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FIFTY-FIRST DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

Little Rock, Arkansas
March 1, 2011

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

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

BAKER, BLEDSOE, BOOKOUT, BURNETT,
CHESTERFIELD, CRUMBLY, DISMANG, ELLIOTT,
FILES, FLETCHER, FLOWERS, HARRELSON,
HENDREN, HOLLAND, HUTCHINSON, IRVIN, G.
JEFFRESS, J. JEFFRESS, JOHNSON, KEY,
LAMOUREUX, LAVERTY, LUKER, MADISON, MALONE,
PRITCHARD, RAPERT, SALMON, SAMPLE, TAYLOR,
TEAGUE, THOMPSON, WHITAKER, WILLIAMS,
WYATT.

The Senate was led in prayer by Reverend Nathan King, First Assembly of God Church, Russellville, Arkansas.

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

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

On motion of Senator Dismang, **Senate Bill No. 152** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 152

Amend **Senate Bill No. 152** as engrossed, S2/22/11:
Page 2, line 1, delete "twenty-four (24)" and substitute "sixteen (16)"

(SIGNED) SENATOR JONATHAN DISMANG

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 152 was ordered engrossed.

On motion of Senator Key, **Senate Bill No. 120** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 120

Amend **Senate Bill No. 120** as originally introduced:

Page 1, delete the subtitle in its entirety and substitute the following language:
 "TO CLARIFY THE DESIGNATION OF OPTION BENEFICIARIES UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO AUTHORIZE THE BOARD TO PROMULGATE RULES CONCERNING OPTION BENEFICIARIES; AND TO DECLARE AN EMERGENCY."

AND

Page 1, delete all the language after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 24-7-706(a), concerning annuity option beneficiary designation in the Arkansas Teacher Retirement System, is amended to read as follows:

(a)(1) Before the date the first payment of his or her annuity becomes due, but not thereafter, a member may elect to receive his or her annuity as a straight life annuity, or he or she may elect to receive the actuarial equivalent, at that time, of his or her straight life annuity in a reduced annuity payable throughout his or her life.

(2) The member may nominate a beneficiary, in accordance with ~~the provisions of one (1) of the following options:~~

(A) Option A — 100% Survivor Annuity.

(i) Under Option A, upon the death of a retirant, his or her reduced annuity shall be continued throughout the life of and paid to such person as he or she shall have nominated by written designation ~~duly~~ executed and filed with the ~~board~~ Board of Trustees of the Arkansas Teacher Retirement System before the date the first payment of his or her annuity becomes due.

(ii)~~(a)~~ ~~The person must~~ designated as a beneficiary by the retirant shall be either his:

(a) His or her ~~The retirant's~~ spouse for not less than one (1) year immediately preceding the first payment due date, ~~or another person forty (40) years of age or older receiving more than one-half (½) support from the retirant for not less than one (1) year immediately preceding the first payment due date;~~ or

~~(b) However, the age-forty requirement shall not exclude the designation as beneficiary of a~~ A dependent child of the retirant who has been adjudged physically or mentally incapacitated by a court of competent jurisdiction;

(B) Option B — 50% Survivor Annuity.

(i) Under Option B, upon the death of a retirant, one-half (½) of his or her reduced annuity shall be continued throughout the life of and paid to such person as he or she ~~shall have~~ has nominated by written designation ~~duly~~ executed and filed with the board before the date the first payment of his or her annuity becomes due.

(ii)~~(a)~~ The person ~~must~~ designated as a beneficiary by the retirant shall be ~~either his~~:

~~(a) His or her~~ The retirant's spouse for not less than one (1) year immediately preceding the first payment due date, ~~or another person forty (40) years of age or older receiving more than one-half (½) support from the retirant for not less than one (1) year immediately preceding the first payment due date;~~ or

~~(b) However, the age-forty requirement shall not exclude the designation as beneficiary of a~~ A dependent child of the retirant who has been adjudged physically or mentally incapacitated by a court of competent jurisdiction; or

(C) Option C — Annuity for Ten (10) Years Certain and Life Thereafter.

(i) Under Option C, a retirant shall receive a reduced annuity payable throughout his or her life with the provision that if he or she dies before he or she has received one hundred twenty (120) monthly annuity payments, the payments ~~will~~ shall be continued for the remainder of the period of one hundred twenty (120) months and paid to such persons in equal shares as the retirant ~~shall have~~ has nominated by written designation ~~duly~~ executed and filed with the board.

(ii) If the designated beneficiaries predecease the retirant, the retirant may nominate successor beneficiaries or may elect to return to his or her single lifetime benefit equivalent by written designation ~~duly~~ executed and filed with the board to be effective the month following receipt of his or her election by the Arkansas Teacher Retirement System.

(iii) If no designated beneficiary survives ~~him or her~~ the retirant, the annuity reserve for the remainder of the annuity payments shall be paid to the retirant's estate.

(iv) If the last designated beneficiary receiving annuity payments dies before all annuity payments are made, the annuity reserve for the remainder of the annuity payments shall be paid to the beneficiary's estate.

(v) Effective the month following completion of the one-hundred-twenty-month period, the retirant's annuity shall return to his or her single lifetime benefit equivalent.

(3) In addition to the persons eligible to be designated as a beneficiary under either Option A or Option B in subdivision (a)(2) of this section, the board may promulgate rules concerning the addition of classes of eligible persons to be designated as a beneficiary under this section and for the rights of option beneficiaries of deceased disability retirees under § 24-7-704..

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that certain provisions of the Arkansas Teacher Retirement System statutes are in urgent need of revision to bring them into conformance with sound public pension policy; that this revision is of great importance to members of the Arkansas Teacher Retirement System and to other citizens of the State of Arkansas; that the current listing of those eligible to be designated as a beneficiary under Option A and Option B is unclear and difficult to administer; and that this act is immediately necessary to maintain an orderly system of benefits for members of the Arkansas Teacher Retirement System. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;
(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

(SIGNED) SENATOR JOHNNY KEY

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 120 was ordered engrossed.

On motion of Senator Files, **Senate Bill No. 377** was withdrawn from the Committee on REVENUE & TAXATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 377

Amend **Senate Bill No. 377** as originally introduced:

Page 2, delete lines 24 through 29

AND

Page 3, delete line 9 and substitute the following:

“(b)(1) If the ~~tax and penalty are~~ excise tax is”

AND

Page 3, delete lines 33 through 35 and substitute the following:

“(2)(A) When the director issues a notice of proposed assessment to the distributor under § 26-18-403, the director may notify the bonding company of the excise tax delinquency.

(B) At the end of the ten-day demand for payment period that begins on the date a final assessment is issued under § 26-18-401, the director shall notify the bonding company of the excise tax delinquency and declare the bond forfeited.”

AND

Page 7, delete lines 31 through 36

AND

Page 8, delete line 1

AND

Appropriately renumber the sections of the bill

(SIGNED) SENATOR JAKE FILES

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 377 was ordered engrossed.

On motion of Senator Lamoureux, **Senate Bill No. 353** was withdrawn from the Committee on EDUCATION, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 353

Amend **Senate Bill No. 353** as originally introduced:
Page 3, delete lines 26 through 29, and substitute:
"necessary to enforce sanctions related to academic"

(SIGNED) SENATOR MICHAEL LAMOUREUX

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 353 was ordered engrossed.

On motion of Senator Elliott, **Senate Bill No. 336** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 336

Amend **Senate Bill No. 336** as originally introduced:

Add Representative Webb as a cosponsor of the bill

AND

Page 1, delete line 19 and substitute:

"SECTION 1. Arkansas Code § 27-24-1001 is amended to read as follows:
Subchapter 10
— Colleges, ~~and Universities,~~ and Arkansas School for the Deaf

27-24-1001. Purpose.

The purpose of this subchapter is to:

- (1) ~~continue~~ Continue the special license plates for colleges and universities that existed before April 13, 2005, to support higher education in the state by providing additional funding for academic or need-based scholarships and to transfer the authority to the Department of Finance and Administration to issue additional college and university special license plates; and
- (2) Authorize a special license plate for the Arkansas School for the Deaf, which is accredited by the Commission on Institutions of Higher Education of the North Central Association of Colleges and Schools and has students up to twenty-one (21) years of age.

SECTION 2. Arkansas Code § 27-24-1005(b)(2), regarding issuance, renewal, and replacement of special license plates issued for colleges and universities, is amended to read as follows:

- (2) A fee not to exceed twenty-five dollars (\$25.00) to cover the design-use contribution by the college or university or the Arkansas School for the Deaf or for fund-raising purposes; and

SECTION 3. Arkansas Code § 27-24-1005(e), regarding issuance, renewal, and replacement of special license plates issued for colleges and universities, is amended to read as follows:

- (e)(1) The department shall remit the fees collected under subdivision (b)(2) of this section on a monthly basis to the college or university or the Arkansas School for the Deaf depending on the school for which each special license plate was purchased.

(2) The department shall also provide to each participating college or university or the Arkansas School for the Deaf a list of persons who have paid for a special license plate under this subchapter relating to that entity.

SECTION 4. Arkansas Code Title 27, Chapter 24, Subchapter 10 is"

AND

Page 1, line 21, delete "27-24-1410." and substitute "27-24-1010."

AND

Page 2, line 27, delete "27-24-1405." and substitute "27-24-1005."

AND

Page 2, line 29, delete "27-24-1405(b)(2)" and substitute "27-24-1005(b)(2)."

AND

If appropriate, renumber all sections in the bill so that they are consecutive.

(SIGNED) SENATOR JOYCE ELLIOTT

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 336 was ordered engrossed.

On motion of Senator Crumbly, [Senate Bill No. 459](#) was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
 EIGHTY-EIGHTH GENERAL ASSEMBLY
 REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 459](#)

Amend [Senate Bill No. 459](#) as originally introduced:

Delete the title in its entirety and substitute the following:
 "AN ACT TO DEFINE ARKANSAS RED COUNTIES; TO ESTABLISH A REPORTING SYSTEM; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:
 "AN ACT TO DEFINE ARKANSAS RED COUNTIES AND TO ESTABLISH A REPORTING SYSTEM."

AND

Page 1, delete lines 27 through 36

AND

Page 2, delete lines 1 through 11 and substitute the following:

"(a)(1) As used in this section, "Arkansas red counties" means those counties in which Arkansans were born and are living have a life expectancy rate six (6) to ten (10) times less than the life expectancy of Arkansans who were born and are living in the county with the highest life expectancy.

(2) "Arkansas red counties" includes on the effective date of this subchapter:

- (1) Arkansas;
- (2) Chicot;
- (3) Crittenden;
- (4) Cross;
- (5) Dallas;
- (6) Desha;
- (7) Fulton;
- (8) Jackson;
- (9) Jefferson;
- (10) Mississippi;
- (11) Monroe;
- (12) Ouachita;
- (13) Perry;
- (14) Phillips;
- (15) Poinsett;
- (16) St. Francis;
- (17) Sevier;

(18) Union; and
(19) Woodruff."

AND

Page 2, line 22, delete "(c)" and substitute "(c)(1)"

AND

Page 2, delete lines 24 through 32 and substitute the following:
"in Arkansas is encouraged to provide its programs, services, and research in
Arkansas red counties.

(2) Identified agencies, boards, and commissions whose scope of
services encompasses the Arkansas red counties include without limitation, the:

(A) Arkansas Center for Health Improvement;

(B) Arkansas Department of Environmental Quality;

(C) Department of Health;

(D) Donald W. Reynolds Institute on Aging at the University of
Arkansas for Medical Sciences;

(E) Area Agencies on Aging;

(F) Arkansas Biosciences Institute of the University of Arkansas
for Medical Sciences;

(G) Fay W. Boozman College of Public Health of the University
of Arkansas for Medical Sciences;

(H) Partners for Inclusive Communities of the University
Centers of Excellence in Developmental Disabilities Education, Research, and
Service of the University of Arkansas for Medical Sciences.

(3)(A) The entities listed in subdivision (c)(2) of this section shall
submit an annual report to the chair of the House Committee on Public Health,
Welfare, and Labor and the chair of the Senate Committee on Public Health,
Welfare, and Labor and the Governor to be delivered on or before October 1 of each
year.

(B) The annual report required under subdivision (c)(3)(A) of
this section shall include without limitation a section that:

(i) Describes services, programs, research, or any
combination of services, programs, and research provided in the Arkansas red
counties during the previous fiscal years;

(ii) Accounts for expenditures, services, programs,
research, or any combination of services, programs, and research provided in the
Arkansas red counties during the previous fiscal year; and

(iii) Provides recommendations toward improving health
and healthcare in Arkansas red counties."

AND

Page 2, line 33, delete "(d)(1)" and substitute "(d)"

AND

Page 2, line 36, delete "(A)" and substitute "(1)"

AND

Page 3, line 1, delete "(B)" and substitute "(2)"

AND

Page 3, line 2, delete "(C)" and substitute "(3)"

AND

Page 3, line 3, delete "(D)" and substitute "(4)"

AND

Page 3, line 4, delete "(E)" and substitute "(5)"

AND

Page 3, delete lines 6 through 10

(SIGNED) SENATOR JACK CRUMBLY

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 459 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 293** was withdrawn from the Committee on PUBLIC HEALTH, WELFARE & LABOR, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 293

Amend **Senate Bill No. 293** as engrossed, S2/22/11:

Page 1, delete lines 24 and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 53 is amended to add an"

AND

Page 1, line 26, delete "Subchapter 4" and substitute "Subchapter 2"

AND

Page 1, line 29, delete "14-1-401." and substitute "14-53-201."

AND

Page 1, delete line 31 through 35 and substitute the following:

"(1) "Cancer" means cancer of the brain, breast, colon, liver, or testicle; and

(2)(A) "Firefighter" means a person who is paid as a member of a municipal fire department or fire fighting unit of a city of the first class, city of the second class, or a town who actively engages in the fighting of fires.

(B) "Firefighter" does not include:

(i) A volunteer firefighter;

(ii) A firefighter who is an employee of a county; or

(iii) A firefighter covered under § 20-22-809."

AND

Page 2, line 1, delete "14-1-402." and substitute "14-53-202."

AND

Page 2, line 19, delete "14-1-403." and substitute "14-53-203."

AND

Page 3, delete line 5 and substitute the following:

"is sought is known to be associated with the use of tobacco, and:"

AND

Page 3, delete lines 16 through 18 and substitute the following:

"(f) Subdivision (b)(4) of this section does not affect the right of a"

AND

Page 3, line 22 delete, delete "14-1-404." and substitute "14-53-204."

AND

Page 3, line 29, delete, delete "14-1-405." and substitute "14-53-205."

(SIGNED) SENATOR JIMMY JEFFRESS

The Amendment was read for the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 293 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 120, BY SENATOR JOHNNY KEY,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Key, **Senate Bill No. 120** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 152, BY SENATOR JONATHAN DISMANG,
SENATE BILL NO. 377, BY SENATOR JAKE FILES,

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Dismang, **Senate Bill No. 152** was ordered re-referred to the Committee on REVENUE & TAXATION.

On motion of Senator Files, **Senate Bill No. 377** was ordered re-referred to the Committee on REVENUE & TAXATION.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 293, BY SENATOR JIMMY JEFFRESS,
SENATE BILL NO. 459, BY SENATOR JACK CRUMBLY,

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Senator J. Jeffress, **Senate Bill No. 293** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Crumbly, **Senate Bill No. 459** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 336, BY SENATOR JOYCE ELLIOTT,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Elliott, **Senate Bill No. 336** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 353, BY SENATOR MICHAEL LAMOUREUX,

beg leave to report that we have carefully compared the engrossed copy with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

On motion of Senator Lamoureux, **Senate Bill No. 353** was ordered re-referred to the Committee on EDUCATION.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on AGRICULTURE, FORESTRY & ECONOMIC
DEVELOPMENT, to whom was referred:

SENATE BILL NO. 242, BY SENATOR SUE MADISON,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR GENE JEFFRESS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on AGRICULTURE, FORESTRY & ECONOMIC
DEVELOPMENT, to whom was referred:

SENATE BILL NO. 531, BY SENATOR BILL SAMPLE,

beg leave to report that we have had the same under consideration, and herewith
return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR GENE JEFFRESS
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

SENATE BILL NO. 400, BY SENATOR BILL SAMPLE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR DAVID BURNETT
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on CITY, COUNTY & LOCAL AFFAIRS, to whom was referred:

HOUSE BILL NO. 1287, BY REPRESENTATIVE TONI BRADFORD,
HOUSE BILL NO. 1297, BY REPRESENTATIVE EFREM ELLIOTT,
HOUSE BILL NO. 1351, BY REPRESENTATIVE ROBERT E. DALE,
HOUSE BILL NO. 1403, BY REPRESENTATIVE JANE ENGLISH,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that they do pass.

Respectfully submitted,

(SIGNED) SENATOR DAVID BURNETT
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on INSURANCE & COMMERCE, to whom was referred:

HOUSE BILL NO. 1315, BY REPRESENTATIVE UVALDE LINDSEY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR JACK B. CRUMBLY
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS, to whom was referred:

SENATE BILL NO. 354, BY SENATOR ROBERT THOMPSON,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR SUE MADISON
CHAIRMAN

SENATE BILL NO. 701
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVE PATTERSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE RESPONSIBILITIES OF COUNTIES WITH REGARD TO SALARY, EXPENSES, AND OTHER COMPENSATION OF TOWNSHIP OFFICERS; AND FOR OTHER PURPOSES.

Senate Bill No. 701 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

SENATE BILL NO. 702
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR LUKER

A Bill for an Act to be Entitled: AN ACT TO ASSURE DUE PROCESS AND PROVIDE ADMINISTRATIVE SIMPLIFICATION IN DEPARTMENT OF HUMAN SERVICES ADJUDICATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 702 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 703
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVES LENDERMAN AND B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO ADD AN ADDITIONAL DISTRICT COURT JUDGE IN CRAIGHEAD COUNTY; AND FOR OTHER PURPOSES.

Senate Bill No. 703 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

On motion of Senator Johnson, **House Bill No. 1302** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator Johnson, **House Bill No. 1302** was ordered re-referred to the Committee on EDUCATION.

On motion of Senator Johnson, **Senate Bill No. 2** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

Without objection, **Senate Bill No. 2** was withdrawn by the author, Senator Johnson.

On motion of Senator Bledsoe, **Senate Resolution No. 15** was called up for third reading and final disposition.

SENATE RESOLUTION NO. 15
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BLEDSOE

SENATE RESOLUTION COMMENDING THE ARKANSAS AGING INITIATIVE FOR ITS STATEWIDE PROGRAM OF COMPREHENSIVE GERIATRIC HEALTH CARE AND EDUCATION FOR SENIOR CITIZENS LIVING IN RURAL ARKANSAS.

Senate Resolution No. 15 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Dismang, **Senate Bill No. 496** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 496

Amend **Senate Bill No. 496** as originally introduced:

Page 1, delete lines 35 and 36 and substitute:

"(d) This section does not apply to offenses under § 5-28-101 et seq. or § 5-55-101 et seq."

(SIGNED) SENATOR JONATHAN DISMANG

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 496 was ordered engrossed.

On motion of Senator Laverty, **Senate Bill No. 341** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 341

Amend **Senate Bill No. 341** as originally introduced:

Add Senators S. Harrelson, P. Malone, D. Wyatt as cosponsors of the bill

AND

Delete the title in its entirety and substitute:

“AN ACT TO ESTABLISH A MEDICAID PROVIDER FEE FOR SERVICES PROVIDED THROUGH OR IDENTICAL TO THOSE PROVIDED UNDER THE ALTERNATIVE COMMUNITY SERVICES WAIVER ADMINISTERED BY THE DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES OF THE DEPARTMENT OF HUMAN SERVICES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.”

AND

Delete the subtitle in its entirety and substitute:

"TO ESTABLISH A MEDICAID PROVIDER FEE FOR SERVICES PROVIDED UNDER THE ALTERNATIVE COMMUNITY SERVICES WAIVER ADMINISTERED BY DDS AND TO DECLARE AN EMERGENCY."

AND

Strike everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 20, Chapter 48 is amended to add an additional subchapter to read as follows:

Subchapter 10 – Alternative Community Services Waiver Provider Fee

20-48-1001. Definitions.

As used in this subchapter:

(1) “Alternative Community Services Waiver” means the home and community-based waiver program authorized by the Centers for Medicare and Medicaid Services under § 1915(c) of the Social Security Act, 42 U.S.C. § 1396 et seq., and administered by the Division of Developmental Disabilities of the Department of Human Services;

(2)(A) "Gross receipts" means compensation paid to a provider for services provided through, or identical to those provided under, the Alternative Community Services Waiver.

(B) "Gross receipts" does not include charitable contributions;
and

(3) "Medicaid" means the medical assistance program established by Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., and administered by the Division of Medical Services of the Department of Human Services.

20-48-1002. Provider fee.

(a)(1) There is imposed a provider fee on services provided through, or identical to those provided under, the Alternative Community Services Waiver to be calculated in accordance with this section.

(2) The provider fee shall be an amount calculated by the Division of Medical Services of the Department of Human Services to produce a provider fee payment equal to six percent (6%) of the gross receipts received by each provider.

(b)(1)(A) The provider fee shall be payable in monthly payments.

(B) Each monthly payment shall be due and payable for the previous month by the thirtieth day of each month.

(2) The division shall seek approval from the Centers for Medicare and Medicaid Services to treat the provider fee as an allowable cost for Medicaid reimbursement purposes.

(c) A provider of services under the Alternative Community Services Waiver shall not be guaranteed, expressly or otherwise, that any additional moneys paid to the provider for services under the Alternative Community Services Waiver will equal or exceed the amount of its provider fee.

(d)(1) The division shall ensure that the rate of imposition of the provider fee established in this section equals, but does not exceed, the maximum rate of imposition established under federal law and rule for health care-related provider fees without reduction in federal financial participation in Medicaid.

(2) If the division determines that the rate of imposition of the provider fee established in this section exceeds the maximum rate of imposition that federal law and rule allow for health-care related provider fees without reduction in federal financial participation in Medicaid, the division shall lower the rate of imposition of the provider fee to a rate that is equal to the maximum rate that federal law and rule allow for health-care related provider fees without reduction in federal financial participation in Medicaid.

20-48-1003. Administration.

(a) The administration of this subchapter shall be exercised by the Director of the Division of Medical Services of the Department of Human Services and shall be subject to the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b)(1) In accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., the Division of Medical Services of the Department of Human Services shall promulgate rules and prescribe forms for:

(A) The proper imposition and collection of the provider fee;

(B)(i) The enforcement of this subchapter, including without limitation certification nonrenewal, letters of caution, sanctions, or fines.

(ii)(a) The fine for failure to comply with payment and reporting requirements shall be at least one thousand dollars (\$1,000) but no more than one thousand five hundred dollars (\$1,500).

(b) The fine and, if applicable, the outstanding balance of the provider fee shall accrue interest at the maximum rate permitted by law from the date the fine and, if applicable, the provider fee is due until payment of the outstanding balance of the fine and, if applicable, the provider fee;

(C) The format for reporting gross receipts; and

(D) The administration of this subchapter.

(2) The rules shall not grant any exceptions to, or exceptions from, the provider fee.

20-48-1004. Use of funds.

(a)(1) The provider fee imposed and collected under this subchapter shall be deposited into a designated account within the Arkansas Medicaid Program Trust Fund.

(2) The designated account shall be separate and distinct from the general fund and shall be supplementary to the trust fund.

(3) The designated account moneys in the trust fund and the matching federal financial participation under Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., shall be used only as follows:

(A) For the amount resulting from the first five and one-half percent (5.5%) of the provider fee:

(i) A minimum of fifty percent (50%) shall be used for the support and enhancement of services under the Alternative Community Services Waiver to persons with developmental disabilities; and

(ii) An amount not to exceed fifty percent (50%) may be used by the Division of Medical Services of the Department of Human Services; and

(B) The amount resulting from the next five-tenths of one percent (0.5% of the provider fee shall be used by the Division of Developmental Disabilities Services of the Department of Human Services for the support of the state's Human Development Centers.

(b)(1) The designated account moneys in the trust fund from the provider fee imposed and collected under this subchapter that are unused at the end of a fiscal year shall be carried forward.

(2) The designated account moneys in the trust fund from the provider fee imposed and collected under this subchapter may not be used to supplant other local, state, or federal funds.

(3) The designated account moneys in the trust fund from the provider fee imposed and collected under this subchapter shall be exempt from budgetary cuts, reductions, or eliminations caused by a deficiency of general revenues.

20-48-1005. Effectiveness and cessation.

The imposition imposed under § 20-48-1002 shall not take effect or shall cease to be imposed if the imposition is determined to be an impermissible tax or not eligible for federal financial participation under Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that a large number of people with disabilities are on a waiting list for home and community-based services; that the payments created in this act will help reduce the waiting list; and that the payments created in this act are immediately necessary to prevent irreparable harm to the individuals with disabilities who are on the waiting lists. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;
(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

(SIGNED) SENATOR RANDY LAVERTY

The Amendment was read the first time, rules suspended, read the second time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 341 was ordered engrossed.

SENATE BILL NO. 704
 EIGHTY-EIGHTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO REINSTATE THE AUTHORITY OF LAW ENFORCEMENT TO SEIZE THE DRIVER'S LICENSE OF DRIVERS UNDER EIGHTEEN (18) YEARS OF AGE CHARGED WITH MINOR IN POSSESSION AS RECOMMENDED BY THE TASK FORCE ON SUBSTANCE ABUSE PREVENTION; AND FOR OTHER PURPOSES.

Senate Bill No. 704 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 705
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO AMEND THE REPORTING REQUIREMENT UNDER GARRETT'S LAW; TO REQUIRE PHYSICIANS TO REPORT ALCOHOL USE BY A PREGNANT WOMAN WHO IS UNDER TWENTY-ONE (21) YEARS OF AGE; AND FOR OTHER PURPOSES.

Senate Bill No. 705 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 706
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT CONCERNING THE POSTING OF WARNING SIGNS RELATING TO DRINKING ALCOHOLIC BEVERAGES DURING PREGNANCY; AND FOR OTHER PURPOSES.

Senate Bill No. 706 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 707
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR B. PRITCHARD

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS LAW CONCERNING INVOLUNTARY COMMITMENTS OF PERSONS ADDICTED TO ALCOHOL AND DRUGS; AND FOR OTHER PURPOSES.

Senate Bill No. 707 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 708
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR SALMON
BY: REPRESENTATIVE T. ROGERS

A Bill for an Act to be Entitled: AN ACT TO AMEND THE DEFINITION OF EXEMPT COMMODITIES AND SERVICES UNDER THE ARKANSAS PROCUREMENT LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 708 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

The President declared the morning hour to have expired.

On motion of Senator SENATOR J. HUTCHINSON, **Senate Bill No. 63** was called up for third reading and final disposition.

**SENATE BILL NO. 63
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. HUTCHINSON**

A Bill for an Act to be Entitled: AN ACT TO EXPAND A MEMBER'S OPTIONS FOR DISTRIBUTION OF A MEMBER'S TEACHER DEFERRED RETIREMENT OPTION PLAN IN THE ARKANSAS TEACHER RETIREMENT SYSTEM TO INCLUDE A PARTIAL DISTRIBUTION; TO INCLUDE RECIPROCAL SERVICE WHEN CALCULATING PLAN DEPOSITS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 63 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 63**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the adoption of the Emergency Clause	24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 63 was ordered immediately transmitted to the House.

On motion of Senator J. Key, **Senate Bill No. 170** was called up for third reading and final disposition.

**SENATE BILL NO. 170
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY**

A BILL FOR AN ACT TO BE ENTITLED: AN ACT TO PROVIDE CADETS THE ABILITY TO PURCHASE SERVICE CREDIT UNDER THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 170 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 170 was ordered immediately transmitted to the House as passed.

On motion of Senator Baker, **Senate Bill No. 290** was called up for third reading and final disposition.

SENATE BILL NO. 290

As Engrossed: S2/21/11

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATORS G. BAKER, R. THOMPSON, J. KEY & D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY ARKANSAS ETHICS LAWS; AMENDING PORTIONS OF ARKANSAS LAW RESULTING FROM INITIATED ACT 1 OF 1990 AND INITIATED ACT 1 OF 1996; AND FOR OTHER PURPOSES.

Senate Bill No. 290 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast.....35

Necessary to the passage of the bill 18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 290 was ordered immediately transmitted to the House as passed.

On motion of Senator Wyatt, **Senate Bill No. 292** was called up for third reading and final disposition.

SENATE BILL NO. 292
As Engrossed: S2/22/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR D. WYATT
BY: REPRESENTATIVES MCLEAN AND WREN

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE TRANSFER ON DEATH TO A BENEFICIARY OF CERTAIN VEHICLES AND MOTORBOATS THAT ARE REGISTERED WITH THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR OTHER PURPOSES.

Senate Bill No. 292 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 292 was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 27** was called up for third reading and final disposition.

SENATE BILL NO. 27
As Engrossed: S1/25/11 S2/24/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO MANDATE THAT LAW ENFORCEMENT BE NOTIFIED IN THE EVENT THAT A HEALTH CARE PROVIDER TREATS A BURN THAT REASONABLY COULD BE CONNECTED TO CRIMINAL ACTIVITY; AND FOR OTHER PURPOSES.

Senate Bill No. 27 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 27 was ordered immediately transmitted to the House as passed.

On motion of Senator Key, **Senate Bill No. 379** was called up for third reading and final disposition.

**SENATE BILL NO. 379
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY
BY: REPRESENTATIVE JOHNSTON**

A Bill for an Act to be Entitled: AN ACT TO REMOVE THE REQUIREMENT FOR SOCIAL SECURITY NUMBERS IN ENVIRONMENTAL DISCLOSURE STATEMENTS; AND FOR OTHER PURPOSES.

Senate Bill No. 379 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 379 was ordered immediately transmitted to the House as passed.

On motion of Senator Burnett, **House Bill No. 1398** was called up for third reading and final disposition.

HOUSE BILL NO. 1398
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE B. WILKINS

A Bill for an Act to be Entitled: AN ACT TO AMEND REQUIREMENTS FOR NOTICE OF CERTAIN INCIDENTS AT LONG-TERM CARE FACILITIES; TO REMOVE FINES FOR VIOLATIONS BY INDIVIDUALS; AND FOR OTHER PURPOSES.

House Bill No. 1398 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1398 was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1319** was called up for third reading and final disposition.

**HOUSE BILL NO. 1319
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE TYLER**

A Bill for an Act to be Entitled: AN ACT REGARDING THE AWARDING OF A SERVICE WEAPON UPON RETIREMENT OF CERTAIN DEPARTMENT OF CORRECTION EMPLOYEES; AND FOR OTHER PURPOSES.

House Bill No. 1319 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1319 was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1320** was called up for third reading and final disposition.

**HOUSE BILL NO. 1320
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE TYLER**

A Bill for an Act to be Entitled: AN ACT REGARDING THE DEPARTMENT OF CORRECTION'S PROGRAM TO SELL SURPLUS ITEMS; AND FOR OTHER PURPOSES.

House Bill No. 1320 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1320 was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1321** was called up for third reading and final disposition.

**HOUSE BILL NO. 1321
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE TYLER**

A Bill for an Act to be Entitled: AN ACT TO ALLOW INMATES IN REHABILITATIVE PROGRAMS TO BE HOUSED AT THE ARKANSAS HEALTH CENTER; AND FOR OTHER PURPOSES.

House Bill No. 1321 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1321 was ordered immediately returned to the House as passed.

On motion of Senator Burnett, **House Bill No. 1353** was called up for third reading and final disposition.

**HOUSE BILL NO. 1353
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES TYLER AND KERR
BY: SENATOR BURNETT**

A Bill for an Act to be Entitled: AN ACT REGARDING THE FUNCTION, POWERS, AND DUTIES OF THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Senator Baker spoke for the Bill.

Senator Burnett closed for the Bill.

House Bill No. 1353 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1353 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, **House Bill No. 1280** was called up for third reading and final disposition.

HOUSE BILL NO. 1280
As Engrossed: S2/28/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE LEDING

A Bill for an Act to be Entitled: AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS SURFACE COAL MINING AND RECLAMATION ACT OF 1979; AND FOR OTHER PURPOSES.

House Bill No. 1280 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1280 was ordered immediately returned to the House as passed.

On motion of Senator Wyatt, **House Bill No. 1418** was called up for third reading and final disposition.

**HOUSE BILL NO. 1418
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES BARNETT AND WORD
BY: SENATOR D. WYATT**

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE REGISTRATION OF A FLEET OF MOTOR VEHICLES FOR NONPROFIT ORGANIZATIONS FOR MULTIPLE YEARS; AND FOR OTHER PURPOSES.

House Bill No. 1418 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast.....	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1418 was ordered immediately returned to the House as passed.

On motion of Senator Wyatt, **House Bill No. 1422** was called up for third reading and final disposition.

**HOUSE BILL NO. 1422
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE CATLETT**

A Bill for an Act to be Entitled: AN ACT TO AMEND THE STATUTES REGARDING THE SUSPENSION OR REVOCATION OF A DRIVER’S LICENSE; TO AMEND THE STATUTE REGARDING THE PENALTIES FOR UNLAWFUL USE OF A LICENSE; TO MAKE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES.

House Bill No. 1422 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1422 was ordered immediately returned to the House as passed.

On motion of Senator Pritchard, **House Bill No. 1431** was called up for third reading and final disposition.

**HOUSE BILL NO. 1431
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE INGRAM**

A Bill for an Act to be Entitled: AN ACT CONCERNING NOTICE PROCEDURES UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND FOR OTHER PURPOSES.

House Bill No. 1431 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total	35
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	35
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1431 was ordered immediately returned to the House as passed.

On motion of Senator Key, **House Bill No. 1318** was called up for third reading and final disposition.

**HOUSE BILL NO. 1318
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE TYLER**

A Bill for an Act to be Entitled: AN ACT REGARDING PAROLE RELEASE WHEN AN INMATE'S PAROLE RELEASE DATE FALLS ON A WEEKEND OR HOLIDAY; AND FOR OTHER PURPOSES.

House Bill No. 1318 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, J. Dismang, Elliott, Files, Fletcher, S. Flowers, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, J. Jeffress, D. Johnson, J. Key, M. Lamoureux, Laverty, Luker, Madison, P. Malone, B. Pritchard, Rapert, Salmon, B. Sample, J. Taylor, Teague, R. Thompson, Whitaker, E. Williams, D. Wyatt.

Total35

NEGATIVE:

Total0

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT:

Total0

Total number of votes cast35

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1318 was ordered immediately returned to the House as passed.

On motion of Senator Sample, **House Bill No. 1420** was called up for third reading and final disposition.

HOUSE BILL NO. 1420
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE VINES
BY: SENATOR B. SAMPLE

A Bill for an Act to be Entitled: AN ACT TO ALLOW A GRANDPARENT OR A SIBLING OVER EIGHTEEN (18) YEARS OF AGE TO ACCOMPANY A CHILD OF FIVE (5) TO THIRTEEN (13) YEARS OF AGE TO OBTAIN AN IDENTIFICATION CARD; AND FOR OTHER PURPOSES.

House Bill No. 1420 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: G. Baker, Bledsoe, Bookout, Burnett, L. Chesterfield, Crumbly, Files, Fletcher, S. Harrelson, Hendren, Holland, J. Hutchinson, Irvin, G. Jeffress, D. Johnson, J. Key, Madison, P. Malone, B. Pritchard, Salmon, B. Sample, Whitaker, E. Williams, D. Wyatt.

Total24

NEGATIVE:

Total0

ABSENT OR NOT VOTING: J. Dismang, Elliott, S. Flowers, J. Jeffress, M. Lamoureux, Lavery, Luker, Rapert, J. Taylor, Teague, R. Thompson.

Total11

VOTING PRESENT:

Total0

Total number of votes cast24

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1420 was ordered immediately returned to the House as passed.

On motion of Senator G. Jeffress, **House Bill No. 1440** was withdrawn from the Committee on JUDICIARY, and placed on the Calendar.

On motion of Senator G. Jeffress, **House Bill No. 1440** was ordered re-referred to the Committee on AGRICULTURE, FORESTRY & ECONOMIC DEVELOPMENT.

On motion of Senator Whitaker, **Senate Bill No. 205** was withdrawn from the Committee on EDUCATION, and placed on the Calendar.

Without objection, **Senate Bill No. 205** was withdrawn by the author.

SENATE RESOLUTION NO. 20
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR IRVIN

SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIFE ACHIEVEMENTS OF VICTOR VAUGHN.

Senate Resolution No. 20 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 709
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS IRVIN, BLEDSOE, G. BAKER, RAPERT, FILES,
J. HUTCHINSON, M. LAMOUREUX, E. WILLIAMS, HOLLAND, J. DISMANG,
J. KEY, B. SAMPLE, WHITAKER, HENDREN & B. PRITCHARD
BY: REPRESENTATIVES J. BURRIS, BAIRD, BENEDICT, BIVIANO, CLEMMER,
DALE, DEFFENBAUGH, ENGLISH, EUBANKS, GARNER, HAMMER, HARRIS,
HICKERSON, HOBBS, HOPPER, HUBBARD, D. HUTCHINSON, JOHNSTON,
LEA, MAUCH, D. MEEKS, S. MEEKS, RICE & SANDERS

A Bill for an Act to be Entitled: AN ACT TO CREATE THE HEALTHCARE REFORM ACCOUNTABILITY ACT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Senate Bill No. 709 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 710
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATOR D. JOHNSON
BY: REPRESENTATIVE POWERS

A Bill for an Act to be Entitled: AN ACT CONCERNING THE ARKANSAS SUBSIDIZED GUARDIANSHIP ACT; AND FOR OTHER PURPOSES.

Senate Bill No. 710 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

SENATE BILL NO. 711
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY
BY: REPRESENTATIVE CHEATHAM

A Bill for an Act to be Entitled: AN ACT TO STUDY THE ADVANTAGES AND DISADVANTAGES OF AN EXTENDED SCHOOL YEAR; AND FOR OTHER PURPOSES.

Senate Bill No. 711 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 712
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR E. WILLIAMS

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE PARENT OF A MILITARY DEPENDENT WHO RESIDES ON A MILITARY BASE TO CHOOSE WHICH SCHOOL THE CHILD ATTENDS; AND FOR OTHER PURPOSES.

Senate Bill No. 712 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 713
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS LAVERTY AND D. WYATT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE DUTIES AND RESPONSIBILITIES OF THE JOINT INTERIM COMMITTEE ON LEGISLATIVE FACILITIES; AND FOR OTHER PURPOSES.

Senate Bill No. 713 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 714
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR TEAGUE

A Bill for an Act to be Entitled: AN ACT CONCERNING PARTICIPATION BY THE ARKANSAS LOTTERY COMMISSION IN THE ARKANSAS ADMINISTRATIVE STATEWIDE INFORMATION SYSTEM; AND FOR OTHER PURPOSES.

Senate Bill No. 714 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 715
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO ELIMINATE THE REQUIREMENT FOR A MOTORIST TO CARRY AN INSURANCE CARD IN HIS OR HER MOTOR VEHICLE AND TO CREATE A REBUTTABLE PRESUMPTION THAT THE VEHICLE INSURANCE DATABASE INFORMATION IS CORRECT; AND FOR OTHER PURPOSES.

Senate Bill No. 715 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

STATE OF ARKANSAS

Mike Beebe

Governor

March 1, 2011

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform you that on March 1, 2011, I approved the following measures from the Regular Session of the Eighty-Eighth General Assembly:

Senate Bill No. 130 - ACT 147

Sincerely,

(SIGNED) MIKE BEEBE

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on ENGROSSED BILLS, to whom was referred:

SENATE BILL NO. 341, BY SENATOR RANDY LAVERTY ET AL,
SENATE BILL NO. 496, BY SENATOR JONATHAN DISMANG,

beg leave to report that we have carefully compared the engrossed copies with the original and we find the same correctly engrossed.

Respectfully submitted,

(SIGNED) SENATOR LINDA CHESTERFIELD
CHAIRMAN

Senate Bill No. 9 was returned from the House as passed and ordered enrolled.

Senate Bill No. 33 was returned from the House as passed and ordered enrolled.

Senate Bill No. 49 was returned from the House as passed and ordered enrolled.

Senate Bill No. 53 was returned from the House as passed and ordered enrolled.

Senate Bill No. 15 was returned from the House as passed and ordered enrolled.

Senate Bill No. 39 was returned from the House as passed and ordered enrolled.

Senate Bill No. 51 was returned from the House as passed and ordered enrolled.

Senate Bill No. 102 was returned from the House as passed and ordered enrolled.

SENATE BILL NO. 716
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR P. MALONE

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE REQUIREMENT THAT THE ARKANSAS STATE MEDICAL BOARD MAKE QUARTERLY REPORTS TO THE PUBLIC HEALTH COMMITTEES REGARDING INFORMATION PROVIDED TO CREDENTIALING ORGANIZATIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 716 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 717
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FILES

A Bill for an Act to be Entitled: AN ACT TO REQUIRE CERTAIN LICENSEES OF THE HVACR LICENSING BOARD TO ACQUIRE AND MAINTAIN GENERAL LIABILITY INSURANCE; AND FOR OTHER PURPOSES.

Senate Bill No. 717 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

Received from the House

HOUSE BILL NO. 1140

As Engrossed: H2/16/11

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE NICKELS

A Bill for an Act to be Entitled: AN ACT TO PREVENT INEQUITY IN THE CALCULATION OF FINAL AVERAGE SALARY BY REMOVING THE ANTISPIKING PROVISIONS FOR A MAJOR GAP OF EMPLOYMENT UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1140 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 718

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE LIGHT TRANSMISSION LEVELS FOR WINDOW TINTING ON CHAUFFEUR-DRIVEN SEDANS; AND FOR OTHER PURPOSES.

Senate Bill No. 718 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC TRANSPORTATION.

Received from the House

HOUSE BILL NO. 1135
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE STEWART

A Bill for an Act to be Entitled: AN ACT TO REPEAL THE CHOICE TO RESCIND RETIREMENT; TO MAKE THE ARKANSAS TEACHER RETIREMENT SYSTEM STATUTES CONSISTENT WITH OTHER STATE PENSION PLANS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1135 was read the first time, rules suspended, read the second time and placed on the Calendar.

Received from the House

HOUSE BILL NO. 1257
As Engrossed: H2/2/11
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE INGRAM
BY: SENATOR D. JOHNSON

A Bill for an Act to be Entitled: AN ACT TO ALLOW A CREDIT FOR SALES OR USE TAXES PAID TO ANOTHER STATE FOR THE PURCHASE OF A MOTOR VEHICLE, A TRAILER, OR A SEMITRAILER; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

House Bill No. 1257 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

Received from the House

HOUSE BILL NO. 1371

As Engrossed: H2/21/11 H2/28/11

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES KERR, HALL, SUMMERS, SANDERS, DALE, HOPPER,
HOBBS, WESTERMAN, ENGLISH, HICKERSON & PERRY

BY: SENATORS J. HUTCHINSON AND RAPERT

A Bill for an Act to be Entitled: AN ACT TO CREATE AN ALTERNATIVE PROCEDURE TO OBTAIN TITLE OF A MOTOR VEHICLE WHERE THERE IS A TOTAL LOSS SETTLEMENT; AND FOR OTHER PURPOSES.

House Bill No. 1371 was read the first time, rules suspended, read the second time and referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

Received from the House

HOUSE BILL NO. 1489

EIGHTY-EIGHTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE T. STEELE

A Bill for an Act to be Entitled: AN ACT CLARIFY THE PURPOSES, DUTIES, AND OPERATIONS OF THE ARKANSAS STUDENT LOAN AUTHORITY; AND FOR OTHER PURPOSES.

House Bill No. 1489 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

Received from the House

HOUSE BILL NO. 1546
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. HUTCHINSON

A Bill for an Act to be Entitled: AN ACT TO SPECIFY THE COLORS OF THE STATE FLAG AND REQUIRE THAT IT BE MADE IN THE UNITED STATES; AND FOR OTHER PURPOSES.

House Bill No. 1546 was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES & GOVERNMENTAL AFFAIRS.

Received from the House

HOUSE BILL NO. 1605
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: HOUSE MANAGEMENT COMMITTEE

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 - STAFF FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.

House Bill No. 1605 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 719
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. BAKER

A Bill for an Act to be Entitled: AN ACT CONCERNING THE TEACHER FAIR DISMISSAL ACT OF 1983; AND FOR OTHER PURPOSES.

Senate Bill No. 719 was read the first time, rules suspended, read the second time and referred to the Committee on EDUCATION.

SENATE BILL NO. 720
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS J. DISMANG, G. BAKER, BURNETT, L. CHESTERFIELD, FILES,
FLETCHER, S. FLOWERS, HOLLAND, J. HUTCHINSON, G. JEFFRESS, J.
JEFFRESS,
M. LAMOUREUX & B. SAMPLE

BY: REPRESENTATIVES WILLIAMS, PIERCE, J. BURRIS, BIVIANO, ALLEN,
D. ALTES, T. BAKER, BARNETT, COLLINS, L. COWLING, E. ELLIOTT, ENGLISH,
FIELDING, GASKILL, HALL, HARRIS, KERR, KING, LOVE, LOVELL, S. MALONE,
MCLEAN, MURDOCK, PATTERSON, T. ROGERS, T. STEELE, WOODS & WORD

A Bill for an Act to be Entitled: AN ACT TO REGULATE THE ISSUANCE OF A BROKER'S PRICE OPINION BY A REAL ESTATE LICENSEE; AND FOR OTHER PURPOSES.

Senate Bill No. 720 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

SENATE BILL NO. 721
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR MADISON

A Bill for an Act to be Entitled: AN ACT TO STIMULATE ECONOMIC DEVELOPMENT AND JOB CREATION IN THE ENERGY ECONOMY AND PROVIDE FOR THE RECOVERY OF THE ELECTRIC UTILITY'S COSTS; AND FOR OTHER PURPOSES.

Senate Bill No. 721 was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE & COMMERCE.

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 559, BY SENATOR RANDY LAVERTY,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 345, BY SENATOR PERCY MALONE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 5.

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

SENATE BILL NO. 437, BY SENATOR PERCY MALONE,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass as amended No. 1.

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

ARKANSAS SENATE
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION

March 1, 2011

Mr. President:

We, your Committee on PUBLIC HEALTH, WELFARE & LABOR, to whom was referred:

HOUSE BILL NO. 1453, BY REP. FRED ALLEN,

beg leave to report that we have had the same under consideration, and herewith return the same with the recommendation that it do pass.

Respectfully submitted,

(SIGNED) SENATOR PERCY MALONE
CHAIRMAN

SENATE BILL NO. 722
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE PROCEDURES FOR RECOUPMENT OF COSTS UNDER THE ARKANSAS PHARMACY AUDIT BILL OF RIGHTS; AND FOR OTHER PURPOSES.

Senate Bill No. 722 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE BILL NO. 723
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR J. KEY

A Bill for an Act to be Entitled: AN ACT TO AMEND THE LAW REGARDING SOLID WASTE MANAGEMENT; AND FOR OTHER PURPOSES.

Senate Bill No. 723 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

SENATE RESOLUTION NO. 21
EIGHTY-EIGHTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR FILES

SENATE RESOLUTION TO ENCOURAGE THE ARKANSAS CONGRESSIONAL DELEGATION TO SUPPORT THE MAINTENANCE, FUNDING, AND COMPLETION OF THE TWELVE-FOOT CHANNEL ON THE ARKANSAS RIVER.

Senate Resolution No. 21 was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILLS TRANSMITTED TO THE HOUSEAS PASSED

SENATE BILL NO. 27
SENATE BILL NO. 63
SENATE BILL NO. 170
SENATE BILL NO. 290
SENATE BILL NO. 292
SENATE BILL NO. 379

HOUSE BILLS RETURNED TO THE HOUSEAS PASSED

HOUSE BILL NO. 1318
HOUSE BILL NO. 1319
HOUSE BILL NO. 1320
HOUSE BILL NO. 1321
HOUSE BILL NO. 1353
HOUSE BILL NO. 1398
HOUSE BILL NO. 1418
HOUSE BILL NO. 1420
HOUSE BILL NO. 1422
HOUSE BILL NO. 1431

HOUSE BILL RETURNED TO THE HOUSEAS PASSED AS AMENDED

HOUSE BILL NO. 1280 AS AMENDED NO. 1

SENATE BILLS RETURNED FROM THE HOUSEAS PASSED AND ORDERED ENROLLED

SENATE BILL NO. 9
SENATE BILL NO. 15
SENATE BILL NO. 33
SENATE BILL NO. 39
SENATE BILL NO. 49
SENATE BILL NO. 51
SENATE BILL NO. 53
SENATE BILL NO. 102

HOUSE BILLS TRANSMITTED TO THE SENATE

AS PASSED

HOUSE BILL NO. 1135

HOUSE BILL NO. 1257

HOUSE BILL NO. 1371

HOUSE BILL NO. 1489

HOUSE BILL NO. 1546

HOUSE BILL NO. 1605

HOUSE BILL TRANSMITTED TO THE SENATE

AS PASSED

EMERGENCY CLAUSE HAVING FAILED

HOUSE BILL NO. 1140

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m.,
Wednesday, March 2, 2011.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE