

**TWENTY-THIRD DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas

February 1, 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, 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, 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 .....98

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

Total .....2

A quorum was present.

Unanimous leave was granted for Representative(s)Anderson, Maxwell.

The House stood and was led in prayer by House Chaplain, Reverend 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.

COMMITTEE REPORT

	February 1, 2005
EDUCATION	JOYCE ELLIOTT
	CHAIRPERSON
HOUSE BILL NO. 1136	DO PASS
BY REPRESENTATIVE RAGLAND	

COMMITTEE REPORT

	February 1, 2005
JUDICIARY	JOHN PAUL VERKAMP
	CHAIRPERSON
HOUSE BILL NO. 1138	DO PASS
BY REPRESENTATIVE VERKAMP	
HOUSE BILL NO. 1292	DO PASS
BY REPRESENTATIVE CHILDERS	
SENATE BILL NO. 70	DO PASS
BY SENATOR LUKER	
SENATE BILL NO. 72	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 126	DO PASS
BY SENATOR J. TAYLOR	

COMMITTEE REPORT

	February 1, 2005
PUBLIC HEALTH, WELFARE AND LABOR	JAY BRADFORD
	CHAIRPERSON
HOUSE BILL NO. 1033	DO PASS
BY REPRESENTATIVE J. HUTCHINSON	
HOUSE BILL NO. 1209	DO PASS, AS AMENDED #1
BY REPRESENTATIVE THOMASON	
HOUSE BILL NO. 1309	DO PASS
BY REPRESENTATIVE KEY	
HOUSE BILL NO. 1311	DO PASS
BY REPRESENTATIVE BRIGHT	
SENATE BILL NO. 21	DO PASS
BY SENATOR FARIS	

COMMITTEE REPORT

	February 1, 2005
PUBLIC TRANSPORTATION	JOHNNIE BOLIN
	CHAIRPERSON
HOUSE BILL NO. 1205	DO PASS
BY REPRESENTATIVE ROSENBAUM	NON-CONTROVERSIAL
HOUSE BILL NO. 1282	DO PASS
BY REPRESENTATIVE RANKIN	

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

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1119**

Amend **HOUSE BILL NO. 1119** as engrossed, H1/24/05

(version: 01-24-2005 08:42)::

Page 1, delete the title in its entirety and substitute the following:

"AN ACT TO PROTECT THE CHILDREN WHO ARE MOST VULNERABLE BY CLARIFYING THE PUBLIC POLICY OF THE STATE OF ARKANSAS REGARDING THE PLACEMENT OF CHILDREN WITH AN ADOPTIVE OR FOSTER PARENT; AND FOR OTHER PURPOSES."

AND

Page 1, delete the subtitle in its entirety and substitute the following:

"TO PROTECT THE CHILDREN WHO ARE MOST VULNERABLE BY CLARIFYING THE PUBLIC POLICY OF THE STATE OF ARKANSAS REGARDING THE PLACEMENT OF CHILDREN WITH AN ADOPTIVE OR FOSTER PARENT."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 9-9-204 is amended to read as follows:

9-9-204. Who may adopt.

(a) The following individuals may adopt:

(1) A husband and wife together although one (1) or both are minors;

(2) An unmarried adult, except as provided under subsection (b) of this section;

(3) The unmarried father or mother of the individual to be adopted;

(4) A married individual without the other spouse joining as a petitioner, if the individual to be adopted is not his spouse; and if:

(i) The other spouse is a parent of the individual to be adopted and consents to the adoption;

(ii) The petitioner and the other spouse are legally separated; or

(iii) The failure of the other spouse to join in the petition or to consent to the adoption is excused by the court by reason of prolonged unexplained absence, unavailability, incapacity, or circumstances constituting an unreasonable withholding of consent.

(b)(1)(A) Except as provided in subdivision (b)(2) of this section, a child shall

not be adopted by an unmarried adult who is:

(i) Cohabiting in a relationship that is not a legally valid and binding marriage under the Constitution of the State of Arkansas; or

(ii) Less than ten (10) years older than the child that he or she is seeking to adopt.

(B) For the purposes of this subsection (b), "cohabitating" means residing with another person and being involved in a sexual relationship with that person.

(2) The limitations under subdivision (b)(1) of this section shall not apply to an unmarried adult who has any one (1) of the following relationships with the child:

(A) A sibling;

(B) A step-parent;

(C) A grandparent;

(D) A great-grandparent; or

(E) Any other unmarried adult who:

(i) Is related to the child by blood or marriage;

(ii) Has demonstrated the ability to care for the child; and

(iii) Is otherwise eligible to adopt the child.

SECTION 2. Arkansas Code Title 9, Chapter 28, Subchapter 4 is amended to add an additional section to read as follows:

9-28-411. Limitation.

(a) For the purposes of this section, "cohabitating" means residing with another person and being involved in a sexual relationship with that person.

(b) Except as provided in subsection (c) of this section, a child shall not be placed with a foster parent who is an unmarried adult and who is:

(1) Cohabiting in a relationship that is not a legally valid and binding marriage under the Constitution of the State of Arkansas; or

(2) Less than ten (10) years older than the child that he or she is seeking to foster parent.

(c) The limitations under subsection (b) of this section shall not apply to an unmarried adult who has any one (1) of the following relationships with the child:

(1) A sibling;

(2) A step-parent;

(3) A grandparent;

(4) A great-grandparent; or

(5) Any other unmarried adult who:

(i) Is related to the child by blood or marriage;

(ii) Has demonstrated the ability to care for the child; and

(iii) Is otherwise eligible to be a foster parent to the child.

(d) To the extent that the rules are consistent with this section, this section shall not limit the rule-making authority of:

(1) The Child Welfare Agency Review Board under § 9-28-405; or

(2) The Department of Human Services as related to its foster care programs.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that it is the public policy of the state to prohibit unmarried adults who are cohabitating in a relationship that is not a legally valid or binding marriage under the Constitution of the State of Arkansas from adopting a child or becoming a foster parent to a child, except in limited circumstances; that it is the public policy of the State of Arkansas to prohibit unmarried adults who are less than ten (10) years older than the child that he or she is seeking to adopt or foster parent to become an adoptive or foster parent, except in limited circumstances; and that this act is immediately necessary to protect the children who are most vulnerable by clarifying the public policy of the state regarding the placement of children with an adoptive or foster parent. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

/s/ Bob Adams

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 1216** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1216**

Amend **HOUSE BILL NO. 1216** as originally introduced:

Page 2, delete lines 1 through 3 and substitute the following

"(i)(a)(1) A full-service branch is opened or built within the immediate neighborhood of an existing branch; or

(2) A full-service branch is opened, built, or established as a result of the consolidation of two (2) or more banks within the immediate neighborhood of an existing branch or main office of a bank.

(b) The existing branch or main office may be closed upon the opening of the new branch;"

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Pritchard, **HOUSE BILL NO. 1194** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1194

Amend **HOUSE BILL NO. 1194** as originally introduced:

Delete page 1, line 32 and substitute the following:

“prior to final payment to the contractor.

(2) The responsibility of the customer shall not exceed any amount owed to the contractor on or after the date the customer receives the written notice.”

AND

Delete page 1, line 33 and substitute the following:

“(3) The written notice shall be sent by certified mail, return receipt requested, and must include the maximum amount of any”

AND

Delete page 2, lines 2 through 7 and substitute the following:

“(b)(1) As used in this section, “financial obligations” include, but are not limited to, civil penalties imposed by the State of Arkansas or any city, county, school district, state agency, or other political subdivision of the state.

(2) Civil penalties imposed pursuant to Arkansas Code § 17-25-103(e)(1)(A) and Arkansas Code § 17-25-408 for violations of the provisions of this chapter arise from and are connected to the customer’s project and the provisions of this section apply thereto.”

AND

Page 2, line 10, delete “Contractor’s” and substitute “Contractors”

AND

Page 2, line 13, delete “pursuant to” and substitute “under”

/s/ Bill Pritchard

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

February 1, 2005

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1119 - TITLE - BY REPRESENTATIVE ADAMS

HOUSE BILL NO. 1194 BY REPRESENTATIVE PRITCHARD

HOUSE BILL NO. 1216 BY REPRESENTATIVE MALOCH, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1119

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BY: REPRESENTATIVE ADAMS

BY: SENATOR HOLT

*A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROTECT THE CHILDREN WHO ARE MOST VULNERABLE BY CLARIFYING THE PUBLIC POLICY OF THE STATE OF ARKANSAS REGARDING THE PLACEMENT OF CHILDREN WITH AN ADOPTIVE OR FOSTER PARENT; AND FOR OTHER PURPOSES.*

HOUSE CONCURRENT RESOLUTION NO. 1002

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BY: REPRESENTATIVE HARRIS

TO REQUEST THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF ARKANSAS GIVE PRIORITY TO SUPPORTING AND PASSING THE DEFENSE APPROPRIATIONS BILL FIRST.

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

Morning Hour Expired.

HOUSE BILL NO. 1176

BY: REPRESENTATIVE T. HUTCHINSON

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, Berry, Blair, Blount, Borhauer, Boyd, Bradford, Bright, Burris, Childers, Clemons, Cook, Cooper, Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, J. Johnson, Kenney, Key, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. Martin, Matayo, Mathis, McDaniel, Medley, Nichols, Norton, 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 .....87

NEGATIVE: Bond, Hardy, D. Johnson, Kidd, Ormond.

Total .....5

ABSENT OR NOT VOTING: Anderson, Bolin, Chesterfield, Cowling, Dangeau, Dobbins, Maxwell, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Total number voting in the affirmative .....87

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. 1176**, 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, Berry, Blair, Blount, Borhauer, Boyd, Bradford, Bright, Burris, Childers, Clemons, Cook, Cooper, Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardwick, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, J. Johnson, Kenney, Key, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, J. Martin, M. Martin, Matayo, Mathis, McDaniel, Medley, Nichols, Norton, 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 .....87

NEGATIVE: Bond, Hardy, D. Johnson, Kidd, Ormond.

Total .....5

ABSENT OR NOT VOTING: Anderson, Bolin, Chesterfield, Cowling, Dangeau, Dobbins, Maxwell, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast.....92

Total number voting in the affirmative .....87

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

So the Emergency Clause was adopted.

SENATE BILL NO. 93

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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: Abernathy, Adams, Adcock, Berry, Blair, Blount, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Childers, Clemons, Cook, Cooper, Creekmore, Dangeau, Davenport, Davis, Dickinson, 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, 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.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Anderson, Bolin, Chesterfield, Cowling, Dobbins, Maxwell, Willis, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

Total number voting in the affirmative .....92

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

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

Upon motion of Representative Edwards the Clincher motion prevailed.

SENATE BILL NO. 49

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**BY: SENATOR J. JEFFRESS**

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, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, 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, 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, Wills, Wood, Wyatt.

Total .....93

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Anderson, Chesterfield, Dobbins, Maxwell, Pace, Willis, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....93

Total number voting in the affirmative .....93

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

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

The House recessed at 1:50 p.m. until 4:30 p.m. for further reading of the bills.

The House reconvened at 4:05 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1176 BY REPRESENTATIVE T. HUTCHINSON

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 49 BY SENATOR J. JEFFRESS

SENATE BILL NO. 93 BY SENATOR FARIS

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND  
ORDERED TRANSMITTED TO THE SENATE

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HOUSE CONCURRENT BY REPRESENTATIVE HARRIS  
RESOLUTION NO. 1002

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

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HOUSE BILL NO. 1141 BY REPRESENTATIVE WOOD AS AMENDED #1

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 118 BY SENATOR B. JOHNSON

SENATE BILL NO. 174 BY SENATOR WILKINSON

STATE OF ARKANSAS  
MIKE HUCKABEE  
GOVERNOR

February 1, 2005

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform your Honorable Body that on February 1, 2005, I approved the following measures from the regular session of the Eighty-fifth General Assembly:

HB 1010, which is now Act 27	HB 1058, which is now Act 39	HB 1093, which is now Act 51
HB 1020, which is now Act 28	HB 1060, which is now Act 40	HB 1103, which is now Act 52
HB 1032, which is now Act 29	HB 1061, which is now Act 41	HB 1109, which is now Act 53
HB 1044, which is now Act 30	HB 1062, which is now Act 42	HB 1113, which is now Act 54
HB 1045, which is now Act 32	HB 1073, which is now Act 43	HB 1117, which is now Act 55
HB 1047, which is now Act 31	HB 1080, which is now Act 44	HB 1129, which is now Act 56
HB 1049, which is now Act 33	HB 1081, which is now Act 45	HB 1130, which is now Act 57
HB 1053, which is now Act 34	HB 1083, which is now Act 46	HB 1131, which is now Act 58
HB 1054, which is now Act 35	HB 1086, which is now Act 47	HB 1132, which is now Act 59
HB 1055, which is now Act 36	HB 1088, which is now Act 48	HB 1133, which is now Act 60
HB 1056, which is now Act 37	HB 1089, which is now Act 49	
HB 1057, which is now Act 38	HB 1091, which is now Act 50	

Sincerely,

Mike Huckabee

MH: ba

cc: President of the Senate

HOUSE BILL NO. 1332

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BY: REPRESENTATIVE WALTERS

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT THE FURNISHING OF CELLULAR TELEPHONES TO PERSONS IN CORRECTIONAL FACILITIES, THE ARKANSAS STATE HOSPITAL, OR JUVENILE TRAINING SCHOOLS; 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. 1333

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BY: REPRESENTATIVE JEFFREY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO LIMIT THE PERIOD OF TIME IN WHICH THE ARKANSAS APPRAISER LICENSING AND CERTIFICATION BOARD CAN INITIATE AN INVESTIGATION AND CONDUCT A DISCIPLINARY HEARING; 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.

HOUSE BILL NO. 1334

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BY: REPRESENTATIVES BOND, S. PRATER

BY: SENATOR CAPPS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND LAND USE RESTRICTIONS CONCERNING PROPERTY NEAR A MILITARY INSTALLATION; 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. 1335**

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**BY: REPRESENTATIVE J. MARTIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 25-15-212 TO PROVIDE FOR DE NOVO REVIEW FROM AN ADMINISTRATIVE ADJUDICATION; 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. 1336**

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**BY: REPRESENTATIVE J. MARTIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCLUDE ABUSE SHELTERS IN THE LIST OF FACILITIES PROTECTED BY ENHANCED PENALTIES FOR DISTRIBUTION OF CONTROLLED SUBSTANCES; 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. 1337**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR ALLOCATION OF THE FEDERAL BANKHEAD-JONES GRANTS AND FEDERAL TURNBACK FOR ROADS BY THE AUDITOR OF STATE 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. 1338

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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 AUDITOR OF STATE OPERATIONS AND UNCLAIMED PROPERTY PROGRAM 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. 1339

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## BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF A PORTION OF FULL-TIME JUVENILE PROBATION AND INTAKE OFFICERS' SALARIES 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. 1340

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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, SUBSTITUTE EXPENSES, AND EXPENSE ALLOWANCE OF THE TRIAL COURT ADMINISTRATIVE ASSISTANTS OF THE CIRCUIT COURTS 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. 1341**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE WAR MEMORIAL STADIUM COMMISSION; 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. 1342**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT; 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. 1343**

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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 HUMAN SERVICES - DIVISION OF AGING AND ADULT 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. 1344

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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 DIVISION OF LEGISLATIVE AUDIT OF THE LEGISLATIVE JOINT AUDITING COMMITTEE 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. 1345

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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 OFFICIAL COURT REPORTERS OF THE CIRCUIT COURTS 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. 1346

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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 DEPUTY PROSECUTING ATTORNEYS 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. 1347**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR MAINTAINING AND OPERATING A CONTINUING EDUCATION PROGRAM FOR THE COUNTY AND CIRCUIT CLERKS, COUNTY TREASURERS, AND COUNTY COLLECTORS 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. 1348**

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**BY: REPRESENTATIVES OVERBEY, MEDLEY, PYLE, SAMPLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REMOVE REFERENCES TO THE MUNICIPAL BOARD OF HEALTH IN CERTAIN SEWER STATUTES; 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. 1349**

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**BY: REPRESENTATIVES OVERBEY, MEDLEY, PYLE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE IDENTITY OF THE ANNEXING MUNICIPALITY WHEN AN UNINCORPORATED TOWN IS SURROUNDED BY TWO (2) MUNICIPALITIES; 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. 1350

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BY: REPRESENTATIVE ADAMS

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 ASSISTANCE TO VOLUNTEER FIRE DEPARTMENTS IN DALLAS COUNTY, ARKANSAS; 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. 1351

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BY: REPRESENTATIVES BOLIN, COWLING, JEFFREY, MAHONY, REEP, ROEBUCK

BY: SENATORS J. JEFFRESS, G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS - MACK-BLACKWELL RURAL TRANSPORTATION CENTER FOR CONDUCTING A OUACHITA RIVER STUDY; 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. 1352

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BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE OFFICE OF ATTORNEY GENERAL FOR EXPENSES OF THE CRIMINAL CODE REVISION COMMISSION; 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. 1353**

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**BY: REPRESENTATIVE D. JOHNSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THAT A TERRORISTIC ACT CAN BE COMMITTED AGAINST A SOLE OCCUPANT OF A VEHICLE OR STRUCTURE; 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. 1354**

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**BY: REPRESENTATIVE D. JOHNSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THAT THE OFFENSE OF FINANCIAL IDENTITY FRAUD PERTAINS TO THE USE OF IDENTIFYING INFORMATION TO OPEN OR CREATE AN ACCOUNT OR FINANCIAL RESOURCE; 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. 1355**

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**BY: REPRESENTATIVES D. JOHNSON, D. EVANS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING DRUG TESTING DURING A PROCEEDING RELATED TO A DIVORCE, CHILD CUSTODY, VISITATION, OR THE WELFARE OF A CHILD; 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. 1356

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BY: REPRESENTATIVE SCROGGIN

BY: SENATOR BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE INITIAL MEETING DATE OF COUNTY QUORUM COURTS; 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. 1357

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BY: REPRESENTATIVES COOK, BOLIN, DANGEAU, DICKINSON, GLIDEWELL, KIDD, MCDANIEL, PETRUS, ROGERS, SAMPLE, SAUNDERS

BY: SENATOR MILLER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW EDUCATION SERVICE COOPERATIVES TO PURCHASE OR CONSTRUCT BUILDINGS AS MAY BE REQUIRED TO PROVIDE AUTHORIZED PROGRAMS AND SERVICES; TO PROVIDE FOR DISTRIBUTION OF ASSETS UPON DISSOLUTION; 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. 1358**

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**BY: REPRESENTATIVES EDWARDS, KENNEY, M. MARTIN, MEDLEY, PACE, PRITCHARD, L. SMITH**

**BY: SENATOR MADISON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR SAU-TECH - LINCOLN, ARKANSAS FIRE TRAINING SATELLITE CENTER 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. 1359**

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**BY: REPRESENTATIVES MCDANIEL, SUMPTER**

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 LEGAL EDUCATION; 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. 28**

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**BY: JOINT BUDGET COMMITTEE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES, REFUNDS, AND CLAIMS FOR THE ARKANSAS MANUFACTURED HOME COMMISSION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 44 OF 2003; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 105

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BY: SENATORS FARIS, J. JEFFRESS, J. BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE NUMBER OF TRUSTEES ON THE BOARD OF TRUSTEES OF THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 108

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BY: SENATORS FARIS, J. JEFFRESS, J. BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A DISABILITY MEDICAL EXAMINATION BE PERFORMED BY A BOARD OF MEDICAL PROFESSIONALS AS DEFINED BY THE RULES OF THE BOARD OF TRUSTEES OF THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 118

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BY: SENATOR B. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 26-57-261 PERTAINING TO REFUNDS OF INTEREST FROM DEPOSITS BY TOBACCO PRODUCT MANUFACTURERS UNDER THE MASTER SETTLEMENT AGREEMENT; 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. 124**

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**BY: SENATORS J. JEFFRESS, FARIS**

**BY: REPRESENTATIVE SULLIVAN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE ARKANSAS TEACHER RETIREMENT SYSTEM TO WITHHOLD BENEFITS IN CERTAIN CIRCUMSTANCES TO ASSIST IN COLLECTING ACCOUNTS RECEIVABLE; AND FOR OTHER PURPOSES.

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

**SENATE BILL NO. 125**

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**BY: SENATOR MALONE**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 10-2-501 CONCERNING RESTRICTIONS ON THE PREPARATION OF LEGISLATION; 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. 130**

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**BY: SENATORS J. JEFFRESS, FARIS**

**BY: REPRESENTATIVE SULLIVAN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY PAYMENT OF ARKANSAS TEACHER RETIREMENT SYSTEM BENEFITS IN THE EVENT OF THE DEATH OF A RETIRANT OR HIS OR HER BENEFICIARY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 135

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BY: SENATOR HILL

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE MEMBERSHIP OF THE ARKANSAS STATE COUNCIL FOR THE INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION; 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. 142

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BY: SENATORS J. JEFFRESS, FARIS

BY: REPRESENTATIVES SULLIVAN, CHILDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND REFERENCES TO THE INTERNAL REVENUE CODE IN ARKANSAS TEACHER RETIREMENT LAW FOR CLARITY AND CONSISTENCY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 156

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BY: SENATOR BRYLES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A CHARITABLE ORGANIZATION SOLICITING FUNDS TO DISCLOSE ITS ADDRESS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 174

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BY: SENATORS WILKINSON, ALTES

BY: REPRESENTATIVE WALTERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PREVENT THE INTERNATIONAL ABDUCTION OF CHILDREN BY THEIR PARENTS; 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.

SENATE BILL NO. 193

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BY: SENATOR MILLER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE MEMBERSHIP OF THE PUBLIC ELEMENTARY AND SECONDARY SCHOOL INSURANCE PROGRAM AND PUBLIC SCHOOL MOTOR VEHICLE INSURANCE PROGRAM ADVISORY COMMITTEE; AND FOR OTHER PURPOSES.

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

Upon motion of Representative J. Hutchinson, the House adjourned at 4:09 p.m. until 1:30 p.m. Wednesday, February 2, 2005.

ATTEST:

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

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Jo Renshaw  
Chief Clerk

