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**THIRD DAY'S PROCEEDINGS  
SENATE CHAMBER  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION**

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Little Rock, Arkansas

February 10, 2010

The Senate was called to order at 1:30 p.m. o'clock by the President.

The Secretary called the roll, and the following members answered to roll call:

ALTES, BAKER, BLEDSOE, BOOKOUT, BROADWAY,  
BRYLES, CAPPS, CRUMBLY, ELLIOTT, FARIS,  
GLOVER, HENDREN, HORN, G. JEFFRESS, J.  
JEFFRESS, B. JOHNSON, D. JOHNSON, KEY,  
LAMOUREUX LAVERTY, LUKER, MADISON, MALONE,  
MILLER, PRITCHARD, SALMON, SMITH, STEELE,  
TAYLOR, TEAGUE, THOMPSON, WILKINS,  
WILKINSON, WYATT.

Senator Teague asked leave for Senator Whitaker.

Leave Granted.

The Senate was led in prayer by Senator Lamoureux.

The Senate was led in the Pledge of Allegiance by the President.

On motion of Senator Johnson, the reading of the Journal was dispensed with.

SENATE BILL NO. 121  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO OTHER APPROPRIATIONS MADE BY THE EIGHTY-SEVENTH GENERAL ASSEMBLY FOR THE PAYMENT OF APPROVED CLAIMS AGAINST THE STATE; AND FOR OTHER PURPOSES.

**Senate Bill No. 121** was read the first time, rules suspended, read the second time and referred to the Committee on Joint Budget.

Received from the House

HOUSE BILL NO. 1001  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: REPRESENTATIVES HYDE & WILLS

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR NECESSARY EXPENSES, PAY EXPENSES OF MEMBERS, PAY SALARIES OF EMPLOYEES, PAY FOR SUPPLIES AND EQUIPMENT FOR THE ARKANSAS HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

**House Bill No. 1001** was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1002  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: JOINT BUDGET COMMITTEE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE ORDINARY EXPENSES OF THE EXECUTIVE, JUDICIAL AND LEGISLATIVE BRANCHES OF GOVERNMENT FOR THE AUDITOR OF STATE - GENERAL APPROPRIATIONS, ARKANSAS SENATE AND ARKANSAS HOUSE OF REPRESENTATIVES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.

House Bill No. 1002 was read the first time, rules suspended, read the second time and placed on the Calendar.

The President declared the morning hour to have expired.

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

On motion of Senator Baker, Senate Concurrent Resolution No. 1 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 1  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: JOINT BUDGET COMMITTEE

A Resolution for an Act to be Entitled: TO AUTHORIZE THE INTRODUCTION OF A NON-APPROPRIATION BILL TO AMEND THE ARKANSAS REVENUE STABILIZATION LAW; AND FOR OTHER PURPOSES.

Senator Smith spoke against the Resolution

Senate Concurrent Resolution No. 1 was placed on third reading and final disposition, the question being: Shall the Resolution pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Capps, Crumbly, Faris, Glover, Hendren, B. Johnson, D. Johnson, J. Key, M. Lamoureux, P. Malone, Miller, B. Pritchard, Salmon, Steele, J. Taylor, R. Thompson, D. Wyatt.

Total .....22

NEGATIVE: Lavery.

Total .....1

ABSENT OR NOT VOTING: Bryles, Elliott, Horn, G. Jeffress, J. Jeffress, Luker, Madison, T. Smith, Teague, H. Wilkins, Wilkinson.

Total .....12

VOTING PRESENT:

Total .....0

Total number of votes cast.....23

Necessary to the passage of the resolution .....24

So the resolution failed of adoption.

(SIGNED) ANN CORNWELL, SECRETARY

\* \* \* \* \* **EXPUNGED** \* \* \* \* \*

The record pertaining to the vote by which Senate Concurrent Resolution No. 1 failed to pass was expunged, in accordance with a prevailing motion on February 10, 2010.

On motion of Senator Salmon, Senate Concurrent Resolution No. 3 was called up for third reading and final disposition.

SENATE CONCURRENT RESOLUTION NO. 3  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION

BY: SENATORS SALMON, BROADWAY & T. SMITH

A Resolution for an Act to be Entitled: TO AUTHORIZE THE INTRODUCTION OF A NON APPROPRIATION BILL TO AMEND THE ARKANSAS SCHOLARSHIP LOTTERY ACT, ARKANSAS CODE § 23-115-101 ET SEQ. AND § 6-85-201 ET SEQ., AND OTHER ARKANSAS CODE SECTIONS RELATING TO THE ADMINISTRATION OF THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, PART 2; TO REQUIRE THE ARKANSAS LOTTERY COMMISSION TO WITHHOLD STATE INCOME TAX FROM LOTTERY PRIZE WINNINGS; AND FOR OTHER PURPOSES.

Senator Jimmy Jeffress spoke against the Resolution.

Senator Thompson spoke in favor of the Resolution

Senator David Johnson spoke in favor of the Resolution.

Senator Salmon closed for the Resolution

Senate Concurrent Resolution No. 3 was placed on third reading and final disposition, the question being: Shall the Resolution pass?

The Secretary called the roll, and the following members voted:

AFFIRMATIVE: Altes, G. Baker, Bledsoe, Bookout, Broadway, Capps, Crumbly, Elliott, Faris, Glover, Hendren, Horn, B. Johnson, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, Teague, R. Thompson, H. Wilkins, D. Wyatt.

Total .....	29
NEGATIVE: G. Jeffress.	
Total .....	1
ABSENT OR NOT VOTING: Bryles, J. Jeffress, P. Malone, Wilkinson.	
Total .....	5
VOTING PRESENT:	
Total .....	0
Total number of votes cast.....	30
Necessary to the passage of the Resolution.....	24

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Concurrent Resolution No. 3 was ordered immediately transmitted to the House.

Senator Thompson moved that the record pertaining to the vote by which Senate Concurrent Resolution No. 1 failed be expunged.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1002  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: REPRESENTATIVE MALOCH

HOUSE CONCURRENT RESOLUTION TO AUTHORIZE THE INTRODUCTION OF A NON-APPROPRIATION BILL TO AMEND THE ARKANSAS REVENUE STABILIZATION LAW; AND FOR OTHER PURPOSES.

House Concurrent Resolution No. 1002 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1004  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: REPRESENTATIVE EVERETT

HOUSE CONCURRENT RESOLUTION TO PROVIDE THAT THE FISCAL SESSION OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY WILL ADJOURN SINE DIE AT 12:00 NOON, ON MARCH 9, 2010 OR AT AN EARLIER DATE AGREED TO BY THE HOUSE OF REPRESENTATIVES AND SENATE; TO PROVIDE FOR A RECESS AT THE CLOSE OF BUSINESS IN EACH CHAMBER ON MARCH 2, 2010; TO AUTHORIZE THE GENERAL ASSEMBLY TO

RECONVENE FROM THE RECESS AT ANY TIME BEFORE 12:00 NOON, MARCH 9, 2010, FOR THE PURPOSE OF CONSIDERING VETOES AND CORRECTING ERRORS AND OVERSIGHTS; AND TO AUTHORIZE ADDITIONAL RECESSES OF EITHER OR BOTH CHAMBERS FOR PERIODS OF FOUR (4) CONSECUTIVE DAYS OR LONGER.

House Concurrent Resolution No. 1004 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE CONCURRENT RESOLUTION NO. 1006  
EIGHTY-SEVENTH GENERAL ASSEMBLY  
2010 FISCAL SESSION  
BY: REPRESENTATIVE WILLS

HOUSE CONCURRENT RESOLUTION TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL TO AMEND THE ARKANSAS SCHOLARSHIP LOTTERY ACT, ARKANSAS CODE § 23-115-101 ET SEQ. AND § 6-85-201 ET SEQ., AND OTHER ARKANSAS CODE SECTIONS RELATING TO THE ADMINISTRATION OF THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM, PART 2; TO REQUIRE THE ARKANSAS LOTTERY COMMISSION TO WITHHOLD STATE INCOME TAX FROM LOTTERY PRIZE WINNINGS; AND FOR OTHER PURPOSES.

House Concurrent Resolution No. 1006 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE CONCURRENT RESOLUTION TRANSMITTED  
TO THE HOUSE AS ADOPTED  
SENATE CONCURRENT RESOLUTION NO. 3

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1001

HOUSE BILL NO. 1002

HOUSE CONCURRENT RESOLUTIONS TRANSMITTED

TO THE SENATE AS ADOPTED

HOUSE CONCURRENT RESOLUTION NO. 1002

HOUSE CONCURRENT RESOLUTION NO. 1004

HOUSE CONCURRENT RESOLUTION NO. 1006

On motion of Senator Baker, the Senate adjourned until 10:30 a.m., Thursday, February 11, 2010.

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PRESIDENT OF THE SENATE

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SECRETARY OF THE SENATE