

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

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Little Rock, Arkansas  
January 15, 2004

The House was called to order at 1:37 p.m. by Mr. Cleveland, the Speaker.  
The following members answered to the roll call:

Adams, Agee, Anderson, Bennett, Berry, Biggs, Blair, Bledsoe, Bond, Bookout, Borhauer, Boyd, Bradford, Chesterfield, 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, C.Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total .....94

The following member(s) was absent and did not answer to the roll call:  
Bolin, Bright, Dobbins, Jeffrey, Moore, Rankin.

Total .....6

A quorum was present.

Unanimous leave was granted for Representative(s) Bolin, Bright, Dobbins, Jeffrey, Moore, Rankin.

The House stood and was led in prayer by Representative Eric Harris.

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 15, 2004
	CALVIN JOHNSON
	CHAIRPERSON
HOUSE BILL NO. 1040	DO PASS
BY REPRESENTATIVE ELLIOTT	
HOUSE BILL NO. 1057	DO PASS, TO CONCUR IN
BY REPRESENTATIVE WHITE	SENATE AMENDMENT #1
HOUSE BILL NO. 1070	DO PASS, TO CONCUR IN
BY REPRESENTATIVE LENDALL	SENATE AMENDMENT #1
HOUSE BILL NO. 1079	DO PASS, TO CONCUR IN
BY REPRESENTATIVE CLEVELAND	SENATE AMENDMENT #1
HOUSE BILL NO. 1101	DO PASS
BY REPRESENTATIVE WHITE	
SENATE BILL NO. 42	DO PASS
BY SENATOR BISBEE	AS AMENDED #2, 3 & 4

COMMITTEE REPORT

PUBLIC HEALTH, WELFARE AND LABOR	January 15, 2004
	JAY BRADFORD
	CHAIRPERSON
HOUSE BILL NO. 1121	DO PASS
BY REPRESENTATIVE J. JOHNSON	
HOUSE RESOLUTION NO. 1015	DO PASS
BY REPRESENTATIVE BRADFORD	

COMMITTEE REPORT

JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	January 15, 2004
	ROGER SMITH
	CHAIRPERSON
HOUSE BILL NO. 1117	DO PASS
BY REPRESENTATIVE R. SMITH	

Upon motion of Representative Dickinson, **HOUSE BILL NO. 1111** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1111**

Amend **HOUSE BILL NO. 1111** as originally introduced:  
Add Representative Medley as a cosponsor of the bill

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

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

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1008**

Amend **HOUSE BILL NO. 1008** as engrossed, H1/8/04  
(version: 01-09-2004 10:35):

Page 1, delete line 11, and substitute:

"AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN PUBLIC SCHOOLS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO TRACK THE AMOUNT OF STATE FUNDS THAT ARE USED TO SUPPORT ATHLETIC PROGRAMS AND INTERSCHOOL SCHOLASTIC ACTIVITIES 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 costs 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, distributions from the Department of Education Public School Fund Account and ad valorem property taxes 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 that were paid from state

funds; and

(B) For the upcoming school year, the district's total athletic expenditures budgeted for interschool athletic programs that are to be paid from state funds;

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

(3) Provide the state board with a budget for the athletic expenditures to be paid from state funds as set forth under subdivision (a)(1)(B) of this section for the upcoming year; 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.

(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.

SECTION 2. Arkansas Code Title 6, Chapter 20, is amended to add an additional subchapter to read as follows:

6-20-2101. Purpose.

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

6-20-2102. Definitions.

As used in this subchapter:

(1) "Interschool scholastic activity expenditures" means all direct and indirect expenses related to interschool scholastic activities, prorated if necessary, including but not limited to:

(A) Salaries or supplemental pay for staff for interschool scholastic activities, 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 costs associated with employment of staff for interschool scholastic activities;

(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 scholastic activities;

(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)(A) "Interschool scholastic activities " means any interschool activity program that is outside the regular curriculum, excluding interschool athletic programs as defined by § 6-20-2002(3), which is organized primarily for the purpose of competing with other schools, public or private; or

(B) Any program or activity, excluding interschool athletic programs as defined by § 6-20-2002(3), 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, distributions from the Department of Education Public School Fund Account and ad valorem property taxes distributed to a public school or school district.

6-20-2103. 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 interschool scholastic activity expenditures that were paid from state funds; and

(B) For the upcoming school year, the district's total budgeted interschool scholastic activity expenditures to be paid from state funds;

(2) Provide the state board with a report of the school district's total interschool scholastic activity expenditures paid from state funds in a format approved by the state board or the Department of Education for the previous school

year:

(3) Provide the state board with a budget for the interschool scholastic activity expenditures to be paid from state funds as set forth under subdivision (a)(1)(B) of this section for the upcoming year; 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.

6-20-2104. Regulations.

(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 interschool scholastic activity expenditures."

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw  
Chief Clerk

**ENGROSSED BILL REPORTS**

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HERSCHEL W. CLEVELAND, CHAIRMAN

January 15, 2004

The following bill(s) reported correctly engrossed:

**HOUSE BILL NO. 1008 - TITLE - BY REPRESENTATIVE PICKETT**

**HOUSE BILL NO. 1111 - TITLE - BY REPRESENTATIVE DICKINSON**

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1008

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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 *AND INTERSCHOOL SCHOLASTIC ACTIVITIES IN PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1111

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BY: REPRESENTATIVES DICKINSON, BENNETT, BERRY, BOLIN, P. BOOKOUT, CHESTERFIELD, COWLING, DEES, D. EVANS, L. EVANS, FITE, GREEN, HARDWICK, JACOBS, C. JOHNSON, J. JOHNSON, MACK, MATHIS, MOORE, PENIX, SCROGGIN, SEAWEL, THYER, WEAVER, WHITE, WOOD, *MEDLEY*

A BILL FOR AN ACT TO BE ENTITLED THE CONTINUING ADEQUACY EVALUATION ACT OF 2004.

State of Arkansas  
Office of the Governor

Mike Huckabee  
*Governor*

January 14, 2004

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on January 14, 2004, I approved the following measures during the Second Extraordinary Session of the Eighty-Fourth General Assembly:

**HOUSE BILL NO. 1053** is now Act Number 37

**HOUSE BILL NO. 1089** is now Act Number 38

Sincerely,

/s/ Mike Huckabee

HOUSE MEMORIAL RESOLUTION NO. 1007

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BY: REPRESENTATIVE KENNEY

HONORING THE MEMORY AND ACHIEVEMENTS OF JERROLD "JERRY"  
ELDON HINSHAW.

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

Morning Hour Expired.

Motion was made by Representative Parks to reconsider the vote by which **SENATE BILL NO. 46** failed to pass. Motion carried

**SENATE BILL NO. 46**

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**BY: SENATOR BISBEE**

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, Berry, Blair, Bond, P. Bookout, Borhauer, Boyd, Bradford, Clemons, Cowling, Dangeau, Dickinson, Eason, Edwards, Elliott, L. Evans, Ferguson, Fite, Gipson, Goss, Hardwick, Harris, Hathorn, House, Jackson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Pace, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Walters, White, Wood, Mr. Speaker.

Total .....65

**NEGATIVE:** Bennett, Biggs, Childers, Creekmore, D. Evans, Gillespie, Green, Haak, Hickinbotham, J. Johnson, Mathis, Medley, Milligan, Napper, Nichols, Norton, Ormond, Schulte, Verkamp, Weaver.

Total .....20

**ABSENT OR NOT VOTING:** Bledsoe, Bolin, Bright, Chesterfield, Dees, Dobbins, Hutchinson, Jacobs, Jeffrey, C. Johnson, Moore, Oglesby, Parks, Pickett, Rankin.

Total .....15

**VOTING PRESENT:**

Total .....0

Total number of votes cast .....85

Total number voting in the affirmative .....65

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

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

SENATE BILL NO. 41

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BY: SENATOR WOMACK

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

Total .....88

NEGATIVE: Ormond.

Total .....1

ABSENT OR NOT VOTING: Bolin, Bright, Chesterfield, Dobbins, Gipson, Hutchinson, Jeffrey, Mahony, Moore, Rankin, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....88

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

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

SENATE BILL NO. 54

BY: SENATOR HENDREN

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, 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, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bolin, Bright, Chesterfield, Dobbins, Hutchinson, Jeffrey, Moore, Rankin, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast.....91

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.

SENATE BILL NO. 21

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BY: SENATOR J. BOOKOUT

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, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, 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, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Mathis, Medley, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Penix, Petrus, L. Prater, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bolin, Bright, Dobbins, Jeffrey, Mahony, Moore, Pickett, Rankin, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

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 Bond to take a 10 minute recess at 2:01 p.m. until 2:11 p.m.

The House reconvened at 2:15 p.m.

HOUSE BILL NO. 1109

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**BY: REPRESENTATIVE BOND**

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:** Agee, Anderson, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Bradford, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, [Dobbins], Eason, Edwards, Elliott, [D. Evans], L. Evans, Ferguson, Gipson, Goss, Green, Hardwick, Harris, Hathorn, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mahony, Martin, Matayo, Mathis, Medley, Nichols, Pace, Parks, Penix, S. Prater, Pritchard, Roebuck, Rosenbaum, Scroggin, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thyer, Walters, White, Wood.

Total .....65

**NEGATIVE:** Adams, Bennett, Berry, Boyd, Dickinson, Fite, Gillespie, Haak, Hickinbotham, House, [Jeffrey], Mack, Milligan, Napper, Norton, Oglesby, Ormond, [Pate], Petrus, L. Prater, Schulte, Scrimshire, Seawel, Stovall, J. Taylor, Thomason, Verkamp, Weaver.

Total .....28

**ABSENT OR NOT VOTING:** Bolin, Bright, Hutchinson, Moore, Pickett, Rankin, Mr. Speaker.

Total .....7

**VOTING PRESENT:**

Total .....0

Total number of votes cast.....93

Total number voting in the affirmative .....65

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

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

Upon motion of Representative Bond the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1109**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

**EMERGENCY CLAUSE**

AFFIRMATIVE: Agee, Anderson, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, House, Hutchinson, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Napper, Nichols, Pace, Parks, Penix, Petrus, Pickett, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, Thomas, Thomason, Thyer, Walters, White, Wood.

Total .....78

NEGATIVE: Adams, Berry, Fite, Hickinbotham, Milligan, Norton, Oglesby, Ormond, Stovall, Verkamp, Weaver.

Total .....11

ABSENT OR NOT VOTING: Bennett, Bolin, Bright, Dobbins, Jeffrey, Moore, Pate, L. Prater, Rankin, J. Taylor, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....78

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

So the Emergency Clause was adopted.

Upon motion of Representative Bond the Clincher motion prevailed.

**PAIR VOTE**  
ON  
HOUSE BILL NO. 1109

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AYE: REPRESENTATIVE DAVID EVANS  
NAY: REPRESENTATIVE ROBERT JEFFREY  
WITNESS: REPRESENTATIVE JERRY TAYLOR

This pair form was signed by Representative David Evans and Representative Robert Jeffrey in the presence of each other and witnessed by Representative Jerry Taylor.

Total number of votes cast.....	93
Necessary to the passage of the bill .....	51
Total number voting in the affirmative .....	65
Total number voting in the negative .....	28
Total number absent or not voting.....	7
Total number voting present .....	0

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

**PAIR VOTE**  
**ON**  
**HOUSE BILL NO. 1109**

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**AYE: REPRESENTATIVE R. DWAYNE DOBBINS**  
**NAY: REPRESENTATIVE MARK PATE**  
**WITNESS: REPRESENTATIVE CHRIS THOMASON**

This pair form was signed by Representative R. Dwayne Dobbins and Representative Mark Pate in the presence of each other and witnessed by Representative Chris Thomason.

Total number of votes cast..... 93

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

Total number voting in the affirmative ..... 65

Total number voting in the negative ..... 28

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

Total number voting present..... 0

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

The House recessed at 2:43 p.m. until 4:00 p.m.

The House reconvened at 4:04 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1109 BY REPRESENTATIVE BOND

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 21 BY SENATOR J. BOOKOUT

SENATE BILL NO. 41 BY SENATOR WOMACK  
AS AMENDED #1 & #2

SENATE BILL NO. 46 BY SENATOR BISBEE

SENATE BILL NO. 54 BY SENATOR HENDREN

HOUSE BILL NO. 1122

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BY: REPRESENTATIVE GILLESPIE

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING A CRIMINAL RECORDS CHECK AS A CONDITION FOR INITIAL EMPLOYMENT OF NONCERTIFIED PERSONNEL IN SCHOOL DISTRICTS; TO ALLOW THE STATE BOARD OF EDUCATION TO GRANT AN EMPLOYMENT ELIGIBILITY WAIVER UNDER CERTAIN CIRCUMSTANCES; 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. 1123

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BY: REPRESENTATIVES HATHORN, SULLIVAN, MEDLEY, THYER, SCROGGIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE COUNTY SCHOOL DISTRICTS FOR ADMINISTRATIVE PURPOSES; TO PRESERVE LOCAL SCHOOL DISTRICTS AS SUBDISTRICTS; TO PROVIDE FOR THE CREATION OF A COUNTY SCHOOL DISTRICT BOARD OF DIRECTORS; 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. 1124

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BY: REPRESENTATIVE HICKINBOTHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL THE DISCOUNT FOR PROMPT PAYMENT OF SALES TAXES; 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. 1125

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BY: REPRESENTATIVE HICKINBOTHAM

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REDUCE THE DISCOUNT FOR PROMPT PAYMENT OF GROSS RECEIPTS TAX TO A MAXIMUM OF ONE HUNDRED DOLLARS (\$100) PER MONTH; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Gillespie, the House adjourned at 4:09 p.m. until 1:30 p.m. Friday, January 16, 2004.

ATTEST:

\_\_\_\_\_  
Herschel W. Cleveland  
Speaker of the House of Representatives

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

