

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

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Little Rock, Arkansas

January 24, 2005

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

Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mahony, Maloch, J Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt, Mr. Speaker.

Total .....97

The following member(s) was absent and did not answer to the roll call:  
 Jeffrey, Mack, M. Martin.

Total .....3

A quorum was present.

Unanimous leave was granted for Representative(s) Jeffrey, Mack, M. Martin.

The House stood and was led in prayer by House Chaplain, Freddie W. Stovall, Heber Springs, Arkansas.

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

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

Upon motion of Representative Adams, **HOUSE BILL NO. 1119** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1119**

Amend **HOUSE BILL NO. 1119** as originally introduced:

Page 7, delete lines 16 through 25 and substitute the following

“SECTION 3. Arkansas Code Title 9, Chapter 28, Subchapter 4 is amended to add an additional section to read as follows:

9-28-411. Public policy.

It is declared that the public policy of the State of Arkansas shall be to preserve public morality with respect to the children in the foster care system and the persons who are allowed to participate in the foster care system as foster parents.”

AND

If appropriate, renumber the remaining sections of the bill

/s/ Bob Adams

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 1105** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1105**

Amend **HOUSE BILL NO. 1105** as originally introduced:

Page 1, delete lines 31 and 32 and substitute the following:

“(3) Actions or transactions permitted under laws administered by the”

AND

Page 2, delete line 2 and substitute the following:

“about which a regulatory body remains”

AND

Page 2, on line 5 delete “expressly”

/s/ Will Bond

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 1113** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1113**

Amend **HOUSE BILL NO. 1113** as originally introduced:

Page 2, delete line 15 and substitute "deferred or suspended; or"

AND

Page 2, delete line 17 and substitute "the court;"

AND

Page 2, delete lines 18 and 19

AND

Page 12, line 1, delete "a lack of"

AND

Page 12, delete line 17 and substitute the following:

" (F) Character references;

(G) A conviction or record that has been expunged; and"

AND

Page 12, line 18, delete "(G)" and substitute "(H)"

AND

Page 20, delete line 23 and substitute "subject to, after notice and hearing as provided in § 17-12-603, disciplinary action as provided in § 17-12-602:"

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative T. Hutchinson, **HOUSE BILL NO. 1176** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1176**

Amend **HOUSE BILL NO. 1176** as originally introduced:

Immediately following SECTION 1, add an additional section to read as follows:

“SECTION 2. Arkansas Code § 16-93-1208 is amended to read as follows:  
16-93-1208. Post commitment transfer.

(a)(1)(A) Upon commitment of an eligible offender to the Department of Correction, the department will transfer the eligible offender to a community punishment program, when he reaches his transfer date, in accordance with the rules and regulations promulgated by the Board of Corrections and conditions set by the Post Prison Transfer Board.

(B) Legal custody of inmates transferred to the Department of Community Correction shall remain with the Department of Correction unless altered by court order.

~~(2)(A) When a sentence is given which is outside the presumptive range set in the sentencing standards and which is not accompanied by written reasons for the departure, an offender may be transferred to community punishment or considered for any discretionary release applicable under the law as if he had received the presumptive sentence, and the transfer or releasing authority may review, grant, or deny transfer or release based on any eligibility established by the presumptive sentence term.~~

~~(B) This provision shall apply only to a conviction for the most serious offense in a particular case.~~

~~(C) In the event that such a conviction is vacated, any concurrent conviction in the same case need not have a written departure.~~

~~(3)~~ (2) Persons eligible for release from incarceration on parole may be placed in community punishment programming while under parole supervision upon the recommendation of such condition by the releasing authority.

(b)(1) The Board of Corrections and the Department of Correction are authorized to release medical and psychological data in their possession to a community punishment service provider concerning an eligible offender transferred to such community punishment program.

(2) The community punishment service provider shall use any medical or psychological data received from the Department of Correction and the board in compliance with rules concerning the use of such data as adopted by the board."

AND

Appropriately renumber the remaining section of the bill.

/s/ Timothy Hutchinson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

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

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1008**

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

Page 1, line 28, delete "July 1, 2005" and substitute "January 1, 2006"

/s/ Jeremy Hutchinson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Verkamp, **HOUSE BILL NO. 1140** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1140**

Amend **HOUSE BILL NO. 1140** as originally introduced:

Page 2, line 25, delete "special election called for that purpose" and substitute "general election"

/s/ John Paul Verkamp

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

/s/ Ms. Jo Renshaw

Chief Clerk

**ENGROSSED BILL REPORTS**

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BILL H. STOVALL, III, CHAIRMAN

January 24, 2005

The following bill(s) reported correctly engrossed:

**HOUSE BILL NO. 1008** BY REPRESENTATIVE J. HUTCHINSON  
**HOUSE BILL NO. 1105** BY REPRESENTATIVE BOND, ET AL  
**HOUSE BILL NO. 1113** BY REPRESENTATIVE HARRIS  
**HOUSE BILL NO. 1119** BY REPRESENTATIVE ADAMS  
**HOUSE BILL NO. 1140** BY REPRESENTATIVE VERKAMP  
**HOUSE BILL NO. 1176** BY REPRESENTATIVE T. HUTCHINSON

Morning Hour Expired.

**HOUSE RESOLUTION NO.1002**

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**BY: REPRESENTATIVE J. HUTCHINSON**

REQUESTING THAT THE ARKANSAS STATE GAME AND FISH COMMISSION SUPPORT THE PRACTICE OF DEER HUNTING WITH DOGS.

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

HOUSE BILL NO. 1077

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**BY: REPRESENTATIVE JACKSON**

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

AFFIRMATIVE: Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Flowers, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....94

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Fite, Jeffrey, Mack, M. Martin, Nichols, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast.....94

Total number voting in the affirmative .....94

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

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

HOUSE BILL NO. 1021

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BY: REPRESENTATIVE THYER

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

AFFIRMATIVE: Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Jeffrey, Mack, M. Martin, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

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

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

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

HOUSE BILL NO. 1024

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**BY: REPRESENTATIVE THYER**

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

AFFIRMATIVE: Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Jeffrey, Mack, M. Martin, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast.....96

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

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

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

HOUSE BILL NO. 1031

BY: REPRESENTATIVE MAHONY

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

AFFIRMATIVE: Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt, Mr. Speaker.

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Jeffrey, Mack, M. Martin.

Total .....3

VOTING PRESENT:

Total .....0

Total number of votes cast .....97

Total number voting in the affirmative .....97

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 J. Johnson to refer **HOUSE BILL NO. 1136** back to committee. The vote was as follows:

AFFIRMATIVE: Adcock, Blair, Blount, Bond, Borhauer, Boyd, Bradford, Chesterfield, Clemons, Cook, Cowling, Dangeau, Davenport, Davis, Dobbins, Dunn, Edwards, Elliott, D. Evans, Everett, Flowers, George, Goss, Hardwick, Hardy, Harrelson, D. Johnson, J. Johnson, Kidd, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, McDaniel, Pate, Pickett, Prater, Rainey, Rankin, Reep, Rogers, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Willis, Wills, Wood.

Total .....50

NEGATIVE: Adams, Anderson, Berry, Bolin, Bright, Burris, Childers, Cooper, Creekmore, Dickinson, L. Evans, Fite, Glidewell, Green, Harris, J. Hutchinson, T. Hutchinson, Jackson, Kenney, Key, Lamoureux, Matayo, Mathis, Maxwell, Medley, Nichols, Norton, Ormond, Overbey, Petrus, Pritchard, Pyle, Ragland, Roebuck, Rosenbaum, Sample, Saunders, Schulte, Scroggin, Thyer, Verkamp, Walters, Wells, Wyatt.

Total .....44

ABSENT OR NOT VOTING: Abernathy, Jeffrey, Mack, M. Martin, Pace, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Total number voting in the affirmative .....50

Necessary to the adoption of the motion .....47

So the Motion carried.

There being a request for Sounding of the Ballot on the motion to refer **HOUSE BILL NO. 1136** back to committee and the call was sustained. The following members votes were successfully challenged:

AYE: CHESTERFIELD

Total .....	1
Total number of votes cast .....	93
Necessary to the adoption of the motion .....	47
Total number voting in the affirmative .....	49
Total number voting in the negative .....	44
Total number absent or not voting.. .....	7
Total number voting present.....	0

So the Motion carried.

Motion was made by Representative J. Johnson to refer **HOUSE BILL NO. 1136** back to committee. The vote was as follows:

AFFIRMATIVE: Adcock, Blair, Blount, Bond, Borhauer, Boyd, Bradford, Clemons, Cook, Cowling, Dangeau, Davenport, Davis, Dobbins, Dunn, Edwards, Elliott, D. Evans, Everett, Flowers, George, Goss, Hardwick, Hardy, Harrelson, D. Johnson, J. Johnson, Kidd, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, McDaniel, Pate, Pickett, Prater, Rainey, Rankin, Reep, Rogers, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Willis, Wills, Wood.

Total .....49

NEGATIVE: Adams, Anderson, Berry, Bolin, Bright, Burris, Childers, Cooper, Creekmore, Dickinson, L. Evans, Fite, Glidewell, Green, Harris, J. Hutchinson, T. Hutchinson, Jackson, Kenney, Key, Lamoureux, Matayo, Mathis, Maxwell, Medley, Nichols, Norton, Ormond, Overbey, Petrus, Pritchard, Pyle, Ragland, Roebuck, Rosenbaum, Sample, Saunders, Schulte, Scroggin, Thyer, Verkamp, Walters, Wells, Wyatt.

Total .....44

ABSENT OR NOT VOTING: Abernathy, Chesterfield, Jeffrey, Mack, M. Martin, Pace, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Total number voting in the affirmative .....50

Necessary to the adoption of the motion .....47

So the Motion was adopted.

SENATE BILL NO. 16

BY: SENATOR FARIS

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

AFFIRMATIVE: Adams, Adcock, Anderson, Berry, Blair, Blount, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Childers, Clemons, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, D. Johnson, J. Johnson, Key, Kidd, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pate, Pickett, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....85

NEGATIVE: Jackson.

Total .....1

ABSENT OR NOT VOTING: Abernathy, Bolin, Chesterfield, Cook, Glidewell, Jeffrey, Kenney, Lamoureux, Mack, M. Martin, Pace, Petrus, Verkamp, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast .....86

Total number voting in the affirmative .....85

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

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

SENATE BILL NO. 18

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**BY: SENATOR FARIS**

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

AFFIRMATIVE: Adams, Adcock, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Chesterfield, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, D. Johnson, J. Johnson, Key, Kidd, Ledbetter, Lewellen, Mahony, Maloch, J. Martin, Mathis, Maxwell, McDaniel, Medley, Norton, Ormond, Overbey, Pate, Pickett, Prater, Pritchard, Pyle, Rainey, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....82

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Abernathy, Anderson, Childers, Green, Jackson, Jeffrey, Kenney, Lamoureux, Mack, M. Martin, Nichols, Pace, Petrus, Rankin, Verkamp, Mr. Speaker.

Total .....16

VOTING PRESENT: Matayo, Ragland.

Total .....2

Total number of votes cast.....84

Total number voting in the affirmative .....82

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

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

House stood in recess at 3:17 p.m. until further notice to read filed bills.

House reconvened at 4:59 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1021 BY REPRESENTATIVE THYER  
 HOUSE BILL NO. 1024 BY REPRESENTATIVE THYER  
 HOUSE BILL NO. 1031 BY REPRESENTATIVE MAHONY  
 HOUSE BILL NO. 1077 BY REPRESENTATIVE JACKSON

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 16 BY SENATOR FARIS  
 SENATE BILL NO. 18 BY SENATOR FARIS

ARKANSAS SENATE  
 SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 12 BY SENATOR ALTES  
 SENATE BILL NO. 70 BY SENATOR LUKER  
 SENATE BILL NO. 81 BY JOINT BUDGET COMMITTEE  
 SENATE BILL NO. 83 BY JOINT BUDGET COMMITTEE  
 SENATE BILL NO. 88 BY JOINT BUDGET COMMITTEE  
 SENATE BILL NO. 92 BY JOINT BUDGET COMMITTEE  
 SENATE BILL NO. 101 BY SENATOR FARIS

STATE OF ARKANSAS  
MIKE HUCKABEE  
GOVERNOR

January 24, 2005

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on January 21, 2005, I approved the following measures from the regular session of the Eighty-fifth General Assembly:

**HB 1050**, which is now Act 3

Sincerely,

Mike Huckabee

MH:ba

cc: President of the Senate

**HOUSE BILL NO. 1205**

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**BY: REPRESENTATIVE ROSENBAUM**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE COMMERCIAL DRIVERS THAT TRANSPORT HAZARDOUS MATERIALS TO UNDERGO A CRIMINAL BACKGROUND CHECK AND EVALUATION FROM THE TRANSPORTATION SECURITY ADMINISTRATION TO ESTABLISH THAT THE DRIVER IS NOT A SECURITY RISK; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1206**

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**BY: REPRESENTATIVE ADAMS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE REEMPLOYMENT OF RETIRED MEMBERS OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1207**

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**BY: REPRESENTATIVE MAHONY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE TEACHER DEFERRED RETIREMENT OPTION PLAN; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1208**

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**BY: REPRESENTATIVE MAHONY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CONDITIONS REQUIRED FOR GRANTING A WAIVER OF THE EARNINGS LIMITATION TO A MEMBER OF THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1209**

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**BY: REPRESENTATIVE THOMASON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURES BY SELLERS OF HEALTH-RELATED CASH DISCOUNT CARDS; TO PROVIDE A CANCELLATION PERIOD FOR THE PURCHASE OF HEALTH-RELATED DISCOUNT CARDS; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1210**

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**BY: REPRESENTATIVE MATHIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY TO VEST IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM WITH FIVE (5) YEARS OF ACTUAL SERVICE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1211

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BY: REPRESENTATIVES HARRIS, SULLIVAN

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM MONTHLY BENEFIT PAYABLE TO THE SURVIVING SPOUSE AND CHILDREN OF A VOLUNTEER OR PART-PAID FIREFIGHTER UNDER THE LOCAL PENSION AND RELIEF FUNDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1212

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BY: REPRESENTATIVES HARRIS, SULLIVAN

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE ARKANSAS FIRE AND POLICE PENSION REVIEW BOARD TO MEET IN EXECUTIVE SESSION WITH THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM BOARD; TO ALLOW RECORDS CONCERNING THE EXECUTIVE DIRECTOR THAT ARE CREATED BY THE BOARD TO BE CONSIDERED PERSONNEL RECORDS OR JOB EVALUATION OR PERFORMANCE RECORDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1213**

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**BY: REPRESENTATIVES HARRIS, SULLIVAN****BY: SENATOR J. JEFFRESS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE ALLOCATION OF THE STATE PREMIUM TAX BETWEEN THE POLITICAL SUBDIVISION AND ITS LOCAL PENSION AND RELIEF FUND; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1214**

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**BY: REPRESENTATIVE MATHIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ELIMINATE THE REDUCTION IN MONTHLY BENEFITS FOR FIREFIGHTERS IN THE EXTENDED DEFERRED RETIREMENT OPTION PLAN; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1215**

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**BY: REPRESENTATIVE ADAMS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXPAND THE DEFINITION OF "NEGLECT" FOR THE JUVENILE CODE AND CHILD ABUSE REPORTING; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1216

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BY: REPRESENTATIVES MALOCH, D. EVANS

BY: SENATORS HORN, G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT THE RELOCATION OF BRANCH BANKS WITHIN THE IMMEDIATE NEIGHBORHOOD OF EXISTING BRANCHES; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1217

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BY: REPRESENTATIVE BORHAUER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THAT COST RECOVERY FOR ANNUITANTS IS ALLOWED UNDER THE INCOME TAX ACT OF 1929; 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. 1218

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - ALCOHOLIC BEVERAGE CONTROL DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1219**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1220**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1221**

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**BY: REPRESENTATIVE SCHULTE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A PERSON TO BE A MEMBER OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND A LOCAL RETIREMENT PLAN FOR DUAL SERVICE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1222

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BY: REPRESENTATIVE ORMOND

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING PURCHASED CREDITED SERVICE FOR MEMBERS OF THE GENERAL ASSEMBLY WHO HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1223

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BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE DISABILITY BENEFITS FOR POLICE OFFICERS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1224

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BY: REPRESENTATIVE MALOCH

BY: SENATORS HORN, G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND § 15-72-102 TO DEFINE OPERATOR; TO AMEND § 15-72-303 TO ALLOW AN OPERATOR TO APPLY FOR AN ORDER TO INTEGRATE THE INTERESTS OF OWNERS IN A DRILLING UNIT; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1225**

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**BY: REPRESENTATIVE D. CREEKMORE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING AESTHETICS AS PERTAINING TO THE PRACTICE OF COSMETOLOGY; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1226**

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**BY: REPRESENTATIVE D. EVANS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT REGARDING DRUG TESTING DURING A DIVORCE PROCEEDING; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1227**

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**BY: REPRESENTATIVE SAUNDERS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT INTEREST CONTINUES TO ACCRUE ON A TEACHER DEFERRED RETIREMENT OPTION PLAN PARTICIPANT'S ACCOUNT UNTIL THE PARTICIPANT SEPARATES FROM SERVICE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1228**

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**BY: REPRESENTATIVE WILLS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE AMOUNT OF ANNUAL REVENUES A COUNTY CAN APPROPRIATE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

**HOUSE BILL NO. 1229**

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**BY: REPRESENTATIVE KEY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LAWS OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM PERTAINING TO CERTAIN CITY EMPLOYEES WHO ARE MEMBERS OF THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1230**

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**BY: REPRESENTATIVE SULLIVAN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW QUORUM COURT MEMBERS TO PURCHASE CREDITED SERVICE IN THE ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1231**

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**BY: REPRESENTATIVE SCROGGIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXPAND PUBLIC ACCESS TO AUTOMATIC EXTERNAL DEFIBRILLATORS; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1232**

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**BY: REPRESENTATIVE SULLIVAN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW FIRE AND POLICE CHIEFS TO EARN EXTRA SERVICE CREDIT FOR RETIREMENT PURPOSES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**HOUSE BILL NO. 1233**

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**BY: REPRESENTATIVE SULLIVAN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE PUBLIC EMPLOYEES' SOCIAL SECURITY LAWS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1234

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**BY: REPRESENTATIVE BRADFORD**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO RESTRUCTURE THE ARKANSAS PSYCHOLOGY BOARD; TO ESTABLISH A LICENSING BOARD FOR THE REGULATION OF THE PRACTICE OF CLINICAL PSYCHOTHERAPY; TO CREATE AN OVERSIGHT COMMITTEE TO COORDINATE THE OPERATIONS OF THE ARKANSAS PSYCHOLOGY BOARD AND THE ARKANSAS BOARD OF CLINICAL PSYCHOTHERAPY; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1235

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**BY: REPRESENTATIVE LAMOUREUX**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MEMBERS OF ALTERNATE RETIREMENT PLANS TO ELECT TO TRANSFER TO THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

HOUSE BILL NO. 1236

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**BY: REPRESENTATIVE SCROGGIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A STATEWIDE MUTUAL AID SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

**HOUSE BILL NO. 1237**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF ARKANSAS HERITAGE FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**HOUSE BILL NO. 1238**

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**BY: REPRESENTATIVE DANGEAU**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A TEACHER TO RECEIVE SERVICE CREDIT UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR YEARS OF EMPLOYMENT WITH A SPECIAL NEEDS OR SPECIAL EDUCATION PROGRAM OR OTHER PROGRAM SUPPORTED WITH STATE OR FEDERAL FUNDS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

**SENATE BILL NO. 12**

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**BY: SENATOR ALTES**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE THAT FUNDS IN THE LANDFILL POST-CLOSURE TRUST FUND ARE USED SOLELY FOR LANDFILL POST-CLOSURE CORRECTIVE ACTION; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 70**

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**BY: SENATORS LUKER, HILL, GLOVER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM FILING FEE FOR INITIATING A CAUSE OF ACTION IN CIRCUIT COURT; TO USE THE INCREASE TO SUPPORT THE STATE CRIME LABORATORY; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 81**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS TOWING AND RECOVERY BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 83**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OFFICE OF LIEUTENANT GOVERNOR FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 88**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF MASSAGE THERAPY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 92**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE STATE BOARD OF COLLECTION AGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 101**

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**BY: SENATOR FARIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE SUPPORT TO THE MALVERN SENIOR ADULT CENTER IN MALVERN, ARKANSAS; AND FOR OTHER PURPOSES.

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

Upon motion of Representative J. Hutchinson, the House adjourned at 5:01 p.m. until 1:30 p.m., Tuesday, January 25, 2005.

ATTEST:

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Bill H. Stovall, III  
Speaker of the House of Representatives

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Jo Renshaw  
Chief Clerk