

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

Little Rock, Arkansas
February 5, 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, Bolin, Bond, Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, 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, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Smith, Stovall, Sullivan, Sumpter, C.Taylor, J.Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total99

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

Total1

A quorum was present.

Unanimous leave was granted for Representative(s) Penix.

The House stood and was led in prayer by Representative Harmon Seawel.

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

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

COMMITTEE REPORT

EDUCATION	February 5, 2004
	CALVIN JOHNSON
	CHAIRPERSON
HOUSE BILL NO. 1009	DO PASS, TO CONCUR IN
BY REPRESENTATIVE PICKETT	SENATE AMENDMENT #3
HOUSE BILL NO. 1159	DO PASS
BY REPRESENTATIVE MATAYO	
SENATE BILL NO. 89	DO PASS
BY SENATOR STEELE	

COMMITTEE REPORT

JOINT BUDGET	February 5, 2004
	PAUL WEAVER
	CHAIRPERSON
HOUSE BILL NO. 1052	DO PASS
BY REPRESENTATIVE HOUSE	
HOUSE BILL NO. 1073	DO PASS
BY REPRESENTATIVE CLEVELAND	AS AMENDED #2
HOUSE BILL NO. 1098	DO PASS
BY REPRESENTATIVE MAHONY	
SENATE BILL NO. 55	DO PASS
BY SENATOR BROADWAY	
SENATE BILL NO. 93	DO PASS
BY SENATOR BROADWAY	AS AMENDED #1

COMMITTEE REPORT

RULES	February 5, 2004
	MIKE CREEKMORE
	CHAIRPERSON
HOUSE BILL NO. 1181	DO PASS
BY REPRESENTATIVE JONES	AS AMENDED #1

COMMITTEE REPORT

	February 5, 2004
PUBLIC HEALTH, WELFARE	JAY BRADFORD
AND LABOR	CHAIRPERSON
HOUSE BILL NO. 1179	DO PASS
BY REPRESENTATIVE CHESTERFIELD	AS AMENDED #1

ENGROSSED BILL REPORTS

HERSCHEL W. CLEVELAND, CHAIRMAN	February 5, 2004
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The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1052	BY REPRESENTATIVE HOUSE, ET AL
HOUSE BILL NO. 1073	BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1098	BY REPRESENTATIVE MAHONY
SENATE BILL NO. 93	BY SENATOR BROADWAY

State of Arkansas
Office of the Governor

Mike Huckabee
Governor

February 4, 2004

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on February 4, 2004, I approved the following measures from the Second Extraordinary Session of the Eighty-Fourth General Assembly:

HOUSE BILL NO. 1047 is now Act Number 74

HOUSE BILL NO. 1132 is now Act Number 75

Sincerely,

/s/ Mike Huckabee

HOUSE CONCURRENT RESOLUTION NO. 1003

BY: REPRESENTATIVE STOVALL

ENCOURAGING SUPPORT FOR AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING PROPERTY TAX LAWS.

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

HOUSE MEMORIAL RESOLUTION NO.1012

BY: REPRESENTATIVE SULLIVAN

IN RESPECTFUL MEMORY OF MS. LUCILLE WESTBROOK AND IN RECOGNITION OF HER MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HER LOCAL COMMUNITY.

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

Morning Hour Expired.

Representative R. Smith moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1158

Amend **HOUSE BILL NO. 1158** as originally introduced:

Page 9, delete lines 30 through 34, and substitute the following:

“SECTION 14. Arkansas Code § 6-20-1515 is amended to read as follows:
6-20-1515. Annual Reports.

The ~~Department of Education~~ State Insurance Department shall report annually to the Governor, ~~the board~~, and the General Assembly on the status of the program. The report shall include a detailed statement of investments and earnings.”

AND

Delete Section 25 of the Bill in its entirety and substitute the following:

“SECTION 25. Arkansas Code § 6-22-711 is amended to read as follows:
6-21-711. Advisory committee – Members – Duties.

(a) There is hereby established a Public Elementary and Secondary School Insurance Program and School Motor Vehicle Self-Insurance Program Advisory Committee, consisting of five (5) members as follows:

(1) The ~~Chairman~~ Chair and Cochair of the Senate ~~Interim~~ Committee on ~~Education~~ Insurance and Commerce;

(2) The ~~Chairman~~ Chair and Cochair of the House ~~Interim~~ Committee on ~~Education~~ Insurance and Commerce; and

~~(3) The Insurance Commissioner;~~

~~(4)~~(3) The Director of the Department of Finance and Administration;

and

~~(5)(A) One (1) person to be appointed by the Governor.~~

~~(B) The appointed member shall be appointed for a term of two (2) years.~~

(b) The committee shall meet at the times and places as it shall deem necessary for the purpose of carrying out its duties under the provisions of this subchapter.

(c) The committee shall select one (1) of its members as ~~chairman~~ chair and such other officers as may be deemed necessary for transaction of business.

~~(d) The Assistant Director for Public School Finance and Administrative Support of the Department of Education shall serve as secretary of the committee.~~

~~(e)~~(d) A majority of the members of the committee shall constitute a quorum for the purpose of transacting business.

~~(f)~~(e) All action of the committee shall be by a majority vote of the full membership of the committee.

~~(g)~~(f) Members shall serve without pay but may receive expense reimbursement in accordance with § 25-16-901 et seq.

~~(h)~~ It shall be the duty of the committee to advise the State Board of Education with respect to the operation of the School Motor Vehicle Self-Insurance Program authorized by this subchapter.

~~(i)~~(g) The advisory committee shall periodically review the status of the Public Elementary and Secondary School Insurance Fund and the School Vehicle Insurance Reserve Trust Fund and the adequacy of insurance premium rates and shall promulgate proposed operational procedures with respect to the administration of the programs.

~~(j)~~(h) The advisory committee shall perform such other duties in an advisory capacity to the board and the Department of Education State Insurance Department as will expedite the operation of the program programs.

~~(k)~~(i) All proposed procedures, guidelines, and other recommendations pertaining to the program programs recommended by the advisory committee under this subchapter shall be advisory to the board State Insurance Department.”

/s/ Jimmy Jeffress

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Adams, Agee, Anderson, Bennett, Biggs, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, 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, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Scrimshire, Seawel, R. Smith, Sullivan, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Bolin, Moore, Penix, Schulte, Scroggin, Stovall, Sumpter, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Motion was made by Representative Elliott for reconsideration of **HOUSE BILL NO. 1030**.

On this motion the vote was as follows:

AFFIRMATIVE: Adams, Anderson, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Edwards, D. Evans, L. Evans, Ferguson, Gipson, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Medley, Napper, Norton, Oglesby, Pate, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Scroggin, R. Smith, Stovall, Sumpter, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood, Mr. Speaker.

Total71

NEGATIVE: Agee, Bennett, Bledsoe, Bright, Creekmore, Eason, Fite, Gillespie, Haak, Hutchinson, J. Johnson, Nichols, Ormond, Pace, Parks, Rosenbaum, C. Taylor.

Total17

ABSENT OR NOT VOTING: Elliott, Mahony, Mathis, Milligan, Moore, Penix, Pickett, Schulte, Scrimshire, Seawel, Sullivan, Weaver.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Total number voting in the affirmative71

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

So the motion was adopted.

HOUSE BILL NO. 1030

BY: REPRESENTATIVE HICKINBOTHAM

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

AFFIRMATIVE: Berry, Biggs, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Cowling, Dangeau, Dickinson, Dobbins, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gipson, Goss, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jeffrey, C. Johnson, Jones, Judy, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Medley, Pate, L. Prater, Pritchard, Rankin, Roebuck, Seawel, R. Smith, Stovall, Sullivan, Thomas, Thomason, Thyer, Verkamp, Walters, White, Mr. Speaker.

Total53

NEGATIVE: Adams, Agee, Anderson, Bennett, Blair, Bledsoe, Bright, Childers, Clemons, Creekmore, Dees, Eason, Fite, Gillespie, Green, Haak, Harris, Hutchinson, Jacobs, J. Johnson, Key, Martin, Matayo, Mathis, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Petrus, Pickett, Rosenbaum, Schulte, Scroggin, Sumpter, C. Taylor, J. Taylor, Weaver, Wood.

Total43

ABSENT OR NOT VOTING: Kenney, Penix, S. Prater, Scrimshire.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative53

Necessary to the passage of the bill51

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

The Chair requested the Sounding of the Ballot on **HOUSE BILL NO. 1030** and the call was sustained. The following members votes were successfully challenged:

NOT VOTING: Kenney, Penix.

Total	02
Total number of votes cast	98
Necessary to the passage of the bill	51
Total number voting in the affirmative	54
Total number voting in the negative	44
Total number absent or not voting.....	02
Total number voting present	0

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

HOUSE BILL NO. 1030

BY: REPRESENTATIVE HICKINBOTHAM

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

AFFIRMATIVE: Berry, Biggs, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Cowling, Dangeau, Dickinson, Dobbins, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gipson, Goss, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jeffrey, C. Johnson, Jones, Judy, [Kenney], King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Medley, Pate, L. Prater, Pritchard, Rankin, Roebuck, Seawel, R. Smith, Stovall, Sullivan, Thomas, Thomason, Thyer, Verkamp, Walters, White, Mr. Speaker.

Total54

NEGATIVE: Adams, Agee, Anderson, Bennett, Blair, Bledsoe, Bright, Childers, Clemons, Creekmore, Dees, Eason, Fite, Gillespie, Green, Haak, Harris, Hutchinson, Jacobs, J. Johnson, Key, Martin, Matayo, Mathis, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, [Penix], Petrus, Pickett, Rosenbaum, Schulte, Scroggin, Sumpter, C. Taylor, J. Taylor, Weaver, Wood.

Total44

ABSENT OR NOT VOTING: S. Prater, Scrimshire.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative54

Necessary to the passage of the bill51

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

Upon motion of Representative Hardwick the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1030**, 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, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gipson, Goss, Green, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Milligan, Moore, Norton, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Schulte, Scrimshire, Scroggin, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total85

NEGATIVE: Bledsoe, Eason, Gillespie, Haak, Key, Napper, Nichols, Ormond, Pace, Parks, Rosenbaum.

Total11

ABSENT OR NOT VOTING: Creekmore, Penix, Seawel.

Total3

VOTING PRESENT: Matayo.

Total1

Total number of votes cast.....97

Total number voting in the affirmative85

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

So the Emergency Clause was adopted.

Upon motion of Representative Petrus the Clincher motion prevailed.

PAIR VOTE
ON
HOUSE BILL NO. 1030

AYE: **REPRESENTATIVE MIKE KENNEY**

NAY: **REPRESENTATIVE KEVIN PENIX**

WITNESS: **REPRESENTATIVE SCOTT SULLIVAN**

This pair form was signed by Representative Mike Kenney and Representative Kevin Penix in the presence of each other and witnessed by Representative Scott Sullivan.

Total number of votes cast..... 98

Necessary to the passage of the bill 51

Total number voting in the affirmative 54

Total number voting in the negative 44

Total number absent or not voting 2

Total number voting present 0

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

Motion was made by Representative Pace to validate as a body the Pair Vote. Motion carried.

Motion was made by Representative Weaver to send **HOUSE BILL NO. 1073** back to JOINT BUDGET for the purpose of amendment. Motion passed.

Motion by Representative Weaver to send **SENATE BILL NO. 93** back to the Committee on JOINT BUDGET. Motion passed.

Upon motion of Representative Weaver, **HOUSE BILL NO. 1052** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1052

Amend **HOUSE BILL NO. 1052** as engrossed, H12/19/03

(version: 12-19-2003 08:37):

Page 2, insert an additional section immediately following section 3 to read as follows:

" SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE, NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING TRANSFER. Immediately upon the effective date of this act, the Chief Fiscal Officer of the State shall transfer on his or her books and those of the Treasurer of State and the Auditor of the State the sum of ten million dollars (\$10,000,000) from the Federal Fiscal Relief Fund to the Department of Education Public School Fund Account for partial funding for Distance Learning Capital Equipment Grants and Distance Learning Operating Grants."

And appropriately renumber the subsequent sections of the bill.

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Weaver, **HOUSE BILL NO. 1098** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1098

Amend **HOUSE BILL NO. 1098** as originally introduced:

Add a new section immediately after Section 1 of the bill to read as follows:

"SECTION 2. (a) If the total amount of funds appropriated by the 84th General Assembly meeting in Second Extraordinary Session for a fiscal year for debt service funding supplement, general facilities funding, and supplemental millage incentive funding is less than the total amount of funds needed for distribution to school districts under §§ 6-20-2004 - 2006, then the distribution to each school district under §§ 6-20-2004 - 2006 shall reduced as provided in subsection (b) of this section.

(b) The amount of the funds calculated for distribution under §§ 6-20-2004 - 2006 shall be multiplied by the percentage equal to the total amount of funds appropriated by the 84th General Assembly meeting in Second Extraordinary Session for a fiscal year for debt service funding supplement, general facilities funding and supplemental millage incentive funding divided by the total amount of funds calculated for distribution under § 6-20-2004 - 2006 during a fiscal year."

AND

Renumber the subsequent sections of the bill.

/s/ Paul Weaver

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1061

BY: JOINT BUDGET COMMITTEE

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: Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Chesterfield, Clemons, Cowling, Dangeau, Dickinson, Dobbins, Eason, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Goss, Hathorn, Hickenbotham, House, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Key, King, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Mathis, Milligan, Moore, Napper, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Scrimshire, Seawel, Sullivan, Sumpter, Thomas, Thomason, Walters, Weaver, White, Wood, Mr. Speaker.

Total60

NEGATIVE: Adams, Agee, Bennett, Berry, Bledsoe, Borhauer, Childers, Creekmore, Hardwick, Harris, Hutchinson, Jeffrey, Lamoureux, Nichols, Ormond, Pace, Pritchard, C. Taylor, J. Taylor, Thyer, Verkamp.

Total21

ABSENT OR NOT VOTING: Anderson, Biggs, Bright, Dees, Edwards, Gipson, Green, Haak, Kenney, Mahony, Medley, Norton, Parks, Penix, Rosenbaum, Schulte, Scroggin, R. Smith, Stovall.

Total19

VOTING PRESENT:

Total0

Total number of votes cast81

Total number voting in the affirmative60

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. 1061**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Blair, Bolin, Bond, P. Bookout, Bradford, Chesterfield, Clemons, Cowling, Dangeau, Dobbins, Eason, Elliott, D. Evans, Ferguson, Fite, Gillespie, Goss, Green, Hathorn, House, Hutchinson, Jackson, Jacobs, C. Johnson, J. Johnson, Jones, Judy, Key, King, Ledbetter, Lendall, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Oglesby, Pate, Pickett, S. Prater, Rankin, Roebuck, Scrimshire, Seawel, Sumpter, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total57

NEGATIVE: Adams, Agee, Bennett, Berry, Bledsoe, Borhauer, Bright, Childers, Gipson, Harris, Jeffrey, Lamoureux, Nichols, Norton, Ormond, Pace, Parks, Pritchard, C. Taylor, Thyer.

Total20

ABSENT OR NOT VOTING: Anderson, Biggs, Boyd, Creekmore, Dees, Dickinson, Edwards, L. Evans, Haak, Hardwick, Hickinbotham, Kenney, Lewellen, Penix, Petrus, L. Prater, Rosenbaum, Schulte, Scroggin, R. Smith, Stovall, Sullivan, J. Taylor.

Total23

VOTING PRESENT:

Total0

Total number of votes cast77

Total number voting in the affirmative57

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

So the Emergency Clause was not adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1138

BY: JOINT BUDGET COMMITTEE

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, Bolin, Bond, P. Bookout, Borhauer, Bradford, Bright, Chesterfield, Clemons, Cowling, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Parks, Pate, Pickett, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, Stovall, Thomas, Thomason, White, Wood, Mr. Speaker.

Total71

NEGATIVE: Adams, Bennett, Berry, Creekmore, Lamoureux, Norton, Oglesby, Ormond, C. Taylor, J. Taylor, Thyer, Verkamp.

Total12

ABSENT OR NOT VOTING: Boyd, Childers, Dickinson, L. Evans, Hickinbotham, Nichols, Pace, Penix, Petrus, L. Prater, Pritchard, Scroggin, R. Smith, Sullivan, Sumpter, Walters, Weaver.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 1138**, 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, Bolin, Bond, P. Bookout, Borhauer, Bradford, Bright, Chesterfield, Clemons, Cowling, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, D. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Parks, Pate, Pickett, S. Prater, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, Stovall, Thomas, Thomason, White, Wood, Mr. Speaker.

Total71

NEGATIVE: Adams, Bennett, Berry, Creekmore, Lamoureux, Norton, Oglesby, Ormond, C. Taylor, J. Taylor, Thyer, Verkamp.

Total12

ABSENT OR NOT VOTING: Boyd, Childers, Dickinson, L. Evans, Hickinbotham, Nichols, Pace, Penix, Petrus, L. Prater, Pritchard, Scroggin, R. Smith, Sullivan, Sumpter, Walters, Weaver.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Total number voting in the affirmative71

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1043

BY: REPRESENTATIVE MEDLEY

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

AFFIRMATIVE: Blair, Bolin, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dickinson, Dobbins, Eason, Elliott, D. Evans, L. Evans, Ferguson, Goss, Green, Hathorn, Hickinbotham, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Martin, Medley, Pickett, Rankin, Roebuck, R. Smith, Stovall, Sullivan, C. Taylor, Thomas, Thyer, Verkamp, White, Wood.

Total47

NEGATIVE: Agee, Anderson, Bennett, Berry, Biggs, Bledsoe, Bond, Childers, Dees, Edwards, Fite, Gillespie, Gipson, Haak, Hardwick, Harris, Hutchinson, Kenney, Key, Lamoureux, Mahony, Matayo, Milligan, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Pate, Petrus, Pritchard, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, Sumpter, Thomason, Walters, Weaver.

Total41

ABSENT OR NOT VOTING: Adams, Bright, Mathis, Moore, Parks, Penix, L. Prater, S. Prater, J. Taylor, Mr. Speaker.

Total10

VOTING PRESENT: House, Jacobs.

Total2

Total number of votes cast.....90

Total number voting in the affirmative47

Necessary to the passage of the bill51

So the Bill failed.

Motion was made by Representative Mahony to recess at 2:19 p.m. for 20 minutes for the JOINT BUDGET COMMITTEE to meet. Motion carried.

The House reconvened at 3:05 p.m.

HOUSE BILL NO. 1041

BY: REPRESENTATIVE MEDLEY

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

AFFIRMATIVE: Adams, Blair, Borhauer, Boyd, Bradford, Bright, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Goss, Green, Hathorn, Hickinbotham, House, Jackson, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Moore, Pate, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Schulte, Seawel, R. Smith, Stovall, Sullivan, C. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, White, Wood.

Total60

NEGATIVE: Agee, Anderson, Bennett, Berry, Biggs, Bledsoe, Bond, Childers, Fite, Gillespie, Gipson, Haak, Hardwick, Harris, Hutchinson, Kenney, Key, Lamoureux, Matayo, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pritchard, Rosenbaum, Scrimshire, Scroggin, Weaver.

Total31

ABSENT OR NOT VOTING: Bolin, P. Bookout, Penix, Petrus, Sumpter, J. Taylor, Mr. Speaker.

Total7

VOTING PRESENT: Jacobs, Milligan.

Total2

Total number of votes cast93

Total number voting in the affirmative60

Necessary to the passage of the bill51

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

Upon motion of Representative Chesterfield the Clincher motion prevailed.

HOUSE BILL NO. 1177

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: Adams, Agee, Anderson, Bennett, Berry, Blair, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. 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, Petrus, Pickett, L. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total92

NEGATIVE: S. Prater.

Total1

ABSENT OR NOT VOTING: Biggs, Bolin, Creekmore, Hathorn, J. Johnson, Penix, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

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.

SENATE BILL NO. 73

BY: SENATOR ARGUE

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, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. 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, Petrus, Pickett, 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.

Total92

NEGATIVE: Blair.

Total1

ABSENT OR NOT VOTING: Bolin, J. Johnson, Penix, Schulte, Mr. Speaker.

Total5

VOTING PRESENT: Fite, L. Prater.

Total2

Total number of votes cast95

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 **SENATE BILL NO. 73**, 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, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. 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, Petrus, Pickett, 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.

Total	92
NEGATIVE: Blair.	
Total	1
ABSENT OR NOT VOTING: Bolin, J. Johnson, Penix, Schulte, Mr. Speaker.	
Total	5
VOTING PRESENT: Fite, L. Prater.	
Total	2
Total number of votes cast	95
Total number voting in the affirmative	92
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1098

BY: JOINT BUDGET COMMITTEE

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, Chesterfield, 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, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Norton, Oglesby, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Jacobs, Nichols, Ormond, Penix, Scroggin, Stovall.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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 **HOUSE BILL NO. 1098**, 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, Chesterfield, 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, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Norton, Oglesby, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Jacobs, Nichols, Ormond, Penix, Scroggin, Stovall.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

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 Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 7

BY: JOINT BUDGET COMMITTEE

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

Total82

NEGATIVE: Adams, Bennett, Hutchinson, Nichols, Ormond, L. Prater.

Total6

ABSENT OR NOT VOTING: Berry, Harris, House, Lamoureux, Mahony, Mathis, Medley, Penix, Scroggin, Stovall, Mr. Speaker.

Total11

VOTING PRESENT: Bright.

Total1

Total number of votes cast89

Total number voting in the affirmative82

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 7**, 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, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Milligan, Moore, Napper, Norton, Oglesby, Pace, Parks, Pate, Petrus, Pickett, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood.

Total82

NEGATIVE: Adams, Bennett, Hutchinson, Nichols, Ormond, L. Prater.

Total6

ABSENT OR NOT VOTING: Berry, Harris, House, Lamoureux, Mahony, Mathis, Medley, Penix, Scroggin, Stovall, Mr. Speaker.

Total11

VOTING PRESENT: Bright.

Total1

Total number of votes cast89

Total number voting in the affirmative82

Necessary to the adoption of the emergency clause67

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 51

BY: JOINT BUDGET COMMITTEE

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, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Clemons, Cowling, Dangeau, Eason, Edwards, Elliott, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, Hathorn, House, Jackson, C. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Medley, Norton, Pace, S. Prater, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, J. Taylor, Thomas, Thomason, Weaver, White, Wood.

Total58

NEGATIVE: Bennett, P. Bookout, Bright, Chesterfield, Childers, Creekmore, Dees, Dickinson, Dobbins, D. Evans, Hutchinson, Jacobs, Jeffrey, J. Johnson, Mathis, Moore, Napper, Nichols, Oglesby, Ormond, Parks, Pate, Pickett, L. Prater, Pritchard, Sumpter, C. Taylor, Thyer, Verkamp, Walters.

Total30

ABSENT OR NOT VOTING: Berry, Biggs, Bradford, Hickinbotham, Milligan, Penix, Petrus, Rankin, Scroggin, Stovall, Sullivan, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative58

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. 51**, 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, Biggs, Bledsoe, Bond, P. Bookout, Borhauer, Boyd, Bradford, Clemons, Cowling, Dangeau, Dees, Dobbins, Eason, Edwards, Elliott, Ferguson, Fite, Gillespie, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, Jones, Judy, Kenney, Key, King, Lamoureux, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Medley, Norton, Pace, Petrus, S. Prater, Pritchard, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, J. Taylor, Thomas, Thomason, Thyer, Weaver, White, Wood.

Total64

NEGATIVE: Bennett, Bolin, Bright, Chesterfield, D. Evans, L. Evans, Hutchinson, J. Johnson, Moore, Napper, Nichols, Oglesby, Ormond, Pate, Pickett, Sumpter, C. Taylor, Verkamp, Walters.

Total19

ABSENT OR NOT VOTING: Berry, Blair, Childers, Creekmore, Dickinson, Gipson, Harris, Mathis, Milligan, Parks, Penix, L. Prater, Rankin, Scroggin, Stovall, Sullivan, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast.....83

Total number voting in the affirmative64

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

So the Emergency Clause was not adopted.

Motion was made by Representative Rosenbaum to place **SENATE BILL NO. 79** back on second reading for the purpose of amendment. On this motion the vote was as follows:

Motion was made by Representative Oglesby for immediate consideration of **SENATE BILL NO. 79**. Motion carried.

AFFIRMATIVE: Adams, Berry, Biggs, Blair, Bolin, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Haak, Hathorn, Hickinbotham, House, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Ledbetter, Lewellen, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Roebuck, Scrimshire, Scroggin, Seawel, Sullivan, Sumpter, J. Taylor, Thomas, Thomason, Thyer, Walters, Weaver, Wood.

Total63

NEGATIVE: Agee, Anderson, Bennett, Bledsoe, Bond, Bright, Childers, Fite, Green, Hardwick, Harris, Hutchinson, Jackson, C. Johnson, Kenney, Key, King, Lamoureux, Lendall, Mack, Matayo, Norton, Ormond, Pace, Parks, Pritchard, Rosenbaum, Schulte, R. Smith, C. Taylor, Verkamp, White.

Total32

ABSENT OR NOT VOTING: Nichols, Penix, Rankin, Stovall, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative63

Necessary to the adoption of the motion51

So the motion was adopted.

Upon motion of Representative Rosenbaum, **SENATE BILL NO. 79** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 79

Amend **SENATE BILL NO. 79** as engrossed, S2/3/04

(version: 02-03-2004 13:17):

Delete Section 8 in its entirety and substitute the following:

" SECTION 8. SPECIAL LANGUAGE. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ENROLLMENT AND FUNDING PROVISION. The Arkansas Virtual Academy will be limited to an enrollment not to exceed 650 students for the 2004-05 school year. During the 2004-05 fiscal year, the Department of Education shall allocate and expend and/or shall commit for expenditure at least three million two hundred thousand (\$3,200,000) for the Arkansas Virtual Charter School from the appropriation authorized for State Foundation Funding Aid."

/s/ Sid Rosenbaum

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Agee, Anderson, Bennett, Berry, Bledsoe, Bolin, Bond, Bright, Childers, Clemons, Creekmore, Dees, Dickinson, D. Evans, Fite, Green, Haak, Hardwick, Harris, House, Hutchinson, Jackson, Jeffrey, C. Johnson, Jones, Kenney, Key, King, Lamoureux, Mack, Martin, Matayo, Medley, Norton, Oglesby, Ormond, Pace, Parks, Pate, Pritchard, Rosenbaum, Schulte, Scroggin, R. Smith, C. Taylor, J. Taylor, Verkamp, Walters, Wood.

Total49

NEGATIVE: Biggs, Blair, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Cowling, Dangeau, Dobbins, Edwards, Elliott, L. Evans, Gillespie, Gipson, Goss, Hathorn, Jacobs, J. Johnson, Judy, Ledbetter, Lendall, Lewellen, Mahony, Mathis, Milligan, Moore, Napper, Petrus, Pickett, Roebuck, Scrimshire, Seawel, Sullivan, Sumpter, Thomas, Thomason, Thyer, Weaver, White.

Total40

ABSENT OR NOT VOTING: Adams, Eason, Ferguson, Hickinbotham, Nichols, Penix, S. Prater, Rankin, Stovall, Mr. Speaker.

Total10

VOTING PRESENT: L. Prater.

Total1

Total number of votes cast90

Total number voting in the affirmative49

Necessary to the adoption of the amendment.....51

The Amendment failed of adoption.

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ledbetter for a Clincher, the motion failed of adoption.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 79

BY: JOINT BUDGET COMMITTEE

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, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Nichols, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpster, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total78

NEGATIVE: Bennett, Borhauer, Harris, Key, Lamoureux, Matayo, C. Taylor.

Total7

ABSENT OR NOT VOTING: Adams, Anderson, Bledsoe, Green, Hardwick, Kenney, Norton, Pace, Parks, Penix, Pritchard, Rosenbaum, Schulte, Scroggin.

Total14

VOTING PRESENT: Ormond.

Total1

Total number of votes cast.....86

Total number voting in the affirmative78

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 79**, 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, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Bright, Chesterfield, Childers, Clemons, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Haak, Hathorn, Hickinbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Nichols, Oglesby, Pate, Petrus, Pickett, L. Prater, S. Prater, Rankin, Roebuck, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total78

NEGATIVE: Bennett, Borhauer, Harris, Key, Lamoureux, Matayo, C. Taylor.

Total7

ABSENT OR NOT VOTING: Adams, Anderson, Bledsoe, Green, Hardwick, Kenney, Norton, Pace, Parks, Penix, Pritchard, Rosenbaum, Schulte, Scroggin.

Total14

VOTING PRESENT: Ormond.

Total1

Total number of votes cast86

Total number voting in the affirmative78

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

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 85

BY: JOINT BUDGET COMMITTEE

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

Total77

NEGATIVE: Anderson, Bright, Hardwick, Harris, Hutchinson, Key, Matayo, Ormond, Pace, Rosenbaum, Schulte, Wood.

Total12

ABSENT OR NOT VOTING: Adams, Bennett, Bledsoe, Clemons, Lamoureux, Medley, Parks, Penix, S. Prater, Scroggin.

Total10

VOTING PRESENT: Martin.

Total1

Total number of votes cast90

Total number voting in the affirmative77

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 85**, 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, Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Chesterfield, Childers, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Mathis, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Pate, Petrus, Pickett, L. Prater, Pritchard, Rankin, Roebuck, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Mr. Speaker.

Total77

NEGATIVE: Anderson, Bright, Hardwick, Harris, Hutchinson, Key, Matayo, Ormond, Pace, Rosenbaum, Schulte, Wood.

Total12

ABSENT OR NOT VOTING: Adams, Bennett, Bledsoe, Clemons, Lamoureux, Medley, Parks, Penix, S. Prater, Scroggin.

Total10

VOTING PRESENT: Martin.

Total1

Total number of votes cast90

Total number voting in the affirmative77

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

So the Emergency Clause was adopted.

Upon motion of Representative Weaver, **HOUSE BILL NO. 1073** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1073

Amend **HOUSE BILL NO. 1073** as originally introduced:

Page 1, line 29, delete "thirty two (32)" and substitute "sixteen (16)"

AND

Page 1, line 34, delete "\$2,120,000" and substitute "\$1,160,000".

/s/ Herschel Cleveland

The Amendment was read and the vote was as follows:

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

Total84

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adams, Borhauer, Creekmore, Harris, C. Johnson, Kenney, Key, Lamoureux, Lendall, Matayo, Nichols, Pace, Penix, Petrus, Scroggin, Stovall.

Total16

VOTING PRESENT:

Total0

Total number of votes cast.....84

Total number voting in the affirmative84

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1052

BY: JOINT BUDGET COMMITTEE

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, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, 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, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adams, Clemons, Lamoureux, Moore, Penix.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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. 1052**, 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, Bennett, Berry, Biggs, Blair, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, Childers, Cowling, Creekmore, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Fite, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Harris, 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, Oglesby, Ormond, Pace, Parks, Pate, Petrus, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Scroggin, Seawel, R. Smith, Stovall, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adams, Clemons, Lamoureux, Moore, Penix.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

Motion was made by Representative Weaver to recess for 15 minutes at 4:15 p.m.

The House reconvened at 4:50 p.m.

Upon motion of Representative Weaver the rules were suspended to consider an amendment to **SENATE BILL NO. 93**.

Upon motion of Representative Weaver, **SENATE BILL NO. 93** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 93

Amend **SENATE BILL NO. 93** as originally introduced:

Insert a new Section immediately following Section 3 to read as follows:

"SECTION 4. Any enactment of the Eighty-Fourth General Assembly, meeting in Second Extraordinary Session, which creates an "Educational Adequacy Trust Fund" is hereby deemed to be the "Educational Adequacy Fund", as enacted by the Eighty-Fourth General Assembly meeting in Second Extraordinary Session as created by this Act."

AND

Appropriately renumber the subsequent sections of the bill.

/s/ Paul Weaver

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Agee, Anderson, Bennett, Berry, Biggs, Bledsoe, Bolin, Bond, P. Bookout, Borhauer, Boyd, Bradford, Bright, Chesterfield, 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, Hickenbotham, House, Hutchinson, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Mahony, Martin, Matayo, Mathis, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Pickett, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total89

NEGATIVE: Stovall.

Total1

ABSENT OR NOT VOTING: Adams, Blair, Lamoureux, Penix, Petrus, Rosenbaum, Schulte.

Total7

VOTING PRESENT: Medley, Milligan, Scroggin.

Total3

Total number of votes cast.....93

Total number voting in the affirmative89

Necessary to the adoption of the amendment.....51

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS."

SENATE BILL NO. 93

BY: JOINT BUDGET COMMITTEE

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, Bennett, Berry, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Chesterfield, 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, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total89

NEGATIVE: Stovall.

Total1

ABSENT OR NOT VOTING: Adams, Biggs, P. Bookout, Hutchinson, C. Johnson, Lamoureux, Mahony, Penix, Pickett, Scroggin.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative89

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 93**, 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, Bennett, Berry, Blair, Bledsoe, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Chesterfield, 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, Jackson, Jacobs, Jeffrey, J. Johnson, Jones, Judy, Kenney, Key, King, Ledbetter, Lendall, Lewellen, Mack, Martin, Matayo, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Ormond, Pace, Parks, Pate, Petrus, L. Prater, S. Prater, Pritchard, Rankin, Roebuck, Rosenbaum, Schulte, Scrimshire, Seawel, R. Smith, Sullivan, Sumpter, C. Taylor, J. Taylor, Thomas, Thomason, Thyer, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total89

NEGATIVE: Stovall.

Total1

ABSENT OR NOT VOTING: Adams, Biggs, P. Bookout, Hutchinson, C. Johnson, Lamoureux, Mahony, Penix, Pickett, Scroggin.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative89

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

So the Emergency Clause was adopted.

Upon motion of Representative Weaver the rules were suspended. Considered in the Committee of the Whole. Returned with the recommendation that it "DO PASS".

HOUSE BILL NO. 1073

BY: JOINT BUDGET COMMITTEE

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: Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Chesterfield, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Pate, Pickett, L. Prater, S. Prater, Roebuck, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total70

NEGATIVE: Agee, Anderson, Bledsoe, Borhauer, Bright, Childers, Harris, Hutchinson, Kenney, Key, Matayo, Ormond, Parks, Pritchard, Rankin, Schulte, J. Taylor, Thyer.

Total18

ABSENT OR NOT VOTING: Adams, Bennett, Creekmore, Fite, Lamoureux, Mack, Pace, Penix, Petrus, Rosenbaum, Scroggin, C. Taylor.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative70

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. 1073**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Berry, Biggs, Blair, Bolin, Bond, P. Bookout, Boyd, Bradford, Chesterfield, Clemons, Cowling, Dangeau, Dees, Dickinson, Dobbins, Eason, Edwards, Elliott, D. Evans, L. Evans, Ferguson, Gillespie, Gipson, Goss, Green, Haak, Hardwick, Hathorn, Hickinbotham, House, Jackson, Jacobs, Jeffrey, C. Johnson, J. Johnson, Jones, Judy, King, Ledbetter, Lendall, Lewellen, Mahony, Martin, Mathis, Medley, Milligan, Moore, Napper, Nichols, Norton, Oglesby, Pate, Pickett, L. Prater, S. Prater, Roebuck, Scrimshire, Seawel, R. Smith, Stovall, Sullivan, Sumpter, Thomas, Thomason, Verkamp, Walters, Weaver, White, Wood, Mr. Speaker.

Total70

NEGATIVE: Agee, Anderson, Bledsoe, Borhauer, Bright, Childers, Harris, Hutchinson, Kenney, Key, Matayo, Ormond, Parks, Pritchard, Rankin, Schulte, J. Taylor, Thyer.

Total18

ABSENT OR NOT VOTING: Adams, Bennett, Creekmore, Fite, Lamoureux, Mack, Pace, Penix, Petrus, Rosenbaum, Scroggin, C. Taylor.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Total number voting in the affirmative70

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

So the Emergency Clause was adopted.

The House recessed at 5:08 p.m. and reconvened at 6:13 p.m.

The House recessed at 6:15 p.m.

Motion was made by Representative Mahony to refer **SENATE BILL NO. 91** to the Committee on JOINT BUDGET. Motion passed.

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 5, 2004

MR. SPEAKER:

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

HOUSE BILL NO. 1135 BY REPRESENTATIVE MAHONY

HOUSE BILL NO. 1148 BY REPRESENTATIVE STOVALL

HOUSE BILL NO. 1161 BY REPRESENTATIVES HATHORN, STOVALL

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 11:04 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland
Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1135 BY REPRESENTATIVE MAHONY

HOUSE BILL NO. 1148 BY REPRESENTATIVE STOVALL

HOUSE BILL NO. 1161 BY REPRESENTATIVES HATHORN, STOVALL

/s/ Mike Huckabee - Governor

TIME: 11:04 a.m.

By: Stacy DeJarnett

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 5, 2004

MR. SPEAKER:

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

HOUSE BILL NO. 1158 BY REPRESENTATIVE R. SMITH

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 3:09 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Herschel W. Cleveland

Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1158 BY REPRESENTATIVE R. SMITH

/s/ Mike Huckabee - Governor

TIME: 3:09 p.m.

By: Stacy DeJarnett

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1030 BY REPRESENTATIVE HICKINBOTHAM
HOUSE BILL NO. 1041 BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 1052 BY REPRESENTATIVE HOUSE
HOUSE BILL NO. 1061 BY REPRESENTATIVE CHESTERFIELD
EMERGENCY CLAUSE FAILED OF ADOPTION
HOUSE BILL NO. 1073 BY REPRESENTATIVE CLEVELAND
HOUSE BILL NO. 1098 BY REPRESENTATIVE MAHONY
HOUSE BILL NO. 1138 BY REPRESENTATIVE C. JOHNSON
HOUSE BILL NO. 1177 BY REPRESENTATIVE PETRUS

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1003
BY REPRESENTATIVE STOVALL

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 7 BY SENATOR BROADWAY
AS AMENDED #1
SENATE BILL NO. 49 BY SENATOR WILKINS
SENATE BILL NO. 51 BY SENATOR BISBEE
EMERGENCY CLAUSE FAILED OF ADOPTION
SENATE BILL NO. 73 BY SENATOR ARGUE
AS AMENDED #1
SENATE BILL NO. 79 BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 85 BY SENATOR HIGGINBOTHOM
SENATE BILL NO. 93 BY SENATOR BROADWAY
AS AMENDED #1
SENATE BILL NO. 94 BY SENATOR BROADWAY

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1056 BY REPRESENTATIVE C. JOHNSON
AS AMENDED #1

HOUSE BILL NO. 1080 BY REPRESENTATIVE C. JOHNSON

HOUSE BILL NO. 1138 BY REPRESENTATIVE C. JOHNSON

HOUSE BILL NO. 1154 BY REPRESENTATIVE MAHONY
AS AMENDED #1

HOUSE BILL NO. 1162 BY REPRESENTATIVE STOVALL
AS AMENDED #1 & 2

HOUSE BILL NO. 1170 BY REPRESENTATIVE P. BOOKOUT

ARKANSAS SENATE
NOTICE OF RETURN OF HOUSE BILLS
HAVING FAILED TO PASS

HOUSE BILL NO. 1072 BY REPRESENTATIVE CLEVELAND

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 91 BY SENATOR BISBEE

HOUSE BILL NO. 1185

BY: REPRESENTATIVES MILLIGAN, OGLESBY, ADAMS, J. TAYLOR
BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT ADVERTISING IS SUBJECT TO ARKANSAS SALES TAX; 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. 1186

BY: REPRESENTATIVE JACKSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A TASK FORCE TO STUDY PROGRESSIVE TAX REFORM; 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 RESOLUTION NO. 1029

BY: REPRESENTATIVES MATAYO, ADAMS, BENNETT, BERRY, BLEDSOE, BOLIN, DICKINSON, D. EVANS, L. EVANS, FITE, HARDWICK, HOUSE, JEFFREY, KEY, MACK, MARTIN, MEDLEY, NORTON, PARKS, PETRUS, L. PRATER, PRITCHARD, ROEBUCK, ROSENBAUM, SCHULTE, SCROGGIN, SULLIVAN, SUMPTER, C. TAYLOR, J. TAYLOR, VERKAMP, WALTERS

REQUESTING THAT ALL MEMBERS OF ARKANSAS' DELEGATION TO THE UNITED STATES SENATE AND HOUSE OF REPRESENTATIVES SUPPORT THE FEDERAL MARRIAGE AMENDMENT TO THE UNITED STATES CONSTITUTION.

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 RESOLUTION NO. 1030

BY: REPRESENTATIVE BRADFORD

COMMEMORATING SIXTY YEARS OF EASTER SEALS ARKANSAS HELPING CHILDREN AND ADULTS WITH DISABILITIES GAIN THEIR GREATEST LEVEL OF INDEPENDENCE.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

HOUSE RESOLUTION NO. 1031

BY: REPRESENTATIVES MATHIS, MOORE

COMMENDING JUANITA C. WILLIAMS OF HOT SPRINGS ON HER COMMITMENT TO EDUCATION.

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

HOUSE RESOLUTION NO. 1032

BY: REPRESENTATIVES MOORE, MATHIS

RECOGNIZING AND COMMENDING PARK INTERNATIONAL BACCALAUREATE MAGNET SCHOOL.

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

HOUSE CONCURRENT RESOLUTION NO. 1004

BY: REPRESENTATIVE FITE

BY: SENATOR BROADWAY

ENCOURAGING SCHOOL DISTRICTS TO VOLUNTARILY UNDERTAKE MEASURES TO PROMOTE EFFICIENCY IN THE OPERATION OF THE SCHOOL DISTRICT.

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

SENATE BILL NO. 91

BY: SENATOR BISBEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 1608 OF 2003 AND ACT 51 OF THE 1ST EXTRAORDINARY SESSION OF 2003, FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2005; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Gillespie, the House adjourned at 6:26 p.m. until 10:00 a.m. Friday, February 6, 2004.

ATTEST:

Herschel W. Cleveland
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk