

**THIRTY-SIXTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

February 12, 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, Burriss, 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 Reverend Dr. Rocky Starnes, Pastor, First United Methodist Church, DeQueen, 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

February 12, 2007

JOINT COMMITTEE ON PUBLIC
RETIREMENT AND SOCIAL
SECURITY PROGRAMS

ERIC HARRIS
CHAIRPERSON

HOUSE BILL NO. 1084

DO PASS

BY REPRESENTATIVE OVERBEY

Upon motion of Representative Pace, **HOUSE BILL NO. 1229** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1229

Amend **HOUSE BILL NO. 1229** as engrossed,

H2/5/07 (version: 02-05-2007 09:25):

Add Representative Maloch, Dickinson, Evans, Gaskill, Hall, Hawkins, Jeffrey, Maxwell, Medley, Pierce, Rosenbaum, Sample, Walters, Wells, and Wyatt as cosponsors of the bill

Add Senator Steele as a cosponsor of the bill

AND

Page 6, delete lines 12 through 18 and substitute the following:

"(4)(A) Any other licensed health care professional within this state, or prevent a member of any health care profession or any person employed by or supervised by a licensed health care professional from doing work of a nature consistent with the person's training, as long as the licensed health care professional does not hold himself or herself out to the public as a licensee under this chapter.

(B) The exemption created in subdivision (4)(A) of this section expressly exempts licensure manufacturers' representatives so long as the process of measuring and fitting of the orthotic, prosthetic, or pedorthic device takes place under the supervision of a qualified member of a licensed health care profession within this state."

/s/ Daryl Pace

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

/s/ Ms. Jo Renshaw
Chief Clerk

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

AMENDMENT NO. 3 TO HOUSE JOINT RESOLUTION NO. 1002

Amend **HOUSE JOINT RESOLUTION NO. 1002** as engrossed,

H2/6/07 (version: 02-06-2007 08:48):

Remove Representative Abernathy as a cosponsor 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 House, **HOUSE BILL NO. 1376** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1376

Amend **HOUSE BILL NO. 1376** as originally introduced:

Page 1, delete line 12 of the TITLE and substitute the following:

"CODE TO PROVIDE THAT CERTAIN CITY AND COUNTY TAXES ON"

AND

Page 1, delete lines 29 through 33, and substitute the following:

"(d)(1) With the exception of revenue derived from taxes under (d)(2) of this section, revenue derived from a tax on aviation fuel by a city or county where a regional airport as described by the Regional Airport Act, § 14-362-101 et seq., is located shall be remitted by the Treasurer of State directly to the regional airport located within the levying city or county."

AND

Page 2, delete lines 22-28, and substitute the following:

"(b)(1) Except as set forth in subsections (f) and (g) of this section, All all funds received by the Treasurer of the State from the sales tax levied by each county after deducting the three percent (3%) for the Constitutional and Fiscal Agencies Fund shall be deposited into the Local Sales and Use Tax Trust Fund and shall be credited to the account of the county in which it was collected."

AND

Page 4, delete lines 32 and 33, and substitute the following:

"county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section."

AND

Page 7, delete lines 18 and 19, and substitute the following:

"city and county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section."

AND

Page 9, delete lines 5 and 6, and substitute the following:

"county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section."

AND

Page 9, delete lines 14 through 21, and substitute the following:

"(e)(1) Except for revenue collected under subdivision (e)(2) of this section, money collected from a tax on aviation fuel by a city in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq. is located shall not be deposited into the State Treasury but shall be deposited as cash funds by the Treasurer of State in a bank or banks designated by the regional airport located within the levying city or within the county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section."

AND

Page 9, delete lines 28 through 35, and substitute the following:

"(c)(1) Except for revenue collected under subdivision (c)(2) of this section, money collected from a tax on aviation fuel levied by a city in which a regional airport as described by the Regional Airport Act, § 14-362-101 et seq., is located shall not be deposited into the State Treasury but shall be deposited as cash funds by the Treasurer of State in a bank or banks designated by the regional airport located within the levying city or within the county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section."

AND

Page 10, line 2, add the following new section:

"SECTION 7. Arkansas Code § 26-81-107 is amended to read as follows:

26-81-107. Record of collections - Deposit with the Treasurer of State.

[Effective until July 1, 2007.]

(a) The Director of the Department of Finance and Administration shall maintain a record of the total amount of tax collected pursuant to this chapter and other subchapters authorizing county sales and use tax in each county and shall deposit all such revenues with the State Treasurer.

(b) Upon receipt of the funds, the State Treasurer shall deduct three percent (3%) thereof as a charge by the state for its services as specified in this chapter and shall credit the three percent (3%) to the Constitutional and Fiscal Agencies Fund. In addition, the State Treasurer is authorized to retain in the Local Sales and Use Tax Trust Fund an amount not to exceed five percent (5%) of the total amount received from the tax levied by each county, to be used by the State Treasurer to:

(1) Make remittances to the county for rebates made by the county for taxes, if any, in excess of amounts specified by the particular county ordinances paid by a taxpayer on a single transaction;

(2) Make refunds for overpayment of the taxes; and

(3) Redeem dishonored checks and drafts received and deposited in the Local Sales and Use Tax Trust Fund.

(c)(1) Except as set forth in subsection (d) of this section, all All funds received by the State Treasurer from the sales tax levied by each county after deducting the three percent (3%) for the Constitutional and Fiscal Agencies Fund shall be deposited in the Local Sales and Use Tax Trust Fund and shall be credited to the account of the county in which collected.

(2) The State Treasurer shall transmit monthly to the county treasurer and to the municipal treasurer of each municipality located in a county levying the tax authorized in this chapter their per capita share of the moneys received by the State Treasurer from the tax levied by such county and credited to the account of the county in the Local Sales and Use Tax Trust Fund. The county treasurer of any county which has levied a sales and use tax pursuant to this chapter and which rebates taxes paid on a single transaction in excess of a specified amount shall monthly certify to the State Treasurer the total amount of rebates paid since the preceding certification, and the State Treasurer shall remit that amount to the county treasurer from the Local Sales and Use Tax Trust Fund.

(d)(1) Except for revenue collected under subdivision (d)(2) of this section, money collected that is derived from a tax on aviation fuel levied by a county where a regional airport as described by the Regional Airport Act, § 14-362-101 et seq., is located shall not be deposited into the State Treasury but shall be deposited as cash funds by the Treasurer of State in a bank or banks designated by the regional airport located within the levying county and transmitted to the regional airport, subject to the charges by the state for its services as specified in this section.

(2) Revenue derived from a tax on aviation fuel in effect on December 30, 1987, is not subject to this subsection.

AND

Page 10, delete line 3, and substitute the following:

“SECTION 8. Arkansas Code § 26-81-107 is amended to read as follows:”

AND

Page 10, delete lines 24 through 29, and substitute the following:

“(c)(1) Except as set forth in subsection (d) of this section, All all funds received by the State Treasurer from the sales tax levied by each county after deducting the three percent (3%) for the Constitutional and Fiscal Agencies Fund shall be deposited in this Local Sales and Use Tax Trust Fund and shall be credited to the account of the county in which collected.”

AND

Page 11, delete lines 6 through 13, and substitute the following:

“(d)(1) Except for revenue collected under subdivision (d)(2) of this section, money collected that is derived from a tax on aviation fuel levied by a county where a regional airport as described by the Regional Airport Act, § 14-362-101 et seq., is located shall not be deposited into the State Treasury but shall be deposited as cash funds by the Treasurer of State in a bank or banks designated by the regional airport, subject to the charges by the state for its services as specified in this section.”

AND

Page 11, delete line 17, and substitute the following:

“SECTION 9. EMERGENCY CLAUSE. It is found and determined by the”

/s/ Jim House

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 12, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1229 - TITLE - BY REPRESENTATIVE PACE, ET AL

HOUSE BILL NO. 1376 - TITLE - BY REPRESENTATIVE HOUSE, ET AL

HOUSE BILL NO. 1421 - TITLE - BY REPRESENTATIVE SUMPTER, ET AL

HOUSE JOINT

RESOLUTION NO. 1002 - TITLE - BY REPRESENTATIVE L. SMITH, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1229

BY: REPRESENTATIVES PACE, MALOCH, DICKINSON, L. EVANS, GASKILL, HALL, HAWKINS, JEFFREY, MAXWELL, MEDLEY, PIERCE, ROSENBAUM, SAMPLE, WALTERS, WELLS, WYATT

BY: SENATORS J. JEFFRESS, G. JEFFRESS, STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH THE ARKANSAS ORTHOTICS, PROSTHETICS, AND PEDORTHICS PRACTICE ACT OF 2007; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1376

BY: REPRESENTATIVES HOUSE, PACE, ANDERSON, BURKES, EDWARDS, HARDWICK, HARRIS, D. HUTCHINSON, KENNEY, KING, M. MARTIN, WAGNER, WOODS

BY: SENATORS HENDREN, MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO PROVIDE THAT CERTAIN CITY AND COUNTY TAXES ON AVIATION FUEL BE REMITTED DIRECTLY TO THE REGIONAL AIRPORT LOCATED IN THE TAXING COUNTY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1421

BY: REPRESENTATIVES SUMPTER, D. CREEKMORE, *PENNARTZ*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS LEGISLATIVE TASK FORCE FOR REVIEW OF SEX OFFENSES INVOLVING MINORS; TO PROVIDE FOR THE APPOINTMENT OF ITS MEMBERS; TO DESCRIBE ITS MISSION AND RESPONSIBILITIES; AND FOR OTHER PURPOSES.

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

BY: REPRESENTATIVES L. SMITH, 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*, PICKET, 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, CAPPS, 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.

Upon motion of Representative Sumpter, HOUSE BILL NO. 1421 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1421

Amend HOUSE BILL NO. 1421 as originally introduced:

Add Representative Pennartz as a cosponsor of the bill

/s/ Denny Sumpter

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Sumpter, HOUSE BILL NO. 1421 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1421

Amend HOUSE BILL NO. 1421 as originally introduced:

Page 2, delete lines 13 and 14 and substitute the following:

"(11) A sheriff to be appointed by the President of the Arkansas Sheriff's Association and a chief of police appointed by the President of the Arkansas Association of Chiefs of Police;"

/s/ Dawn Creekmore

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE RESOLUTION NO. 1014

BY: REPRESENTATIVE J. ROEBUCK

TO RECOGNIZE DR. MANUEL RAMIREZ AND HIS WORK FOR ARKANSANS.

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

Morning Hour Expired.

The House stood in recess at 1:46 p.m. until 1:48 p.m.

HOUSE BILL NO. 1298

BY: REPRESENTATIVE HARRELSON

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, 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, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total91

NEGATIVE: Burris, Davenport, Norton, Sample.

Total4

ABSENT OR NOT VOTING: Jeffrey, Pace, Saunders, Schulte, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

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.

Motion was made by Representative Anderson for a fiscal impact statement on **HOUSE BILL NO. 1299** and be placed on the member's desks.

The vote was as follows:

AFFIRMATIVE: Abernathy, Anderson, Burkes, Burris, Cheatham, Chesterfield, L. Cowling, Dickinson, S. Dobbins, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harris, Hyde, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lovell, Lowery, M. Martin, Maxwell, Norton, Pace, Patterson, Pierce, Ragland, Rainey, J. Roebuck, Rosenbaum, Sample, Schulte, Shelby, Thyer, Woods, Wyatt.

Total43

NEGATIVE: Adcock, Allen, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Cash, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, George, Harrelson, Hawkins, Hoyt, D. Hutchinson, D. Johnson, J. Johnson, Maloch, Medley, Moore, Overbey, Pate, Pennartz, Pickett, Powers, S. Prater, Pyle, Reep, Reynolds, Rogers, Stewart, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood.

Total46

ABSENT OR NOT VOTING: T. Baker, Berry, Blount, L. Evans, Flowers, House, W. Lewellen, Saunders, L. Smith, Sullivan, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative43

Necessary to the adoption of the motion.....51

So the motion failed.

HOUSE BILL NO. 1299

BY: REPRESENTATIVE HARRELSON

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, T. Baker, Berry, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Cheatham, Cook, Cornwell, D. Creekmore, Davis, Dunn, Edwards, D. Evans, L. Evans, Everett, Gaskill, George, Greenberg, Harrelson, Hawkins, House, Hoyt, J. Johnson, Kidd, W. Lewellen, Lowery, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Reep, J. Roebuck, Rogers, Saunders, Shelby, L. Smith, Stewart, Sumpter, Wagner, Webb, Wills, Wood.

Total52

NEGATIVE: Anderson, Burkes, Burris, Cash, Chesterfield, Cooper, L. Cowling, Davenport, Dickinson, S. Dobbins, Flowers, Garner, R. Green, Hall, Hardwick, Hardy, Harris, D. Hutchinson, Hyde, D. Johnson, Kenney, Key, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Medley, Norton, Pace, Ragland, Rainey, Reynolds, Rosenbaum, Sample, Schulte, Sullivan, Thyer, Walters, Wells, Woods, Wyatt.

Total43

ABSENT OR NOT VOTING: Blount, Jeffrey, Mr. Speaker.

Total3

VOTING PRESENT: Abernathy, Glidewell.

Total2

Total number of votes cast97

Total number voting in the affirmative.....52

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

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

Upon motion of Representative Harrelson the Clincher motion prevailed.

Representative Anderson requested the Sounding of the Ballot on **HOUSE BILL NO. 1299** and the call was sustained. The Votes were as follows:

Total.....	52
Total number of votes cast.....	97
Total number voting in the affirmative.....	52
Total number voting in the negative.....	43
Total number absent or not voting.....	3
Total number voting present.....	2

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

HOUSE BILL NO. 1416

BY: REPRESENTATIVE MALOCH

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, 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, 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, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Blount, Mr. Speaker.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

Motion was made by Representative Thyer to re-refer **HOUSE BILL NO. 1104** back to the Senate. Motion carried.

HOUSE BILL NO. 1432

BY: REPRESENTATIVE MALOCH

Was read the third time and placed on final passage, the question being shall the Bill pass. 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, Chesterfield, Cook, Cooper, Cornwell, 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, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, L. Cowling, Pickett, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

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

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

HOUSE BILL NO. 1368

BY: REPRESENTATIVE DUNN

Was read the third time and placed on final passage, the question being shall the Bill pass. 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, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, 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, 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, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE: S. Prater, Sample.

Total2

ABSENT OR NOT VOTING: D. Creekmore, D. Hutchinson, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative94

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

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

Upon motion of Representative Dunn the Clincher motion prevailed.

HOUSE BILL NO. 1379

BY: REPRESENTATIVE PETRUS

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, 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, R. Green, 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, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total	98
NEGATIVE: Burkes, Greenberg.	
Total	2
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	100
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 1005

BY: REPRESENTATIVE WELLS

Was read the third time and placed on final passage, the question being shall the Bill pass. 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, 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, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Kenney, Key, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

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

Upon motion of Representative Wells the Clincher motion prevailed.

SENATE BILL NO. 172

BY: SENATOR MADISON

Was read the third time and placed on final passage, the question being shall the Bill pass. 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, Gaskill, George, Greenberg, Hardwick, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, Lamoureux, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reynolds, J. Roebuck, Rogers, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total83

NEGATIVE: Garner, Glidewell, R. Green, Hardy, Key, King, W. Lewellen, M. Martin, Pickett, Sample.

Total10

ABSENT OR NOT VOTING: Chesterfield, Hall, Harris, Pace, Reep, Rosenbaum, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative83

Necessary to the passage of the bill51

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

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1005 BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1298 BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1299 BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1368 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1379 BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1416 BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1432 BY REPRESENTATIVE MALOCH

NOTICE OF RETURN OF HOUSE BILLS

HOUSE BILL NO. 1104 BY REPRESENTATIVE THYER

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 172 BY SENATOR MADISON

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 12, 2007

MR. SPEAKER:

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

HOUSE CONCURRENT

RESOLUTION NO. 1007	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 1069	BY REPRESENTATIVES BOND AND PRATER
HOUSE BILL NO. 1182	BY REPRESENTATIVES BAKER AND OVERBEY
HOUSE BILL NO. 1307	BY REPRESENTATIVE PIERCE, ET AL
HOUSE BILL NO. 1340	BY REPRESENTATIVE LOVELL
HOUSE BILL NO. 1388	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1389	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 4:00 p.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 CONCURRENT

RESOLUTION NO. 1007	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 1069	BY REPRESENTATIVES BOND AND PRATER
HOUSE BILL NO. 1182	BY REPRESENTATIVES BAKER AND OVERBEY
HOUSE BILL NO. 1307	BY REPRESENTATIVE PIERCE, ET AL
HOUSE BILL NO. 1340	BY REPRESENTATIVE LOVELL
HOUSE BILL NO. 1388	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1389	BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 4:00 p.m.

By: Angela Tollette

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

February 9, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on February 9, 2007, I approved the following measures from the Regular Session of the Eighty-Sixth General Assembly:

HOUSE BILL NO. 1077 - ACT 77

HOUSE BILL NO. 1149 - ACT 82

HOUSE BILL NO. 1105 - ACT 78

HOUSE BILL NO. 1235 - ACT 83

HOUSE BILL NO. 1116 - ACT 79

HOUSE BILL NO. 1287 - ACT 84

HOUSE BILL NO. 1117 - ACT 80

HOUSE BILL NO. 1309 - ACT 85

HOUSE BILL NO. 1119 - ACT 81

HOUSE BILL NO. 1371 - ACT 86

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS EIGHTY-SIXTH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

BENNY C. PETRUS, SPEAKER
TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CHIEF CLERK

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: February 12, 2007
SUBJECT: Amendment #2 to **HOUSE BILL NO. 1229**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #2 to HB 1229. In the Amendment, paragraph 2 should read as follows:

Add Representative Maloch, Dickinson, L. Evans, Gaskill, Hall, Hawkins, Jeffrey, Maxwell, Medley, Pierce, Rosenbaum, Sample, Walters, Wells, and Wyatt as cosponsors of the bill" (The "L" was added in front of Evans)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB1229.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 1229

"ARKANSAS ORTHOTICS, PROSTHETICS, AND PEDORTHICS PRACTICE ACT
OF
2007."

Amendment No. 2 to House Bill No. 1229.

Amend House Bill No. 1229 as engrossed, H2/5/07 (version: 02-05-2007 09:25):
Add Representative Maloch, Dickinson, (L.) Evans, Gaskill, Hall, Hawkins, Jeffrey,
Maxwell, Medley, Pierce, Rosenbaum, Sample, Walters, Wells, and Wyatt as
cosponsors of the bill

Add Senator Steele as a cosponsor of the bill

AND

Page 6, delete lines 12 through 18 and substitute the following:

"(4)(A) Any other licensed health care professional within this
state, or prevent a member of any health care profession or any person
employed by or supervised by a licensed health care professional from doing
work of a nature consistent with the person's training, as long as the
licensed health care professional does not hold himself or herself out to the
public as a licensee under this chapter.

(B) The exemption created in subdivision (4)(A) of this
section expressly exempts licensure manufacturers' representatives so long as
the process of measuring and fitting of the orthotic, prosthetic, or
pedorthic device takes place under the supervision of a qualified member of a
licensed health care profession within this state."

HOUSE BILL NO. 1453

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO TRANSFER THE STREET ROD SPECIAL LICENSE PLATE LAW TO THE SPECIAL LICENSE PLATE ACT OF 2005; TO MODIFY THE LAW AS NECESSARY BECAUSE OF INDUSTRY ADVANCEMENTS AND THE GROWING POPULARITY OF STREET RODS AND CUSTOM VEHICLES; TO REPEAL THE LAW REGARDING STREET RODS UNDER ARKANSAS CODE § 27-15-4003; 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. 1454

BY: REPRESENTATIVES D. JOHNSON, GARNER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO DISCONTINUE THE ARKANSAS ADVISORY COMMISSION ON MANDATED HEALTH INSURANCE BENEFITS; 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. 1455

BY: REPRESENTATIVE BOND

BY: SENATOR BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REGULATE UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH GIFT CARDS; AND FOR OTHER PURPOSES. AN ACT TO REGULATE UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH GIFT CARDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on INSURANCE AND COMMERCE.

HOUSE BILL NO. 1456

BY: REPRESENTATIVES HOYT, REYNOLDS, BURRIS, ANDERSON, BERRY BREEDLOVE, J. BROWN, CHEATHAM, CORNWELL, L. COWLING, D. EVANS, EVERETT, GARNER, GASKILL, GEORGE, GLIDEWELL, HALL, HARDWICK, HAWKINS, HOUSE, HYDE, KEY, KIDD, KING, OVERBEY, PATTERSON, POWERS, S. PRATER, RAGLAND, SAUNDERS, STEWART, WEBB, WILLS, WYATT

BY: SENATOR LAVERTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE USE OF NEWER, MORE FLEXIBLE PLASTIC PIPE FOR WATER DISTRIBUTION PIPING UNDER CONCRETE SLABS; 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. 1457

BY: REPRESENTATIVE HOUSE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A MOTOR VEHICLE OWNER TO SIGN THE FRONT SIDE OF A MOTOR VEHICLE CERTIFICATE OF TITLE UPON RECEIPT; TO ELIMINATE THE REQUIREMENT THAT AN OWNER SIGN THE REVERSE SIDE OF THE TITLE UPON RECEIPT; 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. 1458

BY: REPRESENTATIVE DUNN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF SEX OFFENSE IN THE SEX OFFENDER REGISTRATION ACT OF 1997; 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. 1459

BY: REPRESENTATIVES WALTERS, SUMPTER, PYLE, R. GREEN, BLOUNT, BREEDLOVE, L. COWLING, HALL, HARDY, KIDD, LOVELL, S. PRATER, ROGERS, SCHULTE, SULLIVAN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR VOLUNTEER FIREFIGHTERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on REVENUE AND TAXATION.

HOUSE BILL NO. 1460

BY: REPRESENTATIVE PICKETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REVISE ACCOUNTABILITY AND REVIEW REQUIREMENTS CONCERNING ATHLETIC EXPENDITURES BY PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1461

BY: REPRESENTATIVES HOUSE, PACE, ANDERSON, BURKES, EDWARDS, HARDWICK, HARRIS, D. HUTCHINSON, KENNEY, KING, M. MARTIN, WAGNER, WOODS

BY: SENATORS HENDREN, MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THAT OTHER PUBLIC ENTITIES IN THE STATE MAY OBTAIN SPECIAL LICENSE PLATES FOR VEHICLES THAT ARE USED FOR PUBLIC PURPOSES; 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. 1462

BY: REPRESENTATIVE OVERBEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS CODE TO CHANGE THE TERM "ALL-TERRAIN CYCLE" TO "ALL-TERRAIN VEHICLE"; TO AMEND REQUIREMENTS FOR REGISTRATION AND OPERATION OF ALL-TERRAIN VEHICLES; 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. 1463

BY: REPRESENTATIVE OVERBEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE ISSUANCE OF RESTRICTED DRIVING PERMITS TO PERSONS WITH SUSPENDED DRIVER'S LICENSES FOR THE PURPOSE OF TRANSPORTING MINOR DEPENDENTS TO SCHOOL OR CHILDCARE; TO REPEAL OBSOLETE LAW; 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. 1464

BY: REPRESENTATIVE WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 14-58-1001(a) TO DECREASE THE AMOUNT NECESSARY FOR ALTERNATIVE NEGOTIATED PURCHASING FOR MUNICIPALITIES; 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. 1465

BY: REPRESENTATIVE WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE LANDFILLS TO OFFER STYROFOAM RECYCLING; 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. 1466

BY: REPRESENTATIVE WOOD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE ENTITLEMENT TO A SCHOLARSHIP FOR THE CHILDREN AND SPOUSE OF CERTAIN PUBLIC SERVICE EMPLOYEES IF THE PUBLIC SERVICE RESULTS IN DEATH OR PERMANENT AND TOTAL DISABILITY; AND FOR OTHER PURPOSES.

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

Upon motion of Representative David Evans, the House adjourned at 2:45 p.m., until 1:30 p.m., Tuesday, February 13, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

