, COOK, COOPER, CORNWELL, L. COWLING, DAVENPORT, DAVIS, S. DOBBINS, DUNN, EDWARDS, EVERETT, FLOWERS, GASKILL, GEORGE, HALL, HARDY, HARRELSON, HAWKINS, HOUSE, HOYT, HYDE, D. JOHNSON, J. JOHNSON, KIDD, W. LEWELLEN, LOVELL, MAXWELL, MOORE, OVERBEY, PATE, PATTERSON, PENNARTZ, PICKETT, PIERCE, POWERS, S. PRATER, RAINEY, REEP, REYNOLDS, J. ROEBUCK, ROGERS, SAMPLE, SAUNDERS, SHELBY, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WEBB, WILLS, WOOD, WYATT, *PETRUS*

BY: SENATORS MADISON, ARGUE, BROWN, BRYLES, CAPPES, CRUMBLY, FARIS, SALMON, T. SMITH, STEELE, WILKINS, R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED RATIFYING THE PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION PROVIDING THAT EQUALITY OF RIGHTS UNDER THE LAW SHALL NOT BE DENIED OR ABRIDGED BY THE UNITED STATES OR ANY STATE ON ACCOUNT OF SEX.

SENATE BILL ENGROSSED AS TITLE AMENDED  
SENATE BILL NO. 185

---

BY: SENATORS GLOVER, HILL, CAPPS, MILLER, T. SMITH, FARIS, ALTES, WILKINSON, BAKER, BISBEE, BOOKOUT, BROADWAY, BROWN, BRYLES, CRUMBLY, HENDREN, HORN, G. JEFFRESS, J. JEFFRESS, B. JOHNSON, LAVERTY, LUKER, MADISON, MALONE, B. PRITCHARD, SALMON, J. TAYLOR, WHITAKER, WILKINS, WOMACK

BY: REPRESENTATIVES D. EVANS, ALLEN, T. BAKER, BLOUNT, J. BROWN, BURRIS, CHEATHAM, COOK, CORNWELL, D. CREEKMORE, DAVENPORT, DAVIS, EDWARDS, GLIDEWELL, R. GREEN, HARDWICK, HARDY, HARRELSON, HAWKINS, HOUSE, HOYT, D. HUTCHINSON, J. JOHNSON, KEY, LOWERY, MEDLEY, PATE, PENNARTZ, PICKETT, PIERCE, POWERS, S. PRATER, RAINEY, REEP, REYNOLDS, J. ROEBUCK, SAUNDERS, SHELBY, L. SMITH, WAGNER, WALTERS, WEBB, *ADCOCK, BOND, CASH, D. JOHNSON, BREEDLOVE, E. BROWN, BURKES, L. COWLING, EVERETT, GREENBERG, KIDD, LAMOUREUX, W. LEWELLEN, LOVELL, MALOCH, M. MARTIN, MOORE, PYLE, RAGLAND, STEWART, SUMPTER, WILLS, WOODS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS; TO CONTINUE THE IMPOSITION OF LOCAL SALES AND USE TAX ON FOOD AND FOOD INGREDIENTS; AND FOR OTHER PURPOSES.

Upon motion of Representative Evans, **SENATE BILL NO. 185** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO SENATE BILL NO. 185**

Amend **SENATE BILL NO. 185** as engrossed,

S1/29/07 (version: 01-29-2007 14:15):

Add Representatives Breedlove, E. Brown, Burkes, Cowling, Everett, Greenberg, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Moore, Pyle, Ragland, Stewart, Sumpter, Wills, and Woods as cosponsors of the bill

/s/ David Evans

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

/s/ Ms. Jo Renshaw

Chief Clerk

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

---

HOUSE BILL NO. 1018	BY REPRESENTATIVE ANDERSON
HOUSE BILL NO. 1022	BY REPRESENTATIVE SAMPLE, AS AMENDED # 1, 2
HOUSE BILL NO. 1026	BY REPRESENTATIVE HARDY
HOUSE BILL NO. 1056	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1072	BY REPRESENTATIVE WALTERS, AS AMENDED #1
HOUSE BILL NO. 1131	BY REPRESENTATIVE S. PRATER, AS AMENDED #1, 2
HOUSE BILL NO. 1234	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1241	BY REPRESENTATIVE WEBB

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

---

SENATE BILL NO. 80	BY SENATOR J. JEFFRESS
SENATE BILL NO. 166	BY SENATOR J. JEFFRESS
SENATE BILL NO. 202	BY SENATOR FARIS
SENATE BILL NO. 224	BY SENATOR FARIS

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

February 6, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1011 BY REPRESENTATIVE PYLE  
HOUSE BILL NO. 1019 BY REPRESENTATIVE M. MARTIN  
HOUSE BILL NO. 1025 BY REPRESENTATIVE D. CREEKMORE  
HOUSE BILL NO. 1032 BY REPRESENTATIVES WALTERS AND GREEN  
HOUSE BILL NO. 1054 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1103 BY REPRESENTATIVE E. BROWN  
HOUSE BILL NO. 1134 BY REPRESENTATIVE E. BROWN  
HOUSE BILL NO. 1175 BY REPRESENTATIVE EDWARDS, ET AL  
HOUSE BILL NO. 1177 BY REPRESENTATIVE PYLE, ET AL  
HOUSE BILL NO. 1178 BY REPRESENTATIVE PYLE, ET AL  
HOUSE BILL NO. 1290 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1328 BY JOINT BUDGET COMMITTEE

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 9:18 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

---

## RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1011 BY REPRESENTATIVE PYLE  
HOUSE BILL NO. 1019 BY REPRESENTATIVE M. MARTIN  
HOUSE BILL NO. 1025 BY REPRESENTATIVE D. CREEKMORE  
HOUSE BILL NO. 1032 BY REPRESENTATIVES WALTERS AND GREEN  
HOUSE BILL NO. 1054 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1103 BY REPRESENTATIVE E. BROWN  
HOUSE BILL NO. 1134 BY REPRESENTATIVE E. BROWN  
HOUSE BILL NO. 1175 BY REPRESENTATIVE EDWARDS, ET AL  
HOUSE BILL NO. 1177 BY REPRESENTATIVE PYLE, ET AL  
HOUSE BILL NO. 1178 BY REPRESENTATIVE PYLE, ET AL  
HOUSE BILL NO. 1290 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1328 BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 9:18 a.m.

By: Marc Harrison

**HOUSE BILL NO. 1405**

---

**BY: REPRESENTATIVE BURRIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT A DISABLED VETERAN MAY RECEIVE AN ADDITIONAL SPECIAL LICENSE PLATE FOR A NOMINAL FEE; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1406**

---

**BY: REPRESENTATIVE REEP**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENCOURAGE IMPROVEMENTS IN AMBULANCE CARE; TO PREVENT THE DISCLOSURE OF POST-ACCIDENT DRIVING AND SAFETY SEMINARS IN CIVIL PROCEEDINGS; 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. 1407**

---

**BY: REPRESENTATIVE REEP**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE PURCHASE AMOUNT REQUIRED TO TRIGGER CERTAIN PURCHASING PROCEDURES BY A COUNTY; AND FOR OTHER PURPOSES. AN ACT TO INCREASE THE PURCHASE AMOUNT REQUIRED TO TRIGGER CERTAIN PURCHASING PROCEDURES BY A COUNTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1408

---

BY: REPRESENTATIVE REEP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR FAILURE TO YIELD TO AN EMERGENCY VEHICLE; 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. 1409

---

BY: REPRESENTATIVE REEP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL DEATH BENEFITS FOR EMERGENCY MEDICAL TECHNICIANS UNDER CERTAIN CIRCUMSTANCES; 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. 1410

---

BY: REPRESENTATIVE PACE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES TO ADOPT A POLICY PROHIBITING THE INTEGRATION OF HARDWARE, SOFTWARE, OR PERIPHERALS WITHOUT THE AUTHORIZATION OF THE STATE AGENCY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY.

HOUSE BILL NO. 1411

---

BY: REPRESENTATIVE SHELBY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 14-14-1202 AND THE RULES OF CONDUCT CONCERNING SIMULTANEOUS SERVICE AS AN ELECTED COUNTY OFFICIAL AND AN ELECTED MUNICIPAL OFFICIAL; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE BILL NO. 1412

---

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 DIVISION OF LEGISLATIVE AUDIT OF THE LEGISLATIVE JOINT AUDITING COMMITTEE 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. 1413

---

BY: REPRESENTATIVES HOYT, L. COWLING, DUNN, L. EVANS, EVERETT, GEORGE, HALL, HAWKINS, HOUSE, HYDE, KIDD, LOWERY, PATTERSON, PENNARTZ, PIERCE, REYNOLDS, SHELBY, WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE STATUTE CONCERNING REGULATION OF UNSANITARY CONDITIONS BY COUNTIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

HOUSE RESOLUTION NO. 1015

---

BY: REPRESENTATIVE D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED CELEBRATING AND HONORING MADAM YEH CHU-LAN OF TAIWAN FOR HER STAUNCH BELIEF IN DEMOCRACY AND HUMAN RIGHTS.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

HOUSE JOINT RESOLUTION NO. 1006

---

BY: REPRESENTATIVE PACE

A BILL FOR AN ACT TO BE ENTITLED PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO LEVY A TAX OR TO INCREASE THE RATE OF CERTAIN TAXES EXCEPT UPON THE VOTE OF THREE-FOURTHS (3/4) OF THE TOTAL MEMBERSHIP OF EACH HOUSE AND TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO DECREASE THE RATE OF ANY TAX OR PROVIDING A TAX EXEMPTION, CREDIT, EXCLUSION, OR DEDUCTION EXCEPT UPON THE VOTE OF FIFTY-ONE PERCENT (51%) OF THE MEMBERS ELECTED TO EACH HOUSE.

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

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1001

---

BY: REPRESENTATIVES BLOUNT, E. BROWN, CHESTERFIELD, DAVIS,  
ALLEN, T. BAKER, S. DOBBINS, FLOWERS, HARDY, W. LEWELLEN, RAINEY

BY: SENATORS STEELE, BROWN, CRUMBLY, WILKINS

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF  
MR. JOHN A. EASON AND IN RECOGNITION OF HIS CONTRIBUTION TO THE  
STATE OF ARKANSAS.

Was read the first time, rules suspended, read the second time and placed on  
the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1009

---

BY: REPRESENTATIVES WILLS, GLIDEWELL, ALLEN, L. COWLING,  
DAVENPORT, DAVIS, DUNN, L. EVANS, GEORGE, GREENBERG, HALL,  
HOUSE, HOYT, D. HUTCHINSON, HYDE, D. JOHNSON, KIDD, KING, OVERBEY,  
PIERCE, REYNOLDS, J. ROEBUCK, SHELBY, L. SMITH, STEWART, WEBB,  
WELLS, WYATT

A BILL FOR AN ACT TO BE ENTITLED RECOMMENDING THAT THE  
CONGRESS OF THE UNITED STATES ENSURE THAT THE FINAL FEDERAL  
FISCAL YEAR 2007 JOINT RESOLUTION PROVIDES THE FEDERAL FISCAL  
YEAR 2007 FEDERAL HIGHWAY, TRANSIT, AND HIGHWAY SAFETY FUNDING  
LEVELS GUARANTEED IN THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT  
TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU).

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

## SENATE BILL NO. 16

---

BY: SENATORS R. THOMPSON, BAKER, *WILKINSON*

BY: REPRESENTATIVE THYER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING REGISTRATION AS A LOBBYIST BY A FORMER MEMBER OF THE GENERAL ASSEMBLY; AND FOR OTHER PURPOSES.

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

## SENATE BILL NO. 27

---

BY: SENATORS MADISON, *SALMON*

BY: REPRESENTATIVES HARRELSON, BURRIS

*AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOK SALES; TO PROHIBIT INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND FOR OTHER PURPOSES.*

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

## SENATE BILL NO. 134

---

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 OFFICE OF THE GOVERNOR WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1030 OF 2005; AND FOR OTHER PURPOSES.

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

## SENATE BILL NO. 189

BY: SENATORS MALONE, CRUMBLY, HILL, CAPPS, G. JEFFRESS, J. JEFFRESS, R. THOMPSON, BRYLES, BROADWAY, ARGUE, HENDREN, TRUSTY, MILLER, B. PRITCHARD, CRITCHER, LUKER, SALMON, MADISON, WILKINSON, STEELE, GLOVER, BROWN, HORN, LAVERTY, WILKINS, BOOKOUT

BY: REPRESENTATIVES J. ROEBUCK, SAUNDERS, MALOCH, RAINEY, REEP, DAVIS, ALLEN, T. BRADFORD, BURRIS, CASH, CHEATHAM, CORNWELL, D. CREEKMORE, DICKINSON, EDWARDS, EVERETT, R. GREEN, HALL, HARRIS, D. HUTCHINSON, HYDE, JEFFREY, J. JOHNSON, KIDD, LOWERY, PIERCE, POWERS, S. PRATER, SAMPLE, SHELBY, STEWART, THYER, WAGNER, WEBB, WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS INTERNET PRESCRIPTION CONSUMER PROTECTION ACT TO PROHIBIT INTERNET SALES INTO ARKANSAS OF PRESCRIPTION DRUGS IF THE PATIENT HAS NOT ACTUALLY CONSULTED A PRESCRIBING PRACTITIONER, 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.

## SENATE BILL NO. 190

BY: SENATOR J. TAYLOR

BY: REPRESENTATIVE PYLE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A FOUR-YEAR TERM FOR THE STATE SURVEYOR; TO LIMIT THE STATE SURVEYOR TO A TOTAL OF EIGHT (8) YEARS OF SERVICE; 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.

SENATE BILL NO. 198

---

BY: SENATORS FARIS, BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO RENAME THE ARKANSAS GEOLOGICAL COMMISSION; 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.

SENATE BILL NO. 204

---

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING ELECTIONS FOR DIRECTOR AND MAYOR IN MUNICIPALITIES WITH A CITY ADMINISTRATOR FORM OF GOVERNMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 209

---

BY: SENATOR FARIS, BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO UPDATE EMERGENCY MANAGEMENT SERVICES; 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.

SENATE BILL NO. 211

---

BY: SENATOR BROWN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LANGUAGE OF ARKANSAS CODE §§ 14-88-404 AND 14-89-1001; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 212

---

BY: SENATOR BROWN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE QUARTERLY FINANCIAL REPORTS BY MUNICIPAL IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE CONCURRENT RESOLUTION NO. 4

---

BY: SENATORS FARIS, HORN, BOOKOUT, BROADWAY, CRUMBLY, B. JOHNSON, STEELE, J. TAYLOR, LAVERTY, B. PRITCHARD

BY: REPRESENTATIVES COOPER, KEY, BURRIS, COOK, D. CREEKMORE, S. DOBBINS, EVERETT, FLOWERS, S. PRATER, NORTON, REEP, SAUNDERS, SUMPTER, L. SMITH, J. ROEBUCK, WEBB, BLOUNT, BERRY, HARDY, ADCOCK, DAVIS, EDWARDS, W. LEWELLEN, RAGLAND, E. BROWN, CHESTERFIELD, GEORGE, GASKILL, MALOCH, R. GREEN

A BILL FOR AN ACT TO BE ENTITLED CONCERNING THE REAUTHORIZATION OF THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

Upon motion of Representative David Evans, the House adjourned at 1:51 p.m. until 1:30 p.m., Wednesday, February 7, 2007.

ATTEST:

\_\_\_\_\_  
Benny C. Petrus  
Speaker of the House of Representatives

\_\_\_\_\_  
Jo Renshaw  
Chief Clerk