

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

Little Rock, Arkansas

January 8, 2004

The House was called to order at 1:34 p.m. by Mr. Cleveland, the Speaker.
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D.Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total98

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

Total2

A quorum was present.

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

The House stood and was led in prayer by Representative Dwayne Mack.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

EDUCATION	January 8, 2004
	CALVIN JOHNSON
	CHAIRPERSON
HOUSE BILL NO. 1009	DO PASS
BY REPRESENTATIVE PICKETT	
HOUSE BILL NO. 1063	DO PASS
BY REPRESENTATIVE ELLIOTT	AS AMENDED #2
HOUSE BILL NO. 1072	DO PASS
BY REPRESENTATIVE CLEVELAND	

COMMITTEE REPORT

AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	January 8, 2004
	JIM MILLIGAN
	CHAIRPERSON
HOUSE RESOLUTION NO. 1012	DO PASS
BY REPRESENTATIVE SULLIVAN	

Upon motion of Representative Pickett, **HOUSE BILL NO. 1008** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1008

Amend **HOUSE BILL NO. 1008** as originally introduced:

Page 1, line 9, delete "LIMIT" and substitute "TRACK"

AND

Page 1, line 10, delete "MAY BE" and substitute "ARE"

AND

Delete the subtitle in its entirety and substitute:

"TO TRACK THE AMOUNT OF STATE FUNDS THAT ARE USED TO SUPPORT ATHLETIC PROGRAMS IN PUBLIC SCHOOLS."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 20, is amended to add an additional subchapter to read as follows:

6-20-2001. Purpose.

The purpose of this subchapter is to track and account for the amount of state funds that is used to support interschool athletic programs in public schools.

6-20-2002. Definitions.

As used in this subchapter:

(1) "Athletic expenditures" means all direct and indirect expenses related to interschool athletic programs, prorated if necessary, including but not limited to:

(A) Salaries or supplemental pay for staff for interschool athletic programs, excluding salaries received for duties as a classroom teacher;

(B) All fringe benefits, including, but not limited to, medical and dental insurance, workers' compensation, pension plans, and any other cost associated with employment of staff for interschool athletic programs;

(C) Travel, including bus-related operation and maintenance;

(D) Equipment;

(E) Meals;

(F) Supplies;

(G) Property and medical insurance;

(H) Medical expenses;

(I) Utilities; and

(J) Maintenance of facilities related to interschool athletic teams

and spirit groups, excluding bands;

(2) "Classroom teacher" means an individual who is required to hold a teaching license from the Department of Education and who is engaged directly in instruction with students in a classroom setting for more than seventy percent (70%) of the individual's contracted time;

(3) "Interschool athletic program" means:

(A) Any athletic program which is organized primarily for the purpose of competing with other schools, public or private; or

(B) Any athletic program which is subject to regulation by the Arkansas Activities Association; and

(4) "State funds" means all money derived from state revenues, specifically including but not limited to, the uniform rate of ad valorem property tax established under Arkansas Constitution, Amendment 74, and distributed to a public school or school district.

6-20-2003. Certification by local district school board.

(a) Annually by September 15 of each year, the local school board of each school district shall:

(1) In a written report, certify to the State Board of Education:

(A) For the previous school year, the amount of the district's total athletic expenditures for interschool athletic programs and separately within the report, if expenditures were paid from:

(i) State funds;

(ii) Ticket sales;

(iii) Donations or fundraisers;

(iv) Local funds in excess of the uniform rate of ad valorem property tax under Arkansas Constitution, Amendment 74; or

(v) Other sources of funding. For other sources of funding, the report shall identify the source.

(B) For the upcoming school year, the district's total athletic expenditures budgeted for interschool athletic programs, indicating separately within the report, if expenditures are to be paid from:

(i) State funds;

(ii) Ticket sales;

(iii) Donations or fundraisers;

(iv) Local funds in excess of the uniform rate of ad valorem property tax under Arkansas Constitution, Amendment 74; or

(v) Other sources of funding. For other sources of funding, the report shall identify the source;

(2) Provide the state board with a report of the school district's total athletic expenditures in a format approved by the state board or the Department of Education for the previous school year and post the report on the school district's website;

(3) Provide the state board with a budget for the athletic expenditures as set forth under subdivision (a)(1)(B) of this section for the upcoming year and post the report on the school district's website; and

(4) Provide the state board and the department with any additional information or documentation requested.

(b)(1) Any school district failing to comply with the provisions of this subchapter and the rules adopted by the state board for the implementation of this subchapter shall be identified by the department to be a school in fiscal distress in accordance with the Arkansas Fiscal Assessment and Accountability Program, § 6-20-1901 et seq.

(2) Any report required by this subchapter shall be subject to a yearly audit which shall be filed as set forth under §§ 6-20-1801 – 6-20-1804.

6-20-2004. Regulations – Nondiscriminatory application.

(a) By May 1, 2004, the State Board of Education shall promulgate any rules necessary for the implementation of this subchapter.

(b) The rules shall include a procedure to be developed by the Department of Education to ensure uniform reporting of athletic expenditures.

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN

January 8, 2004

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1008 - TITLE - BY REPRESENTATIVE PICKETT

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1008

BY: REPRESENTATIVE PICKETT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO *TRACK* THE AMOUNT OF STATE FUNDS THAT *ARE* USED TO SUPPORT INTERSCHOOL ATHLETIC PROGRAMS IN PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

State of Arkansas
Office of the Governor

Mike Huckabee
Governor

January 7, 2004

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on January 7, 2004, I approved the following measures from the Second Extraordinary Session of the Eighty-Fourth General Assembly:

HOUSE BILL NO. 1048, which is now Act Number 31

HOUSE BILL NO. 1028, which is now Act Number 32

HOUSE BILL NO. 1054, which is now Act Number 33

Sincerely,

/s/ Mike Huckabee

MH:sm

Morning Hour Expired.

HOUSE BILL NO. 1090

BY: REPRESENTATIVE CLEVELAND

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Ormond, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Chesterfield, Lamoureux, Moore, Oglesby, Parks, Schulte, Stovall.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1090**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Ormond, Pace, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: P. Bookout, Chesterfield, Lamoureux, Moore, Oglesby, Parks, Schulte, Stovall.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1087

BY: REPRESENTATIVE HARRIS

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Green, Haak, Hardwick, Hathorn, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Goss, Harris, Lamoureux, Moore, Oglesby, Schulte, Stovall, Thomas.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

January 8, 2004

To Whom it May Concern:

I was called away from my seat during the vote on **HOUSE BILL NO. 1087**. Please mark my vote as "yes."

Sincerely,

/s/ Eric Harris
State Representative

EH:jwa

HOUSE BILL NO. 1085

BY: REPRESENTATIVE THYER

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, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total94

NEGATIVE: Medley.

Total1

ABSENT OR NOT VOTING: Bright, Chesterfield, Dobbins, Lamoureux, Schulte.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

Upon motion of Representative Thyer the Clincher motion prevailed.

Motion was made by Representative Bledsoe to delay the vote on **HOUSE BILL NO. 1080** because there is no fiscal impact statement on the desk. On this motion the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Biggs, Bledsoe, Bolin, P. Bookout, Boyd, Childers, Cowling, Creekmore, Dangeau, Dees, Edwards, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Haak, Harris, Hickinbotham, Jackson, Jacobs, Jeffrey, Kenney, Key, King, Lamoureux, Lewellen, Mack, Matayo, Mathis, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Pickett, Pritchard, Rosenbaum, Scroggin, R. Smith, Stovall, Sullivan, C. Taylor, Thomason, Thyer, Verkamp, Walters.

Total54

NEGATIVE: Blair, Borhauer, Bradford, Clemons, Dickinson, Eason, Elliott, Fite, Goss, Green, House, C. Johnson, J. Johnson, Judy, Ledbetter, Lendall, Mahony, Martin, Medley, Petrus, S. Prater, Roebuck, Seawel, Sumpter, Thomas, White, Wood.

Total27

ABSENT OR NOT VOTING: Bennett, Berry, Bond, Bright, Chesterfield, Dobbins, Hardwick, Hathorn, Hutchinson, Jones, Moore, L. Prater, Rankin, Schulte, Scrimshire, J. Taylor, Weaver, Mr. Speaker.

Total18

VOTING PRESENT: Milligan.

Total1

Total number of votes cast.....82

Total number voting in the affirmative54

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

So the motion was adopted.

Motion was made by Representative Bradford to suspend the rules for immediate consideration of **HOUSE BILL NO. 1080**. On this motion the vote was as follows:

AFFIRMATIVE: Biggs, Blair, P. Bookout, Boyd, Bradford, Clemons, Cowling, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, Gipson, Goss, Green, Hardwick, House, C. Johnson, J. Johnson, Jones, Judy, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Medley, Pate, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Seawel, R. Smith, Stovall, Sumpter, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total47

NEGATIVE: Agee, Anderson, Bledsoe, Bolin, Borhauer, Creekmore, D. Evans, L. Evans, Fite, Gillespie, Haak, Harris, Jackson, Jacobs, Jeffrey, Kenney, Lamoureux, Matayo, Mathis, Napper, Nichols, Norton, Oglesby, Ormond, Parks, Pritchard, Rosenbaum, Scroggin, Sullivan, C. Taylor.

Total30

ABSENT OR NOT VOTING: Adams, Bennett, Berry, Bond, Bright, Chesterfield, Childers, Dobbins, Ferguson, Hathorn, Hickinbotham, Hutchinson, Key, King, Milligan, Moore, Pace, Penix, Rankin, Schulte, Scrimshire, Weaver, Mr. Speaker.

Total23

VOTING PRESENT:

Total0

Total number of votes cast77

Total number voting in the affirmative47

Necessary to the adoption of the motion67

So the motion failed of adoption.

HOUSE BILL NO. 1071

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, Bennett, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Eason, Elliott, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Hardwick, Hathorn, Hickinbotham, House, Hutchinson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Mathis, Milligan, Moore, Napper, Norton, Parks, Pate, Pickett, L. Prater, Rankin, Roebuck, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Mr. Speaker.

Total71

NEGATIVE: Agee, Anderson, Edwards, D. Evans, Harris, Judy, Kenney, Martin, Matayo, Medley, Oglesby, Petrus, S. Prater, Pritchard, Rosenbaum, Wood.

Total16

ABSENT OR NOT VOTING: Bledsoe, Bright, Chesterfield, Creekmore, Dobbins, Haak, Jackson, Nichols, Pace, Penix, Schulte.

Total11

VOTING PRESENT: Key, Ormond.

Total2

Total number of votes cast.....89

Total number voting in the affirmative71

Necessary to the passage of the bill51

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

Upon motion of Representative Biggs the Clincher motion prevailed.

***** EXPUNGED*****1/12/04*****

HOUSE BILL NO. 1040

BY: REPRESENTATIVE ELLIOTT

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

AFFIRMATIVE: Biggs, Blair, Bolin, Bond, Borhauer, Bradford, Clemons, Dees, Dobbins, Eason, Edwards, Elliott, Ferguson, Fite, Goss, Green, House, C. Johnson, J. Johnson, Jones, Judy, Ledbetter, Lendall, Lewellen, Martin, Medley, Moore, Napper, Penix, Pickett, S. Prater, Roebuck, Seawel, Thomas, Walters, White, Wood.

Total37

NEGATIVE: Adams, Agee, Anderson, Bennett, Berry, Bledsoe, Cowling, Creekmore, Dickinson, D. Evans, L. Evans, Gillespie, Gipson, Haak, Hardwick, Harris, Hathorn, Hickinbotham, Jacobs, Jeffrey, Key, King, Lamoureux, Matayo, Mathis, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pritchard, Rosenbaum, Scrimshire, Scroggin, R. Smith, Stovall, C. Taylor, J. Taylor, Thomason, Thyer, Verkamp, Weaver.

Total45

ABSENT OR NOT VOTING: P. Bookout, Boyd, Bright, Chesterfield, Childers, Dangeau, Hutchinson, Jackson, Kenney, Mack, Mahony, Milligan, L. Prater, Rankin, Schulte, Sullivan, Sumpter, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative37

Necessary to the passage of the bill51

So the Bill failed.

***** EXPUNGED*****1/12/04*****

SENATE BILL NO. 33

BY: SENATOR HARDWICK

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

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total94

NEGATIVE: Lewellen.

Total1

ABSENT OR NOT VOTING: Chesterfield, Hardwick, Pickett, Schulte, Sumpter.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 33**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total94

NEGATIVE: Lewellen.

Total1

ABSENT OR NOT VOTING: Chesterfield, Hardwick, Pickett, Schulte, Sumpter.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

Upon motion of Representative Hardwick the Clincher motion prevailed.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1071 BY REPRESENTATIVE BIGGS
 HOUSE BILL NO. 1085 BY REPRESENTATIVE THYER
 HOUSE BILL NO. 1087 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 1090 BY REPRESENTATIVE CLEVELAND

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 33 BY SENATOR BRYLES, AS AMENDED #1

ARKANSAS SENATE
 HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1089 BY HOUSE MANAGEMENT
 HOUSE BILL NO. 1053 BY REPRESENTATIVE C. JOHNSON
 AS AMENDED #1

ARKANSAS SENATE
 SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 41 BY SENATOR WOMACK
 SENATE BILL NO. 46 BY SENATOR BISBEE
 SENATE BILL NO. 49 BY SENATOR WILKINS
 SENATE BILL NO. 54 BY SENATOR HENDREN
 SENATE BILL NO. 58 BY SENATE EFFICIENCY

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

January 8, 2003

To Whom it May Concern:

I was called away from my seat during the vote on **SENATE BILL NO. 33**. Please mark my vote as "yes."

Sincerely,

/s/ Horace Hardwick
State Representative

HH:smt

HOUSE BILL NO. 1095

BY: REPRESENTATIVE J. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO MAINTAIN CERTAIN DATA ON THE DEPARTMENT'S WEBSITE FOR THE TWO (2) PREVIOUS YEARS AND THE BUDGETED DATA FOR THE CURRENT YEAR; 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. 1096

BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE STUDENT RESPONSIBILITY FOR PERFORMANCE ON END-OF-COURSE TESTING; 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. 41

BY: SENATORS WOMACK, BRYLES**BY: REPRESENTATIVE KEY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOL DISTRICTS TO OFFER A PERSONAL FINANCE COURSE TO STUDENTS IN GRADES NINE THROUGH TWELVE (9-12); 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. 46

BY: SENATORS BISBEE, BRYLES, WILKINS, J. JEFFRESS, *BAKER, BROADWAY, MADISON*

BY: REPRESENTATIVES MAHONY, SEAWEL, ANDERSON, *AGEE, DANGEAU, EDWARDS, HOUSE, C. JOHNSON, PENIX, WHITE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE SCHOOL PERFORMANCE BY CREATING THE MASTER SCHOOL PRINCIPAL PROGRAM; 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. 49

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE SUPERINTENDENTS TO COMPLY WITH THE PROVISIONS OF THE ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 1989; 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. 54

BY: SENATOR HENDREN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LEGAL DESCRIPTIONS OF THE SILOAM SPRINGS AND BENTON COUNTY WEST DISTRICT COURTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 58

BY: SENATE EFFICIENCY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SENATE WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2 OF 2003, ACT 1149 OF 2003 AND ACT 2 OF THE SECOND EXTRAORDINARY SESSION OF 2003; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Gillespie, the House adjourned at 3:32 p.m. until 10:00 a.m. Friday, January 9, 2004.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk