JOURNAL

HALL OF THE HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH GENERAL ASSEMBLY FIRST EXTRAORDINARY SESSION

STATE OF ARKANSAS

CONVENED IN THE STATE CAPITOL

LITTLE ROCK, ARKANSAS

AT

TWELVE O'CLOCK NOON

MARCH 31, 2008

VOLUME 1 OF 1

DAY 1 (March 31, 2008) THROUGH DAY 3 (April 2, 2008)

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RED INDICATES ROLL CALL



FIRST DAY'S PROCEEDINGS

Little Rock, Arkansas March 31, 2008

The House was called to order at 12:00 by Mr. Petrus, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total94

The following member(s) was absent and did not answer to the roll call: S. Dobbins, D. Hutchinson, Kenney, Schulte, Smith, Wood.

Total6

A quorum was present.

Unanimous leave was granted for Representative(s) Kenney, Smith, Wood. The House stood and was led in prayer by Representative Roy Ragland. The House stood and gave the Pledge of Allegiance to the Flag. Speaker Petrus recognized House Parliamentarian Tim Massenelli to read the Governor's Proclamation.

STATE OF ARKANSAS

EXECUTIVE DEPARTMENT

PROCLAMATION

TO ALL TO WHOM THESE PRESENTS SHALL COME - GREETINGS:

- WHEREAS, an extraordinary occasion has arisen making it necessary to convene the 86th General Assembly into extraordinary session; and
- WHEREAS, the State of Arkansas is rich in natural resources that enhance the economic well-being of the State and provide jobs and other economic benefits for the people; and
- WHEREAS, the natural gas deposits found in the state represent a significant natural resource that must be managed carefully and extracted wisely to insure that depletion of this scarce resource is done responsibly and with the appropriate returns to the people from natural gas severed from the state; and
- WHEREAS, it is now necessary to increase the current severance tax levied on natural gas as the tax has not been increased since 1957 rendering the tax lower than surrounding states that are reaping the benefits and income from this natural resource; and
- WHEREAS, the revenue from the severance tax on natural gas should rightfully be invested in much needed repair, construction, maintenance and expansion of the state's highways by distributing the revenue to the Arkansas Highway and Transportation Department and to the cities and counties for roads and highways; and
- WHEREAS, there is an immediate and pressing need to provide additional state revenue necessary to pay for essential and critical state services by replacing the existing general revenue that will be lost from the repeal of the existing severance tax; and
- WHEREAS, due to an inadvertent drafting error in the text of Act 441 of 2007, there exists confusion in the law as it relates to the minimum age to marry in Arkansas; and

WHEREAS, in Act 395 of 2007, the General Assembly set certain deadlines regarding the achievement of "unitary" status by school districts in Pulaski County, and those deadlines may need to be extended due to the congested trial calendar of the court supervising the Pulaski County desegregation case;

NOW THEREFORE, I, Mike Beebe, Governor of the State of Arkansas, by virtue of the power and authority vested in me by Article VI, Section 19 of the Arkansas Constitution, do hereby call an Extraordinary Session of the General Assembly to convene at the seat of government in the State Capitol on March 31, 2008, at 12:00 p.m., and I do hereby specify that the General Assembly is convened to consider, and, if so advised, enact laws for the following purposes:

1. To appropriate funds to pay the expenses and per diem of this Extraordinary Session of the General Assembly for the House of Representatives and the Senate and to amend Act 3 of 2007 to increase expenditure limits.

2. To confirm gubernatorial appointees.

3. To consider legislation providing for an increase in the severance tax levied on natural gas; providing that all taxes, penalties, and costs collected by the Director of the Department of Finance and Administration from the severance tax on natural gas shall be deposited in the state treasury and shall be distributed five percent (5%) to general revenues and ninety-five percent (95%) as special revenues to be distributed as provided in the Arkansas Highway Revenue Distribution Law, Ark. Code Ann. §27-70-201 *et*.

4. To consider an amendment to Act 395 of 2007 regarding the date school districts under the Pulaski County Desegregation Case are eligible for reimbursement based on unitary status declared by the federal district court.

5. To consider legislation that would repeal Act 441 of 2007, and reinstate the provisions of the Arkansas Code affected by Act 441.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas. Done in Office at Little Rock, Arkansas the 26th day of Marc, 2008.

/s/ Mike Beebe, Governor

/s/ Charlie Daniels, Secretary of State

Speaker Petrus announced that in accordance with the provisions of Article VI, Section 19 of the Arkansas Constitution, no business other than that which is germane to the items in the Call of the Governor will be considered until all items in the Call have been disposed of.

Speaker Petrus appointed the following named Representatives as the Committee to notify the Senate that the House is in session and ready for business:

Representative Scott Sullivan, Chairman Representative Sandra Prater Representative Betty Pickett Representative James Norton Representative Johnny Key Representative Denny Sumpter

Representative Janet Johnson Representative David W. Wyatt Representative Daryl A. Pace Representative Shirley Walters Presentation of House Concurrent Resolution No. 1001 by Representative Lenville Evans, calling for a Joint Session of the House and Senate at 12:30 p.m., Monday, March 31, 2008.

HOUSE CONCURRENT RESOLUTION NO. 1001

BY: HOUSE MANAGEMENT

FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE IN THE HOUSE CHAMBER AT 12:30 PM ON MONDAY, MARCH 31, 2008, FOR THE PURPOSE OF HEARING AN ADDRESS BY THE HONORABLE MIKE BEEBE, GOVERNOR OF THE STATE OF ARKANSAS.

Was read the first time, rules suspended, read the second time, rules suspended, read the third without objection, adopted unanimously, and ordered transmitted to the Senate.

The House stood in recess at 12:15 p.m. until 12:30 p.m.

The Joint Session of the House and Senate was called to order by Speaker of the House, Benny C. Petrus, and President Pro Tem of the Senate, Jack L. Critcher.

The Secretary of the Senate called the roll and the following members answered the roll call. The roll call was as follows:

Altes, Argue, Baker, Bisbee, Bookout, Broadway, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Johnson, Laverty, Luker, Madison, Malone, Miller, Pritchard, Salmon, Smith, Steele, Taylor, Thompson, Trusty, Whitaker, Wilkinson, Womack.

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

Total.....1

The House roll was called and the following members were present:

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total......95

The following member(s) were absent and did not answer to the roll call: D. Hutchinson, Kenney, Schulte, Smith, Wood.

Total......5

Invocation was given by Representative Otis L. Davis.

President Pro Tem of the Senate, Jack L. Critcher, appointed the following named Senators as the Committee to escort the Governor to the House Chamber:

Senator Bobby L. Glover, Chairman Senator Denny Altes Senator Irma Hunter Brown Senator Barbara Horn

Senator Jerry W. Taylor Senator Ruth R. Whitaker Speaker Benny C. Petrus appointed the following named Representatives as the Committee to escort Governor Beebe to the House Chamber.

Representative Chris Thyer, Chairman Representative Linda Chesterfield Representative Stan Berry Representative Lenville Evans Representative David Evans Representative Sid Rosenbaum Representative Robert N. Jeffrey Representative Will Bond Representative Susan Schulte Representative Michael Lamoureux

Governor Mike Beebe was presented to the General Assembly by House Speaker Benny C. Petrus.

Governor Mike Beebe addressed the General Assembly.

The Joint Session adjourned at 12:55 p.m.

The House reconvened at 1:00 p.m.

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 1001 BY HOUSE MANAGEMENT

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas March 31, 2008

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following: HOUSE CONCURRENT RESOLUTION NO. 1001

BY HOUSE MANAGEMENT

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 2:20 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE: HOUSE CONCURRENT RESOLUTION NO. 1001 BY HOUSE MANAGEMENT

TIME: 2:20 p.m.

/s/ Mike Beebe - Governor By: Sarah Agee

HOUSE BILL NO. 1001

BY: HOUSE MANAGEMENT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS HOUSE OF REPRESENTATIVES WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2 OF 2007 AND ACT 308 OF 2007; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time, and referred to the Calendar.

HOUSE BILL NO. 1002

BY: REPRESENTATIVES BOND, J. ROEBUCK, ADCOCK, R. GREEN, CORNWELL, WAGNER, D. JOHNSON, BURRIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL CHANGES MADE BY ACT 441 OF 2007 TO THE MARRIAGE LAWS; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. HB1003

BY: REPRESENTATIVES HYDE, BOND BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ENSURE CONTINUED ACCOUNTABILITY AND EFFICIENCY FOR SCHOOL DISTRICTS INVOLVED IN DESEGREGATION LITIGATION; AND FOR OTHER PURPOSES.

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

HOUSE BILL NO. 1004

BY: REPRESENTATIVES SULLIVAN, PETRUS, COOPER, ABERNATHY, L. COWLING, HARRELSON, STEWART, ADCOCK, BLOUNT, T. BRADFORD, J. BROWN, CASH, CHESTERFIELD, CORNWELL, DAVENPORT, GEORGE, HARDWICK, HARDY, HOUSE, HOYT, JEFFREY, D. JOHNSON, J. JOHNSON, KIDD, W. LEWELLEN, LOVELL, MALOCH, MAXWELL, MOORE, OVERBEY, PATTERSON, PICKETT, POWERS, REEP, J. ROEBUCK, SAMPLE, SAUNDERS, SHELBY, L.SMITH, WAGNER, WILLS, WYATT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE SEVERANCE TAX RATE ON NATURAL GAS; 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. 1005

BY: REPRESENTATIVES BOND, J. ROEBUCK, ADCOCK, R. GREEN, CORNWELL, WAGNER, D. JOHNSON, BURRIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL CHANGES MADE BY ACT 441 OF 2007 TO THE MARRIAGE LAWS; AND FOR OTHER PURPOSES.

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

COMMITTEE REPORT

EDUCATION HOUSE BILL NO. 1003 BY REPRESENTATIVE HYDE March 31, 2008 BILL ABERNATHY VICE-CHAIRMAN DO PASS

COMMITTEE REPORT

JUDICIARY HOUSE BILL NO. 1005 BY REPRESENTATIVE BOND March 31, 2008 ROBERT JEFFREY CHAIRMAN DO PASS

COMMITTEE REPORT

REVENUE AND TAXATION HOUSE BILL NO. 1004 BY REPRESENTATIVE SULLIVAN March 31, 2008 KEVEN ANDERSON CHAIRMAN DO PASS

Upon motion of Representative D. Evans, the House adjourned at 1:00 p.m. until 10:00 a.m., Tuesday, April 1, 2008.

ATTEST:

Benny C. Petrus Speaker of the House of Representatives Jo Renshaw Chief Clerk

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SECOND DAY'S PROCEEDINGS HALL OF THE HOUSE OF REPRESENTATIVES FIRST EXTRAORDINARY SESSION

Little Rock, Arkansas April 1, 2008

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

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total97

The following member(s) was absent and did not answer to the roll call: George, Smith, Wood.

Total3

A quorum was present.

Unanimous leave was granted for Representative(s) George, Smith, Wood. The House stood and was led in prayer by Representative Tommy Dickinson. The House stood and gave the Pledge of Allegiance to the Flag. The reading of the Journal of yesterday's proceedings was dispensed with.

Morning Hour Expired.

HOUSE BILL NO. 1001

BY: HOUSE MANAGEMENT

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, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

96
0
4
0
96
96
51

There being an Emergency Clause attached to HOUSE BILL NO. 1001, 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, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Burkes, George, L. Smith, Wood.	
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

HOUSE BILL NO. 1004

BY: REPRESENTATIVE SULLIVAN

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, T. Baker, Berry, Blount, Bond, T. Bradford, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, [George], Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wyatt, Mr. Speaker.

NEGATIVE: Anderson, Breedlove, Burkes, Garner, R. Green, Greenberg, [Harris], D. Hutchinson, Key, King, M. Martin, Medley, Pyle, Schulte, Walters, Woods.

Total	16
ABSENT OR NOT VOTING: L. Smith, Wood.	
Total	2
VOTING PRESENT: Ragland.	
Total	1
Total number of votes cast	
Total number voting in the affirmative	81
Necessary to the passage of the bill	75

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

16

PAIR VOTE

ON HOUSE BILL NO. 1004

AYE: REPRESENTATIVE NATHAN GEORGE

NAY: REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE JOHN PAUL WELLS

This pair form was signed by Representative Nathan George and Representative Eric Harris in the presence of each other and witnessed by Representative John Paul Wells.

Total number of votes cast98
Necessary to the passage of the bill75
Total number voting in the affirmative81
Total number voting in the negative16
Total number absent or not voting2
Total number voting present1

There being an Emergency Clause attached to HOUSE BILL NO. 1004, 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, T. Baker, Berry, Blount, Bond, T. Bradford, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, [George], Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wyatt, Mr. Speaker.

NEGATIVE: Anderson, Breedlove, Burkes, Garner, R. Green, Greenberg, [Harris], D. Hutchinson, Key, King, M. Martin, Medley, Pyle, Schulte, Walters, Woods.

16	Total
	ABSENT OR NOT VOTING: L. Smith, Wood.
2	Total
	VOTING PRESENT: Ragland.
1	Total
	Total number of votes cast
81	Total number voting in the affirmative
67	Necessary to the adoption of the emergency clause

PAIR VOTE

ON HOUSE BILL NO. 1004

AYE: REPRESENTATIVE NATHAN GEORGE

NAY: REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE JOHN PAUL WELLS

This pair form was signed by Representative Nathan George and Representative Eric Harris in the presence of each other and witnessed by Representative John Paul Wells.

Total number of votes cast	98
Necessary to the adoption of the emergency clause	67
Total number voting in the affirmative	.81
Total number voting in the negative	16
Total number absent or not voting	2
Total number voting present	1

HOUSE BILL NO. 1003

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: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total	95
NEGATIVE: Flowers, Pace.	
Total	2
ABSENT OR NOT VOTING: George, L. Smith, Wood.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative	95
Necessary to the passage of the bill	51

There being an Emergency Clause attached to HOUSE BILL NO. 1003, 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, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total	95
NEGATIVE: Flowers, Pace.	
Total	2
ABSENT OR NOT VOTING: George, L. Smith, Wood.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative	95
Necessary to the adoption of the emergency clause	67

HOUSE BILL NO. 1005

BY: REPRESENTATIVE BOND

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, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

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96
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There being an Emergency Clause attached to HOUSE BILL NO. 1005, 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, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: J. Brown, George, L. Smith, Wood.	
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.

The House stood in recess at 10:15 a.m. until 1:30 p.m.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1001 HOUSE BILL NO. 1003 HOUSE BILL NO. 1004 HOUSE BILL NO. 1005 BY HOUSE MANAGEMENT BY REPRESENTATIVE HYDE BY REPRESENTATIVE SULLIVAN BY REPRESENTATIVE BOND

ARKANSAS SENATE SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 1

BY SENATOR SALMON

STATE OF ARKANSAS Mike Beebe Governor

March 31, 2008

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 31, 2008, I approved the following measure from the First Extraordinary Session of the Eighty-sixth General Assembly:

HOUSE CONCURRENT RESOLUTION NO. 1001

Sincerely,

/s/ Mike Beebe

State Capitol, Suite 250 • Little Rock, AR 72201 Telephone (501) 682-2345 • Fax (501) 682-1382 Internet Web Site • www.governor.arkansa.gov

SENATE BILL NO. 1

BY: SENATORS SALMON, CAPPS, BISBEE, BOOKOUT, BROADWAY, BROWN, BRYLES, CRUMBLY, GLOVER, HILL, HORN, G. JEFFRESS, J. JEFFRESS, LAVERTY, LUKER, MADISON, MALONE, MILLER, T. SMITH, STEELE, J. TAYLOR, R. THOMPSON, TRUSTY, WHITAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE SEVERANCE TAX RATE ON NATURAL GAS; AND FOR OTHER PURPOSES.

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

COMMITTEE REPORT

REVENUE AND TAXATION SENATE BILL NO. 1 BY SENATOR SALMON April 1, 2008 ALLEN MAXWELL VICE-CHAIRMAN DO PASS

Upon motion of Representative D. Evans, the House adjourned at 1:32 p.m. until 10:00 a.m., Wednesday, April 2, 2008.

ATTEST:

Benny C. Petrus Speaker of the House of Representatives Jo Renshaw Chief Clerk

THIRD DAY'S PROCEEDINGS HALL OF THE HOUSE OF REPRESENTATIVES FIRST EXTRAORDINARY SESSION

Little Rock, Arkansas April 2, 2008

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

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Walters, Wells, Wills, Woods, Wyatt, Mr. Speaker.

Total94

The following member(s) was absent and did not answer to the roll call: S. Dobbins, George, Smith, Sumpter, Webb, Wood.

Total6

A quorum was present.

Unanimous leave was granted for Representative(s) George, Smith, Wood. The House stood and was led in prayer by Representative Steven Breedlove. The House stood and gave the Pledge of Allegiance to the Flag. The reading of the Journal of yesterday's proceedings was dispensed with.

Morning Hour Expired.

SENATE BILL NO. 1

BY: SENATOR SALMON

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, T. Baker, Berry, Blount, Bond, T. Bradford, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, [S. Dobbins], Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, [George], Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, [L. Smith], Stewart, Sullivan, [Sumpter], Thyer, Wagner, [Webb], Wells, Wills, Wyatt, Mr. Speaker.

NEGATIVE: [Anderson], [Breedlove], Burkes, Garner, R. Green, Greenberg, [Harris], D. Hutchinson, Key, King, M. Martin, Medley, Pyle, Ragland, Schulte, Walters, [Woods].

1 otal17	
T OR NOT VOTING: Wood.	1
Total1	
G PRESENT:	١
Total0	
otal number of votes cast99	
otal number voting in the affirmative82	
lecessary to the passage of the bill75	

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

. ____

PAIR VOTE ON SENATE BILL NO. 1

AYE: REPRESENTATIVE LINDSEY SMITH

NAY: REPRESENTATIVE JON WOODS

WITNESS: REPRESENTATIVE BRYAN KING

This pair form was signed by Representative L.indsey Smith and Representative Jon Woods in the presence of each other and witnessed by Representative Bryan King.

Total number of votes cast	99
Necessary to the passage of the bill	75
Total number voting in the affirmative	82
Total number voting in the negative	17
Total number absent or not voting	1
Total number voting present	0

PAIR VOTE ON SENATE BILL NO. 1

AYE: REPRESENTATIVE KATHY WEBB

NAY: REPRESENTATIVE KEVEN ANDERSON

WITNESS: REPRESENTATIVE SANDRA PRATER

This pair form was signed by Representative Kathy Webb and Representative Keven Anderson in the presence of each other and witnessed by Representative Sandra Prater.

Total number of votes cast99)
Necessary to the passage of the bill75)
Total number voting in the affirmative82	2
Total number voting in the negative17	7
Total number absent or not voting1	1
Total number voting present0)

PAIR VOTE

ON SENATE BILL NO. 1

AYE: REPRESENTATIVE SHARON DOBBINS

NAY: REPRESENTATIVE STEVEN BREEDLOVE

WITNESS: REPRESENTATIVE JERRY BROWN

This pair form was signed by Representative Sharon Dobbins and Representative Steven Breedlove in the presence of each other and witnessed by Representative Jerry Brown.

Total number of votes cast	99
Necessary to the passage of the bill	75
Total number voting in the affirmative	82
Total number voting in the negative	17
Total number absent or not voting	1
Total number voting present	0

PAIR VOTE ON SENATE BILL NO. 1

AYE:REPRESENTATIVE DENNY SUMPTERNAY:REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE MARK MARTIN

This pair form was signed by Representative Denny Sumpter and Representative Eric Harris in the presence of each other and witnessed by Representative Mark Martin.

Total number of votes cast99
Necessary to the passage of the bill75
Total number voting in the affirmative82
Total number voting in the negative17
Total number absent or not voting1
Total number voting present0

PAIR VOTE ON

SENATE BILL NO. 1

AYE: REPRESENTATIVE NATHAN GEORGE

NAY: REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE JOHN PAUL WELLS

This pair form was signed by Representative Nathan George and Representative Eric Harris in the presence of each other and witnessed by Representative John Paul Wells.

Total number of votes cast99
Necessary to the passage of the bill75
Total number voting in the affirmative82
Total number voting in the negative17
Total number absent or not voting1
Total number voting present0

There being an Emergency Clause attached to SENATE BILL NO. 1, 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, T. Baker, Berry, Blount, Bond, T. Bradford, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, [S. Dobbins], Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, [George], Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Shelby, [L. Smith], Stewart, Sullivan, [Sumpter], Thyer, Wagner, [Webb], Wells, Wills, Wyatt, Mr. Speaker.

NEGATIVE: [Anderson], [Breedlove], Burkes, Garner, R. Green, Greenberg, [Harris], D. Hutchinson, Key, King, M. Martin, Medley, Pyle, Ragland, Schulte, Walters, [Woods].

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

So the Emergency Clause was adopted.

34

PAIR VOTE ON SENATE BILL NO. 1

AYE: REPRESENTATIVE LINDSEY SMITH

NAY: REPRESENTATIVE JON WOODS

WITNESS: REPRESENTATIVE BRYAN KING

This pair form was signed by Representative Lindsey Smith and Representative Jon Woods in the presence of each other and witnessed by Representative Bryan King.

Total number of votes cast	99
Necessary to the adoption of the emergency clause	.67
Total number voting in the affirmative	.82
Total number voting in the negative	.17
Total number absent or not voting	1
Total number voting present	0

PAIR VOTE ON SENATE BILL NO. 1

AYE: REPRESENTATIVE KATHY WEBB

NAY: REPRESENTATIVE KEVEN ANDERSON

WITNESS: REPRESENTATIVE SANDRA PRATER

This pair form was signed by Representative Kathy Webb and Representative Keven Anderson in the presence of each other and witnessed by Representative Sandra Prater.

Total number of votes cast9	9
Necessary to the adoption of the emergency clause6	7
Total number voting in the affirmative8	32
Total number voting in the negative1	7
Total number absent or not voting	.1
Total number voting present	.0

PAIR VOTE

ON SENATE BILL NO. 1

AYE: REPRESENTATIVE SHARON DOBBINS

NAY: REPRESENTATIVE STEVEN BREEDLOVE

WITNESS: REPRESENTATIVE JERRY BROWN

This pair form was signed by Representative Sharon Dobbins and Representative Steven Breedlove in the presence of each other and witnessed by Representative Jerry Brown.

Total number of votes cast	.99
Necessary to the adoption of the emergency clause	.67
Total number voting in the affirmative	82
Total number voting in the negative	.17
Total number absent or not voting	1
Total number voting present	0

PAIR VOTE ON SENATE BILL NO. 1

AYE:REPRESENTATIVE DENNY SUMPTERNAY:REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE MARK MARTIN

This pair form was signed by Representative Denny Sumpter and Representative Eric Harris in the presence of each other and witnessed by Representative Mark Martin.

Total number of votes cast99)
Necessary to the adoption of the emergency clause67	7
Total number voting in the affirmative82	2
Total number voting in the negative17	7
Total number absent or not voting	1
Total number voting present)

PAIR VOTE

SENATE BILL NO. 1

AYE: REPRESENTATIVE NATHAN GEORGE

NAY: REPRESENTATIVE ERIC HARRIS

WITNESS: REPRESENTATIVE JOHN PAUL WELLS

This pair form was signed by Representative Nathan George and Representative Eric Harris in the presence of each other and witnessed by Representative John Paul Wells.

Total number of votes cast99	1
Necessary to the adoption of the emergency clause67	,
Total number voting in the affirmative82	2
Total number voting in the negative17	7
Total number absent or not voting1	1
Total number voting present)

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 1

BY SENATOR SALMON

ARKANSAS SENATE HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1001 HOUSE BILL NO. 1003 HOUSE BILL NO. 1004 HOUSE BILL NO. 1005 BY HOUSE MANAGEMENT BY REPRESENTATIVE HYDE BY REPRESENTATIVE SULLIVAN BY REPRESENTATIVE BOND

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas April 2, 2008

MR. SPEAKER:

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

HOUSE BILL NO. 1001 HOUSE BILL NO. 1003 HOUSE BILL NO. 1004 HOUSE BILL NO. 1005 BY HOUSE MANAGEMENT BY REPRESENTATIVE HYDE BY REPRESENTATIVE SULLIVAN BY REPRESENTATIVE BOND

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 10:59 a.m. delivered them to the Governor for his approval.

Respectfully submitted, /s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE: HOUSE BILL NO. 1001 HOUSE BILL NO. 1003 HOUSE BILL NO. 1004 HOUSE BILL NO. 1005

TIME: 10:59 a.m.

- BY HOUSE MANAGEMENT BY REPRESENTATIVE HYDE BY REPRESENTATIVE SULLIVAN BY REPRESENTATIVE BOND /s/ Mike Beebe - Governor
 - By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE GOVERNOR

April 2, 2008

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on April 2, 2008, I approved the following measures from the First Extraordinary Session of the Eighty-sixth General Assembly:

HOUSE BILL NO. 1001 - ACT 1 HOUSE BILL NO. 1003 - ACT 2 HOUSE BILL NO. 1005 - ACT 3 HOUSE BILL NO. 1004 - ACT 4

Sincerely,

/s/ Mike Beebe

STATE CAPITOL, SUITE 250 • LITTLE ROCK, AR 72201 TELEPHONE (501) 682-2345 • FAX (501) 682-1382 INTERNET WEB SITE • WWW.GOVERNOR.AR.GOV

STATE OF ARKANSAS	EIGHTY-SIXTH GENERAL ASSEMBLY
House of Representatives	ROOM 350, THIRD FLOOR, STATE CAPITOL
	Little rock, Arkansas 72201-1089 (501) 682-7771 TDD (501) 6829148

BENNY C. PETRUS, SPEAKER TIM MASSANELLI, PARLIAMENTARIAN JO RENSHAW, CHIEF CLERK

April 2, 2008

The Honorable Charlie Daniels Secretary of State State Capitol Bldg. Little Rock, AR 72201

Dear Mr. Daniels:

Attached is HOUSE BILL NO. 1002 which died in committee at the adjournment of the First Extraordinary Session of the 86th General Assembly on April 2, 2008.

Respectfully submitted,

/s/ Jo Renshaw Chief Clerk/Fiscal Officer

IN ACCORDANCE WITH THE PROVISIONS OF THE HOUSE RULES AND THE LEGISLATIVE PROCLAMATION ISSUED, MARCH 31, 2008, THE FIRST EXTRAORDINARY SESSION OF THE HOUSE OF REPRESENTATIVES OF THE 86TH GENERAL ASSEMBLY IS ADJOURNED SINE DIE.

ATTEST:

Benny C. Petrus Speaker of the House of Representatives Jo Renshaw Chief Clerk