

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

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Little Rock, Arkansas

February 3, 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.

Total .....100

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

Total .....0

A quorum was present.

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 3, 2005  
 EDUCATION JOYCE ELLIOTT  
 CHAIRPERSON  
 HOUSE BILL NO. 1196 DO PASS, AS AMENDED #1  
 BY REPRESENTATIVE HARRIS

COMMITTEE REPORT

February 3, 2005  
 JUDICIARY JOHN PAUL VERKAMP  
 CHAIRPERSON  
 HOUSE BILL NO. 1332 DO PASS  
 BY REPRESENTATIVE WALTERS  
 SENATE BILL NO. 42 DO PASS  
 BY SENATOR HIGGINBOTHOM

COMMITTEE REPORT

February 3, 2005  
 PUBLIC TRANSPORTATION JOHNNIE BOLIN  
 CHAIRPERSON  
 HOUSE BILL NO. 1300 DO PASS  
 BY REPRESENTATIVE CHILDERS

COMMITTEE REPORT

February 3, 2005  
 JOINT BUDGET COMMITTEE SAM LEDBETTER  
 CHAIRPERSON  
 HOUSE BILL NO. 1035 DO PASS  
 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1038 DO PASS  
 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1039 DO PASS  
 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1040 DO PASS  
 BY JOINT BUDGET COMMITTEE  
 HOUSE BILL NO. 1046 DO PASS  
 BY JOINT BUDGET COMMITTEE

COMMITTEE REPORT ON JOINT BUDGET, CONTINUED

HOUSE BILL NO. 1048 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1087 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1090 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1095 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1098 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1099 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1267 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1269 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1270 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1272 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1273 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1274 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1275 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1277 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1278 DO PASS

BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1286 DO PASS

BY REPRESENTATIVE M. MARTIN

BY SENATOR WHITAKER

HOUSE BILL NO. 1291 DO PASS

BY REPRESENTATIVE WALTERS

BY SENATOR WILKINSON

COMMITTEE REPORT ON JOINT BUDGET, CONTINUED

HOUSE BILL NO. 1302	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1304	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1305	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1307	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1327	DO PASS
BY REPRESENTATIVE SCROGGIN	
BY SENATOR BAKER	
HOUSE BILL NO. 1328	DO PASS
BY REPRESENTATIVE SCROGGIN	
HOUSE BILL NO. 1329	DO PASS
BY REPRESENTATIVE SCROGGIN	
BY SENATOR BAKER	
HOUSE BILL NO. 1330	DO PASS
BY REPRESENTATIVE SCROGGIN	
BY SENATOR BAKER	
HOUSE BILL NO. 1337	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1341	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1342	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1345	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1347	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1350	DO PASS
BY REPRESENTATIVE ADAMS	
HOUSE BILL NO. 1351	DO PASS
BY REPRESENTATIVE BOLIN	
BY SENATOR J. JEFFRESS, ET AL	
HOUSE BILL NO. 1352	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative Verkamp, **HOUSE BILL NO. 1139** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1139**

Amend **HOUSE BILL NO. 1139** as originally introduced:

Page 1, delete lines 9 through 12 and substitute the following:

“AN ACT CONCERNING THE PRESENCE OF ATTORNEYS AT EXECUTIVE SESSIONS OF PUBLIC MEETINGS; AND FOR OTHER PURPOSES.”  
AND

Page 1, delete lines 15 through 17 and substitute the following:

“AN ACT CONCERNING THE PRESENCE OF ATTORNEYS AT EXECUTIVE SESSIONS OF PUBLIC MEETINGS.”  
AND

Page 2, delete lines 4 through 6 and substitute the following:

“(C) A city attorney, county attorney, or an attorney employed by a municipality, county, or school district to represent its interests may be present at the executive session when so requested by the municipality, county, or school district holding the executive session.”

/s/ John Paul Verkamp

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. 1182** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1182

Amend **HOUSE BILL NO. 1182** as originally introduced:

Page 2, line 5, delete "minimum" and substitute "maximum"

/s/ John Paul Verkamp

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thompson, **HOUSE BILL NO. 1289** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1289

Amend **HOUSE BILL NO. 1289** as originally introduced:

Delete SECTION 3 entirely

AND

If appropriate, renumber the remaining sections of the bill

/s/ Robert Thompson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Childers, **HOUSE BILL NO. 1264** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1264**

Amend **HOUSE BILL NO. 1264** as originally introduced:

Page 4, delete lines 2 through 5 and substitute the following:

“(10)(A) Perform pre-employment state criminal background checks through the Arkansas State Police and pre-employment federal criminal background checks through the Federal Bureau of Investigation.

(B) The federal background check shall include taking fingerprints of the applicant.

(C) The applicant shall sign a release authorizing the Arkansas State Police and the Federal Bureau of Investigation to disclose criminal history information about the applicant to the State Bank Department.

(D) The department shall treat the information as confidential and shall only disclose the information to the applicant.”

AND

Page 4, delete lines 19 through 21 and substitute the following:

“(B)(i) The performance of state criminal background checks through the Arkansas State Police and federal criminal background checks through the Federal Bureau of Investigation.

(ii) The federal background check shall include the taking of fingerprints.

(iii) The background checks shall be used to determine the applicant’s fitness to participate in the affairs of a state bank.”

/s/ Marvin Childers

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative McDaniel, **HOUSE BILL NO. 1326** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1326

Amend **HOUSE BILL NO. 1326** as originally introduced:

Page 1, delete lines 12 and 13, and substitute the following:

"CHIEF; TO ALLOW THE"

AND

Page 1, delete lines 19 through 23, and substitute the following:

"FOR THE STATE CAPITOL POLICE; AND TO CREATE THE CLASSIFICATION OF STATE CAPITOL POLICE ASSISTANT CHIEF."

AND

Delete SECTION 4 in its entirety and appropriately renumber the sections of the bill.

/s/ Dustin McDaniel

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wood, **HOUSE BILL NO. 1204** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1204

Amend **HOUSE BILL NO. 1204** as originally introduced:

Delete the title in its entirety and substitute:

"AN ACT TO PROVIDE EDUCATION COURSE CREDIT FOR PARTICIPATION IN THE ARKANSAS NATIONAL GUARD OR RESERVES; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO PROVIDE EDUCATION COURSE CREDIT FOR PARTICIPATION IN THE ARKANSAS NATIONAL GUARD OR RESERVES."

AND

Page 1, line 23, delete "Organized sports credit." and substitute "Arkansas National Guard or Reserves credit."

AND

Page 1, delete lines 24 through 29, and substitute the following:

"(a) Beginning in the 2005-2006 school year and each year thereafter, a student in grades ten through twelve (10-12) who is a member of the Arkansas National Guard or Reserves during the summer immediately preceding his or her senior year and who successfully completes the requirements of basic combat training shall be awarded, at the discretion of the student, either:

(1) One-half (1/2) unit of physical education credit and one-half unit (1/2) of health and safety education toward graduation requirements; or

(2) One (1) unit of credit to apply as an elective credit toward graduation requirements."

AND

Page 1, line 32, delete "oral communications credit or one" and substitute "of elective credit or career and technical education credit, at the student's discretion,"

AND

Page 1, line 33, delete "(1) unit fine arts credit" entirely

AND

If appropriate, renumber the remaining sections of the bill

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1285** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1285

Amend **HOUSE BILL NO. 1285** as originally introduced:

Page 1, delete line 22, and substitute the following:

"The common law "doctrine of necessities", as it relates to the liability of one (1) spouse for the other spouse's debts, is abolished, and no spouse"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 1354** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1354

Amend **HOUSE BILL NO. 1354** as originally introduced:

Page 1, delete line 30, and substitute the following:

~~"the authorization of that person, he or she~~ accesses, obtains, records, or submits to a financial"

/s/ David Johnson

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. 1290** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1290**

Amend **HOUSE BILL NO. 1290** as originally introduced:

Page 1, line 28 delete "~~(1)~~" and substitute "(1)"

AND

Page 1, delete lines 31 through 36 and substitute the following:

"(2)(A) However, in the case of ~~endorsed or guaranteed~~ obligations on consumer loans which are endorsed without recourse, ~~if the financial responsibility of the primary debtor is reasonably adequate, and if an officer of the state bank designated by the board of directors for that purpose certifies in writing that the liability of the primary debtor has been evaluated and that the bank is relying primarily on such primary debtor for payment,~~ the twenty percent (20%) limitation shall be applied to each primary debtor but not to the liability, in such capacity, of the endorser ~~or guarantor~~.

(B) "Consumer loans" for the purpose of this section shall be considered to be credit extended to a natural person in which the money is to be used primarily for personal, family, or household purposes."

AND

Page 2, delete lines 1 through 5

/s/ John Paul Verkamp

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Borhauer, **HOUSE JOINT RESOLUTION NO. 1003** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION NO. 1003**

Amend **HOUSE JOINT RESOLUTION NO. 1003** as originally introduced:  
Add Representatives Jackson and Mahony as cosponsors 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

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BILL H. STOVALL, III, CHAIRMAN

February 3, 2005

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1070 - TITLE - BY REPRESENTATIVE BORHAUER  
 HOUSE BILL NO. 1139 - TITLE - BY REPRESENTATIVE VERKAMP  
 HOUSE BILL NO. 1182 BY REPRESENTATIVE VERKAMP  
 HOUSE BILL NO. 1204 - TITLE - BY REPRESENTATIVE WOOD  
 HOUSE BILL NO. 1264 BY REPRESENTATIVE CHILDERS  
 HOUSE BILL NO. 1285 BY REPRESENTATIVE THYER  
 HOUSE BILL NO. 1289 BY REPRESENTATIVE THOMPSON  
 HOUSE BILL NO. 1290 BY REPRESENTATIVE VERKAMP  
 HOUSE BILL NO. 1326 - TITLE - BY REPRESENTATIVE MCDANIEL  
 HOUSE BILL NO. 1354 BY REPRESENTATIVE D. JOHNSON  
 HOUSE JOINT RESOLUTION NO. 1003 - TITLE - BY REPRESENTATIVE  
 BORHAUER

HOUSE BILL ENGROSSED AS TITLE AMENDED  
 HOUSE BILL NO. 1070

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BY: REPRESENTATIVE BORHAUER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH AS PRIMA FACIE EVIDENCE THAT THE DRIVER OF A *VEHICLE* IS RESPONSIBLE FOR LITTER BLOWING OR FALLING ONTO THE ROADWAY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
 HOUSE BILL NO. 1139

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BY: REPRESENTATIVE VERKAMP

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CONCERNING THE PRESENCE OF ATTORNEYS AT EXECUTIVE SESSIONS OF PUBLIC MEETINGS; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1204

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BY: REPRESENTATIVE WOOD

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PROVIDE EDUCATION COURSE CREDIT FOR PARTICIPATION IN THE ARKANSAS NATIONAL GUARD OR RESERVES; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1326

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BY: REPRESENTATIVE MCDANIEL

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PROVIDE STATEWIDE AUTHORITY FOR THE STATE CAPITOL POLICE; TO CREATE THE CLASSIFICATION OF STATE CAPITOL POLICE ASSISTANT CHIEF; TO ALLOW THE AWARD OF AN OFFICER'S PISTOL UPON RETIREMENT; AND FOR OTHER PURPOSES.*

HOUSE JOINT RESOLUTION ENGROSSED AS TITLE AMENDED  
HOUSE JOINT RESOLUTION NO. 1003

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BY: REPRESENTATIVES BORHAUER, WALTERS, PETRUS, SAUNDERS,  
COOK, DAVIS, BLAIR, JACKSON, MAHONY

A BILL FOR AN ACT TO BE ENTITLED *FOR A PROPOSED AMENDMENT TO THE ARKANSAS CONSTITUTION TO ALLOW BINGO TO BE CONDUCTED BY CHARITABLE ORGANIZATIONS; TO AUTHORIZE THE GENERAL ASSEMBLY TO ADOPT LAW CONCERNING THE LICENSURE, REGULATION, OR TAXATION OF BINGO.*

HOUSE RESOLUTION NO.1003

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BY: REPRESENTATIVE W. LEWELLEN

CONGRATULATING THE 2004 STATE HIGH SCHOOL AAAAA FOOTBALL CHAMPION LITTLE ROCK CENTRAL TIGERS ON THEIR SECOND CONSECUTIVE AAAAA CHAMPIONSHIP.

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

HOUSE CONCURRENT RESOLUTION NO.1006

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BY: REPRESENTATIVE ROEBUCK

TO ENCOURAGE ALL STATE AGENCIES, BOARDS, AND COMMISSIONS THAT REGULATE OCCUPATIONS AND PROFESSIONS TO EXTEND LENIENCY TO LICENSE HOLDERS, CERTIFICATE HOLDERS, AND REGISTRANTS WHO ARE ACTIVATED MEMBERS OF THE ARKANSAS NATIONAL GUARD AND RESERVES.

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

Morning Hour Expired.

HOUSE BILL NO. 1309

BY: REPRESENTATIVE KEY

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, 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.

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Blair, Mr. Speaker.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast .....98

Total number voting in the affirmative .....98

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

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

Representative Borhauer moved that the record by which **HOUSE BILL NO. 1070 AMENDMENT #1** be expunged from the record, which motion prevailed by more than 67 votes.

AFFIRMATIVE: Abernathy, Adams, Adcock, Anderson, Berry, Blair, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Burris, Chesterfield, Childers, Clemons, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, Everett, Fite, George, Glidewell, Goss, 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, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....93

NEGATIVE: Flowers, Green, Ragland, Sample.

Total .....4

ABSENT OR NOT VOTING: Bright, Mr. Speaker.

Total .....2

VOTING PRESENT: L. Evans.

Total .....1

Total number of votes cast.....98

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

Necessary to the adoption of the motion.....67

So the Motion was adopted.

Upon motion of Representative Borhauer, **HOUSE BILL NO. 1070** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 2 TO HOUSE BILL NO. 1070**

Amend **HOUSE BILL NO. 1070** as originally introduced:

Page 1, line 10, delete "AN OPEN BED PICKUP TRUCK" and substitute "A VEHICLE"

AND

Page 1, line 16, delete "AN OPEN BED PICKUP" and substitute "A VEHICLE"

AND

Page 1, line 17, delete "TRUCK"

AND

Page 1, line 30, delete "that is a pickup truck"

AND

Page 1, line 31, delete "open bed of a pickup" and substitute "vehicle."

AND

Page 1, line 32, delete "truck."

AND

Page 1, line 34, delete "pickup truck." and substitute "vehicle."

/s/ Shirley Borhauer

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 1209

BY: REPRESENTATIVE THOMASON

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, 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, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Sumpter, Mr. Speaker.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast.....98

Total number voting in the affirmative .....98

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. 1209**, 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, 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, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Sumpster, Mr. Speaker.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast .....98

Total number voting in the affirmative .....98

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1233

BY: REPRESENTATIVE SULLIVAN

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, 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, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Wills, Wood, Wyatt.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Bolin, L. Smith, Willis, 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. 1216

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BY: REPRESENTATIVE MALOCH

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, 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, Wills, Wood, Wyatt.

Total .....96

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Chesterfield, Childers, Willis, 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. 1297

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**BY: REPRESENTATIVE CHILDERS**

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, Mr. Speaker.

Total .....	100
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING:	
Total .....	0
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	100
Total number voting in the affirmative .....	100
Necessary to the passage of the bill .....	51

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

HOUSE BILL NO. 1323

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**BY: REPRESENTATIVE EDWARDS**

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, 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.

Total .....98

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Chesterfield, Mr. Speaker.

Total .....2

VOTING PRESENT:

Total .....0

Total number of votes cast .....98

Total number voting in the affirmative .....98

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.

HOUSE BILL NO. 1287

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**BY: REPRESENTATIVE PYLE**

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, Blount, Bolin, Bond, Borhauer, Boyd, Bradford, Bright, Burris, 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, Wills, Wood, Wyatt.

Total .....	96
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: Blair, Chesterfield, Willis, 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. 1119

BY: REPRESENTATIVE ADAMS

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, Bolin, Borhauer, Boyd, Bright, Burris, Childers, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dunn, D. Evans, L. Evans, Everett, Fite, George, Glidewell, Green, Hardwick, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jeffrey, Kenney, Key, Kidd, Lamoureux, Lewellen, Mack, Maloch, J. Martin, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Schulte, Scroggin, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Wills, Wood, Wyatt.

Total .....78

NEGATIVE: Blair, Blount, Bond, Bradford, Elliott, Hardy, Jackson, D. Johnson, J. Johnson, Ledbetter, Mahony, Saunders, L. Smith.

Total .....13

ABSENT OR NOT VOTING: Chesterfield, Dobbins, Edwards, Pickett, Willis, Mr. Speaker.

Total .....6

VOTING PRESENT: Clemons, Flowers, Goss.

Total .....3

Total number of votes cast.....94

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

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

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

Upon motion of Representative Adams the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1119**, 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, Bolin, Borhauer, Boyd, Bright, Burris, Childers, Cook, Cooper, Cowling, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dunn, D. Evans, L. Evans, Everett, Fite, George, Glidewell, Green, Hardwick, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jeffrey, Kenney, Key, Kidd, Lamoureux, Lewellen, Mack, Maloch, J. Martin, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Prater, Pritchard, Pyle, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Schulte, Scroggin, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Wills, Wood, Wyatt.

Total .....78

NEGATIVE: Blair, Blount, Bond, Bradford, Elliott, Hardy, Jackson, D. Johnson, J. Johnson, Ledbetter, Mahony, Saunders, L. Smith.

Total .....13

ABSENT OR NOT VOTING: Chesterfield, Dobbins, Edwards, Pickett, Willis, Mr. Speaker.

Total .....6

VOTING PRESENT: Clemons, Flowers, Goss.

Total .....3

Total number of votes cast.....94

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

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

So the Emergency Clause was adopted.

Upon motion of Representative Adams the Clincher motion prevailed.

HOUSE BILL NO. 1308

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BY: REPRESENTATIVE KEY

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, 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, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Wills, Wood, Wyatt.

Total .....95

NEGATIVE: L. Smith.

Total .....1

ABSENT OR NOT VOTING: Bolin, Chesterfield, Willis, Mr. Speaker.

Total .....4

VOTING PRESENT:

Total .....0

Total number of votes cast .....96

Total number voting in the affirmative .....95

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

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

SENATE BILL NO. 126

BY: SENATOR J. TAYLOR

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.

Total .....99

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Mr. Speaker.

Total .....1

VOTING PRESENT:

Total .....0

Total number of votes cast.....99

Total number voting in the affirmative .....99

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

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

SENATE BILL NO. 70

BY: SENATOR LUKER

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, Everett, Fite, George, Glidewell, Goss, Green, Hardwick, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, D. Johnson, J. Johnson, Kidd, Ledbetter, Lewellen, Mack, Mahony, Maloch, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Overbey, Pate, Petrus, Pickett, Prater, Ragland, Rainey, Rankin, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Walters, Wells, Willis, Wills, Wyatt.

Total .....82

NEGATIVE: Bolin, Flowers, Kenney, J. Martin, Ormond, Pace, Pritchard, Pyle, Schulte, Thyer, Wood.

Total .....11

ABSENT OR NOT VOTING: L. Evans, Hardy, Key, Lamoureux, Scroggin, Verkamp, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....93

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.

Upon motion of Representative Pate the Clincher motion prevailed.

SENATE BILL NO. 72

BY: SENATOR MADISON

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, Walters, Wells, Wills, Wood, Wyatt.

Total .....97

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Verkamp, Willis, Mr. Speaker.

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.

The House stood in recess at 2:23 p.m. for further reading of the bills.

The House reconvened at 3:58 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

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HOUSE BILL NO. 1119 BY REPRESENTATIVE ADAMS  
 HOUSE BILL NO. 1205 BY REPRESENTATIVE ROSENBAUM  
 HOUSE BILL NO. 1209 BY REPRESENTATIVE THOMASON  
 HOUSE BILL NO. 1216 BY REPRESENTATIVE MALOCH  
 HOUSE BILL NO. 1233 BY REPRESENTATIVE SULLIVAN  
 HOUSE BILL NO. 1287 BY REPRESENTATIVE PYLE  
 HOUSE BILL NO. 1297 BY REPRESENTATIVE CHILDERS  
 HOUSE BILL NO. 1308 BY REPRESENTATIVE KEY  
 HOUSE BILL NO. 1309 BY REPRESENTATIVE KEY  
 HOUSE BILL NO. 1323 BY REPRESENTATIVE EDWARDS

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

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SENATE BILL NO. 70 BY SENATOR LUKER  
 SENATE BILL NO. 72 BY SENATOR MADISON  
 SENATE BILL NO. 126 BY SENATOR J. TAYLOR

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND  
 ORDERED TRANSMITTED TO THE SENATE

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HOUSE CONCURRENT  
 RESOLUTION NO. 1006 BY REPRESENTATIVE ROEBUCK

ARKANSAS SENATE  
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

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HOUSE BILL NO. 1068	BY REPRESENTATIVE BORHAUER
HOUSE BILL NO. 1077	BY REPRESENTATIVE JACKSON
HOUSE BILL NO. 1154	BY REPRESENTATIVE SAUNDERS

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

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SENATE BILL NO. 109	BY SENATOR MALONE
SENATE BILL NO. 146	BY SENATOR J. BOOKOUT
SENATE BILL NO. 168	BY SENATOR MADISON
SENATE BILL NO. 208	BY SENATOR HILL
SENATE BILL NO. 233	BY SENATOR B. JOHNSON

ARKANSAS SENATE  
SENATE CONCURRENT MEMORIAL RESOLUTIONS  
RECEIVED FROM SENATE

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SENATE CONCURRENT MEMORIAL RESOLUTION NO. 2	BY SENATOR LAVERTY
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ENROLLED AND DELIVERY TO GOVERNOR REPORTS

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Little Rock, Arkansas

February 3, 2005

MR. SPEAKER:

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

HOUSE BILL NO. 1068 BY REPRESENTATIVE BORHAUER

HOUSE BILL NO. 1077 BY REPRESENTATIVE JACKSON

HOUSE BILL NO. 1154 BY REPRESENTATIVE SAUNDERS, ET AL

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 1:54 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Bill H. Stovall, III

Chairman

RECEIPT FROM THE GOVERNOR

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RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1068 BY REPRESENTATIVE BORHAUER

HOUSE BILL NO. 1077 BY REPRESENTATIVE JACKSON

HOUSE BILL NO. 1154 BY REPRESENTATIVE SAUNDERS, ET AL

/s/ Mike Huckabee - Governor

TIME: 1:54 p.m.

By: Kerry Baldwin

HOUSE BILL NO. 1387

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BY: REPRESENTATIVES DAVENPORT, NORTON, GEORGE, KEY, KIDD,  
OVERBEY, RAGLAND

BY: SENATORS LAVERTY, ALTES, WOMACK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE §§ 15-20-1003 AND 15-20-1104 TO REMOVE PORTIONS OF THE UPPER WHITE RIVER WATERSHED FROM NUTRIENT SURPLUS AREA DESIGNATION; 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.

HOUSE BILL NO. 1388

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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 STATE MILITARY DEPARTMENT; 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. 1389

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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 DEPARTMENT OF PARKS AND TOURISM - ARKANSAS HISTORY 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. 1390

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**BY: REPRESENTATIVE ORMOND**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OF TOBACCO PRODUCTS; TO PROHIBIT THE USE OF TOBACCO PRODUCTS IN PUBLIC; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1391

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**BY: REPRESENTATIVES OVERBEY, BOLIN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE DAMAGE LIMIT FOR REPORTING ACCIDENTS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; 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. 1392

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**BY: REPRESENTATIVES BRIGHT, WOOD, BORHAUER, S. PRATER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT RELATING TO LONG-TERM CARE; CREATING THE RESIDENT CARE MONITORING ACT; ESTABLISHING AUTHORIZATION AND USE OF MONITORING DEVICES; PROVIDING FOR WAIVERS; PROVIDING FOR ENFORCEMENT AND PENALTIES; 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. 1393

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BY: REPRESENTATIVES THYER, ABERNATHY, ADAMS, ADCOCK, ANDERSON, BERRY, BLAIR, BLOUNT, BOLIN, BOND, BORHAUER, BOYD, BRIGHT, BURRIS, CHESTERFIELD, CHILDERS, CLEMONS, COOK, COOPER, COWLING, D. CREEKMORE, DANGEAU, DAVENPORT, DAVIS, DICKINSON, DOBBINS, DUNN, EDWARDS, D. EVANS, L. EVANS, EVERETT, FITE, GEORGE, GLIDEWELL, GOSS, R. GREEN, HARDWICK, HARDY, HARRELSON, J. HUTCHINSON, T. HUTCHINSON, JEFFREY, J. JOHNSON, KENNEY, KEY, KIDD, W. LEWELLEN, MACK, MALOCH, J MARTIN, M. MARTIN, MATAYO, MAXWELL, MCDANIEL, MEDLEY, NICHOLS, NORTON, ORMOND, OVERBEY, PACE, PETRUS, S. PRATER, PRITCHARD, PYLE, RAGLAND, RAINEY, RANKIN, REEP, ROEBUCK, ROGERS, ROSENBAUM, SAMPLE, SAUNDERS, SCHULTE, SCROGGIN, L. SMITH, STOVALL, SULLIVAN, SUMPTER, THOMASON, THOMPSON, VERKAMP, WALTERS, WELLS, WILLIS, WILLS, WOOD, WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE GIFT OF LIFE ACT THAT WILL ALLOW FOR A DEDUCTION FROM INDIVIDUAL INCOME TAX FOR ORGAN DONATION; 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. 1394

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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 UNIVERSITY OF ARKANSAS - FORT SMITH 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. 1395

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BY: REPRESENTATIVE BURRIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENCOURAGE PROFESSIONAL DEVELOPMENT BY ALLOWING CREDIT FOR TEACHERS TAKING COLLEGE COURSES; 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. 1396

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BY: REPRESENTATIVE LAMOUREUX

BY: SENATOR BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A "GROWTH POOL" OF POSITIONS FOR PUBLIC UNIVERSITIES IN ARKANSAS; 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. 1397

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BY: REPRESENTATIVE BRIGHT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS STATE CRIMINAL RECORDS ACT TO ALLOW ACCESS TO CRIMINAL HISTORY INFORMATION BY QUALIFIED THIRD PARTY VENDORS, INCLUDING, BUT NOT LIMITED TO, BACKGROUND CHECKS FOR LONG TERM CARE FACILITIES, HOME HEALTH SERVICES, INDIVIDUALS OR ENTITIES WORKING FOR THE ARKANSAS DEPARTMENT OF HUMAN SERVICES, AND EMPLOYEES OF PUBLIC SCHOOL SYSTEMS; 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. 1398**

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**BY: REPRESENTATIVE BRIGHT**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW TO AUTHORIZE CRIMINAL BACKGROUND CHECKS FOR EMPLOYMENT OR LICENSURE, AS REQUIRED BY ARKANSAS LAW, BY QUALIFIED THIRD-PARTY VENDORS, INCLUDING, BUT NOT LIMITED TO, BACKGROUND CHECKS FOR LONG-TERM CARE FACILITIES, HOME HEALTH SERVICES, INDIVIDUALS OR ENTITIES WORKING FOR THE ARKANSAS DEPARTMENT OF HUMAN SERVICES, AND EMPLOYEES OF PUBLIC SCHOOL SYSTEMS; 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. 1399**

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**BY: REPRESENTATIVE MAHONY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR A TEACHER-MENTOR PROGRAM; AND FOR OTHER PURPOSES.

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

**HOUSE RESOLUTION NO.1004**

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**BY: REPRESENTATIVE MAHONY**

A RESOLUTION REQUESTING THAT THE ARKANSAS CONGRESSIONAL DELEGATION URGE THE CENTERS FOR MEDICARE AND MEDICAID SERVICES OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REPEAL THE REQUIREMENT THAT A STATE-LICENSED SPEECH PATHOLOGIST HOLD NATIONAL CERTIFICATION OR BE IN THE PROCESS OF APPLYING FOR NATIONAL CERTIFICATION IN ORDER TO BILL MEDICAID FOR SERVICES RENDERED.

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

HOUSE RESOLUTION NO. 1005

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BY: REPRESENTATIVE BLAIR

A BILL FOR AN ACT TO BE ENTITLED REAFFIRMING THE STATE OF ARKANSAS' SUPPORT OF THE PRINCIPLE OF SEPARATION OF CHURCH AND STATE.

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

HOUSE JOINT RESOLUTION NO. 1004

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BY: REPRESENTATIVE BLAIR

A BILL FOR AN ACT TO BE ENTITLED PROPOSING AN AMENDMENT TO SECTION 14 OF ARTICLE 19 OF THE ARKANSAS CONSTITUTION TO AUTHORIZE THE GENERAL ASSEMBLY TO ESTABLISH A STATE LOTTERY TO HELP FUND PUBLIC SCHOOL FACILITIES FOR GRADES KINDERGARTEN THROUGH TWELVE (K-12).

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

SENATE BILL NO. 109

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BY: SENATORS MALONE, ALTES, ARGUE, BISBEE, J. BOOKOUT, BROADWAY, BRYLES, CAPPS, FARIS, GLOVER, HIGGINBOTHOM, HORN, HENDREN, HILL, G. JEFFRESS, J. JEFFRESS, B. JOHNSON, LAVERTY, MILLER, SALMON, T. SMITH, STEELE, J. TAYLOR, TRUSTY, WHITAKER, WILKINSON, WOMACK, WOOLDRIDGE

BY: REPRESENTATIVES STOVALL, J. JOHNSON, HARDWICK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CONTROL THE DISTRIBUTION OF CERTAIN PRECURSOR INGREDIENTS UTILIZED TO MANUFACTURE METHAMPHETAMINE; TO CLASSIFY EPHEDRINE COMBINATION PRODUCTS, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE AS SCHEDULE V CONTROLLED SUBSTANCES; TO CREATE OFFENSES REGARDING THE SALE AND PURCHASE OF EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE; 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. 146

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BY: SENATOR J. BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE MEDICAL PRACTICES ACT AND RELATED STATUTES; TO INCREASE THE PENALTY FOR RENEWAL OF DELINQUENT MEDICAL LICENSES; 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. 168

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BY: SENATOR MADISON

BY: REPRESENTATIVES L. SMITH, EDWARDS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW CLASSIFIED EMPLOYEES OF STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING TO RECEIVE COMPENSATION FOR UNUSED SICK LEAVE AT RETIREMENT; 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. 208

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BY: SENATOR HILL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE MILITARY FAMILY RELIEF CHECK-OFF PROGRAM; TO INCLUDE THE MILITARY FAMILY RELIEF CHECK-OFF PROGRAM ON THE ARKANSAS INCOME TAX FORMS; TO CREATE THE MILITARY FAMILY RELIEF TRUST FUND; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 233

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BY: SENATORS B. JOHNSON, FARIS, LAVERTY, HORN, CRITCHER, ALTES, BAKER, BISBEE, J. BOOKOUT, BROADWAY, BRYLES, CAPPS, GLOVER, HIGGINBOTHOM, HILL, HOLT, J. JEFFRESS, MALONE, MILLER, T. SMITH, J. TAYLOR, TRUSTY, WHITAKER, WILKINSON, WOMACK, WOOLDRIDGE

BY: REPRESENTATIVE STOVALL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE COMPREHENSIVE AND UNIFORM INSURANCE REFORM; 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 CONCURRENT MEMORIAL RESOLUTION NO. 2

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BY: SENATORS LAVERTY, WOMACK

BY: REPRESENTATIVES NORTON, DAVENPORT, JACKSON

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF MR. RICHARD HUDSON AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

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.

Upon motion of Representative J. Hutchinson, the House adjourned at 4:00 p.m. until 10:00 a.m. Friday, February 4, 2005.

ATTEST:

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

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Jo Renshaw  
Chief Clerk

