

TWENTY-SIXTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

February 4, 2005

The House was called to order at 10:00 a.m. by Representative Shirley Walters, Assistant Pro Tempore. 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, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, 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, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, Smith, Sullivan, Sumpster, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt, Mr. Speaker.

Total97

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

Cowling, Hardwick, Rankin.3

A quorum was present.

Unanimous leave was granted for Representative(s) Cowling, Hardwick, Rankin.

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 4, 2005
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	BUDDY BLAIR CHAIRPERSON
HOUSE BILL NO. 1141 BY REPRESENTATIVE WOOD	DO PASS, CONCUR IN SENATE AMENDMENT #1
HOUSE BILL NO. 1316 BY REPRESENTATIVE R. GREEN	DO PASS

COMMITTEE REPORT

	February 4, 2005
AGRICULTURE, FORESTRY ECONOMIC DEVELOPMENT	TRAVIS BOYD CHAIRPERSON
HOUSE BILL NO. 1280 BY REPRESENTATIVE PETRUS	DO PASS

COMMITTEE REPORT

	February 4, 2005
CITY, COUNTY AND LOCAL AFFAIRS	WILL BOND CHAIRPERSON
HOUSE BILL NO. 1325 BY REPRESENTATIVE EDWARDS	DO PASS, AS AMENDED #1

COMMITTEE REPORT

	February 4, 2005
INSURANCE AND COMMERCE	DAVID EVANS CHAIRPERSON
HOUSE BILL NO. 1263 BY REPRESENTATIVE CHILDERS	DO PASS
SENATE BILL NO. 193 SENATOR MILLER	DO PASS
SENATE BILL NO. 201 BY SENATOR HIGGINBOTHOM	DO PASS, NON-CONTROVERSIAL

COMMITTEE REPORT

STATE AGENCIES
AND GOVERNMENTAL AFFAIRS
HOUSE BILL NO. 1361
BY REPRESENTATIVE OVERBEY

February 4, 2005
DENNY SUMPTER
CHAIRPERSON
DO PASS

***** EXPUNGED***** 02/07/05*****

Upon motion of Representative Wills, **HOUSE BILL NO. 1318** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1318

Amend **HOUSE BILL NO. 1318** as originally introduced:

Page 1, delete line 36 and substitute the following:

"SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the procedure for accepting military surplus property has changed; that Arkansas law is not currently consistent with the new procedure; that this act is immediately necessary in order to process all military surplus property consistently in accordance with the new procedures. 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/ Robbie Wills

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

/s/ Ms. Jo Renshaw

Chief Clerk

***** EXPUNGED***** 02/07/05*****

Upon motion of Representative McDaniel, **HOUSE BILL NO. 1359** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1359

Amend **HOUSE BILL NO. 1359** as originally introduced:

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

“deposited as follows:

(1) Fifty percent (50%) of the revenues shall be deposited in the State Treasury as special revenues to the credit of the University of Arkansas Fund there to be used for the support of the law school; and

(2) Fifty percent (50%) of the revenues shall be deposited in the State Treasury as special revenues to the credit of the University of Arkansas at Little Rock Fund there to be used for the support of the law school.”

/s/ Dustin McDaniel

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 1196** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1196

Amend **HOUSE BILL NO. 1196** as originally introduced:

Page 1, delete lines 19 through 22 and substitute:

"SECTION 1. Arkansas Code Title 5, Chapter 39, Subchapter 2 is amended to add an additional section to read as follows:

5-39-214. Unauthorized entry of a school bus - Posting of warning on a school bus"

AND

Page 1, line 32, delete "disrupts or interferes with" and substitute "disregards the orders or instructions of"

AND

Page 2, line 9, delete "Causes or attempts" and substitute "Intentionally causes or attempts"

AND

Page 2, line 10, delete "any passenger" and substitute "another person"

AND

Page 2, delete lines 11 through 12, and substitute:

"(5) Recklessly engages in conduct that creates a substantial risk of creating apprehension in any person on the bus."

AND

If appropriate, renumber the remaining sections of the bill.

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Abernathy, **HOUSE BILL NO. 1266** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1266

Amend **HOUSE BILL NO. 1266** as originally introduced:

Add an additional section to read as follows:

"SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that local school boards of directors will be unstable if all members have terms that expire at the same time; that a procedure for members to draw lots will be necessary to avoid the instability; and that this act is immediately necessary because a procedure for drawing lots will need to be in place prior to the 2005 annual school elections. 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."

AND

If appropriate, renumber the remaining sections of the bill.

/s/ Bill Abernathy

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thomason, **HOUSE BILL NO. 1184** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1184

Amend **HOUSE BILL NO. 1184** as originally introduced:

Page 1, delete line 33, and substitute the following:

"(c)(1) A sheriff, or his or her designee, ~~in counties with a population~~"

AND

Page 2, delete line 1, and substitute the following:

"conflict with any court orders.

(2) If a sheriff, or his or her designee, determines that a person convicted and sentenced to the county jail shall serve his or her sentence on electronic monitoring or on weekends, an agreement shall be entered into between the sheriff, or his or her designee, and the convicted person outlining the conditions of the sentence.

(3) If the convicted person fails to follow the conditions of the agreement, the sheriff, or his or her designee, shall have the authority to cancel the agreement and return the convicted person to the county jail, by any lawful means necessary, to serve the sentence."

/s/ Chris Thomason

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. 1005** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1005

Amend **HOUSE BILL NO. 1005** as originally introduced:

Delete the Title of the bill and substitute the following:

“AN ACT CONCERNING THE ADMINISTRATION OF THE BABY SHARON'S CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND; AND FOR OTHER PURPOSES.”

AND

Delete the Subtitle of the bill and substitute the following:

“AN ACT CONCERNING THE ADMINISTRATION OF THE BABY SHARON'S CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND.”

AND

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 26-35-1203(e), concerning Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund, is repealed.

~~(e) Arkansas Children's Hospital shall promulgate all rules and regulations necessary for implementing the grant program for the fund.~~

SECTION 2. Arkansas Code § 26-35-1204 is amended to read as follows:
26-35-1204. Implementation.

~~(a) Arkansas Children's Hospital shall use funds from the Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund to establish the Baby Sharon's Children's Catastrophic Illness Grant Program.~~

~~(b) The hospital shall promulgate rules and regulations to create a grant program that assists families of children with catastrophic illnesses or injuries with medical expenses for which the families are liable.~~

~~(c) The hospital shall consult with the Baby Sharon's Children's Catastrophic Illness Grant Program Advisory Committee concerning:~~

~~(1) Grant applications related to the program; and~~

~~(2) Rules and regulations promulgated by the Department of Finance and Administration for the program.~~

(a) The Baby Sharon's Children's Catastrophic Illness Grant Program Committee shall be responsible for designating recipients of all funds established the by Baby Sharon's Catastrophic Illness Grant Program and the Department of Finance and Administration shall disperse the funds to the recipients.

(b) The Baby Sharon's Children's Catastrophic Illness Grant Program Committee shall annually provide to the Chief Fiscal Officer of the State documentation evidencing that funds have been used in accordance with the purposes of this subchapter.

SECTION 3. Arkansas Code § 26-35-1205 is amended to read as follows:

26-35-1205. ~~Advisory committee~~ Baby Sharon's Children's Catastrophic Illness Grant Program Committee.

(a) There is established an advisory committee to be known as the Baby Sharon's Children's Catastrophic Illness Grant Program ~~Advisory~~ Committee.

(b) The committee shall consist of five (5) members as follows:

(1) One (1) person appointed by the Speaker of the House of Representatives;

(2) One (1) person appointed by the President Pro Tempore of the Senate; and

(3) Three (3) persons appointed by the Governor.

(c) The committee members shall be:

(1) Individuals who have knowledge of children with catastrophic illnesses or injuries; and

(2) Residents of the State of Arkansas at the time of appointment and throughout their terms.

(d)(1) Except for initial appointments, the appointments to the committee shall be for a term of four (4) years.

(2) For initial appointments, the members shall draw lots to determine the length of their terms as follows:

(A) Two (2) members shall have terms of two (2) years;

(B) Two (2) members shall have terms of three (3) years; and

(C) One (1) member shall have a term of four (4) years.

(e) If a vacancy occurs during a term, the Governor shall appoint a replacement for the unexpired term.

(f) The Governor shall designate the chair.

(g)(1) The committee shall meet at times and places as the chair deems necessary, but no meetings shall be held outside the State of Arkansas.

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

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

(h) The committee shall:

~~(1) Consult~~ consult with the Arkansas Children's Hospital concerning grant applications related to the Baby Sharon's Children's Catastrophic Illness Grant Program; ~~and,~~

~~(2) Consult with the hospital concerning rules and regulations that the hospital promulgates for the program.~~

~~(i)(1) The hospital shall provide staff and office space to the committee.~~

~~(2)(A)(1)~~ Members of the committee shall serve without pay.

~~(B)(2)~~ Members of the committee shall not receive expense reimbursement under § 25-16-902.

SECTION 5. Arkansas Code § 19-5-1123 is amended to read as follows:

19-5-1123. Arkansas Children's Catastrophic Illness Grant Program Trust Fund.

(a) There is created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a trust fund to be known as the "Baby Sharon's Children's Catastrophic Illness Grant Program Trust Fund".

(b)(1) All moneys collected under § 26-35-1202 shall be deposited into the State Treasury to the credit of the fund.

(2) The fund shall also consist of any other revenues as may be authorized by law.

(c) The fund shall be used exclusively by the ~~Arkansas Children's Hospital to assist with the medical expenses incurred by the families of children with catastrophic illnesses or injuries by awarding grants to the families who are liable for the medical expenses~~ Baby Sharon's Children's Catastrophic Illness Grant Program Committee for the Baby Sharon's Children's Catastrophic Illness Grant Program.

(d) The Treasurer of State shall credit to the fund the amount certified each quarter in accordance with § 26-35-1203.

(e)(1) The moneys credited to the fund shall be held as trust funds in interest-bearing accounts only.

(2) All interest earned shall be credited to the fund and shall be used only for the purposes of the fund.

(f) All moneys deposited into the fund, all interest earned on deposits, and the fund balance in the fund may be disbursed as appropriated in each fiscal year of the biennium for the Baby Sharon's Children's Catastrophic Illness Grant Program.”

/s/ Jeremy Hutchinson

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. 2 TO HOUSE BILL NO. 1354

Amend **HOUSE BILL NO. 1354** as engrossed, H2/3/05 (version: 02-03-2005 09:00)::
Page 1, delete line 27, and substitute the following:

"to ~~unlawfully appropriate financial resources of another person to~~ create, obtain, or"

/s/ David Johnson

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. 1393** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1393

Amend **HOUSE BILL NO. 1393** as originally introduced:

Page 2, line 24, delete "Jackson Harris." and substitute "Jackson Harris, and Representative Joyce Elliott in the donation of a kidney to her sister, Gloria Elliott."

/s/ Chris Thyer

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. 1241** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1241

Amend **HOUSE BILL NO. 1241** as engrossed, H2/2/05 (version: 02-02-2005 10:06)::
Page 2, delete line 25 and substitute the following:

"order pharmacy;

(6) "Preferred drug list" means a list of:

(A) Drugs listed as preferred drugs by the Arkansas Medicaid Evidence Based Preferred Drug Program for which a rebate is in effect under the Arkansas RX program; and

(B) Drugs that are within pharmaceutical classifications having no listed preferred drug under the Arkansas Medicaid Evidence Based Preferred Drug Program for which a rebate is in effect under the Arkansas RX program; and"

AND

Page 2, delete lines 26 through 36

AND

Page 3, delete line 1 and substitute the following:

"(7) "Qualified resident" means a resident of the state who:

(A) Is enrolled in the program; and

(B)(i) Is sixty-five (65) years of age or older; or

(ii) Has a family income equal to or less than three hundred fifty percent (350%) of the federal poverty level;"

AND

Page 3, line 29 delete "Attorney General" and substitute "director of his or her designee"

AND

Page 3, line 30 delete "rebates." from the end of the line and substitute "rebates and penalties."

/s/ Dustin McDaniel

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

February 4, 2005

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1005 - TITLE - BY REPRESENTATIVE J. HUTCHINSON

HOUSE BILL NO. 1184 BY REPRESENTATIVE THOMASON

HOUSE BILL NO. 1196 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1241 BY REPRESENTATIVE MCDANIEL, ET AL

HOUSE BILL NO. 1266 BY REPRESENTATIVE ABERNATHY, ET AL

HOUSE BILL NO. 1354 BY REPRESENTATIVE D. JOHNSON

HOUSE BILL NO. 1359 BY REPRESENTATIVE MCDANIEL, ET AL

HOUSE BILL NO. 1393 BY REPRESENTATIVE THYER

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1005

BY: REPRESENTATIVE J. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ADMINISTRATION OF THE BABY SHARON'S CHILDREN'S CATASTROPHIC ILLNESS GRANT PROGRAM TRUST FUND; AND FOR OTHER PURPOSES.

HOUSE BILL NO. 1326

BY: REPRESENTATIVE MCDANIEL

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, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, Hardy, Harrelson, Harris, J. Hutchinson, T. Hutchinson, Jackson, Jeffrey, J. Johnson, Kenney, Kidd, Lamoureux, Ledbetter, Lewellen, Mack, Mahony, Maloch, M. Martin, Matayo, Mathis, Maxwell, McDaniel, Medley, Nichols, Norton, Ormond, Overbey, Pace, Pate, Petrus, Pickett, Prater, Pyle, Ragland, Rainey, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total90

NEGATIVE: D. Johnson.

Total1

ABSENT OR NOT VOTING: Bolin, Chesterfield, Cowling, Hardwick, J. Martin, Rankin, Mr. Speaker.

Total7

VOTING PRESENT: Key, Pritchard.

Total2

Total number of votes cast93

Total number voting in the affirmative90

Necessary to the passage of the bill51

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

Morning Hour Expired.

HOUSE BILL NO. 1300

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bolin, Chesterfield, Clemons, Cowling, Hardwick, J. Martin, Overbey, Rankin, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1332

BY: REPRESENTATIVE WALTERS

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, Childers, Clemons, Cook, Cooper, Creekmore, Dangeau, Davenport, Davis, Dickinson, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Green, 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, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Wills, Wood, Wyatt.

Total90

NEGATIVE: Chesterfield, Dobbins.

Total2

ABSENT OR NOT VOTING: Bolin, Burris, Cowling, Goss, Hardwick, Rankin, Willis, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative90

Necessary to the passage of the bill51

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

SENATE BILL NO. 73

BY: SENATOR HILL

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, Chesterfield, Childers, Clemons, Cook, Cooper, Creekmore, Davenport, Davis, Dickinson, Dobbins, Dunn, Edwards, Elliott, D. Evans, L. Evans, Everett, Fite, Flowers, George, Glidewell, Goss, Green, 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, Reep, Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Scroggin, L. Smith, Sullivan, Sumpter, Thomason, Thompson, Thyer, Verkamp, Walters, Wells, Willis, Wills, Wood, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burriss, Cowling, Dangeau, Hardwick, Maxwell, Rankin, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

The House stood in recess at 10:33 a.m. until 4:00 p.m. for further reading of the bills.

The House reconvened at 4:07 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1300	BY REPRESENTATIVE CHILDERS
HOUSE BILL NO. 1326	BY REPRESENTATIVE MCDANIEL
HOUSE BILL NO. 1332	BY REPRESENTATIVE WALTERS

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 73	BY SENATOR HILL, AS AMENDED #1
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HOUSE BILL NO. 1400

BY: REPRESENTATIVES BURRIS, MAHONY, MATAYO
 BY: SENATORS FARIS, J. JEFFRESS, G. JEFFRESS, LAVERTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A PROCESS TO PROVIDE MORE EFFICIENT AND EFFECTIVE TRANSFER OF CREDITS FOR LOWER DIVISION GENERAL EDUCATION COURSES BETWEEN INSTITUTIONS OF HIGHER EDUCATION; 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. 1401

BY: REPRESENTATIVE GOSS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND THE PROBATIONARY PERIOD FOR APPLICANTS FOR LICENSURE AS SOCIAL WORKERS; 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. 1402

BY: REPRESENTATIVE MATHIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MODIFY THE TERM OF A MAYOR IN MAYOR-COUNCIL CITIES OF FIFTY THOUSAND (50,000) OR MORE; 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. 1403

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE BLIND 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. 1404

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE DEAF 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. 1405

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 VETERANS' AFFAIRS; 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. 1406

BY: REPRESENTATIVE T. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE APPOINTMENT OF DISTRICT COURT MAGISTRATES; 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. 1407

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING THE PUTATIVE FATHER REGISTRY; 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. 1408

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING ADOPTION CONSENT AND SUBSIDIZED ADOPTIONS; 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. 1409

BY: REPRESENTATIVE NICHOLS

BY: SENATOR BRYLES

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 LIBRARIES IN POINSETT 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. 1410

BY: REPRESENTATIVE NICHOLS

BY: SENATOR BRYLES

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 THE CITY OF WEINER, ARKANSAS FOR CONSTRUCTION / INSTALLATION OF A STORM OR EARLY WARNING SYSTEM; 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. 1411

BY: REPRESENTATIVE NICHOLS

BY: SENATOR BRYLES

AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR STATE ASSISTANCE FOR COMMUNITY PROJECTS IN POINSETT 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. 1412

BY: REPRESENTATIVE NICHOLS

BY: SENATOR BRYLES

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 MUSEUMS IN POINSETT 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. 1413

BY: REPRESENTATIVE NICHOLS

BY: SENATOR BRYLES

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 FIRE DEPARTMENTS IN POINSETT 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. 1414

BY: REPRESENTATIVE NICHOLS**BY: SENATOR BRYLES**

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 THE CITY OF WALDENBURG, ARKANSAS FOR STREET REPAIR; 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. 1415

BY: REPRESENTATIVE DUNN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE REQUIREMENTS FOR THE CONTRACTUAL REIMBURSEMENT OF FEDERAL TAXES; 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. 1416

BY: REPRESENTATIVE PRITCHARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT DUES AND MEMBERSHIP FEES TO HEALTH SPAS, HEALTH CLUBS, AND FITNESS CLUBS ARE NOT SUBJECT TO ARKANSAS GROSS RECEIPTS TAX; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1417

BY: REPRESENTATIVES PRITCHARD, EDWARDS

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY ARKANSAS LAW CONCERNING EARLY VOTING; 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. 1418

BY: REPRESENTATIVE D. CREEKMORE

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING EXAMINATIONS ADMINISTERED BY THE STATE BOARD OF COSMETOLOGY; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1419

BY: REPRESENTATIVE BOLIN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 26-52-301 TO IMPOSE A GROSS RECEIPTS TAX ON THE SALE OF ADVERTISING SPACE AND TIME INCLUDING NEWSPAPER ADVERTISING SPACE, TELEVISION AND RADIO ADVERTISING TIME, AND BILLBOARD ADVERTISING; TO REPEAL ARKANSAS CODE § 26-52-401(13) TO ELIMINATE THE GROSS RECEIPTS TAX EXEMPTION FOR ADVERTISING SPACE IN NEWSPAPERS AND ON BILLBOARDS; 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. 1420

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 BOARD OF FINANCE FOR RURAL MEDICAL CLINICS; 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. 1421

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 OZARKA COLLEGE 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. 1422

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF ARKANSAS STATE POLICE 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. 1423

BY: REPRESENTATIVES L. SMITH, PRITCHARD, EDWARDS

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VOTER'S PROVISIONAL BALLOT IS NOT COUNTED, THE VOTER MAY FILE A PETITION TO CONTEST THE DENIAL TO COUNT THE VOTE; 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. 1424

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 INFORMATION SYSTEMS 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. 1425

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 COMMUNITY COLLEGE AT HOPE 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. 1426

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE UNIVERSITY - MOUNTAIN HOME 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. 1427

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 COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF ARKANSAS 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. 1428

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION FOR CONSTRUCTION AND RENOVATION OF COUNTY DISTRICT FAIRS; 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. 1429

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS BUILDING AUTHORITY FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, IMPROVEMENT, UPGRADE, AND REPAIR PROJECTS; AND FOR OTHER PURPOSES. AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS BUILDING AUTHORITY FOR MAINTENANCE, RENOVATION, EQUIPPING, CONSTRUCTION, IMPROVEMENT, UPGRADE, AND REPAIR PROJECTS; 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. 1430

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY FOR RESEARCH INFRASTRUCTURE; 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. 1431

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE WAR MEMORIAL STADIUM COMMISSION FOR MAJOR MAINTENANCE AND IMPROVEMENTS; AND FOR OTHER PURPOSES. AN ACT TO MAKE AN APPROPRIATION TO THE WAR MEMORIAL STADIUM COMMISSION FOR MAJOR MAINTENANCE AND IMPROVEMENTS; AND FOR OTHER PURPOSES.

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

HOUSE JOINT RESOLUTION NO. 1005

BY: REPRESENTATIVE FLOWERS

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 ASSIST IN FUNDING EDUCATIONAL PROGRAMS AND PURPOSES IN THE STATE OF ARKANSAS; TO CREATE THE ARKANSAS EDUCATION LOTTERY TRUST FUND FOR NET PROCEEDS OF A STATE LOTTERY OR LOTTERIES; TO AUTHORIZE THE GENERAL ASSEMBLY TO PROVIDE THAT GAMES OF BINGO CONDUCTED BY NONPROFIT ORGANIZATIONS FOR CHARITABLE PURPOSES ARE NOT LOTTERIES UNDER THE ARKANSAS CONSTITUTION; 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 4:12 p.m. until 1:30 p.m., Monday, February 7, 2005.

ATTEST:

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

Jo Renshaw
Chief Clerk