

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

Little Rock, Arkansas
February 20,2009

The House was called to order at 10:00 a.m. by Mr. Wills, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Baird, Baker, Barnett, Betts, Blount, Bradford, Breedlove, Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, Cowling, Creekmore, Dale, Davenport, Davis, Dickinson, Dismang, Dunn, Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, Lewellen, Lindsey, Lovell, Lowery, Maloch, Malone, Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, Roebuck, J. Rogers ,T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, Wilkins, Williams, Woods, Word, Mr. Speaker.

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Pastor Darrell Stayton, St. Alban's Episcopal Church, Stuttgart, 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 20, 2009
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	DAWN CREEKMORE CHAIRPERSON
HOUSE BILL NO. 1440 BY REPRESENTATIVE GLIDEWELL	DO PASS
HOUSE RESOLUTION NO. 1017 BY REPRESENTATIVE REEP	DO PASS
HOUSE RESOLUTION NO. 1018 BY REPRESENTATIVE STEWART	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1008 BY REPRESENTATIVE LEA	DO PASS

COMMITTEE REPORT

	February 20, 2009
AGRICULTURE, FORESTRY AND AND ECONOMIC DEVELOPMENT	ROY RAGLAND CHAIRPERSON
HOUSE BILL NO. 1343 BY REPRESENTATIVE BROWN	DO PASS
HOUSE BILL NO. 1451 BY REPRESENTATIVE HOYT	DO PASS AS AMENDED #1
HOUSE BILL NO. 1483 BY REPRESENTATIVE SAMPLE	DO PASS
HOUSE RESOLUTION NO. 1015 BY REPRESENTATIVE RAGLAND	DO PASS

COMMITTEE REPORT

	February 20, 2009
CITY, COUNTY AND LOCAL AFFAIRS	TOMMY LEE BAKER CHAIRPERSON
HOUSE BILL NO. 1263 BY REPRESENTATIVE HOYT	DO PASS AS AMENDED #1
HOUSE BILL NO. 1393 BY REPRESENTATIVE BAKER	DO PASS

CITY, COUNTY AND LOCAL AFFAIRS, CONTINUED

HOUSE BILL NO. 1430	DO PASS
BY REPRESENTATIVE HOYT	
HOUSE BILL NO. 1435	DO PASS
BY REPRESENTATIVE PYLE	
HOUSE BILL NO. 1442	DO PASS
BY REPRESENTATIVE PYLE	
HOUSE BILL NO. 1467	DO PASS
BY REPRESENTATIVE EVERETT	

COMMITTEE REPORT

	February 20, 2009
INSURANCE AND COMMERCE	EDDIE HAWKINS
	CHAIRPERSON
HOUSE BILL NO. 1362	DO PASS
BY REPRESENTATIVE M. BURRIS	AS AMENDED #3
SENATE BILL NO. 254	DO PASS
BY SENATOR D. JOHNSON	

COMMITTEE REPORT

	February 20, 2009
STATE AGENCIES	EDDIE CHEATHAM
AND GOVERNMENTAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1380	DO PASS
BY REPRESENTATIVE LEA	
HOUSE BILL NO. 1404	DO PASS
BY REPRESENTATIVE WEBB	
HOUSE BILL NO. 1420	DO PASS
BY REPRESENTATIVE SAUNDERS	
HOUSE BILL NO. 1421	DO PASS
BY REPRESENTATIVE SAUNDERS	
HOUSE BILL NO. 1457	DO PASS
BY REPRESENTATIVE INGRAM	

STATE AGENCIES AND GOVERNMENTAL AFFAIRS, CONTINUED

SENATE BILL NO. 60	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 61	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 66	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 71	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 74	DO PASS
BY SENATOR MADISON	

Upon motion of Representative Nix, **HOUSE BILL NO. 1459** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1459

Amend **HOUSE BILL NO. 1459** as originally introduced:

Page 1, line 21, add a new Section 1 to read as follows and renumber subsequent sections accordingly:

"SECTION 1. Arkansas Code 5-65-104(a), concerning the lookback period for seizure, suspension, and revocation of a driver's license, is amended to read as follows:

(a)(1) At the time of arrest for operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight-hundredths (0.08) or more in the person's breath or blood, as provided in § 5-65-103, the arrested person shall immediately surrender his or her license, permit, or other evidence of driving privilege to the arresting law enforcement officer as provided in § 5-65-402.

(2) The Office of Driver Services or its designated official shall suspend or revoke the driving privilege of an arrested person or shall suspend any nonresident driving privilege of an arrested person, as provided in § 5-65-402. The suspension or revocation shall be based on the number of previous offenses as follows:

(A) Suspension for:

(i) One hundred twenty (120) days for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated or

while there was an alcohol concentration of at least eight hundredths (0.08) but less than fifteen hundredths (0.15) by weight of alcohol in the person's blood or breath, § 5-65-103;

(ii) Suspension for six (6) months for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated by the ingestion of or by the use of a controlled substance; and

(iii)(a) Suspension for one hundred eighty (180) days for the first offense of operating or being in actual physical control of a motor vehicle while intoxicated and while there was an alcohol concentration of fifteen hundredths (0.15) or more by weight of alcohol in the person's blood or breath.

(b) However, if the office allows the issuance of an ignition interlock restricted license under § 5-65-118, the ignition interlock restricted license shall be available immediately.

(c) The restricted driving permit provision of § 5-65-120 does not apply to this suspension;

(B)(i) Suspension for twenty-four (24) months for a second offense of operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight hundredths (0.08) or more by weight of alcohol in the person's blood or breath, § 5-65-103, within ~~five (5)~~ ten (10) years of the first offense.

(ii) However, if the office allows the issuance of an ignition interlock restricted license under § 5-65-118, the suspension period for which no restricted license is available is a minimum of one (1) year;

(C)(i) Suspension for thirty (30) months for the third offense of operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight hundredths (0.08) or more by weight of alcohol in the person's blood or breath, § 5-65-103, within ~~five (5)~~ ten (10) years of the first offense.

(ii) However, if the office allows the issuance of an ignition interlock restricted license under § 5-65-118, the suspension period for which no restricted license is available is a minimum of one (1) year; and

(D) Revocation for four (4) years, during which no restricted permits may be issued, for the fourth or subsequent offense of operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight hundredths (0.08) or more by weight of alcohol in the person's blood or breath, § 5-65-103, within ~~five (5)~~ ten (10) years of the first offense.

(3) If a person is a resident who is convicted of driving without a

license or permit to operate a motor vehicle and the underlying basis for the suspension, revocation, or restriction of the license was for a violation of § 5-65-103, in addition to any other penalties provided for under law, the office may restrict the offender to only an ignition interlock restricted license for a period of one (1) year prior to the reinstatement or reissuance of a license or permit after the person would otherwise be eligible for reinstatement or reissuance of the person's license.

(4) In order to determine the number of previous offenses to consider when suspending or revoking the arrested person's driving privileges, the office shall consider as a previous offense any of the following that occurred within the ~~five (5)~~ ten (10) years immediately before the current offense:

(A) Any conviction for an offense of operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight-hundredths (0.08) or more in the person's breath or blood that occurred:

(i) In Arkansas; or

(ii) In another state;

(B) Any suspension or revocation of driving privileges for an arrest for operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of eight-hundredths (0.08) or more in the person's breath or blood under § 5-65-103 when the person was not subsequently acquitted of the criminal charges; or

(C) Any conviction under § 5-76-102 for an offense of operating a motorboat on the waters of this state while intoxicated or while there was an alcohol concentration in the person's breath or blood of eight-hundredths (0.08) or more based upon the definition of breath, blood, and urine concentration in § 5-65-204 or refusing to submit to a chemical test under § 5-76-104 occurring on or after July 31, 2007 when the person was not subsequently acquitted of the criminal charges."

AND

Page 2, delete lines 9 through 11 and substitute:

"(1)(A) For no fewer than seven (7) days but no more than one (1) year for the second offense occurring within ~~five (5)~~ ten (10) years of the first offense or no fewer than thirty (30) days of community service."

AND

Page 4, line 17, add a new section to read as follows:

"SECTION 3. Arkansas Code 5-65-205(b) through (d), concerning the lookback period for refusal to submit, is amended to read as follows:

(b) The Office of Driver Services shall then proceed to suspend or revoke the

driving privilege of the arrested person, as provided in § 5-65-402. The suspension shall be as follows:

(1)(A)(i) Suspension for one hundred eighty (180) days for the first offense of refusing to submit to a chemical test of blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of the person's blood or breath.

(ii) However, if the office allows the issuance of an ignition interlock restricted license under § 5-65-118, the ignition interlock restricted license shall be available immediately.

(iii) The restricted driving permit provision of § 5-65-120 does not apply to this suspension.

(B) The office, in addition to any other penalty, shall deny to that person the issuance of an operator's license until that person has been issued an ignition interlock restricted license for a period of six (6) months;

(2) Suspension for two (2) years, during which no restricted permit may be issued, for a second offense of refusing to submit to a chemical test of blood, breath, or urine for the purposes of determining the alcohol or controlled substance content of the person's blood or breath within ~~five (5)~~ ten (10) years of the first offense;

(3) Revocation for three (3) years, during which no restricted permit may be issued, for the third offense of refusing to submit to a chemical test of blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of the person's blood within ~~five (5)~~ ten (10) years of the first offense; and

(4) Lifetime revocation, during which no restricted permit may be issued, for the fourth or subsequent offense of refusing to submit to a chemical test of blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of the person's blood or breath within ~~five (5)~~ ten (10) years of the first offense.

(c) For any arrest or offense occurring before July 30, 1999, but that has not reached a final disposition as to judgment in court:

(1) The offense shall be decided under the law in effect at the time the offense occurred; and

(2) Any defendant is subject to the penalty provisions in effect at that time and not under the provisions of this section.

(d) In order to determine the number of previous offenses to consider when suspending or revoking the arrested person's driving privileges, the office shall consider as a previous offense any of the following that occurred within the ~~five (5)~~ ten (10) years immediately before the current offense:

(1) Any conviction for an offense of refusing to submit to a chemical test; and

(2) Any suspension or revocation of driving privileges for an arrest for refusing to submit to a chemical test when the person was not subsequently acquitted of the criminal charge."

/s/ Barbara Nix

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Williams, **HOUSE BILL NO. 1479** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1479

Amend **HOUSE BILL NO. 1479** as originally introduced:

Page 1, delete lines 5 through 8 and substitute the following:

"By: Representatives Williams, J. Edwards, Pierce, Adcock, Allen, T. Baker, Barnett, Betts, Blount, J. Brown, Carnine, Carroll, Carter, Cash, Clemmer, Cole, D. Creekmore, Dale, Davis, Dismang, English, Everett, Flowers, Garner, George, Glidewell, Greenberg, Hardy, Harrelson, Hawkins, Hoyt, Hyde, Ingram, Kerr, King, Lea, W. Lewellen, S. Malone, McCrary, McLean, Moore, Nickels, Pennartz, Perry, Powers, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, Sample, Saunders, Slinkard, G. Smith, Summers, Tyler, Wagner, Webb, B. Wilkins, Woods, Word"

AND

Page 1, delete line 9 and substitute the following:

"By: Senators Wilkinson, D. Johnson, Salmon, H. Wilkins"

/s/ Darren Williams

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Moore, **HOUSE BILL NO. 1471** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1471

Amend **HOUSE BILL NO. 1471** as originally introduced:

Page 1, line 12 of the Title, delete "TOURSIM" and substitute "TOURISM"

AND

Page 1, line 18 of the Subtitle, "TOURSIM" and substitute "TOURISM"

AND

Page 2, line 33, delete "income"

AND

Page 4, line 8, delete "Section 4" and substitute "~~section~~ Section 4"

AND

Page 4, line 21, delete "geotoursim-supporting" and substitute "geotourism-supporting"

AND

Page 4, line 24, delete "geotoursim" and substitute "geotourism"

AND

Page 4, line 29, delete "geo-tourism supporting" and substitute "geotourism-supporting"

AND

Page 4, delete line 30, and substitute "business project within the state but not within the Lower Mississippi River Delta."

AND

Page 4, line 32 delete "geotoursim" and substitute "geotourism"

AND

Page 5, delete lines 18 and 19 and substitute the following:

"the geotourism tax credit or until the amount of the geotourism tax credit is exhausted, whichever occurs first.

AND

Page 6, delete line 11 and substitute the following:

~~"SECTION 5. Expiration.~~ SECTION 7. Expiration and effective date."

AND

Page 6, line 12, before the period at the end of the sentence insert the following:

"and is effective for income tax years beginning January 1, 2009"

/s/ Robert Moore

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Shelby, **SENATE BILL NO. 309** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 309

Amend **SENATE BILL NO. 309** as engrossed,

S2/11/09 (version: 02-11-2009 08:52):

Page 4, line 13, delete "5:00 a.m." and substitute "4:00 a.m."

AND

Page 5, line 18, delete "5:00 a.m." and substitute "4:00 a.m."

/s/ Gene Shelley

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. 1480** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1480

Amend **HOUSE BILL NO. 1480** as originally introduced:

Page 6, delete lines 8 - 10 and substitute with "years beginning on or after January 1, 2009."

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Sample, **HOUSE BILL NO. 1358** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1358

Amend **HOUSE BILL NO. 1358** as engrossed,

H2/11/09 (version: 02-11-2009 10:27):

Page 1, line 28, delete "artificial gas or" and substitute "artificial gas, liquid petroleum gas, or"

AND

Page 1, line 31, delete "gas or" and substitute "gas, artificial gas, liquid petroleum gas, or"

AND

Page 1, line 33, delete "gas and" and substitute "gas, artificial gas, liquid petroleum gas, or"

AND

Page 2, line 14, delete "gas and" and substitute "gas, artificial gas, liquid petroleum gas, or"

/s/ Bill Sample

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pennartz, **HOUSE BILL NO. 1060** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 1060

Amend **HOUSE BILL NO. 1060** as engrossed,
H2/17/09 (version: 02-17-2009 10:36):

Add Representative Rainey as a cosponsor of the bill

AND

Page 8, line 6, delete "The date" and substitute "The original issuance date of the investment tax credit and the date"

AND

Page 8, line 11, delete "entitled to" and substitute "entitled for the remaining carry forward period to"

/s/ Tracy Pennartz

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

WILHELMINA LEWELLEN, CHAIRPERSON

February 20, 2009

The following bill(s) reported correctly engrossed:

- HOUSE BILL NO. 1060 - TITLE - BY REPRESENTATIVE PENNARTZ
- HOUSE BILL NO. 1358 - TITLE - BY REPRESENTATIVE SAMPLE
- HOUSE BILL NO. 1369 BY JOINT BUDGET COMMITTEE
- HOUSE BILL NO. 1459 BY REPRESENTATIVE NIX
- HOUSE BILL NO. 1471 - TITLE - BY REPRESENTATIVE MOORE
- HOUSE BILL NO. 1479 - TITLE - BY REPRESENTATIVE WILLIAMS
- HOUSE BILL NO. 1480 BY REPRESENTATIVE MALOCH
- SENATE BILL NO. 309 BY SENATOR J. JEFFRESS

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1060

BY: REPRESENTATIVES PENNARTZ, *R. GREEN, GLIDEWELL, COOK, TYLER, CASH, J. ROEBUCK, J. BURRIS, L. SMITH, WILLIAMS, DUNN, INGRAM, WEBB, BETTS, BREEDLOVE, CARROLL, CLEMMER, ENGLISH, GASKILL, HOUSE, NIX, PERRY, POWERS, SAUNDERS, SLINKARD, WAGNER, S. MALONE, KIDD, KING, LEA, WELLS, PATTERSON, LINDSEY, PYLE, HARRELSON, WOODS, WORD, BARNETT, ADCOCK, HOBBS, HOPPER, L. COWLING, RAINEY*

BY: SENATORS G. BAKER, WILKINSON, ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH AN INVESTMENT TAX CREDIT FOR THE REHABILITATION AND DEVELOPMENT OF CENTRAL BUSINESS IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1358

BY: REPRESENTATIVES SAMPLE, *CARROLL, CLEMMER, DALE, DISMANG, R. GREEN, HOBBS, KERR, MOORE, PYLE, RICE, SUMMERS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE DIRECT RELIEF TO ARKANSAS CONSUMERS BY REDUCING THE STATE SALES TAX ON NATURAL GAS AND ELECTRICITY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1471

BY: REPRESENTATIVES MOORE, BLOUNT, CHEATHAM, DUNN, HALL,
MAXWELL, RAINEY, REEP, T. ROGERS

BY: SENATORS J. JEFFRESS, J. TAYLOR

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE DELTA GEOTOURISM INCENTIVE ACT OF 2007 TO ALLOW A GEOTOURISM INCOME TAX CREDIT TO TRANSFER TO OTHER *TOURISM* PROJECTS; TO ALLOW A GEOTOURISM INCOME TAX CREDIT TO CARRY FORWARD; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1479

BY: *REPRESENTATIVES WILLIAMS, J. EDWARDS, PIERCE, ADCOCK, ALLEN, T. BAKER, BARNETT, BETTS, BLOUNT, J. BROWN, CARNINE, CARROLL, CARTER, CASH, CLEMMER, COLE, D. CREEKMORE, DALE, DAVIS, DISMANG, ENGLISH, EVERETT, FLOWERS, GARNER, GEORGE, GLIDEWELL, GREENBERG, HARDY, HARRELSON, HAWKINS, HOYT, HYDE, INGRAM, KERR, KING, LEA, W. LEWELLEN, S. MALONE, MCCRARY, MCLEAN, MOORE, NICKELS, PENNARTZ, PERRY, POWERS, RAGLAND, RAINEY, REEP, REYNOLDS, RICE, J. ROEBUCK, T. ROGERS, SAMPLE, SAUNDERS, SLINKARD, G. SMITH, SUMMERS, TYLER, WAGNER, WEBB, B. WILKINS, WOODS, WORD*

BY: *SENATORS WILKINSON, D. JOHNSON, SALMON, H. WILKINS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS LAW CONCERNING SCRAP METAL DEALERS; AND FOR OTHER PURPOSES.

Representative Cook moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1034

Amend HOUSE BILL NO. 1034 as engrossed,

H2/6/09 (version: 02-06-2009 10:24):

Page 3, line 6 delete "twelve (12)" and substitute "thirteen (13)"

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Dunn, Sample, L. Smith, Wells.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to concur in the passage of the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Abernathy moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1024

Amend HOUSE BILL NO. 1024 as originally introduced:

Add Senator Broadway as a cosponsor of the bill.

AND

Page 2, delete lines 8 through 10 and substitute the following:

"(b) Compensation for accumulated unused sick leave under this section shall not be used by the:

(1) Arkansas Teacher Retirement System in the calculation of final average salary under § 24-7-202; or

(2) Arkansas Public Employees' Retirement System in the calculation of final average compensation under § 24-4-101."

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	94
NEGATIVE: Clemmer.	
Total	1
ABSENT OR NOT VOTING: Dismang, Garner, Hall, L. Smith.	
Total	4
VOTING PRESENT: Hopper.	
Total	1
Total number of votes cast.....	96
Total number voting in the affirmative	94
Necessary to concur in the amendment.....	51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Blount moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1133

Amend HOUSE BILL NO. 1133 as engrossed,

H1/30/09 (version: 01-30-2009 08:56):

Add Senator Elliott as a cosponsor of the bill

AND

Page 1, delete line 27, and substitute

"(2) Be ~~over sixty-five (65)~~ at least sixty-two (62) years of age; and"

/s/ Joyce Elliott

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

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 Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Morning Hour Expired.

Representative Cowling moved that the House take **HOUSE BILL NO. 1438** off the Calendar. Motion carried.

Representative Rainey moved for immediate consideration of **HOUSE BILL NO. 1111**. Motion carried.

HOUSE BILL NO. 1111

BY: REPRESENTATIVE PENNARTZ

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total90

NEGATIVE: L. Cowling, Hyde, Lovell, Maloch, Sample, Saunders, L. Smith.

Total7

ABSENT OR NOT VOTING: Hall, Lowery, Maxwell.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

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.

Upon motion of Representative Pennartz the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1111**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, S. Malone, M. Martin, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total90

NEGATIVE: L. Cowling, Hyde, Lovell, Maloch, Sample, Saunders, L. Smith.

Total7

ABSENT OR NOT VOTING: Hall, Lowery, Maxwell.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

Upon motion of Representative Pennartz the Clincher motion prevailed.

HOUSE BILL NO. 1316

BY: REPRESENTATIVE T. BAKER

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

AFFIRMATIVE: Abernathy, Allen, T. Baker, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carroll, Cash, Cheatham, Cole, Cook, L. Cowling, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, Everett, Flowers, Gaskill, George, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Kidd, King, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Rainey, Reep, Reynolds, J. Roebuck, T. Rogers, Sample, Saunders, Shelby, G. Smith, L. Smith, Stewart, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Word.

Total68

NEGATIVE: Adcock, Baird, Barnett, J. Burris, Carter, Clemmer, Cooper, D. Creekmore, Dale, Dismang, English, Glidewell, R. Green, Greenberg, Hobbs, Hopper, D. Hutchinson, Kerr, Lea, S. Malone, M. Martin, Rice, J. Rogers, Slinkard, Summers.

Total25

ABSENT OR NOT VOTING: Carnine, Garner, Pyle, Ragland, Woods, Mr. Speaker.

Total6

VOTING PRESENT: Hall.

Total1

Total number of votes cast94

Total number voting in the affirmative.....68

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

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

HOUSE BILL NO. 1493

BY: REPRESENTATIVE OVERBEY

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Pyle, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

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

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

HOUSE BILL NO. 1461

BY: REPRESENTATIVE DAVENPORT

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Creekmore, Hardy, M. Martin, Pennartz, Tyler.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

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.

HOUSE BILL NO. 1460

BY: REPRESENTATIVE DAVENPORT

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	99
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hardy.	
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.

HOUSE BILL NO. 1428

BY: REPRESENTATIVE HOYT

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

AFFIRMATIVE: Abernathy, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Carter, Greenberg, D. Hutchinson.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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. 1429

BY: REPRESENTATIVE HOYT

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, 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. 1416

BY: REPRESENTATIVE REEP

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	99
NEGATIVE: L. Smith.	
Total	1
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	100
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. 121

BY: SENATOR R. THOMPSON

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, Allen, T. Baker, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, Dale, Davis, J. Edwards, Gaskill, George, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Ingram, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, Saunders, Shelby, G. Smith, L. Smith, Tyler, Wagner, Wells, B. Wilkins, Williams.

Total60

NEGATIVE: Adcock, Baird, Barnett, J. Burris, Carter, Clemmer, Dismang, Dunn, English, Flowers, Garner, Glidewell, R. Green, Greenberg, Hall, Hobbs, Hopper, D. Hutchinson, Kerr, King, Lea, S. Malone, M. Martin, Pyle, Ragland, Rice, Sample, Slinkard, Summers, Woods, Word.

Total31

ABSENT OR NOT VOTING: Davenport, J. Dickinson, Everett, T. Rogers, Stewart, Mr. Speaker.

Total6

VOTING PRESENT: D. Creekmore, Nix, Webb.

Total3

Total number of votes cast.....94

Total number voting in the affirmative60

Necessary to the passage of the bill51

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

Upon motion of Representative Hoyt the Clincher motion prevailed.

***** EXPUNGED*****02/25/09*****

There being an Emergency Clause attached to SENATE BILL NO. 121, 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, Allen, T. Baker, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carroll, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, Dale, Davis, J. Edwards, Everett, Gaskill, George, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Ingram, Kidd, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, McCrary, McLean, Moore, Nickels, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Rainey, Reep, Reynolds, J. Roebuck, T. Rogers, Saunders, Shelby, G. Smith, L. Smith, Stewart, Tyler, Wagner, Wells, B. Wilkins, Williams, Word, Mr. Speaker.

Total63

NEGATIVE: Adcock, Baird, Barnett, Carnine, Carter, Clemmer, D. Creekmore, Dismang, Dunn, English, Flowers, Garner, Glidewell, R. Green, Greenberg, Hall, Hobbs, Hopper, Hyde, Kerr, King, Lea, Lindsey, S. Malone, M. Martin, Pyle, Ragland, Rice, Sample, Slinkard, Summers, Woods.

Total32

ABSENT OR NOT VOTING: Davenport, J. Dickinson, J. Rogers.

Total3

VOTING PRESENT: Nix, Webb.

Total2

Total number of votes cast.....97

Total number voting in the affirmative63

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

So the Emergency Clause was not adopted.

***** EXPUNGED*****02/25/09*****

SENATE BILL NO. 303

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, 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.

SENATE BILL NO. 323

BY: SENATOR CAPPS

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hyde.

Total1

VOTING PRESENT: Greenberg.

Total1

Total number of votes cast.....99

Total number voting in the affirmative98

Necessary to the passage of the bill51

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

SENATE BILL NO. 324

BY: SENATOR CAPPs

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, 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.

There being an Emergency Clause attached to **SENATE BILL NO. 324**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, 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 adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Upon motion of Representative Webb, **HOUSE BILL NO. 1369** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1369

Amend **HOUSE BILL NO. 1369** as engrossed,

H2/6/09 (version: 02-02-2009 12:20):

Page 4, line 20, delete "732,900" and substitute "933,977"

AND

Page 4, line 23, delete "\$ 11,123,891" and substitute "\$ 11,324,968"

AND

Page 6, line 21, delete "1,216,719" and substitute "1,356,922"

AND

Page 6, line 28, delete " 167,953" and substitute " 223,278"

AND

Page 6, line 29, delete "\$ 6,262,075" and substitute "\$ 6,457,603"

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1434

BY: REPRESENTATIVE MALOCH

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	99
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: George.	
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	75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1434**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	99
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: George.	
Total	1
VOTING PRESENT:	
Total	0
Total number of votes cast.....	99
Total number voting in the affirmative	99
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Representative Webb moved that the House pass over **HOUSE BILL NO. 1090** and leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1142

BY: JOINT BUDGET COMMITTEE

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Carnine, George, Hall, Hyde.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1142**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Carnine, George, Hall, Hyde.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	96
Total number voting in the affirmative	96
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

Representative Webb moved that the House pass over **HOUSE BILL NO. 1189** and leave it on the Calendar. Motion carried.

Representative Webb moved that the House pass over **HOUSE BILL NO. 1193** and leave it on the Calendar. Motion carried.

HOUSE BILL NO. 1243

BY: JOINT BUDGET COMMITTEE

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Ragland.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1243**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hall, Ragland.	
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. 1309

BY: JOINT BUDGET COMMITTEE

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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total99

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....99

Total number voting in the affirmative99

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1309**, 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, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word, Mr. Speaker.

Total99

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....99

Total number voting in the affirmative99

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

So the Emergency Clause was adopted.

SENATE BILL NO. 274

BY: JOINT BUDGET COMMITTEE

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, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hardy, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, M. Martin, Maxwell, McCrary, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total88

NEGATIVE: Harrelson, Lea, S. Malone.

Total3

ABSENT OR NOT VOTING: Adcock, Carter, Dismang, Glidewell, Hall, Hyde, King, McLean, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative88

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 274**, 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, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, J. Burris, M. Burris, Carnine, Carroll, Cash, Cheatham, Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hardy, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Ingram, Kerr, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, M. Martin, Maxwell, McCrary, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total88

NEGATIVE: Harrelson, Lea, S. Malone.

Total3

ABSENT OR NOT VOTING: Adcock, Carter, Dismang, Glidewell, Hall, Hyde, King, McLean, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative88

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1111	BY REPRESENTATIVE PENNARTZ
HOUSE BILL NO. 1142	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1243	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1309	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1316	BY REPRESENTATIVE T. BAKER
HOUSE BILL NO. 1416	BY REPRESENTATIVE REEP
HOUSE BILL NO. 1428	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1429	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1434	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1460	BY REPRESENTATIVE DAVENPORT
HOUSE BILL NO. 1461	BY REPRESENTATIVE DAVENPORT
HOUSE BILL NO. 1493	BY REPRESENTATIVE OVERBEY

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 274 AS AMENDED #1	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 303	BY SENATOR J. TAYLOR
SENATE BILL NO. 323	BY SENATOR CAPPS
SENATE BILL NO. 324	BY SENATOR CAPPS

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 20, 2009

MR. SPEAKER:

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

HOUSE BILL NO. 1024 BY REPRESENTATIVE ABERNATHY
 HOUSE BILL NO. 1034 BY REPRESENTATIVE COOK, ET AL
 HOUSE BILL NO. 1133 BY REPRESENTATIVE BLOUNT, 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 1:15 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Wilhelmina Lewellen,
 Chairperson

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1024 BY REPRESENTATIVE ABERNATHY
 HOUSE BILL NO. 1034 BY REPRESENTATIVE COOK, ET AL
 HOUSE BILL NO. 1133 BY REPRESENTATIVE BLOUNT, ET AL

/s/ Mike Beebe - Governor

TIME: 1:15 p.m.

By: Pamela Hayes

HOUSE BILL NO. 1560

BY: REPRESENTATIVE MAXWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS GEOLOGICAL SURVEY – ARKANSAS LIGNITE RESOURCES PILOT PROGRAM FOR RESEARCH AND COMMERCIAL TESTING OF ARKANSAS' LIGNITE RESOURCES; 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. 1561

BY: REPRESENTATIVE MAXWELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT MONTICELLO FOR PLANNING, RENOVATING, CONSTRUCTING, EQUIPPING AND FURNISHING A FOREST RESOURCES COMPLEX AND RELATED 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. 1562

BY: REPRESENTATIVE SAMPLE

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 - STATE FIRE MARSHAL ENFORCEMENT SECTION FOR THE FISCAL YEAR ENDING JUNE 30, 2010; 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. 1563

BY: REPRESENTATIVES DISMANG, CARTER, J. BURRIS, CLEMMER, S. MALONE, BAIRD, ENGLISH

A BILL FOR AN ACT TO BE ENTITLED AND ACT TO EXEMPT ACTIVE DUTY MILITARY PERSONNEL FROM INCOME TAX ON SERVICE PAY OR ALLOWANCES; 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. 1564

BY: REPRESENTATIVES HALL, BLOUNT, BREEDLOVE, J. BROWN, CASH, DAVIS, HYDE, INGRAM, LOVELL, MAXWELL, MCCRARY, MCLEAN, PATTERSON, PENNARTZ, POWERS, RAINEY, WEBB

BY: SENATOR D. WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS AGRICULTURE DEPARTMENT FOR THE BOLL WEEVIL ERADICATION PROGRAM FOR REDUCING LONG TERM DEBT FOR THE ARKANSAS AGRICULTURE DEAPRTMENT - PLANT BOARD; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Curren Everett, the House adjourned at 3:10 p.m. until 1:30 p.m., Monday, February 23, 2009.

ATTEST:

Robbie Wills
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

