

JOURNAL OF THE HOUSE

Second Regular Session, 93rd GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2006

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are our Help and our Shield, You are the Glory and the Lifter of our heads. You are forever mindful of us.

Many may seek acceptable solutions, to the tasks before them, by the sweat of their brow, the strength of their hand or the force of their intellect.

But as for us, our prayer is to You, O Lord. At an acceptable and opportune time, O God, in the multitude of Your mercy and the abundance of Your loving-kindness, You hear us, and in the truth and faithfulness of Your salvation You answer us.

Here we are Lord, humble servants before You, desiring to do what is right for our state and our constituents. Though at times we suffer embarrassments and are perplexed and unable to find a way out, we are not driven to despair, for You are with us. We refuse to overestimate ourselves or be wise in our own conceits.

We thank You for granting us a heart full of skillful and godly wisdom, knowledge which is pleasant to us, discretion which watches over us, and understanding that keeps us.

Now may the grace of our Lord Jesus Christ rest and abide with us all.

For it is in His Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Richard Johnson, Jr.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bogetto
Bowman	Boykins	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery

Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Smith 150	Spreng
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Behnen	Brooks	El-Amin	Liese	Walton
Wright 137				

VACANCIES: 003

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 159	-	Representative Roark
House Resolution No. 160	-	Representative Bowman
House Resolution No. 161	-	Representative Dethrow
House Resolution No. 162	-	Representative Wright-Jones
House Resolution No. 163	-	Representative Harris (23)
House Resolution No. 164		
through		
House Resolution No. 166	-	Representative Vogt, et al.
House Resolution No. 167		
through		
House Resolution No. 180	-	Representative Meadows
House Resolution No. 181	-	Representative Wilson (119)
House Resolution No. 182	-	Representative Cunningham (145)
House Resolution No. 183	-	Representatives Rupp and Dempsey
House Resolution No. 184	-	Representatives Rupp and Smith (14)
House Resolution No. 185	-	Representative Jackson

House Resolution No. 186 - Representative Hobbs
House Resolution No. 187
and
House Resolution No. 188 - Representative Sater
House Resolution No. 189 - Representative Hunter
House Resolution No. 190 - Representative Nance
House Resolution No. 191 - Representative Sander
House Resolution No. 192 - Representatives Pearce and Cooper (120)
House Resolution No. 193 - Representative Schoemehl
House Resolution No. 194 - Representative Dixon

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 43 and **HJR 44** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1401 through **HB 1419** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1420, introduced by Representatives Walsh, Meiners, Fraser, George, Salva, Lowe (44), Young, Burnett, Wildberger, Chappelle-Nadal, Oxford, Wright-Jones, Yaeger, Darrough, Whorton and Jolly, relating to mental health facilities.

HB 1421, introduced by Representatives Walsh, Meiners, Fraser, George, Salva, Lowe (44), Young, Burnett, Wildberger, Chappelle-Nadal, Oxford, Meadows, Bowman, Daus, Yaeger, Darrough, Whorton, Wright-Jones and Jolly, relating to the safe staffing and quality care accountability acts.

HB 1422, introduced by Representatives Walsh, Meiners, George, Salva, Lowe (44), Young, Burnett, Wildberger, Chappelle-Nadal, Oxford, Meadows, Bowman, Yaeger, Darrough and Wright-Jones, relating to oversight of public privatization contracts.

HB 1423, introduced by Representatives Page, Henke, LeVota, Whorton, Wildberger, Schoemehl, Oxford, Jolly, El-Amin, Hubbard, Kratky, Daus, Bowman, Fraser, Storch, Baker (25), Witte, Kuessner, Moore, Haywood, Myers, Vogt, Salva, Yaeger, Roorda, Lampe, Young, Harris (110), Burnett, Donnelly, George, Curls, Lowe (44), Skaggs, Walsh, Darrough, Robinson, Johnson (61), Wright-Jones, Villa, Zweifel, Black, Chappelle-Nadal, Bogetto, Lowe (39), Corcoran, Shoemyer, Hoskins, Aull, Hughes, Rucker, Casey, Bringer, Swinger, Dougherty, Meiners, Wagner, Meadows, Johnson (90), Walton, Spreng, Bland and Brown (50), relating to securities regulations.

HB 1424, introduced by Representative Franz, relating to collection of taxes.

HB 1425, introduced by Representatives Viebrock, Denison, Sater, Fisher, May, Wasson, Whorton, Wallace, Faith, Dusenber, Sutherland, Stevenson, Kratky, Wilson (119), Bean, Wright (159), Wildberger, Fisher, Marsh, Wilson (130), Schlottach, Schaaf, Rector, Emery, Deeken, Flook, Schneider, Wallace, McGhee, Aull, Bivins, Cooper (155), Myers, Kingery, Sander, George, Walsh, Portwood, Dixon, Wright (137), Nance, Roark, Avery, Jetton, Chinn, Weter, Nolte, Wood, Franz, Henke, Smith (118), Wells, Tilley, Pollock, Parson, Schad, Behnen, Storch, Quinn, Cunningham (145), Bruns, Black, Loehner, Harris (110), Ervin, Nieves, Brown (30), Phillips, Rupp, Lager, Bearden, Pearce, Icet, Johnson (61), Ruestman, Smith (150), Jackson, Day, Wagner, Casey, Oxford, Baker (123), Burnett, Skaggs, Haywood, Shoemyer, Dougherty, Bogetto, Jolly, Lembke, Davis, Threlkeld, Roorda, Silvey, Munzlinger, Swinger, Lampe, Robinson, Zweifel, Witte, Low (39), Bowman, Yaeger, Harris (23), Kuessner, Hubbard, Johnson (90), Chappelle-Nadal, Schoemehl, Brown (50), Hoskins, Curls, Bringer, Page, El-Amin, Rucker, Spreng, Darrough, St. Onge, Meiners, Lowe (44), Hughes, Corcoran, Villa, Cunningham (86), LeVota, Vogt, Baker (25), Fraser, Wright-Jones, Boykins, Bland, Jones, Dempsey, Smith (14), Cooper (158), Hunter, Johnson (47), Dethrow, Self, Lipke, Parker, Guest, Yates, Richard, Robb, Hobbs, Pratt, Kelly, Donnelly, Cooper (120), Daus, Moore, Salva, Walton, Muschany, Kraus, Fares, Sanders Brooks, Meadows, Young and Liese, relating to the designation of memorial bridge.

HB 1426, introduced by Representatives Guest, Quinn, Whorton, Nance, Schaaf, McGhee and Rucker, relating to the wholesale water and sewer authority act.

HB 1427, introduced by Representatives Johnson (90), Jetton, Kuessner, Henke, Harris (23), Avery, Roorda, LeVota, Jackson, Dempsey, Shoemyer, Storch, Pearce, Tilley, Kraus, Meadows, Casey, Oxford, Donnelly, Robb, Hughes, Meiners, Burnett, Rucker, Wood, Wallace, Aull, Walton, Hubbard, Bland, Swinger, Witte, Bringer, Schoemehl, Robinson, Chappelle-Nadal, Fraser, Johnson (47), Harris (110), Bogetto, Viebrock, Vogt, Yaeger, Curls, Yates, Dusenber, Parker, Schneider, Denison, Cunningham (145), Behnen, Schlottach, Villa, Wildberger, Dougherty, Nolte, Page, Day, Fisher, Bruns, Wilson (119), Whorton, Jones, Wagner, Bivins, Schaaf, Young, Threlkeld, Sander, Baker (25), Silvey, Black, Boykins, Corcoran, Quinn, Wasson, Jolly, Darrough, Zweifel, Ervin, Lipke, Cunningham (86), Brown (50), McGhee and Lampe, relating to reinstatement of dissolved corporations.

HB 1428, introduced by Representatives Robb, Hobbs, Nolte, Flook, Brown (50), Darrough, Corcoran, Lampe, Cooper (158), Zweifel, Sander, Moore and Guest, relating to higher education funding.

HB 1429, introduced by Representatives Nolte, Flook, Ervin, Skaggs, Spreng, Bowman, Nance and Silvey, relating to sales and use tax exemptions.

HB 1430, introduced by Representative Johnson (47), relating to limitations on campaign contributions.

HB 1431, introduced by Representative Kelly, relating to compensation of road district commissioners.

HB 1432, introduced by Representatives Moore, Harris (110), Bruns, Parson, Wright (137), Nolte, Lipke, Phillips, Schlottach, Dixon, Wasson, Wilson (119), Quinn, Avery, Smith (118), Kelly, Rector, Bivins, Cunningham (145), Hobbs, Deeken, Ruestman, Page, Brown (50), Kuessner, Robinson, Roorda, Meadows, Casey, Wildberger, Darrough and Lampe, relating to the state board of probation and parole.

HB 1433, introduced by Representatives Bowman, Johnson (61), Harris (23), Bogetto, George, Darrough, Bland, Baker (25), Walsh, Hoskins, Rucker, Chappelle-Nadal, Meiners, Spreng, Haywood, Boykins, Wright-Jones, Robinson, Dougherty, Zweifel, Storch, Donnelly, Lowe (44), Hughes, Low (39), Schoemehl, Curls, Oxford, Johnson (90), Roorda, Casey, Hubbard, LeVota, Fraser, Sanders Brooks, Jolly, Corcoran, Wildberger, Henke and Meadows, relating to minimum wage.

HB 1434, introduced by Representatives Johnson (61), Burnett, Harris (23), Wildberger, Vogt, Johnson (90), Witte, Whorton, Brown (50), Meadows and El-Amin, relating to trademark registrations.

HB 1435, introduced by Representatives Johnson (61), Brown (50), Meadows, Baker (25), Meiners and El-Amin, relating to expungement.

HB 1436, introduced by Representatives Johnson (61), Whorton, Harris (110), Bogetto, Oxford, Brown (50), Meadows, El-Amin and Fraser, relating to adoption records.

HB 1437, introduced by Representative Threlkeld, relating to poison information and control.

HB 1438, introduced by Representatives Hughes, Walsh, Lowe (44), Wagner, Robb, Johnson (47), Corcoran, Daus, Oxford, Aull, Flook, Brown (50), Darrough, Salva, Bogetto, Low (39), Nolte, Robinson, Bowman, Johnson (90), Curls, Burnett, Bland, Rucker, Jolly, Hoskins, Boykins, Hubbard, Villa, LeVota, Pratt and Roorda, relating to possession of methamphetamine precursor drugs.

HB 1439, introduced by Representatives Hughes, Walsh, Lowe (44), Robb, Oxford, Aull, Brown (50), Salva, Bogetto, Schoemehl, Low (39), Robinson, Bowman, Curls, Storch, Donnelly, Burnett, Bland, Rucker, Jolly, Boykins, Hoskins and Villa, relating to title loans.

HB 1440, introduced by Representatives Sutherland, Brown (30), Dusenberg, Ervin, Schaaf, Threlkeld, Dempsey, Bearden, Smith (118), Dixon, Deeken, Schneider, Pearce, Cooper (120), Smith (14), Bean, Rupp, Nieves, Phillips, Lowe (44), Guest, Parker, Page, Young and Shoemyer, relating to contributions to the cervical cancer awareness and treatment program.

HB 1441, introduced by Representatives Sutherland, Myers, Cooper (120), Low (39) and Page, relating to the large carnivore act.

HB 1442, introduced by Representatives Sutherland and Baker (25), relating to the manufactured home health and safety act.

HB 1443, introduced by Representatives Donnelly, Chappelle-Nadal, Page, Lampe, Young, Storch, Rucker, LeVota, Bowman, Johnson (47), Oxford, Henke, Baker (25), Kuessner, Whorton, Jolly, Walton, Schneider, Bivins, Zweifel, Darrough, Wildberger, Yaeger, Fraser, Wright-Jones, Moore, Skaggs, Burnett, Bringer, Boykins, Hughes, Johnson (61), Witte, Bogetto, Johnson (90), Harris (23), Parker and Faith, relating to criminal securities fraud.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bruns is no longer a member of the Ethics Committee.

Representative Chinn is no longer a member of the Small Business Committee.

Representative Cunningham (86) is no longer a member of the Workforce Development and Workplace Safety Committee.

Representative Flook is no longer a member of the Higher Education Committee.

Representative Icet is no longer a member of the Appropriations-Education Committee; Appropriations-Health, Mental Health and Social Services Committee; Special Committee on General Laws, and the Ways and Means Committee.

Representative Munzlinger is no longer a member of the Agriculture Policy Committee.

Representative Muschany is no longer a member of the Appropriations-Education Committee, and the Elementary and Secondary Education Committee.

Representative Parker is no longer Vice-Chair of the Small Business Committee, but will remain a member of this committee.

Representative Schaaf is no longer a member of the Appropriations-Public Safety and Corrections Committee.

Representative Self is no longer a member of the Appropriations-Health, Mental Health and Social Services Committee, and the Conservation and Natural Resources Committee.

Representative Smith (14) is no longer a member of the Transportation Committee.

Representative Cooper (120) has been appointed a member of the Special Committee on General Laws.

Representative Cooper (158) has been appointed a member of the Elementary and Secondary Education Committee.

Representative Day has been appointed Vice-Chair of the Conservation and Natural Resources Committee, and a member of the Appropriations-Public Safety and Corrections Committee.

Representative Deeken has been appointed a member of the Ethics Committee.

Representative Faith has been appointed a member of the Transportation Committee.

Representative Flook has been appointed a member of the Judiciary Committee.

Representative Franz has been appointed a member of the Conservation and Natural Resources Committee.

Representative Jones has been appointed a member of the Financial Institutions Committee.

Representative Lager has been appointed a member of the Appropriations-Health, Mental Health and Social Services Committee, and the Small Business Committee.

Representative Muschany has been appointed a member of the Professional Registration and Licensing Committee.

Representative Parson has been appointed a member of the Special Committee on General Laws.

Representative Pearce has been appointed a member of the Higher Education Committee.

Representative Schaaf has been appointed a member of the Appropriations-Health, Mental Health and Social Services Committee.

Representative Self has been appointed a member of the Ethics Committee.

Representative Silvey has been appointed Vice-Chair of the Small Business Committee.

Representative Smith (14) has been appointed a member of the Utilities Committee.

Representative Smith (150) has been appointed a member of the Agriculture Policy Committee, the Appropriations-Education Committee, and the Judiciary Committee.

Representative Wright (159) has been appointed Vice-Chair of the Agriculture Policy Committee.

The following members' presence was noted: El-Amin, Sanders Brooks and Wright (137).

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 19, 2006.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Monday, January 23, 2006, 10:30 a.m. Hearing Room 1.
Presentation of the Governor's recommendations for Higher Education.

APPROPRIATIONS - EDUCATION

Tuesday, January 24, 2006, 8:00 a.m. Hearing Room 1.
Presentations by University and College Presidents/staff.

APPROPRIATIONS - EDUCATION

Tuesday, January 24, 2006, 2:45 p.m. Hearing Room 1.
Continuation of presentations by University and College Presidents/staff.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 24, 2006, 8:00 a.m. Hearing Room 6.
Public testimony will be taken for Public Safety and Corrections.
Committee may reconvene at 2:45 p.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 25, 2006, 2:45 p.m. Hearing Room 6.
Public testimony will be taken for Public Safety and Corrections.

LOCAL GOVERNMENT

Thursday, January 19, 2006, 8:00 a.m. Hearing Room 6.
Public hearing to be held on: HB 1070

VETERANS

Tuesday, January 24, 2006, 5:30 p.m. Senate Lounge.
Joint meeting of the House Veterans Committee and the Senate Pensions, Veterans Affairs and General Laws Committee.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 19, 2006

HOUSE BILLS FOR SECOND READING

HB 1420 through HB 1443