

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

Little Rock, Arkansas
February 13, 2009

The House was called to order at 10:00 a.m. by Representative Curren Everett, Speaker Pro-Tempore. 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, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, Hutchinson, Hyde, Ingram, Kerr, Kidd, King, Lea, Lewellen, Lindsey, Lovell, Lowery, Maloch, Malone, Martin, Maxwell, 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.

Total98

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

Total2

A quorum was present.

Unanimous leave was granted for Representative(s) Hardy, McCrary.

The House stood and was led in prayer by Reverend George Tanner, Pastor, Village United Methodist Church, Hot Springs Village, 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 13, 2009
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	DAWN CREEKMORE CHAIRPERSON
HOUSE BILL NO. 1400 BY REPRESENTATIVE ENGLISH	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1006 BY REPRESENTATIVE OVERBEY	DO PASS
SENATE BILL NO. 268 BY SENATOR BAKER	DO PASS

COMMITTEE REPORT

	February 13, 2009
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	ROY RAGLAND CHAIRPERSON
HOUSE BILL NO. 1026 BY REPRESENTATIVE G. SMITH	DO PASS

COMMITTEE REPORT

	February 13, 2009
INSURANCE AND COMMERCE	EDDIE HAWKINS CHAIRPERSON
HOUSE BILL NO. 1037 BY REPRESENTATIVE D. CREEKMORE	DO PASS
HOUSE BILL NO. 1431 BY REPRESENTATIVE COWLING	DO PASS NON-CONTRO
HOUSE BILL NO. 1433 BY REPRESENTATIVE MALOCH	DO PASS AS AMENDED #1
SENATE BILL NO. 208 BY SENATOR BOOKOUT	DO PASS

Upon motion of Representative Carroll, **HOUSE BILL NO. 1247** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1247

Amend **HOUSE BILL NO. 1247** as engrossed,

H2/9/09 (version: 02-09-2009 14:05):

Page 1, line 31, delete "any position subject to a statewide election" and substitute "nominees for presidential electors, United States Senator, Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of State, Treasurer of State, or State Land Commissioner"

AND

Page 2, delete lines 1 through 4 and substitute the following:

"(C) ~~When any~~ A political party shall cease to be a political party if the political party fails to obtain three percent (3%) of the total votes cast in two (2) consecutive general elections at an election for the office of Governor or nominees for presidential electors, it shall cease to be a political party at least one (1) of the following positions:

- (i) Nominees for presidential electors;
- (ii) United States Senator;
- (iii) Governor;
- (iv) Lieutenant Governor;
- (v) Secretary of State;
- (vi) Attorney General;
- (vii) Auditor of State;
- (viii) Treasurer of State; or
- (ix) State Land Commissioner;"

AND

Page 2, line 9, delete "any position subject to a statewide election" and substitute "nominees for presidential electors, United States Senator, Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of State, Treasurer of State, or State Land Commissioner"

/s/ Richard Carroll

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Burris, HOUSE BILL NO. 1362 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1362

Amend HOUSE BILL NO. 1362 as engrossed,

H2/5/09 (version: 02-05-2009 09:39):

Page 1, delete line 12 and substitute the following:

"COMPENSATION PAYMENTS UNDER THE WORKER'S COMPENSATION LAW THAT RESULTED FROM INITIATED ACT 1 OF 1914; TO ENSURE THAT LICENSED"

AND

Page 1, delete 18 and substitute the following:

"WORKERS' COMPENSATION PAYMENTS THAT RESULTED FROM INITIATED ACT 1 OF 1914 AND TO"

AND

Page 2, delete line 5 and substitute the following:

"SECTION 2. Arkansas Code § 11-9-525(e) that resulted from Initiated Act 1 of 1914, concerning the cessation of"

AND

Page 2, delete line 16 and substitute the following:

"SECTION 3. Arkansas Code § 11-9-525 that resulted from Initiated Act 1 of 1914, concerning workers' compensation"

AND

Page 2, delete lines 31 through 36

AND

Page 3, delete lines 1 through 17 and substitute the following:

"SECTION 4. Arkansas Code § 17-25-308 is amended to read as follows:"

AND

Page 3, delete line 28 and substitute the following:

"Compensation Law, § 11-9-101 et seq. and § 17-25-514.

SECTION 5. Arkansas Code Title 17, Chapter 25, Subchapter 1 is amended to add an additional section to read as follows:

17-25-316. Workers' compensation coverage required.

(a) A contractor required to be licensed by the Contractors Licensing Board shall obtain and maintain workers' compensation coverage as required under the Workers' Compensation Law, § 11-9-101 et seq.

(b) The board shall require proof of current workers' compensation coverage before issuing or renewing a license to a contractor required to have workers'

compensation coverage under § 11-9-101 et seq.

(c)(1) If a contractor fails to maintain workers' compensation coverage or fails to maintain proof of current workers' compensation coverage on file with the board, the board may revoke or suspend the contractor's license.

(2) A contractor's license that has been revoked or suspended due to failure to maintain workers' compensation coverage may be reinstated upon receipt by the board of proof that the contractor has secured workers' compensation coverage.

(d) The board shall promulgate rules necessary to enforce this section."

/s/ Mike Burris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Blount, **HOUSE BILL NO. 1272** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1272

Amend **HOUSE BILL NO. 1272** as originally introduced:

Add the following as cosponsors of the bill:

Senators Elliott, Steele

AND

Page 1, line 35, delete "home"

AND

Page 2, line 3, delete "home"

AND

Page 3, delete lines 3 and 4, and substitute the following:

"volunteers who assist in an instructional program for parents."

/s/ Nancy Blount

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harrelson, HOUSE BILL NO. 1030 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1030

Amend HOUSE BILL NO. 1030 as originally introduced:

Page 1, delete lines 29 through 32 and substitute the following:

"SECTION 1. Arkansas Code § 16-93-1603(b), concerning the minimum standards set by the Board of Corrections for transitional housing facilities in the State of Arkansas, is amended to read as follows:

~~(b)(1) All of the standards set by the rules described in subsection (a) of this section shall be established prior to the Parole Board's or a district or circuit court's releasing a transferee, parolee, or probationer to a transitional housing facility as a resident.~~ The Parole Board, a district court, or a circuit court shall not release a transferee, parolee, or probationer to a transitional housing facility as a resident unless the transitional housing facility provides a copy of a current license issued by the Department of Community Correction under § 16-93-1604.

(2) The transitional housing facility shall comply with all the standards set by the rules established by the Board of Corrections under subsection (a) of this section.

SECTION 2. Arkansas Code § 16-93-1604(b)(2), concerning the powers and duties of the Department of Community Correction with regard to enforcement of the rules for transitional housing facilities, is amended to add an additional subdivision to read as follows:"

AND

Appropriately renumber the sections of the bill

/s/ Steve Harrelson

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

/s/ Ms. Jo Renshaw

Chief Clerk

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

AMENDMENT NO. 1 TO HOUSE BILL NO. 1326

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

Add Representative J. Edwards as a cosponsor of the bill

AND

Page 1, delete line 27 and substitute the following:

“by plaintiffs who substantially prevailed in actions under § 25-19-107 against the State of Arkansas or a department, agency, or institution of the state.”

AND

Page 1, delete lines 33-34 and substitute the following:

“Court or to the circuit court of the residence of the aggrieved party, if ~~an agency~~ the State of Arkansas or a department, agency, or institution of the state is involved, or to any of the circuit courts of the”

AND

Page 2, delete line 21 and substitute the following:

“Arkansas or a department, agency, or institution of the state.”

AND

Page 2, delete lines 22-32 and substitute the following:

“(2)(A) A plaintiff who substantially prevailed in an action under this section against the State of Arkansas or a department, agency, or institution of the state may file a claim with the Arkansas State Claims Commission to recover reasonable attorney’s fees and other litigation expenses reasonably incurred.

(B) A claim for reasonable attorney’s fees and litigation expenses reasonably incurred in an action against the State of Arkansas or a department, agency, or institution of the state shall be filed with the commission pursuant to § 19-10-201 et seq. within sixty (60) days of the final disposition of the appeal under subsection (a) of this section.”

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

ENGROSSED BILL REPORTS

WILHELMINA LEWELLEN, CHAIRPERSON

February 13, 2009

The following bill(s) reported correctly engrossed:

- HOUSE BILL NO. 1030 BY REPRESENTATIVE HARRELSON
- HOUSE BILL NO. 1247 BY REPRESENTATIVE CARROLL
- HOUSE BILL NO. 1272 - TITLE - BY REPRESENTATIVE BLOUNT
- HOUSE BILL NO. 1326 - TITLE - BY REPRESENTATIVE SMITH
- HOUSE BILL NO. 1362 - TITLE - BY REPRESENTATIVE BURRIS

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1272

BY: REPRESENTATIVES BLOUNT, ALLEN, T. BAKER, CASH, DAVIS, HARDY, HOUSE, HOYT, RAINEY, J. ROEBUCK, SHELBY, STEWART
BY: SENATORS ELLIOTT, STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE PARENTAL INVOLVEMENT IN ARKANSAS PUBLIC SCHOOLS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1326

BY: REPRESENTATIVES L. SMITH, J. EDWARDS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING CLAIMS FOR ATTORNEY’S FEES AND LITIGATION EXPENSES AGAINST THE STATE OF ARKANSAS UNDER THE FREEDOM OF INFORMATION ACT OF 1967; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1362

BY: REPRESENTATIVES M. BURRIS, R. GREEN

BY: SENATORS J. TAYLOR, ELLIOTT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING WORKERS' COMPENSATION PAYMENTS UNDER THE WORKER'S COMPENSATION LAW THAT RESULTED FROM INITIATED ACT 1 OF 1914; TO ENSURE THAT LICENSED CONTRACTORS OBTAIN AND MAINTAIN WORKERS' COMPENSATION INSURANCE; AND FOR OTHER PURPOSES.

The House gave Representative Lovell unanimous leave to withdraw HOUSE BILL NO. 1381.

The Chair requested that the House transfer HOUSE BILL NO. 1451 from the AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS COMMITTEE to the AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT COMMITTEE.

HOUSE RESOLUTION NO. 1013

BY: REPRESENTATIVE RAINEY

RESOLUTION TO SUPPORT THE ARKANSAS WHOLE CHILD INITIATIVE.
THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

The Chair requested the House pass over **HOUSE BILL NO. 1376** and leave it on the Calendar.

HOUSE BILL NO. 1376

BY: REPRESENTATIVE STEWART

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

AFFIRMATIVE: 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, 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, Maloch, S. Malone, M. Martin, Maxwell, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Abernathy, Carnine, D. Creekmore, Hardy, Lowery, McCrary, J. Roebuck, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

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

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

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

HOUSE BILL NO. 1374

BY: REPRESENTATIVE STEWART

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

AFFIRMATIVE: Adcock, Allen, Baird, T. Baker, Barnett, Betts, 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, 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, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, Rice, J. Rogers, T. Rogers, Sample, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total93

NEGATIVE: Blount, Flowers.

Total2

ABSENT OR NOT VOTING: Abernathy, Hardy, McCrary, J. Roebuck, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative93

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

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

HOUSE BILL NO. 1051

BY: REPRESENTATIVE GREENBERG

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

AFFIRMATIVE: Adcock, Baird, J. Burris, Carnine, Carter, Clemmer, D. Creekmore, Dale, Dismang, English, Garner, Glidewell, R. Green, Greenberg, Hobbs, Hopper, Hoyt, D. Hutchinson, Kerr, King, Lea, S. Malone, M. Martin, Nickels, Pyle, Ragland, Rice, J. Rogers, Slinkard, L. Smith, Summers, B. Wilkins, Woods.

Total33

NEGATIVE: Allen, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, Carroll, Cash, Cole, Cook, Cooper, L. Cowling, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, Everett, Flowers, Gaskill, George, Hall, Harrelson, Hawkins, House, Hyde, Ingram, Kidd, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, Maxwell, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Rainey, Reep, T. Rogers, Saunders, Shelby, Stewart, Tyler, Wagner, Webb, Wells, Word.

Total56

ABSENT OR NOT VOTING: Abernathy, M. Burris, Cheatham, Hardy, McCrary, Reynolds, J. Roebuck, Sample, G. Smith, Williams, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative.....33

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

So the Bill failed.

HOUSE BILL NO. 1280

BY: REPRESENTATIVE HYDE

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: Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, 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, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, 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, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total91

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: Abernathy, J. Burris, Hall, Hardy, McCrary, Sample, Mr. Speaker.

Total7

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....93

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 1280**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, 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, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, 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, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Reep, Reynolds, Rice, J. Roebuck, J. Rogers, T. Rogers, Saunders, Shelby, Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total91

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: Abernathy, J. Burris, Hall, Hardy, McCrary, Sample, Mr. Speaker.

Total7

VOTING PRESENT: Rainey.

Total1

Total number of votes cast93

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

The Chair requested the House pass over **HOUSE BILL NO. 1399** and leave it on the Calendar.

HOUSE BILL NO. 1213

BY: REPRESENTATIVE PATTERSON

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

AFFIRMATIVE: 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, 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.

Total95

NEGATIVE: L. Smith.

Total1

ABSENT OR NOT VOTING: Abernathy, Hardy, McCrary, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative95

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

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

Representative Hobbs moved to re-refer **SENATE BILL NO. 225** back to the Committee on PUBLIC HEALTH, WELFARE AND LABOR. Motion carried.

SENATE BILL NO. 301

BY: SENATOR FARIS

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

AFFIRMATIVE: Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carnine, Carroll, Carter, Cash, Cheatham, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Abernathy, J. Burris, Clemmer, Hardy, McCrary, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 302

BY: SENATOR FARIS

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

AFFIRMATIVE: Allen, T. Baker, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carroll, Cash, Cheatham, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hopper, House, Hoyt, Hyde, Ingram, Kidd, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, McLean, Moore, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, J. Rogers, T. Rogers, Sample, Saunders, Shelby, G. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Woods, Word.

Total72

NEGATIVE: Adcock, Baird, Barnett, Carnine, Carter, Clemmer, Dale, Dismang, Garner, Hobbs, D. Hutchinson, Kerr, King, Lea, Lindsey, S. Malone, M. Martin, Rice, Slinkard, L. Smith.

Total20

ABSENT OR NOT VOTING: Abernathy, J. Burris, Cole, Hardy, McCrary, Mr. Speaker.

Total6

VOTING PRESENT: Flowers, Nickels.

Total2

Total number of votes cast.....94

Total number voting in the affirmative72

Necessary to the passage of the bill51

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

SENATE BILL NO. 35

BY: SENATOR R. THOMPSON

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

AFFIRMATIVE: Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T. Bradford, Breedlove, J. Brown, M. Burris, Carmine, Carroll, Carter, Cash, Cheatham, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson, Dunn, J. Edwards, English, Everett, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde, Ingram, Kerr, Kidd, Lea, W. Lewellen, Lindsey, Lovell, Lowery, Maloch, S. Malone, M. Martin, Maxwell, 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.

Total90

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: Abernathy, J. Burris, Clemmer, Dismang, Garner, Hardy, King, McCrary, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

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.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1213	BY REPRESENTATIVE PATTERSON
HOUSE BILL NO. 1280	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 1374	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1376	BY REPRESENTATIVE STEWART

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 35	BY SENATOR R. THOMPSON
SENATE BILL NO. 301	BY SENATOR FARIS
SENATE BILL NO. 302	BY SENATOR FARIS

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

February 13, 2009

MR. SPEAKER:

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

HOUSE BILL NO. 1005	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 1013	BY REPRESENTATIVE KIDD, ET AL
HOUSE BILL NO. 1099	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1198	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1265	BY REPRESENTATIVE HARDY, ET AL
HOUSE BILL NO. 1269	BY REPRESENTATIVE OVERBEY, ET AL
HOUSE BILL NO. 1270	BY REPRESENTATIVE OVERBEY, ET AL
HOUSE BILL NO. 1274	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 1315	BY REPRESENTATIVE T. BAKER, ET AL
HOUSE BILL NO. 1332	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1365	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1366	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1388	BY JOINT BUDGET COMMITTEE

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 9:05 a.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. 1005	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 1013	BY REPRESENTATIVE KIDD, ET AL
HOUSE BILL NO. 1099	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1198	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1265	BY REPRESENTATIVE HARDY, ET AL
HOUSE BILL NO. 1269	BY REPRESENTATIVE OVERBEY, ET AL
HOUSE BILL NO. 1270	BY REPRESENTATIVE OVERBEY, ET AL
HOUSE BILL NO. 1274	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 1315	BY REPRESENTATIVE T. BAKER, ET AL
HOUSE BILL NO. 1332	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1365	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1366	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1388	BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 9:05 a.m.

By: Sarah S. Agee

STATE OF ARKANSAS

House of Representatives

February 13, 2009

To Whom It May Concern:

I am writing this letter in regards to my present - vote on **HOUSE BILL NO. 1113** on February 12, 2009. It was my intention to vote YES on this bill.

Please see that this matter is noted in the journal. Thank you.

Sincerely,

Nancy D. Blount
State Representative

NDB/sc

HOUSE BILL NO. 1458

BY: REPRESENTATIVE MCLEAN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR OPERATING EXPENSES FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - INDEPENDENCE COUNTY DWI COURT 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. 1459

BY: REPRESENTATIVE NIX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE "LOOK BACK" PERIOD FOR REPEAT DWI OFFENDERS FROM FIVE YEARS TO TEN YEARS; AND FOR OTHER PURPOSES.

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

Upon motion of Representative Eddie Cooper, the House adjourned at 10:30 a.m. until 1:30 p.m., Monday, February 16, 2009.

ATTEST:

 Robbie Wills
 Speaker of the House of Representatives

 Jo Renshaw
 Chief Clerk

