

**NINTH DAY’S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
January 16, 2001

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

Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver, White, Womack, Wood, Mr. Speaker.

Total..... 98

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

Total.....02

A quorum was present.

The House stood and was led in prayer by House Chaplain, John E. Owen, Bryant, 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 16, 2001
JOINT BUDGET	GEORGE FRENCH
COMMITTEE	CHAIRPERSON
HOUSE BILL NO. 1181	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1182	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1183	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1186	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1187	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	January 16, 2001
REVENUE AND	LARRY TEAGUE
TAXATION	CHAIRPERSON
HOUSE BILL NO. 1120	DO PASS
BY REPRESENTATIVE D. ELLIOTT	

COMMITTEE REPORT

	January 16, 2001
PUBLIC	JERRY ALLISON
TRANSPORTATION	CHAIRPERSON
HOUSE BILL NO. 1008	DO PASS
BY REPRESENTATIVE DUGGAR	
HOUSE BILL NO. 1061	DO PASS
BY REPRESENTATIVE CREEKMORE	
HOUSE BILL NO. 1095	DO PASS
BY REPRESENTATIVE BORHAUER	

COMMITTEE REPORT

	January 16, 2001
EDUCATION	M. OLIN COOK CHAIRPERSON
HOUSE BILL NO. 1107 BY REPRESENTATIVE MILLIGAN	DO PASS
HOUSE RESOLUTION NO. 1003 BY REPRESENTATIVE MINTON	DO PASS

COMMITTEE REPORT

	January 16, 2001
PUBLIC HEALTH, WELFARE AND LABOR	TRACY STEELE CHAIRPERSON
HOUSE BILL NO. 1069 BY REPRESENTATIVE BIGGS	DO PASS AS AMENDED #1
HOUSE BILL NO. 1074 BY REPRESENTATIVE MAGNUS	DO PASS AS AMENDED #2
HOUSE BILL NO. 1159 BY REPRESENTATIVE ALTES	DO PASS, AS AMENDED #1 NON-CONTROVERSIAL
HOUSE BILL NO. 1160 BY REPRESENTATIVE ALTES	DO PASS NON-CONTROVERSIAL

COMMITTEE REPORT

	January 16, 2001
JUDICIARY	MIKE HATHORN CHAIRPERSON
HOUSE BILL NO. 1024 BY REPRESENTATIVE MINTON	DO PASS AS AMENDED #2
HOUSE BILL NO. 1070 BY REPRESENTATIVE JEFFRESS	DO PASS AS AMENDED #1
HOUSE BILL NO. 1193 BY REPRESENTATIVE GILLESPIE	DO PASS NON-CONTROVERSIAL
SENATE BILL NO. 68 BY SENATOR FARIS	DO PASS

Upon motion of Representative French, **HOUSE BILL NO. 1063** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1063

Amend **HOUSE BILL NO. 1063** as originally introduced:

Add Representatives Cowling, Bolin, Rankin as cosponsors of the bill

AND

Add Senators J. Jeffress and Faris as cosponsors of the bill

AND

Page 2, delete lines 11 through 13, and substitute the following:

“school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college in recognition of the employee's contribution to education;”

AND

Page 2, delete lines 24 through 27, and substitute the following:

“presented to an employee of a public school district, the Arkansas School for the Blind, the Arkansas School for the Deaf, the Arkansas School for Mathematics and Science, a university, a college, a technical college, a technical institute, a comprehensive life-long learning center, or a community college in recognition of the employee's contribution to education;”

/s/ George French

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Teague, **HOUSE BILL NO. 1178** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1178

Amend **HOUSE BILL NO. 1178** as originally introduced:

Page 1, line 9, delete "COMPANY MAY" and substitute "COMPANY, EXCLUDING LIFE AND DISABILITY INSURANCE COMPANIES, MAY"

AND

Page 1, line 15, delete "COMPANY MAY" and substitute "COMPANY, EXCLUDING LIFE AND DISABILITY INSURANCE COMPANIES, MAY"

AND

Page 1, line 26, delete "state may" and substitute "state, except the business of life or disability insurance, may"

/s/ Larry R. Teague

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Rodgers, **HOUSE BILL NO. 1141** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1141

Amend **HOUSE BILL NO. 1141** as originally introduced:

Page 9, delete lines 17 & 18 and substitute “~~Health, who shall be made available by the state if notice of intention to cross-examine is given ten (10) days prior to the date of hearing or trial.~~”

AND

Page 9, line 20, delete “subpoena, in” and substitute “subpoena given ten (10) days prior to the date of hearing or trial, in”

AND

Page 9, Line 25, delete “Blood alcohol” and substitute “~~Blood alcohol~~ Alcohol”

AND

Page 14, delete lines 1 & 2 and substitute “~~Health, who shall be made available by the state if notice of intention to cross-examine is given ten (10) days prior to the date of hearing or trial.~~”

AND

Page 14, line 4, delete “subpoena, in” and substitute “subpoena ten (10) days prior to the date of the hearing or trial, in”

AND

Page 17, line 35, delete “5-76-105(b)(1)” and substitute “5-76-105(b)”

AND

Page 18, delete lines 5 through 7 and substitute “~~Health, who shall be made available by the state if notice of intention to cross-examine is given at least ten (10) days prior to the date of hearing or trial.~~”

AND

Page 18, line 8, add an additional subsection to read as follows:

“(2) The testimony of the appropriate analyst or official may be compelled by subpoena given ten (10) days prior to the date of hearing or trial, in which case, the records and reports shall be admissible through the analyst or official, who shall be subject to cross-examination by the defendant or his counsel.”

/s/ Sandra Rodgers

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Rodgers, **HOUSE BILL NO. 1141** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1141

Amend **HOUSE BILL NO. 1141** as originally introduced:

Add Representatives Milum, Cleveland, Bolin, Altes, Bledsoe, McMellon, Childers, Holt, and Scroggin as cosponsors of the bill

AND

Page 7, line 36, delete "5-65-203(a) is" and substitute "5-65-203(a) & (b) are"

AND

Page 8, line 7, insert the following:

“(b) The law enforcement agency by which that officer is employed shall designate which of the aforesaid tests shall be administered, and the agency shall be responsible for paying all expenses incurred in conducting the tests.

(1) If the person tested requests that additional tests be made, as authorized in § 5-65-204(e), the cost of the additional tests shall be borne by the person tested unless the charges are dismissed or nolle prosequi or the person is found not guilty, in which case the arresting law enforcement agency shall reimburse the person for the cost of the additional tests.

(2) If any person shall object to the taking of his blood for a test, as authorized herein, the breath or urine of the person may be used to make the analysis.”

AND

Page 8, insert an additional section immediately following Section 9 to read as follows:

“SECTION 10. Arkansas Code 5-65-204(e) is amended to read as follows:

(e) The person tested may have a physician or a qualified technician, registered nurse, or other qualified person of his own choice administer a complete chemical test in addition to any test administered at the direction of a law enforcement officer.

(1) The law enforcement officer shall advise the person, in writing, of this right and that if the person chooses to have an additional test and the charges are dismissed or nolle prosequi or the person is found not

guilty, the arresting law enforcement agency will reimburse the person for the cost of the additional test.

(2) The refusal or failure of a law enforcement officer to advise such person of this right and to permit and assist the person to obtain such test shall preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.”

AND

Appropriately renumber the subsequent sections of the bill

AND

Page 16, lines 27 and 28, delete “two-hundredths (0.02) but less than” and substitute “at least”

/s/ Sandra Rodgers

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Minton, **HOUSE BILL NO. 1062** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1062

Amend **HOUSE BILL NO. 1062** as originally introduced:

Page 2, line 3, delete "or" and substitute "or"

AND

Page 2, delete line 5 and substitute "of the State of Arkansas or the transfer of state lands between state entities; or

(C) The exchange of state lands for other lands which are suitable for state purposes if the Director has made a recommendation to the Governor that the exchange be made and the Governor has approved the exchange."

AND

Page 3, line 15 insert: "SECTION 2. Arkansas Code 22-6-601(h) is amended to read as follows:

(h)(1) The lands shall be sold for the highest aggregate bid, and no such sale shall be otherwise than for cash, nor for less than the amount of the appraisal.

(2)(A) Upon approval by the Governor, lands may be sold for less than the amount of the appraisal if the bid process has been utilized and it has been determined and recommended by the agency director and the Director of the State Building Services that further solicitation of bids is unnecessary.

(B) The Legislative Council shall review the sale of the land before the agency finalizes the sale.

SECTION 3. Arkansas Code 22-6-601 is amended by adding an additional subsection to read as follows:

"(k)(1) Before any agency may receive donated land, the agency director shall certify the proposed donation request to the State Building Services.

(2) The Director of the State Building Services shall forward a recommendation to the Governor.

(3) No donation shall be made without approval from the Governor."

/s/ R. S. Minton

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ormond, **HOUSE JOINT RESOLUTION NO. 1009** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION NO. 1009

Amend **HOUSE JOINT RESOLUTION NO. 1009** as originally introduced:

Page 1, delete lines 34 through 36 and substitute:

"SECTION 1. For purposes of this amendment:

(1) "Eligible food and beverage" means any food as defined in Section 3 of the federal Food Stamp Act of 1977, 7 U.S.C.S. 2012(g); and

(2) "Various taxing units" means the cities, counties, school districts, and any other governmental entities which levied ad valorem property taxes in 2002.

SECTION 2. Beginning January 1, 2003:

(1) Eligible food and beverage sold for human consumption shall be exempt from gross receipts and compensating use taxes levied by the various taxing units; and

(2) No sales or use taxes shall be levied by the state, counties, or municipalities upon used goods."

AND

Page 2, delete lines 1 through 9

AND

Page 2, delete lines 23 through 28 and substitute:

"(2)(A) In the year 2004 the revenues shall first be distributed to the various taxing units in an amount equal to or more than the amount of ad valorem property taxes received by the various taxing units in the previous year, but in no event shall the amount be less than the amount necessary to meet the current requirements of all principal, interest, paying agent fees, reserves, and other requirements of bonded indebtedness.

(B) Beginning January 1, 2005 and thereafter, the revenues shall first be distributed to the various taxing units in an amount equal to or more than the amount of monies lost pursuant to the repeal of ad valorem property taxes, but in no event shall the amount be less than the amount necessary to meet the current requirements of all principal, interest, paying agent fees, reserves, and other requirements of bonded indebtedness."

AND

Page 3, line 8, add "ad valorem property" between "Delinquent" and "taxes"
AND

Page 3, line 10, add "property" between "valorem" and "taxes"
AND

Page 3, line 13, delete "hereby"
AND

Page 3, line 19, delete "hereby"
AND

Page 3, delete line 36 and substitute "SECTION 6. Beginning January 1, 2005, the General Assembly may, by a"

/s/ Charles L. Ormond

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Minton unanimous leave to withdraw
HOUSE BILL NO. 1034.

The House gave Representative D. Elliott unanimous leave to
withdraw **HOUSE BILL NO. 1150.**

The House gave Representative Ormond unanimous leave to withdraw
HOUSE BILL NO. 1138.

Full House will convene at 1:30 p.m.

ENGROSSED BILL REPORTS

SHANE BROADWAY, CHAIRMAN

January 16, 2001

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1062 BY REPRESENTATIVE MINTON
 HOUSE BILL NO. 1063 – TITLE - BY REPRESENTATIVE FRENCH
 HOUSE BILL NO. 1083 BY REPRESENTATIVE KING
 HOUSE BILL NO. 1141 – TITLE - BY REPRESENTATIVE RODGERS
 HOUSE BILL NO. 1178 - TITLE - BY REPRESENTATIVE TEAGUE
 HOUSE JOINT RESOLUTION 1009 BY REPRESENTATIVE ORMOND

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 1063

BY: REPRESENTATIVES FRENCH, TEAGUE, *COWLING, BOLIN, RANKIN*
 BY: *SENATORS J. JEFFRESS, FARIS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW TEACHERS AND OTHER SCHOOL EMPLOYEES TO RECEIVE GIFTS OR COMPENSATION IN RECOGNITION OF THE EMPLOYEE'S CONTRIBUTION TO EDUCATION; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 1141

BY: REPRESENTATIVES RODGERS, BENNETT, MINTON, FILES,
 GLOVER, WOMACK, *MILUM, CLEVELAND, BOLIN, ALTES, BLEDSOE,*
McMELLON, CHILDERS, HOLT, SCROGGIN
 BY: *SENATORS FARIS, BROWN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE DWI THRESHOLD FROM 0.10% TO 0.08; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1178

BY: REPRESENTATIVES TEAGUE, FRENCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT NO INSURANCE COMPANY, EXCLUDING LIFE AND DISABILITY INSURANCE COMPANIES, MAY CANCEL A POLICY OR INCREASE PREMIUMS DUE TO CLAIMS FILED WHICH RESULTED IN NO LOSS TO THE INSURANCE COMPANY; AND FOR OTHER PURPOSES.

HOUSE CONCURRENT RESOLUTION NO. 1007

BY: REPRESENTATIVE BEVIS

FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE IN THE HOUSE CHAMBER AT 1:30 P.M., WEDNESDAY, JANUARY 17, 2001, TO HEAR AN ADDRESS BY THE HONORABLE BILL CLINTON, PRESIDENT OF THE UNITED STATES.

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

HOUSE CONCURRENT RESOLUTION NO. 1003

BY: REPRESENTATIVE HENDREN

REQUESTING THE HOUSE AND SENATE INTERIM COMMITTEES ON STATE AGENCIES AND GOVERNMENTAL AFFAIRS STUDY THE DUTIES, POWERS, AND TRAINING OF CONSTABLES.

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

HOUSE BILL NO. 1164

BY: REPRESENTATIVE BEVIS

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

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliot, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickenbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Johnson, Jones, Judy, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver, White, Womack, Wood.

Total 95

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Bright, King, McMellon, Willis, Mr. Speaker.

Total 5

VOTING PRESENT:

Total 0

Total number of votes cast 95

Necessary to the passage of the bill 51

Total number voting in the affirmative 95

Total number voting in the negative 0

Total number absent or not voting..... 5

Total number voting present..... 0

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

HOUSE BILL NO. 1117

BY: REPRESENTATIVE HUNT

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

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickenbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Johnson, Jones, Judy, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver, White, Womack, Wood.

Total..... 96

NEGATIVE:

Total..... 0

ABSENT OR NOT VOTING: Bright, King, Willis, Mr. Speaker.

Total..... 4

VOTING PRESENT:

Total..... 0

Total number of votes cast 96

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

Total number voting in the affirmative 96

Total number voting in the negative 0

Total number absent or not voting..... 4

Total number voting present..... 0

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

HOUSE BILL NO. 1033

BY: REPRESENTATIVE MINTON

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

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliot, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickenbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Jones, Judy, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Verkamp, Walker, Weaver, White, Womack, Wood.

Total 93

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Bright, Johnson, King, McMellon, Trammell, Willis, Mr. Speaker.

Total 7

VOTING PRESENT:

Total 0

Total number of votes cast 93

Necessary to the passage of the bill 51

Total number voting in the affirmative 93

Total number voting in the negative 0

Total number absent or not voting..... 7

Total number voting present..... 0

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

Upon motion of Representative Magnus, **HOUSE BILL NO. 1083** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1083

Amend **HOUSE BILL NO. 1083** as originally introduced:

Page 1, delete line 24 and substitute "Academy shall be under the control of the Southern Arkansas University, SAU -- Tech, and the"

AND

Page 1, line 30, delete "Southern Arkansas University" and substitute "Southern Arkansas University, SAU -- Tech"

AND

Page 2, line 11, delete "Southern Arkansas University" and substitute "Southern Arkansas University, SAU -- Tech"

AND

Page 2, line 16, delete "Southern"

AND

Page 2, line 17, delete "Arkansas University" and substitute "Southern Arkansas University, SAU -- Tech"

/s/ Barbara King

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

/s/ Ms. Jo Renshaw
Chief Clerk

Morning Hour Expired.

HOUSE BILL NO. 1151

BY: REPRESENTATIVE MINTON

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

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliot, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickenbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Johnson, Jones, Judy, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver, White, Womack, Wood.

Total 96

NEGATIVE:

Total 0

ABSENT OR NOT VOTING: Bright, King, Willis, Mr. Speaker.

Total 4

VOTING PRESENT:

Total 0

Total number of votes cast 96

Necessary to the passage of the bill 51

Total number voting in the affirmative 96

Total number voting in the negative 0

Total number absent or not voting..... 4

Total number voting present..... 0

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

Upon motion by Representative Hutchinson, **HOUSE BILL NO. 1089** was pulled down.

HOUSE BILL NO. 1100

BY: REPRESENTATIVE BIGGS

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

AFFIRMATIVE: Adams, Agee, Allison, Altes, Bennett, Bevis, Biggs, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Carson, Childers, Clemons, Cleveland, Cook, Cowling, Creekmore, Dangeau, Dees, Duggar, Eason, D.Elliott, J.Elliott, Ferguson, Files, Fite, French, Gillespie, Gipson, Glover, Goss, Green, Haak, Hathorn, Hausam, Hendren, Hickinbotham, Holt, House, Hunt, Hutchinson, Jackson, Jacobs, Jeffress, Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Lowery, Mack, Magnus, Mathis, McMellon, Milligan, Milum, Minton, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Prater, Pritchard, Rackley, Rankin, Rodgers, Roebuck, Salmon, Schall, Scrimshire, Scroggin, Seawel, Shoffner, M.Smith, R.Smith, M.Steele, T.Steele, Stovall, C.Taylor, J.Taylor, Teague, Thomas, Trammell, Verkamp, Walker, Weaver, White, Womack, Wood.

Total..... 97

NEGATIVE:

Total..... 0

ABSENT OR NOT VOTING: Bright, Willis, Mr. Speaker.

Total..... 3

VOTING PRESENT:

Total..... 0

Total number of votes cast 97

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

Total number voting in the affirmative 97

Total number voting in the negative 0

Total number absent or not voting..... 3

Total number voting present..... 0

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

HOUSE BILL NO. 1086

BY: REPRESENTATIVE ORMOND

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

AFFIRMATIVE: Agee, Altes, Biggs, Bledsoe, Bond, Bradford, Carson, Cook, Cowling, Eason, Files, French, Gipson, Green, Haak, Hutchinson, Jeffress, Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Magnus, McMellon, Minton, Napper, Ormond, Pritchard, Rankin, Roebuck, Scrimshire, Scroggin, Seawel, Stovall, Trammell, White, Wood.

Total 40

NEGATIVE: Adams, Allison, Bennett, Bolin, Bookout, Borhauer, Boyd, Childers, Clemmons, Cleveland, Creekmore, Dangeau, Duggar, D. Elliott, J. Elliott, Ferguson, Fite, Gillespie, Glover, Goss, Hathorn, Hausam, Hendren, Hickinbotham, House, Hunt, Jackson, Jacobs, Lowery, Mathis, Milum, Moore, Nichols, Oglesby, Parks, Prater, Rackley, Rodgers, Salmon, Schall, Shoffner, M. Smith, R. Smith, M. Steele, T. Steele, C. Taylor, J. Taylor, Thomas, Verkamp, Walker, Womack.

Total 51

ABSENT OR NOT VOTING: Bevis, Bright, Dees, Holt, Milligan, Teague, Weaver, Willis, Mr. Speaker.

Total 9

VOTING PRESENT:

Total 0

Total number of votes cast 91

Necessary to the passage of the bill 51

Total number voting in the affirmative 40

Total number voting in the negative 51

Total number absent or not voting 9

Total number voting present 0

So the Bill failed .

NOTICE OF RECONSIDERATION

Representative Shoffner served notice at 2:23 p.m. that she will, within the time prescribed by law, move to reconsider the vote by which **HOUSE BILL NO. 1086** failed to pass.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1100 BY REPRESENTATIVE BIGGS
HOUSE BILL NO. 1151 BY REPRESENTATIVE MINTON

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1003
BY REPRESENTATIVE HENDREN
HOUSE CONCURRENT RESOLUTION NO. 1007
BY REPRESENTATIVE BEVIS

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE AS PASSED

SENATE BILL NO. 84 BY SENATOR D. MALONE
SENATE BILL NO. 88 BY SENATOR FARIS

HOUSE BILL NO. 1204

BY: REPRESENTATIVES T. STEELE, CREEKMORE, SALMON, GREEN, WHITE, J. ELLIOTT, CARSON, LEDBETTER, SCRIMSHIRE, GOSS, BOOKOUT, C. JOHNSON, W. WALKER, BIGGS, LEWELLEN, THOMAS, CLEVELAND, CLEMMONS, MATHIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH DAISY GASTON BATES DAY AS AN OFFICIAL STATE HOLIDAY ON THE THIRD MONDAY IN FEBRUARY; AND FOR OTHER PURPOSES.

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.

HOUSE BILL NO. 1205

BY: REPRESENTATIVE COOK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE USE OF EXCESS INTEREST FROM THE ARKANSAS CHILD CARE FACILITIES LOAN GUARANTEE TRUST FUND TO SUPPORT PROFESSIONAL AND QUALITY DEVELOPMENT INITIATIVES; AND FOR OTHER PURPOSES.

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.

HOUSE BILL NO. 1206

BY: REPRESENTATIVE COOK

A BILL FOR AN ACT TO BE ENTITLED AN ACT PERTAINING TO CERTIFICATION BY THE DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION; AND FOR OTHER PURPOSES.

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.

HOUSE BILL NO. 1207

BY: REPRESENTATIVE FITE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE SALINE COUNTY FAIRGROUND BOARD FOR CONSTRUCTION OF VARIOUS FACILITIES INCLUDING A PAVILLION; 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. 1208

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PROVIDING PAYMENT OF CLAIMS TO SURVIVING SPOUSES AND/OR DEPENDENT CHILDREN OF POLICEMEN, FIREMEN, CORRECTIONAL OFFICERS AND OTHER SPECIFIED STATE EMPLOYEES KILLED IN THE OFFICIAL LINE OF DUTY, AS PRESCRIBED BY LAW; PROVIDING FOR PAYMENT OF SMALL CONTROVERSIAL AND NON-CONTROVERSIAL CLAIMS WHICH HAVE BEEN APPROVED BY THE ARKANSAS STATE CLAIMS COMMISSION; PROVIDING PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE CLAIMS COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1209

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 REGISTRATION FOR PROFESSIONAL GEOLOGISTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1210

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 PRIVATE CAREER EDUCATION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1211

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS BOARD OF DISPENSING OPTICIANS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1212

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 BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1213

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES, GRANTS OR LOANS, AND COMMUNITY GRANTS FOR THE DEVELOPMENT AND OPERATION OF CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS FOR THE STATE CHILD ABUSE AND NEGLECT PREVENTION BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1214

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 BANK DEPARTMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1215

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, 2003; 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. 1216

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, 2003; 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. 1217

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR INVESTMENTS, BENEFITS, REFUNDS AND EXPENSES FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT - ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; 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. 1218

BY: REPRESENTATIVE HICKINBOTHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LIQUEFIED PETROLEUM GAS BOARD ACT; TO PROVIDE THAT A SELLER OF LIQUEFIED PETROLEUM GAS AUTHORIZE A SUBSTITUTE SELLER WHENEVER THE SELLER IS UNABLE TO DELIVER LIQUIFIED PETROLEUM GAS TO ITS CUSTOMERS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1219

BY: REPRESENTATIVES HICKINBOTHAM, WEAVER, C. TAYLOR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 16-13-1103 TO CREATE A NEW CIRCUIT-CHANCERY JUDGESHIP IN THE THIRD JUDICIAL DISTRICT; 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. 1220

BY: REPRESENTATIVE BOND

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE 19-5-1206 PERTAINING TO THE STATE BUILDING SERVICES REAL ESTATE FUND; 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. 1221

BY: REPRESENTATIVE GILLESPIE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT ALL RAILROADS MUST HAVE AT LEAST TWO PERSONS ON ALL TRAINS AND LOCOMOTIVES OPERATING WITHIN THIS STATE; 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. 1222

BY: REPRESENTATIVE MILUM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTYWIDE REAPPRAISALS OF PROPERTY ARE COMPLETED ON THE DATE TAXES ARE FIRST ASSESSED ON THE NEWLY APPRAISED VALUE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 84

BY: SENATORS D. MALONE AND MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ELIMINATE THE PROVISION OF THE ARKANSAS CODE THAT STATES THAT SENATE MEMBERS OF THE LEGISLATIVE COUNCIL MAY NOT SERVE AFTER THE GENERAL ELECTION IF THEY WILL NOT SERVE IN THE NEXT GENERAL ASSEMBLY AND THEREBY MAKE THE TREATMENT THE SAME FOR HOUSE MEMBERS AND SENATE MEMBERS; 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. 88

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE
OUACHITA RIVER COMMISSION; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Cook, the House adjourned at 2:34 p.m. until 1:00 p.m., Wednesday, January 17, 2001.

ATTEST:

Shane Broadway
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk