

SEVENTEENTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

January 26, 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, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J Martin, M. 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.

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Reverend Michael Mattox, Pastor, First Methodist Church, Little Rock, Arkansas.

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

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

COMMITTEE REPORT

	January 26, 2005
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	BUDDY BLAIR CHAIRPERSON
HOUSE BILL NO. 1102	DO PASS, AS AMENDED #2
BY REPRESENTATIVE T. HUTCHINSON	
SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1	DO PASS
BY REPRESENTATIVE JOHNSON	

COMMITTEE REPORT

	January 26, 2005
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	TRAVIS BOYD CHAIRPERSON
HOUSE BILL NO. 1202	DO PASS
BY REPRESENTATIVE BOYD	NON-CONTROVERSIAL
HOUSE BILL NO 1203	DO PASS
BY REPRESENTATIVE BOYD	
SENATE BILL NO. 71	DO PASS
BY SENATOR T. SMITH	

COMMITTEE REPORT

	January 26, 2005
CITY, COUNTY AND LOCAL AFFAIRS	WILL BOND CHAIRPERSON
HOUSE BILL NO. 1145	DO PASS
BY REPRESENTATIVE CLEMONS	
HOUSE BILL NO. 1185	DO PASS, AS AMEMDED #1
BY REPRESENTATIVE ROEBUCK	

COMMITTEE REPORT

	January 26, 2005
INSURANCE AND COMMERCE	DAVID EVANS
	CHAIRPERSON
HOUSE BILL NO. 1170	DO PASS
BY REPRESENTATIVE J. HUTCHINSON	
HOUSE BILL NO. 1175	DO PASS
BY REPRESENTATIVE MATHIS	

COMMITTEE REPORT

	January 26, 2005
JOINT BUDGET	SAM LEDBETTER
	CHAIRPERSON
HOUSE BILL NO. 1052	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	January 26, 2005
RULES	KEN COWLING
	CHAIRPERSON
HOUSE BILL NO. 1193	DO PASS, AS AMENDED #1
BY REPRESENTATIVE BRADFORD	

Upon motion of Representative Dickinson, **HOUSE BILL NO. 1104** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1104

Amend **HOUSE BILL NO. 1104** as originally introduced:

Page 3, delete lines 7 through 15.

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ragland, **HOUSE BILL NO. 1136** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1136

Amend **HOUSE BILL NO. 1136** as engrossed,

H1/19/05 (version: 01-19-2005 08:49)::

Page 1, line 30, delete "a relationship between" and substitute "the union of"

AND

If appropriate, renumber the remaining sections of the bill

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Adams, **HOUSE BILL NO. 1215** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1215

Amend **HOUSE BILL NO. 1215** as originally introduced:

Add Senator Broadway as a cosponsor.

/s/ Bob Adams

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Sullivan, **HOUSE BILL NO. 1173** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1173

Amend **HOUSE BILL NO. 1173** as originally introduced:

Page 1, line 28, add "Inc" between "Center" and the period.

/s/ Scott Sullivan

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. 1033** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1033

Amend **HOUSE BILL NO. 1033** as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 20-16-801 is amended to read as follows:

20-16-801. Notification required.

No abortion operation shall be performed upon an unemancipated minor, or upon a woman for whom a guardian or custodian has been appointed because of a finding of incompetency;

(1) ~~until~~ Until at least forty-eight (48) hours after written notice of the pending operation has been delivered in the manner, and subject to the exceptions, provided in this subchapter; and

(2) Unless the person or the person's agent first obtains the written consent of either parent or the legal guardian or custodian, except as otherwise provided in §§ 20-16-804 and 20-16-805.

SECTION 2 Arkansas Code § 20-16-802 is amended to read as follows:

20-16-802. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Abortion" shall mean the intentional termination of the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth or to remove a dead or dying fetus;

(2) "Minor" means an individual under the age of eighteen (18) years;

(3) "Parent" shall mean ~~both parents~~ either parent of the pregnant woman if they are both living; one (1) parent of the pregnant woman if only one (1) is living or if the second one (1) cannot be located through reasonably diligent effort; or the court-appointed guardian or custodian if the pregnant woman has one; and

(4) "Unemancipated minor" means a minor who is under the care, custody, and control of her parent or parents.

SECTION 3. Arkansas Code § 20-16-803 is amended to read as follows:

20-16-803. Manner of notice and consent.

(a)(1) Notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

~~(b)(2)~~ In lieu of the delivery required by ~~subsection (a)~~ subdivision (a)(1) of this section, notice shall be made by certified mail addressed to the parent

at the usual place of abode of the parent, with return receipt requested and delivery restricted to the addressee. Delivery shall be deemed to occur at twelve noon on the next day, subsequent to mailing, on which regular mail delivery takes place.

(b)(1) The person who performs the abortion or his or her agent shall obtain or be provided with the written consent from either parent or legal guardian.

(2) The written consent shall include, but not be limited to, the following information:

(A) Name and birthdate of the minor or incompetent woman;

(B) Name of the parent or legal guardian;

(C) Statement from the parent or legal guardian that he or she is aware that the minor desires an abortion and that he or she does consent to the abortion;

(D) The date; and

(E) Notarized signature of the parent or legal guardian.

(2) A notarized signature is not required if the person who performs the abortion or his or her agent witnesses the signature of the parent or legal guardian and signs the written consent as a witness.

(3) Prior to signing the written consent as a witness, the person who performs the abortion or his or her agent shall obtain from the parent or legal guardian positive proof of identification in the form of a valid, government issued photo identification card.

(4) A photocopy of the proof of identification and the written consent statement shall be maintained in the minor's or incompetent woman's medical records for a period of five (5) years from the date of the abortion.

SECTION 4. Arkansas Code § 20-16-804 is amended to read as follows:

20-16-804. Judicial relief from requirement.

Notwithstanding the provisions of §§ 20-16-801 and 20-16-803, if a pregnant minor or incompetent woman elects not to allow the notification and consent of one (1) or both parents or guardian or custodian, then, in that event:

(1)(A) Any judge of a probate court shall, upon petition or motion and after an appropriate hearing, authorize a physician to perform the abortion if ~~said~~ the judge determines that the pregnant minor or incompetent woman is mature and capable of giving informed consent to the proposed abortion.

(B) If ~~said~~ the judge determines that the pregnant minor or incompetent woman is not mature, or if the pregnant woman does not claim to be mature, the judge shall determine whether the performance of an abortion upon her without notification and consent of her parents, guardian, or custodian would be in

her best interests and shall authorize a physician to perform the abortion without such notification and consent if ~~said~~ the judge concludes that the pregnant minor or incompetent woman's best interests would be served thereby.

(2) Such a pregnant minor or incompetent woman may participate in proceedings in the court on her own behalf. However, the court shall advise her that she has a right to court-appointed counsel and shall, upon her request, provide her with such counsel.

(3) Proceedings in the court under this subchapter shall be confidential and shall be given such precedence over other pending matters so that the court may reach a decision promptly and without delay so as to serve the best interests of the pregnant minor or incompetent woman. The judge shall make in writing specific factual findings and legal conclusions supporting the decision and shall order a record of the evidence to be maintained, including the judge's own findings and conclusions.

(4) An expedited confidential appeal shall be available to any such pregnant minor or incompetent woman for whom the court denies an order authorizing an abortion without notification and consent. An order authorizing an abortion without notification and consent shall not be subject to appeal.

(5) No filing fees shall be required of any such pregnant minor or incompetent woman at either the trial or the appellate level.

SECTION 5. Arkansas Code § 20-16-805 is amended to read as follows:
20-16-805. Limitations on requirement.

Notification and consent shall not be required under this subchapter if:

(1) The attending physician certifies in the pregnant minor or incompetent woman's medical record that the abortion is necessary to prevent the woman's death and there is insufficient time to provide the required notice or obtain the required consent; or

~~(2) The abortion is authorized in writing by the person or persons who are entitled to notice; or~~

~~(3) A pregnant minor or incompetent woman declares that she is a victim of child abuse or neglect as defined in § 12-12-503, provided that a report of such abuse or neglect shall be made as provided in § 12-12-507.~~

(2) A judicial bypass is obtained under § 20-16-804.

SECTION 6. Arkansas Code § 20-16-806 is amended to read as follows:
20-16-806. Penalty.

(a) The performance of an abortion in violation of this subchapter shall be a

Class A misdemeanor and shall be grounds for a civil action by a person wrongfully denied notification or whose consent is required.

~~(b) A person shall not be held liable under this subchapter if:~~

~~(1) The person establishes by written evidence that the person relied upon evidence sufficient to convince a careful and prudent person that the representations of the pregnant minor or incompetent woman regarding information necessary to comply with this subchapter were bona fide and true; or~~

~~(2) If the person attempted with reasonable diligence to deliver notice, but was unable to do so.~~

~~(c)~~(b) Nothing in this subchapter shall be construed to allow the charging or conviction of a woman with any criminal offense in the death of her own unborn child in utero.

SECTION 7. Arkansas Code § 20-16-808 is amended to read as follows:
20-16-808. When notification and consent of parent not required.

Notification and consent under this subchapter shall not be required to be given to or obtained from a parent if:

(1) ~~The parent's~~ Both of the parents' whereabouts are unknown; or

~~(2)(A) The parent has not been in contact with the minor's custodial parent or the minor for at least one (1) year; or~~ If the minor has only one (1) living parent and the minor states by affidavit that the parent has committed incest with the minor, has raped the minor, or has otherwise sexually abused the minor.

(B) The attending physician shall report the abuse as provided under § 12-12-504 and § 12-12-507.

~~(3) If the minor states by affidavit that the parent has committed incest with the minor or raped the minor or otherwise physically or sexually abused the minor.~~

SECTION 8. Arkansas Code Title 20, Chapter 16, Subchapter 8 is amended to add as a new section to read as follows:

20-16-809. When consent not required.

A guardian or custodian shall not be required to obtain consent under this subchapter if the guardianship or custody order has expired or is otherwise no longer in effect.

SECTION 9. Arkansas Code Title 20, Chapter 16, Subchapter 8 is amended to add an additional section to read as follows:

20-16-811. Additional information reported by abortion providers.

(a) In addition to other information reported by an abortion provider to the Department of Health, the following information shall be reported for each induced termination of pregnancy:

- (1) Whether parental consent was required;
- (2) Whether parental consent was obtained; and
- (3) Whether a judicial bypass was obtained.

(b) The Department of Health shall revise its forms utilized by abortion providers to report an induced termination of pregnancy by including the reporting of information required by this section."

/s/ Jeremy Hutchinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Borhauer, **HOUSE BILL NO. 1217** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1217

Amend **HOUSE BILL NO. 1217** as originally introduced:

Page 1, delete lines 33 through 36 and substitute the following:

“(B) Annuity income received through an employment-related retirement plan shall not be subject to the provisions of § 26-51-404(b). The income shall instead be subject to the retirement income provisions of § 26-51-307.”

AND

Page 2, delete line 1

AND

Page 2, delete lines 6 through 16 and substitute the following:

“(c)(1) Section 72 of the Internal Revenue Code of 1986, as in effect on January 1, 2005, shall provide the sole method by which a ~~No~~ recipient of benefits from an individual retirement account or from public or private employment-related retirement systems, plans, or programs ~~shall be allowed to~~ may deduct or recover his or her cost of contribution in the plan when computing his or her income for state income tax purposes.

(2) A taxpayer shall not be allowed to deduct or recover any portion of the taxpayer's cost of contribution that the taxpayer:

(A) Has once deducted or recovered; or

(B) Would have been allowed to deduct or recover under any provision of law or court decision."

AND

If appropriate, renumber the remaining sections of the bill.

/s/ Shirley Borhauer

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

BILL H. STOVALL, III, CHAIRMAN

January 26, 2005

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1006	BY REPRESENTATIVE J. HUTCHINSON, ET AL
HOUSE BILL NO. 1033	BY REPRESENTATIVE J. HUTCHINSON
HOUSE BILL NO. 1104	BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 1136	BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 1173	BY REPRESENTATIVE SULLIVAN
HOUSE BILL NO. 1215 - TITLE -	BY REPRESENTATIVE ADAMS
HOUSE BILL NO. 1217	BY REPRESENTATIVE BORHAUER

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1215

BY: REPRESENTATIVE ADAMS

BY: *SENATOR BROADWAY*

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.

Morning Hour Expired.

HOUSE BILL NO. 1199

BY: REPRESENTATIVE ROGERS

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, 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, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. 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, Wills, Wood, Wyatt, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Clemons, Willis.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1154

BY: REPRESENTATIVE SAUNDERS

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, 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, Jackson, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. 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, Wills, Wood, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, T. Hutchinson, Willis, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1195

BY: REPRESENTATIVE HARRELSON

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: 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, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, 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	97
NEGATIVE: Flowers, Pace.	
Total	2
ABSENT OR NOT VOTING: Mr. Speaker.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	99
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.

There being an Emergency Clause attached to **HOUSE BILL NO. 1195**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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, George, Glidewell, Goss, Green, Hardwick, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, 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.

Total97

NEGATIVE: Flowers, Pace.

Total2

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast99

Total number voting in the affirmative97

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1191

BY: REPRESENTATIVE J. MARTIN

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, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. 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.

Total99

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....99

Total number voting in the affirmative99

Necessary to the passage of the bill51

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

Upon motion of Representative J. Hutchinson, **HOUSE BILL NO. 1006** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1006

Amend **HOUSE BILL NO. 1006** as engrossed,

H1/20/05 (version: 01-20-2005 09:18)::

Page 2, delete lines 25 and 26

AND

Page 2, line 27 delete "(6)" and substitute "(5)"

AND

Page 3, delete lines 10 and 11

/s/ Jeremy Hutchinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1154 BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 1191 BY REPRESENTATIVE J. MARTIN
HOUSE BILL NO. 1195 BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1199 BY REPRESENTATIVE ROGERS

HOUSE BILL NO. 1248

BY: REPRESENTATIVE L. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MUNICIPALITIES TO REGULATE NONCONSENSUAL TOWING AND STORAGE; 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. 1249

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE A WORK EXEMPTION FOR HIGH SCHOOL STUDENTS WHO ARE GAINFULLY EMPLOYED; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1250

BY: REPRESENTATIVES BOND, S. PRATER, J. MARTIN, BORHAUER, BRIGHT
BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT THAT ASSISTED LIVING FACILITIES OBTAIN PERMITS OF APPROVAL; 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. 1251

BY: REPRESENTATIVES MALOCH, DUNN
BY: SENATORS HORN, WILKINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL AUTHORITY FOR THE INVESTMENT OF PUBLIC FUNDS IN CERTIFICATES OF DEPOSIT INSURED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION; 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. 1252

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 WORKFORCE EDUCATION - ARKANSAS REHABILITATION SERVICES 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. 1253

BY: REPRESENTATIVES THOMPSON, LEDBETTER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE UNDERINSURED MOTORIST COVERAGE TO INCLUDE THE MINIMUM AMOUNTS REQUIRED UNDER THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT; 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. 1254

BY: REPRESENTATIVE J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING LEAVES OF ABSENCE FOR TREATMENT OF MILITARY SERVICE-CONNECTED DISABILITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

HOUSE BILL NO. 1255

BY: REPRESENTATIVE HARRELSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE LICENSE PLATES TO INCLUDE A DESIGNATION OF THE COUNTY IN WHICH THE MOTOR VEHICLE IS REGISTERED; 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. 1256

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 MILITARY DEPARTMENT 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. 1257

BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT OF GRANTS OF FINANCIAL ASSISTANCE THAT THE DEPARTMENT OF EDUCATION MAY GRANT FOR TEACHERS SEEKING ALTERNATIVE CERTIFICATION; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1258

BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE HOUSE INTERIM COMMITTEE ON EDUCATION AND THE SENATE INTERIM COMMITTEE ON EDUCATION TO CONTRACT WITH EXPERTS TO CONDUCT INTERIM ADEQUACY REVIEWS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1259

BY: REPRESENTATIVE MAHONY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE MEDICAID BILLING IN SCHOOL DISTRICTS; 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. 68

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS ARKANSAS ETHICS AND CAMPAIGN FINANCE STATUTES, *A PORTION OF WHICH RESULTED FROM INITIATED ACT 1 OF 1988, INITIATED ACT 1 OF 1990, AND INITIATED ACT 1 OF 1996*; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 73

BY: SENATORS HILL, CAPPS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND EXISTING LEASES BETWEEN THE STATE OF ARKANSAS AND ARKANSAS LIVESTOCK SHOW ASSOCIATION; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 93

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS ELECTION LAWS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

Upon motion of Representative J. Hutchinson, the House adjourned at 2:10 p.m. until 1:30 p.m., Thursday, January 27, 2005.

ATTEST:

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

Jo Renshaw
Chief Clerk