

**SIXTY-FOURTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
March 12, 2007

The House was called to order at 1:30 p.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

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

Total97

The following member(s) was absent and did not answer to the roll call:
T. Bradford, Burris, Davis.

Total3

A quorum was present.

Unanimous leave was granted for Representative(s) T. Bradford, Burris, Davis.

The House stood and was led in prayer by Reverend Michael J. Wilson, Pastor, Whitest Chapel Baptist Church, Camden, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

JOINT BUDGET	March 12, 2007
	CHRIS THYER
	CHAIRPERSON
SENATE BILL NO. 788	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	March 12, 2007
	ERIC HARRIS
	CHAIRPERSON
HOUSE BILL NO. 1095	DO PASS
BY REPRESENTATIVE HARRIS	
HOUSE BILL NO. 1098	DO PASS
BY REPRESENTATIVE HARRIS	

Upon motion of Representative E. Brown, **HOUSE BILL NO. 2256** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2256

Amend **HOUSE BILL NO. 2256** as engrossed,

H3/2/07 (version: 03-02-2007 09:17):

Page 3, delete line 34 and substitute the following:

"(a) All subsidized guardianship records personally identifying a juvenile shall be"

AND

Page 4, delete line 20 and substitute the following:

"disclose to any other person any personally identifying information obtained pursuant to this"

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Burris, **HOUSE BILL NO. 2536** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2536

Amend **HOUSE BILL NO. 2536** as originally introduced:

Page 4, line 31, delete "thirty" and substitute "fifteen"

AND

Page 4, line 32, delete "(30)" and substitute "(15)"

/s/ Mike Burris

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wood, HOUSE BILL NO. 2541 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2541

Amend HOUSE BILL NO. 2541 as originally introduced:

Add Representative Dickinson as a cosponsor

AND

Page 1, line 10, delete "ARKNASAS" and substitute "ARKANSAS"

AND

Page 1, delete line 13 and 14 and substitute:

“GUARD YOUTH CHALLENGE PROGRAM SUPPLEMENTAL FUND AND THE ARKANSAS NATIONAL GUARD C-STEP PROGRAM SUPPLEMENTAL FUND; AND”

AND

Page 2, delete line 33 and substitute:

“National Guard Youth Challenge Program Supplemental Fund; or”

AND

Page 2, delete line 36 and substitute:

“Guard C-Step Program Supplemental Fund.”

AND

Page 5, delete line 30 and substitute:

“19-5-1230. Arkansas National Guard Youth Challenge Program Supplemental Fund.”

AND

Page 5, delete line 33 and substitute:

“known as the “Arkansas National Guard Youth Challenge Program Supplemental Fund”.”

AND

Page 6, delete line 11 and substitute:

“19-5-1231. Arkansas National Guard C-Step Program Supplemental Fund.”

AND

Page 6, delete line 14 and substitute:

“known as the “Arkansas National Guard C-Step Program Supplemental Fund”.”

AND

Page 6, delete line 25 and substitute:

“(4) Other expenses related to the C-Step Program.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the provisions of this act will impact

funding beginning with the fiscal year beginning on July 1, 2007; that it will be difficult and require substantially more state resources to administer this act if the act does not become effective on the first day of the new fiscal year; and that this act is immediately necessary to ensure that the school districts, the Youth Challenge Program, and the C-Step Program are funded. 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 July 1, 2007."

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative House, **HOUSE BILL NO. 1753** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1753

Amend **HOUSE BILL NO. 1753** as originally introduced:

Add Senator Madison as a cosponsor of the bill

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-236-103, concerning definitions, is amended to add a new subdivision to read as follows:

(17) "Certified maintenance person" means an individual registered by the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services to conduct assessments under this chapter.

SECTION 2. Arkansas Code § 14-236-116 is amended to read as follows:

14-236-116. Permits and registration fees - Annual training course - Transferability - Renewal.

(a)(1) A fee shall be levied for the review of individual sewage disposal permit applications as follows:

(A) For structures one thousand five hundred square feet (1,500 sq. ft.) or less, the fee to review a permit application is thirty dollars (\$30.00);

(B) For structures more than one thousand five hundred square

feet (1,500 sq. ft.) and less than two thousand square feet (2,000 sq. ft.), the fee to review a permit application is forty-five dollars (\$45.00);

(C) For structures more than two thousand square feet (2,000 sq. ft.) and less than three thousand square feet (3,000 sq. ft.), the fee to review a permit application is ninety dollars (\$90.00);

(D) For structures more than three thousand square feet (3,000 sq. ft.) and less than four thousand square feet (4,000 sq. ft.), the fee to review a permit application is one hundred twenty dollars (\$120);

(E) For structures four thousand square feet (4,000 sq. ft.) and greater, the fee to review a permit application is one hundred fifty dollars (\$150); and

(F) For the alteration, repair, or extension of any individual sewage disposal system, the fee to review a permit application is ~~fifty dollars (\$50.00)~~ thirty dollars (\$30.00).

(2)(A) In calculating the square footage of a residential structure for purposes of determining the applicable fee under this section, the square footage of all auxiliary areas of the residential structure shall not be considered.

(B) Auxiliary areas include garages, carports, porches, and other similar areas as determined by the Division of Environmental Health Protection of the Department of Health and Human Services.

(b) An installer shall receive at least one (1) annual training course from an online, private, or governmental source approved by the Division of Health of the Department of Health and Human Services and pay a fee of ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100) annually to maintain certification.

(c) A fee of one hundred dollars (\$100) shall be levied annually for the registration of septic tank manufacturers.

(d) A designated representative must attend at least one (1) annual training course provided by the Division of Health of the Department of Health and Human Services and pay a ~~fifty dollar (\$50.00)~~ one hundred dollar (\$100) fee annually to maintain certification.

(e) A certified maintenance person must attend at least one (1) annual training course approved by the Division of Health of the Department of Health and Human Services and pay a fifty-dollar fee annually to maintain certification.

~~(e)~~(f) The fee for the issuance of a review certificate under the provisions of this chapter to the person developing a subdivision shall be a minimum of one hundred dollars (\$100) for one (1) lot and twenty-five dollars (\$25.00) for each following lot, with a maximum of one thousand five hundred dollars (\$1,500).

~~(f)~~(g) Permit and regulation fees collected under this chapter shall be deposited in the State Treasury as follows:

(1) Five dollars (\$5.00) of each permit fee collected for permits issued under subsection (a) of this section shall be credited to a special fund to be known as the "Individual Sewage Disposal Systems Improvement Fund" which is established on the books of the State Treasurer, with such moneys to be used by the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services, and in the manner recommended by the Advisory Committee on Individual Sewage Disposal Systems, for the implementation of the utilization and application of alternate and experimental individual sewage disposal systems, as set forth in this chapter.

(2) The remainder of the fees collected for permits issued under the provisions of subsection (a) of this section, and all of the net fees collected under the provisions of subsections (b), (c), and ~~(e)~~ (d), (e), and (f) of this section shall be credited to the Public Health Fund, and the moneys shall be used only for the operation of the Onsite Wastewater Program of the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services; and

(3) Subject to such rules and regulations as may be implemented by the Chief Fiscal Officer of the State, the disbursing officer for the Division of Health of the Department of Health and Human Services is hereby authorized to transfer all unexpended funds relative to the funds outlined in subdivision ~~(f)~~(g)(2) of this section that pertain to fees collected, as certified by the Chief Fiscal Officer of the State, to be carried forward and made available for expenditures for the same purpose for any following fiscal year.

~~(g)~~(h)(1) Permits issued under subsections (b), (c), and (d) of this section shall be nontransferable and shall be renewed annually.

(2) A late fee equal to one-half (1/2) of the renewal fee for any type of registration or certification shall be charged to renew a permit sixty (60) days after the annual expiration date.

SECTION 3. Arkansas Code § 14-236-119 is repealed.

~~14-236-119. Bond.~~

~~(a)(1) The Division of Health of the Department of Health and Human Services shall require all designated representatives and installers to post a surety bond in an amount not less than ten thousand dollars (\$10,000).~~

~~(2) The surety bond shall be provided by a surety company authorized to do business in the State of Arkansas and issued by an agent licensed in the State of Arkansas.~~

~~(b) The State Board of Health may increase by rule the amount of the surety bond for the designated representatives or installers.~~

SECTION 4. Arkansas Code Title 14, Chapter 236, Subchapter 1 is

amended to add an additional section to read as follows:

14-236-119. Registration of a certified maintenance person.

(a) Each certified maintenance person who operates within the State of Arkansas shall be registered by the Division of Sanitarian Services of the Division of Health of the Department of Health and Human Services.

(b) The registration shall be issued by the Division of Sanitarian Services or its authorized agent upon compliance with this chapter and rules and regulations adopted under this chapter.

(c) The registration shall be renewed on January 1 of each year.

(d)(1) If a violation of this chapter occurs, a certified maintenance person's registration may be revoked without notice by the Division of Sanitarian Services.

(2) The certified maintenance person may appeal the revocation of the registration under the Administrative Procedure Act, § 25-15-201 et seq.

(e) Upon request by an authorized representative of the Division of Sanitarian Services, a certified maintenance person shall provide proof of registration.

(f) A certified maintenance person is subject to the penalties under § 14-236-106 for a violation of this chapter."

/s/ Jim House

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Norton, **HOUSE BILL NO. 2234** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2234

Amend **HOUSE BILL NO. 2234** as originally introduced:

Page 1, delete line 30 and substitute the following:

"(B) However, capital outlay expenditures for academic facilities from a school"

AND

Page 1, delete lines 35 and 36 and substitute the following:

"(A) Material failure to properly maintain school facilities;"

AND

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

AND

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

AND

Page 2, line 5, delete "~~(D)~~(C)" and substitute "(D)"

AND

Page 2, line 7, delete "~~(E)~~(D)" and substitute "(E)"

AND

Page 2, line 10, delete "~~(F)~~(E)" and substitute "(F)"

AND

Page 2, line 12, delete "~~(G)~~(F)" and substitute "(G)"

AND

Page 2, line 14, delete "~~(H)~~(G)" and substitute "(H)"

AND

Page 2, line 16, delete "~~(I)~~(H)" and substitute "(I)"

AND

Page 2, line 18, delete "~~(J)~~(I)" and substitute "(J)"

AND

Page 2, line 20, delete "~~(K)~~(J)" and substitute "(K)"

AND

Page 2, line 22, delete "~~(L)~~(K)" and substitute "(L)"

AND

Page 2, delete line 36 and substitute the following:

"(2) Beginning in 2008, the department shall provide the notice required under"

AND

Page 3, line 3, add the following

"SECTION 1. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that school districts begin their work far in advance of the academic year; that the coming academic year begins in August, 2007; that the school districts require certainty about the effect on the fiscal health of the school district that might arise from capital outlay for academic facility; and that this act is necessary because any delay might irreparably harm a school district and its students. 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."

/s/ James Norton

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ragland, **HOUSE BILL NO. 2584** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2584

Amend **HOUSE BILL NO. 2584** as originally introduced:

Page 2, line 10, delete "have two" and substitute "have no more than two"

AND

Page 2, line 12, delete "have four" and substitute "have no more than four"

AND

Page 2, line 14, delete "have eight" and substitute "have no more than eight"

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Dunn, **HOUSE BILL NO. 2521** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2521

Amend **HOUSE BILL NO. 2521** as originally introduced:

Delete everything after the ENACTING CLAUSE and substitute the following:

"SECTION 1. Arkansas Code § 15-4-2703 is amended to read as follows:
15-4-2703. Definitions.

As used in this subchapter:

(1) "Applied research" means any activity that seeks to utilize, synthesize, or apply existing knowledge, information, or resources to the resolution of a specific problem, question, or issue;

(2) "Average hourly wage" means the weekly earnings, excluding overtime, bonuses, and company-paid benefits, of all new full-time permanent employees hired after the date of the signed financial incentive agreement, divided by the number of new full-time permanent employees, divided by forty (40);

(3) "Basic research" means any original investigation for the advancement of scientific or technological knowledge;

(4) "Contractual employee" means an employee who:

(A) May be included in the payroll calculations of a business qualifying for benefits under this subchapter and is under the direct supervision of the business receiving benefits under this subchapter, but is an employee of a business other than the one receiving benefits under this subchapter;

(B) Otherwise meets the requirements of a new full-time permanent employee of the business receiving benefits under this subchapter; and

(C) Receives a benefits package comparable to direct employees of the business receiving benefits under this subchapter;

(5)(A) "Corporate headquarters" means the facility or portion of a facility where corporate staff employees are physically employed and where the majority of the company's financial, personnel, legal, planning, information technology, or other headquarters-related functions are handled either on a regional basis or a national basis.

(B) A corporate headquarters must be a regional corporate headquarters or a national corporate headquarters;

(6)(A) "County or state average hourly wage" means the weighted average weekly earnings for Arkansans in all industries, both statewide and countywide, as calculated by the Department of Workforce Services in its most recent "Annual Covered Employment and Earnings" publication, divided by forty

(40).

(B) The average hourly wage threshold determined at the signing date of the financial incentive agreement shall be the threshold for the term of the agreement;

(7) "Department" means the Department of Economic Development;

(8) "Director" means the Director of the Department of Economic Development;

(9) "Distribution center" means a facility for the reception, storage, and shipping of:

(A) A business's own products or products that the business wholesales to retail businesses or ships to its own retail outlets; if seventy-five percent (75%) of the sales revenues are from out-of-state customers;

(B) Products owned by other companies with which the business has contracts for storage and shipping if seventy-five percent (75%) of the sales revenues of the product owner are from out-of-state customers; or

(C) Products for sale to the general public if seventy-five percent (75%) of the sales revenues are from out-of-state customers;

(10) "Eligible businesses" means nonretail businesses engaged in commerce for profit that meet the eligibility requirements for the applicable incentive offered by this subchapter and fall into one (1) or more of the following categories:

(A) Manufacturers classified in sectors 31-33 in the North American Industry Classification System, as in effect January 1, 2003;

(B)(i) Businesses primarily engaged in the design and development of prepackaged software, digital content production and preservation, computer processing and data preparation services, or information retrieval services.

(ii) All businesses in this group shall derive at least seventy-five percent (75%) of their sales revenue from out of state;

(C)(i) Businesses primarily engaged in motion picture productions.

(ii) All businesses in this group shall derive at least seventy-five percent (75%) of their sales revenue from out of state;

(D) Distribution centers or intermodal facilities;

(E) Office sector businesses;

(F) National or regional corporate headquarters, North American Industry Classification System Code 551114, as in effect January 1, 2005;

(G) Firms primarily engaged in commercial, physical, and biological research as classified in the North American Industry Classification System Code 541710, as in effect January 1, 2005;

(H)(i) Scientific and technical services businesses.

(ii)(a) All businesses in this group shall derive at least seventy-five percent (75%) of their sales revenue from out of state.

The average hourly wages paid by businesses in this group shall exceed one hundred fifty percent (150%) of the county or state average hourly wage, whichever is less.

(2) The average hourly wage threshold determined at the signing date of the financial incentive agreement shall be the threshold for the term of the agreement; and

(l) The director may classify a nonretail business as an eligible business if the following conditions exist:

(i) The business receives at least seventy-five percent (75%) of its sales revenue from out of state; and

(ii) The business proposes to pay wages in excess of one hundred ten percent (110%) of the county or state average hourly wage, whichever is less;

(11) "Equity investment" means capital invested in common or preferred stock, royalty or intellectual property rights, limited partnership interests, limited liability company interests, and any other securities or rights that evidence ownership in private businesses, including a federal agency's award of a Small Business Innovative Research grant or a Small Business Technology Transfer grant;

(12)(A) "Existing employees" means those employees hired by the business before the date the financial incentive agreement was signed.

(B) Existing employees may be considered new full-time permanent employees only if:

(i) The position or job filled by the existing employee was created in accordance with the signed financial incentive agreement; and

(ii) The position vacated by the existing employee was either filled by a subsequent employee or no subsequent employee will be hired because the business no longer conducts the particular business activity requiring that classification;

(C) If the Director of the Department of Economic Development and the Director of the Department of Finance and Administration find that a significant impairment of Arkansas job opportunities for existing employees will otherwise occur, they may jointly authorize the counting of existing employees as new full-time permanent employees;

(13) "Facility" means a single physical location at which the eligible business is conducting its operations;

(14) "Financial incentive agreement" means an agreement entered into by an eligible business and the department to provide the business an incentive to locate a new business or to expand an existing business in Arkansas;

(15) "Fund" means the Economic Development Incentive Fund;

(16) "Governing authority" means the quorum court of a county or the governing body of a municipality;

(17)(A)(i) "In-house research" means applied research supported by the business through the purchase of supplies for research activities and payment of wages and usual fringe benefits for employees of the business who conduct research activities in research facilities:

(a) Dedicated to the conduct of research activities;

(b) Operated by the business; and

(c) Performed primarily under laboratory, clinical, or field experimental conditions for the purpose of reducing a concept or idea to practice or to advance a concept or idea or improvement thereon to the point of practical application.

(ii) "In-house research" includes experimental or laboratory activity to develop new products, improve existing products, or develop new uses of products, but only to the extent that activity is conducted in Arkansas.

(B) "In-house research" does not include tests or inspections of materials or products for quality control, efficiency surveys, management studies, other market research, or any other ordinary and necessary expenses of conducting business;

(18) "Intellectual property" means an invention, discovery, or new idea that the legal entity responsible for commercialization has decided to legally protect for possible commercial gain, based on the disclosure of the creator;

(19) "Intermodal facility" means a facility with more than one (1) mode of interconnected movement of freight, commerce, or passengers;

(20) "Investment threshold" means the minimum amount of investment in project costs that must be incurred in order to qualify for eligibility;

(21) "Invests" or "investment" means money expended by or on behalf of an approved eligible business that seeks to begin or expand operations in Arkansas, and without this infusion of capital, the location or expansion may not take place;

(22) "Lease" means a right to possession of real property for a specific term in return for consideration, as determined in a lease agreement by both parties;

(23)(A) "Modernization" means an increase in efficiency or productivity

of a business through investment in machinery or equipment, or both.

(B) "Modernization" does not include costs for routine maintenance or the installation of equipment that does not improve efficiency or productivity, except for expenditures for pollution control equipment mandated by state or federal laws or regulations;

(24) "National corporate headquarters" means the sole corporate headquarters in the nation that handles headquarters-related functions on a national basis;

(25)(A)(i) "New full-time permanent employee" means a position or job that was created pursuant to the signed financial incentive agreement and that is filled by one (1) or more employees or contractual employees who:

(a) Were Arkansas taxpayers during the year in which the tax credits or incentives were earned;

(b) Work at the facility identified in the financial incentive agreement; and

(c) Are not existing employees, except as allowed under subdivision (12) of this section.

(ii) The position or job held by the employee or employees shall have been filled for at least twenty-six (26) consecutive weeks with an average of at least thirty (30) hours per week.

(B) However, to qualify under this subchapter, a contractual employee shall be offered a benefits package comparable to a direct employee of the business seeking incentives under this subchapter;

(26) "Nonretail business" means a business that derives less than ten percent (10%) of its total Arkansas revenue from sales to the general public;

(27)(A) "Office sector business" means business operations that support primary business needs, including, but not limited to, customer service, credit accounting, telemarketing, claims processing, and other administrative functions.

(B) All businesses in this group must be nonretail businesses and derive at least seventy-five percent (75%) of their sales revenue from out of state;

(28) "Payroll" means the total taxable wages, including overtime and bonuses, paid during the preceding tax year of the eligible business to new full-time permanent employees hired after the date of the signed financial incentive agreement;

(29)(A) "Person" means an individual, trust, estate, fiduciary, firm, partnership, limited liability company, or corporation.

(B) "Person" includes:

(i) The directors, officers, agents, and employees of any person;

(ii) Beneficiaries, members, managers, and partners; and

(iii) Any county or municipal subdivision of the state;

(30) "Preconstruction costs" means the cost of eligible items incurred before the start of construction, including:

(A) Project planning costs;

(B) Architectural and engineering fees;

(C) Right-of-way purchases;

(D) Utility extensions;

(E) Site preparations;

(F) Purchase of mineral rights;

(G) Building demolition;

(H) Builders risk insurance;

(I) Capitalized start-up costs;

(J) Deposits and process payments on eligible machinery and equipment; and

(K) Other costs necessary to prepare for the start of construction;

(31)(A) "Project" means costs associated with the:

(i) Construction of a new plant or facility including, but not limited to, land, building, production equipment, or support infrastructure;

(ii) Expansion of an established plant or facility by adding to the building, production equipment, or support infrastructure; or

(iii) Modernization of an established plant or facility through the replacement of production or processing equipment or support infrastructure that improves efficiency or productivity.

(B) "Project" does not include:

(i) Expenditures for routine repair and maintenance that do not result in new construction or expansion;

(ii) Routine operating expenditures;

(iii) Expenditures incurred at multiple facilities; or

(iv) The purchase or acquisition of an existing business

unless:

(a) There is sufficient documentation that the existing business was closed; and

(b) The purchase of the existing business will result in the retention of the jobs that would have been lost due to the closure.

(C) Eligible project costs must be incurred within four (4) years from the date a financial incentive agreement was signed by the department;

(32) "Project plan" means a plan:

(A) Submitted to the department containing such information as may be required by the director to determine eligibility for benefits; and

(B) That if approved is a supplement to the financial incentive agreement;

(33) "Qualified business" means an eligible business that:

(A) Has met the qualifications for one (1) or more economic development incentives authorized by this subchapter; and

(B) Has signed a financial incentive agreement with the department or is involved in a research and development program administered by the Arkansas Science and Technology Authority;

(34) "Qualified research expenditures" means the sum of any amounts which are paid or incurred by an Arkansas taxpayer during the taxable year in funding a qualified research program that has been approved for tax credit treatment under rules and regulations promulgated by the department;

(35) "Region" or "regional" means a geographic area comprising two (2) or more states, including this state;

(36) "Regional corporate headquarters" means a site that:

(A) Is the sole corporate headquarters within the region; and

(B) Handles headquarters-related functions on a regional basis;

(37) "Research and development programs of the Arkansas Science and Technology Authority" means statutory programs operated by the Arkansas Science and Technology Authority under § 15-3-101 et seq.;

(38) "Research area of strategic value" means research in fields having long-term economic or commercial value to the state and that have been identified in the research and development plan approved from time to time by the Board of Directors of the Arkansas Science and Technology Authority;

(39) "Scientific and technical services business" means a business:

(A) Primarily engaged in performing scientific and technical activities for others, including:

(i) Architectural and engineering design;

(ii) Computer programming and computer systems design; and

(iii) Scientific research and development in the physical,

biological, and engineering sciences;

(B) Selling expertise;

(C) Having production processes that are almost wholly dependent on worker skills;

(D) Deriving at least seventy-five percent (75%) of its sales revenue from out of state; and

(E) Paying average hourly wages that exceed one hundred fifty percent (150%) of the county or state average hourly wage, whichever is less;

(40) "Start of construction" means any activity that causes a physical change to the building or property, or both, identified as the site of the approved project, but excluding engineering surveys, soil tests, land clearing, and extension of roads and utilities to the project site;

(41) "Strategic research" means research that has strategic economic or long-term commercial value to the state and that is identified in the research and development plan approved from time to time by the Board of Directors of the Arkansas Science and Technology Authority;

(42) "Support infrastructure" means physical assets necessary for the business to operate, including, but not limited to, water systems, wastewater systems, gas and electric utilities, roads, bridges, parking lots, and communication infrastructure;

(43)(A) "Targeted businesses" means a grouping of growing business sectors, not to exceed six (6), that include the following:

- (i) Advanced materials and manufacturing systems;
- (ii) Agriculture, food, and environmental sciences;
- (iii) Biotechnology, bioengineering, and life sciences;
- (iv) Information technology;
- (v) Transportation logistics; and
- (vi) Bio-based products.

(B) In order to receive benefits as a targeted business, the business must:

(i) Have been operating in the state for less than five (5) years;

(ii) Pay not less than one hundred fifty percent (150%) of the lesser of the county or state average hourly wage; and

(iii) Have been selected to receive special benefits; and

(44) "Tiers" means the ranking of the seventy-five (75) counties of Arkansas into four (4) divisions that delineate the economic prosperity of the counties and allow for different levels of benefits.

SECTION 2. Arkansas Code § 15-4-2706 is amended to read as follows:

15-4-2706. Investment tax incentives.

(a) There are established investment tax incentives to:

(1) Encourage capital investment for the long-term viability of businesses in the state; and

(2) Create new jobs.

(b)(1) The award of this incentive shall be at the discretion of the Director of the Department of Economic Development.

(2) If offered, an application for an income tax credit under this section shall be submitted to the Department of Economic Development.

(3) Eligibility for this incentive is dependent upon the tier in which the project is located, as follows:

(A) For tier 1 counties, the business shall invest five million dollars (\$5,000,000) or more and have an annual payroll for new full-time permanent employees in excess of two million dollars (\$2,000,000);

(B) For tier 2 counties, the business shall invest three million seven hundred fifty thousand dollars (\$3,750,000) or more and have an annual payroll for new full-time permanent employees in excess of one million five hundred thousand dollars (\$1,500,000);

(C) For tier 3 counties, the business shall invest three million dollars (\$3,000,000) or more and have an annual payroll for new full-time permanent employees in excess of one million two hundred thousand dollars (\$1,200,000); or

(D) For tier 4 counties, the business shall invest two million dollars (\$2,000,000) or more and have an annual payroll for new full-time permanent employees in excess of eight hundred thousand dollars (\$800,000).

(4) Upon approval by the department, the director shall transmit an approved financial incentive agreement to the approved company and the Revenue Division of the Department of Finance and Administration.

(5) The qualified business shall reach the investment threshold within four (4) years from the date of the signing of the financial incentive agreement, except for lease payments authorized by subdivision (b)(6)(D) of this section or subdivision (c)(6) of this section.

(6)(A)(i) After receiving an approved financial incentive agreement from the Department of Economic Development, the approved company shall certify eligible project costs annually at the end of each calendar year for the term of the agreement to the Revenue Division.

(ii) Upon verification of eligible project costs, the Revenue Division shall authorize an income tax credit of ten percent (10%) based on

the total investment in land, buildings, equipment, and costs related to licensing and protecting intellectual property-, for projects approved prior to June 30, 2007.

(B) The amount of income tax credit taken during any tax year shall not exceed fifty percent (50%) of the business's income tax liability resulting from the project or facility.

(C) Unused tax credits may be carried forward for up to nine (9) years after the year in which the credit was first earned.

(D) A qualified business that enters into a lease for a building or equipment for a period in excess of five (5) years may count the lease payments for five (5) years as a qualifying expenditure for the investment threshold required for this investment incentive.

(7)(A) For financial incentive agreements signed with the department under this subsection on or after July 1, 2007, the Revenue Division of the Department of Finance and Administration shall authorize an income tax credit or sales and use tax credit equal to five percent (5%) based on the total investment in land, buildings, equipment, and costs related to licensing and protecting intellectual property.

(B) Prior to execution of the financial incentive agreement, the approved company shall elect to receive the tax credits as either:

(i) A sales and use tax credit; or

(ii) An income tax credit.

(C) The amount of income tax credit or sales and use tax credit taken shall not exceed fifty percent (50%) of the business's income tax or sales and use tax liability resulting from the project or the facility.

(i) If the approved company's average hourly wage is one hundred fifty percent (150%) or more of the lesser of the state or county average hourly wage, the amount of the income tax credit or sales and use tax credit taken shall not exceed seventy-five percent (75%) of the business's income tax or sales and use tax liability resulting from the project or the facility.

(ii) If the approved company's average hourly wage is two hundred percent (200%) or more of the lesser of the state or county average hourly wage, the amount of the income tax credit or sales and use tax credit taken shall not exceed one hundred percent (100%) of the business's income tax or sales and use tax liability resulting from the project or the facility.

(iii) The average hourly wage proposed to be paid by the company as provided in the signed financial incentive agreement shall be the average hourly wage to determine the percentage of credit that may be used against the approved company's tax liability for the term of the financial incentive agreement.

(D) Unused tax credits may be carried forward for up to nine (9) years after the year in which the credits were first earned.

(E) The director shall transmit an approved financial incentive agreement to the approved company and the Revenue Division of the Department of Finance and Administration.

(F) After receiving an approved financial incentive agreement from the Department of Economic Development, the approved company shall certify eligible project costs annually at the end of each tax year for the term of the agreement to the Revenue Division of the Department of Finance and Administration.

(8) Technology-based enterprises, as defined by § 14-164-203(12), may earn, at the discretion of the Director of the Department of Economic Development, an income tax credit or sales and use tax credit, based on new investment, provided that the technology-based enterprise:

(A) Creates a new payroll of at least two hundred fifty thousand dollars (\$250,000); and

(B) Pays wages that are at least one hundred seventy-five percent (175%) of the state or county average hourly wage, whichever is less.

(9)(A) The income tax credit or sales and use tax credit that may be earned by a technology-based enterprise shall be based on the level of investment as follows:

(i) The income tax credit or sales and use tax credit will be equal to two percent (2%) of the investment for an investment that is between two hundred fifty thousand dollars (\$250,000) and five hundred thousand dollars (\$500,000);

(ii) The income tax credit or sales and use tax credit will be equal to four percent (4%) of the investment for that part of the investment that is over five hundred thousand dollars (\$500,000) and less than one million dollars (\$1,000,000);

(iii) The income tax credit or sales and use tax credit will be equal to six percent (6%) of the investment for that part of the investment that is over one million dollars (\$1,000,000) and less than two million dollars (\$2,000,000); and

(iv) The income tax credit or sales and use tax credit will be equal to eight percent (8%) of the investment for that part of the investment that is over two million dollars (\$2,000,000).

(B) The percentage of the investment used to determine the amount of credit earned shall be established based upon the project cost estimate at

the time of signing the financial incentive agreement.

(10) All investments by a technology-based enterprise must be made within four (4) years of the date of the signed financial incentive agreement.

(11) Prior to execution of the financial incentive agreement, the approved company shall elect to receive the tax credits as either:

(i) A sales and use tax credit; or

(ii) An income tax credit.

(12)(A) The income tax credit or sales and use tax credit earned by a technology-based enterprise may offset income tax liabilities or sales and use tax liabilities as follows:

(i) A technology-based enterprise that pays at least one hundred seventy-five percent (175%) of the state or county average hourly wage, whichever is less, may offset fifty percent (50%) of its income tax liability or sales and use tax liability;

(ii) A technology-based enterprise that pays at least two hundred percent (200%) of the state or county average hourly wage, whichever is less, may offset seventy-five percent (75%) of its income tax liability or sales and use tax liability; and

(iii) A technology-based enterprise that pays at least two hundred twenty-five percent (225%) of the state or county average hourly wage, whichever is less, may offset one hundred percent (100%) of its income tax liability or sales and use tax liability.

(B) The average hourly wage proposed to be paid by the approved company as provided in the signed financial incentive agreement shall be the average hourly wage to determine the percentage of credit that may be used against the approved company's tax liability for the term of the financial incentive agreement.

(13) After receiving an approved financial incentive agreement from the Department of Economic Development, the approved company shall certify eligible project costs annually at the end of each tax year for the term of the financial incentive agreement to the Revenue Division of the Department of Finance and Administration.

(14) Unused income tax credits or sales and use tax credits may be carried forward for a period not to exceed nine (9) years after the year in which the credit was first earned.

(c)(1)(A) An application for a retention tax credit under this subsection shall be submitted to the Department of Economic Development.

(B)(i) The application shall be submitted to the Department of

Economic Development before incurring any project costs.

(ii) With the exception of preconstruction costs, only those costs incurred after the Department of Economic Development's approval are eligible for the tax credit.

(2) The tax credit against the qualified business' sales and use tax liability is available only to Arkansas businesses that:

(A) Have been in continuous operation in the state for at least two (2) years;

(B) Invest a minimum of five million dollars (\$5,000,000) in a project, including land, buildings, and equipment used in the construction, expansion, or modernization; and

(C) Hold a direct-pay sales and use tax permit from the Revenue Division before submitting an application for benefits.

(3)(A) If allowed, the credit shall be a percentage of the eligible project costs.

(B) The amount of the credit shall be one-half percent (0.5%) above the state sales and use tax rate in effect at the time a financial incentive agreement is signed with the Department of Economic Development.

(C) In any one (1) year following the year of the expenditures, credits taken cannot exceed fifty percent (50%) of the direct pay sales and use tax liability of the business for taxable purchases.

(D) Unused credits may be carried forward for a period of up to five (5) years beyond the year in which the credit was first earned.

(4)(A) Upon determination by the Director of the Department of Economic Development that the project qualifies for credit under this subsection, the Director of the Department of Economic Development shall certify to the Director of the Department of Finance and Administration that the project qualifies and shall transmit with his or her certification the documents or copies of the documents upon which the certification was based.

(B) The Director of the Department of Finance and Administration shall provide forms to the qualified business on which to claim the credit.

(C) At the end of the calendar year in which the application is made and at the end of each calendar year thereafter until the project is completed, the qualified business shall certify on the form provided by the Director of the Department of Finance and Administration the amount of expenditures on the project during the preceding calendar year.

(D) Upon receipt of the form certifying expenditures, the

Director of the Department of Finance and Administration shall determine the amount due as a credit for the preceding calendar year and issue a memorandum of credit to the qualified business.

(E) The credit against the qualified business' sales and use tax liability shall be a percentage of the eligible project costs equal to one-half percent (0.5%) above the state sales and use tax rate in effect at the time the financial incentive agreement was signed by the Department of Economic Development.

(5) If a business plans to apply for benefits under this subsection and also plans to apply for benefits under § 15-4-2705, the financial incentive agreement under § 15-4-2705 must be signed within twenty-four (24) months after signing the financial incentive agreement under this subsection.

(6) A qualified business that enters into a lease for a building or equipment for a period in excess of five (5) years may count the lease payments for five (5) years as a qualifying expenditure for the investment threshold required for this investment incentive.

(d)(1)(A) An application for a state and local sales and use tax refund for a new and expanding eligible business shall be filed with the department contingent upon the approval of an endorsement resolution from the governing authority of a municipality or county, or both, in whose jurisdiction the business will be located.

(B) The resolution shall:

(i) Endorse the applicant's participation in this sales and use tax refund program; and

(ii)(a) Specify that the Department of Finance and Administration is authorized to refund local sales taxes to the qualified business.

(b) A municipality or county, or both, may authorize the refund of any sales or use tax levied by the municipality or county but may not authorize the refund of any sales or use tax not levied by the municipality or county in which the qualified business is located.

(C) Any eligible business that applies for a sales and use tax refund under this subsection shall invest in excess of one hundred thousand dollars (\$100,000) in order to qualify for the sales and use tax refund.

(2)(A)(i) A sales and use tax refund of state and local sales and use taxes, excepting the sales and use taxes dedicated to the Educational Adequacy Fund created in § 19-5-1227 and the Conservation Tax Fund as authorized by § 19-6-484, on the purchases of the material used in the construction of a building or buildings or any addition, modernization, or improvement thereon for housing any new or expanding qualified business and machinery and equipment to be located in or in connection with such a building shall be authorized by the Director of the

Department of Finance and Administration.

(ii) The local sales and use tax may be refunded only from the municipality or county, or both, in which the qualified business is located.

(B) A refund shall not be authorized for:

(i) Routine operating expenditures; or

(ii) The purchase of replacements of items previously purchased as part of a project under this subsection unless the items previously purchased are necessary for the implementation or completion of the project.

(3) Subject to the approval of the Department of Economic Development, a program participant may make changes in a project by written amendment to the project plan filed with the Department of Economic Development.

(4) All claims for sales and use tax refunds under this subsection shall be denied unless they are filed with the Revenue Division of the Department of Finance and Administration within three (3) years from the date of the qualified purchase or purchases.

(5)(A) In order to be eligible for the benefits under this subsection, a business shall sign a job creation financial incentive agreement under § 15-4-2705, § 15-4-2707, or subsection (b) of this section and comply with the eligibility requirements of the incentive agreements.

(B) The financial incentive agreement under § 15-4-2705, § 15-4-2707, or subsection (b) of this section shall be signed within twenty-four (24) months after signing the financial incentive agreement under this subsection.

(e)(1) A new targeted business shall be eligible for a refund of state and local sales and use taxes for qualified expenditures identified in the project plan if:

(A) The annual payroll of the business for Arkansas taxpayers is greater than one hundred thousand dollars (\$100,000); and

(B) The business shows proof of an equity investment of at least four hundred thousand dollars (\$400,000).

(2)(A) An application for the targeted business state and local sales and use tax refund program for a new targeted business shall be filed with the Department of Economic Development contingent upon the approval of an endorsement resolution from the governing authority of a municipality or county, or both, in whose jurisdiction the business will be located.

(B) The resolution shall:

(i) Endorse the applicant's participation in this sales and use tax refund program; and

(ii)(a) Specify that the Department of Finance and Administration is authorized to refund local sales and use taxes to the targeted

business.

(b) A municipality or county, or both, can authorize the refund of any sales tax levied by the municipality or county but cannot authorize the refund of any sales or use tax not levied by the municipality or county in which the targeted business is located.

(3) After the Director of the Department of Economic Development has determined that the project is eligible for the sales and use tax refund, this determination accompanied by the financial incentive agreement and any other pertinent documentation shall be forwarded to the Director of the Department of Finance and Administration.

(4)(A)(i) A sales and use tax refund of state and local sales and use taxes, excepting the sales and use taxes dedicated to the Educational Adequacy Fund as authorized by § 26-57-1002(d)(1)(A)(ii)(a) and the Conservation Tax Fund as authorized by § 19-6-484, on the purchases of the material used in the construction of a building or buildings or any addition, modernization, or improvement thereon for housing any new or expanding qualified business and machinery and equipment to be located in or in connection with such a building shall be authorized by the Director of the Department of Finance and Administration.

(ii) The local sales and use tax may be refunded only from the municipality or county, or both, in which the qualified business is located.

(B) A refund shall not be authorized for:

(i) Routine operating expenditures; or

(ii) The purchase of replacement items under this subsection unless the items are necessary for the implementation or completion of the project.

(5) Subject to the approval of the Department of Economic Development, a program participant may make changes in a project by written amendment to the project plan filed with the Department of Economic Development.

(6) All claims for sales and use tax refunds under this subsection shall be denied unless they are filed with the Revenue Division of the Department of Finance and Administration within three (3) years after the date of the qualified purchase or purchases.

(7) If a targeted business plans to apply for benefits under this subsection and also plans to apply for benefits under § 15-4-2709, the financial incentive agreement under § 15-4-2709 must be signed within twenty-four (24) months of signing the financial incentive agreement under this subsection and comply with the eligibility requirements of the agreements.

SECTION 3. Arkansas Code § 15-4-2707 is amended to read as follows:

15-4-2707. Payroll rebate.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Economic Development Incentive Fund" of the Department of Economic Development.

(b) The fund shall consist of revenues designated for this fund by the Revenue Division of the Department of Finance and Administration pursuant to agreements entered into by the Department of Economic Development with eligible businesses.

(c) After the Department of Finance and Administration has received the certification of the payrolls of the businesses that have entered into financial incentive agreements with the Department of Economic Development for the payroll rebate authorized by this section, the Department of Finance and Administration shall transfer the appropriate amount of money designated by the financial incentive agreements out of general revenues into a special account designated as special revenue for the fund.

(d)(1) The award of this incentive is at the discretion of the Director of the Department of Economic Development and may be offered for a period of up to ten (10) years.

(2) Benefits are conditioned upon the hiring of new full-time permanent employees with an annual payroll threshold of two million dollars (\$2,000,000) and certifying to the Department of Finance and Administration that the requisite payroll threshold has been met.

(A) The eligible business receiving benefits under this subsection (d) must certify annually to the Department of Finance and Administration that the requisite payroll threshold has been met.

(B) Failure to certify payroll thresholds annually may result in:

(i) A denial in payment of benefits; or

(ii) A delay in the payment of benefits.

(3) Payments are subject to the following conditions:

(A) For tier 1 counties, the benefit is three and nine-tenths percent (3.9%) of the annual payroll of new full-time permanent employees;

(B) For tier 2 counties, the benefit is four and one-quarter percent (4.25%) of the annual payroll of new full-time permanent employees;

(C) For tier 3 counties, the benefit is four and one-half percent (4.5%) of the annual payroll of new full-time permanent employees;

(D) For tier 4 counties, the benefit is five percent (5%) of the annual payroll of new full-time permanent employees; and

(E) The director may authorize benefits to a prospective eligible

business up to five percent (5%) of the payroll of new full-time permanent employees if the following conditions exist:

- (i) The prospective eligible business is considering a location in another state;
- (ii) The prospective eligible business receives at least seventy-five percent (75%) of its sales revenues from out of state; and
- (iii) The prospective eligible business is proposing to pay wages in excess of one hundred percent (100%) of the county average hourly wage of the county in which it locates.

(e)(1) Technology-based enterprises, as defined in § 14-164-203(11), may earn, at the discretion of the Director of the Department of Economic Development, a payroll rebate equal to five percent (5%) of the payroll for new full-time permanent employees for a period not to exceed ten (10) years. (2) In order to qualify for the payroll rebate:

(A) The average hourly wage of the payroll for new full-time permanent employees must be at least one hundred seventy-five percent (175%) of the state or county average hourly wage, whichever is less, for the county in which the technology-based enterprise locates or expands;

(B) The payroll for new full-time permanent employees must exceed two hundred fifty thousand dollars (\$250,000); and

(C) The payroll rebate authorized by this subsection (e) may not be used in combination with the income tax credit based on payroll authorized by § 15-4-2709.

SECTION 4. Arkansas Code § 15-4-2708 is amended to read as follows:

15-4-2708. Research and development tax credits.

(a) A taxpayer who contracts with one (1) or more Arkansas colleges or universities in performing basic or applied research may qualify for the tax credit established under § 26-51-1102(b) for qualified research expenditures, subject to the limitations established under § 26-51-1103 and the documentation requirements of § 26-51-1104.

(b)(1) New Eligible eligible businesses that conduct in-house research in a research facility operated by the business and that qualify for federal research and development tax credits may qualify for an income tax credit equal to ~~ten percent (40%)~~ twenty percent (20%) of the amount spent on in-house research that exceeds the base year for a period of three (3) years and the incremental increase in qualified research expenditures for the succeeding two (2) years, subject to the limitations established under § 26-51-1103.

(A) For a new research facility, the base year is zero (0).

Therefore, in the first three (3) years following the date of the financial incentive agreement, all eligible expenditures will qualify for the credit.

(B) Qualified research and development expenditures in the third year shall be used as a base to calculate the tax credit in the fourth year.

(C) Qualified research and development expenditures in the fourth year shall be used as a base to calculate the tax credit in the fifth year.

~~(2) However, the maximum tax credit for in-house research for each qualified business shall not exceed ten thousand dollars (\$10,000) per year.~~

(2) Existing eligible businesses that conduct in-house research in a research facility operated by the business and that qualify for federal research and development tax credits may qualify for an income tax credit equal to twenty percent (20%) of the amount spent on in-house research that exceeds the base year for a period of three (3) years and the incremental increase in qualified research expenditures for the succeeding two (2) years, subject to the limitations established under § 26-51-1103.

(A) For an existing research facility, the base year amount shall be the amount of eligible research and development expenditures incurred in the year prior to the year in which the financial incentive agreement was signed by the department.

(B) Qualified research and development expenditures in the third year shall be used as a base to calculate the tax credit in the fourth year.

(C) Qualified research and development expenditures in the fourth year shall be used as a base to calculate the tax credit in the fifth year.

(3) The income tax credit may be used to offset one hundred percent (100%) of an eligible business's annual income tax liability.

(4) Unused credits may be carried forward for a period not to exceed nine (9) years.

~~(3)~~(5) A business claiming tax credits earned under this subsection may not receive the credit granted by § 26-51-1102(b) for the same expenditures.

~~(4)~~(6)(A) The term of the financial incentive agreement for in-house research authorized by this subsection shall be for a period not to exceed five (5) years.

(B) The financial incentive agreement may be renewed for a period not to exceed five (5) years upon the submittal and approval of a new application and project plan for benefits under this subsection.

(C) The business claiming a tax credit under this subsection shall certify annually to the department the amount expended on in-house research.

(c)(1) Targeted businesses may qualify for an income tax credit equal to

thirty-three percent (33%) of the amount spent on in-house research per year for the first five (5) tax years following the business' signing a financial incentive agreement with the Department of Economic Development, subject to the limitations established under § 15-4-2709(d)(3).

(2) The credits earned by targeted businesses may be sold as authorized in § 15-4-2709.

(d)(1) An Arkansas taxpayer may qualify for an income tax credit equal to thirty-three percent (33%) of the amount spent on the research for the first five (5) tax years following the business' signing a financial incentive agreement with the Department of Economic Development, subject to the limitations established under § 26-51-1103(a) and (c) if the taxpayer invests in:

(A) In-house research in a strategic research area; or

(B) Projects under the research and development programs of the Arkansas Science and Technology Authority when the projects directly involve an Arkansas business and are approved by the Board of Directors of the Arkansas Science and Technology Authority under rules promulgated by the authority for those programs.

(2) However, the maximum tax credit for a qualified business engaged in a research area of strategic value or involved in research and development programs sponsored by the authority shall not exceed fifty thousand dollars (\$50,000) per year.

(3) A business claiming tax credits earned under this subsection shall be prohibited from receiving the credit granted by § 26-51-1102(b) for the same expenditures.

(4)(A) A business claiming tax credits earned under this subsection may offset fifty percent (50%) of the business's Arkansas income tax liability in any one (1) year.

(B) Any unused income tax credits may be carried forward for nine (9) years after the year in which the credit was first earned or until exhausted, whichever event occurs first.

(e) To claim the credit granted under subsections (b)-(d) of this section, the taxpayer shall file with his or her return, as an attachment to the form prescribed by the Director of the Department of Finance and Administration, copies of documentation to show that the authority has approved the research expenditure as a part of a qualified in-house research program or under the research and development programs of the authority.

SECTION 5. Arkansas Code § 15-4-2709 is amended to read as follows:

15-4-2709. Targeted business special incentive.

(a) A special incentive based on the payroll of the new targeted businesses in the state is established to:

(1) Encourage the development of jobs that pay significantly more than the county average hourly wage in the county in which the business locates or the state average hourly wage if the state average hourly wage is less than the county average hourly wage; and

(2) Provide an incentive to assist with the start-up of businesses targeted for growth.

(b) In order to qualify for the special incentive provided by subsection (c) of this section, a new business shall:

(1) Be identified by the Department of Economic Development as being one of those business sectors targeted for growth under § 15-4-2703;

(2) Have an annual payroll of the business for Arkansas taxpayers of not less than one hundred thousand dollars (\$100,000) or more than one million dollars (\$1,000,000);

(3) Show proof of an equity investment of four hundred thousand dollars (\$400,000) or more; and

(4) Pay average hourly wages in excess of one hundred fifty percent (150%) of the county or state average hourly wage, whichever is less.

(c)(1) A new targeted business may earn an income tax credit equal to ten percent (10%) of its annual payroll, with the maximum payroll credit not to exceed one hundred thousand dollars (\$100,000) in any year during the term of the financial incentive agreement.

(2)(A) The term of the financial incentive agreement shall be established by the Director of the Department of Economic Development for a period not to exceed five (5) years.

(B) The term of the financial incentive agreement for new targeted businesses earning a tax credit under this subsection (c) or under § 15-4-2708(c) shall begin on January 1 of the year in which the financial incentive agreement was signed.

~~(B)~~(C) The director may allow a qualified targeted business to sell any income tax credits earned through one (1) or more incentives authorized by this subchapter.

(d)(1) In order to sell income tax credits earned through incentives authorized by this subchapter, the new targeted business must apply to the department and furnish information necessary to facilitate the sale of income tax credits.

(2)(A) Any unused tax credits may be carried forward for nine (9) years after the year in which the credit was first earned or until exhausted, whichever

occurs first.

(B) The ultimate recipient of the tax credits shall be subject to the same carry-forward provisions as the targeted business that earned the credits.

(C) The purchase of the tax credits will not establish a new carry-forward period for the ultimate recipient.

(e) A targeted business claiming or selling tax credits earned under this section or § 15-4-2708 shall be prohibited from receiving the credit granted by § 26-51-1102(b) for the same expenditures.

(f)(1) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a fund to be known as the "Innovate Arkansas Fund" for the support of a contract to provide support and assistance to the development and growth of knowledge-based and technology-based companies in the State of Arkansas.

(2) This fund shall be for the sole support of a contract between the department and the entity selected to provide direct support and assistance to knowledge-based companies in the State of Arkansas.

(3) Moneys deposited into the Innovate Arkansas Fund by the Arkansas General Assembly shall be used only through a contractual relationship between the department and the entity selected to provide needed services to knowledge-based companies.

/s/ David Dunn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2269** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2269

Amend **HOUSE BILL NO. 2269** as originally introduced:

Page 7, delete lines 4 and 5 and substitute the following:

"(b) In order to apply for state financial participation in a new construction project, a school district shall provide the division with a"

AND

Page 7, line 25, delete "commissioners of the" and substitute "Commissioners for the"

AND

Page 8, delete lines 24 and 25 and substitute the following:

"academic facilities wealth index to the project cost promulgated by the commission to calculate the cost necessary to"

AND

Page 8, delete line 27 and substitute the following:

"Academic Facility Manual under § 6-20-2509."

AND

Page 9 delete lines 26 and 27 and substitute the following:

"academic facilities wealth index to the project cost promulgated by the commission to calculate the cost necessary to"

AND

Page 9, delete line 29 and substitute the following:

"Academic Facility Manual under § 6-20-2509."

AND

Page 10, line 9, delete "annually for" and substitute "annually by the fourth quarter of the calendar year for"

AND

Page 10, delete lines 34 and 35 and substitute the following:

"(4) The project cost promulgated by the commission under § 6-20-2509, for the project and the date on which the project cost data"

AND

Page 11, delete lines 2 and 3 and substitute the following:

"application of the wealth index and the project cost promulgated by the commission under § 6-20-2509, to the planned project for planning"

AND

Page 15, line 26, delete "§ 6-21-807" and substitute "§ 6-21-806"

AND

Page 15, line 27, delete "state" and substitute "school district"

AND

Page 15, line 29, delete "(c)(1)" and substitute "(e)(1)"

/s/ David Cook

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Prater, **HOUSE BILL NO. 1132** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1132

Amend **HOUSE BILL NO. 1132** as originally introduced:

Add the following Representatives as cosponsors of the bill: Dobbins, Gaskill, Harrelson, House, D. Hutchinson, Powers, Sullivan, Webb, Wood

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 10 is amended to add an additional subchapter to read as follows:

Subchapter 21. Arkansas Options Counseling for Long-Term Care Program.

20-10-2101. Definitions.

As used in this subchapter:

(1) "Long-term care facility" means a nursing facility or a licensed level II assisted living facility;

(2) "Medicaid" means the medical assistance program established under § 20-77-101 et seq.;

(3) "Nursing facility" has the same meaning as in § 20-10-1401;

(4) " Options counseling for long-term care " means the process of providing service under the Arkansas Options Counseling for Long-Term Care Program; and

(5) "Representative" means a family member, attorney, hospital social

worker, or any other person chosen by an individual to act on behalf of the individual:

(A) Seeking a long-term care consultation; or

(B) Admitted to a long-term care facility January 1, 2008, or later.

20-77-2102. Admissions.

(a) A long-term care facility shall notify the Office of Long-Term Care no later than the next business day of all admissions.

(b) Notification shall be made in the manner prescribed by the office.

20-10-2103. Arkansas Options Counseling for Long-Term Care Program — Creation — Administration.

(a) The Arkansas Options Counseling for Long-Term Care Program is created within the Department of Health and Human Services.

(b) The program shall provide individuals or their representatives, or both, with long-term care consultations that shall include information about, at a minimum:

(A) Long-term care options and costs;

(B) An assessment of an individual's functional capabilities; and

(C) The conduct of all or part of a professional review, assessment, and determination of appropriate long-term care options.

(c) The program shall be administered by the department.

20-10-2104. Eligibility.

Each individual in the following categories may be provided with an options counseling for long-term care consultation:

(1) An individual admitted to a long-term care facility regardless of payment source;

(2) A long-term care facility resident who applies for Medicaid;

(3) An individual who requests a long-term care consultation.

20-10-2105. Consultations — Timing — Content — Reporting.

(a) An options counseling for long-term care consultation required under this subchapter may be provided at any time, including either before or after the individual who is the subject of a long-term care consultation has been admitted to a long-term care facility.

(b) The information provided through a long-term care consultation under this subchapter shall address all of the following:

(1) The availability of long-term care options that are open to the individual;

(2) Sources and methods of both public and private payment for long-term care services;

(3) Factors to consider when choosing among the available programs, services, and benefits; and

(4) Opportunities and methods for maximizing the independence and self-reliance of the individual, including support services provided by the individual's family, friends, and community.

(c) An individual's long-term care consultation may include an assessment of the individual's functional capabilities and may be provided concurrently with any assessment required by the Department of Health and Human Services.

(d)(1) At the conclusion of an individual's long-term care consultation, the department shall provide the individual or the individual's representative with a summary of options and resources available to meet the individual's needs.

(2) Even though the summary may specify that a source of long-term care other than care in a long-term care facility is appropriate and available, the individual is not required to seek an alternative source of long-term care and may be admitted to or continue to reside in a long-term care facility.

20-77-2106. Rules.

The Director of the Department of Health and Human Services shall adopt rules necessary to implement and administer this subchapter, including without limitation:

(1) Procedures for a long-term care facility to notify the Office of Long Term Care of admissions; and

(2)(A) Procedures by which a person in a long-term care facility may decline options counseling for long-term care.

(B) These procedures shall include:

(i) A form promulgated by the Department of Health and Human Services for use by a long-term care facility; and

(ii) The form shall be limited to one (1) page and shall:

(a) Be orally read to the resident or, if applicable, the resident's representative by long-term care facility staff except as provided in this subdivision;

(b) List the date;

(c) State the name of the resident or, if applicable, the resident's representative;

(d) Contain checkboxes indicating that:

(1) The office was notified of the admission;

(2) The form was not read orally to the resident or resident's representative because the resident lacks decisional capacity

and does not have a representative; and

(3) The resident or the resident's representative declined the options counseling for long-term care;

(e) Contain a statement and an acknowledgment that options counseling for long-term care is an optional program and may be declined by execution of the form;

(f) Be signed by the resident, or if applicable, the resident's representative; and

(g) Be retained by the long-term care facility in the resident's admission's file for eighteen (18) months or until the next standard survey, whichever is longer.

20-77-2107. Fees

(a) After the first three (3) failures of a long-term care facility to complete the form required under § 20-77-2106 in any calendar year, the Department of Health and Human Services shall assess a fee against the long-term care facility of twenty-five dollars (\$25.00) for each failure beyond three (3), with an annual maximum fee of one thousand two hundred dollars (\$1,200).

(b) A long-term care facility assessed a fee under this section may appeal the assessment under § 20-10-208."

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative D. Evans, **HOUSE BILL NO. 2236** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2236

Amend **HOUSE BILL NO. 2236** as originally introduced:

Page 2, delete lines 30 through 36, and substitute the following:

“SECTION 2. Arkansas Code § 26-57-244 is amended to read as follows:

26-57-244. Possession of untaxed, unstamped products – Notice and prima facie evidence.

(a) It is unlawful for any person to receive or have in his possession for sale, consumption, or any other purpose, any untaxed tobacco products or unstamped cigarettes ~~tobacco products upon which~~ unless the tax prescribed by this subchapter has ~~not~~ been paid directly to the director by the person in possession of the untaxed tobacco products or unstamped cigarettes.

(b) The absence of the stamps from any container of cigarettes is notice to all persons that the tax has not been paid and is prima facie evidence of the nonpayment of the tax.

(c) If tax has been paid to the Director on any untaxed tobacco products or unstamped cigarettes, a consumer may establish proof of such payment by providing a receipt or any other documentation that clearly indicates that the tax was paid.

(d) The provisions of this section do not relieve any retail cigarette and tobacco permit holder from the obligations placed on them by §26-57-228.

(e) No retail cigarette or tobacco permit holder shall have in their possession any unstamped cigarettes nor shall they have in their possession any tobacco products on which the tax prescribed by this subchapter has not been paid.

(f) An Arkansas consumer who purchases any untaxed tobacco products or unstamped cigarettes shall be liable for reporting and remitting all excise tax due on such tobacco products or cigarettes as levied under the Arkansas Tobacco Products Tax Act, § 26-57-201 et seq.

(1) The tax due shall be reported on forms provided by the director on or before the fifteenth (15th) day of the month following the month in which the untaxed purchase was made.

(2) The report shall provide the information prescribed by the director.

(3) When a report is filed, the consumer shall remit the full amount of tax due on the untaxed purchase to the director.

(g) The director of the Arkansas Department of Finance and Administration is authorized to directly assess the excise tax due on any untaxed tobacco products or

unstamped cigarettes against a consumer who purchases such items and fails to report and remit the excise tax due in a timely manner.

(h) Subsections (f) and (g) of this section shall be subject to the provisions of the Arkansas Tax Procedure Act, §26-18-101 et seq.

~~(e)~~(i) The provisions of this section shall not apply to wholesalers and common carriers.”

AND

Page 2, delete lines 1 through 28

/s/ David Evans

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Norton, **HOUSE BILL NO. 2701** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2701

Amend **HOUSE BILL NO. 2701** as originally introduced:

Page 1, delete line 35 and substitute the following:

“practice complies with the laws of this state.

(c) A health plan shall not impose a practice or supervision restriction on a physician assistant which is inconsistent with or more restrictive than the restriction already imposed by the laws of this state.”

/s/ James Norton

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative D. Evans, **HOUSE BILL NO. 1518** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1518

Amend **HOUSE BILL NO. 1518** as originally introduced:

Delete everything after the ENACTING CLAUSE and substitute the following:

SECTION 1. Arkansas Code 3-3-216, concerning the possession or sale of untaxed liquor, is amended to read as follows:

(a) It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession, or knowingly transport in this state any intoxicating liquor of any kind, as defined in §3-8-201, upon which the Arkansas excise tax prescribed by law has not been paid.

(b) Any person who shall violate the provisions of this section shall be guilty of a Class B misdemeanor and in addition to the applicable criminal penalties, shall be subject to a civil penalty equal to the amount of all excise tax levied on such intoxicating liquor at the rates imposed on alcoholic beverages under Chapter 7 of the Arkansas Alcoholic Control Act, §§3-7-101 et seq.

(c) The Arkansas Department of Finance and Administration shall assess and administer the civil penalty set forth in subsection (b) of this section under the provisions of the Arkansas Tax Procedure Act and shall promulgate any rules necessary for the proper administration and enforcement of the civil penalty.

~~(e)~~(d) However, it shall constitute a Class A misdemeanor for any person to transport intoxicating liquor of any kind, as defined in §3-8-201, from another state without the Arkansas excise tax having been paid on the liquor of any kind, as defined in §3-8-201, if the court determines that the defendant was transporting the intoxicating liquor of any kind, as defined in §3-8-201, for the purpose of resale.

/s/ David Evans

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Greenberg, **HOUSE BILL NO. 2352** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2352

Amend **HOUSE BILL NO. 2352** as engrossed,

H3/7/07 (version: 03-07-2007 08:57):

Page 1, line 12, delete "ONE HUNDRED THOUSAND (100,000)" and substitute "ONE HUNDRED TWENTY-FIVE THOUSAND (125,000)"

AND

Delete the subtitle in its entirety and substitute:

"TO CHANGE THE COMPOSITION OF ADVERTISING
AND PROMOTION COMMISSIONS IN
MUNICIPALITIES WITH A POPULATION OF ONE
HUNDRED TWENTY-FIVE THOUSAND (125,000)
OR MORE."

AND

Page 1, line 27, delete "one hundred thousand (100,000)" and substitute "one hundred twenty-five thousand (125,000)"

AND

Page 1, line 28, delete "one hundred thousand" and substitute "one hundred twenty-five thousand"

AND

Page 1, line 29, delete "(100,000)" and substitute "(125,000)"

/s/ Daniel Greenberg

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Moore, **HOUSE BILL NO. 2278** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2278

Amend **HOUSE BILL NO. 2278** as originally introduced:

Add Representatives Blount, Cheatham, Dunn, Hall, Maxwell, Rainey, and Reep as cosponsors of the bill

AND

Add Senators J. Jeffress and Taylor as cosponsors of the bill

AND

Page 3, delete lines 5 through 9, and substitute the following:

"entertainment facilities, sporting goods retail and rental establishments, guide services, transient lodging facilities including RV parks, arts and antique shops, campgrounds, bed and breakfasts, and dining establishments."

AND

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

"(C) An Arkansas State Game and Fish Commission Wildlife Management Area; or

(D) A National Wildlife Refuge."

/s/ Robert Moore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Breedlove, **HOUSE BILL NO. 2415** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2415

Amend **HOUSE BILL NO. 2415** as originally introduced:

Add Representative Glidewell as a cosponsor of the bill

AND

Page 1, line 10, delete "ELECTION" and substitute "SELECTION"

AND

Delete the subtitle in its entirety and substitute:

"TO GIVE QUORUM COURTS A PROCEDURAL
OPTION ON THE SELECTION OF SUCCESSOR
MEMBERS OF RURAL WATERWORKS FACILITIES
BOARDS."

AND

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

"rural waterworks facilities board or by alternative member selection as set forth in § 14-238-124 or at the general election by the qualified electors of"

AND

Page 2, delete lines 5 through 8, and substitute the following

"(B) The quorum court and county judge of the creating county shall determine by ordinance how successor members shall be selected to the rural waterworks facilities board."

AND

Page 3, delete lines 8 through 22, and substitute the following:

"SECTION 2. Arkansas Code § 14-238-124 is amended to read as follows:

14-238-124. Alternative membership selection.

(a) If so prescribed by ordinance of the creating county, successor members of rural waterworks facilities boards shall be elected by a majority of board members from a list of nominated candidates.

(b) A candidate may be nominated by petition of twenty-five (25) users or ten percent (10%) of the number of total users as of January 1 preceding the election, whichever is less. A petition shall be filed with the board thirty (30) days prior to the expiration of the term of the member whose seat the candidate seeks.

(c) Each water or sewer service connection, or both, shall be considered a "user" for purposes of this chapter.

~~(d) Use of this alternative member selection may be prescribed by the ordinance creating the board or the board may irrevocably select this method of~~

~~member selection by properly adopted resolution. The resolution shall be filed with the county clerk of the creating county."~~

/s/ Steve Breedlove

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stewart, **HOUSE RESOLUTION NO. 1029** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE RESOLUTION NO. 1029

Amend **HOUSE RESOLUTION NO. 1029** as originally introduced:

Add Representative J. Roebuck as a cosponsor

AND

Page 1, delete lines 18 through 21 in their entirety and substitute the following:

WHEREAS, Troy Buck, a native of Alpine, Arkansas, earned a bachelor's degree and a master's degree in agriculture at the University of Arkansas; and

WHEREAS, Troy Buck taught for twenty-one (21) years at Hope, Arkansas, where he built the Hope Future Farmers of America chapter into the largest in the state; and

WHEREAS, Troy Buck then moved to Amity, Arkansas, where he started the state's first and only custom meat processing laboratory for high school students; and

WHEREAS, in 1992 the Amity Future Farmers of America chapter won the National Building Our American Communities award for restoring the old school building at Alpine and turning it into the Alpine Community Center; and

WHEREAS, the consolidation of the Amity and Glenwood school districts created the Centerpoint School District, which now has the largest Future Farmers of America chapter in the state and which also operates a new one million five hundred thousand dollar (\$1,500,000) custom meat processing laboratory; and

WHEREAS, in 2000, the Centerpoint Future Farmers of America chapter was recognized as the National Outstanding Vocational Agriculture Program in America;

and

WHEREAS, Troy Buck served several years as President of the Arkansas Vocational Agriculture Teachers Association and currently serves as its legislative liaison; he is on the state board of the Arkansas Farm Bureau; and is a director for Region 5 of the Farm Credit Services of Western Arkansas, in which position he recently received the national Phelps-Martin Award for outstanding service to agriculture and rural communities; and

WHEREAS, in 2004, Troy Buck received the Dr. Dan Pilkington Award for Outstanding Service to Public Education, the highest honor granted by the Arkansas School Boards Association; and

WHEREAS, Troy Buck is a three-time recipient of the Agriculture Teacher of the Year award; and

WHEREAS, Troy Buck currently farms four hundred (400) acres, runs about one hundred (100) head of beef cattle, operates two (2) breeder hen houses, and produces Bermuda hay; and

WHEREAS, Troy Buck is an active volunteer in his community serving as a certified first responder; helping establish a rural fire department and community water system; helping establish and build an ambulance service facility; and feeding and visiting the elderly in their homes, the hospital, and nursing homes; and

WHEREAS, Troy Buck has spent forty-six (46) years in vocational agriculture, leading two (2) of the state's largest Future Farmers of America chapters and affecting the lives of countless students along the way,

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the House of Representatives of the Eighty-Sixth General Assembly of the State of Arkansas commends Troy Buck on his induction into the Arkansas Agricultural Hall of Fame.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Troy Buck by the Chief Clerk of the House of Representatives."

/s/ Randy Stewart

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Greenberg, HOUSE BILL NO. 1172 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1172

Amend HOUSE BILL NO. 1172 as originally introduced:

Page 2, line 4, delete "from and" and substitute "~~from and~~"

AND

Page 4, line 36, delete "(4)(A)" and substitute "(4)(A)(i)"

AND

Page 5, delete line 6 and substitute the following:

"retired member died.

(ii) Upon the death or remarriage of the surviving former spouse, the monthly pension of the surviving spouse shall be increased to the pension attached to the rank of the deceased police officer at the time of his or her death."

AND

Delete SECTION 5 of the bill in its entirety

/s/ Daniel Greenberg

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative E. Brown, HOUSE BILL NO. 2789 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2789

Amend HOUSE BILL NO. 2789 as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 20-27-1003(11), concerning the definition of "facility", is amended to read as follows:

(11)(A) "Facility" means:

(i) Any institutional, commercial, public, industrial, or residential structure, installation, or building, including any structure, installation, or building

containing condominiums or individual dwelling units operated as a residential cooperative but excluding residential buildings having four (4) or fewer dwelling units;

- (ii) Any ship; and
- (iii) Any active or inactive waste disposal site.

(B) For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation, or building that was previously subject to this regulation is not excluded, regardless of its current use or function;

(C) "Facility" does not include a private residence;

SECTION 2. Arkansas Code § 20-27-1003 is amended to add the following new subdivisions to read as follows:

(24) "Private residence" means a residential structure with four (4) or fewer dwelling units; and

(25)(A) "Urban renewal project" means the demolition of one (1) or more houses as part of a project, including without limitation, a highway construction project, a shopping mall construction project, an industrial facility construction project, or other private development project under § 14-169-101 et seq.

(B) "Urban renewal project" does not include the demolition of one (1) or more houses by a municipality if the house is removed or razed under § 14-56-203."

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****03/13/07*****

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2750** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2750

Amend **HOUSE BILL NO. 2750** as originally introduced:

Page 1, line 9, delete "THE USA RICE FEDERATION" and substitute "QUASI-

GOVERNMENTAL BODIES"

AND

Page 1, line 14, delete "THE USA RICE"

AND

Page 1, line 15, delete "FEDERATION" and substitute "QUASI-GOVERNMENTAL BODIES"

AND

Page 1, line 18, add the following:

"WHEREAS, the budget and financing organizations that receive public funds and the manner in which the funds have been expended are matters of public interest, because public moneys are being expended."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 25, Chapter 19 is amended to add an additional subchapter to read as follows:

25-19-201. Quasi-governmental bodies.

(a) As used in this section, "quasi-governmental body" means an organization that has been approved for tax exempt status under Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code as it existed on January 1, 2007, that primarily contracts with or handles activities agreed upon with the Arkansas Rice Research and Promotion Board.

(b) A quasi-governmental body that accepts and expends public funds from the Arkansas Rice Research and Promotion Board shall agree to provide records and information in accordance with the Freedom of Information Act of 1967, § 25-19-101 et seq.

(c) Accepting public funds constitutes a contractual agreement between the Director of the Department of Finance and Administration and the Arkansas Rice Research and Promotion Board.

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw

Chief Clerk

***** EXPUNGED *****03/13/07*****

Upon motion of Representative E. Brown, **HOUSE BILL NO. 2793** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2793

Amend **HOUSE BILL NO. 2793** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-58-306, concerning disposal of municipal supplies, is amended to add an additional subsection to read as follows:

(c)(1) If an item of personal property belonging to a municipality becomes obsolete or is no longer used by a municipality, it may be:

(A) Sold at public auction;

(B) Sent to the Marketing and Redistribution Section of the Office of State Procurement of the Department of Finance and Administration; or

(C) Transferred to another governmental entity within the state.

(2) The item may be disposed of in the landfill used by the municipality if the mayor or his or her authorized representative certifies in writing that it has:

(A) Been rendered worthless by damage or prolonged use; or

(B)(i) Only residual value; and

(ii) Been through public auction and not sold."

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 2540** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2540

Amend **HOUSE BILL NO. 2540** as originally introduced:

Page 26, delete line 20 and substitute the following:

“SECTION 2. Arkansas Code Title 18, Chapter 16, Subchapters 1 through 3 are repealed.”

AND

Page 35, delete lines 24 through 36 and substitute the following:

“SECTION 3. Arkansas Code Title 18, Chapter 16, Subchapter 5 is repealed.”

AND

Page 36, delete lines 1 through 36

AND

Page 37, delete lines 1 through 36

AND

Page 38, delete lines 1 through 36

AND

Page 39, delete lines 1 through 36

AND

Page 40, delete lines 1 through 5

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 2345** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2345

Amend **HOUSE BILL NO. 2345** as originally introduced:

Page 2, delete line 21 and substitute the following:

"112-501 et seq.

SECTION 4. Arkansas Code § 23-112-403(a)(2)(E)(ii)(c), concerning the vehicle price offered to a dealer by the manufacturer, is amended to read as follows:

(c) So long as a manufacturer or distributor, or any agent thereof, offers to ~~sell or sells new motor vehicles to all motor vehicle dealers at the same price~~ piggyback bid allowances to all motor vehicle dealers at the same allowance for sales to a local government in that dealer's relevant market area."

AND

Page 2, line 23, delete "SECTION 4" and substitute "SECTION 5"

AND

Page 2, delete line 33 and substitute:

"the first day of August of current model year and"

AND

Page 2, line 36, delete "SECTION 5" and substitute "SECTION 6"

AND

Page 3, line 4, delete "charge" and substitute "change"

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 1477** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1477

Amend **HOUSE BILL NO. 1477** as engrossed,

H3/5/07 (version: 03-05-2007 09:22):

Page 1, delete lines 26 through 36 and substitute the following:

"(a)(1) At least seven (7) calendar days prior to the beginning of Christmas break, the school superintendent of each public elementary and secondary school in this state shall request an inspection of the premises by the fire department providing fire protection to the school buildings. If the chief executive officer of the fire department receives the request at least seven (7) calendar days prior to the beginning of Christmas break, he or she shall cause the school buildings to be inspected for fire hazards. The inspection shall be conducted prior to the beginning of Christmas break.

(2) At least seven (7) calendar days prior to the end of the school year, the school superintendent of each public elementary and secondary school in this state shall request an inspection of the premises by the fire department providing fire protection to the school buildings. If the chief executive officer of the fire department receives the request at least seven (7) calendar days prior to the end of the school year, he or she shall cause the buildings to be inspected for fire hazards. The inspection shall occur prior to the end of the school year."

AND

Page 2, delete lines 1 through 15

AND

Page 3, delete lines 10 through 13 and substitute the following:

"(2) The quorum court shall withhold from a fire department that is the subject of notification under this subsection (f) the fire department's apportionment of distributions from the Fire Protection Premium Tax Fund under § 14-284-403 until the fire department completes the inspection and delivers the report to the superintendent."

AND

Page 4, delete lines 8 through 20

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 1697** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1697

Amend **HOUSE BILL NO. 1697** as originally introduced:

Add Senator Taylor as a cosponsor of the bill

AND

Page 7, delete lines 23 through 36

AND

Page 8, line 1, delete "(D)(i)" and substitute "(C)(i)"

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative E. Brown, **HOUSE BILL NO. 2785** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2785

Amend **HOUSE BILL NO. 2785** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 14-58-303, concerning purchases and contracts, is amended to add an additional subsection to read as follows:

(e)(1) In a city of the first class, if the governing body determines by ordinance that competitive bidding is not practical or advantageous for purchases or contracts, the mayor or his or her authorized representative shall have the option to make purchases or contracts by soliciting proposals through a formal request for proposal in a newspaper having general circulation throughout the city.

(2) A request for proposal shall outline the method for submission of costs and pricing data.

(3) The mayor or his or her authorized representative shall meet with each entity that submits a request for proposal to determine which entity will be selected.

(4) The mayor or his her authorized representative shall select in

writing the entity that has the plan most advantageous to the city after considering price and other evaluating factors as provided in the request for proposal."

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative E. Brown, **HOUSE BILL NO. 2359** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2359

Amend **HOUSE BILL NO. 2359** as originally introduced:

Page 7, line 30, delete "investigate review" and substitute "investigate"

AND

Page 7, line 35, delete "An" and substitute "An Further"

AND

Page 9, line 23, delete "complaints and"

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1552** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1552

Amend **HOUSE BILL NO. 1552** as originally introduced:

Page 2, delete lines 5 through page 5, line 21 and insert therefor:

" HELENA CAMPUS

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(1) Chancellor, PCCUA	1	\$123,222	\$125,686
(2) Vice-Chancellor, Admin. Services	1	\$111,070	\$113,291
(3) Vice-Chancellor, Instruction	1	\$98,901	\$100,879
(4) Vice-Chancellor, Finance	1	\$92,744	\$94,599
(5) Vice-Chancellor, Student Serv.	1	\$92,744	\$94,599
(6) Dir. of Community Services	1	\$87,589	\$89,341
(7) Director of Development	1	\$87,438	\$89,187
(8) Dir. of Institutional Research	1	\$78,580	\$80,152
(9) Counselor	4	\$75,487	\$76,997
(10) Director of Financial Aid	1	\$72,229	\$73,674
(11) Dir. of Computer Services	1	\$71,023	\$72,443
(12) Director, Business/Ind. Training	1	\$70,315	\$71,721
(13) Controller	1	\$69,374	\$70,761
(14) Business Manager	1	\$69,374	\$70,761
(15) Director of Disability Services	1	\$54,032	\$55,113

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(16) Program Coordinator	4	GRADE 20
(17) Plant Maint Coordinator	1	GRADE 20
(18) Computer Support Spec. II - Inst	2	GRADE 20
(19) Accountant	1	GRADE 18
(20) Asst Registrar	1	GRADE 18
(21) Computer Support Spec. I - Inst	1	GRADE 18
(22) Financial Aid Officer II	1	GRADE 18
(23) Personnel Assistant II - Inst	1	GRADE 18
(24) Plant Maint Supervisor	2	GRADE 18
(25) Administrative Assistant II	1	GRADE 17
(26) Skilled Trades Worker	2	GRADE 17
(27) Special Events Coordinator	1	GRADE 17

(28) Financial Aid Officer I	1	GRADE 16
(29) Pub & Student Recruit Spec I	1	GRADE 16
(30) Accounting Tech II	1	GRADE 15
(31) Administrative Office Supv	1	GRADE 15
(32) Asst Purchasing Agent	1	GRADE 15
(33) Equipment Mechanic	1	GRADE 15
(34) Payroll Officer	1	GRADE 15
(35) Administrative Secretary	2	GRADE 14
(36) Computer Technician I - Inst	1	GRADE 14
(37) HE Pub Safety Security Off II	6	GRADE 14
(38) Multi-Media Tech Controller I	1	GRADE 13
(39) Secretary II	4	GRADE 13
(40) Accounting Technician I	1	GRADE 12
(41) Library Academic Technician II	2	GRADE 12
(42) Registrar's Assistant	2	GRADE 12
(43) Purchasing Assistant	1	GRADE 11
(44) Secretary I	9	GRADE 11
(45) Shipping & Receiving Clerk	1	GRADE 11
(46) Clerical Assistant	10	GRADE 10
(47) Library Academic Tech I	1	GRADE 10
(48) Reproduction Equipment Operator	1	GRADE 10
(49) Switchboard Operator II	1	GRADE 09
(50) Bldg/Equip Maint Repairman II	4	GRADE 08
(51) Custodial Supervisor II	1	GRADE 08
(52) Bldg/Equip Maint Repairman I	1	GRADE 06
(53) Maint Worker I	3	GRADE 04
(54) Custodial Worker I	20	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(55) Division Chairperson	9	\$86,554	\$88,285
(56) Librarian	1	\$78,580	\$80,152
(57) Asst. Librarian	1	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(58) Faculty	67	\$65,928	\$67,247
(59) Clinical Instructor	8	\$47,135	\$48,078
(60) Part-Time Faculty	80	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(61) Director of Food Service	1	\$62,544	\$63,795
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TWELVE MONTH AUXILIARY ENTERPRISESCLASSIFIED POSITIONS

(62) Food Production Supervisor	1	GRADE 16
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(63) Food Service Worker I	3	GRADE 03
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STUTTGART CAMPUSTWELVE MONTH EDUCATIONAL AND GENERALADMINISTRATIVE POSITIONS

(64) Vice-Chancellor, Arkansas County	1	\$92,663	\$94,516
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(65) Counselor	2	\$75,487	\$76,997
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(66) Director of Development, AR County	1	\$67,168	\$68,511
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TWELVE MONTH EDUCATIONAL AND GENERALCLASSIFIED POSITIONS

(67) Program Coordinator	1	GRADE 20
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(68) Computer Support Spec II - Inst	1	GRADE 20
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(69) Plant Maint Supervisor	1	GRADE 18
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(70) Skilled Trade Worker	1	GRADE 17
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(71) Financial Aid Officer I	1	GRADE 16
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(72) HE Pub Safety Security Off II	2	GRADE 14
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(73) Multi Media Tech Controller I	1	GRADE 13
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(74) Secretary II	2	GRADE 13
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(75) Accounting Tech I	1	GRADE 12
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(76) Library Academic Tech II	1	GRADE 12
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(77) Registrar's Asst	1	GRADE 12
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(78) Secretary I	2	GRADE 11
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(79) Clerical Assistant	2	GRADE 10
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(80) Bldg./Equip. Maint. Rep. I	1	GRADE 06
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(81) Custodial Supervisor I	1	GRADE 06
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(82) Maint Worker I	1	GRADE 04
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(83) Custodial Worker I	3	GRADE 03
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TWELVE MONTH EDUCATIONAL AND GENERALACADEMIC POSITIONS

(84) Division Chairperson	2	\$86,554	\$88,285
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(85) Asst. Librarian	1	\$48,938	\$49,917
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NINE MONTH EDUCATIONAL AND GENERALACADEMIC POSITIONS

(86) Faculty	20	\$65,928	\$67,247
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(87) Part-Time Faculty 25 \$33,180 \$33,844

DEWITT CAMPUS

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(88) Vice Chancellor, AR County 1 \$92,744 \$94,599
 (89) Counselor 1 \$75,487 \$76,997
 (90) Director of Academic Computing 1 \$71,023 \$72,443
 (91) Director, Business/Ind. Training 1 \$70,315 \$71,721

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(92) Program Coordinator 1 GRADE 20
 (93) Counselor I 1 GRADE 18
 (94) Computer Support Spec I - Inst 1 GRADE 18
 (95) Plant Maint Supervisor 1 GRADE 18
 (96) Financial Aid Officer I 1 GRADE 16
 (97) HE Pub Safety Security Off II 2 GRADE 14
 (98) Multi Media Tech Controller I 1 GRADE 13
 (99) Secretary II 1 GRADE 13
 (100) Accounting Tech I 1 GRADE 12
 (101) Library Academic Tech II 1 GRADE 12
 (102) Registrar's Asst 1 GRADE 12
 (103) Secretary I 2 GRADE 11
 (104) Clerical Assistant 2 GRADE 10
 (105) Bldg./Equip. Maint. Rep. I 1 GRADE 06
 (106) Custodial Supervisor I 1 GRADE 06
 (107) Maint Worker I 1 GRADE 04
 (108) Custodial Worker I 3 GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(109) Division Chairperson 1 \$86,554 \$88,285
 (110) Asst. Librarian 1 \$48,938 \$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(111) Faculty 20 \$65,928 \$67,247
 (112) Part-Time Faculty 25 \$33,180 \$33,844

MAX. NO. OF EMPLOYEES 434";

Page 5, line 27 replace "two hundred sixty (260)" with "six hundred (600)";

Page 5, line 36 replace "seventy (70)" with "one hundred fifty (150)";

Page 6, line 9 replace "seventy (70)" with "one hundred fifty (150)";

Page 7, line 8 replace "275,000 275,000" with "400,000 400,000";

Page 7, line 17 replace "\$ 3,807,467 \$ 3,834,497" with "\$ 3,932,467 \$ 3,959,497";

Page 8, line 13 replace "100,000 100,000" with "200,000 200,000";

Page 8, line 23 replace "\$ 1,273,600 \$ 1,277,272" with "\$ 1,373,600 \$ 1,377,272";

Page 9, line 19 replace "100,000 100,000" with "250,000 250,000";

Page 9, line 29 replace "\$ 1,354,700 \$ 1,359,494" with "\$ 1,504,700 \$ 1,509,494".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1554** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1554

Amend **HOUSE BILL NO. 1554** as originally introduced:

Page 2, delete lines 4 through page 3, line 13 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS**

(1) Chanc., UACCH	1	\$123,222	\$125,686
(2) Vice-Chanc. for Academic Affairs	1	\$98,901	\$100,879
(3) Vice-Chanc. for Admin. Services	1	\$98,901	\$100,879
(4) Vice Chanc. for Student Services	1	\$92,744	\$94,599
(5) Counselor	4	\$75,487	\$76,997
(6) Coord. Cont Ed & Bus Outrch.	1	\$72,374	\$73,821
(7) Dir. of Public Relations/Marketing	1	\$72,374	\$73,821
(8) Registrar	1	\$72,374	\$73,821
(9) Director of Financial Aid	1	\$72,229	\$73,674

(10) Dir. of Planning & Assessment	1	\$71,586	\$73,018
(11) Dir of Computer Services	1	\$71,023	\$72,443
(12) Dir Business & Industry Trng	1	\$70,315	\$71,721
(13) Business Manager	1	\$69,374	\$70,761
(14) Director of Development	1	\$67,168	\$68,511
(15) Director of Physical Plant	1	\$66,959	\$68,298
(16) Dir. of Admissions	1	\$65,982	\$67,302
(17) Dir. Of Administrative Support Svcs.	1	\$48,233	\$49,198

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(18) Program Coordinator	2	GRADE 20	
(19) DP Network Manager I -Inst	1	GRADE 20	
(20) Accountant	1	GRADE 18	
(21) Financial Officer II	2	GRADE 18	
(22) Plant Maintenance Supervisor	2	GRADE 18	
(23) Skilled Trades Worker	1	GRADE 17	
(24) Pub & Information Specialist	1	GRADE 17	
(25) Assistant Purchasing Agent	1	GRADE 15	
(26) Payroll Officer	1	GRADE 15	
(27) Computer Lab Tech II -Inst	2	GRADE 15	
(28) Administrative Assistant I	1	GRADE 15	
(29) Accounting Technician II	2	GRADE 15	
(30) Administrative Secretary	2	GRADE 14	
(31) Computer Lab Technician I -Inst	1	GRADE 13	
(32) Secretary II	6	GRADE 13	
(33) Library Academic Technician II	2	GRADE 12	
(34) Secretary I	9	GRADE 11	
(35) Clerical Assistant	3	GRADE 10	
(36) Bldg/Equip Maint Repairman II	4	GRADE 08	
(37) Custodial Worker II	3	GRADE 04	
(38) Custodial Worker I	14	GRADE 03	

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(39) Librarian	1	\$78,580	\$80,152
(40) Instructor - Nursing/Resp. Therapy	8	\$71,223	\$72,647

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(41) Faculty	67	\$65,928	\$67,247
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(42) Part-Time Faculty	55	\$33,180	\$33,844
<u>TWELVE MONTH AUXILIARY ENTERPRISES</u>			
<u>NON-CLASSIFIED POSITIONS</u>			
(43) Director of Food Service	<u>1</u>	\$62,544	\$63,795
MAX. NO. OF EMPLOYEES		213";	

Page 3, line 19 replace "forty (40)" with "Two Hundred (200)".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1555** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1555

Amend **HOUSE BILL NO. 1555** as originally introduced:

Page 2, delete lines 3 through page 3, line 25 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS**

(1) President, BRTC	1	\$123,222	\$125,686
(2) Vice President for Academic Affairs	1	\$98,901	\$100,879
(3) Vice President for Finance	1	\$92,744	\$94,599
(4) Vice President for Student Affairs	1	\$92,744	\$94,599
(5) Vice President for Development	1	\$92,744	\$94,599
(6) Coord. of Cont Ed & Bus Outrch.	2	\$72,374	\$73,821
(7) Director of Law Enforcement Training	1	\$72,374	\$73,821
(8) Director of Public Relations & Mktg	1	\$72,374	\$73,821
(9) Registrar	1	\$72,374	\$73,821
(10) Director of Financial Aid	1	\$72,229	\$73,674
(11) Dir. of Computer Services	1	\$71,023	\$72,443
(12) Director of Off-Campus Operations	1	\$70,972	\$72,391
(13) Controller	1	\$69,374	\$70,761

(14) Dir. of Physical Plant	1	\$66,959	\$68,298
(15) Coord. Of Student Recruitment	1	\$65,928	\$67,247
(16) Project/Program Specialist	1	\$54,115	\$55,197
(17) Academic Advisors	2	\$45,694	\$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(18) Accounting Supervisor I	1	GRADE 20
(19) DP Network Manager I-Inst	1	GRADE 20
(20) Program Coordinator	3	GRADE 20
(21) Applications Programmer II-Inst	1	GRADE 19
(22) Accountant	1	GRADE 18
(23) Computer Support Specialist I	1	GRADE 18
(24) Financial Aid Officer II	1	GRADE 18
(25) HE Public Safety Officer II	1	GRADE 18
(26) Plant Maintenance Supervisor	1	GRADE 18
(27) Telephone Technician	1	GRADE 17
(28) Skilled Trades Worker	3	GRADE 17
(29) Financial Aid Officer I	1	GRADE 16
(30) HE Public Safety Officer I	1	GRADE 16
(31) Accounting Technician II	1	GRADE 15
(32) Administrative Asst I	1	GRADE 15
(33) Assistant Purchasing Agent	1	GRADE 15
(34) Payroll Officer	1	GRADE 15
(35) Bookstore Office Manager	1	GRADE 14
(36) Administrative Secretary	2	GRADE 14
(37) Personnel Assistant I - Inst	1	GRADE 14
(38) Secretary II	2	GRADE 13
(39) Accounting Technician I	1	GRADE 12
(40) Cashier II	1	GRADE 12
(41) Library Academic Tech II	1	GRADE 12
(42) Registrars Assistant	1	GRADE 12
(43) Secretary I	14	GRADE 11
(44) Data Entry Specialist	1	GRADE 10
(45) Library Academic Technician I	1	GRADE 10
(46) Receptionist	1	GRADE 10
(47) Cashier I	1	GRADE 09
(48) Bldg/Equip Maint Repairman II	6	GRADE 08
(49) Custodial Supervisor II	1	GRADE 08

(50) Custodial Worker II	6	GRADE 04
(51) Custodial Worker I	2	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(52) Division Chairperson	4	\$86,554	\$88,285
(53) Librarian	1	\$78,580	\$80,152
(54) Director of Adult Education	1	\$75,488	\$76,998
(55) Instructor - Nursing/Resp. Therapy	11	\$71,223	\$72,647
(56) Faculty	3	\$65,928	\$67,247
(57) Assistant Librarian	1	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(58) Faculty	52	\$65,928	\$67,247
(59) Part-Time Faculty	<u>65</u>	\$33,180	\$33,844

MAX. NO. OF EMPLOYEES 221";

Page 4, between lines 7 and 8 insert:

"(02) EXTRA HELP 100,000 150,000"

and renumber the items in Section 3;

Page 4, line 15 replace "\$ 7,607,234 \$ 7,695,536" with "\$ 7,707,234 \$ 7,845,536";

Page 4, line 26 replace "100,000 100,000" with "300,000 300,000";

Page 5, line 4 replace "\$ 21,571,140 \$ 21,613,103" with "\$ 21,771,140 \$ 21,813,103".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1842** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1842

Amend **HOUSE BILL NO. 1842** as originally introduced:

Page 1, line 27, delete "grants and aid for"

And

Page 1, line 34, delete "GRANTS"

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1843** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1843

Amend **HOUSE BILL NO. 1843** as originally introduced:

Page 1, line 26, delete "for grants"

And

Page 1, line 27, delete "and aid"

And

Page 1, line 33, delete "GRANTS"

And

Page 2, line 2, delete "for grants and aid"

And

Page 2, line 9, delete "GRANTS"

And

Page 2, line 13, delete "For the fiscal year ending June 30, 2008 and for each fiscal year" and substitute "On July 1, 2007,"

And

Page 2, line 14, delete "thereafter,"

And

Page 2, line 16, delete "two million dollars (\$2,000,000)" and substitute "four million dollars (\$4,000,000)"

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1844** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1844

Amend **HOUSE BILL NO. 1844** as originally introduced:

Page 2, line 2, delete "For the fiscal year ending June 30, 2008 and for each fiscal year" and substitute "On July 1, 2007,"

And

Page 2, line 3, delete "thereafter,"

And

Page 2, line 5, delete "two million dollars (\$2,000,000)" and substitute "four million dollars (\$4,000,000)"

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1845** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1845

Amend **HOUSE BILL NO. 1845** as originally introduced:

Page 2, line 1, delete "For the fiscal year ending June 30, 2008 and for each fiscal year" and substitute "On July 1, 2007."

And

Page 2, line 2, delete "thereafter."

And

Page 2, line 4, delete "thirteen million dollars (\$13,000,000)" and substitute "twenty six million dollars (\$26,000,000)"

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 1902** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1902

Amend **HOUSE BILL NO. 1902** as originally introduced:

Page 1, line 10 delete "AT LITTLE ROCK - ARKANSAS JUDICIAL" and substitute "- CRIMINAL JUSTICE INSTITUTE"

AND

Page 1, line 11 delete "COUNCIL"

AND

Page 1, line 16 delete "AT" and substitute "-"

AND

Page 1, line 17 delete "LITTLE ROCK - ARKANSAS JUDICIAL COUNCIL" and substitute "CRIMINAL JUSTICE INSTITUTE"

AND

Page 1, line 25 delete "at Little Rock" and substitute "- Criminal Justice Institute"

AND

Page 1, line 28 delete "Arkansas Judicial Council" and substitute "Criminal Justice Institute"

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Rainey, **HOUSE BILL NO. 2196** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2196

Amend **HOUSE BILL NO. 2196** as engrossed,

H3/5/07 (version: 03-05-2007 13:40):

Page 1, line 26, insert "unobligated balances in the" between "the" and "General"

AND

Page 1, line 29, delete "\$50,000" and substitute "\$300,000"

AND

Page 1, insert a new subsection immediately after subsection (A) to read as follows:

"(B) For state assistance to the City of Dumas for tornado related expenses, the sum of\$300,000."

AND

Page 2, delete section 4 in its entirety and substitute the following:

"SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the City of Dumas, Arkansas was hit by a tornado during the month of February, 2007; that the City has experienced extreme damage, in some cases complete loss of property, and is not able to meet the financial demands of the ongoing recovery efforts; and that this act is immediately necessary to assist the City in meeting the needs of the citizens living in that area. 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."

/s/ David Rainey

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Wills unanimous leave to withdraw **HOUSE BILL NO. 2041**.

The House gave Representative Wills unanimous leave to withdraw **HOUSE BILL NO. 2116**.

The House gave Representative W. Lewellen unanimous leave to withdraw **HOUSE BILL NO. 2643**. Recommended Committee study by Judiciary- House.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2755**. Recommended Committee study by Judiciary- House.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 12, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1132 - TITLE - BY REPRESENTATIVE S. PRATER, ET AL
 HOUSE BILL NO. 1172 BY REPRESENTATIVE GREENBERG
 HOUSE BILL NO. 1413 BY REPRESENTATIVE DICKINSON, ET AL
 HOUSE BILL NO. 1414 BY REPRESENTATIVE DICKINSON, ET AL
 HOUSE BILL NO. 1477 BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 1518 BY REPRESENTATIVE D. EVANS
 HOUSE BILL NO. 1552 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1554 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1555 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1697 - TITLE - BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 1753 - TITLE - BY REPRESENTATIVE HOUSE
 HOUSE BILL NO. 1842 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 1843 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 1844 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 1845 BY REPRESENTATIVE PETRUS
 HOUSE BILL NO. 1902 - TITLE - BY REPRESENTATIVE MEDLEY
 HOUSE BILL NO. 2196 BY REPRESENTATIVE RAINEY
 HOUSE BILL NO. 2234 BY REPRESENTATIVE NORTON, ET AL
 HOUSE BILL NO. 2236 BY REPRESENTATIVE D. EVANS
 HOUSE BILL NO. 2248 BY REPRESENTATIVE D. HUTCHINSON
 HOUSE BILL NO. 2256 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2269 BY REPRESENTATIVE COOK
 HOUSE BILL NO. 2278 - TITLE - BY REPRESENTATIVE MOORE, ET AL
 HOUSE BILL NO. 2345 BY REPRESENTATIVE WILLS
 HOUSE BILL NO. 2352 - TITLE - BY REPRESENTATIVE GREENBERG, ET AL
 HOUSE BILL NO. 2359 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2413 BY REPRESENTATIVE DICKINSON, ET AL
 HOUSE BILL NO. 2414 BY REPRESENTATIVE DICKINSON, ET AL
 HOUSE BILL NO. 2415 - TITLE - BY REPRESENTATIVE BREEDLOVE, ET AL
 HOUSE BILL NO. 2521 BY REPRESENTATIVE DUNN
 HOUSE BILL NO. 2536 BY REPRESENTATIVE BURRIS
 HOUSE BILL NO. 2540 BY REPRESENTATIVE WILLS
 HOUSE BILL NO. 2541 - TITLE - BY REPRESENTATIVE WOOD, ET AL

ENGROSSED BILL REPORTS CONTINUED

HOUSE BILL NO. 2584	BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 2701	BY REPRESENTATIVE NORTON
HOUSE BILL NO. 2785	BY REPRESENTATIVE E. BROWN
HOUSE BILL NO. 2789	BY REPRESENTATIVE E. BROWN
HOUSE BILL NO. 2793	BY REPRESENTATIVE E. BROWN
HOUSE RESOLUTION NO. 1029	- TITLE - BY REPRESENTATIVE STEWART, ET AL
SENATE BILL NO. 22	BY SENATOR MADISON
SENATE BILL NO. 25	BY SENATOR MADISON
SENATE BILL NO. 217	BY SENATOR JEFFRESS
SENATE BILL NO. 231	BY SENATOR LAVERTY
SENATE BILL NO. 266	BY SENATOR SALMON
SENATE BILL NO. 295	BY SENATOR MILLER

HOUSE BILL ENGROSSED AS TITLE AMENDED

HOUSE BILL NO. 1132

BY: REPRESENTATIVES S. PRATER, BOND, KEY, L. EVANS, FLOWERS, STEWART, J. ROEBUCK, S. DOBBINS, GASKILL, HARRELSON, HOUSE, D. HUTCHINSON, POWERS, SULLIVAN, WEBB, WOOD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS OPTIONS COUNSELING FOR LONG-TERM CARE PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1697

BY: REPRESENTATIVE PICKETT

BY: *SENATOR J. TAYLOR*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT SURFACE OWNERS TO ACQUIRE DORMANT SEVERED MINERAL RIGHTS; TO REPEAL THE PROVISION ALLOWING THE ASSESSOR TO FOREGO COLLECTION OF THE AD VALOREM TAX ON MINERAL INTERESTS WHEN THE COST EXCEEDS THE TAX OWED; TO PROVIDE GUIDELINES FOR ASSESSING MINERAL RIGHTS; TO ALLOW ASSESSMENT OF AD VALOREM TAX ON SEVERED MINERAL RIGHTS TO BE MADE AGAINST THE WORKING INTERESTS OWNER; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1753

BY: REPRESENTATIVE HOUSE

BY: *SENATOR MADISON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS SEWAGE DISPOSAL SYSTEMS ACT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1902

BY: REPRESENTATIVE MEDLEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSTIY OF ARKANSAS – *CRIMINAL JUSTICE INSTITUTE* FOR GRANTS FOR LAW ENFORCEMENT TRAINING; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2278

BY: REPRESENTATIVES MOORE, *BLOUNT*, *CHEATHAM*, *DUNN*, *HALL*,
MAXWELL, *RAINEY*, *REEP*

BY: SENATORS *J. JEFFRESS*, *J. TAYLOR*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE AN INCOME TAX CREDIT FOR GEOTOURISM INVESTMENT IN THE LOWER MISSISSIPPI RIVER DELTA; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2352

BY: REPRESENTATIVES GREENBERG, WEBB, ADCOCK, BOND, D. CREEKMORE, S. DOBBINS, HYDE, D. JOHNSON, S. PRATER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF ADVERTISING AND PROMOTION COMMISSIONS IN MUNICIPALITIES WITH A POPULATION OF *ONE HUNDRED TWENTY-FIVE THOUSAND (125,000)* OR MORE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2413

BY: REPRESENTATIVES DICKINSON, ABERNATHY, ALLEN, BERRY, COOPER, DAVENPORT, DUNN, L. EVANS, EVERETT, GEORGE, JEFFREY, KENNEY, MEDLEY, NORTON, REEP, ROSENBAUM, SAMPLE, L. SMITH, WILLS

BY: SENATORS *B. JOHNSON*, *ALTES*, *ARGUE*, *BROADWAY*, *BRYLES*, *BAKER*, *TRUSTY*, *MALONE*, *MADISON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE ARKANSAS SCIENCE AND TECHNOLOGY AUTHORITY TO SUPPORT AN ALLIANCE OF RESEARCH UNIVERSITIES, CHANCELLORS AND PRESIDENTS, AND REPRESENTATIVES OF THE PRIVATE BUSINESS SECTOR FOR THE PURPOSE OF CREATING JOBS, INCREASING RESEARCH, AND ENCOURAGING ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2414

BY: REPRESENTATIVES DICKINSON, ABERNATHY, ALLEN, BERRY, COOPER, DAVENPORT, DUNN, L. EVANS, EVERETT, GEORGE, JEFFREY, KENNEY, LOWERY, MEDLEY, NORTON, REEP, ROSENBAUM, SAMPLE, L. SMITH, WILLS
BY: SENATORS B. JOHNSON, ALTES, ARGUE, BROADWAY, BRYLES, BAKER, TRUSTY, MALONE, MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROMOTE ECONOMIC DEVELOPMENT BY CREATING A SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH FUND TO INCREASE THE STATE'S ABILITY TO COMPETE FOR JOBS IN THE TWENTY-FIRST CENTURY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2415

BY: REPRESENTATIVES BREEDLOVE, PENNARTZ, *GLIDEWELL*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO GIVE QUORUM COURTS A PROCEDURAL OPTION ON THE *SELECTION* OF SUCCESSOR MEMBERS OF RURAL WATERWORKS FACILITIES BOARDS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2541

BY: REPRESENTATIVES WOOD, *DICKINSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW SCHOOL DISTRICTS TO ENTER INTO AGREEMENTS WITH THE *ARKANSAS NATIONAL GUARD* FOR STUDENT PARTICIPANTS IN THE YOUTH CHALLENGE AND C-STEP PROGRAMS; TO CREATE THE *ARKANSAS NATIONAL GUARD YOUTH CHALLENGE PROGRAM SUPPLEMENTAL FUND AND THE ARKANSAS NATIONAL GUARD C-STEP PROGRAM SUPPLEMENTAL FUND*; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION ENGROSSED AS TITLE AMENDED
HOUSE RESOLUTION NO. 1029

BY: REPRESENTATIVES STEWART, *J. ROEBUCK*

A BILL FOR AN ACT TO BE ENTITLED COMMENDING TROY BUCK ON HIS INDUCTION INTO THE *ARKANSAS AGRICULTURAL HALL OF FAME*.

Upon motion of Representative D. Hutchinson, **HOUSE BILL NO. 2248** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2248

Amend **HOUSE BILL NO. 2248** as originally introduced:

Page 1, delete line 23 and substitute the following:

"correspondence, memoranda, case histories, or other material that personally identifies a juvenile, including"

AND

Page 2, delete lines 4 through 7 and substitute the following:

"(B) However, no disclosure shall be made to any committee or legislative body of any information that identifies any recipient of services by name or address unless the juvenile, the juvenile's attorney, and the juvenile's parent, guardian or custodian agree in writing to waive confidentiality and permit disclosure to the committee or legislative body."

AND

Page 2, line 22, delete "and"

AND

Page 2, delete line 24 and substitute the following:

"extent necessary to carry out its official responsibilities;

(16) A multi-disciplinary team coordinating a child maltreatment investigation pursuant to the Child Maltreatment Act pertaining to the juvenile; and

(17) The general public about any juvenile fatality if the death occurred when the Division of Youth Services, a detention center or a community-based provider had responsibility for placement and care of the juvenile."

AND

Page 2, delete line 29 and substitute the following:

"subsequent disclosure by the parent, guardian or custodian, the juvenile or the juvenile's attorney."

/s/ Donna Hutchinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Dickinson, **HOUSE BILL NO. 2413** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2413

Amend **HOUSE BILL NO. 2413** as originally introduced:

Page 1, delete line 7 and substitute the following:

“By: Senator B. Johnson, Altes, Argue, Broadway, Bryles, Baker, Trusty, Malone, Madison”

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Dickinson, **HOUSE BILL NO. 2414** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2414

Amend **HOUSE BILL NO. 2414** as originally introduced:

Page 1, delete line 7 and substitute the following:

“By: Senator B. Johnson, Altes, Argue, Broadway, Bryles, Baker, Trusty, Malone, Madison”

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harrelson, **SENATE BILL NO. 25** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 25

Amend **SENATE BILL NO. 25** as engrossed,

S2/12/07 (version: 02-12-2007 09:15):

Page 2, line 10, delete "retail" and substitute "wholesale"

AND

Page 2, line 11, delete "retail" and substitute "wholesale"

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Harrelson, **SENATE BILL NO. 22** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 22

Amend **SENATE BILL NO. 22** as engrossed,

S2/12/07 (version: 02-12-2007 09:11):

AND

Page 2, delete lines 1 through 16 and substitute the following:

"(a) of this section shall require that before the selection of a textbook or course material is finalized, the appropriate faculty member shall:

(1) Affirmatively confirm his or her intent to use all items selected, including all items sold as part of a bundled package;

(2) Confirm that some components of a bundled package may not be reusable by another student;

(3) Affirmatively acknowledge the quoted on-campus retail price for each textbook or course material he or she selects; and

(4) Confirm that the publisher of a textbook or course material has acknowledged that all components of a bundled package may be purchased and sold separately by a local textbook retailer."

AND

Page 2, line 17, delete "(c)(1)" and substitute "(c)"

AND

Page 2, delete lines 22 through 34

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wood, **SENATE BILL NO. 295** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO SENATE BILL NO. 295

Amend **SENATE BILL NO. 295** as engrossed,

H3/2/07 (version: 03-02-2007 10:26):

Page 3, delete lines 12 through 17 and substitute the following:

“(4)(A) If a person other than an insurer acquires ownership of a salvage vehicle after the time it becomes a salvage vehicle but prior to the issuance of a salvage title, and a good faith estimate of the repair cost is over seventy percent (70%) of its average retail value at the time the vehicle is acquired, the owner shall surrender the certificate of title to the salvage vehicle to the office within thirty (30) days following the date of acquisition of the certificate of title to the salvage vehicle. If the vehicle has no resale value except as a source for parts or scrap, the owner may request that the office issue the vehicle a “parts only” title and the vehicle shall be dismantled for parts or scrap and shall be titled as such in the State of Arkansas.

(B) Subdivision (a)(4)(A) of this section shall become effective on January 1, 2008.”

AND

Page 3, line 30, delete ““junk”,” and substitute ““junk”, “parts only”.”

AND

Page 3, delete line 33 and substitute the following:

“parts or scrap and shall not be ~~titled~~ registered in the State of Arkansas, but may

receive a "parts only" title.

AND

Page 5, line 1, delete "junk" and substitute "parts only"

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Prater, **SENATE BILL NO. 266** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 266

Amend **SENATE BILL NO. 266** as engrossed,

S2/20/07 (version: 02-20-2007 09:26):

Page 10, delete lines 23 and 24 and substitute the following:

"(W) An employee or volunteer of a program or organization funded partially or wholly by the Department of Health and Human Services who enters the home of or has contact with an elderly person;"

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cook, **SENATE BILL NO. 217** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO SENATE BILL NO. 217

Amend **SENATE BILL NO. 217** as engrossed,

H3/5/07 (version: 03-05-2007 14:01):

Page 1, line 24, delete "2008-2009" and substitute "2009-2010"

AND

Page 1, line 27, delete "2009-2010" and substitute "2010-2011"

AND

Page 1, line 30, delete "2010-2011" and substitute "2011-2012"

/s/ David Cook

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Davenport, **SENATE BILL NO. 231** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO SENATE BILL NO. 231

Amend **SENATE BILL NO. 231** as engrossed,

H3/5/07 (version: 03-05-2007 13:52):

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2303(19), concerning school district growth funding, is amended to read as follows:

(19)(A) "Student growth funding" means the amount of state financial aid provided to each school district from funds made available for that purpose the growth in the average daily membership for the school district.

~~(B) For school years 2005-2006 and 2006-2007, student growth funding is calculated as five thousand four hundred dollars (\$5,400) multiplied by the increase, if any, in the school district's two-quarter average of the average daily membership of the current school year over the local school district's two-quarter average of the average daily membership for the previous school year, excluding~~

any increase resulting solely from consolidation or annexation with another school district;

SECTION 2. Arkansas Code § 6-20-2305(a)(3), concerning funding for districts with declining enrollment, is amended to read as follows:

(3)(A) ~~During the 2006-2007, school year, a~~ A school district ~~with an~~ that has experienced a decline in average daily membership over the two (2) immediately preceding school years ~~that is less than the school district's previous year's average daily membership~~ shall receive:

(i) Declining enrollment funding equal to the difference between the average of the two (2) immediately preceding years' average daily memberships and the average daily membership for the previous school year multiplied by ~~five thousand six hundred twenty dollars (\$5,620)~~ the amount of foundation funding set forth in subdivision (a)(2) of this section; or

(ii) Special needs isolated funding under § 6-20-604.

(B) Any funding appropriated and available for declining enrollment funding under subdivision (a)(3)(A)(i) of this section or special needs isolated funding under § 6-20-604 that is not distributed under subdivision (a)(3)(A) of this section shall be prorated and distributed equally per average lost student to school districts that meet the qualifications for both declining enrollment funding under subsection (a)(3)(A)(i) of this section and special needs isolated funding under § 6-20-604.

(C) No school district shall receive both declining enrollment funding under subdivision (a)(3)(A)(i) of this section and student growth funding under § 6-20-2305(c).

SECTION 3. Arkansas Code § 6-20-2305(c), concerning isolated funding, student growth funding, and special education-catastrophic occurrences funding, is amended to read as follows:

(c) Isolated funding under § 6-20-601, student growth funding, and special education-catastrophic occurrences funding shall be funded as follows:

(1) Isolated funding and special education-catastrophic occurrences funding shall be allocated and funded to school districts in a line item appropriation within the Public School Fund pursuant to law or rules promulgated by the State Board of Education; and

(2)(A) Student growth funding is calculated as the sum of the following amounts:

(i) One quarter (1/4) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if

any, of each of the following:

(a) The school district's quarterly average daily membership for the first quarter of the current school year over average daily membership of the previous school year;

(b) The school district's quarterly average daily membership for the second quarter of the current year over the average daily membership of the previous school year;

(c) The school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year; and

(d) The school district's quarterly average daily membership for the fourth quarter of the current school year over the average daily membership of the previous school year; and

(ii) ~~excluding~~ Excluding any increase resulting solely from consolidation or annexation with another school district.

(B)(i) The State Board of Education shall establish by rule the timing of distributions of student growth funding and the mechanism for determining the quarterly average daily membership to be used in calculating student growth funding under this subsection (c).

(ii)(a) As the fourth quarter average daily membership count will not be available until the following school fiscal year, the final distribution for each school year shall include one half (1/2) of the per student foundation funding for the school district under § 6-20-2305(a)(2) multiplied by the increase, if any, of the school district's quarterly average daily membership for the third quarter of the current school year over the average daily membership of the previous school year.

(b) As a result of calculating the distribution in subdivision (c)(2)(B)(ii)(a) of this section, either an adjustment shall be made in the initial distribution of growth funding for the district in the following school year to be based on the actual fourth quarter growth determined in subdivision (c)(2)(A)(i)(d) or the school district shall refund the overpayment in growth funding."

/s/ Monty Davenport

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE RESOLUTION NO. 1023

BY: REPRESENTATIVE L. SMITH

URGING SCHOOL DISTRICTS TO PROVIDE A MID-MORNING AND MID-AFTERNOON RECESS TO ALL STUDENTS IN KINDERGARTEN THROUGH GRADE SIX (6).

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Morning Hour Expired.

Representative Bond moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1455

Amend HOUSE BILL NO. 1455 as engrossed,

H2/15/07 (version: 02-15-2007 09:29):

Page 5, delete line 13

AND

Page 5, delete line 17 and substitute the following:

“or charitable organization for fundraising purposes; or

(3) Are usable with multiple, unaffiliated sellers of goods or services and are issued by a financial institution under § 4-88-702(3).”

AND

Page 5, delete line 23 and substitute the following:

“those sections.

4-88-706. Rules.

(a) The State Bank Department shall promulgate rules pertaining to the regulation of state-chartered banks and the selling of gift cards.

(b) The department shall have authority of the sale of gift cards by state-chartered banks and promulgate rules based on guidance issued by the Comptroller of the Currency in Office of the Comptroller of the Currency Bulletin 2006-34 on August 14, 2006.”

/s/ Paul Bookout

The Amendment was read the vote was as follows:

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT: Flowers.

Total1

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Wagner moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1479

Amend HOUSE BILL NO. 1479 as originally introduced:

Page 1, delete line 36 through page 2, line 5 and substitute the following:

"(3) Any school district that entered into contracts with classified personnel prior to the effective date of this act and the contracts provided for a higher employer contribution funding amount than is paid for certified personnel in the school district shall freeze the employer contribution funding amount for classified employees until such time as the funding amount contributed for certified personnel equals or exceeds the funding amount provided for classified employees."

/s/ Steve Bryles

The Amendment was read and the vote was as follows:

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Powers, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1311

BY: REPRESENTATIVE COOK

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Cooper, Davis, Lamoureux, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative.....93

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

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

HOUSE BILL NO. 2319

BY: REPRESENTATIVE PATE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT: Flowers.

Total1

Total number of votes cast95

Total number voting in the affirmative94

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

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

HOUSE BILL NO. 2351

BY: REPRESENTATIVE WYATT

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

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Chesterfield, Davis, D. Evans, Hyde, King, Sumpter, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative.....91

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

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

HOUSE BILL NO. 2624

BY: REPRESENTATIVE SUMPTER

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hyde, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

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

HOUSE BILL NO. 2312

BY: REPRESENTATIVE E. BROWN

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hardy, Hyde, Pyle, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative.....93

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

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

HOUSE BILL NO. 2360

BY: REPRESENTATIVE E. BROWN

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hardwick, Mr. Speaker.

Total5

VOTING PRESENT: T. Baker.

Total1

Total number of votes cast95

Total number voting in the affirmative94

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

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

HOUSE BILL NO. 2322

BY: REPRESENTATIVE EDWARDS

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, S. Dobbins, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....95

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

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

HOUSE BILL NO. 2585

BY: REPRESENTATIVE HARDWICK

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hyde, Medley, Pace, Mr. Speaker.

Total7

VOTING PRESENT: Flowers.

Total1

Total number of votes cast93

Total number voting in the affirmative92

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

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

HOUSE BILL NO. 2244

BY: REPRESENTATIVE L. SMITH

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

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

Total86

NEGATIVE: Kenney, Pace.

Total2

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, S. Dobbins, Dunn, George, M. Martin, Medley, Schulte, Sullivan, Wells, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative86

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2244**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total86

NEGATIVE: Kenney, Pace.

Total2

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, S. Dobbins, Dunn, George, M. Martin, Medley, Schulte, Sullivan, Wells, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative86

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2500

BY: REPRESENTATIVE REYNOLDS

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Cash, Davis, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2500**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Cash, Davis, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2290

BY: REPRESENTATIVE LOWERY

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

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

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

HOUSE BILL NO. 2649

BY: REPRESENTATIVE E. BROWN

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

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

Total91

NEGATIVE: Adcock, Schulte.

Total2

ABSENT OR NOT VOTING: Berry, T. Bradford, Burris, Davis, Hardwick, Mr. Speaker.

Total6

VOTING PRESENT: Flowers.

Total1

Total number of votes cast94

Total number voting in the affirmative91

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

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

HOUSE BILL NO. 2736

BY: REPRESENTATIVE J. ROEBUCK

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

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

Total93

NEGATIVE: Pace.

Total1

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hardwick, Mr. Speaker.

Total5

VOTING PRESENT: Flowers.

Total1

Total number of votes cast95

Total number voting in the affirmative.....93

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

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

HOUSE BILL NO. 2246

BY: REPRESENTATIVE L. SMITH

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

AFFIRMATIVE: Adcock, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, Cheatham, Chesterfield, Cook, Dickinson, S. Dobbins, Edwards, D. Evans, L. Evans, Garner, R. Green, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Johnson, J. Johnson, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total66

NEGATIVE: Allen, T. Baker, Cornwell, L. Cowling, Davenport, Flowers, Gaskill, Greenberg, D. Hutchinson, Hyde, Kenney, Key, King, M. Martin, Pace, Pyle.

Total16

ABSENT OR NOT VOTING: Abernathy, Anderson, Berry, T. Bradford, Burris, Cash, Cooper, D. Creekmore, Davis, Dunn, Everett, George, Glidewell, Jeffrey, Reynolds, Sullivan, Wells, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative66

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

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

Upon motion of Representative L. Smith the Clincher motion prevailed.

Speaker Petrus requested **HOUSE BILL NO. 2390** be transferred from the Public Health, Welfare, and Labor Committee to the Committee on Agriculture, Forestry, and Economic Development.

Speaker Petrus requested **HOUSE BILL NO. 2510** be transferred from the Public Health, Welfare, and Labor Committee to the Committee on Insurance and Commerce.

Speaker Petrus requested **HOUSE BILL NO. 2451** be transferred from the Public Health, Welfare, and Labor Committee to the Committee on Agriculture, Forestry, and Economic Development.

Speaker Petrus requested **HOUSE BILL NO. 2691** be transferred from the Public Health, Welfare, and Labor Committee to the Committee on Insurance and Commerce.

SENATE BILL NO. 331

BY: SENATOR R. THOMPSON

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burkes, Burris, Cooper, Davis, R. Green, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

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

SENATE BILL NO. 767

BY: SENATOR SALMON

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Hall, Pace, Pennartz, Wagner, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

SENATE BILL NO. 216

BY: SENATOR HENDREN

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

SENATE BILL NO. 31

BY: SENATOR MADISON

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Cornwell, Davis, Rogers, Mr. Speaker.

Total6

VOTING PRESENT: Flowers.

Total1

Total number of votes cast.....94

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 31**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Cornwell, Davis, Rogers, Mr. Speaker.

Total6

VOTING PRESENT: Flowers.

Total1

Total number of votes cast.....94

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

SENATE BILL NO. 300

BY: SENATOR SALMON

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Bradford, Burris, Davis, Pace, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1311 BY REPRESENTATIVE COOK
 HOUSE BILL NO. 2244 BY REPRESENTATIVE L. SMITH
 HOUSE BILL NO. 2246 BY REPRESENTATIVE L. SMITH
 HOUSE BILL NO. 2290 BY REPRESENTATIVE LOWERY
 HOUSE BILL NO. 2312 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2319 BY REPRESENTATIVE PATE
 HOUSE BILL NO. 2322 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 2351 BY REPRESENTATIVE WYATT
 HOUSE BILL NO. 2360 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2500 BY REPRESENTATIVE REYNOLDS
 HOUSE BILL NO. 2585 BY REPRESENTATIVE HARDWICK
 HOUSE BILL NO. 2624 BY REPRESENTATIVE SUMPTER
 HOUSE BILL NO. 2649 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2736 BY REPRESENTATIVE J. ROEBUCK

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 31 BY SENATOR MADISON
 SENATE BILL NO. 216 BY SENATOR HENDREN
 SENATE BILL NO. 300 BY SENATOR SALMON
 SENATE BILL NO. 331 BY SENATOR R. THOMPSON
 SENATE BILL NO. 767 BY SENATOR SALMON

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1039 BY REPRESENTATIVE WELLS
AS AMENDED #1

HOUSE BILL NO. 1341 BY REPRESENTATIVE S. PRATER

HOUSE BILL NO. 1345 BY REPRESENTATIVE WOOD

HOUSE BILL NO. 1384 BY REPRESENTATIVE LAMOUREUX
AS AMENDED #1

HOUSE BILL NO. 1426 BY REPRESENTATIVE WALTERS
AS AMENDED #1, 2, 3, & 4

HOUSE BILL NO. 1452 BY REPRESENTATIVE HARDY

HOUSE BILL NO. 1521 BY REPRESENTATIVE WALTERS

HOUSE BILL NO. 1536 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1564 BY REPRESENTATIVE D. CREEKMORE
AS AMENDED #1

HOUSE BILL NO. 1569 BY REPRESENTATIVE WALTERS

HOUSE BILL NO. 1607 BY REPRESENTATIVE HOYT

HOUSE BILL NO. 1622 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1683 BY HOUSE MANAGEMENT

HOUSE BILL NO. 1692 BY REPRESENTATIVE D. CREEKMORE

HOUSE BILL NO. 1810 BY REPRESENTATIVE LOWERY

HOUSE BILL NO. 2218 BY REPRESENTATIVE LOWERY
AS AMENDED #1

HOUSE BILL NO. 2220 BY REPRESENTATIVE LOWERY

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 15	BY SENATOR GLOVER
SENATE BILL NO. 154	BY SENATOR G. JEFFRESS
SENATE BILL NO. 170	BY SENATOR BROADWAY
SENATE BILL NO. 284	BY SENATOR BROADWAY
SENATE BILL NO. 297	BY SENATOR ALTES
SENATE BILL NO. 398	BY SENATOR SALMON
SENATE BILL NO. 440	BY SENATOR HILL
SENATE BILL NO. 569	BY SENATOR BROADWAY
SENATE BILL NO. 637	BY SENATOR BROWN
SENATE BILL NO. 768	BY SENATOR HORN
SENATE BILL NO. 773	BY SENATOR HORN
SENATE BILL NO. 783	BY SENATOR BISBEE
SENATE BILL NO. 785	BY SENATOR WOMACK
SENATE BILL NO. 787	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 788	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 800	BY SENATOR WOMACK
SENATE BILL NO. 806	BY SENATOR SALMON
SENATE BILL NO. 821	BY SENATOR MADISON
SENATE BILL NO. 852	BY SENATOR HENDREN
SENATE BILL NO. 856	BY SENATOR BOOKOUT
SENATE BILL NO. 882	BY SENATOR FARIS
SENATE BILL NO. 965	BY SENATOR ALTES
SENATE BILL NO. 980	BY SENATOR HORN

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 12, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1455 BY REPRESENTATIVE BOND

HOUSE BILL NO. 1479 BY REPRESENTATIVE WAGNER

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 2:43 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1455 BY REPRESENTATIVE BOND

HOUSE BILL NO. 1479 BY REPRESENTATIVE WAGNER

/s/ Mike Beebe - Governor

TIME: 2:56 p.m.

By: Sarah Agee

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

March 12, 2007

To Whom It May Concern:

I am writing this letter in regards to my nay - vote on **HOUSE BILL NO. 1657**. It was my intention to vote YES on this Bill.

Please see that this matter is corrected and noted in the journal.

Thank you.

Sincerely,

/s/ John Lowery
State Representative

JL:mj

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

March 9, 2007

To Whom It May Concern:

My voting machine did not work, and I was unable to vote on **HOUSE BILL NO. 1250**. Had I been able to vote, I would have voted "yes."

Sincerely,

John Paul Wells
State Representative
District 84

JPW/jwa

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH GENERAL ASSEMBLY
 ROOM 350, THIRD FLOOR, STATE CAPITOL
 LITTLE ROCK, ARKANSAS 72201-1089
 (501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 12, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2236**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2236. In the Amendment, page 1, line 2 of the first section should read: ""SECTION 1. Arkansas Code § 26-57-244 is amended to read as follows:" (changed Section number from "2" to ".")

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2236.

/s/ Benny C. Petrus

/s/ J R Rogers

Speaker of the House

/s/ David Dunn, Chairman

/s/ George Overbey, Jr.

House Rules

/s/ Lenville Evans, Chairman

/s/ Tim Massanelli, Parliamentarian

House Management Committee

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2236

"TO AUTHORIZE THE DIRECT ASSESSMENT OF EXCISE TAX FOR CONSUMERS WHO PURCHASE UNTAXED TOBACCO PRODUCTS AND UNSTAMPED CIGARETTES."

Amendment No. 1 to House Bill No. 2236.

Amend House Bill No. 2236 as originally introduced:

Page 2, delete lines 30 through 36, and substitute the following:

“SECTION 2. (1) Arkansas Code § 26-57-244 is amended to read as follows:
26-57-244. Possession of untaxed, unstamped products – Notice and prima facie evidence.

(a) It is unlawful for any person to receive or have in his possession for sale, consumption, or any other purpose, any untaxed tobacco products or unstamped cigarettes tobacco products upon which unless the tax prescribed by this subchapter has not been paid directly to the director by the person in possession of the untaxed tobacco products or unstamped cigarettes.

(b) The absence of the stamps from any container of cigarettes is notice to all persons that the tax has not been paid and is prima facie evidence of the nonpayment of the tax.

(c) If tax has been paid to the Director on any untaxed tobacco products or unstamped cigarettes, a consumer may establish proof of such payment by providing a receipt or any other documentation that clearly indicates that the tax was paid.

(d) The provisions of this section do not relieve any retail cigarette and tobacco permit holder from the obligations placed on them by §26-57-228.

(e) No retail cigarette or tobacco permit holder shall have in their possession any unstamped cigarettes nor shall they have in their possession any tobacco products on which the tax prescribed by this subchapter has not been paid.

(f) An Arkansas consumer who purchases any untaxed tobacco products or unstamped cigarettes shall be liable for reporting and remitting all excise tax due on such tobacco products or cigarettes as levied under the Arkansas Tobacco Products Tax Act, § 26-57-201 et seq.

(1) The tax due shall be reported on forms provided by the

director on or before the fifteenth (15th) day of the month following the month in which the untaxed purchase was made.

(2) The report shall provide the information prescribed by the director.

(3) When a report is filed, the consumer shall remit the full amount of tax due on the untaxed purchase to the director.

(g) The director of the Arkansas Department of Finance and Administration is authorized to directly assess the excise tax due on any untaxed tobacco products or unstamped cigarettes against a consumer who purchases such items and fails to report and remit the excise tax due in a timely manner.

(h) Subsections (f) and (g) of this section shall be subject to the provisions of the Arkansas Tax Procedure Act, §26-18-101 et seq.

(c)(i) The provisions of this section shall not apply to wholesalers and common carriers.”

AND

Page 2, delete lines 1 through 28

The Amendment was read

By: Representative D. Evans

LMG/KSW - 03-09-2007 09:35

LMG208

Chief Clerk

STATE OF ARKANSAS EIGHTY-SIXTH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 12, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 1172**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 1172. In the Amendment, the first line should read: "Page 2, line 5, delete "from and" substitute "~~from and~~". (changed "line 4" to "line 5")

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 1172.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 1172

"CONCERNING POLICE PENSION AND RELIEF FUNDS OF CITIES OF THE FIRST CLASS."

Amendment No. 1 to House Bill No. 1172.

Amend House Bill No. 1172 as originally introduced:

Page 2, line 4,(5) delete "from and" and substitute "~~from and~~"

AND

Page 4, line 36, delete "(4)(A)" and substitute "(4)(A)(i)"

AND

Page 5, delete line 6 and substitute the following:

"retired member died.

(ii) Upon the death or remarriage of the surviving former spouse, the monthly pension of the surviving spouse shall be increased to the pension attached to the rank of the deceased police officer at the time of his or her death."

AND

Delete SECTION 5 of the bill in its entirety

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 12, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 1697**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 1697. In the Amendment, page 1, the first line should read: "Add Senator J. Taylor as a cosponsor of the bill" (added "J." before Taylor)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 1697.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 1697

"TO PERMIT SURFACE OWNER TO ACQUIRE DORMANT SEVERED MINERAL RIGHTS,
TO PROVIDE GUIDELINES FOR ASSESSING MINERAL RIGHTS, AND TO ALLOW
ASSESSMENT OF TAX ON SEVERED MINERAL RIGHTS AGAINST THE WORKING
INTERESTS OWNER."

Amendment No. 1 to House Bill No. 1697.

Amend House Bill No. 1697 as originally introduced:

Add Senator (J.)Taylor as a cosponsor of the bill

AND

Page 7, delete lines 23 through 36

AND

Page 8, line 1, delete "(D)(i)" and substitute "(C)(i)"

HOUSE OF REPRESENTATIVES ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 12, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2234**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2234. In the Amendment, page 2, the last section which is the Emergency Clause should be ""SECTION 3." Rather than ""SECTION 1."

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2234.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2234

"AN ACT TO ASSIST SCHOOL DISTRICTS TO CONSTRUCT NEW BUILDINGS
WITHOUT BEING IDENTIFIED AS A DISTRICT IN FISCAL DISTRESS."

Amendment No. 1 to House Bill No. 2234.

Amend House Bill No. 2234 as originally introduced:

Page 1, delete line 30 and substitute the following:

"(B) However, capital outlay expenditures for academic facilities from a school"

AND

Page 1, delete lines 35 and 36 and substitute the following:

"(A) Material failure to properly maintain school facilities;"

AND

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

AND

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

AND

Page 2, line 5, delete "(D)(C)" and substitute "(D)"

AND

Page 2, line 7, delete "(E)(D)" and substitute "(E)"

AND

Page 2, line 10, delete "(F)(E)" and substitute "(F)"

AND

Page 2, line 12, delete "(G)(F)" and substitute "(G)"

AND

Page 2, line 14, delete "(H)(G)" and substitute "(H)"

AND

Page 2, line 16, delete "(I)(H)" and substitute "(I)"

AND

Page 2, line 18, delete "(J)(I)" and substitute "(J)"

AND

Page 2, line 20, delete "(K)(J)" and substitute "(K)"

AND

Page 2, line 22, delete "(L)(K)" and substitute "(L)"

AND

Page 2, delete line 36 and substitute the following:

"(2) Beginning in 2008, the department shall provide the notice required under"

AND

Page 3, line 3, add the following

"SECTION 1. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that school districts begin their work far in advance of the academic year; that the coming academic year begins in August, 2007; that the school districts require certainty about the effect on the fiscal health of the school district that might arise from capital outlay for academic facility; and that this act is necessary because any delay might irreparably harm a school district and its students.

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."

MGF494 - 03-08-2007 15:26 House Amendment No. ____ to House Bill No. 2234 3 of 3

The Amendment was read

By: Representative Norton

MGF/CDS - 03-08-2007 15:26 _____

MGF494

Chief Clerk

SENATE BILL NO. 15

BY: SENATORS GLOVER, T. SMITH, *TRUSTY, ALTES, FARIS, J. TAYLOR*

BY: REPRESENTATIVES GLIDEWELL, *ALLEN, BERRY, COOK, D. CREEKMORE, DICKINSON, DUNN, L. EVANS, GEORGE, R. GREEN, HARDWICK, HARRIS, HOYT, JEFFREY, KEY, KIDD, KING, LAMOUREUX, M. MARTIN, MAXWELL, MEDLEY, PATTERSON, S. PRATER, RAGLAND, REYNOLDS, ROSENBAUM, SUMPTER, WILLS*

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REPLACE THE GROSS RECEIPTS TAX ON MINI-WAREHOUSE AND SELF-STORAGE RENTAL SERVICES WITH A SPECIAL EXCISE TAX TO BE PHASED OUT IN THREE YEARS; AND FOR OTHER PURPOSES.*

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

SENATE BILL NO. 154

BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A STATE POLICE OFFICER HIGHWAY DEDICATION PROGRAM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 170

BY: SENATOR BROADWAY

BY: REPRESENTATIVES CORNWELL, D. CREEKMORE, J. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE PURPOSES OF THE APPROPRIATION ENACTED BY ACT 1718 AND ACT 2315 OF THE REGULAR SESSION OF 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 284

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PARENT COUNSEL REIMBURSEMENTS FOR THE ADMINISTRATIVE OFFICE OF THE COURTS - DIVISION OF DEPENDENCY-NEGLECT REPRESENTATION WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO THOSE FUNDS APPROPRIATED BY ACT 2096 OF 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 297

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING ALTERNATIVE NEGOTIATED PURCHASING FOR MUNICIPALITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 398

BY: SENATORS SALMON, TRUSTY

BY: REPRESENTATIVES D. CREEKMORE, ADCOCK, WALTERS, SCHULTE, CASH, WAGNER, HARRELSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF VITAL RECORDS OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 440

BY: SENATORS HILL, CAPPS**BY: REPRESENTATIVE MALOCH**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ECONOMIC DEVELOPMENT INCENTIVE QUICK ACTION CLOSING FUND; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 569

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO RENAME THE YOUTH SERVICES CENTER LOCATED AT ALEXANDER AS THE ARKANSAS JUVENILE ASSESSMENT AND TREATMENT CENTER; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 637

BY: SENATOR BROWN**BY: REPRESENTATIVE W. LEWELLEN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT A CITY OR COUNTY AND THE STATE OF ARKANSAS TO CREATE A PARTNERSHIP TO MANAGE, OPERATE, MAINTAIN, AND PRESERVE INSOLVENT LICENSED PERPETUAL CARE CEMETERIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 768

BY: SENATOR HORN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 17-50-311 TO RAISE THE MAXIMUM FEE AMOUNT FOR COMMISSION ON WATER WELL CONSTRUCTION LICENSES, CERTIFICATES OF REGISTRATION, AND PERMITS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 773

BY: SENATOR HORN

BY: REPRESENTATIVE S. PRATER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS EMPLOYMENT SECURITY LAW; TO AMEND § 19-5-984 THAT ESTABLISHED THE EMPLOYMENT SECURITY SPECIAL FUND; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 783

BY: SENATOR BISBEE

BY: REPRESENTATIVE ANDERSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THAT RESIDENTIAL BUILDING CONTRACTORS BE GIVEN NOTICE AND AN OPPORTUNITY TO REPAIR; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 785

BY: SENATORS WOMACK, ARGUE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE INFLATION ADJUSTMENTS IN THE AMOUNTS FOR LEGISLATIVE EXPENSE REIMBURSEMENT, IN LIEU OF PER DIEM PAYMENTS, AND EXTRA COMPENSATION FOR CHAIRS AND COCHAIRS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 787

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE ANNUAL CAREER SERVICE RECOGNITION PAYMENTS FOR STATE EMPLOYEES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 788

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPLEMENT A MERIT INCREASE PAY SYSTEM BASED ON EMPLOYEE PERFORMANCE EVALUATION; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 800

BY: SENATOR WOMACK

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW THE ARKANSAS STATE BOARD OF PHARMACY TO WAIVE PERMIT FEES FOR PHARMACY TECHNICIANS WORKING AS VOLUNTEERS IN CHARITABLE CLINICS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 806

BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMENDING ARKANSAS LAW CONCERNING NOTIFICATION OF THE COUNTY CORONER OF CERTAIN DEATHS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 821

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE TIME BY WHICH THE CODE REVISION COMMISSION IS REQUIRED TO FILE DRAFTS OF CORRECTIVE LEGISLATION; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 852

BY: SENATOR HENDREN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR ADVERTISING AND HOLDING A PUBLIC HEARING PRIOR TO AN ISSUANCE OF BONDS UNDER THE JOINT COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL ACT; TO CLARIFY PUBLIC HEARING REQUIREMENTS FOR BONDS; TO MAKE TECHNICAL CORRECTIONS TO THE ACT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 856

BY: SENATOR BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING ACCEPTABLE DOCUMENTS TO CHANGE A NAME ON A DRIVER'S LICENSE BY PROVIDING A LIST OF ACCEPTABLE DOCUMENTS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 882

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE DUTIES OF THE OFFICE OF SECRETARY OF STATE IN HANDLING CORPORATE FRANCHISE TAX REPORTS; AND FOR OTHER PURPOSE.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 965

BY: SENATORS ALTES, WILKINSON, WHITAKER, HILL

BY: REPRESENTATIVES MEDLEY, PENNARTZ, GLIDEWELL, WALTERS, R. GREEN, PYLE, WELLS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING ANNUAL LEAVE AND SICK LEAVE PAYMENTS FOR CERTAIN FIRE AND EMERGENCY SERVICE EMPLOYEES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 980

BY: SENATORS HORN, CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ELIMINATE THE JOINT INTERIM COMMITTEE ON HEALTH INSURANCE AND PRESCRIPTION DRUGS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

Upon motion of Representative David Evans, the House adjourned at 2:15 p.m. until 1:30 p.m., Tuesday, March 13, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

SIXTY-FIFTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES

Little Rock, Arkansas

March 13, 2007

The House was called to order at 1:30 p.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

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

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Reverend Ken Davenport, Park Hill Baptist Church, North Little Rock, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	March 13, 2007
EDUCATION	MIKE KENNEY
	CHAIRPERSON
HOUSE BILL NO. 1039	DO PASS, TO CONCUR
BY REPRESENTATIVE WELLS	IN SENATE AMENDMENT #1
HOUSE BILL NO. 1346	DO PASS
BY REPRESENTATIVE STEWART	
HOUSE BILL NO. 1477	DO PASS
BY REPRESENTATIVE PICKETT	
HOUSE BILL NO. 2222	DO PASS
BY REPRESENTATIVE HARDWICK	
HOUSE BILL NO. 2223	DO PASS
BY REPRESENTATIVE HARDWICK	
HOUSE BILL NO. 2234	DO PASS
BY REPRESENTATIVE NORTON	
HOUSE BILL NO. 2251	DO PASS
BY REPRESENTATIVE J. JOHNSON	
HOUSE BILL NO. 2252	DO PASS
BY REPRESENTATIVE MAXWELL	
HOUSE BILL NO. 2327	DO PASS
BY REPRESENTATIVE BLOUNT	
HOUSE BILL NO. 2336	DO PASS
BY REPRESENTATIVE D. HUTCHINSON	
HOUSE BILL NO. 2470	DO PASS
BY REPRESENTATIVE J. JOHNSON	
HOUSE BILL NO. 2556	DO PASS
BY REPRESENTATIVE CHESTERFIELD	

COMMITTEE REPORT

	March 13, 2007
EDUCATION	BILL ABERNATHY
	VICE-CHAIRPERSON
SENATE BILL NO. 652	DO PASS
BY SENATOR BISBEE	
SENATE BILL NO. 655	DO PASS
BY SENATOR BISBEE	
SENATE BILL NO. 659	DO PASS
BY SENATOR BISBEE	

COMMITTEE REPORT

	March 13, 2007
JUDICIARY	ROBERT N. JEFFREY
	CHAIRPERSON
HOUSE BILL NO. 1624	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 2296	DO PASS
BY REPRESENTATIVE PATE	AS AMENDED #1
HOUSE BILL NO. 2581	DO PASS
BY REPRESENTATIVE T. BRADFORD	
HOUSE BILL NO. 2731	DO PASS
BY REPRESENTATIVE MEDLEY	AS AMENDED #1
HOUSE BILL NO. 2733	DO PASS
BY REPRESENTATIVE MEDLEY	AS AMENDED #2
SENATE BILL NO. 206	DO PASS
BY SENATOR G. JEFFRESS	AS AMENDED #1
SENATE BILL NO. 857	DO PASS
BY SENATOR LUKER	
SENATE BILL NO. 905	DO PASS
BY SENATOR R. THOMPSON	
SENATE BILL NO. 906	DO PASS
BY BY SENATOR R. THOMPSON	

COMMITTEE REPORT

	March 13, 2007
PUBLIC HEALTH, WELFARE AND LABOR	EDDIE COOPER CHAIRPERSON
HOUSE BILL NO. 1132 BY REPRESENTATIVE S. PRATER	DO PASS
HOUSE BILL NO. 2374 BY REPRESENTATIVE ROGERS	DO PASS
HOUSE BILL NO. 2411 BY REPRESENTATIVE ADCOCK	DO PASS
HOUSE BILL NO. 2416 BY REPRESENTATIVE WOODS	DO PASS AS AMENDED #1
HOUSE BILL NO. 2417 BY REPRESENTATIVE PATTERSON	DO PASS AS AMENDED #1
HOUSE BILL NO. 2463 BY REPRESENTATIVE J. JOHNSON	DO PASS
HOUSE BILL NO. 2701 BY REPRESENTATIVE NORTON	DO PASS
SENATE BILL NO. 296 BY SENATOR WILKINS	DO PASS
SENATE BILL NO. 404 BY SENATOR BOOKOUT	DO PASS
SENATE BILL NO. 680 BY SENATOR STEELE	DO PASS

COMMITTEE REPORT

	March 13, 2007
PUBLIC TRANSPORTATION	ROBBIE WILLS
	CHAIRPERSON
HOUSE BILL NO. 2345	DO PASS
BY REPRESENTATIVE WILLS	AS AMENDED #2 (JSE387)
HOUSE BILL NO. 2386	DO PASS
BY REPRESENTATIVE REEP	
HOUSE BILL NO. 2427	DO PASS
BY REPRESENTATIVE ABERNATHY	
HOUSE BILL NO. 2430	DO PASS
BY REPRESENTATIVE ABERNATHY	
HOUSE BILL NO. 2431	DO PASS
BY REPRESENTATIVE ABERNATHY	
HOUSE BILL NO. 2511	DO PASS
BY REPRESENTATIVE WYATT	
HOUSE BILL NO. 2590	DO PASS
BY REPRESENTATIVE WILLS	AS AMENDED #2 (JSE412)
SENATE BILL NO. 967	DO PASS
BY SENATOR ALTES	

COMMITTEE REPORT

	March 13, 2007
REVENUE AND TAXATION	KEVEN ANDERSON
	CHAIRPERSON
HOUSE BILL NO. 2278	DO PASS
BY REPRESENTATIVE MOORE	AS AMENDED #2
HOUSE BILL NO. 2552	DO PASS
BY REPRESENTATIVE D. JOHNSON	

COMMITTEE REPORT

	March 13, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1124	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1152	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1166	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1167	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1169	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1170	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1171	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1192	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1193	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1326	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1329	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1348	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1390	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1391	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1398	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1593	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 1594	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1596	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1598	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1599	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1600	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1601	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1602	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1603	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1605	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1606	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1773	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	March 13, 2007
RULES	DAVID DUNN
	CHAIRPERSON
HOUSE BILL NO. 1104	DO PASS, TO CONCUR IN
BY REPRESENTATIVE THYER	SENATE AMENDMENT #1
HOUSE BILL NO. 1426	DO PASS, TO CONCUR IN
BY REPRESENTATIVE WALTERS	SENATE AMENDMENTS #1,2,3,& 4
HOUSE BILL NO. 1500	DO PASS
BY REPRESENTATIVE W. LEWELLEN	

COMMITTEE REPORT CONTINUED

HOUSE BILL NO. 2384	DO PASS
BY REPRESENTATIVE PETRUS	
HOUSE BILL NO. 2433	DO PASS
BY REPRESENTATIVE MALOCH	AS AMENDED #1
HOUSE BILL NO. 2723	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1
HOUSE BILL NO. 2724	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1
HOUSE BILL NO. 2726	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1
HOUSE BILL NO. 2727	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1
HOUSE BILL NO. 2729	DO PASS
BY REPRESENTATIVE PETRUS	AS AMENDED #1

Upon motion of Representative Cook, **HOUSE BILL NO. 2672** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2672

Amend **HOUSE BILL NO. 2672** as engrossed,
H3/8/07 (version: 03-08-2007 08:54):

Page 2, delete line 11 and substitute the following:

"professional development credit as approved by the Department of Education."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Hoyt, **HOUSE BILL NO. 2390** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2390

Amend **HOUSE BILL NO. 2390** as originally introduced:

Page 2, delete lines 28 through 34, and substitute the following:

"(A) Two (2) members who are actively and principally engaged in dairy farming in this state;"

AND

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

"(D) One (1) member who is an Arkansas retailer."

AND

Page 3, delete line 12 and substitute the following:

"(c) Members of the board shall draw lots to determine the length of the initial term."

(d)(1) Not less than thirty (30) calendar days prior to the expiration"

AND

Page 3, line 14, delete "the organizations" and substitute "interested parties"

AND

Page 3, line 15, delete "its"

AND

Page 3, delete line 29, and substitute the following:

"(e) Upon a vacancy of a member of the board, the Governor shall make a new appointment within thirty (30) days."

(f) Members of the board shall organize immediately after their"

AND

Page 3, delete line 33, and substitute the following:

"(g)(1) Meetings of the board shall be called by the chair or by four (4)"

AND

Page 3, line 34, delete "(3)"

AND

Page 3, line 35, delete "Three (3)" and substitute "Four (4)"

AND

Page 4, line 1, delete "(f)" and substitute "(h)"

AND

Page 4, line 5, delete "(g)" and substitute "(i)"

AND

Page 4, line 21, delete ", the Farm Bureau of"

AND

Page 4, delete lines 22 and 23, and substitute the following:

"and any other"

/s/ John Hoyt

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Breedlove, **HOUSE BILL NO. 2743** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2743

Amend **HOUSE BILL NO. 2743** as engrossed,

H3/7/07 (version: 03-07-2007 09:05):

Page 1, line 5 delete "Cornwell"

AND

Page 2 delete lines 12 and 13 and substitute the following:

"particular tract of land; and"

AND

Page 3, delete line 8 and substitute the following:

"activities for the duration of the operation."

/s/ Steve Breedlove

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2212** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2212

Amend **HOUSE BILL NO. 2212** as engrossed,

H3/8/07 (version: 03-08-2007 09:25):

Page 3, line 20, delete "grandchild" and substitute "grandchild; and"

Page 3, delete lines 21 through 29

AND

Page 3, line 30 delete "(D)" and substitute "(C)"

AND

Page 4, delete line 10 and substitute the following:

"based solely on the availability of federal Temporary Assistance to Needy Families"

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2464** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2464

Amend **HOUSE BILL NO. 2464** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 15 is amended to add an additional section to read as follows:

12-12-1514. Background checks for employment purposes.

(a) As used in this section, "employment purposes" means an employer's evaluation of information to determine the suitability of an applicant or employee for employment or continued employment.

(b) Unless the background check complies with the standards required by this subchapter:

(1) A public or private employer shall not request or use a background

check for employment purposes; and

(2) A person or an entity shall not provide a background check for employment purposes.

(c) A violation of this section is a Class A misdemeanor."

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 1783** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1783

Amend **HOUSE BILL NO. 1783** as originally introduced:

Page 1, delete lines 27 and 28 and substitute the following:

"(2) ~~Two (2) members~~ One (1) member appointed by the Lieutenant Governor;"

AND

Page 1, delete lines 34 through 36

AND

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

"(5) Two (2) members appointed by the President Pro Tempore of the Senate;

(6) Two (2) members appointed by the Speaker of the House of Representatives;

(7) Three (3) members appointed by the Vice President for"

AND

Page 2, line 7, delete "~~(8)(7)~~" and substitute "(8)"

AND

Page 2, line 9, delete "~~(9)(8)~~" and substitute "(9)"

AND

Page 2, line 11, delete "~~(10)(9)~~" and substitute "(10)"

AND

Page 2, delete lines 12 through 15 and substitute the following:

"Plant Board; and

~~(11) One (1) member appointed by the State Forester; and~~

~~(12) One (1) member appointed by the Director of the Department of Economic Development~~

(11) Two (2) members appointed by the Secretary of the Arkansas Agriculture Department."

/s/ Bryan King

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 2298** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2298

Amend **HOUSE BILL NO. 2298** as originally introduced:

Page 1, delete line 27 and substitute the following:

"within a the Upper White River Basin within the nutrient surplus area shall be done in accordance with a nutrient"

AND

Page 2, line 3, delete "2008" and substitute "2007"

/s/ Bryan King

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 2627** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2627

Amend **HOUSE BILL NO. 2627** as originally introduced:

Page 3, delete lines 26 and 27 and substitute the following:

"(2) Shall impose a fine of no less than five hundred dollars (\$500)."

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 1631** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1631

Amend **HOUSE BILL NO. 1631** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 18-44-117 is amended to read as follows:

18-44-117. Filing of lien account - Abstract.

(a)(1) It shall be the duty of every person who wishes to avail himself or herself of the provisions of this subchapter to file ~~a just and true account of the demand due or owing to him or her after allowing all credits,~~ with the clerk of the circuit court of the county in which the building, erection, or other improvement to be charged with the lien is situated and within one hundred twenty (120) days after the things specified in this subchapter shall have been furnished or the work or labor done or performed:

(A) A just and true account of the demand due or owing to him or her after allowing all credits; and

(B) An affidavit of notice attached to the lien account.

(2) The lien account shall contain a correct description of the property to be charged with the lien, verified by affidavit.

(3) The affidavit of notice shall contain:

(A) A sworn statement evidencing compliance with the notice provisions of §§ 18-44-114 — 18-44-116; and

(B) A copy of each notice given under §§ 18-44-114 — 18-44-116.

(b)(1)(A) It shall be the duty of the clerk of the circuit court to endorse upon every account the date of its filing and to make an abstract of the account in a book kept by him or her for that purpose, properly indexed.

(B) This abstract shall contain:

(i) The date of the filing;

(ii) The name of the person laying or imposing the lien;

(iii) The amount of the lien;

(iv) The name of the person against whose property the lien is filed; and

(v) A description of the property to be charged with the lien.

(2) For this service, the clerk shall receive the sum of three dollars (\$3.00) from the person laying or imposing the lien, which shall be taxed and collected as other costs in case there is suit on the lien.

(3) The clerk shall refuse to file a lien account that does not contain the affidavits and attachments required by this section."

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Edwards, **HOUSE BILL NO. 2321** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2321

Amend **HOUSE BILL NO. 2321** as originally introduced:

Page 1, line 23, delete "board of election commissioners" and substitute "~~board of election commissioners~~"

/s/ Marilyn Edwards

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 2325** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2325

Amend **HOUSE BILL NO. 2325** as originally introduced:

Page 5, delete line 22 and substitute:

"2008.

6-61-1312. Implementation Date.

This program shall be implemented on July 1, 2009."

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2399** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2399

Amend **HOUSE BILL NO. 2399** as engrossed,

H3/9/07 (version: 03-09-2007 08:52):

Page 2, line 4, delete "shall" and substitute "may"

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Harrelson, **HOUSE BILL NO. 2811** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2811

Amend **HOUSE BILL NO. 2811** as originally introduced:

Page 1, delete line 11, and substitute the following:

"RECORDS; TO AMEND ARKANSAS CODE § 16-46-301, § 16-46-302, § 16-46-305, AND § 16-46-308 TO INCLUDE MEDICAL RECORDS FROM PHYSICIAN OFFICES AS SELF-AUTHENTICATING UNDER THE HOSPITAL RECORDS ACT, § 16-46-301 ET SEQ.; TO PROVIDE A REASONABLE FEE FOR COPYING MEDICAL RECORDS; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16, and substitute the following:

"TO INCLUDE MEDICAL RECORDS FROM PHYSICIAN OFFICES AS SELF-AUTHENTICATING UNDER THE HOSPITAL RECORDS ACT AND TO PROVIDE A REASONABLE FEE FOR COPYING MEDICAL RECORDS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 16-46-106(a), concerning the cost of medical records in contemplation of, preparation for, or use in any legal proceeding, is amended to read as follows:

(a)(1) In contemplation of, preparation for, or use in any legal proceeding, any person who is or has been a patient of a doctor, hospital, ambulance provider, medical health care provider, or other medical institution shall be entitled to obtain access, personally or by and through his or her attorney, to the information in his or her medical records, upon request and with written patient authorization, and shall be furnished copies of all medical records pertaining to his or her case upon the tender of the expense of such copy or copies.

(2) Cost of each photocopy, excluding X rays, shall not exceed ~~one dollar (\$1.00)~~ fifty cents (.50) per page for the first ~~five (5)~~ twenty-five (25) pages and twenty-five cents (.25) for each additional page, ~~except that the minimum charge shall be five dollars (\$5.00).~~ A labor charge not exceeding fifteen dollars (\$15.00) may be added for each request for medical records under subdivision (a)(1) of this section and the actual cost of any required postage may also be charged.

(3) Provided, however, in the alternative to the labor charge described in subdivision (a)(2) of this section, a reasonable retrieval fee for stored records of a hospital, a physician's office, or an ambulance provider may be added to the photocopy charges, only if the requested records are stored at a location other than the location of the hospital, physician's office, or ambulance provider.

(4) Provided, further, this section shall not prohibit reasonable fees for narrative medical reports or medical review when performed by the ~~doctor~~ physician or medical institution subject to the request, but only if a narrative medical report or medical review is requested by the person or entity requesting the records.

SECTION 2. Arkansas Code § 16-46-301 is amended to read as follows:

16-46-301. Definitions.

As used in this subchapter, unless the context otherwise requires:

(1) "Custodian" means the medical records librarian and the administrator or other chief officer of a duly licensed hospital, physician's office, or comprehensive community mental health center in this state and its proprietor, as well as his or her deputies and assistants, and any other persons who are official custodians or depositories of records; and

(2)(A) "Records" means hospital records, physician's records, or medical records and includes an admitting form, discharge summary, history and physical, progress notes, physicians' orders, reports of operations, recovery room records, lab reports, consultation reports, medication records, nurses' notes, and other reports catalogued and maintained by the hospital's medical record department or by a physician's office.

(B) However, "records" shall not mean and include X rays, electrocardiograms, and similar graphic matter.

SECTION 3. Arkansas Code § 16-46-302 is amended to read as follows:

16-46-302. Furnishing copies of records in compliance with subpoenas.

Except as hereinafter provided, when a subpoena duces tecum is served upon a custodian of records of any hospital or physician's office duly licensed under the laws of this state in an action or proceeding in which the hospital or physician's office is neither a party nor the place where any cause of action is alleged to have arisen and such a subpoena requires the production of all or any part of the records of the hospital or physician's office related to the care or treatment of a patient in the hospital or physician's office, then it shall be sufficient compliance therewith if the custodian delivers, by hand or by registered mail to the court clerk or the officer, court reporter, body, or tribunal issuing the subpoena or conducting the hearing, a true and correct copy of all records described in the subpoena together with the affidavit described in § 16-46-305. However, a subpoena duces tecum for records shall not be deemed to include X rays, electrocardiograms, and similar graphic matter unless they are specifically referred to in the subpoena.

SECTION 4. Arkansas Code § 16-46-305 is amended to read as follows:

16-46-305. Affidavit of custodian as to copies - Charges.

(a) The records shall be accompanied by an affidavit of a custodian stating in substance:

(1) That the affiant is the duly authorized custodian of the records and has authority to certify the records;

(2) That the copy is a true copy of all the records described in the subpoena; and

(3) That the records were prepared by personnel of the hospital, staff physicians, or persons acting under the control of either, or the physician, personnel of the physician's office, or persons acting under control of the physician, in the ordinary course of the hospital's or physician's office business at or near the time of the act, condition, or event reported therein.

(b) If the hospital or physician's office has none of the records described, or only part of them, the custodian shall state so in the affidavit and file the affidavit and any records as are available in the manner described in §§ 16-46-302 and 16-46-303.

(c) The custodian of the records may enclose a statement of costs for copying the records, and the costs of copying the records shall be borne by the party requesting the subpoena duces tecum for the records.

SECTION 5. Arkansas Code § 16-46-308 is amended to read as follows:

16-46-308. Substitution of copies for original records.

In view of the property right of the hospital or physician's office in its records, original records may be withdrawn after introduction into evidence and copies substituted unless otherwise directed by the court, judge, officer, body, or tribunal conducting the hearing. The custodian may prepare copies of original records in advance of testifying for the purpose of making substitution of the original record, and the reasonable charges for making the copies shall be borne by the party requesting the subpoena. If copies are not prepared in advance, they can be made and substituted at any time after introduction of the original record, and the reasonable charges for making the copies shall be borne by the party requesting the subpoena."

/s/ Steve Harrelson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stewart, **HOUSE BILL NO. 2783** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2783

Amend **HOUSE BILL NO. 2783** as originally introduced:

Page 1, delete line 27 and substitute the following:

"placement as a teacher on the school district's teacher salary schedule;"

/s/ Randy Stewart

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 2233** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2233

Amend **HOUSE BILL NO. 2233** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 25-38-203 is amended to read as follows:

25-38-203. Arkansas Agriculture Department — Powers and duties.

The Arkansas Agriculture Department shall:

(1) Administer the departments, institutions, other agencies, or parts of departments, institutions, or other agencies transferred to the department under §§ 25-38-204 and 25-38-205;

(2) Coordinate all existing programs and create any new programs that will enhance the marketing of the state's agricultural products to intrastate, national, and international markets;

(3) Establish a clearinghouse for collecting, correlating, analyzing, and interpreting marketing and educational information and data concerning needs of and resources for agriculture, aquaculture, horticulture, forestry, and kindred industries;

(4) Develop a Web site devoted to marketing and education concerning agriculture, aquaculture, horticulture, forestry, and kindred industries, including a distinctive logo publicizing products as "Grown in Arkansas";

(5) Encourage the organization of neighborhood and county agricultural clubs and associations;

(6) Coordinate the various activities of the department with those of the federal government and other states on matters pertaining to agriculture, aquaculture, horticulture, forestry, and kindred industries and enter into agreements for that purpose;

(7) Coordinate with existing programs concerning agriculture, aquaculture, horticulture, forestry, and kindred industries with the University of Arkansas Division of Agriculture;

(8) Make all contracts and grants and employ, to the extent funds are available, such personnel as may be necessary to carry out the purposes of this chapter; ~~and~~

(9) Assist other departments, agencies, and institutions of the state and federal governments, when so requested, by performing services in conformity with the purposes of this chapter; ~~and~~

(10) For the departments, institutions, other agencies, or parts thereof, transferred to the Arkansas Agriculture Department under § 25-38-204, promulgate rules for:

(A) Marketing;

(B) Gifts and donations; and

(C) Any other matters not presently covered by the rule making authority of departments, institutions, other agencies, or parts thereof that the Arkansas Agriculture Department deems necessary to fully implement this subchapter."

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lamoureux, **HOUSE BILL NO. 2477** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2477

Amend **HOUSE BILL NO. 2477** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 4-110-103(1)(A), concerning the definition of a breach of the security of a computer system, is amended to read as follows:

(1)(A) "Breach of the security of the system" means unauthorized acquisition within the immediately preceding five (5) years of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by ~~a person~~ an individual or a business.

SECTION 2. Arkansas Code Title 4, Chapter 110 is amended to add an additional section to read as follows:

4-110-109. Private right of action.

An individual has a private right of action to enforce this chapter if the individual reasonably believes that a breach of the security of the system has occurred that involves the individual's personal information."

/s/ Michael Lamoureux

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Lamoureux, **HOUSE BILL NO. 2474** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2474

Amend **HOUSE BILL NO. 2474** as originally introduced:

Delete the title in its entirety and substitute:

"AN ACT TO PLACE A MEMBER OF THE LANDLORDS ASSOCIATION OF ARKANSAS ON THE ARKANSAS FAIR HOUSING COMMISSION; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO PLACE A MEMBER OF THE LANDLORDS ASSOCIATION OF ARKANSAS ON THE ARKANSAS FAIR HOUSING COMMISSION."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 16-123-303(b)(1), concerning the membership of the Arkansas Fair Housing Commission, is amended to read as follows:

(b)(1) The commission shall consist of ~~thirteen (13)~~ fourteen (14) voting members; to be selected as follows: ~~Seven (7)~~ Eight (8) appointed by the Governor, three (3) appointed by the Speaker of the House of Representatives, and three (3) appointed by the President Pro Tempore of the Senate, as set forth in this subchapter, for terms of four (4) years whose terms begin on January 1 and end on December 31 of the fourth year or when their respective successors are appointed and qualified.

SECTION 2. Arkansas Code § 16-123-303(b), concerning the membership of the Arkansas Fair Housing Commission, is amended to add an additional subdivision to read as follows:

(7)(A) One (1) member shall be a landlord who has been engaged as a landlord for at least five (5) years prior to his or her nomination.

(B) The Governor shall appoint a member to fill a vacancy for the member to represent subdivision (b)(7)(A) of this section from a list of four (4) nominees submitted by the Landlords Association of Arkansas."

/s/ Michael Lamoureux

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Shelby, **HOUSE BILL NO. 2491** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2491

Amend **HOUSE BILL NO. 2491** as originally introduced:

Page 1, line 29, delete "medical or dental" and substitute "medical, dental, or other health care"

/s/ Gene Shelby

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 2691** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2691

Amend **HOUSE BILL NO. 2691** as originally introduced:

"SECTION 1. Arkansas Code Title 4 is amended to add an additional chapter to read as follows:

CHAPTER 112 — SERVICE CONTRACTS ACT

4-112-101. Title.

This chapter shall be known and may be cited as the "Service Contracts Act".

4-112-102. Scope and purpose.

(a) The purpose of this chapter is to:

(1) Create a legal framework within which service contracts are defined, may be sold, and are regulated in this state;

(2) Add significant consumer protections; and

(3) Eliminate unnecessary administration.

(b) A service contract under § 4-112-103 is not insurance and is not subject to the Arkansas Insurance Code.

(c) This chapter does not apply to:

(1) Warranties;

(2) Maintenance agreements;

(3) Commercial transactions;

(4) Warranties, service contracts, or maintenance agreements offered by public utilities on their transmission devices to the extent they are regulated by the Arkansas Public Service Commission;

(5) Service contracts sold or offered for sale to persons other than consumers;

(6) Motor vehicle service contracts as defined in and regulated pursuant to the Motor Vehicle Service Contract Act, § 4-90-501, et seq.; or

(7) Mechanical breakdown insurance.

(d) Manufacturer's service contracts on the manufacturer's products are subject only to §§ 4-112-106(a), 4-112-106(d) — (g), 4-112-107, and 4-112-111.

(e) Other than mechanical breakdown insurance, the types of agreements referred to in subsections (c) and (d) of this section, and service contracts governed under this chapter are not insurance and are not subject to compliance with any provision of the insurance laws of this state.

4-112-103. Definitions.

As used in this chapter:

(1) "Administrator" means the person who is responsible for the administration of a service contract;

(2) "Consumer" means an individual who buys other than for purposes of resale any tangible personal property that is distributed in commerce and that is normally used for personal, family, or household purposes and not for business or resale purposes;

(3) "Maintenance agreement" means a contract of limited duration that provides for scheduled maintenance only;

(4) "Manufacturer" means a person that:

(A) Manufactures or produces property and sells the property under its own name or label;

(B) Is a wholly owned subsidiary of the person that manufactures or produces that property;

(C) Is a corporation that owns one hundred percent (100%) of the person that manufactures or produces the property;

(D) Does not manufacture or produce the property, but the property is sold under its trade name label;

(E) Manufactures or produces the property and the property is sold under the trade name or label of another person; or

(F) Does not manufacture or produce the property but licenses the use of its trade name or label under a written contract with another person that sells the property under the licensor's trade name or label;

(5) "Mechanical breakdown insurance" means a policy, a contract, or an agreement issued by an authorized insurer that provides for the repair, replacement, or maintenance of property, or indemnification for repair, replacement, or service, for the operations or structural failure of the property due to a defect in materials or workmanship or to normal wear and tear;

(6) "Nonoriginal manufacturer's parts" means replacement parts not made for or by the original manufacturer of the property, commonly referred to as "after market parts";

(7) "Person" means an individual, a partnership, a corporation, an incorporated or unincorporated association, a joint stock company, a reciprocal, a syndicate, or any similar entity or combination of entities acting in concert;

(8) "Premium" means the consideration paid to an insurer for a reimbursement insurance policy;

(9) "Provider" means a person that is contractually obligated to the service contract holder under the terms of the service contract;

(10) "Provider fee" means the consideration paid for a service contract;

(11) "Reimbursement insurance policy" means a policy of insurance issued to a provider to either:

(A) Provide reimbursement to the provider under the terms of the insured service contracts issued or sold by the provider; or

(B) In the event of the provider's nonperformance, to pay on behalf of the provider all covered contractual obligations incurred by the provider under the terms of the insured service contracts issued or sold by the provider;

(12)(A) "Service contract" means a contract or an agreement for a separately stated consideration and for a specific duration to perform the service, repair, replacement, or maintenance of property or indemnification for service, repair, replacement, or maintenance, for the operational or structural failure of property due to a defect in materials, workmanship, or normal wear and tear, with or without additional provision for incidental payment of indemnity under limited circumstances, including without limitation, unavailability of parts, obsolescence, food spoilage, rental, or shipping.

(B) "Service contract" does not include mechanical breakdown insurance or maintenance agreements.

(C) A service contract may provide for the repair, replacement, or maintenance of property for damage resulting from power surges or accidental damage from handling.

(D) A service contract is not insurance in this state or otherwise regulated under the Arkansas Insurance Code;

(13) "Service contract holder" means a person that is the purchaser or holder of a service contract; and

(14) "Warranty" means a warranty made solely by the manufacturer, importer, or seller of property or services without charge that:

(A) Is not negotiated or separated from the sale of the product;

(B) Is incidental to the sale of the product; and

(C) Guarantees indemnity for defective parts, mechanical breakdown, or electrical breakdown, and labor or other remedial measures, such as repair or replacement of the property or repetition of services.

4-112-104. Requirements for doing business.

(a) A provider may appoint an administrator or other designee to be responsible for all or part of the administration of service contracts and compliance with this chapter.

(b) Service contracts shall not be issued, sold, or offered for sale in this state unless the provider or its designee has:

(1) Provided a receipt or other written evidence of the purchase of the service contract to the contract holder;

(2) Provided a copy of the service contract to the service contract holder within a reasonable period of time from the date of purchase; and

(3) Complied with this chapter.

(c)(1) Each provider of service contracts sold in this state shall file a registration with the Insurance Commissioner consisting of its name, full corporate address, telephone number and contact person, evidence of compliance with subsection (d) of this section, a designation of a person in this state for service of process, and any other information required to be submitted by rule of the commissioner.

(2) Each provider shall pay to the commissioner a fee in the amount of two hundred dollars (\$200) upon initial registration and every year thereafter.

(3) The registration shall be updated by written notification to the commissioner if material changes occur in the registration.

(d) In order to assure the faithful performance of a provider's obligations to its contract holders, each provider that is contractually obligated to provide service under a service contract shall:

(1) Insure all service contracts under a reimbursement insurance policy issued by an insurer licensed, registered, or authorized to transact insurance in this state, or a surplus lines insurer that is authorized under § 23-65-310 and maintains statutory capital and surplus of at least fifteen million dollars (\$15,000,000) at all times while the reimbursement insurance policy is in force;

(2)(A) Maintain a funded reserve account for its obligations under its contracts issued and outstanding in this state.

(B) The reserves shall not be less than forty percent (40%) of gross consideration received less claims paid on the sale of all unexpired service contracts.

(C) The reserve account shall be subject to examination and review by the commissioner;

(3) Place in trust with the commissioner a financial security deposit having a value of not less than five percent (5%) of the gross consideration received less claims paid on the sale of all unexpired service contracts, but not less than twenty-five thousand dollars (\$25,000), consisting of a surety bond issued by an authorized surety; or

(4)(A) Maintain a net worth of one hundred million dollars (\$100,000,000) on its own or together with its parent company if the parent company executes a parental guarantee in a form acceptable to the commissioner.

(B) Upon request, the provider shall provide the commissioner with a copy of the provider's or, if the provider's financial statements are consolidated with those of its parent company, the provider's parent company's most recent Form 10-K or Form 20-F filed with the Securities and Exchange Commission within the last calendar year, or if the company does not file with the Securities and Exchange Commission, a copy of the company's audited financial statements, which shows an independent net worth of the provider or its parent company of at least one hundred million dollars (\$100,000,000).

(C) If the provider's parent company's Form 10-K, Form 20-F or audited financial statements are filed to meet the provider's financial stability requirement, then the parent company shall agree to guarantee the obligations of the obligor relating to service contracts sold by the provider in this state.

(e) Except for the requirements specified in subsection (d) of this section, no other financial security requirements shall be required by the commissioner for a provider.

(f)(1) Provider fees collected on service contracts shall not be subject to premium taxes.

(2) Premiums for reimbursement insurance policies shall be subject to applicable taxes.

(g) Except for the registration requirements in subsection (c) of this section, persons marketing, selling, or offering to sell service contracts for providers that comply with this chapter are exempt from this state's licensing requirements.

(h) Providers complying with this chapter are not required to comply with other provisions of the Arkansas Insurance Code.

4-112-105. Required disclosures — Reimbursement insurance policy.

(a) Reimbursement insurance policies insuring service contracts issued, sold, or offered for sale in this state shall state that the insurer that issued the reimbursement insurance policy shall:

(1) Reimburse or pay on behalf of the provider any covered sums the provider is legally obligated to pay; or

(2) In the event of the provider's nonperformance, shall provide the service that the provider is legally obligated to perform according to the provider's contractual obligations under the service contracts issued or sold by the provider.

(b) In the event covered service is not provided by the provider within sixty (60) days of proof of loss by the service contract holder, the service contract holder is entitled to apply directly to the reimbursement insurance company.

4-112-106. Required disclosure — Service contracts.

(a) A service contract issued, sold, or offered for sale in this state shall:

(1) Be written in clear, understandable language that is easy to read;

and

(2) Conspicuously disclose the applicable requirements of this section.

(b)(1) A service contract insured under a reimbursement insurance policy under § 4-112-104(d)(1) shall contain the name and address of the insurer and a statement in substantially the following form: "Obligations of the provider under this service contract are guaranteed under a service contract reimbursement insurance policy. If the provider fails to pay or provide service on a claim within sixty (60) days after proof of loss has been filed, the service contract holder is entitled to make a claim directly against the insurance company".

(2) A claim against the provider may include a claim for return of the unearned provider fee.

(c)(1) A service contract not insured under a reimbursement insurance policy under § 4-112-104(d)(1) shall conspicuously state the name and address of the provider and contain a statement in substantially the following form: "Obligations of the provider under this service contract are backed only by the full faith and credit of the provider (issuer) and are not guaranteed under a service contract reimbursement insurance policy".

(2) A claim against the provider shall also include a claim for return of the unearned provider fee.

(d) A service contract shall identify the administrator, the provider obligated to perform the service under the contract, the service contract seller, and the service contract holder to the extent that the name and address of the service contract holder has been furnished by the service contract holder.

(e)(1) A service contract or a service contract holder's receipt shall state the total purchase price and the terms under which service contract is sold.

(2) The purchase price is not required to be preprinted on the service contract and may be negotiated at the time of sale with the service contract holder.

(f) If prior approval of repair work is required, a service contract shall state the procedure for obtaining prior approval and for making a claim, including a toll-free telephone number for claim service and a procedure for obtaining emergency repairs performed outside of normal business hours.

(g) A service contract shall:

(1) Disclose the deductible amount;

(2) Specify the merchandise and services to be provided and any limitations, exceptions, or exclusions;

(3)(A) State the conditions upon which the use of the nonoriginal manufacturer's parts or substitute service may be allowed.

(B) Conditions stated shall comply with applicable state and federal laws;

(4) State any terms, restrictions, or conditions governing the transferability of the service contract;

(5)(A) State the terms, restrictions, or conditions governing termination of the service contract by the service contract holder.

(B)(i) The provider of the service contract shall mail a written notice to the contract holder within fifteen (15) days of the date of termination in the event the provider terminates the service contract.

(ii) Prior notice is not required if the reason for cancellation is nonpayment of the provider fee, a material misrepresentation by the service contract holder to the provider, or a substantial breach of duties by the service contract holder relating to the covered product or its use.

(C) The notice shall state the effective date of the cancellation and the reason for the cancellation.

(D) A pro rata refund of the unearned portion of the provider fee, less the amount or value of any claims paid, shall accompany the notice unless cancellation is for nonpayment;

(6)(A) Require every provider to permit the service contract holder to return the contract within no less than twenty (20) days of the date of mailing of the service contract or no less than ten (10) days if the service contract is delivered at the time of sale or within a longer time period permitted under the service contract.

(B) If no claim has been made under the service contract, the service contract is void and the provider shall refund to the service contract holder the full purchase price of the service contract.

(C) A ten percent (10%) penalty per month shall be added to a refund that is not paid within forty-five (45) days of return of the service contract to the provider.

(D) The applicable free-look time period on service contracts shall only apply to the original service contract purchaser and only if no claim has been made prior to its return to the provider;

(7) Set forth all of the obligations and duties of the service contract holder, such as the duty to protect against any further damage and the requirement for certain service and maintenance; and

(8) Clearly state whether or not the service contract provides for or excludes consequential damages or preexisting conditions.

4-112-107. Prohibited acts.

(a)(1) A provider shall not use a name:

(A) With the words insurance, casualty, surety, mutual, or any other words descriptive of the insurance, casualty, or surety business; or

(B) Deceptively similar to the name or description of any insurance or surety corporation or any other provider.

(2)(A) This subsection shall not apply to a company that was using any of the prohibited language in its name prior to the effective date of this chapter.

(B) However, a company using the prohibited language in its name shall conspicuously disclose in its service contracts that the service contract is not an insurance contract.

(b) A provider or its representative shall not in its service contracts or literature make or permit or cause to be made any false or misleading statement or deliberately omit any material statement that would be considered misleading if omitted in connection with the sale, offer to sell, or advertisement of a service contract.

(c) A person, including without limitation, bank, savings and loan association, lending institution, manufacturer, or seller of any product, shall not require the purchase of a service contract as a condition of a loan or a condition for the sale of any property.

4-112-108. Recordkeeping requirements.

(a)(1) A provider shall keep accurate accounts, books, and records concerning transactions regulated under this chapter.

(2) A provider's accounts, books, and records shall include:

(A) A copy of each type of service contract issued;

(B) The name and address of each service contract holder to the extent that the name and address have been furnished by the service contract holder;

(C) A list of the provider locations where service contracts are marketed, sold, or offered for sale; and

(D) Claims files containing at a minimum the dates, amounts, and description of all receipts, claims, and expenditures related to the service contracts.

(3) Except as provided in subsection (b) of this section, a provider shall retain all records pertaining to each service contract holder for at least three (3) years after the specified period of coverage has expired.

(4)(A) A provider may keep all records required under this chapter on a computer disk or other similar technology.

(B) If a provider maintains records in other than hard copy, records shall be accessible from a computer terminal available to the Insurance Commissioner and be capable of duplication to legible hard copy.

(b) A provider discontinuing business in this state shall maintain its records until it furnishes the commissioner satisfactory proof that it has discharged all obligations to service contract holders in this state.

(c) A provider shall make all accounts, books, and records concerning transactions regulated under this chapter or other pertinent laws available to the commissioner upon request.

(d) The books and records requirement of this section may be delegated by the provider to its administrator or other designee, but such delegation shall not relieve the provider of its obligations to have the books and records maintained and produced upon the commissioner's request.

4-112-109. Cancellation of reimbursement insurance policy.

(a) An insurer that issued a reimbursement insurance policy shall not terminate the policy until at least sixty (60) days' notice of termination has been mailed or delivered to the Insurance Commissioner and in accordance with any other applicable law.

(b) The termination of a reimbursement insurance policy shall not reduce the insurer's responsibility for service contracts issued by providers prior to the date of the termination.

4-112-110. Obligation of reimbursement insurance policy insurers.

(a)(1) Providers are considered to be the agent of the insurer that issued a reimbursement insurance policy for the purpose of obligating an insurer for the acts of its agents, including the collection of moneys not forwarded.

(2) If a provider is acting as an administrator and enlists other providers, the provider acting as the administrator shall notify the insurer of the existence and identities of the other providers.

(b) This chapter shall not prevent or limit the right of an insurer that issued a reimbursement insurance policy to seek indemnification or subrogation against a provider if the insurer pays or is obligated to pay a service contract holder sums that the provider was obligated to pay pursuant to the provisions of the service contract or under a contractual agreement.

4-112-111. Enforcement provisions.

(a) The Insurance Commissioner may conduct investigations or examinations of providers, administrators, insurers, or other persons to enforce the provisions of this chapter and protect service contract holders in this state.

(b)(1) The commissioner may take any action that is necessary or appropriate to enforce the provisions of this chapter and the commissioner's rules and orders to protect service contract holders in this state.

(2) The commissioner may order a provider to cease and desist from committing violations of this chapter or the commissioner's rules or orders, may issue an order prohibiting a provider from selling or offering a service contract for sale, or may issue an order imposing a civil penalty, or any combination of these, if the provider has violated this chapter or the commissioner's rules or orders.

(3)(A) A person aggrieved by an order issued under this subsection may request a hearing before the commissioner by filing a request with the commissioner within twenty (20) days of the commissioner's order.

(B) Pending the hearing and the decision by the commissioner, the commissioner shall suspend the effective date of the order.

(C)(i) At the hearing, the burden shall be on the commissioner to show why the order is justified.

(ii) The provisions of § 23-61-301 et seq. shall apply to a hearing requested under this subsection.

(4)(A) The commissioner may bring an action in the Pulaski County Circuit Court for an injunction or other appropriate relief for threatened or existing violations of this chapter or of the commissioner's rules or orders.

(B) An action filed under this subdivision (b)(3)(A) of this section may also seek restitution on behalf of persons aggrieved by a violation of this chapter or a rule or an order of the commissioner.

(5)(A) A person in violation of this chapter or a rule or an order of the commissioner may be assessed a civil penalty not to exceed five hundred dollars (\$500) per violation and no more than ten thousand dollars (\$10,000) in the aggregate for all violations of a similar nature.

(B) For purposes of this subdivision (b)(5), violations shall be of a similar nature if the violation consists of the same or similar course of conduct, action, or practice, irrespective of the number of times the act, conduct, or practice that is determined to be a violation of this chapter has occurred.

(c) The authority of the commissioner under this section is in addition to other authorities of the commissioner.

4-112-112. Rules.

The Insurance Commissioner may promulgate rules necessary to effectuate this chapter.

4-112-113. Effective date — Exception.

This chapter shall become effective and apply to all service contracts issued on or after October 1, 2007. However, a provider engaged in the service contract business in this state on or before the effective date of this chapter that submits an application for registration as a provider under this chapter within thirty (30) days after the Insurance Commissioner makes the application available may continue to engage in business as a provider in this state until final agency action is taken by the commissioner regarding the registration application and all rights to administrative judicial review have been exhausted or have expired."

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 2437** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2437

Amend **HOUSE BILL NO. 2437** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 23, Chapter 89, Subchapter 2 is amended to add an additional section to read as follows:

23-89-215. Loss payees.

(a) Any person or entity having a lien upon a motor vehicle may require the person's or entity's borrower to list the person or entity as a loss payee on the borrower's motor vehicle insurance policy.

(b) A motor vehicle liability insurer shall include a loss payee as a payee on a check for damage in excess of five hundred dollars (\$500) to a motor vehicle."

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 2499** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2499

Amend **HOUSE BILL NO. 2499** as originally introduced:

Page 1, line 35, delete "sixty (60)" and substitute "thirty (30)"

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****03/16/07*****

Upon motion of Representative Breedlove, HOUSE BILL NO. 2741 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2741

Amend HOUSE BILL NO. 2741 as originally introduced:
Remove Representative Cornwell as a cosponsor of the bill

/s/ Steve Breedlove

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

/s/ Ms. Jo Renshaw
Chief Clerk

***** EXPUNGED*****03/16/07*****

Upon motion of Representative Breedlove, **HOUSE BILL NO. 2742** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2742

Amend **HOUSE BILL NO. 2742** as originally introduced:

Add Representative Hoyt as a cosponsor to the bill

/s/ Steve Bryles

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Sumpter, **HOUSE BILL NO. 2625** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2625

Amend **HOUSE BILL NO. 2625** as originally introduced:

Page 1, delete line 21 and substitute the following:

"SECTION 1. Arkansas Code § 7-5-518(b), concerning the adjustment of a counter, is amended to read as follows:

(b) If any counter ~~or tabulator~~ is found not to register zero (000), the election officials shall immediately notify the county board of election commissioners, who shall cause the counters to be adjusted at zero (000).

SECTION 2. Arkansas Code § 7-5-522 is amended to read as follows:"

AND

Page 2, line 4, add "if known" after "voter"

AND

Page 2, line 9 delete "SECTION 2." And substitute "SECTION 3."

AND

Page 3, delete line 8 and substitute the following:

~~"waiting in line to vote at the polling site."~~

SECTION 4. Arkansas Code § 7-5-523 is repealed.

~~7-5-523. Assistance to voters with disabilities. [Effective January 1, 2006.]~~

~~(a)(1) A voter shall inform the election officials at the time that the voter presents himself or herself to vote that the voter is unable to cast his or her ballot by voting machine because the voter cannot read or write or because of physical, sensory, or other disability or other legal cause, or that he or she is unable to complete the ballot without help and needs the assistance of some other person in casting his or her ballot. That voter may be assisted by:~~

~~(A) Two (2) election officials; or~~

~~(B) A person named by the voter.~~

~~(2) If the voter is assisted by two (2) election officials, one (1) of the election officials shall observe the voting process and one (1) may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation.~~

~~(3) If the voter is assisted by one (1) person named by the voter, he or she may assist the voter in operating the machine so as to vote the ballot in accordance with the wishes of the voter without comment or interpretation.~~

~~(4) The laws of this state with respect to assisting persons with disabilities in the casting of votes upon printed ballots shall govern, insofar as is practicable, the assistance of a voter in casting his or her ballot by voting machine.~~

~~(5) It shall be the duty of the election officials at the polling site to make and maintain a list of the names of all persons assisting voters.~~

~~(b) A voter with a disability who requests to cast his or her ballot on a voting machine without assistance shall be provided with an audio or other device that shall be used in conjunction with the voting machine so that the voter may cast a secret ballot without assistance.~~

~~(c) Any voter who because of physical, sensory, or other disability presents himself or herself for voting by voting machine and who then informs election officials at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to be assisted by an election official to advance to the head of any line of voters then waiting in line to vote at the polling site."~~

AND

Page 3, line 10 delete "SECTION 3." And substitute "SECTION 5."

AND

Page 3, line 23 delete "SECTION 4." And substitute "SECTION 6."

AND

Page 3, delete lines 24 and 25 and substitute the following:

"7-5-530. Machines released to officials -- Impounding upon election contest

~~or recount~~ Securing audit materials upon election contest or recount. [Effective January 1, 2006.]"

AND

Page 3, line 33 delete "(c)" and substitute "~~(c)~~(b)"

AND

Page 4, line 2, before "under", insert "in the county courthouse"

AND

Page 4, line 3 delete "(d)" and substitute "~~(d)~~(c)"

AND

Page 4, delete lines 9 through 11 and substitute the following:

"verified paper audit trails and store them in a secure place in the county courthouse to which only he or she shall have access awaiting further orders of the applicable county board or court."

AND

Page 4, line 13 delete "SECTION 5." And substitute "SECTION 7."

AND

Page 5, line 5 delete "shall" and substitute "may"

AND

Page 5, delete lines 24 through 36 and substitute the following:

"SECTION 8. Arkansas Code § 7-5-614 is amended to read as follows:

7-5-614. Locations for vote tabulation - Procedures. ~~{Effective January 1, 2006.}~~

~~(a)(1) The For the tabulation of votes of a precinct may be by electronic vote tabulating devices at a central counting location ~~or at the polling sites.~~~~

~~(2) Provisional ballots and absentee ballots shall be processed and counted at the courthouse or other central counting location in the county.~~

~~(3) The county board of election commissioners with respect to all elections shall give notice of the location within the county of each place at which votes will be counted by electronic vote tabulating devices and of the names or numbers of all precincts whose votes will be counted at each location, by posting the notice in a conspicuous place in the county courthouse at least three (3) days prior to each election.~~

~~(b) For the tabulation of provisional and absentee ballots at a central location beginning on election day:~~

~~(1)(A) The election officials shall place in the container provided for the that purpose all ballots that have been cast.~~

~~(B) This The container shall be sealed and delivered to the county board of election commissioners forthwith by the election officials together~~

with the unused, void, and defective ballots; and

(2)(A) All proceedings at the counting location shall be under the direction of at least two (2) election officials named by the county board of election commissioners with respect to all elections.

(B) In all elections, when possible, the election officials shall represent the majority party and the minority party."

AND

Page 6, delete lines 1 through 13 in their entirety

AND

Page 6, line 15 delete "SECTION 7." And substitute "SECTION 9."

AND

Page 6, line 17 delete "[Effective January 1, 2006.]" and substitute "[Effective ~~January 1, 2006.~~]"

AND

Page 7, line 1, delete "precinct" and substitute "~~precinct~~ polling site"

/s/ Denny Sumpter

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Reep, **HOUSE BILL NO. 2316** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2316

Amend **HOUSE BILL NO. 2316** as originally introduced:

Page 2, delete lines 9 through 20 and substitute:

"SECTION 3. Arkansas Code § 6-61-533 is amended to read as follows:

6-61-533. Arkansas Heavy Equipment Operator Training Academy - Funding.

(a)(1) All legislatively appropriated funds, tuitions, grant moneys, and donations designated for the Arkansas Heavy Equipment Operator Training Academy shall be specifically used for the operation of the academy.

~~(2) All moneys appropriated or designated for the academy shall be maintained:~~

~~(A) In accounts separate from accounts for the University of Arkansas at Monticello;~~

~~(B) In Bradley County financial institutions whenever possible;~~
and

~~(C) Following state accounting procedures and guidelines.~~

(2) If the General Assembly does not provide funding for the Arkansas Heavy Equipment Operator Training Academy, the University of Arkansas at Monticello shall not be required to fund the Academy and the Academy shall be abolished.

(3) The Director of the Arkansas Heavy Equipment Operator Training Academy will develop, recommend, and monitor the academy's annual budget.

(4) The chief fiscal officer of the university or his or her designee shall regularly monitor academy books, banking records, accounts, and expenditures.

~~(b)(4)~~ The academy shall remain under the supervision of the director, who shall be assisted by the academy coordinator.

~~(2) The Director of the Southeast Arkansas Community-Based Education Center shall serve as the director of the academy."~~

/s/ Gregg Reep

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Greenberg, **HOUSE BILL NO. 2352** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2352

Amend **HOUSE BILL NO. 2352** as engrossed,

H3/12/07 (version: 03-12-2007 09:52):

Add Representative Rosenbaum as a cosponsor of the bill

AND

Page 2, line 29, delete "(1)"

AND

Page 2, delete lines 32 through 34

AND

Page 3, delete lines 4 and 5

/s/ Dan Greenberg

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Prater, **HOUSE BILL NO. 2249** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2249

Amend **HOUSE BILL NO. 2249** as originally introduced:

Page 2, delete lines 23 through 26 and substitute:

"(2)(A)(i) The photo identification card that is issued to correspond with the temporary special certificate shall be issued upon payment of a transaction fee of five dollars (\$5.00) and shall expire three (3) months from the last day of the month in which it is issued.

(ii) The photo identification card issued under subsection (d) of this section shall be carried on the person for verification of identity."

AND

Page 3, delete lines 25 through 31 and substitute:

"(2)(A) For every application for a special license plate issued under this section, the Department of Finance and Administration shall produce a photo identification card containing a color photograph of the person with a disability who is either:

(i) Applying for the special license plate; or

(ii) Being transported by the vehicle for which the special license plate is issued.

(B) The photo identification card issued under subsection (a) of this section shall be carried on the person for verification of identity."

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Green, **HOUSE BILL NO. 2628** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2628

Amend **HOUSE BILL NO. 2628** as originally introduced:

Page 2, delete line 36 and substitute the following:

~~"(3) Serve until dismissed by the Commissioner of State Lands;"~~

AND

Page 3, line 1, delete "(4)" and insert "~~(4)~~(3)"

AND

Page 3, line 3, delete "(5)" and insert "~~(5)~~(4)"

AND

Page 3, line 5, delete "(6)" and insert "~~(6)~~(5)"

/s/ Rick Green

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Abernathy, **HOUSE BILL NO. 1730** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1730

Amend **HOUSE BILL NO. 1730** as engrossed,

H3/9/07 (version: 03-09-2007 11:24):

Page 2, line 3, delete "§ 6-16-1204(c)" and substitute "§ 6-16-1204(b)"

AND

Page 3, delete lines 2 through 6

AND

Page 3, line 7, delete "(c)" and substitute "(b)"

AND

Page 3, line 35, delete "subdivision (c)(5)" and substitute "subdivision (b)(5)"

AND

Page 4, line 1, delete "subdivision (c)(5)" and substitute "subdivision (b)(5)"

AND

Page 4, line 10, delete "subdivision (c)(7)" and substitute "subdivision (b)(7)"

AND

Page 4, line 13, delete "(d)" and substitute "(c)"

AND

Page 4, line 18, delete "(e)(e)" and substitute "(e)(d)"

AND

Page 4, delete line 22, and substitute the following:

"~~(d)~~(1)(e)(1) The requirement under subsection ~~(e)~~(d) of this section"

AND

Page 7, line 13, delete "§ 6-16-1204(c)" and substitute "§ 6-16-1204(b)"

/s/ Bill Abernathy

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Abernathy, **HOUSE BILL NO. 1012** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1012

Amend **HOUSE BILL NO. 1012** as originally introduced:

Page 1, delete lines 12 through 14, and substitute the following:

"PERSONS SUBJECT TO BACKGROUND CHECKS; TO CREATE A UNIFORM LIST OF DISQUALIFYING OFFENSES FOR CRIMINAL HISTORY BACKGROUND CHECKS; TO AUTHORIZE WAIVER OF THE DISQUALIFICATION UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 22, and substitute the following:

"TO PROVIDE THAT CERTAIN EXPUNGED OFFENSES CAUSE DISQUALIFICATION FROM CERTAIN ACTIVITIES FOR PERSONS SUBJECT TO CRIMINAL BACKGROUND CHECKS AND TO AUTHORIZE WAIVER OF THE DISQUALIFICATION UNDER CERTAIN CIRCUMSTANCES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 3, Chapter 1, Subchapter 1 is amended to add an additional section to read as follows:

3-1-104. Applications – Contents.

(a) Except as provided in this section, no person who is required to have a criminal records background check under this Title 3 shall be eligible to hold a position, permit, or license if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(b)(1) The Alcoholic Beverage Control Board may waive the disqualification described in subsection (a) of this section and allow a person to hold a position, permit, or license upon making a determination that the person does not pose a risk of harm to any other person served by the board or to any persons to be served by the person holding the position, permit, or license.

(2) In making a disqualification waiver determination under subdivision (b)(1) of this section, the board may consider the following factors:

- (A) The nature and severity of the offense;
- (B) The consequences of the offense;
- (C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served by the board, such as:

(i) The age and vulnerability of any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the board;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(c) The board's decision to refuse to waive disqualification from holding a position, permit, or license under this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 2. Arkansas Code § 3-2-103 is amended to read as follows:

3-2-103. Information to be submitted by applicants.

(a)~~(1)~~ Any person applying for any permit issued by the Alcoholic Beverage Control Division, except as provided in subsection (b) or (c) of this section, shall be subject to an eligibility determination under § 3-1-104. ~~meet the following requirements:~~

~~(1) No applicant shall have been found guilty of or pleaded guilty or nolo contendere to:~~

~~(A) Any felony by any court in the State of Arkansas; or~~

~~(B) Any similar offense by a court in another state or of any similar offense by a military or federal court;~~

(2)(A) In order to determine the applicant's suitability for a permit, the applicant shall be fingerprinted, and the fingerprints shall be forwarded for a criminal background check through the Department of Arkansas State Police.

(B) After the completion of the criminal background check through the department, the fingerprints shall be forwarded by the department to the Federal Bureau of Investigation for a national criminal history record check; ~~and.~~

(3) The applicant shall sign a release that allows the department to release:

(A) An Arkansas noncriminal justice background check to the Alcoholic Beverage Control Board; and

(B) A fingerprint card of the applicant to the bureau to allow a federal fingerprint-based background check to be performed.

(b) No fingerprint submission or criminal background check shall be required

for any person applying for a nonresident seller's permit or for a wholesale support center permit as authorized by § 3-5-1301 et seq.

(c) No fingerprint submission shall be required for any person applying for any permit that has a stated duration of five (5) days or less.

(d) This section is supplementary to any and all requirements that exist for various permits issued by the division, and all other individual permit requirements shall continue to apply to those respective permit applications.

(e) The division may adopt rules to implement the provisions of this section.

SECTION 3. Arkansas Code § 6-17-410 is amended to read as follows:

6-17-410. Teacher licensure - First-time applicant, renewal application, revocation, suspension, and probation.

(a)(1)(A)(i) Each first-time applicant for a license issued by the State Board of Education and each applicant for his or her first license renewal on or after July 1, 1997, shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a statewide and nationwide criminal records check, to be conducted by the Department of Arkansas State Police and the Federal Bureau of Investigation.

(ii) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(iii) The Identification Bureau of the Department of Arkansas State Police may maintain these fingerprints in the automated fingerprint identification system.

~~(iv) The Federal Bureau of Investigation shall promptly destroy the fingerprint card of the applicant.~~

(B) The applicant shall sign a release of information to the Department of Education and shall be responsible for the payment of any fee associated with the criminal records check.

(C)(i) The Department of Education shall be responsible for the payment of any fee associated with the criminal records check at the time of license renewal for employees of Arkansas public school districts, employees of other public education institutions located in Arkansas, and employees of the Department of Education.

(ii) Funding for the fees shall come from the Public School Fund.

(2) Upon completion of the criminal records check, the Identification Bureau of the Department of Arkansas State Police shall forward all releasable information obtained concerning the applicant to the Department of Education.

(b)(1) The state board is authorized to issue a six-month nonrenewable letter

of provisional eligibility for licensure to a first-time applicant pending the results of the criminal records check. However, the Commissioner of Education may extend the period of provisional eligibility to the end of that contract year if:

- (A) The applicant is employed by a local school district; and
- (B) The results of the criminal records check are delayed.

(2) Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding a letter of provisional eligibility for licensure has pleaded guilty or nolo contendere to or has been found guilty of any offense in subsection (c) of this section, the state board shall immediately revoke the provisional eligibility as provided under subsection (c) of this section.

~~(c) The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of any person who has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court but only after an opportunity for a hearing before the board upon reasonable notice in writing:~~

- ~~(1) Capital murder as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;~~
- ~~(5) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(7) Kidnapping as prohibited in § 5-11-102;~~
- ~~(8) Rape as prohibited in § 5-14-103;~~
- ~~(9) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in § 5-14-124 - 5-14-127;~~
- ~~(10) Incest as prohibited in § 5-26-202;~~
- ~~(11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(12) Distribution to minors as prohibited in § 5-64-406;~~
- ~~(13) Any felony in violation of the Uniform Controlled Substances Act,~~

~~§ 5-64-101 et seq.;~~

~~(14) Sexual indecency with a child as prohibited in § 5-14-110;~~

~~(15) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;~~

~~(16) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;~~

~~(17) False imprisonment in the first degree as prohibited in § 5-11-403;~~

~~(18) Permanent detention or restraint as prohibited in § 5-11-106;~~

~~(19) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~

~~(20) Negligent homicide as prohibited by § 5-10-105(a);~~

~~(21) Assault in the first degree as prohibited by § 5-13-205;~~

~~(22) Coercion as prohibited by § 5-13-208;~~

~~(23) Public sexual indecency as prohibited by § 5-14-111;~~

~~(24) Indecent exposure as prohibited by § 5-14-112;~~

~~(25) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;~~

~~(26) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~

~~(27) Computer child pornography as prohibited in § 5-27-603; and~~

~~(28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605. Except as provided in subsection (d) of this section, no person shall be eligible to hold provisional eligibility for licensure, a first-time license, or a renewal license, and the state board shall immediately revoke provisional eligibility for licensure, a first-time license, or a renewal license if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.~~

(d)(1) The eligibility and revocation provisions of subsection (c) of this section may be waived or a license may be suspended or placed on probation by the state board upon request by:

(A) The board of a local school district;

(B) An affected applicant for licensure; or

(C) The person holding a license subject to revocation.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

- (A) The age at which the crime was committed;
- (B) The circumstances surrounding the crime;
- (C) The length of time since the crime;
- (D) Subsequent work history;
- (E) Employment references;
- (F) Character references; and
- (G) Other evidence demonstrating that the applicant does not

pose a threat to the health or safety of school children or school personnel.

(e)(1) For cause as set forth in subdivision (e)(2) of this section, the state board may revoke, suspend, or place on probation the license of any person but only after an opportunity for a hearing before the state board upon reasonable written notice of the cause to be considered and only if a written request for a hearing is received by the state board no less than thirty (30) days after the notice of the cause is received by the person holding the license.

(2) For the purposes of this subsection, "cause" means any of the following:

(A) Pleading guilty or nolo contendere to or having been found guilty of a felony ~~not listed in subsection (c) of this section in any court in this state or of a similar felony in a court in another state or in a federal court;~~

(B) Pleading guilty or nolo contendere to or having been found guilty in a court:

(i) In this state of a nonfelony negligent homicide or a misdemeanor ~~not listed in subsection (c) of this section~~ and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or

(ii) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (c) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;

(C) Holding a license obtained by fraudulent means;

(D) Revocation of a license in another state;

(E) Intentionally compromising the validity or security of any student test or testing program administered by or required by the state board or the Department of Education;

(F) Having the completed examination test score of any testing program required by the state board for teacher licensure declared invalid by the

testing program company and so reported to the Department of Education by the testing company;

(G) Having an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child;

(H) Failing to establish or maintain the necessary requirements and standards set forth in Arkansas law or state board rules and regulations for teacher licensure;

(I) Knowingly submitting or providing false or misleading information or knowingly failing to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

(J) Knowingly falsifying or directing another to falsify any grade given to a student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.

(3) For purposes of this subsection, "child" means a person enrolled in the public schools of the State of Arkansas.

(f)(1) The superintendent of each school district shall report to the state board the name of any person holding a license issued by the state board and currently employed or employed during the two (2) previous school years by the local school district who:

(A) Has pleaded guilty or nolo contendere to or has been found guilty of a felony or any misdemeanor listed in [nc69]subsection (c) of this section;

(B) Holds a license obtained by fraudulent means;

(C) Has had a similar license revoked in another state;

(D) Has intentionally compromised the validity or security of any student test or testing program administered or required by the Department of Education;

(E) Has knowingly submitted falsified information or failed to submit information requested or required by law to the Department of Education, the state board, or the division; or

(F) Has failed to establish or maintain the necessary requirements and standards set forth in Arkansas law or Department of Education rules and regulations for teacher licensure.

(2) Failure of a superintendent to report information as required by this subsection may result in sanctions imposed by the state board.

(g) For cause as stated in subsection (e) of this section, the state board is authorized to:

(1) Revoke a license permanently;

(2) Suspend a license for a terminable period of time or indefinitely; or

(3) Place a person on probationary status for a terminable period of time with the license to be revoked or suspended if the probationary period is not successfully completed.

(h) Upon notice in writing that a revocation, suspension, or probation is being sought by the state board for a cause set forth, a person may:

(1) Decline to answer the notice, in which case a hearing will be held before the state board to establish by a preponderance of the evidence that cause for the proposed action exists;

(2) Contest the complaint, in which case the person shall be given an evidentiary hearing before the state board if one is requested;

(3) Admit the allegations of fact and request a hearing before the state board in mitigation of any penalty which may be assessed; or

(4) Stipulate or reach a negotiated agreement which must be approved by the state board.

(i)(1) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to subsection (a) of this section shall not be available for examination except by the affected applicant for licensure or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

(2) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that applicant only.

(3) Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

(j) The state board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

SECTION 4. Arkansas Code § 6-17-414 is amended to read as follows:

6-17-414. Criminal records check as a condition for initial employment of noncertified personnel.

(a)(1)(A)(i) Except as provided in subdivision (a)(1)(C) of this section, the board of directors of a local school district or an education service cooperative shall require as a condition for initial employment in a noncertified staff position any person making application to apply to the Identification Bureau of the Department of Arkansas State Police for statewide and nationwide criminal records checks, the

latter to be conducted by the Federal Bureau of Investigation.

(ii) The checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(iii) The Identification Bureau of the Department of Arkansas State Police may maintain these fingerprints in the automated fingerprint identification system.

~~(iv) The Federal Bureau of Investigation shall promptly destroy the fingerprint card of the applicant.~~

(B) The person shall sign a release of information to the Department of Education. Unless the employing school district board of directors has taken action to pay for the cost of criminal background checks required by this section, the employment applicant shall be responsible for the payment of any fee associated with the criminal records checks.

(C)(i) The board of directors of a local school district created by consolidation, annexation, or detachment may waive the requirements under subdivisions (a)(1)(A) and (B) of this section for personnel who were employed by the affected district immediately prior to the annexation, consolidation, or detachment and who had complete criminal background checks conducted as a condition of the person's most recent employment with the affected district as required under this section.

(ii) As used in this section, "affected district" means a school district that loses territory or students as a result of annexation, consolidation, or detachment.

(2) Upon completion of the criminal records check, the Identification Bureau of the Department of Arkansas State Police shall forward all releasable information obtained concerning the person to the Department of Education, which shall promptly inform the board of directors of the local school district or education service cooperative whether or not the applicant is eligible for employment as provided by subdivision (b)(1) of this section.

(b) ~~No~~ Except as provided in subsection (f) of this section, no person shall be eligible for employment by a local school district or education service cooperative in a noncertified staff position if that person has pleaded guilty or nolo contendere to or has been found guilty of any ~~of the following offenses~~ felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court: or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

- ~~(1) Capital murder as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Battery in the first degree as prohibited in § 5-13-201 and battery in the second degree as prohibited in § 5-13-202;~~
- ~~(5) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(7) Kidnapping as prohibited in § 5-11-102;~~
- ~~(8) Rape as prohibited in § 5-14-103;~~
- ~~(9) Sexual assault in the first degree, second degree, third degree, and fourth degree, as prohibited in § 5-14-124 – 5-14-127;~~
- ~~(10) Incest as prohibited in § 5-26-202;~~
- ~~(11) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, employing or consenting to the use of a child in a sexual performance, or producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(12) Distribution to minors as prohibited in § 5-64-406;~~
- ~~(13) Any felony in violation of the Uniform Controlled Substances Act, § 5-64-101 et seq.;~~
- ~~(14) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;~~
- ~~(17) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;~~
- ~~(18) False imprisonment in the first degree as prohibited in § 5-11-403;~~
- ~~(19) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(20) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(21) Negligent homicide as prohibited by § 5-10-105(a);~~
- ~~(22) Assault in the first degree as prohibited by § 5-13-205;~~
- ~~(23) Coercion as prohibited by § 5-13-208;~~

~~(24) Public sexual indecency as prohibited by § 5-14-111;~~

~~(25) Indecent exposure as prohibited by § 5-14-112;~~

~~(26) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-206;~~

~~(27) Computer child pornography as prohibited in § 5-27-603; and~~

~~(28) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(c) However, the board of directors of a local school district or education service cooperative is authorized to offer provisional employment to an applicant pending receipt of eligibility information from the Department of Education.

(d)(1) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected applicant for employment or his or her duly authorized representative, and no record, file, or document shall be removed from the custody of the Department of Education.

(2) Any information made available to the affected applicant for employment shall be information pertaining to that applicant only.

(3) Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

(e) As used in this section, "noncertified staff position" means any job that does not require the person to hold a license issued by the State Board of Education and is either a full-time job or a permanent part-time job or is a job as a substitute teacher for thirty (30) days or more during a school year.

(f)(1) The employment eligibility provisions of ~~subdivision (b)(1)~~ subsection (b) of this section may be waived by the state board upon request by:

(A) The board of a local school district; or

(B) An affected applicant for employment.

(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:

(A) ~~The age at which the crime was committed~~ The nature and severity of the offense;

(B) ~~The circumstances surrounding the crime~~ The consequences of the offense;

(C) ~~The length of time since the crime~~ The number and frequency of offenses;

(D) ~~Subsequent work history~~ The relation between the crime and the health, safety, and welfare of persons served by the board of a local school

district or education service cooperative, such as:

- (i) The age and vulnerability of any victim of the offense;
- (ii) The harm suffered by any victim; and
- (iii) The similarity between any victim and persons

served by the board of a local school district or education service cooperative;

~~(E) Employment references~~ The time elapsed without a repeat of the same or similar offense;

~~(F) Character references~~ Documentation of successful completion of training or rehabilitation concerning the offense; and

~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of school children or school personnel~~ Any other relevant information.

(3) No waiver shall be granted if the state board determines that the offense was a violent, physical, or sexual offense.

(g) The state board may determine that an applicant for employment with a school district in a noncertified staff position is ineligible for employment if the applicant:

(1) Has pleaded guilty or nolo contendere to or has been found guilty of a felony not listed in subsection (b) of this section;

(2) Pleads guilty or nolo contendere to or has been found guilty in a court:

(A) In this state of a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee; or

(B) In another state or in federal court of a crime similar to a nonfelony negligent homicide or a misdemeanor not listed in subsection (b) of this section and involving physical injury, mistreatment, or abuse against a child or against a household member of the licensee;

(3) Is required to pass an examination as a requirement of his or her position and the applicant's completed examination test score was declared invalid because of the applicant's improper conduct;

(4) Has an expunged or a pardoned conviction for any sexual or physical abuse offense committed against a child;

(5) Knowingly submits or provides false or misleading information or knowingly fails to submit or provide information requested or required by law to the Department of Education, the state board, or the Division of Legislative Audit; or

(6) Knowingly falsifies or directs another to falsify any grade given to a

student, whether the grade was given for an individual assignment or examination or at the conclusion of a regular grading period.

SECTION 5. Arkansas Code § 6-17-421 is amended to read as follows:

6-17-421. Criminal records check for fraudulent acts.

(a) For purposes of this section:

(1) "Applicant" means an individual who is applying for initial employment as a fiscal officer of a school district;

(2) "Fiscal officer" means any certified or noncertified employee of a school district or education service cooperative who has any right, duty, or responsibility to access funds of a school district in excess of five thousand dollars (\$5,000), specifically including, but not limited to, superintendents, fiscal officers, and bookkeepers; and

(3) "Fraudulent act" means an act:

(A) Performed willfully and with the specific intent to deceive or cheat for the purpose of either causing some financial loss to another or bringing about some financial gain to the actor; and

(B) For which the actor has pleaded guilty or nolo contendere to or has been found guilty by any court in this state, by a court in another state, or by a federal court.

(b)(1)(A) Upon making application for employment in a position as a fiscal officer of a school district, the board of directors of a school district shall require the employment applicant to authorize release to the Department of Education the results of statewide and nationwide criminal records checks by the Identification Bureau of the Arkansas State Police.

(B) Unless the employing school district's board of directors has taken action to pay for the cost of criminal background checks required by this section, the employment applicant shall be responsible for the payment of any fee associated with the criminal records check.

(2)(A) The criminal background check shall conform to the applicable federal standards and include the taking of the employment applicant's or currently employed fiscal officer's fingerprints.

(B) At the conclusion of the criminal records check required by this section, the Identification Bureau of the Department of Arkansas State Police may maintain the fingerprints in the automated fingerprint identification system.

(3)(A) Any information received by the Department of Education from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected employment applicant or fiscal officer or his or her duly authorized representative, and no record,

file, or document shall be removed from the custody of the Department of Education.

(B) Any information made available to the affected employment applicant or fiscal officer shall be information pertaining to that applicant only.

(C) Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than the background check.

(4) The Department of Education shall promptly inform the board of directors of the local school district whether or not the affected employment applicant is eligible for employment as provided in this subsection.

(c)(1) ~~No~~ After an opportunity for a hearing before the State Board of Education upon reasonable notice in writing, no person shall be eligible for employment as a fiscal officer by a local school district if the results of the criminal records check released to the Department of Education by the applicant reveals that the applicant has pleaded guilty or nolo contendere to or has been found guilty of a ~~fraudulent act but only after an opportunity for a hearing before the State Board of Education upon reasonable notice in writing~~ any felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(2) However, the board of directors of a local school district is authorized to offer provisional employment to the affected applicant pending receipt of eligibility information from the Department of Education.

(d)(1) The superintendent of each school district shall report to the state board the name of any fiscal officer who is currently employed or was employed during the two (2) previous school years by the local school district who has pleaded guilty or nolo contendere to or has been found guilty of a ~~fraudulent act~~ an offense under subdivision (c)(1) of this section.

(2) A superintendent who knowingly fails to report information as required by this subsection may be subject to sanctions imposed by the state board.

(e) A prosecuting attorney who prosecutes a person whom he or she knows is a school employee in a case in which the school employee has pleaded guilty or nolo contendere to or has been found guilty of a ~~fraudulent act~~ an offense under subdivision (c)(1) of this section shall report the name of the employee and the nature of the crime to the school district in which the person is employed and to the state board.

(f) A fiscal officer who pleads guilty or nolo contendere to or has been found guilty of a ~~fraudulent act~~ an offense under subdivision (c)(1) of this section shall be

dismissed from employment with the school district but only after an opportunity for a hearing before the state board upon reasonable notice in writing.

(g)(1) The state board shall be entitled to consider:

(A) ~~The age of the fiscal officer at the time the criminal act occurred~~ The nature and severity of the offense;

(B) ~~The length of time since the conviction~~ The consequences of the offense;

(C) ~~Whether the fiscal officer has pleaded guilty or nolo contendere to or has been found guilty of any other criminal violation since the original conviction~~ The number and frequency of offenses;

(D) ~~Whether the original conviction was expunged or pardoned~~ The relation between the crime and the health, safety, and welfare of persons served by the board of a local school district, such as:

(i) The age and vulnerability of any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the board of a local school district; and

(E) ~~Any other relevant facts~~ The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(2) The state board after conducting a hearing and issuing a decision in writing may determine not to prevent the employment or not to require the termination of employment of the fiscal officer as required in subsections (c) and (f) of this section.

SECTION 6. Arkansas Code § 6-51-606(h), concerning the issuance or revocation of a license issued by the State Board of Private Career Education, is amended to read as follows:

(h) The board shall have the power to deny issuing a new or renewal license, to revoke an existing license, or to place a licensee on probation, if in its discretion it determines that:

(1) The licensee has violated any of the provisions of this subchapter or any of the rules and regulations of the board;

(2) The applicant or licensee has knowingly presented to the board incomplete or misleading information relating to licensure;

(3) The applicant or licensee has pleaded guilty, entered a plea of nolo contendere, or has been found guilty in a criminal proceeding, regardless of whether

or not the adjudication of guilt or sentence is withheld, deferred, or suspended by a court of this state, another state, or the federal government of:

(A) Any felony or Class A misdemeanor; or

(B) Any act involving moral turpitude, gross immorality, or which is related to the qualifications, functions, and duties of a licensee;

(4) The applicant or licensee has intentionally failed or refused to permit the board or its representatives to inspect the school or classes or has intentionally failed or refused to make available to the board, at any time when requested to do so, full information pertaining to any or all items of information contained in an application for license or pertaining to the operation of the school;

(5) The applicant has failed or refused to submit to the board an application for license or renewal in the manner and on the forms prescribed;

(6) A licensed admissions representative has failed or refused to display or produce his or her license when requested to do so by prospective students or designated officials of the board;

(7) The applicant or licensee has failed to provide or maintain premises, equipment, materials, supplies, or conditions in accordance with minimum standards as established by rules and regulations;

(8) The licensee has been found by the board or a court of law to have perpetrated fraud or deceit in advertising of the school or programs of study or in presenting to prospective students information relating to the school, programs of study, employment opportunities, or opportunities for enrollment in institutions of higher education;

(9) The licensee has in its employ admissions representatives who have not been licensed but are actively engaged in the practice of attempting to enroll students;

(10) The licensee has failed to provide and maintain standards of instruction or qualified administrative, supervisory, or instructional staff as established by rules and regulations;

(11) The applicant or licensee is unable to provide and maintain financial resources in sufficient amount to equip and maintain the school or classes;

(12) The licensee has moved the school into new premises or facilities without first notifying the director;

(13) The licensee has offered training or instruction in programs of study which have not been approved and authorized in accordance with rules and regulations;

(14) A licensed admissions representative has solicited prospective students to enroll in a school which has not been licensed by the board or which is

not listed on his or her license;

(15) There was a change in the ownership of the school without proper notification to and approval from the board;

(16) The licensee has failed to notify the director or to provide written documentation as to the cause that the license of a school has been suspended or revoked or the school has been placed on probation or a show cause issued in another state or by another regulatory agency;

(17) The licensee has failed to notify the director of legal actions initiated by or against the school; or

(18) The licensee fails to make tuition refunds to the students or their lenders in compliance with current regulations.

SECTION 7. Arkansas Code § 9-28-409 is amended to read as follows:

9-28-409. Criminal record and child maltreatment checks.

(a)(1) Each of the following persons in a child welfare agency shall be checked with the child maltreatment central registry in his or her state of residence and any state of residence in which the person has lived for the past six (6) years and in the person's state of employment, if different, for reports of child maltreatment in compliance with policy and procedures promulgated by the Child Welfare Agency Review Board:

(A) An employee having direct and unsupervised contact with children;

(B) A volunteer having direct and unsupervised contact with children;

(C) A foster parent and all household members age ten (10) years and older;

(D) An adoptive parent and all household members age ten (10) years and older;

(E) An owner having direct and unsupervised contact with children; and

(F) A member of the agency's board of directors having direct and unsupervised contact with children.

(2) The board shall have the authority to deny a license or church-operated exemption to any applicant found to have any record of founded child maltreatment in the official record of the registry.

(3)(A) Any person required to be checked under this section who is found to have any record of child maltreatment in the official record of the registry shall be reviewed by the owner or operator of the facility in consultation with the board to determine appropriate corrective action measures which would indicate, but

are not limited to, training, probationary employment, or nonselection for employment.

(B) The board shall also have the authority to deny a license or church-operated exemption to an applicant who continues to employ a person with any record of founded child maltreatment.

(4) All persons required to be checked with the registry under this subsection shall repeat the check every two (2) years, except that adoptive parents who reside in Arkansas shall repeat the check every year pending court issuance of a final decree of adoption, at which point repeat checks shall no longer be required.

(b)(1) Each of the following persons in a child welfare agency who has lived in Arkansas continuously for six (6) years or more shall be checked with the Identification Bureau of the Department of Arkansas State Police for convictions of the offenses listed in this subchapter in compliance with policy and procedures promulgated by the board:

(A) An employee having direct and unsupervised contact with children;

(B) A volunteer having direct and unsupervised contact with children;

(C) A foster parent and all household members age sixteen (16) years and older;

(D) An owner having direct and unsupervised contact with children; and

(E) A member of the agency's board of directors having direct and unsupervised contact with children.

(2)(A) The owner or operator of a child welfare agency shall maintain on file, subject to inspection by the board, evidence that Department of Arkansas State Police criminal records checks have been initiated on all persons required to be checked and the results of the checks.

(B) Failure to maintain that evidence on file will be prima facie grounds to revoke the license or church-operated exemption of the owner or operator of the child welfare agency.

(3) All persons required to be checked with the Department of Arkansas State Police under this subsection shall repeat the check every five (5) years, except that adoptive parents shall not repeat the check after court issuance of a final decree of adoption in the adoption case for which the check was obtained.

(4) Adoptive parents shall complete background checks as required by law.

(c)(1) In compliance with federal law and regulations and with policy and

procedures promulgated by the board, each of the following persons in a child welfare agency who has not lived in Arkansas continuously for the past six (6) years shall be checked with the Federal Bureau of Investigation for convictions of the offenses listed in this subchapter:

- (A) An employee having direct and unsupervised contact with children;
- (B) A volunteer having direct and unsupervised contact with children;
- (C) A foster parent and all family members age sixteen (16) years and older;
- (D) An owner having direct and unsupervised contact with children; and
- (E) A member of the agency's board of directors having direct and unsupervised contact with children.

(2)(A) The owner or operator of a child welfare agency shall maintain on file, subject to inspection by the board, evidence that the Federal Bureau of Investigation's criminal records checks have been initiated on all persons required to be checked and the results of the checks.

(B) Failure to maintain that evidence on file will be prima facie grounds to revoke the license or church-operated exemption of the owner or operator of the child welfare agency.

(d)(1) Each person required to have a criminal records check under this subchapter shall complete a criminal records check form developed by the Department of Health and Human Services and shall sign the form that contains the following under oath before a notary public:

- (A) Certification that the subject of the check consents to the completion of the check;
- (B) Certification that the subject of the check has not been convicted of a crime and if the subject of the check has been convicted of a crime, contains a description of the crime and the particulars of the conviction;
- (C) Notification that the subject of the check may challenge the accuracy and completeness of any information in any report and obtain a prompt determination as to the validity of the challenge before a final determination is made by the board with respect to his or her employment status or licensing status;
- (D) Notification that the subject of the check may be denied a license or exemption to operate a child welfare agency or may be denied unsupervised access to children in the care of a child welfare agency due to information obtained by the check which indicates that the subject of the check has

been convicted of, or is under pending indictment for, a crime listed in this subchapter; and

(E) Notification that any background check and the results thereof shall be handled in accordance with the requirements of Pub. L. No. 92-544.

(2) The owner or operator of the child welfare agency shall submit the criminal records check form to the Identification Bureau for processing within ten (10) days of hiring the employee, who shall remain under conditional employment until the registry check and criminal records checks required under this subchapter are completed.

(3) Nothing in this section shall be construed to prevent the board from denying a license or exemption to an owner or preventing an operator or employee in a child welfare agency from having unsupervised access to children by reason of the pending appeal of a criminal conviction or child maltreatment determination.

(4) In the event a legible set of fingerprints as determined by the Department of Arkansas State Police and the Federal Bureau of Investigation cannot be obtained after a minimum of three (3) attempts by qualified law enforcement personnel, the board shall determine eligibility based upon a name check by the Department of Arkansas State Police and the Federal Bureau of Investigation.

(5)(A) An owner or operator of a child welfare agency shall not be liable during a conditional period of service for hiring any person required to have a background check pursuant to this subchapter who may be subject to a charge of false swearing upon completion of central registry and criminal records check.

(B)(i) Pursuant to this subchapter, false swearing shall occur when a person while under oath provides false information or omits information that the person knew or reasonably should have known was material.

(ii) Lack of knowledge that information is material is not a defense to a charge of false swearing.

(C) For purposes of this subchapter, false swearing is a Class A misdemeanor.

(e)(1) Except as provided in subdivisions (d)(2) or ~~(h)(1)~~ (e)(2)(B) of this section, no person who is required to have a criminal check under subdivision (b)(1) or (c)(1) of this section shall be eligible to have direct and unsupervised contact with a child in the care of a child welfare agency if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any of the following offenses felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court unless the conviction was vacated or reversed, regardless of whether the record of conviction is sealed or expunged or the conviction is pardoned.

- ~~(A) Capital murder as prohibited in § 5-10-101;~~
- ~~(B) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(C) Manslaughter as prohibited in § 5-10-104;~~
- ~~(D) Negligent homicide as prohibited in § 5-10-105;~~
- ~~(E) Kidnapping as prohibited in § 5-11-102;~~
- ~~(F) False imprisonment in the first degree and false imprisonment in the second degree as prohibited in §§ 5-11-103 and 5-11-104;~~
- ~~(G) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(H) Battery in the first degree, battery in the second degree, and battery in the third degree as prohibited in §§ 5-13-201, 5-13-202, and 5-13-203;~~
- ~~(I) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(J) Assault in the first degree and assault in the second degree as prohibited in §§ 5-13-205 and 5-13-206;~~
- ~~(K) Terroristic threatening in the first degree and terroristic threatening in the second degree as prohibited in § 5-13-301(a) and (b);~~
- ~~(L) Any sexual offense as prohibited in § 5-14-101 et seq.;~~
- ~~(M) Permitting abuse of a child as prohibited in § 5-27-221;~~
- ~~(N) Endangering the welfare of a minor in the first degree and endangering the welfare of a minor in the second degree as prohibited in §§ 5-27-203 and 5-27-204;~~
- ~~(O) Contributing to the delinquency of a minor as prohibited in § 5-27-205;~~
- ~~(P) Engaging children in sexually explicit conduct for use in visual or print medium, transportation of minors for prohibited sexual conduct, use of a child or consent to use of a child in sexual performance, and producing, directing, or promoting sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(Q) Incest as prohibited in § 5-26-202;~~
- ~~(R) Interference with visitation as prohibited in § 5-26-501;~~
- ~~(S) Interference with custody as prohibited in § 5-26-502;~~
- ~~(T) Engaging in conduct with respect to controlled substances as prohibited in § 5-64-401;~~
- ~~(U) Distribution to minors as prohibited in § 5-64-406;~~
- ~~(V) Public display of obscenity as prohibited in § 5-68-205;~~
- ~~(W) Prostitution as prohibited in § 5-70-102;~~
- ~~(X) Promoting prostitution in the first degree, promoting~~

prostitution in the second degree, and promoting prostitution in the third degree as prohibited in §§ 5-70-104, 5-70-105, and 5-70-106;

~~(Y) Computer child pornography as prohibited in § 5-27-603;~~

~~(Z) Computer exploitation of a child in the first degree as prohibited in § 5-27-605(a);~~

~~(AA) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401 to commit any of the offenses listed in this section;~~

~~(BB) Any felony or any misdemeanor involving violence, threatened violence, or moral turpitude; and~~

~~(CC) Any former or future law of this or any other state or of the federal government which is substantially equivalent to one (1) of the aforementioned offenses.~~

(2)(A) Any person who is required to have a criminal check under subdivision (b)(1) or (c)(1) of this section who pleads guilty or nolo contendere to, or is found guilty of, any of the offenses ~~listed~~ described in subdivision (e)(1) of this section, regardless of whether the record of conviction is sealed or expunged or the conviction is pardoned unless the conviction is vacated or reversed, shall be absolutely disqualified to be an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or employee in a child welfare agency during the period of his or her confinement, probation, or parole supervision.

~~(B) Except as provided in subdivision (h)(1) of this section, any~~ Any person who is required to have a criminal check under subdivision (b)(1) or (c)(1) of this section who pleads guilty or nolo contendere to, or is found guilty of, any of the offenses ~~listed~~ described in subdivision (e)(1) of this section, unless the conviction is vacated or reversed, shall be presumed to be disqualified to be an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or employee in a child welfare agency after the completion of his or her term of confinement, probation, or parole supervision. This presumption can be rebutted in the following manner:

(i)(a) The applicant must petition the board to make a determination that the applicant does not pose a risk of harm to any person.

(b) The applicant shall bear the burden of making such a showing; and

(ii) The board in its discretion may permit an applicant to be an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or an employee in a child welfare agency notwithstanding having been convicted of an offense listed in this section upon

making a determination that the applicant does not pose a risk of harm to any person served by the facility. In making this determination, the board shall consider the following factors:

- (a) The nature and severity of the crime;
- (b) The consequences of the crime;
- (c) The number and frequency of crimes;
- (d) The relation between the crime and the health,

safety, and welfare of any person, such as:

(1) The age and vulnerability of victims of the crime;

(2) The harm suffered by the victim; and

(3) The similarity between the victim and persons served by a child welfare agency;

(e) The time elapsed without a repeat of the same or similar event;

(f) Documentation of successful completion of training or rehabilitation pertinent to the incident; and

(g) Any other information that bears on the applicant's ability to care for children or any other relevant information.

(C) The board's decision to disqualify a person from being an owner, operator, volunteer, foster parent, adoptive parent, member of an agency's board of directors, or an employee in a child welfare agency under this section shall constitute the final administrative agency action and shall not be subject to review.

(f)(1) No foster child in the custody of the Department of Health and Human Services shall be placed in the home of any foster or adoptive parent if the criminal records check reveals a felony conviction for:

(A) Child abuse or neglect;

(B) Spousal abuse;

(C) A crime against children, including child pornography; or

(D) A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.

(2) No foster child in the custody of another state agency who is placed in Arkansas shall be placed in any home if the criminal records check reveals a felony conviction of an adult in the home for:

(A) Child abuse or neglect;

(B) Spousal abuse;

(C) A crime against children, including child pornography; or

(D) A crime involving violence, including rape, sexual assault,

or homicide, but not including other physical assault or battery.

(g)(1) No foster child in the custody of the Department of Health and Human Services shall be placed in the home of any foster or adoptive parent if the criminal record check reveals a felony conviction for physical assault, battery, or a drug-related offense if the offense was committed within the past five (5) years.

(2) No foster child in the custody of another state agency who is placed in Arkansas shall be placed in any home if the criminal record check reveals a felony conviction of any adult in the home for physical assault, battery, or a drug-related offense if the offense was committed within the past five (5) years.

~~(h)(1) For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subdivision (e)(1) of this section shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (h)(2) of this section.~~

~~(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:~~

- ~~(A) Capital murder as prohibited in § 5-10-101;~~
- ~~(B) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(C) Kidnapping as prohibited in § 5-11-102;~~
- ~~(D) Rape as prohibited in § 5-14-103;~~
- ~~(E) Sexual assault in the first degree and second degree as prohibited in §§ 5-14-124 and 5-14-125;~~
- ~~(F) Endangering the welfare of a minor in the first degree and endangering the welfare of a minor in the second degree as prohibited in §§ 5-27-203 and 5-27-204;~~
- ~~(G) Incest as prohibited in § 5-26-202;~~
- ~~(H) Arson as prohibited in § 5-38-301;~~
- ~~(I) Endangering the welfare of incompetent person in the first degree as prohibited in § 5-27-201; and~~
- ~~(J) Adult abuse that constitutes a felony as prohibited in § 5-28-403.~~

SECTION 8. Arkansas Code § 17-1-103 is amended to read as follows:

17-1-103. Registration, certification, and licensing for criminal offenders.

(a)(1) It is the policy of the State of Arkansas to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the assumption of the responsibilities of citizenship.

(2) The public is best protected when offenders are given the opportunity to secure employment or to engage in a meaningful trade, occupation, or profession.

~~(b)(1)(A) Subject to the provisions of subdivision (b)(2) of this section in determining eligibility under this section, a board, commission, department, or an agency may take into consideration conviction of certain crimes that have not been annulled, expunged, or pardoned.~~

~~(B) However, such convictions shall not operate as an automatic bar to registration, certification, or licensing for any trade, profession, or occupation.~~

~~(2) The following criminal records shall not be used, distributed, or disseminated in connection with an application for a registration, license, or certificate:~~

~~(A) Records of arrest not followed by a valid felony conviction by the courts;~~

~~(B) Convictions that have been annulled or expunged or pardoned by the Governor; and~~

~~(C) Misdemeanor convictions, except misdemeanor sex offenses and misdemeanors involving violence.~~

~~(c) The board, commission, department, or agency shall state explicitly in writing the reasons for a decision that prohibits the applicant from practicing the trade, occupation, or profession if the decision is based, in whole or in part, on conviction of a felony.~~

~~(d) For the purposes of this section, completion of the following shall be deemed prima facie evidence of sufficient rehabilitation:~~

~~(1) Probation or parole supervision; and~~

~~(2) A period of five (5) years after final discharge or release from any term of imprisonment in the state penitentiary without any subsequent conviction.~~

~~(e) Any complaints concerning the violation of this section shall be adjudicated in accordance with the procedure set forth in the Arkansas Administrative Procedure Act, § 25-15-201 et seq., for administrative and judicial review.~~

~~(f)(1) This section shall apply to any board, commission, department, agency, or any other body that deals in licensing or regulating a profession, trade, or occupation in the State of Arkansas.~~

~~(2) It shall be the duty of the Secretary of State to make this section known to any board, commission, department, or agency affected by this section.~~

~~(g) This section shall not apply to teacher licensure or certification or nursing licensure and certification as governed by §§ 6-17-410 and 17-87-312 respectively.~~

(b) Except as provided in this section, and §§ 17-42-315, 17-92-317, and 17-95-307, no person who is required to have a criminal records background check under this Title 17 shall be eligible to hold a position, permit, or license if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(c) The disqualification described in subsection (b) of this section may be waived by the following entities to allow a person to hold a position, permit, or license upon a determination that the person does not pose a risk of harm to any other person served by the person holding the position, permit, or license or any person served by the:

- (1) Arkansas State Board of Public Accountancy under § 17-12-303;
- (2) Auctioneer's Licensing Board under § 17-17-312;
- (3) Professional Bail Bond Company and Professional Bail Bondsman Licensing Board under § 17-19-203;
- (4) Arkansas Board of Examiners in Counseling under § 17-27-313;
- (5) Arkansas Board of Private Investigators and Private Security Agencies under § 17-40-306;
- (6) Arkansas State Board of Nursing under § 17-87-312;
- (7) Arkansas Psychology Board under § 17-97-312; or
- (8) Arkansas Social Work Licensing Board under § 17-103-307.

(d) In making a disqualification waiver determination under subsection (c) of this section, the following factors may be considered by an entity in the list in subsection (c) of this section:

- (1) The nature and severity of the offense;
- (2) The consequences of the offense;
- (3) The number and frequency of offenses;
- (4) The relation between the crime and the health, safety, and welfare of persons served by the entity in the list in subsection (c) of this section, such as:
 - (A) The age and vulnerability of any victim of the offense;
 - (B) The harm suffered by any victim; and
 - (C) The similarity between any victim and persons served by the entity in the list in subsection (c) of this section;

(5) The time elapsed without a repeat of the same or similar offense;

(6) Documentation of successful completion of training or rehabilitation concerning the offense; and

(7) Any other relevant information.

(e) The decision of an entity in the list in subsection (c) of this section to refuse to waive disqualification from holding a position, permit, or license under this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 9. Arkansas Code § 17-12-303 is amended to read as follows:

17-12-303. Criminal background check.

(a) The Arkansas State Board of Public Accountancy may require each applicant for a new or reinstated license as a certified public accountant, including reciprocity applicants, or public accountant to apply for or authorize the board to obtain state and national criminal background checks to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(b) The criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall authorize the release of the criminal background checks to the board and shall be responsible for the payment of any fee associated with the criminal background checks.

(d) Upon completion of the criminal background checks, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the commission by the applicant of any felony or Class A misdemeanor offense ~~listed in subsection (e) of this section.~~

(e) Notwithstanding the provisions of § 17-12-301, a person convicted of a felony or ~~crime involving moral turpitude or dishonesty in any state or federal court~~ Class A misdemeanor may not receive or hold a license as a certified public accountant or public accountant unless the board waives the disqualification under § 17-1-103.

~~(f)(1) The provisions of subsection (e) of this section may be waived by the board upon the request of:~~

~~(A) An affected applicant for licensure or registration; or~~

~~(B) The person holding a license or registration subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to:~~

~~(A) The age at which the crime was committed;~~
~~(B) The circumstances surrounding the crime;~~
~~(C) The length of time since the crime;~~
~~(D) Subsequent work history;~~
~~(E) Employment references;~~
~~(F) Character references;~~
~~(G) A conviction or record that has been expunged; and~~
~~(H) Other evidence demonstrating that the applicant does not pose a threat to the public health, safety, or welfare.~~

~~(g)(1)(f)(1)~~ Any information received by the board from the Identification Bureau of the Department of Arkansas State Police under this section is not available for examination except by:

(A) The affected applicant or the applicant's authorized representative; or

(B) The person whose license or registration is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

(3) Only information pertaining to the person making the request may be made available to the affected applicant or the person whose license or registration is subject to revocation.

(4) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the criminal background checks.

~~(h)(g)~~ The board shall adopt rules and regulations to implement the provisions of this section.

SECTION 10. Arkansas Code § 17-17-312 is amended to read as follows:

17-17-312. Criminal background checks.

(a) Beginning July 16, 2003, each first-time applicant for a license issued by the Auctioneer's Licensing Board and each applicant seeking reinstatement of an expired license from the board shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation.

(b) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(d) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the applicant in the commission of any felony or Class A misdemeanor offense ~~listed in subsection (f) of this section.~~

(e) At the conclusion of any background check required by this section, the Identification Bureau of the Department of Arkansas State Police shall promptly destroy the fingerprint card of the applicant.

(f) No person shall be eligible to receive or hold a license issued by the board if that person has pleaded guilty or nolo contendere to, or been found guilty of, any felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103. ~~of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:~~

- ~~(1) Capital murder, as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree and second degree, as prohibited in §§ 5-10-102 and 5-10-103;~~
- ~~(3) Manslaughter, as prohibited in § 5-10-104;~~
- ~~(4) Negligent homicide, as prohibited in § 5-10-105;~~
- ~~(5) Kidnapping, as prohibited in § 5-11-102;~~
- ~~(6) False imprisonment in the first degree, as prohibited in § 5-11-103;~~
- ~~(7) Permanent detention or restraint, as prohibited in § 5-11-106;~~
- ~~(8) Robbery, as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery, as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree, as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault, as prohibited in § 5-13-204;~~
- ~~(12) Introduction of a controlled substance into the body of another person, as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree, as prohibited in § 5-13-301;~~
- ~~(14) Rape, as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child, as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;~~
- ~~(17) Incest, as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family, as prohibited in §§ 5-26-303 - 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree, as prohibited in § 5-27-201;~~

~~(20) Endangering the welfare of a minor in the first degree, as prohibited in § 5-27-203;~~

~~(21) Permitting the abuse of a child, as prohibited in § 5-27-221(a)(1) and (3);~~

~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child, as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~

~~(23) Felony adult abuse, as prohibited in § 5-28-103;~~

~~(24) Theft of property, as prohibited in § 5-36-103;~~

~~(25) Theft by receiving, as prohibited in § 5-36-106;~~

~~(26) Arson, as prohibited in § 5-38-301;~~

~~(27) Burglary, as prohibited in § 5-39-201;~~

~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101 - 5-64-608, as prohibited in § 5-64-401;~~

~~(29) Promotion of prostitution in the first degree, as prohibited in § 5-70-104;~~

~~(30) Stalking, as prohibited in § 5-71-229; and~~

~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

~~(g)(1) The provisions of subsection (f) of this section may be waived by the board upon the request of:~~

~~(A) An affected applicant for licensure; or~~

~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

~~(A) The age at which the crime was committed;~~

~~(B) The circumstances surrounding the crime;~~

~~(C) The length of time since the crime;~~

~~(D) Subsequent work history;~~

~~(E) Employment references; and~~

~~(F) Character references.~~

~~(h)(1)(g)(1) Any information received by the board from the Identification Bureau of the Department of Arkansas State Police under this section shall not be available for examination except by the:~~

(A) Affected applicant for licensure, or his or her authorized representative; or

(B) Person whose license is subject to revocation, or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

~~(h)~~ Any information made available to the affected applicant for licensure or to the person whose license is subject to revocation shall be information pertaining to that person only.

~~(i)~~ Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

~~(j)~~ The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

SECTION 11. Arkansas Code § 17-19-203 is amended to read as follows:

17-19-203. Character references.

(a) Each applicant for a professional bail bondsman license shall:

(1) File with the Professional Bail Bond Company and Professional Bail Bondsman Licensing Board written statements from at least three (3) persons who know his or her character;

(2)(A) Be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and nationwide criminal records check to be conducted by the Federal Bureau of Investigation.

(B) The criminal records check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(C) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal records check.

(D) Upon completion of the criminal records check, the Identification Bureau of the Department of Arkansas State Police shall forward all information obtained concerning the applicant to the board.

(E) At the conclusion of the criminal background check required by this subdivision (2), the Identification Bureau of the Department of Arkansas State Police shall promptly destroy the fingerprint card of the applicant; and

(3) Such other proof as the board may require that he or she is competent, trustworthy, financially responsible, and of good personal and business reputation and has not been convicted of a felony or ~~any~~ Class A misdemeanor offense ~~involving moral turpitude~~.

(b) No person shall be eligible to receive or hold a license issued by the

board if that person has pleaded guilty or nolo contendere to, or been found guilty of, a felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103.

SECTION 12. Arkansas Code § 17-27-301(4), concerning the eligibility for a license as a licensed professional counselor, is amended to read as follows:

(4) The applicant has applied for a criminal background check and has not been found guilty of, or pleaded guilty or nolo contendere to, any of the offenses listed described in § 17-27-313(f) (e);

SECTION 13. Arkansas Code § 17-27-309(b), concerning suspension or revocation of the license of a licensed professional counselor, is amended to read as follows:

(b) The board shall revoke the license of any person who is found guilty of or pleads guilty or nolo contendere to any offense ~~listed~~ described in § 17-27-313(f) (e) unless the person requests and the board grants a waiver pursuant to ~~§ 17-27-313(h)~~ § 17-1-103.

SECTION 14. Arkansas Code § 17-27-313 is amended to read as follows:

17-27-313. Criminal background checks.

(a) The Arkansas Board of Examiners in Counseling may require each applicant for license renewal and each first-time applicant for a license issued by the board to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check, to be conducted by the Identification Bureau of the Department of Arkansas State Police and the Federal Bureau of Investigation.

(b) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall sign a release of information to the board and shall be responsible for the payment of any fee associated with the criminal background check.

(d) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all releasable information obtained concerning the applicant.

(e) No person shall be eligible to receive or hold a license issued by the board if that person has pleaded guilty or nolo contendere to or been found guilty of a felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103. ~~any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:~~

~~(1) Capital murder as prohibited in § 5-10-101;~~

- ~~(2) Murder in the first degree and second degree as prohibited in §§ 5-10-102 and 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Negligent homicide as prohibited in § 5-10-105;~~
- ~~(5) Kidnapping as prohibited in § 5-11-102;~~
- ~~(6) False imprisonment in the first degree as prohibited in § 5-11-103;~~
- ~~(7) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(8) Robbery as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(12) Introduction of controlled substance into body of another person as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303 - 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(23) Felony adult abuse as prohibited in § 5-28-103;~~
- ~~(24) Theft of property as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving as prohibited in § 5-36-106;~~
- ~~(26) Arson as prohibited in § 5-38-301;~~

- ~~(27) Burglary as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101-5-64-608 as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~
- ~~(30) Stalking as prohibited in § 5-71-229;~~
- ~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~
- ~~(32) Computer child pornography as prohibited in § 5-27-603; and~~
- ~~(33) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(f)(1) The board may issue a six-month nonrenewable letter of provisional eligibility for licensure to a first-time applicant pending the results of the criminal background check.

(2) Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding such a letter of provisional licensure has pleaded guilty or nolo contendere to or been found guilty of any offense listed in subsection (e) of this section, the board shall immediately revoke the provisional license unless the board waives the disqualification under § 17-1-103.

~~(g)(1) The provisions of subsections (e) and (f) of this section may be waived by the board upon the request of:~~

- ~~(A) An affected applicant for licensure; or~~
- ~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

- ~~(A) The age at which the crime was committed;~~
- ~~(B) The circumstances surrounding the crime;~~
- ~~(C) The length of time since the crime;~~
- ~~(D) Subsequent work history;~~
- ~~(E) Employment references;~~
- ~~(F) Character references; and~~
- ~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of children.~~

~~(h)(1)(g)(1)~~ Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by:

(A) The affected applicant for licensure, or his or her authorized representative; or

(B) The person whose license is subject to revocation, or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

~~(h)~~ Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(i)~~ Rights of privilege and confidentiality established under this section shall not extend to any document created for purposes other than this background check.

~~(j)~~ The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

SECTION 15. Arkansas Code § 17-40-306 is amended to read as follows:

17-40-306. License - Applicant qualifications.

(a) Unless the requirement is waived by the Arkansas Board of Private Investigators and Private Security Agencies, an applicant for a license or his or her manager must:

(1) Be at least twenty-one (21) years of age;

(2) Be a high school graduate or its equivalent if the applicant is a manager of an investigations company or an individual applying for an investigations company license;

(3) Not have been found guilty of or pleaded guilty or nolo contendere to any: felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103;

~~(A) Felony, Class A misdemeanor, crime involving an act of violence, or any crime involving moral turpitude in any court in the State of Arkansas for which a pardon has not been granted;~~

~~(B) Felony, Class A misdemeanor or an offense of a comparable level, crime involving an act of violence, or any crime involving moral turpitude in any court in another state for which a pardon has not been granted; or~~

~~(C) Felony, Class A misdemeanor or an offense of a comparable level, crime involving an act of violence, or any crime involving moral turpitude in a military or federal court for which a pardon has not been granted;~~

(4) Not have been declared by any court of competent jurisdiction incompetent by reason of mental defect or disease and not have been restored;

(5) Not be suffering from habitual drunkenness or from narcotics addiction or dependence;

(6) Not have been discharged from the armed services of the United States under other than honorable conditions;

(7) Be of good moral character; and

(8) Be in compliance with any other reasonable qualifications that the board may fix by rule.

(b)(1) An applicant who applies for a license to engage in the business of an investigations company or his or her manager shall have:

(A) Two (2) consecutive years' experience prior to the date of the application in the investigative field as an agent, employee, manager, or owner of an investigations company;

(B) Been licensed under Acts 1965, No. 447 [repealed];

(C) Two (2) years' experience as a licensed bail bondsman and a baccalaureate degree from a four-year institution of higher education; or

(D) Satisfied such other requirements as may be set by the board.

(2) The experience of the applicant must be reviewed by the board and determined to be adequate to qualify the applicant to engage in the business of an investigations company.

(c) An applicant who applies for a license to engage in the business of a security services contractor or his or her manager shall have two (2) consecutive years' experience prior to the date of application in the security services field as an agent, employee, manager, or owner of a security services contractor company, or the applicant or his or her manager shall have been licensed under Acts 1973, No. 605 [repealed], or shall satisfy such other requirements as may be set by the board.

SECTION 16. Arkansas Code § 17-42-315(f), concerning eligibility for a license issued by the Arkansas Real Estate Commission, is amended to read as follows:

(f) Except as provided in subsection (g) of this section, a person shall not receive or hold a license issued by the commission if the person has been convicted of a felony or Class A misdemeanor offense or a crime involving moral turpitude, fraud, dishonesty, untruthfulness, or untrustworthiness, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

SECTION 17. Arkansas Code § 17-87-309(b), concerning the issuance and revocation of a license issued by the Arkansas State Board of Nursing, is amended to read as follows:

(b) The board shall refuse to issue or shall revoke the license of any person who is found guilty of or pleads guilty or nolo contendere to any offense ~~listed in § 17-87-312(f)~~ described in § 17-87-312(e), unless the person requests and the board

grants a waiver pursuant to ~~§ 17-87-312(h)~~ § 17-1-103.

SECTION 18. Arkansas Code § 17-87-312 is amended to read as follows:

17-87-312. Criminal background checks.

(a) Each first-time applicant for a license issued by the Arkansas State Board of Nursing shall apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check, to be conducted by the Federal Bureau of Investigation.

(b) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(d) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the applicant in the commission of any offense listed in subsection (e) of this section.

(e) ~~Except as provided in subdivision (l)(1) of this section, no~~ No person shall be eligible to receive or hold a license issued by the board if that person has pleaded guilty or nolo contendere to or has been found guilty of any felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103 of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:

~~(1) Capital murder as prohibited in § 5-10-101;~~

~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~

~~(3) Manslaughter as prohibited in § 5-10-104;~~

~~(4) Negligent homicide as prohibited in § 5-10-105;~~

~~(5) Kidnapping as prohibited in § 5-11-102;~~

~~(6) False imprisonment in the first degree as prohibited in § 5-11-103;~~

~~(7) Permanent detention or restraint as prohibited in § 5-11-106;~~

~~(8) Robbery as prohibited in § 5-12-102;~~

~~(9) Aggravated robbery as prohibited in § 5-12-103;~~

~~(10) Battery in the first degree as prohibited in § 5-13-201;~~

~~(11) Aggravated assault as prohibited in § 5-13-204;~~

~~(12) Introduction of a controlled substance into the body of another person as prohibited in § 5-13-210;~~

~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~

- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303 - 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(23) Felony adult abuse as prohibited in § 5-28-103;~~
- ~~(24) Theft of property as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving as prohibited in § 5-36-106;~~
- ~~(26) Arson as prohibited in § 5-38-301;~~
- ~~(27) Burglary as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101 - 5-64-608 as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~
- ~~(30) Stalking as prohibited in § 5-71-229;~~
- ~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~
- ~~(32) Computer child pornography as prohibited in § 5-27-603; and~~
- ~~(33) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(f)(1)(A) The board may issue a nonrenewable temporary permit for licensure to a first-time applicant pending the results of the criminal background check.

(B) The permit shall be valid for no more than six (6) months.

(2) ~~Except as provided in subdivision (l)(1) of this section, upon~~ Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding the letter of provisional licensure has pleaded guilty or nolo contendere to, or has been found guilty of, any offense listed in subsection (e) of this section, the board shall immediately revoke the provisional license unless the board waives the disqualification under § 17-1-103.

~~(g)(1) The provisions of subsection (e) and subdivision (f)(2) of this section may be waived by the board upon the request of:~~

- ~~(A) An affected applicant for licensure; or~~
- ~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

- ~~(A) The age at which the crime was committed;~~
- ~~(B) The circumstances surrounding the crime;~~
- ~~(C) The length of time since the crime;~~
- ~~(D) Subsequent work history;~~
- ~~(E) Employment references;~~
- ~~(F) Character references; and~~
- ~~(G) Other evidence demonstrating that the applicant does not~~

~~pose a threat to the health or safety of the public.~~

~~(h)(1)(g)(1)~~ Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by:

- (A) The affected applicant for licensure or his or her authorized representative; or
- (B) The person whose license is subject to revocation or his or her authorized representative.

(2) No record, file, or document shall be removed from the custody of the Department of Arkansas State Police.

~~(i)(h)~~ Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(i)(i)~~ Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than this background check.

~~(k)(j)~~ The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

~~(l)(1) For purposes of this section, an expunged record of a conviction or a plea of guilty or nolo contendere to an offense listed in subsection (e) of this section~~

shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (l)(2) of this section.

~~(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:~~

- ~~(A) Capital murder as prohibited in § 5-10-101;~~
- ~~(B) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(C) Kidnapping as prohibited in § 5-11-102;~~
- ~~(D) Rape as prohibited in § 5-14-103;~~
- ~~(E) Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;~~
- ~~(F) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203 and endangering the welfare of a minor in the second degree as prohibited in § 5-27-204;~~
- ~~(G) Incest as prohibited in § 5-26-202;~~
- ~~(H) Arson as prohibited in § 5-38-301;~~
- ~~(I) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201; and~~
- ~~(J) Adult abuse that constitutes a felony as prohibited in § 5-28-103.~~

SECTION 19. Arkansas Code § 17-92-317(e), concerning eligibility for a new intern or pharmacist license or a new or reinstated registration as a pharmacy technician issued by the Arkansas State Board of Pharmacy, is amended to read as follows:

(e) Notwithstanding the provisions of § 17-1-103, no person shall be eligible to receive or hold an intern or pharmacist license or pharmacy technician registration issued by the board if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any of the following offenses, regardless of whether an adjudication of guilt or sentencing or imposition of sentence is withheld, by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court, regardless of whether the record of conviction is sealed or expunged or the conviction is pardoned:

- (1) Any felony or Class A misdemeanor;
- (2) Any act involving moral turpitude, gross immorality, dishonesty, or which is related to the qualifications, functions, and duties of a person holding the license or registration; or
- (3) Any violation of Arkansas pharmacy or drug law or regulations,

including, but not limited to, this chapter, ~~the Uniform Controlled Substances Act, § 5-64-101 et seq.~~, and the Food, Drug, and Cosmetic Act, § 20-56-201 et seq.

SECTION 20. Arkansas Code § 17-95-307 is amended to read as follows:

17-95-307. License eligibility.

No person shall be eligible to receive or hold a license to practice medicine or another health care profession issued by the Arkansas State Medical Board if the person has pleaded guilty or nolo contendere to or has been found guilty of either an infamous crime that would impact his or her ability to practice medicine in the State of Arkansas or a felony or Class A misdemeanor offense, regardless of whether the record of conviction has been sealed, or expunged, or the conviction is pardoned.

SECTION 21. Arkansas Code § 17-97-310(b), concerning the issuance and revocation of a license issued by the Arkansas Psychology Board, is amended to read as follows:

(b) The board shall refuse to issue or revoke the license of any person who has been found guilty of or pleaded guilty or nolo contendere to any of the offenses ~~listed~~ described in § 17-97-312(f) unless the person requests and the board grants a waiver pursuant to ~~§ 17-97-312(h)~~ § 17-1-103.

SECTION 22. Arkansas Code § 17-97-312 is amended to read as follows:

17-97-312. Criminal background checks.

(a) Each first-time applicant for a license issued by the Arkansas Psychology Board shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check to be conducted by the Federal Bureau of Investigation.

(b) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(d) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the applicant in the commission of any offense listed in subsection (f) of this section.

(e) At the conclusion of any background check required by this section, the Identification Bureau of the Department of Arkansas State Police shall promptly destroy the fingerprint card of the applicant.

(f) ~~Except as provided in subdivision (m)(1) of this section, no~~ No person shall be eligible to receive or hold a license issued by the board if that person has pleaded guilty or nolo contendere to or been found guilty of any felony or Class A

~~misdemeanor offense unless the board waives the disqualification under § 17-1-103. of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:~~

- ~~(1) Capital murder as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Negligent homicide as prohibited in § 5-10-105;~~
- ~~(5) Kidnapping as prohibited in § 5-11-102;~~
- ~~(6) False imprisonment in the first degree as prohibited in § 5-11-103;~~
- ~~(7) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(8) Robbery as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(12) Introduction of a controlled substance into the body of another person as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 - 5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303 - 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~

- ~~(23) Felony adult abuse as prohibited in § 5-28-103;~~
- ~~(24) Theft of property as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving as prohibited in § 5-36-106;~~
- ~~(26) Arson as prohibited in § 5-38-301;~~
- ~~(27) Burglary as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101-5-64-608 as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~
- ~~(30) Stalking as prohibited in § 5-71-229;~~
- ~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~
- ~~(32) Computer child pornography as prohibited in § 5-27-603; and~~
- ~~(33) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(g)(1) The board may issue a six-month nonrenewable letter of provisional eligibility for licensure to a first-time applicant pending the results of the criminal background check.

(2) ~~Except as provided in subdivision (m)(1) of this section, upon~~ Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding a letter of provisional licensure has pleaded guilty or nolo contendere to or been found guilty of any offense listed described in subsection (f) of this section, the board shall immediately revoke the provisional license unless the board waives the disqualification under § 17-1-103.

~~(h)(1) The provisions of subsection (f) and subdivision (g)(2) of this section may be waived by the board upon the request of:~~

- ~~(A) An affected applicant for licensure; or~~
- ~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

- ~~(A) The age at which the crime was committed;~~
- ~~(B) The circumstances surrounding the crime;~~
- ~~(C) The length of time since the crime;~~
- ~~(D) Subsequent work history;~~
- ~~(E) Employment references;~~
- ~~(F) Character references; and~~
- ~~(G) Other evidence demonstrating that the applicant does not~~

~~pose a threat to the health or safety of children.~~

~~(i)(4)(h)(1)~~ Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected applicant for licensure or his or her authorized representative or the person whose license is subject to revocation or his or her authorized representative.

~~(2)~~ No record, file, or document shall be removed from the custody of the department.

~~(i)~~(i) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(k)~~(j) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than this background check.

~~(k)~~(k) The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

~~(m)(1)~~ For purposes of this section, an expunged record of a conviction or plea of guilty of or nolo contendere to an offense listed in subsection (f) of this section shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (m)(2) of this section.

~~(2)~~ Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:

- ~~(A)~~ Capital murder as prohibited in § 5-10-101;
- ~~(B)~~ Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;
- ~~(C)~~ Kidnapping as prohibited in § 5-11-102;
- ~~(D)~~ Rape as prohibited in § 5-14-103;
- ~~(E)~~ Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;
- ~~(F)~~ Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203 and endangering the welfare of a minor in the second degree as prohibited in § 5-27-204;
- ~~(G)~~ Incest as prohibited in § 5-26-202;
- ~~(H)~~ Arson as prohibited in § 5-38-301;
- ~~(I)~~ Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201; and
- ~~(J)~~ Adult abuse that constitutes a felony as prohibited in § 5-28-103.

SECTION 23. Arkansas Code § 17-103-305(b), concerning the issuance and revocation of a license issued by the Arkansas Social Work Licensing Board, is amended to read as follows:

(b) The board shall refuse to issue or revoke the license of any person who is found guilty of or pleads guilty or nolo contendere to any offense ~~listed~~ described in § 17-103-307(f) unless the person requests and the board grants a waiver pursuant to ~~§ 17-103-307(h)~~ § 17-1-103.

SECTION 24. Arkansas Code § 17-103-307 is amended to read as follows:

17-103-307. Criminal background checks.

(a) Each first-time applicant for a license issued by the Arkansas Social Work Licensing Board shall be required to apply to the Identification Bureau of the Department of Arkansas State Police for a state and national criminal background check, to be conducted by the Federal Bureau of Investigation.

(b) The check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(c) The applicant shall sign a release of information to the board and shall be responsible to the Department of Arkansas State Police for the payment of any fee associated with the criminal background check.

(d) Upon completion of the criminal background check, the Identification Bureau of the Department of Arkansas State Police shall forward to the board all information obtained concerning the applicant in the commission of any offense listed in subsection (f) of this section.

(e) At the conclusion of any background check required by this section, the Identification Bureau of the Department of Arkansas State Police shall promptly destroy the fingerprint card of the applicant.

(f) ~~Except as provided in subdivision (m)(1) of this section, no~~ No person shall be eligible to receive or hold a license issued by the board if that person has pleaded guilty or nolo contendere to or been found guilty of any felony or Class A misdemeanor offense unless the board waives the disqualification under § 17-1-103. ~~of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court:~~

~~(1) Capital murder as prohibited in § 5-10-101;~~

~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~

~~(3) Manslaughter as prohibited in § 5-10-104;~~

~~(4) Negligent homicide as prohibited in § 5-10-105;~~

~~(5) Kidnapping as prohibited in § 5-11-102;~~

~~(6) False imprisonment in the first degree as prohibited in § 5-11-103;~~

- ~~(7) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(8) Robbery as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(12) Introduction of a controlled substance into the body of another person as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124-5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303-5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting abuse of a child as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303-5-27-305, 5-27-402, and 5-27-403;~~
- ~~(23) Felony adult abuse as prohibited in § 5-28-103;~~
- ~~(24) Theft of property as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving as prohibited in § 5-36-106;~~
- ~~(26) Arson as prohibited in § 5-38-301;~~
- ~~(27) Burglary as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101-5-64-608, as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~
- ~~(30) Stalking as prohibited in § 5-71-229;~~

~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection;~~

~~(32) Computer child pornography as prohibited in § 5-27-603; and~~

~~(33) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(g)(1) The board may issue a six-month nonrenewable letter of provisional eligibility for licensure to a first-time applicant pending the results of the criminal background check.

(2) ~~Except as provided in subdivision (m)(1) of this section, upon~~ Upon receipt of information from the Identification Bureau of the Department of Arkansas State Police that the person holding such a letter of provisional licensure has pleaded guilty or nolo contendere to or been found guilty of any offense listed described in subsection (f) of this section, the board shall immediately revoke the provisional license unless the board waives the disqualification under § 17-1-103.

~~(h)(1) The provisions of subsection (f) and subdivision (g)(2) of this section may be waived by the board upon the request of:~~

~~(A) An affected applicant for licensure; or~~

~~(B) The person holding a license subject to revocation.~~

~~(2) Circumstances for which a waiver may be granted shall include, but not be limited to, the following:~~

~~(A) The age at which the crime was committed;~~

~~(B) The circumstances surrounding the crime;~~

~~(C) The length of time since the crime;~~

~~(D) Subsequent work history;~~

~~(E) Employment references;~~

~~(F) Character references; and~~

~~(G) Other evidence demonstrating that the applicant does not pose a threat to the health or safety of children.~~

~~(h)~~ (h) Any information received by the board from the Identification Bureau of the Department of Arkansas State Police pursuant to this section shall not be available for examination except by the affected applicant for licensure or his or her authorized representative or the person whose license is subject to revocation or his or her authorized representative. No record, file, or document shall be removed from the custody of the department.

~~(i)~~ (i) Any information made available to the affected applicant for licensure or the person whose license is subject to revocation shall be information pertaining to that person only.

~~(k)(j)~~ Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than this background check.

~~(k)~~ The board shall adopt the necessary rules and regulations to fully implement the provisions of this section.

~~(m)(1)~~ For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subsection (f) of this section shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (m)(2) of this section.

~~(2)~~ Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:

- ~~(A)~~ Capital murder as prohibited in § 5-10-101;
- ~~(B)~~ Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;
- ~~(C)~~ Kidnapping as prohibited in § 5-11-102;
- ~~(D)~~ Rape as prohibited in § 5-14-103;
- ~~(E)~~ Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;
- ~~(F)~~ Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203 and endangering the welfare of a minor in the second degree as prohibited in § 5-27-204;
- ~~(G)~~ Incest as prohibited in § 5-26-202;
- ~~(H)~~ Arson as prohibited in § 5-38-301;
- ~~(I)~~ Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201; and
- ~~(J)~~ Adult abuse that constitutes a felony as prohibited in § 5-28-103.

SECTION 25. Arkansas Code § 20-13-1106 is amended to read as follows:

20-13-1106. Disqualifying offenses - Waiver.

(a) Except as provided in ~~subdivision (e)(1)~~ subsection (b) of this section, the Division of EMS and Trauma Systems of the Division of Health of the Department of Health and Human Services shall issue a determination that a person is disqualified from certification or recertification if the person has been found guilty of or has pleaded guilty or nolo contendere to any ~~of the offenses listed in subsection (b) of this section, including offenses for which the record has been expunged~~ felony or Class A misdemeanor offense in any court in the State of Arkansas or of any similar offense in a court of another state or of any similar offense in a federal court or military court, regardless of whether the record of conviction is sealed or expunged

or the conviction is pardoned. However, the Division of EMS and Trauma Systems shall forward a request for a waiver to the Director of the Division of Health of the Department of Health and Human Services on all applicants who have been convicted of ~~the crimes listed in subsection (b) of this section~~ any felony or Class A misdemeanor offense if five (5) years have passed since the conviction, if five (5) years have passed since release from custodial confinement, or if the applicants are currently certified emergency medical technicians, prior to making the final determination on certification or recertification. These individuals will not be suspended prior to the director's making the final determination.

- ~~(b)(1) Capital murder as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Negligent homicide as prohibited in § 5-10-105;~~
- ~~(5) Kidnapping as prohibited in § 5-11-102;~~
- ~~(6) False imprisonment in the first degree as prohibited in § 5-11-103;~~
- ~~(7) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(8) Robbery as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(12) Introduction of controlled substance into the body of another person as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301(a);~~
- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 – 5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303 – 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting child abuse as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or~~

~~print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;~~

~~(23) Felony adult abuse as prohibited in § 5-28-103;~~

~~(24) Theft of property as prohibited in § 5-36-103;~~

~~(25) Theft by receiving as prohibited in § 5-36-106;~~

~~(26) Arson as prohibited in § 5-38-301;~~

~~(27) Burglary as prohibited in § 5-39-201;~~

~~(28) Felony violation of the Uniform Controlled Substances Act, § 5-64-101, 5-64-608, as prohibited in § 5-64-401;~~

~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~

~~(30) Stalking as prohibited in § 5-71-229;~~

~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401 to commit any of the offenses listed in this subsection;~~

~~(32) Fourth or subsequent driving while intoxicated violations that constitute felony offenses under § 5-65-111(b)(3) and (4);~~

~~(33) Computer child pornography as prohibited in § 5-27-603; and~~

~~(34) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

~~(e)(b)~~ An applicant shall not be disqualified from certification or recertification when the applicant has been found guilty of or has pleaded guilty or nolo contendere to a misdemeanor if the offense:

(1) Did not involve exploitation of an adult, abuse of a person, neglect of a person, or sexual contact; or

(2) Was not committed while performing the duties of an emergency medical technician.

~~(d)(1)(c)(1)~~ The provisions of this section may be waived by the Department of Health and Human Services upon written request by the person who is the subject of the criminal history check.

(2) The written request for waiver shall be mailed to the director within fifteen (15) calendar days after receipt of the determination by the Division of Health of the Department of Health and Human Services.

(3) Factors to be considered before granting a waiver shall include, but not be limited to:

- (A) The age at which the crime was committed;
- (B) The circumstances surrounding the crime;
- (C) The length of time since the adjudication of guilt;
- (D) The person's subsequent work history;
- (E) The person's employment references;
- (F) The person's character references; and
- (G) Any other evidence demonstrating that the person does not

pose a threat to the health or safety of persons to be cared for.

~~(e)(1) For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subsection (b) of this section shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (e)(2) of this section.~~

~~(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification:~~

- ~~(A) Capital murder as prohibited in § 5-10-101;~~
- ~~(B) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~
- ~~(C) Kidnapping as prohibited in § 5-11-102;~~
- ~~(D) Rape as prohibited in § 5-14-103;~~
- ~~(E) Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;~~
- ~~(F) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203 and endangering the welfare of a minor in the second degree as prohibited in § 5-27-204;~~
- ~~(G) Incest as prohibited in § 5-26-202;~~
- ~~(H) Arson as prohibited in § 5-38-301;~~
- ~~(I) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201; and~~
- ~~(J) Adult abuse that constitutes a felony as prohibited in § 5-28-403.~~

SECTION 26. Arkansas Code § 20-13-1111 is amended to read as follows:

20-13-1111. Notice of convictions.

An Arkansas-certified emergency medical technician shall notify the Division of EMS and Trauma Systems of the Division of Health of the Department of Health and Human Services of any conviction of or plea of guilty or nolo contendere to any offenses ~~listed in § 20-13-1106(b)~~ described in § 20-13-1106(a) within ten (10) calendar days after the conviction or guilty plea or plea of nolo contendere.

SECTION 27. Arkansas Code § 20-33-205 is amended to read as follows:

20-33-205. Provisional licenses - Disqualification from employment - Resubmission of applications - Denial or revocation - Penalties.

(a) Except as provided in subsection ~~(c)~~, ~~subsection (d)~~, or ~~subsection (f)~~ (b) of this section:

(1) A licensing agency shall issue a forty-five-day provisional license to a qualified entity whose operator has been found guilty or has pleaded guilty or nolo contendere to any of the offenses listed in subsection (b) of this section;

(2) A licensing agency shall issue a determination that a person is disqualified from employment with a qualified entity if the person has been found guilty or pleaded guilty or nolo contendere to any of the offenses listed in subsection (b) of this section; and

(3)(A) A qualified entity shall not knowingly employ a person who has pleaded guilty or nolo contendere to or has been found guilty of any of the offenses listed in subsection (b) of this section by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court.

(B) Except as provided in subsection ~~(c)~~, ~~subsection (d)~~, or ~~subsection (f)~~ (b) of this section:

~~(i)~~—A a licensing agency shall issue a forty-five-day provisional license to a qualified entity whose operator has been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in subsection (b) of this section; ~~and~~.

~~(ii)~~—A licensing agency shall issue a determination that a person is disqualified from employment with a qualified entity if the person has been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in subsection (b) of this section. A requesting agency shall issue a determination that a person or ElderChoices provider is disqualified from providing care to the elderly or to an individual with a disability, or both, if the person or provider has been found guilty of or pleaded guilty or nolo contendere to any of the offenses listed in subsection (b) of this section.

~~(b)(1)~~ Capital murder as prohibited in § 5-10-101;

~~(2)~~ Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;

~~(3)~~ Manslaughter as prohibited in § 5-10-104;

~~(4)~~ Negligent homicide as prohibited in § 5-10-105;

~~(5)~~ Kidnapping as prohibited in § 5-11-102;

~~(6)~~ False imprisonment in the first degree as prohibited in § 5-11-103;

~~(7)~~ Permanent detention or restraint as prohibited in § 5-11-106;

- ~~(8) Robbery as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery as prohibited in § 5-12-103;~~
- ~~(10) Battery as prohibited in §§ 5-13-201 – 5-13-203;~~
- ~~(11) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(12) Introduction of controlled substance into the body of another person as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree as prohibited in § 5-13-301(a);~~
- ~~(14) Rape as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 – 5-14-127;~~
- ~~(17) Incest as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family as prohibited in §§ 5-26-303 – 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(21) Permitting child abuse as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303 – 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(23) Felony adult abuse as prohibited by § 5-28-103;~~
- ~~(24) Theft of property as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving as prohibited in § 5-36-106;~~
- ~~(26) Arson as prohibited in § 5-38-301;~~
- ~~(27) Burglary as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, § 5-64-101 – § 5-64-608, as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree as prohibited in § 5-70-104;~~
- ~~(30) Stalking as prohibited in § 5-71-229;~~
- ~~(31) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401 to~~

commit any of the offenses listed in this subsection;

~~(32) Forgery as prohibited in § 5-37-201;~~

~~(33) Breaking or entering as prohibited in § 5-39-202;~~

~~(34) Obtaining a controlled substance by fraud as prohibited in § 5-64-403;~~

~~(35) Computer child pornography as prohibited in § 5-27-603; and~~

~~(36) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

~~(c) A qualified entity that is issued a provisional license based on the criminal history of the operator may resubmit the application for licensure with a new operator. If the qualified entity does not resubmit the application within fifteen (15) days of the issuance of the provisional license, then the qualified entity's license shall be immediately denied or revoked.~~

~~(d)(1) The provisions of this section shall not be waived by the licensing or requesting agency.~~

~~(2)(A) Except as provided in subdivision (d)(2)(B) of this section, a conviction or plea of guilty or nolo contendere for a felony or misdemeanor offense listed in subsection (b) of this section shall not disqualify an applicant for employment if the date of conviction of the offense is at least ten (10) years from the date of the application and the individual has no criminal convictions of any type or nature during the ten-year period.~~

~~(B) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following shall result in permanent disqualification of employment:~~

~~(i) Capital murder as prohibited in § 5-10-101;~~

~~(ii) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;~~

~~(iii) Kidnapping as prohibited in § 5-11-102;~~

~~(iv) Rape as prohibited in § 5-14-103;~~

~~(v) Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;~~

~~(vi) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;~~

~~(vii) Felony adult abuse as prohibited by § 5-28-103; and~~

~~(viii) Arson as prohibited in § 5-38-301.~~

(b)(1) Except as provided in subsections (c) and (e) of this section, no person who is required to have a criminal records background check under this section shall be eligible to hold a position, provisional license, or license if that person has

pleaded guilty or nolo contendere to, or has been found guilty of, any felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal or military court, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(2)(A) Except as provided in subsections (c) and (e) of this section, a licensing agency shall issue a determination that a person is disqualified from employment with a qualified entity if the person has been found guilty of or pleaded guilty or nolo contendere to any felony or Class A misdemeanor offense, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(B) Except as provided in subsections (c) and (e) of this section, a requesting agency shall issue a determination that a person or ElderChoices provider is disqualified from providing care to the elderly or to an individual with a disability, or both, if the person or provider has been found guilty of or pleaded guilty or nolo contendere to any felony or Class A misdemeanor offense, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

(c)(1) The licensing agency or requesting agency may waive the disqualification described in subsection (b) of this section and allow a person to hold a position, provisional license, or license upon making a determination that the person does not pose a risk of harm to any other person served by the licensing agency or requesting agency or persons to be served by the person holding the position, provisional license, or license.

(2) In making a disqualification waiver determination under subdivision (c)(1) of this section, the licensing agency or requesting agency may consider the following factors:

(A) The nature and severity of the offense;

(B) The consequences of the offense;

(C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served by the licensing agency or requesting agency, such as:

(i) The age and vulnerability any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the licensing agency or requesting agency;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(d) The decision of the licensing agency or requesting agency to refuse to waive disqualification from holding a position, provisional license, or license under subsection (c) of this section shall constitute the final administrative agency action and shall not be subject to review.

(e)(1) A qualified entity shall not be disqualified from licensure when the operator has been found guilty of or has pleaded guilty or nolo contendere to a misdemeanor if the offense did not involve exploitation of an adult, abuse of a person, neglect of a person, theft, or sexual contact.

(2) An applicant, ElderChoices provider, or employee shall not be disqualified from permanent employment or providing care to the elderly or to an individual with a disability, or both, when the applicant, provider, or employee has been found guilty of or has pleaded guilty or nolo contendere to a misdemeanor if the offense did not involve exploitation of an adult, abuse of a person, neglect of a person, theft, or sexual contact.

~~(f) For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subsection (b) of this section shall not be considered a conviction, guilty plea, or nolo contendere plea to the offense unless the offense is also listed in subdivision (d)(2)(B) of this section.~~

~~(g)(f)~~ If an operator or qualified entity fails or refuses to cooperate in obtaining criminal records checks, such circumstances shall be grounds to deny or revoke the qualified entity's license or other operating authority, provided the process of obtaining criminal records checks shall not delay the process of the application for a license or other operational authority.

~~(h)(g)~~ Any unlicensed qualified entity violating this subchapter shall be guilty of a Class A misdemeanor for each violation.

(i)(h) To the extent that there is any conflict with § 17-1-103, this section shall supersede § 17-1-103.

~~(j)(i)~~ This section shall not apply to teacher licensure or certification or nursing licensure and certification as governed by §§ 6-17-410 and 17-87-312, respectively.

SECTION 28. Arkansas Code § 20-78-604 is amended to read as follows:

20-78-604. Qualifications for child care ownership, operation, or employment.

(a) Without proof of rehabilitation as provided in subsection (b) of this section, no person shall be eligible to be a child care facility owner, operator, or employee in a licensed or church-operated exempt facility if that person has pleaded guilty or nolo contendere to or has been found guilty of any of the following offenses felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court, regardless of whether the record of conviction is sealed or expunged or the conviction is pardoned.:

- ~~(1) Capital murder as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first and second degrees as prohibited in §§ 5-10-102 and 5-10-103;~~
- ~~(3) Manslaughter as prohibited in § 5-10-104;~~
- ~~(4) Battery in the first and second degrees as prohibited in §§ 5-13-201 and 5-13-202;~~
- ~~(5) Aggravated assault as prohibited in § 5-13-204;~~
- ~~(6) Terroristic threatening in the first degree as prohibited in § 5-13-301;~~
- ~~(7) Kidnapping as prohibited in § 5-11-102;~~
- ~~(8) False imprisonment in the first degree as prohibited in § 5-11-103;~~
- ~~(9) Permanent detention or restraint as prohibited in § 5-11-106;~~
- ~~(10) Rape as prohibited in § 5-14-103;~~
- ~~(11) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 -- 5-14-127;~~
- ~~(12) Incest as prohibited in § 5-26-202;~~
- ~~(13) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-203;~~
- ~~(14) Permitting child abuse as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(15) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child as prohibited in §§ 5-27-303, 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(16) Distribution to minors as prohibited in § 5-64-406;~~
- ~~(17) Manufacture, delivery, or possession with intent to manufacture or deliver any controlled substance as prohibited in § 5-64-401;~~
- ~~(18) Sexual indecency with a child as prohibited in § 5-14-110;~~
- ~~(19) Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child as prohibited by § 5-27-304;~~

- ~~(20) Negligent homicide as prohibited by § 5-10-105;~~
- ~~(21) Assault in the first degree as prohibited by § 5-13-205;~~
- ~~(22) Coercion as prohibited by § 5-13-208;~~
- ~~(23) Sexual misconduct as prohibited by § 5-14-107 [repealed];~~
- ~~(24) Public sexual indecency as prohibited by § 5-14-111;~~
- ~~(25) Indecent exposure as prohibited by § 5-14-112;~~
- ~~(26) Endangering the welfare of a minor in the second degree as prohibited by § 5-27-204;~~
- ~~(27) Any felony or any misdemeanor involving violence or sexual misconduct;~~
- ~~(28) Criminal attempt, criminal solicitation, or criminal conspiracy as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401 to commit any of the offenses listed in this section;~~
- ~~(29) Computer child pornography as prohibited in § 5-27-603; and~~
- ~~(30) Computer exploitation of a child in the first degree as prohibited in § 5-27-605.~~

(b)(1) Any person pleading guilty or nolo contendere or found guilty of any of the offenses ~~listed~~ described in subsection (a) of this section shall be absolutely disqualified to be an owner, operator, or employee in a child care facility, licensed or church-operated exempt, during the period of that person's confinement, probation, or parole.

(2)(A) Any person pleading guilty or nolo contendere or found guilty of any of the offenses ~~listed~~ described in subsection (a) of this section shall be presumed to be disqualified to be an owner, operator, or employee in a child care facility, licensed or church-operated exempt, after the completion of that person's term of confinement, probation, or parole.

(B)(i)(a) The applicant to own, operate, or be an employee in a licensed or church-operated exempt facility must petition the Division of Child Care and Early Childhood Education to make a determination that five (5) years have passed since the date of conviction or plea of guilty or nolo contendere and that the applicant does not pose a risk of harm to any person served by the facility.

(b) The applicant shall bear the burden of making that showing.

(ii) The division, in its discretion, may permit the applicant to own, operate, or be an employee in a child care facility, licensed or church-operated exempt, upon making a determination that five (5) years have passed since the date of conviction or plea of guilty or nolo contendere and that the applicant does not pose a risk of harm to any person served by the facility.

SECTION 29. Arkansas Code § 21-15-102 is amended to read as follows:

21-15-102. Positions involving direct contact with children and with mentally ill and developmentally disabled persons.

(a)(1)(A) When a person applies for employment with a state agency in a designated position and if the state agency intends to make an offer of employment to the applicant, the applicant shall complete a criminal history check form and a central registry check form obtained from the state agency and shall submit the form to the state agency as part of the application process.

(B) If the state agency intends to make an offer of employment to the applicant, the state agency within five (5) days of the decision shall forward:

(i)(a) The criminal history check form to the Identification Bureau of the Department of Arkansas State Police and request the bureau to review the bureau's database of criminal history.

(b) Within three (3) days of the receipt of a request to review the database, the bureau shall notify the state agency if the database contains any criminal history records on the applicant; and

(ii)(a) The central registry check form to the Child Maltreatment Central Registry, the Adult and Long-Term Care Facility Resident Maltreatment Central Registry, and the Certified Nursing Assistant/Employment Clearance Registry for a central registry check.

(b) The state agency shall pay any fee associated with the central registry check on behalf of the applicant.

(c) Within three (3) days of the receipt of a request for a central registry check, the central registry shall notify the state agency if the database contains any information naming the applicant as an offender or perpetrator of child or adult abuse.

(2) If no criminal history or central registry records regarding the applicant are found in the database, then the state agency may make an offer of temporary employment to the applicant while the bureau completes a criminal history check and the state agency determines whether the applicant is disqualified from employment under subsection (f) of this section.

(3)(A) If a criminal history record regarding the applicant is found in the bureau's database, then the applicant is temporarily disqualified from employment until the state agency determines whether the applicant is disqualified from employment under subsection (f) of this section.

(B) If the state agency determines that the applicant is not disqualified, then the state agency may continue to temporarily employ the applicant while the bureau completes a criminal history check.

(4) If an applicant has been named as an offender or perpetrator in a true, substantiated, or founded report from the Child Maltreatment Central Registry, the Adult and Long-Term Care Facility Resident Maltreatment Central Registry, or the Certified Nursing Assistant/Employment Clearance Registry, the applicant shall be immediately disqualified.

(b)(1) Except as provided in subdivision (b)(2) of this section, the bureau shall conduct a state criminal history check and a national criminal history check on an applicant upon receiving a criminal history check request from a state agency.

(2) If the state agency can verify that the applicant has been employed by a state agency in a designated position within sixty (60) days before the application or has lived continuously in the State of Arkansas for the past five (5) years, the bureau shall conduct only a state criminal history check on the applicant.

(c)(1) Upon completion of a criminal history check on an applicant, the bureau shall issue a report to the state agency.

(2)(A) The state agency shall determine whether the applicant is disqualified from employment under subsection (f) of this section.

(B) If the state agency determines that an applicant is disqualified from employment, then the state agency shall deny employment to the applicant.

(d) When a national criminal history check is required under this section, the criminal history check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(e) Before making a temporary or permanent offer of employment in a designated position, a state agency shall inform applicants that:

(1) Continued employment is contingent upon the results of a criminal history check and a central registry check; and

(2) The applicant has the right to obtain a copy of his or her:

(A) Criminal history report from the bureau; and

(B) Central registry report from the registries.

(f) Except as provided in ~~subdivision (g)(2)~~ subsection (g) of this section, no person shall be eligible for employment with a state agency in a designated position if that person has pleaded guilty or nolo contendere to, or been found guilty of, any ~~of the following offenses~~ felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court unless the conviction was vacated or reversed, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.

- ~~(1) Capital murder, as prohibited in § 5-10-101;~~
- ~~(2) Murder in the first degree and second degree, as prohibited in §§ 5-10-102 and 5-10-103;~~
- ~~(3) Manslaughter, as prohibited in § 5-10-104;~~
- ~~(4) Negligent homicide, as prohibited in § 5-10-105;~~
- ~~(5) Kidnapping, as prohibited in § 5-11-102;~~
- ~~(6) False imprisonment in the first degree, as prohibited in § 5-11-103;~~
- ~~(7) Permanent detention or restraint, as prohibited in § 5-11-106;~~
- ~~(8) Robbery, as prohibited in § 5-12-102;~~
- ~~(9) Aggravated robbery, as prohibited in § 5-12-103;~~
- ~~(10) Battery in the first degree, as prohibited in § 5-13-201;~~
- ~~(11) Aggravated assault, as prohibited in § 5-13-204;~~
- ~~(12) Introduction of controlled substance into body of another person, as prohibited in § 5-13-210;~~
- ~~(13) Terroristic threatening in the first degree, as prohibited in § 5-13-301;~~
- ~~(14) Rape, as prohibited in § 5-14-103;~~
- ~~(15) Sexual indecency with a child, as prohibited in § 5-14-110;~~
- ~~(16) Sexual assault in the first degree, second degree, third degree, and fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;~~
- ~~(17) Incest, as prohibited in § 5-26-202;~~
- ~~(18) Offenses against the family, as prohibited in §§ 5-26-303 - 5-26-306;~~
- ~~(19) Endangering the welfare of an incompetent person in the first degree, as prohibited in § 5-27-201;~~
- ~~(20) Endangering the welfare of a minor in the first degree, as prohibited in § 5-27-203;~~
- ~~(21) Permitting abuse of a child, as prohibited in § 5-27-221(a)(1) and (3);~~
- ~~(22) Engaging children in sexually explicit conduct for use in visual or print medium, transportation of minors for prohibited sexual conduct, pandering, or possessing visual or print medium depicting sexually explicit conduct involving a child, or the use of a child or consent to the use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child, as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~
- ~~(23) Adult abuse that constitutes a felony, as prohibited in § 5-28-103;~~
- ~~(24) Theft of property, as prohibited in § 5-36-103;~~
- ~~(25) Theft by receiving, as prohibited in § 5-36-106;~~

- ~~(26) Arson, as prohibited in § 5-38-301;~~
- ~~(27) Burglary, as prohibited in § 5-39-201;~~
- ~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101 - 5-64-608, as prohibited in § 5-64-401;~~
- ~~(29) Promotion of prostitution in the first degree, as prohibited in § 5-70-104;~~
- ~~(30) Stalking, as prohibited in § 5-71-229;~~
- ~~(31) Computer child pornography, as prohibited in § 5-27-603;~~
- ~~(32) Computer exploitation of a child in the first degree, as prohibited in § 5-27-605; or~~
- ~~(33) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

~~(g)(1) For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subsection (f) of this section shall not be considered a conviction or a plea of guilty or nolo contendere to the offense unless the offense is also listed in subdivision (g)(2) of this section.~~

~~(2) Because of the serious nature of the following offenses and the close relationship between the following offenses and the type of work that is to be performed by the applicant, a conviction of one (1) or more of the following offenses by an applicant shall result in permanent disqualification from employment in a designated position:~~

- ~~(A) Capital murder, as prohibited in § 5-10-101;~~
- ~~(B) Murder in the first degree and murder in the second degree, as prohibited in §§ 5-10-102 and 5-10-103;~~
- ~~(C) Kidnapping, as prohibited in § 5-11-102;~~
- ~~(D) Rape, as prohibited in § 5-14-103;~~
- ~~(E) Sexual assault in the first degree and second degree, as prohibited in §§ 5-14-124 and 5-14-125;~~
- ~~(F) Endangering the welfare of a minor in the first degree and endangering the welfare of a minor in the second degree, as prohibited in §§ 5-27-203 and 5-27-204;~~
- ~~(G) Incest, as prohibited in § 5-26-202;~~
- ~~(H) Arson, as prohibited in § 5-38-301;~~
- ~~(I) Endangering the welfare of an incompetent person in the first degree, as prohibited in § 5-27-201; or~~
- ~~(J) Adult abuse that constitutes a felony, as prohibited in § 5-28-103.~~

(g)(1) A state agency may waive the disqualification described in subsection (f) of this section and allow a person to be employed with the state agency in a designated position upon making a determination that the person does not pose a risk of harm to any other person served by the state agency or persons to be served by the person holding the position of employment.

(2) In making a disqualification waiver determination under subdivision (g)(1) of this section, the state agency may consider the following factors:

(A) The nature and severity of the offense;

(B) The consequences of the offense;

(C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served the state agency, such as:

(i) The age and vulnerability any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the state agency;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(h) The decision of the state agency to refuse to waive disqualification from holding a position of employment under subsection (g) of this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 30. Arkansas Code § 21-15-103 is amended to read as follows:

21-15-103. Deadline - Scope of check - Report - Notice - Discharge for persons in designated positions.

(a)(1)(A) State agencies shall ensure that all employees in designated positions will have applied for criminal history checks by October 1, 2000, and shall adopt a rule that prescribes how criminal background checks on incumbent employees will be phased in over the period of time prior to July 1, 2000.

(B) An incumbent employee in a designated position shall have a subsequent criminal background check completed within five (5) years of the initial criminal background check and every five (5) years thereafter.

(2)(A) State agencies shall ensure that all employees in designated positions will have applied for central registry checks by October 1, 2002, and shall adopt a rule that prescribes how central registry checks on incumbent employees will be phased in over the period of time prior to July 1, 2002.

(B) An incumbent employee in a designated position shall have subsequent central registry checks completed within five (5) years of the initial central registry check and every five (5) years thereafter.

(3) In accordance with subdivisions (a)(1) and (2) of this section, each employee of a state agency in a designated position shall complete a criminal history check form and a central registry check form obtained from the state agency and shall submit the form to the state agency. The state agency shall forward:

(A)(i) The criminal history check form to the Identification Bureau of the Department of Arkansas State Police.

(ii) The state agency shall pay any fee associated with the criminal history check on behalf of the employee; and

(B)(i) The central registry check to the Child Maltreatment Central Registry, the Adult and Long-Term Care Facility Resident Maltreatment Central Registry, and the Certified Nurses Assistants Central Registry for a review of the registry databases.

(ii) The state agency shall pay any fee associated with the central registry checks.

(b)(1) Except as provided in subdivision (b)(2) of this section, the bureau shall conduct a state criminal history check and a national criminal history check on an applicant upon receiving a criminal history check request from a state agency.

(2) If the state agency can verify that the applicant has been employed by a state agency in a designated position within sixty (60) days before the application or has lived continuously in the State of Arkansas for the past five (5) years, the bureau shall conduct only a state criminal history check on the applicant.

(c)(1) Upon completion of a criminal history check on an employee, the bureau shall issue a report to the state agency.

(2)(A) The state agency shall determine whether the employee is disqualified from employment under subsection (g) of this section.

(B) If the state agency determines that an employee is disqualified from employment, then the state agency shall discharge the employee.

(d) When a national criminal history check is required under this section, the criminal history check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(e) If a waiver applicant has been named as an offender or perpetrator in a true, substantiated, or founded report from the Child Maltreatment Central Registry, the Adult and Long-Term Care Facility Resident Maltreatment Central Registry, or the Certified Nursing Assistant/Employment Clearance Registry, the state agency shall discharge the employee.

(f) A state agency shall inform all employees in designated positions that:

(1) Continued employment is contingent upon the results of a criminal history check and a central registry check; and

(2) The employee has the right to obtain a copy of his or her:

(A) Criminal history report from the bureau; and

(B) Central registry report from the registries.

(g) Except as provided in ~~subdivision (h)(1)~~ subsection (h) of this section, a state agency shall discharge from employment in a designated position any person who has pleaded guilty or nolo contendere to, or been found guilty of, any ~~of the following offenses~~ felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court unless the conviction was vacated or reversed, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.:

~~(1) Capital murder, as prohibited in § 5-10-101;~~

~~(2) Murder in the first degree and second degree, as prohibited in §§ 5-10-102 and 5-10-103;~~

~~(3) Manslaughter, as prohibited in § 5-10-104;~~

~~(4) Negligent homicide, as prohibited in § 5-10-105;~~

~~(5) Kidnapping, as prohibited in § 5-11-102;~~

~~(6) False imprisonment in the first degree, as prohibited in § 5-11-103;~~

~~(7) Permanent detention or restraint, as prohibited in § 5-11-106;~~

~~(8) Robbery, as prohibited in § 5-12-102;~~

~~(9) Aggravated robbery, as prohibited in § 5-12-103;~~

~~(10) Battery in the first degree, as prohibited in § 5-13-201;~~

~~(11) Aggravated assault, as prohibited in § 5-13-204;~~

~~(12) Introduction of controlled substance into body of another person, as prohibited in § 5-13-210;~~

~~(13) Terroristic threatening in the first degree, as prohibited in § 5-13-301;~~

~~(14) Rape, as prohibited in § 5-14-103;~~

~~(15) Sexual indecency with a child, as prohibited in § 5-14-110;~~

~~(16) Sexual assault in the first degree, second degree, third degree, or fourth degree, as prohibited in §§ 5-14-124 - 5-14-127;~~

~~(17) Incest, as prohibited in § 5-26-202;~~

~~(18) Offenses against the family, as prohibited in §§ 5-26-303 - 5-26-306;~~

~~(19) Endangering the welfare of an incompetent person in the first degree, as prohibited in § 5-27-201;~~

~~(20) Endangering the welfare of a minor in the first degree, as prohibited in § 5-27-203;~~

~~(21) Permitting abuse of a child, as prohibited in § 5-27-221(a)(1) and (3);~~

~~(22) Engaging children in sexually explicit conduct for use in visual or print medium, transportation of minors for prohibited sexual conduct, pandering, or possessing visual or print medium depicting sexually explicit conduct involving a child, or the use of a child or consent to the use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child, as prohibited in §§ 5-27-303 - 5-27-305, 5-27-402, and 5-27-403;~~

~~(23) Adult abuse constituting a felony, as prohibited in § 5-28-103;~~

~~(24) Theft of property, as prohibited in § 5-36-103;~~

~~(25) Theft by receiving, as prohibited in § 5-36-106;~~

~~(26) Arson, as prohibited in § 5-38-301;~~

~~(27) Burglary, as prohibited in § 5-39-201;~~

~~(28) Felony violation of the Uniform Controlled Substances Act, §§ 5-64-101 - 5-64-608, as prohibited in § 5-64-401;~~

~~(29) Promotion of prostitution in the first degree, as prohibited in § 5-70-104;~~

~~(30) Stalking, as prohibited in § 5-71-229;~~

~~(31) Computer child pornography, as prohibited in § 5-27-603;~~

~~(32) Computer exploitation of a child in the first degree, as prohibited in § 5-27-605; or~~

~~(33) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

~~(h)(1) For purposes of this section, an expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in subsection (g) of this section shall not be considered a conviction or plea of guilty or nolo contendere to the offense unless the offense is also listed in subdivision (h)(2) of this section.~~

~~(2) Because of the serious nature of the offenses and the close relationship to the type of work that is to be performed, the following offenses shall result in permanent disqualification:~~

~~(A) Capital murder, as prohibited in § 5-10-101;~~

~~(B) Murder in the first degree and murder in the second degree, as prohibited in §§ 5-10-102 and 5-10-103;~~

~~(C) Kidnapping, as prohibited in § 5-11-102;~~

~~(D) Rape, as prohibited in § 5-14-103;~~

~~(E) Sexual assault in the first degree and second degree, as prohibited in §§ 5-14-124 and 5-14-125;~~

~~(F) Endangering the welfare of a minor in the first degree and endangering the welfare of a minor in the second degree, as prohibited in §§ 5-27-203 and 5-27-204;~~

~~(G) Incest, as prohibited in § 5-26-202;~~

~~(H) Arson, as prohibited in § 5-38-301;~~

~~(I) Endangering the welfare of an incompetent person in the first degree, as prohibited in § 5-27-201; and~~

~~(J) Adult abuse that constitutes a felony, as prohibited in § 5-28-103.~~

(h)(1) A state agency may waive the disqualification described in subsection (g) of this section and allow a person to continue employment with the state agency in a designated position upon making a determination that the person does not pose a risk of harm to any other person served by the state agency or persons to be served by the person holding the position of employment.

(2) In making a disqualification waiver determination under subdivision (h)(1) of this section, the state agency may consider the following factors:

(A) The nature and severity of the offense;

(B) The consequences of the offense;

(C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served the state agency, such as:

(i) The age and vulnerability any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the state agency;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(i) The decision of the state agency to refuse to waive disqualification from holding a position of employment under subsection (h) of this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 31. Arkansas Code § 21-15-111 is amended to read as follows:

21-15-111. Hiring new employees into designated financial or information technology positions.

(a)(1)(A) When a person applies for employment with a state agency in a designated financial or information technology position and if the state agency intends to make an offer of employment to the applicant, the applicant shall complete a criminal history check form and shall submit the form to the state agency as part of the application process.

(B) Within five (5) days of the state agency's decision to make an offer of employment to the applicant, the state agency shall forward the criminal history check form to the Identification Bureau of the Department of Arkansas State Police and request the bureau to review the database of criminal history.

(C) Within three (3) days of the receipt of a request to review the database, the bureau shall notify the state agency if the database contains any criminal history record on the applicant.

(2) If no criminal history record regarding the applicant is found in the database, then the state agency may make an offer of temporary employment to the applicant while the bureau completes a criminal history check and the state agency determines whether the applicant is disqualified from employment under subsection (f) of this section.

(3)(A) If a criminal history record regarding the applicant is found in the database, then the applicant is temporarily disqualified from employment until the state agency determines whether the applicant is disqualified from employment under subsection (f) of this section.

(B) If the state agency determines that the applicant is not disqualified, then the state agency may continue to temporarily employ the applicant while the bureau completes a criminal history check.

(b)(1) Except as provided in subdivision (b)(2) of this section, the bureau shall conduct a state criminal history check and a national criminal history check on an applicant upon receiving a criminal history check request from a state agency.

(2) If the state agency can verify that the applicant has been employed by a state agency in a designated financial or information technology position within sixty (60) days before the application or has lived continuously in the State of Arkansas for the past five (5) years, the bureau shall conduct only a state criminal history check on the applicant.

(c)(1) Upon completion of a criminal history check on an applicant, the bureau shall issue a report to the state agency.

(2)(A) The state agency shall determine whether the applicant is disqualified from employment under subsection (f) of this section.

(B) If the state agency determines that an applicant is disqualified from employment, then the state agency shall deny employment to the applicant.

(d) If a national criminal history check is required under this section, the criminal history check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(e) Before making a temporary or permanent offer of employment, a state agency shall inform an applicant that:

(1) Continued employment is contingent upon the results of a criminal history check; and

(2) The applicant has the right to obtain a copy of his or her criminal history report from the bureau.

(f) ~~An expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in this subsection shall not be considered a conviction or plea of guilty or nolo contendere to the offense. No~~ Except as provided in subsection (g) of this section, no person shall be eligible for employment with a state agency in a designated financial or information technology position if that person has pleaded guilty or nolo contendere to, or has been found guilty of, any ~~of the following offenses~~ felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court unless the conviction was vacated, or reversed, regardless of whether the record of the conviction is sealed or expunged or the conviction is pardoned.:

~~(1) Robbery, as prohibited in § 5-12-102;~~

~~(2) Aggravated robbery, as prohibited in § 5-12-103;~~

~~(3) Soliciting money or property from incompetents, as prohibited in § 5-27-229;~~

~~(4) Theft of property, as prohibited in § 5-36-103;~~

~~(5) Theft by receiving, as prohibited in § 5-36-106;~~

~~(6) Theft of property lost, mislaid, or delivered by mistake, as prohibited in § 5-36-105;~~

~~(7) Theft of leased, rented, or entrusted personal property, as prohibited in § 5-36-115;~~

~~(8) Shoplifting, as prohibited in § 5-36-116;~~

~~(9) Embezzlement by officer or employee of certain institutions, as prohibited in § 5-36-118;~~

- ~~(10) Theft of public benefits, as prohibited in § 5-36-202;~~
- ~~(11) Theft of wireless service, as prohibited in § 5-36-303;~~
- ~~(12) Facilitating theft of wireless service by manufacture, distribution, or possession of devices for theft of wireless services, as prohibited in § 5-36-304;~~
- ~~(13) Any offense involving theft detection devices, as prohibited in §§ 5-36-401–5-36-405;~~
- ~~(14) Forgery, as prohibited in § 5-37-201;~~
- ~~(15) Falsifying business records, as prohibited in § 5-37-202;~~
- ~~(16) Defrauding secured creditors, as prohibited in § 5-37-203;~~
- ~~(17) Fraud in insolvency, as prohibited in § 5-37-204;~~
- ~~(18) Issuing a false financial statement, as prohibited in § 5-37-205;~~
- ~~(19) Receiving deposits in a failing financial institution, as prohibited in § 5-37-206;~~
- ~~(20) Fraudulent use of a credit card or debit card, as prohibited in § 5-37-207;~~
- ~~(21) Criminal impersonation, as prohibited in § 5-37-208;~~
- ~~(22) Criminal possession of a forgery device, as prohibited in § 5-37-209;~~
- ~~(23) Obtaining signature by deception, as prohibited in § 5-37-210;~~
- ~~(24) Defrauding judgment creditors, as prohibited in § 5-37-211;~~
- ~~(25) Unlawfully using slugs, as prohibited in § 5-37-212;~~
- ~~(26) Criminal simulation, as prohibited in § 5-37-213;~~
- ~~(27) Use of false transcript, diploma, or grade report from postsecondary educational institution, as prohibited in § 5-37-225;~~
- ~~(28) Financial identity fraud, as prohibited in § 5-37-227;~~
- ~~(29) Any offense violating The Arkansas Hot Check Law, as prohibited in §§ 5-37-301–5-37-307;~~
- ~~(30) Theft of communication services, as prohibited in § 5-37-402;~~
- ~~(31) Criminal mischief in the first degree, as prohibited in § 5-38-203;~~
- ~~(32) Residential or commercial burglary, as prohibited in § 5-39-201;~~
- ~~(33) Breaking or entering, as prohibited in § 5-39-202;~~
- ~~(34) Computer fraud, as prohibited in § 5-41-103;~~
- ~~(35) Computer trespass, as prohibited in § 5-41-104;~~
- ~~(36) Any offense involving computer crime, as prohibited in §§ 5-41-201–5-41-206;~~
- ~~(37) Criminal use of property or laundering criminal proceeds, as prohibited in § 5-42-204;~~

~~(38) Any offense involving corruption in public office, as prohibited in §§ 5-52-101 – 5-52-108;~~

~~(39) Tampering with a public record, as prohibited in § 5-54-121;~~

~~(40) Criminal acts constituting Medicaid fraud, as prohibited in § 5-55-111;~~

~~(41) Any offense involving illegal food coupons, as prohibited in §§ 5-55-201 – 5-55-205;~~

~~(42) Engaging in a continuing criminal gang, organization, or enterprise, as prohibited in § 5-74-104; or~~

~~(43) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

(g)(1) A state agency may waive the disqualification described in subsection (f) of this section and allow a person to be employed with the state agency in a designated financial or information technology position upon making a determination that the person does not pose a risk of harm to any other person served by the state agency or persons to be served by the person to hold the position of employment.

(2) In making a disqualification waiver determination under subdivision (g)(1) of this section, the state agency may consider the following factors:

(A) The nature and severity of the offense;

(B) The consequences of the offense;

(C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served the state agency, such as:

(i) The age and vulnerability any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the state agency;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(h) The decision of the state agency to refuse to waive disqualification from holding a position of employment under subsection (g) of this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 32. Arkansas Code § 21-15-112 is amended to read as follows:

21-15-112. Incumbent employees in designated financial or information technology positions.

(a)(1) State agencies shall ensure that all employees in designated financial or information technology positions apply for criminal history checks by December 1, 2005.

(2) An incumbent employee in a designated financial or information technology position shall have a subsequent criminal background check within five (5) years of the initial criminal background check and every five (5) years thereafter.

(3)(A) In accordance with subdivisions (a)(1) and (a)(2) of this section, each employee of a state agency in a designated financial or information technology position shall complete a criminal history check form and shall submit the form to the state agency.

(B) The state agency shall:

(i) Forward the criminal history check form to the Identification Bureau of the Department of Arkansas State Police; and

(ii) Pay any fee associated with the criminal history check on behalf of the employee.

(b)(1) Except as provided in subdivision (b)(2) of this section, the bureau shall conduct a state criminal history check and a national criminal history check on an employee upon receiving a criminal history check request from a state agency.

(2) If the state agency can verify that the employee has been employed by a state agency in a designated financial or information technology position within sixty (60) days before applying for the criminal background check or has lived continuously in the State of Arkansas for the previous five (5) years, the bureau shall conduct only a state criminal history check on the applicant.

(c)(1) Upon completion of a criminal history check on an employee, the bureau shall issue a report to the state agency.

(2)(A) The state agency shall determine whether the employee is disqualified from employment under subsection (f) of this section.

(B) If the state agency determines that an employee is disqualified from employment, then the state agency shall discharge the employee.

(d) If a national criminal history check is required under this section, the criminal history check shall conform to the applicable federal standards and shall include the taking of fingerprints.

(e) A state agency shall inform all employees in designated financial or information technology positions that:

(1) Continued employment is contingent upon the results of a criminal history check; and

(2) The employee has the right to obtain a copy of his or her criminal history report from the bureau.

(f) ~~An expunged record of a conviction or plea of guilty or nolo contendere to an offense listed in this subsection shall not be considered a conviction or plea of guilty or nolo contendere to the offense. A~~ Except as provided in subsection (g) of this section, a state agency shall discharge from employment an employee in a designated financial or information technology position who has pleaded guilty or nolo contendere to, or has been found guilty of, any of the following offenses felony or Class A misdemeanor offense by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court or military court unless the conviction was vacated or reversed, regardless of whether the record of conviction is sealed or expunged or the conviction is pardoned.:

- ~~(1) Robbery, as prohibited in § 5-12-102;~~
- ~~(2) Aggravated robbery, as prohibited in § 5-12-103;~~
- ~~(3) Soliciting money or property from incompetents, as prohibited in § 5-27-229;~~
- ~~(4) Theft of property, as prohibited in § 5-36-103;~~
- ~~(5) Theft by receiving, as prohibited in § 5-36-106;~~
- ~~(6) Theft of property lost, mislaid, or delivered by mistake, as prohibited in § 5-36-105;~~
- ~~(7) Theft of leased, rented, or entrusted personal property, as prohibited in § 5-36-115;~~
- ~~(8) Shoplifting, as prohibited in § 5-36-116;~~
- ~~(9) Embezzlement by officer or employee of certain institutions, as prohibited in § 5-36-118;~~
- ~~(10) Theft of public benefits, as prohibited in § 5-36-202;~~
- ~~(11) Theft of wireless service, as prohibited in § 5-36-303;~~
- ~~(12) Facilitating theft of wireless service by manufacture, distribution, or possession of devices for theft of wireless services, as prohibited in § 5-36-304;~~
- ~~(13) Any offense involving theft detection devices, as prohibited in §§ 5-36-401-5-36-405;~~
- ~~(14) Forgery, as prohibited in § 5-37-201;~~
- ~~(15) Falsifying business records, as prohibited in § 5-37-202;~~
- ~~(16) Defrauding secured creditors, as prohibited in § 5-37-203;~~
- ~~(17) Fraud in insolvency, as prohibited in § 5-37-204;~~
- ~~(18) Issuing a false financial statement, as prohibited in § 5-37-205;~~

- ~~(19) Receiving deposits in a failing financial institution, as prohibited in § 5-37-206;~~
- ~~(20) Fraudulent use of a credit card or debit card, as prohibited in § 5-37-207;~~
- ~~(21) Criminal impersonation, as prohibited in § 5-37-208;~~
- ~~(22) Criminal possession of a forgery device, as prohibited in § 5-37-209;~~
- ~~(23) Obtaining signature by deception, as prohibited in § 5-37-210;~~
- ~~(24) Defrauding judgment creditors, as prohibited in § 5-37-211;~~
- ~~(25) Unlawfully using slugs, as prohibited in § 5-37-212;~~
- ~~(26) Criminal simulation, as prohibited in § 5-37-213;~~
- ~~(27) Use of false transcript, diploma, or grade report from postsecondary educational institution, as prohibited in § 5-37-225;~~
- ~~(28) Financial identity fraud, as prohibited in § 5-37-227;~~
- ~~(29) Any offense violating The Arkansas Hot Check Law, as prohibited in §§ 5-37-301 - 5-37-307;~~
- ~~(30) Theft of communication services, as prohibited in § 5-37-402;~~
- ~~(31) Criminal mischief in the first degree, as prohibited in § 5-38-203;~~
- ~~(32) Residential or commercial burglary, as prohibited in § 5-39-201;~~
- ~~(33) Breaking or entering, as prohibited in § 5-39-202;~~
- ~~(34) Computer fraud, as prohibited in § 5-41-103;~~
- ~~(35) Computer trespass, as prohibited in § 5-41-104;~~
- ~~(36) Any offense involving computer crime, as prohibited in §§ 5-41-201 - 5-41-206;~~
- ~~(37) Criminal use of property or laundering criminal proceeds, as prohibited in § 5-42-204;~~
- ~~(38) Any offense involving corruption in public office, as prohibited in §§ 5-52-101 - 5-52-108;~~
- ~~(39) Tampering with a public record, as prohibited in § 5-54-121;~~
- ~~(40) Criminal acts constituting Medicaid fraud, as prohibited in § 5-55-111;~~
- ~~(41) Any offense involving illegal food coupons, as prohibited in §§ 5-55-201 - 5-55-205;~~
- ~~(42) Engaging in a continuing criminal gang, organization, or enterprise, as prohibited in § 5-74-104; or~~
- ~~(43) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection.~~

(g)(1) A state agency may waive the disqualification described in subsection (f) of this section and allow a person to continue employment with the state agency in a designated financial or information technology position upon making a determination that the person does not pose a risk of harm to any other person served by the state agency or persons to be served by the person holding the position of employment.

(2) In making a disqualification waiver determination under subdivision (g)(1) of this section, the state agency may consider the following factors:

(A) The nature and severity of the offense;

(B) The consequences of the offense;

(C) The number and frequency of offenses;

(D) The relation between the crime and the health, safety, and welfare of persons served the state agency, such as:

(i) The age and vulnerability any victim of the offense;

(ii) The harm suffered by any victim; and

(iii) The similarity between any victim and persons served by the state agency;

(E) The time elapsed without a repeat of the same or similar offense;

(F) Documentation of successful completion of training or rehabilitation concerning the offense; and

(G) Any other relevant information.

(h) The decision of the state agency to refuse to waive disqualification from holding a position of employment under subsection (g) of this section shall constitute the final administrative agency action and shall not be subject to review.

SECTION 33. Arkansas Code § 21-15-113 is repealed.

~~21-15-113. Waiver of exclusion or discharge requirement for persons in designated financial or information technology positions.~~

~~(a)(1) The provisions of §§ 21-15-111 and 21-15-112 prohibiting the hiring of a person or requiring the discharge of a person in a designated financial or information technology position may be waived by the director of a state agency upon the request of:~~

~~(A) A supervisor or other managerial employee in the state agency;~~

~~(B) An affected applicant for employment; or~~

~~(C) The person in the designated financial or information technology position who is subject to discharge.~~

~~(2) Application for a waiver must be made within five (5) days of the receipt of the criminal background check.~~

~~(3) If the crime is a misdemeanor and more than five (5) years have lapsed since the conviction, the state agency is not required to discharge an incumbent employee if a request for a waiver is timely made and if the waiver is ultimately granted.~~

~~(4) If the waiver is not granted and the waiver applicant is an incumbent employee who was not immediately discharged, the state agency shall immediately discharge the employee.~~

~~(5) If the waiver is not granted and the waiver applicant is an applicant for employment, the state agency is prohibited from hiring the applicant in a designated financial or information technology position.~~

~~(6) If an incumbent employee was immediately discharged but was subsequently granted a waiver, the employee shall be immediately reinstated but shall not be entitled to retroactive relief, including back pay.~~

~~(b)(1) A waiver may be granted upon a preponderance of the evidence that the applicant or employee is rehabilitated such that the public interest is not threatened by the applicant's or employee's employment.~~

~~(2) Evidence of rehabilitation may include:~~

~~(A) The age at which the crime or act was committed;~~

~~(B) The circumstances surrounding the crime or act;~~

~~(C) The length of time since the crime or act;~~

~~(D) Subsequent work history;~~

~~(E) Employment references;~~

~~(F) Character references; and~~

~~(G) Other evidence demonstrating the rehabilitation of the applicant or employee."~~

/s/ Bill Abernathy

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Glidewell, **HOUSE BILL NO. 2622** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2622

Amend **HOUSE BILL NO. 2622** as originally introduced:

Page 1, line 12, delete "ENFORCEMENT" and substitute "ENFORCEMENT"

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 27-22-104(b), concerning minimum motor vehicle insurance coverage, is amended to read as follows:

(b) The policy shall provide as a minimum the following coverage:

(1) Not less than ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) for bodily injury or death of one (1) person in any one (1) accident;

(2) Not less than ~~fifty thousand dollars (\$50,000)~~ one hundred dollars (\$100,000) for bodily injury or death of two (2) or more persons in any one (1) accident; and

(3) If the accident has resulted in injury to or destruction of property, not less than twenty-five thousand dollars (\$25,000) for the injury to or destruction of property of others in any one (1) accident.

SECTION 2. Arkansas Code § 27-19-603(a), concerning security deposits for the failure to carry the minimum motor vehicle insurance coverage, is amended to read as follows: (a)(1) Within thirty (30) days after an accident has occurred,

and provided the accident has been reported to the Office of Driver Services within thirty (30) days, the office shall determine the amount of security which shall be deposited to satisfy any judgment for damages resulting from the accident as may be recovered against each driver or owner based on an amount equal to the minimum limits specified in § 27-19-605. The amount of security required to be deposited shall be:

(A) If the accident resulted in bodily injury or death to one (1) person, ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000);

(B) If the accident resulted in bodily injury or death to two (2) or more persons in any one (1) accident, ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars (\$100,000);

(C) If the accident resulted in the injury to or the destruction of property of others in any one (1) accident, twenty-five thousand dollars (\$25,000); or

(D) If the accident resulted in both bodily injury or death and in the destruction of property, a combination of the amounts specified in subdivisions (a)(1)(A)-(C) of this section.

(2) Determination shall not be made with respect to drivers or owners who are exempt under provisions of any other section of this chapter from the requirements as to security or suspension of motor vehicle registration and driving privilege.

SECTION 3. Arkansas Code § 27-19-605(a), concerning a bond or insurance policy in lieu of a security deposit for the failure to carry the minimum motor vehicle insurance coverage, is amended to read as follows:

(a) No policy or bond shall be effective under § 27-19-604 unless issued by an insurance company or surety company authorized to do business in this state except as provided in subsection (b) of this section, nor unless the policy or bond is subject, if the accident resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) because of bodily injury or death of one (1) person in any one (1) accident and subject to said limit for one (1) person, to a limit of not less than ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars (\$100,000) because of bodily injury or death of two (2) or more persons in any one (1) accident, and if the accident has resulted in injury to or destruction of property, to a limit of not less than twenty-five thousand dollars (\$25,000) because of injury to or destruction of property of others in any one (1) accident.

SECTION 4. Arkansas Code § 27-19-701(1)(A), concerning proof of future financial responsibility for the failure to carry the minimum motor vehicle insurance coverage, is amended to read as follows:

(1)(A) "Proof of financial responsibility for the future" means proof of ability to respond in damages for liability, on account of accidents occurring subsequently to the effective date of said proof, arising out of the ownership, maintenance, or use of a vehicle of a type subject to registration under the laws of this state, in the amount of ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, in the amount of ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars (\$100,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the amount of twenty-five thousand dollars (\$25,000) because of injury to or destruction of property of others in any one (1) accident;

SECTION 5. Arkansas Code § 27-19-709 is amended to read as follows:

27-19-709. Payments sufficient to satisfy judgments.

(a) Judgments shall, for the purpose of this chapter only, be deemed satisfied when:

(1) ~~Twenty-five thousand dollars (\$25,000)~~ Fifty thousand dollars (\$50,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of any one (1) accident;

(2) Subject to a limit of twenty-five thousand dollars (\$25,000) because of bodily injury to or death of one (1) person, the sum of ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars (\$100,000) has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident; or

(3) Twenty-five thousand dollars (\$25,000) has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident.

(b) Payments made in settlements of any claims because of bodily injury, death, or property damage arising from the accident shall be credited in reduction of the amounts provided for in this section.

SECTION 6. Arkansas Code § 27-19-713(b), concerning minimum motor vehicle insurance coverage, is amended to read as follows:

(b) Owner's Policy. The owner's policy of liability insurance shall:

(1) Designate by explicit description or by appropriate reference all vehicles with respect to which coverage is to be granted; and

(2) Insure the person named therein and any other person, as insured, using any vehicle or vehicles with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of the vehicle or vehicles within the United States or Canada, subject to limits exclusive of interest and costs, with respect to each vehicle, as follows: ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) because of bodily injury to or death of one (1) person in any one (1) accident and, subject to said limit for one (1) person; ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars (\$100,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident; and twenty-five thousand dollars (\$25,000) because of injury to or destruction of property of others in any one (1) accident.

SECTION 7. Arkansas Code § 27-19-717(a), concerning proof of financial responsibility in lieu of carrying the minimum motor vehicle insurance coverage, is amended to read as follows:

(a)(1) Proof of financial responsibility may be evidenced by the certificate of the Director of the Department of Finance and Administration acting in his or her capacity as Commissioner of Motor Vehicles after filing with the Office of Driver Services evidence that the person named therein has deposited with him or her ~~seventy-five thousand dollars (\$75,000)~~ one hundred twenty-five thousand dollars (\$125,000) in cash or securities other than surety bonds that may be legally purchased by savings banks or for trust funds of a market value of seventy-five thousand dollars (\$75,000).

(2) The director shall not accept any such deposit and issue a certificate therefor and the office shall not accept the certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

SECTION 8. Arkansas Code § 27-14-1005 is amended to read as follows:

27-14-1005. Failure to affix or display license plates, etc.

(a) The failure of the motor vehicle owner to affix and display:

(1) The permanent license plates;

(2) The tab or decal; or

(3) The registration card, in the places designated by the Director of the Department of Finance and Administration, shall be a misdemeanor subject to the penalties provided by § 27-14-301.

(b) At the time of a traffic stop, a law enforcement officer may apprehend the operator of a motor vehicle and impound the motor vehicle pursuant to § 27-50-1207 if:

(1) The motor vehicle is operated without displaying proof of licensure by a proper license plate or otherwise;

(2) The operator of the motor vehicle is unable to furnish proof of minimum motor vehicle liability insurance coverage under § 27-22-104; and

(3) A check with the Vehicle Insurance Database fails to show proof of minimum motor vehicle liability insurance coverage under § 27-22-104.

SECTION 9. Arkansas Code § 23-89-211 is amended to read as follows:

23-89-211. Total loss settlements.

(a) If an insurer settles a claim for damages to an automobile as a total loss to its own insured or a person having a claim against its insured, the insurer shall include with the payment for the loss:

(1) All applicable taxes, including sales taxes and fees as required under Rule and Regulation 43 of the State Insurance Department; and

(2) An itemized list stating the amount of the claim attributable to the value of the automobile and attributable to the sales tax on an automobile of that value.

(b) When settling a claim against an insured for damages to an automobile as a total loss, the insurer will take into consideration all applicable taxes, license fees, and other fees.

(c)(1) An insurer may not abandon salvage to a towing or storage facility in lieu of payment of towing and storage fees without the consent of the facility and the insured.

(2) If the settlement of a claim for a total loss of an automobile includes payment for towing and storage charges that have not been paid to the towing and storage firm, the insurer shall include the towing and storage firm as an additional loss payee on the check in payment of the claim.

(d) The failure of an insurer to comply with the requirements of subsections (a)-(c) of this section shall be considered an unfair claims settlement practice under § 23-66-206(13)."

/s/ Frank Glidewell

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative S. Prater, **HOUSE BILL NO. 2343** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2343

Amend **HOUSE BILL NO. 2343** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-71-229 is amended to read as follows:

5-71-229. Stalking.

(a)(1) A person commits stalking in the first degree if he or she ~~purposely~~ knowingly engages in a course of conduct that ~~harasses another person and makes a terroristic threat with the intent of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family and the person would place a reasonable person in the victim's position under emotional distress or in fear for his or her safety or a third person's safety, and the actor:~~

(A) Does so in contravention of an order of protection consistent with The Domestic Abuse Act of 1991, § 9-15-101 et seq., or a no contact order as set out in subdivision (a)(2)(A) of this section, protecting the same victim, or any other order issued by any court protecting the same victim;

(B) Has been convicted within the previous ten (10) years of:

(i) Stalking in the second degree;

(ii) Violating § 5-13-301 or § 5-13-310; or

(iii) Stalking or threats against another person's safety under the statutory provisions of any other state jurisdiction; or

(C) Is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon.

(2)(A) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.

(B) This no contact order remains in effect during the pendency of any appeal of a conviction under subsection (a) of this section.

(C) The judicial officer or prosecuting attorney shall provide a copy of this no contact order to the victim and the arresting agency without unnecessary delay.

(D) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the cause, the judicial officer shall enter such orders as are consistent with § 5-2-305.

(3) Stalking in the first degree is a Class B felony.

(b)(1) A person commits stalking in the second degree if he or she ~~purposely knowingly~~ engages in a course of conduct that ~~harasses another person and makes a terroristic threat with the intent of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family~~ would place a reasonable person in the victim's position under emotional distress or in fear for his or her safety or a third person's safety.

(2)(A) Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure.

(B) This no contact order remains in effect during the pendency of any appeal of a conviction under subsection (b) of this section.

(C) The judicial officer or prosecuting attorney shall provide a copy of this no contact order to the victim and arresting agency without unnecessary delay.

(D) If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the cause, the judicial officer shall enter such orders as are consistent with § 5-2-305.

(3) Stalking in the second degree is a Class C felony.

(c) It is an affirmative defense to prosecution under this section if the actor is a law enforcement officer, licensed private investigator, attorney, process server, licensed bail bondsman, or a store detective acting within the reasonable scope of his or her duty while conducting surveillance on an official work assignment.

(d) It is not a defense to a prosecution under this section that the actor:

(1) Was not given actual notice by the victim that the actor's conduct was not wanted;

(2) Did not intend to cause the victim emotional distress; or

(3) Did not intend to cause the victim to fear for his or her safety or a third person's safety.

(e) As used in this section:

(1)(A) "Course of conduct" means ~~a pattern of conduct composed of two (2) or more acts, separated by at least thirty-six (36) hours, but occurring within one (1) year~~ including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, places under surveillance, threatens, or communicates to or about, a person, or interferes with a person's property.

(B)(i) "Course of conduct" does not include constitutionally protected activity.

(ii) If the defendant claims that he or she was engaged in a constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence; and

(2) "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

~~(2) "Harasses" means an act of harassment as defined by § 5-71-208; and~~

~~(3) "Immediate family" means any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household or who, within the prior six (6) months, regularly resided in the household."~~

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative T. Baker, **HOUSE BILL NO. 2805** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2805

Amend **HOUSE BILL NO. 2805** as originally introduced:

Page 1, delete lines 15 through 19 and substitute the following:

"AN ACT TO AUTHORIZE NURSES TO PRONOUNCE DEATH FOR RESIDENTS OF LONG-TERM CARE FACILITIES."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 20-18-601(c)-(e), concerning preparation and filing of death certificates, are amended to read as follows:

(c)(1) The medical certification shall be completed, signed, and returned to the funeral director within two (2) business days after receipt of the death certificate by the physician in charge of the patient's care for the illness or condition which resulted in death, except when inquiry is required by § 12-12-315, § 12-12-318, or § 14-15-301 et seq.

(2)(A) In the absence of the physician, or with his or her approval, the certificate may be completed and signed by his or her associate physician, the chief medical officer of the institution in which death occurred, by the pathologist who performed an autopsy upon the decedent, or by a registered nurse or an advanced practice nurse as provided in ~~subdivision (c)(2) of this section~~ this subdivision (c)(2), provided the individual has access to the medical history of the case, views the deceased at or after death, and death is due to natural causes.

(B) The person completing the cause-of-death section of the certificate shall attest to its accuracy either by a signature or by approved electronic process.

(3)(A) ~~A registered nurse employed by the attending hospice may complete and sign the medical certification of death for a patient who is terminally ill, whose death is anticipated, who is receiving services from a hospice program certified under § 20-7-117, and who dies in a hospice inpatient program or as a hospice patient in a nursing home~~ may pronounce death and complete and sign the medical certification of death, when:

(i) Death occurs:

(a) From natural causes; and

(b) In a hospital, a nursing facility, a hospice, or a private home served by a home health care provider or a hospice; and

(ii) The patient is under the care of a physician who is unable to be present within a reasonable period of time to certify the fact of death.

(B) The registered nurse or an advanced practice nurse may release the body to the funeral director after notifying the county coroner and the chief law enforcement officer in accordance with § 12-12-315, the family, and the attending physician and after certifying the fact of death and completing and signing the medical certification of death.

(C) The registered nurse or an advanced practice nurse shall document the clinical criteria for the determination and pronouncement of death in the patient's medical record.

(D) The hospital, nursing home, home health care provider, or hospice provider shall have adopted written policies and procedures that provide for the determination and pronouncement of death by a registered nurse or an advanced practice nurse.

(E) This subdivision (c)(3) does not authorize a registered nurse or an advanced practice nurse to determine the cause of death.

(F)(i) A registered nurse or an advanced practice nurse who determines death under this subdivision (c)(3) is not liable for civil damages and is not subject to criminal prosecution for his or her actions or the actions of others based on the determination of death.

(ii) A person who acts in good faith reliance of a registered nurse's determination of death or an advanced practice nurse's determination of death is not liable for civil damages or subject to criminal prosecution for the person's actions.

~~(4) If the hospice patient dies in the home, the registered nurse may make pronouncement of death. However, the county coroner and the chief law enforcement official of the county or municipality where death occurred shall be immediately notified in accordance with § 12-12-315.~~

~~(5)(4)(A)~~ The Division of Health of the Department of Health and Human Services shall provide hospitals, nursing homes, and hospices with the appropriate death certificate forms which will be made available to the attending physicians, coroners, registered nurses, advanced practice nurses, or other certifiers of death.

(B) When death occurs outside these health facilities, the funeral home shall provide the death certificate to the certifier.

(d)(1) If the cause of death appears to be other than the illness or condition for which the deceased was being treated or if inquiry is required by either any of the laws referred to in subsection (c) of this section, the case shall be referred to the office of the State Medical Examiner or coroner in the jurisdiction where the death occurred or the body was found for investigation to determine and certify the cause of death.

(2) If the State Medical Examiner or county coroner determines that the case does not fall within his or her jurisdiction, he or she shall within twenty-four (24) hours refer the case back to the physician for completion of the medical certification.

(e) When inquiry is required by either any of the laws referred to in subsection (c) of this section, the State Medical Examiner or coroner in the jurisdiction where the death occurred or the body was found shall determine the cause of death and shall complete and sign the medical certification within forty-eight (48) hours after taking charge of the case."

/s/ Tommy Baker

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 2658** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2658

Amend **HOUSE BILL NO. 2658** as originally introduced:

Page 2, delete lines 9 through 14

AND

Page 2, line 15, delete "(G)" and substitute "(E)"

AND

Page 2, delete lines 17 through 21, and substitute the following:

"(F) The power to hire the city attorney, subject to the approval of a majority of members of the board of directors; and

(G) The power to remove the city attorney, subject to the approval of a majority of members of the board of directors."

AND

Page 4, delete line 32, and substitute the following:

"his or her elected term.

SECTION 2. Arkansas Code § 14-47-108(a), concerning the effect of reorganization of a city manager form of government on other city offices, is amended to read as follows:

(a)(1) When, in connection with the reorganization of a municipality under this chapter, an initial board of directors shall be elected, the reorganization shall be deemed to be effective as of the time when the respective terms of office of the directors commence.

(2) Concurrent with the commencement of the terms of the directors:

(A) The office of mayor, as existing under the aldermanic form of government, all memberships on the city council, and all memberships on the board of public affairs shall become vacant, each of these offices being abolished as to cities reorganized under this chapter;

(B)(i) ~~Except~~ Subject to subdivision (a)(2)(B)(iii) of this section and except as is otherwise provided for city attorneys in cities with the city manager form of government having a population of more than one hundred thousand (100,000) persons according to the most recent federal decennial census, the statutory term of office of the city treasurer, city clerk, city attorney, city marshal, and recorder in cities of the second class shall cease and terminate, and the incumbent of each of these offices shall remain in office subject to removal and replacement at any time by the board of directors;

(ii)(a) ~~In~~ Subject to subdivision (a)(2)(B)(iii) of this section, in cities with the city manager form of government having a population of more than one hundred thousand (100,000) persons according to the most recent federal decennial census, the statutory term of office of the city attorney shall cease and terminate, and the incumbent city attorney shall remain in office subject to removal and replacement at any time by the city manager, if the authority is vested in the city manager through:

~~(a)(1)~~ An ordinance of the board of directors; or

~~(b)(1)(2)~~ An initiated measure, adopted pursuant to Arkansas Constitution, Amendment 7.

~~(2)(b)~~ If the authority is vested by an initiated measure, the board of directors shall not have the authority to rescind the authority; ~~and.~~

(iii) In cities with the city manager form of government having a population of more than one hundred thousand (100,000) persons according to the most recent federal decennial census, the statutory term of office of the city attorney shall cease and terminate, and the incumbent city attorney shall remain in office subject to removal and replacement at any time by the mayor if the authority is vested in the mayor under § 14-47-140; and

(C)(i) Every other executive officer or executive employee of the city, including, without limiting the foregoing, the city purchasing agent and the members hereinafter called "board members" of every other municipal board, authority, or commission, whether the office, employment, board, authority, or commission exists under statute or under any ordinance or resolution, whose official term of office or employment is fixed by statute, ordinance, or resolution, shall serve until the expiration of the term so fixed, after which the position held by each such executive officer, executive employee, or board member shall be filled through appointment by the board of directors, the appointees to hold at the will of the board. However, in cities with the city manager form of government having a population of more than one hundred thousand (100,000) persons, according to the most recent federal decennial census, the appointments shall be made by the mayor and appointees shall hold at the will of the mayor, if the mayor is authorized to make the appointments by:

(a) The board of directors, by ordinance; or

(b) An initiated measure, adopted pursuant to Arkansas Constitution, Amendment 7. If the authority is vested by an initiated measure, the board of directors shall not have the power to rescind the authority.

(ii) Each such executive officer, executive employee, or board member serving on the effective date of the reorganization, and whose office, employment, or board membership carries no fixed term created either by statute, ordinance, or resolution shall be subject to removal and replacement at any time by the board of directors or the mayor, if authorized.

(iii) However, the provisions of this subdivision (a)(2)(C) shall be subject to the provisions of subsection (b) of this section and to the exceptions therein contained."

AND

Page 4, line 34, delete "SECTION 2." and substitute "SECTION 3."

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wood, **HOUSE BILL NO. 2541** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2541

Amend **HOUSE BILL NO. 2541** as engrossed,
H3/12/07 (version: 03-12-2007 10:26):

Page 2, delete line 27 and substitute:

(viii) Physical fitness.

(C) "Youth Challenge Program" includes a twenty-two (22) week residence phase and a fourteen (14) month post-residence phase."

AND

Page 2, delete line 30 and substitute:

"Step Program as follows:"

AND

Page 2, delete lines 31 through 36 and substitute:

"(A) Five hundred dollars (\$500) for each student participant in the Youth Challenge Program that the sending school district has, to be deposited into the Arkansas National Guard Youth Challenge Supplemental Fund; or

(B) Three hundred fifty dollars (\$350) for each student participant in the C-Step Program that the sending school district has, to be deposited into the Arkansas National Guard C-Step Supplemental Fund."

AND

Page 3, delete lines 1 through 12 and substitute:

"(2) If an agreement is entered into under this subsection (b), then the agreement shall include:

(A) The total amount due from the sending school district; and

(B) The time for remittance of the payment."

AND

Page 3, line 26, delete "Program;" and substitute "Program; and"

AND

Page 3, line 28, delete "Arkansas National Guard" and substitute "Youth Challenge Program"

AND

Page 3, line 29, delete "Education; and" and substitute "Education."

AND

Page 3, delete lines 30 through 31 entirely

AND

Page 4, line 7, delete "Program;" and substitute "Program; and"

AND

Page 4, line 9, delete "Arkansas National Guard" and substitute "C-Step Program"

AND

Page 4, line 10, delete "Education; and" and substitute "Education."

AND

Page 4, delete lines 11 through 12 entirely

AND

Page 4, line 13, delete "for the" entirely

AND

Page 4, line 14, delete "administration of this section and" entirely

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Shelby, **HOUSE BILL NO. 1739** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1739

Amend **HOUSE BILL NO. 1739** as engrossed,

H3/7/07 (version: 03-07-2007 09:20):

Add Representatives Abernathy, Allen, Blount, Cash, Cheatham, Cornwell, Davis, Dickinson, S. Dobbins, Hardwick, House, W. Lewellen, Lowery, Maxwell, Moore, Pickett, Powers, S. Prater, Ragland, Rainey, J. Roebuck, L. Smith, Stewart, Wood as cosponsors.

AND

Add Senators Altes, Crumbly, G. Jeffress, Madison as cosponsors.

AND

Page 1, line 24, delete "SECTION 1." and substitute "SECTION 1. Beginning on July 1, 2007,"

AND

Page 3, delete line 15 and substitute:

"The moneys collected pursuant to §§ 26-57-1401 and 26-57-1402 for each fiscal year shall be"

AND

Page 3, delete line 21 through 36 and substitute:

"(A) The first fifteen million dollars (\$15,000,000) shall be distributed to the Community Health Centers of Arkansas;

(B) The next twenty-one million one hundred nine thousand, seven hundred seventy-three dollars (\$21,109,773), or any portion thereof, shall be distributed as follows:

(i) Twenty-three and sixty-seven hundredths percent (23.67%) to the Department of Education to be used exclusively for the school nurses program;

(ii) Twenty-two and forty-nine hundredths percent (22.49%) to the Division of Health of the Department of Health and Human Services to be used exclusively for the Breast Cancer Control Program;

(iii) Fourteen and twenty hundredths percent (14.20%) to the Department of Education to be used exclusively for the coordinated school health program;

(iv) Thirteen and twenty-six hundredths percent (13.26%) to the Arkansas Minority Health Commission;

(v) Eleven and eighty-four hundredths percent (11.84%) to the Arkansas Association of Charitable Clinics;

(vi) Seven and one-tenth percent (7.1%) to the Arkansas Tobacco Control Board;

(vii) Six and forty-five hundredths percent (6.45%) to the Prostate Cancer Foundation; and

(viii) Ninety-nine hundredths percent (0.99%) to the Division of Health of the Department of Health and Human Services to be used exclusively for the Arkansas Central Cancer Registry; and

(C) Any moneys to be distributed under section (2)(A) of this section in excess of thirty-six million, one hundred nine thousand, seven hundred seventy-three dollars (\$36,109,773) shall be distributed as follows:

(i) Forty-one and fifty-four hundredths percent (41.54%) to the Community Health Centers of Arkansas;

(ii) Thirteen and eighty-four hundredths percent (13.84%) to the Department of Education to be used exclusively for the school nurses program;

(iii) Thirteen and fifteen hundredths percent (13.15%) to the Division of Health of the Department of Health and Human Services to be used exclusively for the Breast Cancer Control Program;

(iv) Eight and three-tenths percent (8.3%) to the Department of Education to be used exclusively for the coordinated school health program;

(v) Seven and seventy-five hundredths percent (7.75%) to the Arkansas Minority Health Commission;

(vi) Six and ninety-two hundredths percent (6.92%) to the Arkansas Association of Charitable Clinics;

(vii) Four and fifteen hundredths percent (4.15%) to the Arkansas Tobacco Control Board;

(viii) Three and seventy-seven hundredths percent (3.77%) to the Prostate Cancer Foundation; and

(ix) Fifty-eight hundredths percent (0.58%) to the Division of Health of the Department of Health and Human Services to be used exclusively for the Arkansas Central Cancer Registry."

AND

Page 4, delete lines 1 through 7 and substitute:

"SECTION 2. Arkansas Code § 26-57-236, as amended by Acts 1997, No. 1337, is amended to read as follows:

26-57-236. Stamp deputies. [As amended by Acts 1997, No. 1337.]

(a) The Director of the Department of Finance and Administration shall furnish stamps to licensed wholesalers directly or through stamp deputies.

(b) The Director of the Department of Finance and Administration may appoint and commission stamp deputies, who shall be the owners or officers of wholesalers, to handle the stamps and collect the tax on tobacco products before sales of tobacco products are made to the retailers.

(c) Stamp deputies are, within the scope of their authority, agents of the Director of the Department of Finance and Administration and shall be accountable as such for any wrongful acts.

(d) Each stamp deputy shall furnish a bond in an amount and in the form as prescribed by the Director of the Department of Finance and Administration.

(e) Stamp deputies shall keep records of all stamp sales and tax collections and shall make the reports prescribed by the Director of the Department of Finance and Administration.

(f) A commission shall be paid by the Director of the Department of Finance and Administration to stamp deputies for the sale of stamps for cigarettes and the collection of cigarette taxes. The commission paid shall not be less than three and eight-tenths percent (3.8%) of the total aggregate cigarette tax collected under §§ 26-57-208, 26-57-802, 26-57-803, 26-57-804, 26-57-1101, and 26-57-1401.

(g) All deposits held by any bank for a stamp deputy which represent the sales of stamps are trust funds and shall be held as a special deposit. In the event of the failure or insolvency of the bank, the deposits shall be classed and considered as preferred claims due the State of Arkansas.

SECTION 3. Arkansas Code § 26-57-236, as amended by Acts 1997, No. 434, is repealed.

~~26-57-236. Stamp deputies. [As amended by Acts 1997, No. 434.]~~

~~(a) The Director of the Department of Finance and Administration shall furnish stamps to licensed wholesalers directly or through stamp deputies.~~

~~(b) The director may appoint and commission stamp deputies, who shall be the owners or officers of wholesalers, to handle the stamps and collect the tax on cigarettes before sales of cigarettes are made to the retailers.~~

~~(c) Stamp deputies are, within the scope of their authority, agents of the director and shall be accountable as such for any wrongful acts.~~

~~(d) Each stamp deputy shall furnish a bond in an amount and in the form as prescribed by the director.~~

~~(e) A stamp deputy's open account shall not exceed seventy-five percent (75%) of the total amount of the bond provided by the stamp deputy.~~

~~(f) Stamp deputies shall keep records of all stamp sales and tax collections and shall make the reports prescribed by the director.~~

~~(g)(1) A commission shall be paid by the director to stamp deputies for the sales and collection of cigarette tax stamps and for affixing the tax stamps to each package of cigarettes.~~

~~(2) The commission shall not be less than three and eight-tenths percent (3.8%) of the total aggregate cigarette tax collected.~~

~~(h)(1) All deposits held by any bank for a stamp deputy which represent the sales of stamps are trust funds and shall be held as a special deposit.~~

~~(2) In the event of the failure or insolvency of the bank, the deposits shall be classed and considered as preferred claims due the State of Arkansas."~~

AND

Page 4, delete lines 9 through 12 and substitute:

"SECTION 4. NOT TO BE CODIFIED. Aggregate purchases of cigarette stamps pursuant to § 26-57-236, by any wholesaler or stamp deputy during March, April, May, and June 2007, shall be limited to one hundred ten percent (110%) of the aggregate amount of each wholesaler's or stamp deputy's cigarette stamp purchases during March, April, May, and June 2006."

AND

Page 4, line 14, delete "SECTION 3." and substitute "SECTION 5."

AND

Page 4, delete lines 21 through 23 and substitute:

"for the next fiscal year and beyond. 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."

AND

Renumber the sections in the bill in consecutive order

/s/ Gene Shelby

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1544** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1544

Amend **HOUSE BILL NO. 1544** as originally introduced:

Page 2, delete lines 3 through page 4, line 24 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS**

(1) President, ANC	1	\$123,222	\$125,686
(2) Chief Administration Officer	1	\$111,070	\$113,291
(3) Chief Academic Officer	1	\$98,901	\$100,879
(4) Chief Planning & Assess. Officer	1	\$92,744	\$94,599
(5) Chief Student Life Officer	1	\$92,744	\$94,599
(6) Chief Comm. Svcs. & Cont. Ed. Ofcr.	1	\$87,589	\$89,341
(7) Controller	1	\$80,411	\$82,019
(8) Director of Occup. & Tech. Programs	1	\$80,411	\$82,019
(9) Director of Counseling	1	\$78,580	\$80,152
(10) Director of Institutional Research	1	\$78,580	\$80,152
(11) Director of Institutional Devel.	1	\$78,278	\$79,844
(12) Counselor	6	\$75,487	\$76,997
(13) Registrar	1	\$72,374	\$73,821
(14) Director of Pub. Relations/Marketing	1	\$72,374	\$73,821
(15) Director of Student Aid	1	\$72,229	\$73,674
(16) Director of Planning & Assessment	1	\$71,584	\$73,016
(17) Director of Academic Computing	2	\$71,023	\$72,443
(18) Director of Administrative Computing	1	\$71,023	\$72,443
(19) Director of Campus Projects	1	\$70,973	\$72,392
(20) Dir. of Univ Ctr & Distance Learning	1	\$70,972	\$72,391
(21) Director of Off-Campus Operations	1	\$70,972	\$72,391
(22) Director of Physical Plant	1	\$66,959	\$68,298
(23) Administrator of Grants & Contracts	1	\$62,588	\$63,840
(24) Coord. Information & Comm. Relations	1	\$62,235	\$63,480
(25) Asst. to the President	1	\$61,840	\$63,077
(26) Placement Coordinator	1	\$61,840	\$63,077
(27) Director of Disability Services	1	\$54,032	\$55,113

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(28) Accounting Supervisor II	1	GRADE 21	
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(29) Accounting Supervisor I	1	GRADE 20
(30) Accountant	1	GRADE 18
(31) DP Network Tech I - Inst	2	GRADE 18
(32) Personnel Assistant II - Inst	1	GRADE 18
(33) Plant Maintenance Supervisor	1	GRADE 18
(34) Purchasing Agent	1	GRADE 18
(35) Administrative Assistant II	2	GRADE 17
(36) Landscape Supervisor II	1	GRADE 17
(37) Multi-Media Specialist	1	GRADE 17
(38) Skilled Trades Worker	1	GRADE 17
(39) Bldg Plant Maint Supv I	1	GRADE 16
(40) Financial Aid Officer I	1	GRADE 16
(41) Accounting Technician II	6	GRADE 15
(42) Asst Purchasing Agent	1	GRADE 15
(43) Computer Lab Technician II	2	GRADE 15
(44) Laboratory Coordinator	1	GRADE 15
(45) Payroll Officer	1	GRADE 15
(46) Administrative Secretary	4	GRADE 14
(47) HE Pub Safety Security Officer II	2	GRADE 14
(48) Personnel Assistant I - Inst	1	GRADE 14
(49) Secretary II	13	GRADE 13
(50) Veteran's Aid Assistant	1	GRADE 13
(51) Accounting Technician I	2	GRADE 12
(52) HE Pub Safety Security Off I	5	GRADE 12
(53) Library Academic Tech II	2	GRADE 12
(54) Registrar's Assistant	1	GRADE 12
(55) Cashier II	1	GRADE 12
(56) Audiovisual Lab Assistant	1	GRADE 11
(57) Secretary I	19	GRADE 11
(58) Cook II	1	GRADE 10
(59) Library Academic Tech I	2	GRADE 10
(60) Bldg/Equip Maint Repairman II	4	GRADE 08
(61) Custodial Supervisor II	1	GRADE 08
(62) Office Clerk	1	GRADE 07
(63) Switchboard Operator I	1	GRADE 07
(64) Bldg/Equip Maint Repairman I	2	GRADE 06
(65) Maintenance Worker II	2	GRADE 05
(66) Custodial Worker II	2	GRADE 04

(67) Maint Worker I	3	GRADE 04
(68) Custodial Worker I	5	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(69) Division Chairperson	12	\$86,554	\$88,285
(70) Director of Nursing	1	\$85,636	\$87,349
(71) Librarian	3	\$78,580	\$80,152
(72) Audiovisual Specialist	1	\$75,488	\$76,998
(73) Director of Adult Education	1	\$75,488	\$76,998
(74) Special Instructor	34	\$65,928	\$67,247
(75) Coordinator of Learning Assist Ctr	1	\$55,306	\$56,412
(76) Lab Supervisor	4	\$41,085	\$41,907

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(77) Faculty	60	\$65,928	\$67,247
(78) Part-Time Faculty	115	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(79) Director of Food Service	1	\$62,544	\$63,795
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TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(80) Bookstore Manager	1	GRADE 19
(81) Bookstore Office Manager	<u>1</u>	GRADE 14

MAX. NO. OF EMPLOYEES 370";

Page 4, line 29 replace "two" with "five";

Page 4, line 30 replace "thirty (230)" with "twenty one (521)";

Page 5, line 26 replace "747,729 747,729" with "2,160,000 2,203,000";

Page 5, line 35 replace "\$ 11,340,165 \$ 11,389,955" with "\$ 12,752,436 \$ 12,845,226".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1548** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1548

Amend **HOUSE BILL NO. 1548** as originally introduced:

Page 2, delete lines 3 through page 3, line 36 and insert therefor:

" TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS

(1) President, North Arkansas College	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Chief Fiscal Officer	1	\$92,744	\$94,599
(4) Chief Planning & Develop. Officer	1	\$92,744	\$94,599
(5) Chief Student Life Officer	1	\$92,744	\$94,599
(6) Executive Dean	1	\$92,744	\$94,599
(7) Director of Institutional Research	1	\$78,580	\$80,152
(8) Dir. of Administrative Services	1	\$77,451	\$79,000
(9) Director of Workforce Dev.	1	\$76,859	\$78,396
(10) Counselor	7	\$75,487	\$76,997
(11) Registrar	1	\$72,374	\$73,821
(12) Dir. of Student Financial Aid	1	\$72,229	\$73,674
(13) Director of Educational Assessment	1	\$71,586	\$73,018
(14) Dir. of Academic Computing	1	\$71,023	\$72,443
(15) Dir. of Administrative Computing	1	\$71,023	\$72,443
(16) Dir. of Occupational & Tech. Educ.	1	\$70,972	\$72,391
(17) Director of Cooperative Programs	1	\$70,972	\$72,391
(18) Director of Special Services	1	\$70,972	\$72,391
(19) Off-Campus Center Director	2	\$70,972	\$72,391
(20) Director of Business Office	1	\$69,374	\$70,761
(21) Controller	1	\$69,374	\$70,761
(22) Director of Staff Development	1	\$67,579	\$68,931
(23) Director of Physical Plant	1	\$66,959	\$68,298
(24) Director of Admissions	1	\$65,982	\$67,302
(25) Director of Enrollment Management	1	\$65,982	\$67,302
(26) Project/Program Manager	4	\$59,945	\$61,144

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(27) Accounting Supervisor II	1	GRADE 21
(28) Computer Support Spec II -Inst	1	GRADE 20

(29) Counselor II	3	GRADE 20
(30) DP Network Technician II -Inst	1	GRADE 20
(31) Program Coordinator	7	GRADE 20
(32) Applications Prog II -Inst	1	GRADE 19
(33) Assistant Registrar	1	GRADE 18
(34) Computer Support Spec I -Inst	2	GRADE 18
(35) DP Network Technician I -Inst	1	GRADE 18
(36) Financial Aid Officer II	2	GRADE 18
(37) Plant Maintenance Supervisor	1	GRADE 18
(38) Pub & Student Recruit Spec II	1	GRADE 18
(39) Administrative Assistant II	2	GRADE 17
(40) Special Events Coordinator	1	GRADE 17
(41) Skilled Trades Worker	2	GRADE 17
(42) Statistician II	1	GRADE 17
(43) Computer Technician II - Inst	2	GRADE 16
(44) Financial Aid Officer I	1	GRADE 16
(45) Information Specialist	1	GRADE 16
(46) Accounting Technician II	7	GRADE 15
(47) Administrative Assistant I	3	GRADE 15
(48) Administrative Office Supv	1	GRADE 15
(49) Assistant Purchasing Agent	1	GRADE 15
(50) Computer Lab Tech II - Inst	1	GRADE 15
(51) Landscape Supervisor I	1	GRADE 15
(52) Payroll Officer	1	GRADE 15
(53) Research Assistant	1	GRADE 15
(54) Administrative Secretary	5	GRADE 14
(55) Library Academic Tech III	2	GRADE 14
(56) Personnel Assistant I-Inst	1	GRADE 14
(57) Boiler Operator	2	GRADE 13
(58) Computer Lab Technician I	2	GRADE 13
(59) Institutional Teacher Assistant	1	GRADE 13
(60) Secretary II	9	GRADE 13
(61) Library Academic Technician II	1	GRADE 12
(62) Registrar's Assistant	1	GRADE 12
(63) Cashier II	1	GRADE 12
(64) Apprentice Tradesman	1	GRADE 11
(65) Laboratory Assistant II	1	GRADE 11
(66) Secretary I	10	GRADE 11

(67) Library Academic Technician I	1	GRADE 10
(68) Reproduction Equip Operator	1	GRADE 10
(69) Bldg/Equip Maint Repairman II	4	GRADE 08
(70) Custodial Supervisor II	1	GRADE 08
(71) Equipment Operator	1	GRADE 08
(72) Mail Processor	1	GRADE 08
(73) Skilled Trades Helper	1	GRADE 08
(74) Custodial Supervisor I	1	GRADE 06
(75) Custodial Worker II	6	GRADE 04
(76) Custodial Worker I	5	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(77) Division Chairperson	7	\$86,554	\$88,285
(78) Dir. of Nursing & Allied Health	1	\$85,636	\$87,349
(79) Librarian	2	\$78,580	\$80,152
(80) Director of Adult Education	1	\$75,488	\$76,998
(81) Special Instructor	9	\$65,928	\$67,247
(82) Assistant Librarian	2	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(83) Faculty	137	\$65,928	\$67,247
(84) Clinical Instructor	10	\$47,135	\$48,078
(85) Part-Time Faculty	305	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(86) Director of Food Service	1	\$62,544	\$63,795
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TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(87) Bookstore Manager	1	GRADE 19
(88) Food Service Worker II	<u>2</u>	GRADE 05

MAX. NO. OF EMPLOYEES 621";

Page 4, line 5 replace "four" with "five" and delete "fifty";

Page 4, line 6 replace "(450)" with "(500)".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1556** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1556

Amend **HOUSE BILL NO. 1556** as originally introduced:

Page 2, delete lines 5 through page 3, line 19 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL**

ADMINISTRATIVE POSITIONS

(1) Chancellor, CCCUA	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Chief Fiscal Officer	1	\$92,744	\$94,599
(4) Chief Student Officer	1	\$92,744	\$94,599
(5) Dir. Of Workforce Development	1	\$76,859	\$78,396
(6) Information Systems Manager	1	\$75,427	\$76,936
(7) Coord. Cont Ed & Bus Outrch.	1	\$72,374	\$73,821
(8) Director of Public Relations/ Market	1	\$72,374	\$73,821
(9) Registrar	1	\$72,374	\$73,821
(10) Director of Financial Aid	1	\$72,229	\$73,674
(11) Coordinator of Administrative Comput	1	\$71,023	\$72,443
(12) Director of Off-Campus Operations	2	\$70,972	\$72,391
(13) Director of Physical Plant	1	\$66,959	\$68,298
(14) Grants Administrator	1	\$62,588	\$63,840
(15) Assessment Coordinator	1	\$51,417	\$52,445

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(16) Database Coordinator I	1	GRADE 21
(17) Counselor II	1	GRADE 20
(18) Building & Grounds Coordinator	1	GRADE 19
(19) Accountant II	1	GRADE 19
(20) Financial Aid Officer II	1	GRADE 18
(21) Payroll Services Specialist	1	GRADE 18
(22) Personnel Assistant II - Inst	1	GRADE 18
(23) Purchasing Agent	1	GRADE 18
(24) Administrative Assistant II	2	GRADE 17
(25) Fiscal Coordinator	1	GRADE 17
(26) Program Advisor	1	GRADE 17

(27) Skilled Trades Worker	2	GRADE 17
(28) Computer Technician II	1	GRADE 16
(29) Accounting Technician II	1	GRADE 15
(30) Accounts Supervisor	1	GRADE 15
(31) Administrative Assistant I	2	GRADE 15
(32) Administrative Secretary	3	GRADE 14
(33) Secretary II	4	GRADE 13
(34) Accounting Technician I	1	GRADE 12
(35) Cashier II	1	GRADE 12
(36) Library Academic Technician II	1	GRADE 12
(37) Custodial Services Shift Supv	1	GRADE 11
(38) Secretary I	6	GRADE 11
(39) Library Academic Technician I	1	GRADE 10
(40) Bldg/Equip Maint Repairman II	1	GRADE 08
(41) Custodial Worker II	2	GRADE 04
(42) Maintenance Worker I	1	GRADE 04
(43) Custodial Worker I	2	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(44) Division Chairperson/Lead Faculty	5	\$86,554	\$88,285
(45) Director of Nursing	1	\$85,636	\$87,349
(46) Librarian	1	\$78,580	\$80,152
(47) Instructor - Nursing	4	\$71,223	\$72,647
(48) Learning Center Coordinator	2	\$55,306	\$56,412
(49) Special Instructor/Trainer	8	\$49,920	\$50,918

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(50) Faculty	33	\$65,928	\$67,247
(51) Part-Time Faculty	<u>70</u>	\$33,180	\$33,844

MAX. NO. OF EMPLOYEES 183";

Page 3, line 25 replace "fifty (50)" with "eighty (80)";

Page 4, line 4 replace "97,735 97,735" with "119,706 135,691";

Page 4, line 12 replace "\$ 4,195,623 \$ 4,252,335" with "\$ 4,217,549 \$ 4,290,291";

Page 4, line 24 replace "200,000 200,000" with "250,000 300,000";

Page 4, line 35 replace "\$ 13,600,000 \$ 13,661,200" with "\$ 13,650,000 \$ 13,761,200".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1558** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1558

Amend **HOUSE BILL NO. 1558** as originally introduced:

Page 2, delete lines 3 through page 3, line 21 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS**

(1) President, OZC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Chief Fiscal Officer	1	\$92,744	\$94,599
(4) Chief Student Officer	1	\$92,744	\$94,599
(5) Coord. of Cont. Ed. & Bus. Outreach	1	\$72,374	\$73,821
(6) Registrar	1	\$72,374	\$73,821
(7) Director of Financial Aid	1	\$72,229	\$73,674
(8) Dir. of Planning & Assessment	1	\$71,586	\$73,018
(9) Dir. of Computer Services	1	\$71,023	\$72,443
(10) Director of Off-Campus Operations	2	\$70,972	\$72,391
(11) Business Manager	1	\$69,374	\$70,761
(12) Director of Physical Plant	1	\$66,959	\$68,298
(13) Director of Admissions	1	\$65,982	\$67,302
(14) Director of Child Care	1	\$40,888	\$41,706

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(15) Accounting Supervisor I	1	GRADE 20
(16) Asst Director of Financial Aid	1	GRADE 20
(17) Computer Support Specialist II	2	GRADE 20
(18) Applications Prog II -Inst	1	GRADE 19
(19) Financial Aid Officer II	1	GRADE 19
(20) Personnel Assistant II -Inst	1	GRADE 19
(21) Plant Maintenance Supervisor	1	GRADE 19
(22) Administrative Assistant II	1	GRADE 17
(23) Multimedia Specialist	1	GRADE 17
(24) Publicity and Information Spec	1	GRADE 17
(25) Skilled Trades Worker	1	GRADE 17
(26) Accounting Technician II	1	GRADE 15
(27) Administrative Assistant I	2	GRADE 15
(28) Assistant Purchasing Agent	1	GRADE 15
(29) Landscape Supervisor I	1	GRADE 15
(30) Payroll Officer	1	GRADE 15
(31) Administrative Secretary	1	GRADE 14
(32) Secretary II	5	GRADE 13
(33) Accounting Technician I	1	GRADE 12
(34) Apprentice Tradesman	1	GRADE 11
(35) Secretary I	2	GRADE 11
(36) Data Entry Specialist	1	GRADE 10
(37) Bldg/Equip Maint Repairman II	2	GRADE 08
(38) Custodial Worker II	2	GRADE 04
(39) Custodial Worker I	2	GRADE 03
(40) Watchman	1	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(41) Division Chairperson	2	\$86,554	\$88,285
(42) Librarian	1	\$78,580	\$80,152
(43) Director of Adult Education	1	\$75,488	\$76,998
(44) Instructor - Nursing/Resp. Therapy	5	\$71,223	\$72,647
(45) Special Instructor/Trainer	3	\$49,920	\$50,918

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(46) Faculty	45	\$65,928	\$67,247
(47) Part-Time Faculty	70	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISESCLASSIFIED POSITIONS

(48) Bookstore Office Manager	1	GRADE 14
(49) Supervisor of Cooking	1	GRADE 13
(50) Care Giver III	4	GRADE 12
(51) Baker I	1	GRADE 08
(52) Cook I	1	GRADE 08
(53) Food Service Worker II	1	GRADE 05
(54) Care Giver I	<u>1</u>	GRADE 04

MAX. NO. OF EMPLOYEES 188";

Page 3, line 26 replace "(70)" with "five (75)";

Page 4, line 3 replace "50,000 50,000" with "57,983 67,004";

Page 4, line 14 replace "\$ 3,809,401 \$ 3,860,272" with "\$ 3,817,384 \$ 3,867,276";

Page 4, line 25 replace "104,600 104,600" with "111,725 123,483";

Page 4, line 36 replace "\$ 4,052,778 \$ 4,086,620" with "\$ 4,059,903 \$ 4,105,503".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1559** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1559

Amend **HOUSE BILL NO. 1559** as originally introduced:

Page 2, delete lines 4 through page 4, line 36 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS**

(1) President, NWACC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Dean of Institutional Technology	1	\$93,999	\$95,879
(4) Chief Development Officer	1	\$92,744	\$94,599
(5) Chief Fiscal Officer	1	\$92,744	\$94,599
(6) Chief Student Affairs Officer	1	\$92,744	\$94,599
(7) Dir. Of Community/Continuing Ed.	1	\$87,589	\$89,341
(8) Director of Institutional Research	1	\$78,580	\$80,152
(9) Director of Admin Services	1	\$77,451	\$79,000
(10) Dean of Workforce Development	1	\$76,859	\$78,396
(11) Counselor	11	\$75,487	\$76,997
(12) Registrar	1	\$72,374	\$73,821
(13) Dir. of Financial Aid	1	\$72,229	\$73,674
(14) Project/Program Administrator	20		
Project/Program Director		\$71,586	\$73,018
Project/Program Manager		\$59,945	\$61,144
Project/Program Specialist		\$54,115	\$55,197
(15) Director of Academic Computing	1	\$71,023	\$72,443
(16) Director of Admin. Computing	1	\$71,023	\$72,443
(17) Dir., Pub. Rel., Grants & Contracts	1	\$70,972	\$72,391
(18) Director of Distance Learning	1	\$70,972	\$72,391
(19) Business Manager	1	\$69,374	\$70,761
(20) Controller	1	\$69,374	\$70,761
(21) Director of Physical Plant	1	\$66,959	\$68,298
(22) Director of Enrollment Management	1	\$65,982	\$67,302
(23) Director of Admissions	1	\$65,982	\$67,302
(24) Coordinator of Student Recruitment	1	\$65,928	\$67,247
(25) Director, Career Planning/Placement	1	\$61,840	\$63,077
(26) Dir.of Student Activities/Org.	1	\$60,353	\$61,560
(27) Dir. of Vocational/Tech. Educ.	1	\$55,306	\$56,412

(28) Workforce Specialist	5	\$55,090	\$56,192
(29) Director of Disability Services	1	\$54,032	\$55,113
(30) Dir. of Developmental Education	1	\$47,449	\$48,398
(31) Academic Advisor	6	\$45,694	\$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(32) DP Network Manager II -Inst	1	GRADE 22
(33) Procurement Manager	1	GRADE 22
(34) Accounting Supervisor I	1	GRADE 20
(35) Asst Director Financial Aid	1	GRADE 20
(36) Computer Supp Spec II-Inst	3	GRADE 20
(37) DP Network Technician II -Inst	1	GRADE 20
(38) HE Public Safety Supervisor	1	GRADE 20
(39) Management Project Analyst II	1	GRADE 20
(40) Program Coordinator	10	GRADE 20
(41) Budget Specialist	1	GRADE 19
(42) Research Project Analyst	1	GRADE 19
(43) Special Events Manager	1	GRADE 19
(44) Accountant	5	GRADE 18
(45) Assistant Registrar	2	GRADE 18
(46) Computer Supp Specialist I-Inst	3	GRADE 18
(47) Financial Aid Officer II	4	GRADE 18
(48) HE Public Safety Officer II	4	GRADE 18
(49) Management Project Analyst I	1	GRADE 18
(50) Payroll Services Specialist	2	GRADE 18
(51) Personnel Assistant II-Inst	1	GRADE 18
(52) Plant Maintenance Supervisor	1	GRADE 18
(53) Skilled Trades Supervisor	1	GRADE 18
(54) Administrative Assistant II	5	GRADE 17
(55) Graphic Artist II	1	GRADE 17
(56) Inventory Control Manager	1	GRADE 17
(57) Skilled Trades Worker	5	GRADE 17
(58) Telecommunications Coordinator	1	GRADE 17
(59) Computer Technician II- Inst	2	GRADE 16
(60) Financial Aid Officer I	2	GRADE 16
(61) HE Public Safety Officer I	2	GRADE 16
(62) Accounting Technician II	8	GRADE 15
(63) Administrative Assistant I	2	GRADE 15

(64) Assistant Purchasing Agent	2	GRADE 15
(65) Laboratory Coordinator	1	GRADE 15
(66) Administrative Secretary	7	GRADE 14
(67) HE Pub Safety Security Officer II	7	GRADE 14
(68) Library Academic Technician III	2	GRADE 14
(69) Personnel Assistant I -Inst	1	GRADE 14
(70) Computer Lab Technician I -Inst	2	GRADE 13
(71) Head Cashier	1	GRADE 13
(72) Secretary II	11	GRADE 13
(73) Accounting Technician I	1	GRADE 12
(74) Cashier II	2	GRADE 12
(75) Library Academic Technician II	2	GRADE 12
(76) Registrar's Assistant	1	GRADE 12
(77) Secretary I	9	GRADE 11
(78) Shipping & Receiving Clerk	1	GRADE 11
(79) Academic Laboratory Assistant	3	GRADE 09
(80) Mail Officer	1	GRADE 09
(81) Equipment Operator	1	GRADE 08
(82) Custodial Supervisor II	1	GRADE 08
(83) Maintenance Worker II	4	GRADE 05
(84) Custodial Worker II	3	GRADE 04
(85) Maintenance Worker I	3	GRADE 04
(86) Custodial Worker I	6	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(87) Division Chairperson/Dean	8	\$86,554	\$88,285
(88) Director of Nursing	1	\$85,636	\$87,349
(89) Librarian	1	\$78,580	\$80,152
(90) Director of Allied Health	1	\$76,126	\$77,649
(91) Director of Adult Education	1	\$75,488	\$76,998
(92) Special Instructor	11	\$65,928	\$67,247
(93) Media Specialist	1	\$53,754	\$54,829
(94) Assistant Librarian	3	\$48,938	\$49,917
(95) Lab. Supervisor	7	\$41,085	\$41,907

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(96) Faculty	140	\$65,928	\$67,247
(97) Part-Time Faculty	300	\$33,180	\$33,844

REGIONAL TECHNOLOGY CENTER

(98) RTC Director	1	\$103,706	\$105,780
(99) RTC Project/Program Director	1	\$74,043	\$75,524
(100) RTC Teacher	14	\$72,137	\$73,580
(101) RTC Librarian	1	\$68,816	\$70,192
(102) RTC Counselor	1	\$66,256	\$67,581
(103) RTC Project/Program Specialist	1	\$53,685	\$54,759
(104) RTC Administrative Assistant	2	\$40,074	\$40,875
(105) RTC Nurse	1	\$37,095	\$37,837
(106) RTC Printing Clerk	1	\$30,290	\$30,896
(107) RTC Registrar	1	\$27,385	\$27,933
(108) RTC Library Assistant	1	\$25,382	\$25,890
(109) RTC Administrative Secretary	5	\$24,453	\$24,942
(110) RTC Child Care Assistant	<u>9</u>	\$23,241	\$23,706

MAX. NO. OF EMPLOYEES 730";

Page 5, line 6 replace "thirty (30)" with "three hundred sixty (360)";

Page 5, line 31 replace "294,393 294,393" with "750,000 800,000";

Page 6, line 3 replace "\$ 25,533,502 \$ 26,938,220" with
"\$ 26,989,109 \$ 27,443,827".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1560** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1560

Amend **HOUSE BILL NO. 1560** as originally introduced:

Page 2, delete lines 3 through page 4, line 17 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS**

(1) President, PTC	1	\$123,222	\$125,686
(2) Chief Academic Officer	1	\$98,901	\$100,879
(3) Chief Fiscal Officer	1	\$92,744	\$94,599
(4) Chief Student Officer	1	\$92,744	\$94,599
(5) Chief Development Officer	1	\$92,744	\$94,599
(6) Chief Information Officer	1	\$92,744	\$94,599
(7) Chief Planning & Assessment	1	\$92,744	\$94,599
(8) Director of Counseling	1	\$78,580	\$80,152
(9) Director of Institutional Research	1	\$78,580	\$80,152
(10) Dir. of Administrative Services	1	\$77,451	\$79,000
(11) Director of Evening and Special Prog	1	\$76,859	\$78,396
(12) Counselor	6	\$75,487	\$76,997
(13) Coord. of Cont. Ed. & Bus. Outrch.	1	\$72,374	\$73,821
(14) Registrar	1	\$72,374	\$73,821
(15) Director of Pub. Rel. and Marketing	1	\$72,374	\$73,821
(16) Director of Financial Aid	1	\$72,229	\$73,674
(17) Director of Computer Services	1	\$71,023	\$72,443
(18) Dir. of Academic Computing	1	\$71,023	\$72,443
(19) Director of Distance Learning	1	\$70,972	\$72,391
(20) Director of Off-Campus Operations	2	\$70,972	\$72,391
(21) Controller	1	\$69,374	\$70,761
(22) Business Manager	1	\$69,374	\$70,761
(23) Director of Physical Plant	1	\$66,959	\$68,298
(24) Director of Admissions	1	\$65,982	\$67,302
(25) Coordinator of Student Recruitment	1	\$65,928	\$67,247
(26) Associate Registrar	1	\$62,852	\$64,109
(27) Administrator, Grants and Contracts	1	\$62,588	\$63,840
(28) Coord. of Continuing Education	1	\$62,419	\$63,667
(29) Coordinator of Career Services	1	\$61,840	\$63,077
(30) Director of Student Activities	1	\$60,353	\$61,560

(31) Project/Program Manager	15	\$59,945	\$61,144
(32) Coord. of Learning Assistance Ctr	1	\$55,305	\$56,411
(33) Coordinator of Disability Services	1	\$54,032	\$55,113
(34) Academic Advisor	8	\$45,694	\$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(35) Child Care Director	1	GRADE 22
(36) Accounting Supervisor II	1	GRADE 21
(37) Accounting Supervisor I	1	GRADE 20
(38) Asst Director of Financial Aid	1	GRADE 20
(39) HE Public Safety Supervisor	1	GRADE 20
(40) Counselor II	2	GRADE 20
(41) DP Network Manager I - Inst	1	GRADE 20
(42) PTC Director of Purchasing	1	GRADE 20
(43) Program Coordinator	2	GRADE 20
(44) Application Programmer II	1	GRADE 19
(45) Coord Information Services	1	GRADE 19
(46) Accountant	2	GRADE 18
(47) Assistant Registrar	2	GRADE 18
(48) Computer Support Spec I-INST	8	GRADE 18
(49) Financial Aid Officer II	3	GRADE 18
(50) HE Public Safety Officer II	3	GRADE 18
(51) Payroll Services Specialist	1	GRADE 18
(52) Personnel Assistant II-INST	1	GRADE 18
(53) Plant Maintenance Supv	1	GRADE 18
(54) Administrative Assistant II	3	GRADE 17
(55) Graphic Artist II	1	GRADE 17
(56) Skilled Trades Worker	5	GRADE 17
(57) Computer Tech II - Inst	1	GRADE 16
(58) HE Public Safety Officer I	10	GRADE 16
(59) Accounting Technician II	5	GRADE 15
(60) Administrative Assistant I	4	GRADE 15
(61) Landscape Supervisor I	1	GRADE 15
(62) Payroll Officer	1	GRADE 15
(63) Asst. Purchasing Agent	1	GRADE 15
(64) Administrative Secretary	5	GRADE 14
(65) Library Academic Technician III	2	GRADE 14
(66) Personnel Assistant I - Inst	1	GRADE 14

(67) Secretary II	18	GRADE 13
(68) Accounting Technician I	1	GRADE 12
(69) Cashier II	1	GRADE 12
(70) Library Academic Tech II	4	GRADE 12
(71) Custodial Service Shift Supv	1	GRADE 11
(72) Secretary I	4	GRADE 11
(73) Shipping and Receiving Clerk	1	GRADE 11
(74) Mail Officer	1	GRADE 09
(75) Bldg/Equip Maint Repairman II	2	GRADE 08
(76) Custodial Worker II	4	GRADE 04
(77) Custodial Worker I	4	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(78) Division Chairperson	9	\$86,554	\$88,285
(79) Director of Library Services	1	\$78,580	\$80,152
(80) Instructor - Nursing/Resp. Therapy	6	\$71,223	\$72,647
(81) Special Instructor	7	\$65,928	\$67,247
(82) Assoc. Librarian	4	\$65,092	\$66,394
(83) Asst. Librarian	4	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(84) Faculty	180	\$65,928	\$67,247
(85) Part-Time Faculty	<u>500</u>	\$33,180	\$33,844

MAX. NO. OF EMPLOYEES 887";

Page 4, line 35 replace "275,000 275,000" with "475,000
475,000";

Page 4, line 36 replace "\$ 12,407,009 \$ 12,575,667" with "\$ 12,607,009 \$ 12,775,667";

Page 5, line 11 replace "855,000 855,000" with "900,000 1,000,000";

Page 5, line 23 replace "\$ 115,074,000 \$ 115,355,520" with "\$ 115,119,000 \$ 115,500,520".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1561** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1561

Amend **HOUSE BILL NO. 1561** as originally introduced:

Page 2, delete lines 4 through page 3, line 14 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS**

(1) Chancellor, ASU-Mountain Home	1	\$123,222	\$125,686
(2) Vice Chancellor for Academic Affairs	1	\$98,901	\$100,879
(3) Vice Chancellor for Admin Affairs	1	\$92,744	\$94,599
(4) Vice Chancellor for Student Affairs	1	\$92,744	\$94,599
(5) Vice Chancellor for Development	1	\$92,744	\$94,599
(6) Director of Institutional Research	1	\$78,580	\$80,152
(7) Director of Human Resources/Services	1	\$78,580	\$80,152
(8) Counselor	2	\$75,487	\$76,997
(9) Dir. Cont. Ed./Business Outreach	1	\$72,374	\$73,821
(10) Director of Pub. Relations/Marketing	1	\$72,374	\$73,821
(11) Registrar	1	\$72,374	\$73,821
(12) Director of Student Financial Aid	1	\$72,229	\$73,674
(13) Director of Computer Services	1	\$71,023	\$72,443
(14) Controller	1	\$69,374	\$70,761
(15) Director of Physical Plant	1	\$66,959	\$68,298
(16) Director of Admissions	1	\$65,982	\$67,302
(17) Assistant to the Chancellor	1	\$61,840	\$63,077
(18) Project/Program Specialist	1	\$54,115	\$55,197

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(19) DP Network Manager I -Inst	1	GRADE 20
(20) Applications Programmer II-Inst	1	GRADE 19
(21) Financial Aid Officer II	1	GRADE 18
(22) Plant Maintenance Supervisor	1	GRADE 18
(23) Administrative Assistant II	3	GRADE 17
(24) Skilled Trades Worker	3	GRADE 17
(25) Computer Technician II	1	GRADE 16
(26) Financial Aid Officer I	1	GRADE 16
(27) Accounting Technician II	2	GRADE 15
(28) Administrative Assistant I	3	GRADE 15

(29) Assistant Purchasing Agent	1	GRADE 15
(30) Payroll Officer	1	GRADE 15
(31) Computer Technician I-Inst	1	GRADE 14
(32) Secretary II	5	GRADE 13
(33) Cashier II	1	GRADE 12
(34) Library Academic Technician II	3	GRADE 12
(35) Registrar's Assistant	1	GRADE 12
(36) Secretary I	5	GRADE 11
(37) Receptionist	1	GRADE 10
(38) Bldg/Equip Maint Repairman II	2	GRADE 08
(39) Custodial Supervisor II	1	GRADE 08
(40) Custodial Worker II	7	GRADE 04
(41) Watchman	2	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(42) Librarian	1	\$78,580	\$80,152
(43) Assistant Librarian	1	\$48,938	\$49,917

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(44) Faculty	50	\$65,928	\$67,247
(45) Part-Time Faculty	<u>40</u>	\$33,180	\$33,844

MAX. NO. OF EMPLOYEES 159";

Page 3, line 20 replace "thirty eight (38)" with "seventy (70)".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative L. Smith, **HOUSE BILL NO. 1673** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1673

Amend **HOUSE BILL NO. 1673** as originally introduced:

Page 1, delete lines 10 through 12 in their entirety and substitute the following:

"OF EDUCATION - ARKANSAS STATE LIBRARY FOR STATE ASSISTANCE FOR PUBLIC LIBRARY SUMMER READING PROGRAMS FOR PRE-"

And

Page 1, delete lines 18 through 21 in their entirety and substitute the following:

"AN ACT FOR THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY - PUBLIC LIBRARY SUMMER READING PROGRAMS GENERAL IMPROVEMENT"

And

Page 1, delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. APPROPRIATION - SUMMER READING PROGRAMS. There is hereby appropriated, to the Department of Education - Arkansas State Library, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) For state assistance for public library summer reading programs for pre-school and elementary age children, the sum of\$500,000."

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Blount, **HOUSE BILL NO. 1808** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1808

Amend **HOUSE BILL NO. 1808** as engrossed,

H3/8/07 (version: 03-08-2007 09:02):

Page 1, line 10, delete "FINANCE AND ADMINISTRATION - DISBURSING" and substitute "WORKFORCE EDUCATION"

AND

Page 1, line 11, delete "OFFICER"

AND

Page 1, line 11, insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 17, delete "FINANCE" and substitute "WORKFORCE EDUCATION"

AND

Page 1, line 18, delete "AND ADMINISTRATION - DISBURSING OFFICER"

AND

Page 1, line 19, insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 26, insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 27, delete "Finance and" and substitute "Workforce Education,"

AND

Page 1, line 28, delete "Administration - Disbursing Officer,"

AND

Page 1, line 30, insert "Minority" after "Small"

AND

Page 1, line 35, insert "Minority" after "Small"

/s/ Nancy Blount

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative T. Baker, **HOUSE BILL NO. 2092** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2092

Amend **HOUSE BILL NO. 2092** as originally introduced:

Page 1, line 11, delete "PROMISED LAND" and substitute "PROGRESSIVE LIFE CENTER, INC."

AND

Page 1, line 18, delete "PROMISED LAND" and substitute "PROGRESSIVE LIFE CENTER, INC."

AND

Page 1, line 29, delete "PROMISED LAND" and substitute "Progressive Life Center, Inc."

/s/ Tommy Baker

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

/s/ Ms. Jo Renshaw
Chief Clerk

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 13, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1012 - TITLE - BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 1544 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1548 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1556 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1558 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1559 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1560 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1561 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1631 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 1673 - TITLE - BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1730 BY REPRESENTATIVE ABERNATHY, ET AL
HOUSE BILL NO. 1739 - TITLE - BY REPRESENTATIVE SHELBY, ET AL
HOUSE BILL NO. 1783 BY REPRESENTATIVE KING
HOUSE BILL NO. 1808 - TITLE - BY REPRESENTATIVE BLOUNT, ET AL
HOUSE BILL NO. 2092 - TITLE - BY REPRESENTATIVE T. BAKER
HOUSE BILL NO. 2212 BY REPRESENTATIVE S. DOBBINS
HOUSE BILL NO. 2233 BY REPRESENTATIVE THYER
HOUSE BILL NO. 2249 BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2298 BY REPRESENTATIVE KING, ET AL
HOUSE BILL NO. 2316 BY REPRESENTATIVE REEP
HOUSE BILL NO. 2321 BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 2325 BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 2343 BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2352 - TITLE - BY REPRESENTATIVE GREENBERG, ET AL
HOUSE BILL NO. 2390 BY REPRESENTATIVE HOYT, ET AL
HOUSE BILL NO. 2399 BY REPRESENTATIVE S. DOBBINS, ET AL
HOUSE BILL NO. 2437 BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2460 - TITLE - BY REPRESENTATIVE WEBB, ET AL
HOUSE BILL NO. 2464 BY REPRESENTATIVE S. DOBBINS
HOUSE BILL NO. 2474 - TITLE - BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2477 BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2491 BY REPRESENTATIVE SHELBY
HOUSE BILL NO. 2499 BY REPRESENTATIVE MEDLEY

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2541 BY REPRESENTATIVE WOOD, ET AL
HOUSE BILL NO. 2622 - TITLE - BY REPRESENTATIVE GLIDEWELL, ET AL
HOUSE BILL NO. 2625 BY REPRESENTATIVE SUMPTER
HOUSE BILL NO. 2627 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2628 BY REPRESENTATIVE R. GREEN, ET AL
HOUSE BILL NO. 2658 BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2672 BY REPRESENTATIVE COOK
HOUSE BILL NO. 2691 BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2742 - TITLE - BY REPRESENTATIVE BREEDLOVE, ET AL
HOUSE BILL NO. 2743 - TITLE - BY REPRESENTATIVE BREEDLOVE, ET AL
HOUSE BILL NO. 2750 - TITLE - BY REPRESENTATIVE S. DOBBINS
HOUSE BILL NO. 2783 BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2805 - TITLE - BY REPRESENTATIVE T. BAKER
HOUSE BILL NO. 2811 - TITLE - BY REPRESENTATIVE HARRELSON

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1012

BY: REPRESENTATIVE ABERNATHY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN EXPUNGED OFFENSES CAUSE DISQUALIFICATION FROM EMPLOYMENT, LICENSURE, CERTIFICATION, OR OTHER ACTIVITIES FOR.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1673

BY: REPRESENTATIVE L. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION - ARKANSAS STATE LIBRARY FOR STATE ASSISTANCE FOR PUBLIC LIBRARY SUMMER READING PROGRAMS FOR PRE-SCHOOL AND ELEMENTARY AGE CHILDREN; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1739

BY: REPRESENTATIVES SHELBY, *DAVIS, HARDWICK, HOUSE, ABERNATHY, ALLEN, BLOUNT, CASH, CHEATHAM, CORNWELL, DICKINSON, S. DOBBINS, W. LEWELLEN, LOWERY, MAXWELL, MOORE, PICKETT, POWERS, S. PRATER, RAGLAND, RAINEY, J. ROEBUCK, L. SMITH, STEWART, WOOD*
BY: SENATORS ALTES, CRUMBLY, G. JEFFRESS, MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO FUND PUBLIC HEALTH PROGRAMS AND SERVICES FOR THE UNDERSERVED BY IMPOSING ADDITIONAL CIGARETTE AND TOBACCO TAXES AND TO INCREASE GENERAL REVENUES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1808

BY: REPRESENTATIVES BLOUNT, *T. BAKER, E. BROWN, CHESTERFIELD, DAVIS, S. DOBBINS, FLOWERS, HARDY, W. LEWELLEN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF *WORKFORCE EDUATION* FOR THE SMALL *MINORITY* CONTRACTORS SURETY BONDING AND MENTOR PROTEGEE TRAINING PILOT PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2092

BY: REPRESENTATIVE T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE *PROGRESSIVE LIFE CENTER, INC.* MENTORING PROGRAM FOR YOUTH; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2352

BY: REPRESENTATIVES GREENBERG, WEBB, ADCOCK, BOND, D. CREEKMORE, S. DOBBINS, HYDE, D. JOHNSON, S. PRATER, *ROSENBAUM*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF ADVERTISING AND PROMOTION COMMISSIONS IN MUNICIPALITIES WITH A POPULATION OF *ONE HUNDRED TWENTY-FIVE THOUSAND (125,000)* OR MORE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2460

BY: REPRESENTATIVES WEBB, ADCOCK, T. BAKER, BLOUNT, BOND, T. BRADFORD, BREEDLOVE, E. BROWN, J. BROWN, BURRIS, CASH, CHEATHAM, CHESTERFIELD, COOK, D. CREEKMORE, DICKINSON, S. DOBBINS, DUNN, EDWARDS, GARNER, HALL, HARRELSON, HOUSE, HOYT, D. HUTCHINSON, HYDE, D. JOHNSON, J. JOHNSON, W. LEWELLEN, LOVELL, MALOCH, MOORE, PATE, PENNARTZ, PETRUS, PICKETT, PIERCE, POWERS, S. PRATER, RAINEY, REEP, REYNOLDS, J. ROEBUCK, SAUNDERS, SCHULTE, SHELBY, L. SMITH, STEWART, SULLIVAN, SUMPTER, WAGNER, WALTERS, WILLS, WOODS, *ROSENBAUM, MAXWELL*

BY: SENATORS ARGUE, BROADWAY, BROWN, BRYLES, FARIS, J. JEFFRESS, MADISON, MALONE, SALMON, R. THOMPSON, *CRUMBLY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S COMMISSION ON GLOBAL WARMING; TO DIRECT THE COMMISSION TO STUDY ISSUES RELATED TO GLOBAL WARMING AND THE EMERGING CARBON MARKET; TO ESTABLISH A GLOBAL WARMING POLLUTANT REDUCTION GOAL AND COMPREHENSIVE STRATEGIC PLAN; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2474

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PLACE A MEMBER OF THE LANDLORDS ASSOCIATION OF ARKANSAS ON THE ARKANSAS FAIR HOUSING COMMISSION; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2622

BY: REPRESENTATIVES GLIDEWELL, MEDLEY

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO INCREASE THE MINIMUM MOTOR VEHICLE LIABILITY INSURANCE COVERAGE; TO AUTHORIZE LAW ENFORCEMENT TO IMPOUND A MOTOR VEHICLE OPERATED WITHOUT A LICENSE OR REGISTRATION; TO PROVIDE FOR PAYMENT OF TOWING AND STORAGE CHARGES; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2742

BY: REPRESENTATIVES BREEDLOVE, WALTERS, WELLS, HOYT

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO CREATE A PRESUMPTION OF DIMINISHED UTILITY OF THE SURFACE ESTATE IF SEPARATE FROM THE MINERAL ESTATE ON WHICH A WELL IS DRILLED; TO ALLOW FOR A REDUCTION IN THE ASSESSMENT VALUE; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2743

BY: REPRESENTATIVES BREEDLOVE, *WALTERS, WELLS, HOYT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR DAMAGES AND COMPENSATION FOR THE USE OF LAND BY PERSONS OTHER THAN THE SURFACE OWNER OF THE LAND; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2750

BY: REPRESENTATIVE S. DOBBINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO SUBJECT *QUASI-GOVERNMENTAL BODIES* TO THE FREEDOM OF INFORMATION ACT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2805

BY: REPRESENTATIVE T. BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE REGISTERED NURSES AND NURSE PRACTITIONERS TO PRONOUNCE DEATH AND TO COMPLETE AND SIGN MEDICAL DEATH CERTIFICATES FOR RESIDENTS OF LONG-TERM CARE FACILITIES, AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2811

BY: REPRESENTATIVE HARRELSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 16-46-106 CONCERNING THE COST OF EACH PHOTOCOPY OF MEDICAL RECORDS; TO AMEND ARKANSAS CODE § 16-46-301, § 16-46-302, § 16-46-305, AND § 16-46-308 TO INCLUDE MEDICAL RECORDS FROM PHYSICIAN OFFICES AS SELF-AUTHENTICATING UNDER THE HOSPITAL RECORDS ACT, § 16-46-301 ET SEQ.; TO PROVIDE A REASONABLE FEE FOR COPYING MEDICAL RECORDS; AND FOR OTHER PURPOSES.

Morning Hour Expired.

HOUSE BILL NO. 2685

BY: REPRESENTATIVE WOODS

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: L. Evans, Harrelson, Kenney, Sullivan, Walters, Mr. Speaker.

Total6

VOTING PRESENT: W. Lewellen.

Total1

Total number of votes cast94

Total number voting in the affirmative93

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

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

Upon motion of Representative Webb, HOUSE BILL NO. 2460 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2460

Amend HOUSE BILL NO. 2460 as engrossed,

H3/7/07 (version: 03-07-2007 08:46):

Add Senator Crumbly as a cosponsor to the bill

AND

Page 2, line 1, delete "twenty (20)" and substitute "twenty-one (21)"

AND

Page 2, line 7, delete "Sixteen (16)" and substitute "Seventeen (17)"

AND

Page 2, delete lines 22 through 36, and substitute the following:

"(J) One (1) member who is an economist from an accredited state institution of higher education;

(K) One (1) member from the construction industry with experience in sustainable energy construction or design; and

(L) Two (2) members who are citizens at large.

(c) The commission shall establish and appoint an advisory body composed of the directors of the following state agencies or his or her designee:

- (1) Arkansas Agriculture Department;
- (2) Arkansas Department of Environmental Quality;
- (3) Arkansas Forestry Commission;
- (4) Arkansas Highway and Transportation Department;
- (5) Arkansas Natural Resources Commission;
- (6) Arkansas Public Service Commission;
- (7) Arkansas State Game and Fish Commission;
- (8) Department of Economic Development;
- (9) Department of Parks and Tourism; and
- (10) Oil and Gas Commission."

/s/ Kathy Webb

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

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 2324

BY: REPRESENTATIVE BURRIS

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

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

Total88

NEGATIVE: Cooper.

Total1

ABSENT OR NOT VOTING: L. Cowling, Davenport, Harrelson, House, D. Hutchinson, M. Martin, Pyle, Rogers, Sullivan, Walters, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative88

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

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

HOUSE BILL NO. 2270

BY: REPRESENTATIVE HYDE

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

AFFIRMATIVE: Abernathy, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, Burkes, Cash, Chesterfield, Cook, L. Cowling, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Hardwick, Hardy, Harris, Hawkins, D. Hutchinson, Hyde, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, M. Martin, Maxwell, Moore, Norton, Pace, Patterson, Pennartz, Pierce, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Walters, Wells, Wills, Woods.

Total60

NEGATIVE: Adcock, Allen, Berry, E. Brown, J. Brown, Burris, Cheatham, Cooper, Cornwell, D. Creekmore, Davenport, Edwards, Flowers, R. Green, House, D. Johnson, J. Johnson, W. Lewellen, Lovell, Lowery, Maloch, Medley, Pate, Pickett, Powers, S. Prater, Rainey, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Wood, Wyatt.

Total34

ABSENT OR NOT VOTING: Harrelson, Hoyt, Overbey, Pyle, Webb, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative.....60

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

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

Upon motion of Representative Hyde the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 2270**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, Burkes, Cash, Chesterfield, Cook, Cornwell, L. Cowling, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, Everett, Garner, Gaskill, George, Glidewell, Greenberg, Hardwick, Hardy, Harris, Hawkins, D. Hutchinson, Hyde, Kenney, Key, Kidd, King, Lamoureux, Maloch, M. Martin, Maxwell, Moore, Norton, Patterson, Pennartz, Pierce, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Stewart, Wagner, Walters, Wells, Wills, Woods.

Total57

NEGATIVE: Adcock, Allen, Berry, E. Brown, J. Brown, Burris, Cheatham, D. Creekmore, Davenport, Edwards, Flowers, R. Green, House, D. Johnson, J. Johnson, W. Lewellen, Lovell, Lowery, Medley, Pate, Pickett, Powers, Pyle, Rainey, Sample, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wyatt.

Total31

ABSENT OR NOT VOTING: Cooper, L. Evans, Hall, Harrelson, Hoyt, Jeffrey, Overbey, Pace, S. Prater, Webb, Wood, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative57

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

So the Emergency Clause failed.

Representative S. Dobbins moved that the record by which **HOUSE BILL NO. 2750 AMENDMENT #1** passed be expunged from the record, which motion prevailed by more than 67 votes.

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, Davenport, Davis, S. Dobbins, Edwards, D. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total79

NEGATIVE: Burkes, L. Cowling, Kenney, Lamoureux, Rogers, Sample, Sullivan, Woods.

Total8

ABSENT OR NOT VOTING: Berry, D. Creekmore, Dickinson, Dunn, L. Evans, George, Hall, Harrelson, M. Martin, Maxwell, Pace, Rosenbaum, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative79

Necessary to the adoption of the motion67

So the Motion was adopted.

Upon motion of Representative S. Dobbins, **HOUSE BILL NO. 2750** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2750

Amend **HOUSE BILL NO. 2750** as originally introduced:

Page 1, line 9, delete "THE USA RICE FEDERATION" and substitute "QUASI-GOVERNMENTAL BODIES"

AND

Page 1, delete lines 14 through 16 and substitute the following:

"AN ACT TO SUBJECT QUASI-GOVERNMENTAL BODIES TO THE FREEDOM OF INFORMATION ACT."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 25, Chapter 19 is amended to add an additional subchapter to read as follows:

25-19-201. Quasi-governmental bodies.

(a) As used in this section, "quasi-governmental body" means an organization that has been approved for tax exempt status under Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code as it existed on January 1, 2007, that primarily contracts with or handles activities agreed upon with the Arkansas Rice Research and Promotion Board.

(b) A quasi-governmental body that accepts and expends public funds from the Arkansas Rice Research and Promotion Board shall agree to provide records and information in accordance with the Freedom of Information Act of 1967, § 25-19-101 et seq.

(c) Accepting public funds constitutes a contractual agreement between the Director of the Department of Finance and Administration and the Arkansas Rice Research and Promotion Board."

/s/ Sharon Dobbins

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 2256

BY: REPRESENTATIVE E. BROWN

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Harrelson, Wagner, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

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

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

HOUSE BILL NO. 2536

BY: REPRESENTATIVE BURRIS

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

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

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Harrelson, Pace, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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

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

HOUSE BILL NO. 2359

BY: REPRESENTATIVE E. BROWN

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

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

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Harrelson, Wells, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative.....	97
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 2248

BY: REPRESENTATIVE D. HUTCHINSON

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

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

Total91

NEGATIVE: J. Johnson, Kenney, Pace, Pickett.

Total4

ABSENT OR NOT VOTING: T. Baker, Berry, Harrelson, Jeffrey, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative91

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

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

HOUSE BILL NO. 2413

BY: REPRESENTATIVE DICKINSON

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Harrelson, D. Hutchinson, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

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

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

HOUSE BILL NO. 2414

BY: REPRESENTATIVE DICKINSON

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, R. Green, Harrelson, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

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

Representative Harris moved that the record by which **HOUSE BILL NO. 2448** passed be expunged from the record, which motion prevailed by more than 67 votes.

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

Total85

NEGATIVE: Adcock, Berry, R. Green, J. Johnson.

Total4

ABSENT OR NOT VOTING: Breedlove, J. Brown, S. Dobbins, D. Evans, Harrelson, D. Johnson, Pickett, Rogers, L. Smith, Sumpter, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative85

Necessary to the adoption of the motion67

So the Motion was adopted.

Representative Harris moved that the House re-refer **HOUSE BILL NO. 2448** back to the Committee on House Rules. Motion carried.

SENATE BILL NO. 609

BY: SENATE EFFICIENCY

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Hall, Harrelson, Kenney, Sample, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 609**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Hall, Harrelson, Kenney, Sample, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

SENATE BILL NO. 263

BY: SENATOR HORN

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

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

Total88

NEGATIVE: Gaskill.

Total1

ABSENT OR NOT VOTING: Berry, Bond, R. Green, Greenberg, Harrelson, Moore, Pickett, Pierce, Wagner, Wood, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative88

Necessary to the passage of the bill51

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

SENATE BILL NO. 295

BY: SENATOR MILLER

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Chesterfield, Harrelson, Pickett, Mr. Speaker.

Total5

VOTING PRESENT: Flowers.

Total1

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 266

BY: SENATOR SALMON

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

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

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Harrelson, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

SENATE BILL NO. 217

BY: SENATOR G. JEFFRESS

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

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

Total83

NEGATIVE: Adcock, Allen, Bond, E. Brown, D. Creekmore, Garner, Maxwell, Pickett, S. Prater, Rainey, L. Smith.

Total11

ABSENT OR NOT VOTING: S. Dobbins, Harrelson, Pate, Mr. Speaker.

Total4

VOTING PRESENT: Hardy, Sumpter.

Total2

Total number of votes cast96

Total number voting in the affirmative83

Necessary to the passage of the bill51

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

SENATE BILL NO. 231

BY: SENATOR LAVERTY

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

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

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardwick, Harrelson, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the passage of the bill51

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

SENATE BILL NO. 382

BY: SENATOR LUKER

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

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

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Burkes, Dunn, George, R. Green, Harrelson, Lamoureux, Maxwell, Wells, Woods, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative89

Necessary to the passage of the bill51

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

SENATE BILL NO. 780

BY: SENATOR HORN

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Harrelson, Sample, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **SENATE BILL NO. 780**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Harrelson, Sample, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Emergency Clause was adopted.

SENATE BILL NO. 170

BY: SENATOR BROADWAY

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

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

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Bond, Gaskill, Hall, Hardwick, Harrelson, Overbey, Pate, Rainey, Sample, Wells, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast.....88

Total number voting in the affirmative88

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 170**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Bond, Gaskill, Hall, Hardwick, Harrelson, Overbey, Pate, Rainey, Sample, Wells, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative88

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

So the Emergency Clause was adopted.

SENATE BILL NO. 284

BY: SENATOR BROADWAY

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Garner, Gaskill, Hall, Harrelson, Sample, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 284**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Garner, Gaskill, Hall, Harrelson, Sample, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

SENATE BILL NO. 785

BY: SENATOR WOMACK

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, S. Dobbins, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Hardy, Harris, House, Hoyt, Hyde, Jeffrey, Kenney, Key, Kidd, King, W. Lewellen, Lowery, M. Martin, Maxwell, Moore, Overbey, Pace, Patterson, Pickett, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, Stewart, Sumpter, Wagner, Webb, Wood, Woods, Wyatt.

Total66

NEGATIVE: Adcock, Bond, Burris, Cash, D. Creekmore, D. Evans, Glidewell, Greenberg, D. Johnson, J. Johnson, Lovell, Maloch, Medley, Pate, Pennartz, S. Prater, Pyle, L. Smith, Thyer, Walters, Wells.

Total21

ABSENT OR NOT VOTING: Dickinson, Edwards, Hall, Harrelson, Hawkins, D. Hutchinson, Norton, Sample, Sullivan, Wills, Mr. Speaker.

Total11

VOTING PRESENT: Hardwick, Lamoureux.

Total2

Total number of votes cast.....89

Total number voting in the affirmative66

Necessary to the passage of the bill51

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

***** EXPUNGED*****03/13/07*****

There being an Emergency Clause attached to SENATE BILL NO. 785, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, S. Dobbins, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Hardy, Harris, House, Hoyt, Hyde, Jeffrey, Kenney, Key, Kidd, King, W. Lewellen, Lowery, M. Martin, Maxwell, Moore, Overbey, Pace, Patterson, Pickett, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, Stewart, Sumpter, Wagner, Webb, Wood, Woods, Wyatt.

Total66

NEGATIVE: Adcock, Bond, Burris, Cash, D. Creekmore, D. Evans, Glidewell, Greenberg, D. Johnson, J. Johnson, Lovell, Maloch, Medley, Pate, Pennartz, S. Prater, Pyle, L. Smith, Thyer, Walters, Wells.

Total21

ABSENT OR NOT VOTING: Dickinson, Edwards, Hall, Harrelson, Hawkins, D. Hutchinson, Norton, Sample, Sullivan, Wills, Mr. Speaker.

Total11

VOTING PRESENT: Hardwick, Lamoureux.

Total2

Total number of votes cast.....89

Total number voting in the affirmative66

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

So the Emergency Clause failed.

***** EXPUNGED*****03/13/07*****

Representative Thyer moved that the record by which the Emergency Clause to **SENATE BILL NO. 785** failed to pass be expunged from the record, which motion prevailed by more than 67 votes.

There being an Emergency Clause attached to **SENATE BILL NO. 785**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total81

NEGATIVE: Bond, D. Creekmore, D. Evans, Greenberg, D. Johnson, J. Johnson, Maloch, Medley, Pate, L. Smith, Walters.

Total11

ABSENT OR NOT VOTING: Davis, Dickinson, Hall, Harrelson, Lamoureux, Sample, Sullivan, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative81

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

So the Emergency Clause was adopted.

SENATE BILL NO. 787

BY: JOINT BUDGET COMMITTEE

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Harrelson, Lamoureux, Sample, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 787**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Harrelson, Lamoureux, Sample, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

SENATE BILL NO. 788

BY: JOINT BUDGET COMMITTEE

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

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Bond, Glidewell, Hall, Harrelson, Pate, Sample, Wells, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **SENATE BILL NO. 788**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Bond, Glidewell, Hall, Harrelson, Pate, Sample, Wells, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 2248 BY REPRESENTATIVE D. HUTCHINSON
 HOUSE BILL NO. 2256 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2324 BY REPRESENTATIVE BURRIS
 HOUSE BILL NO. 2359 BY REPRESENTATIVE E. BROWN
 HOUSE BILL NO. 2413 BY REPRESENTATIVE DICKINSON
 HOUSE BILL NO. 2414 BY REPRESENTATIVE DICKINSON
 HOUSE BILL NO. 2536 BY REPRESENTATIVE BURRIS
 HOUSE BILL NO. 2685 BY REPRESENTATIVE WOODS

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 170 BY SENATOR BROADWAY
 SENATE BILL NO. 217 BY SENATOR G. JEFFRESS
 AS AMENDED #2, & 3
 SENATE BILL NO. 231 BY SENATOR LAVERTY
 AS AMENDED #1 & 2
 SENATE BILL NO. 263 BY SENATOR HORN
 SENATE BILL NO. 266 BY SENATOR SALMON
 AS AMENDED #1
 SENATE BILL NO. 284 BY SENATOR BROADWAY
 SENATE BILL NO. 295 BY SENATOR MILLER
 AS AMENDED #1 & 2
 SENATE BILL NO. 382 BY SENATOR LUKER
 SENATE BILL NO. 609 BY SENATE EFFICIENCY
 SENATE BILL NO. 780 BY SENATOR HORN
 SENATE BILL NO. 785 BY SENATOR WOMACK
 SENATE BILL NO. 787 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 788 BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1023 BY REPRESENTATIVE R. GREEN
HOUSE BILL NO. 1031 BY REPRESENTATIVE GASKILL
HOUSE BILL NO. 1070 BY REPRESENTATIVE REEP
HOUSE BILL NO. 1085 BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1159 BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1185 BY REPRESENTATIVE EVERETT
HOUSE BILL NO. 1188 BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1189 BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1191 BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1242 BY REPRESENTATIVE GARNER
HOUSE BILL NO. 1439 BY REPRESENTATIVE W. LEWELLEN
AS AMENDED # 1& 2
HOUSE BILL NO. 1454 BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 1462 BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1525 BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 1576 BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1578 BY REPRESENTATIVE WELLS
HOUSE BILL NO. 1716 BY REPRESENTATIVE PATE
HOUSE BILL NO. 1718 BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1772 BY REPRESENTATIVE GLIDEWELL
HOUSE BILL NO. 2227 BY REPRESENTATIVE J. ROEBUCK
HOUSE BILL NO. 2273 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 2274 BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT
RESOLUTION NO. 1010 BY REPRESENTATIVE OVERBEY
HOUSE CONCURRENT
RESOLUTION NO. 1013 BY REPRESENTATIVE PENNARTZ
HOUSE CONCURRENT
RESOLUTION NO. 1016 BY REPRESENTATIVE HARRELSON

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 100	BY SENATOR J. JEFFRESS
SENATE BILL NO. 140	BY SENATOR J. JEFFRESS
SENATE BILL NO. 142	BY SENATOR J. JEFFRESS
SENATE BILL NO. 149	BY SENATOR FARIS
SENATE BILL NO. 236	BY SENATOR MADISON
SENATE BILL NO. 334	BY SENATOR STEELE
SENATE BILL NO. 443	BY SENATOR MALONE
SENATE BILL NO. 799	BY SENATOR CRITCHER
SENATE BILL NO. 840	BY SENATOR GLOVER
SENATE BILL NO. 849	BY SENATOR TRUSTY
SENATE BILL NO. 868	BY SENATOR STEELE

ARKANSAS SENATE
SENATE CONCURRENT MEMORIAL RESOLUTIONS ADOPTED
AND TRANSMITTED TO THE HOUSE

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4	BY SENATOR BISBEE
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ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 13, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1341 BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 1345 BY REPRESENTATIVE WOOD
HOUSE BILL NO. 1452 BY REPRESENTATIVES HARDY & REEP
HOUSE BILL NO. 1521 BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 1536 BY REPRESENTATIVE OVERBEY, ET AL
HOUSE BILL NO. 1569 BY REPRESENTATIVE WALTERS, ET AL
HOUSE BILL NO. 1607 BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1622 BY REPRESENTATIVE OVERBEY
HOUSE BILL NO. 1683 BY HOUSE MANAGEMENT
HOUSE BILL NO. 1692 BY REPRESENTATIVE D. CREEKMORE
HOUSE BILL NO. 1810 BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2220 BY REPRESENTATIVE LOWERY

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 9:30 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1341 BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 1345 BY REPRESENTATIVE WOOD
HOUSE BILL NO. 1452 BY REPRESENTATIVES HARDY & REEP
HOUSE BILL NO. 1521 BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 1536 BY REPRESENTATIVE OVERBEY, ET AL
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HOUSE BILL NO. 1683 BY HOUSE MANAGEMENT
HOUSE BILL NO. 1692 BY REPRESENTATIVE D. CREEKMORE
HOUSE BILL NO. 1810 BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2220 BY REPRESENTATIVE LOWERY

/s/ Mike Beebe - Governor

TIME: 9:30 a.m.

By: Sarah Agee

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2691

"TO ESTABLISH A LEGAL FRAMEWORK FOR THE REGULATION OF SERVICE
CONTRACTS."

Amendment No. 1 to House Bill No. 2691.

Amend House Bill No. 2691 as originally introduced:

(Delete Section 1 on page 1, line 20 and substitute the following:)

"SECTION 1. Arkansas Code Title 4 is amended to add an additional
chapter to read as follows:

CHAPTER 112 — SERVICE CONTRACTS ACT

4-112-101. Title.

This chapter shall be known and may be cited as the "Service Contracts
Act".

4-112-102. Scope and purpose.

(a) The purpose of this chapter is to:

- (1) Create a legal framework within which service contracts are defined, may be sold, and are regulated in this state;
- (2) Add significant consumer protections; and
- (3) Eliminate unnecessary administration.

(b) A service contract under § 4-112-103 is not insurance and is not subject to the Arkansas Insurance Code.

(c) This chapter does not apply to:

- (1) Warranties;
- (2) Maintenance agreements;
- (3) Commercial transactions;
- (4) Warranties, service contracts, or maintenance agreements offered by public utilities on their transmission devices to the extent they are regulated by the Arkansas Public Service Commission;
- (5) Service contracts sold or offered for sale to persons other than consumers;
- (6) Motor vehicle service contracts as defined in and regulated pursuant to the Motor Vehicle Service Contract Act, § 4-90-501, et seq.; or
- (7) Mechanical breakdown insurance.

(d) Manufacturer's service contracts on the manufacturer's products are subject only to §§ 4-112-106(a), 4-112-106(d) — (g), 4-112-107, and 4-112-111.

(e) Other than mechanical breakdown insurance, the types of agreements referred to in subsections (c) and (d) of this section, and service contracts governed under this chapter are not insurance and are not subject to compliance with any provision of the insurance laws of this state.

4-112-103. Definitions.

As used in this chapter:

- (1) "Administrator" means the person who is responsible for the administration of a service contract;
- (2) "Consumer" means an individual who buys other than for purposes of resale any tangible personal property that is distributed in commerce and that is normally used for personal, family, or household purposes and not for business or resale purposes;
- (3) "Maintenance agreement" means a contract of limited duration that provides for scheduled maintenance only;
- (4) "Manufacturer" means a person that:
 - (A) Manufactures or produces property and sells the property under its own name or label;
 - (B) Is a wholly owned subsidiary of the person that manufactures or produces that property;
 - (C) Is a corporation that owns one hundred percent (100%) of the person that manufactures or produces the property;
 - (D) Does not manufacture or produce the property, but the property is sold under its trade name label;
 - (E) Manufactures or produces the property and the property is sold under the trade name or label of another person; or
 - (F) Does not manufacture or produce the property but licenses the use of its trade name or label under a written contract with another person that sells the property under the licensor's trade name or label;
- (5) "Mechanical breakdown insurance" means a policy, a contract, or an agreement issued by an authorized insurer that provides for the repair, replacement, or maintenance of property, or indemnification for repair, replacement, or service, for the operations or structural failure of the property due to a defect in materials or workmanship or to normal wear and tear;

- (6) "Nonoriginal manufacturer's parts" means replacement parts not made for or by the original manufacturer of the property, commonly referred to as "after market parts";
- (7) "Person" means an individual, a partnership, a corporation, an incorporated or unincorporated association, a joint stock company, a reciprocal, a syndicate, or any similar entity or combination of entities acting in concert;
- (8) "Premium" means the consideration paid to an insurer for a reimbursement insurance policy;
- (9) "Provider" means a person that is contractually obligated to the service contract holder under the terms of the service contract;
- (10) "Provider fee" means the consideration paid for a service contract;
- (11) "Reimbursement insurance policy" means a policy of insurance issued to a provider to either:
- (A) Provide reimbursement to the provider under the terms of the insured service contracts issued or sold by the provider; or
- (B) In the event of the provider's nonperformance, to pay on behalf of the provider all covered contractual obligations incurred by the provider under the terms of the insured service contracts issued or sold by the provider;
- (12)(A) "Service contract" means a contract or an agreement for a separately stated consideration and for a specific duration to perform the service, repair, replacement, or maintenance of property or indemnification for service, repair, replacement, or maintenance, for the operational or structural failure of property due to a defect in materials, workmanship, or normal wear and tear, with or without additional provision for incidental payment of indemnity under limited circumstances, including without limitation, unavailability of parts, obsolescence, food spoilage, rental, or shipping.
- (B) "Service contract" does not include mechanical breakdown insurance or maintenance agreements.
- (C) A service contract may provide for the repair, replacement, or maintenance of property for damage resulting from power surges or accidental damage from handling.
- (D) A service contract is not insurance in this state or otherwise regulated under the Arkansas Insurance Code;
- (13) "Service contract holder" means a person that is the

purchaser or holder of a service contract; and

(14) "Warranty" means a warranty made solely by the manufacturer, importer, or seller of property or services without charge that:

(A) Is not negotiated or separated from the sale of the product;

(B) Is incidental to the sale of the product; and

(C) Guarantees indemnity for defective parts, mechanical breakdown, or electrical breakdown, and labor or other remedial measures, such as repair or replacement of the property or repetition of services.

4-112-104. Requirements for doing business.

(a) A provider may appoint an administrator or other designee to be responsible for all or part of the administration of service contracts and compliance with this chapter.

(b) Service contracts shall not be issued, sold, or offered for sale in this state unless the provider or its designee has:

(1) Provided a receipt or other written evidence of the purchase of the service contract to the contract holder;

(2) Provided a copy of the service contract to the service contract holder within a reasonable period of time from the date of purchase; and

(3) Complied with this chapter.

(c)(1) Each provider of service contracts sold in this state shall file a registration with the Insurance Commissioner consisting of its name, full corporate address, telephone number and contact person, evidence of compliance with subsection (d) of this section, a designation of a person in this state for service of process, and any other information required to be submitted by rule of the commissioner.

(2) Each provider shall pay to the commissioner a fee in the amount of two hundred dollars (\$200) upon initial registration and every year thereafter.

(3) The registration shall be updated by written notification to the commissioner if material changes occur in the registration.

(d) In order to assure the faithful performance of a provider's obligations to its contract holders, each provider that is contractually obligated to provide service under a service contract shall:

(1) Insure all service contracts under a reimbursement insurance policy issued by an insurer licensed, registered, or authorized to transact

insurance in this state, or a surplus lines insurer that is authorized under § 23-65-310 and maintains statutory capital and surplus of at least fifteen million dollars (\$15,000,000) at all times while the reimbursement insurance policy is in force;

(2)(A) Maintain a funded reserve account for its obligations under its contracts issued and outstanding in this state.

(B) The reserves shall not be less than forty percent (40%) of gross consideration received less claims paid on the sale of all unexpired service contracts.

(C) The reserve account shall be subject to examination and review by the commissioner;

(3) Place in trust with the commissioner a financial security deposit having a value of not less than five percent (5%) of the gross consideration received less claims paid on the sale of all unexpired service contracts, but not less than twenty-five thousand dollars (\$25,000), consisting of a surety bond issued by an authorized surety; or

(4)(A) Maintain a net worth of one hundred million dollars (\$100,000,000) on its own or together with its parent company if the parent company executes a parental guarantee in a form acceptable to the commissioner.

(B) Upon request, the provider shall provide the commissioner with a copy of the provider's or, if the provider's financial statements are consolidated with those of its parent company, the provider's parent company's most recent Form 10-K or Form 20-F filed with the Securities and Exchange Commission within the last calendar year, or if the company does not file with the Securities and Exchange Commission, a copy of the company's audited financial statements, which shows an independent net worth of the provider or its parent company of at least one hundred million dollars (\$100,000,000).

(C) If the provider's parent company's Form 10-K, Form 20-F or audited financial statements are filed to meet the provider's financial stability requirement, then the parent company shall agree to guarantee the obligations of the obligor relating to service contracts sold by the provider in this state.

(e) Except for the requirements specified in subsection (d) of this section, no other financial security requirements shall be required by the commissioner for a provider.

(f)(1) Provider fees collected on service contracts shall not be

subject to premium taxes.

(2) Premiums for reimbursement insurance policies shall be subject to applicable taxes.

(g) Except for the registration requirements in subsection (c) of this section, persons marketing, selling, or offering to sell service contracts for providers that comply with this chapter are exempt from this state's licensing requirements.

(h) Providers complying with this chapter are not required to comply with other provisions of the Arkansas Insurance Code.

4-112-105. Required disclosures — Reimbursement insurance policy.

(a) Reimbursement insurance policies insuring service contracts issued, sold, or offered for sale in this state shall state that the insurer that issued the reimbursement insurance policy shall:

(1) Reimburse or pay on behalf of the provider any covered sums the provider is legally obligated to pay; or

(2) In the event of the provider's nonperformance, shall provide the service that the provider is legally obligated to perform according to the provider's contractual obligations under the service contracts issued or sold by the provider.

(b) In the event covered service is not provided by the provider within sixty (60) days of proof of loss by the service contract holder, the service contract holder is entitled to apply directly to the reimbursement insurance company.

4-112-106. Required disclosure — Service contracts.

(a) A service contract issued, sold, or offered for sale in this state shall:

(1) Be written in clear, understandable language that is easy to read; and

(2) Conspicuously disclose the applicable requirements of this section.

(b)(1) A service contract insured under a reimbursement insurance policy under § 4-112-104(d)(1) shall contain the name and address of the insurer and a statement in substantially the following form: "Obligations of the provider under this service contract are guaranteed under a service contract reimbursement insurance policy. If the provider fails to pay or provide service on a claim within sixty (60) days after proof of loss has been filed, the service contract holder is entitled to make a claim directly against the insurance company".

(2) A claim against the provider may include a claim for return of the unearned provider fee.

(c)(1) A service contract not insured under a reimbursement insurance policy under § 4-112-104(d)(1) shall conspicuously state the name and address of the provider and contain a statement in substantially the following form:

“Obligations of the provider under this service contract are backed only by the full faith and credit of the provider (issuer) and are not guaranteed under a service contract reimbursement insurance policy”.

(2) A claim against the provider shall also include a claim for return of the unearned provider fee.

(d) A service contract shall identify the administrator, the provider obligated to perform the service under the contract, the service contract seller, and the service contract holder to the extent that the name and address of the service contract holder has been furnished by the service contract holder.

(e)(1) A service contract or a service contract holder's receipt shall state the total purchase price and the terms under which service contract is sold.

(2) The purchase price is not required to be preprinted on the service contract and may be negotiated at the time of sale with the service contract holder.

(f) If prior approval of repair work is required, a service contract shall state the procedure for obtaining prior approval and for making a claim, including a toll-free telephone number for claim service and a procedure for obtaining emergency repairs performed outside of normal business hours.

(g) A service contract shall:

(1) Disclose the deductible amount;

(2) Specify the merchandise and services to be provided and any limitations, exceptions, or exclusions;

(3)(A) State the conditions upon which the use of the nonoriginal manufacturer's parts or substitute service may be allowed.

(B) Conditions stated shall comply with applicable state and federal laws;

(4) State any terms, restrictions, or conditions governing the transferability of the service contract;

(5)(A) State the terms, restrictions, or conditions governing termination of the service contract by the service contract holder.

(B)(i) The provider of the service contract shall mail a written notice to the contract holder within fifteen (15) days of the date of termination in the event the provider terminates the service contract.

(ii) Prior notice is not required if the reason for cancellation is nonpayment of the provider fee, a material misrepresentation by the service contract holder to the provider, or a substantial breach of duties by the service contract holder relating to the covered product or its use.

(C) The notice shall state the effective date of the cancellation and the reason for the cancellation.

(D) A pro rata refund of the unearned portion of the provider fee, less the amount or value of any claims paid, shall accompany the notice unless cancellation is for nonpayment;

(6)(A) Require every provider to permit the service contract holder to return the contract within no less than twenty (20) days of the date of mailing of the service contract or no less than ten (10) days if the service contract is delivered at the time of sale or within a longer time period permitted under the service contract.

(B) If no claim has been made under the service contract, the service contract is void and the provider shall refund to the service contract holder the full purchase price of the service contract.

(C) A ten percent (10%) penalty per month shall be added to a refund that is not paid within forty-five (45) days of return of the service contract to the provider.

(D) The applicable free-look time period on service contracts shall only apply to the original service contract purchaser and only if no claim has been made prior to its return to the provider;

(7) Set forth all of the obligations and duties of the service contract holder, such as the duty to protect against any further damage and the requirement for certain service and maintenance; and

(8) Clearly state whether or not the service contract provides for or excludes consequential damages or preexisting conditions.

4-112-107. Prohibited acts.

(a)(1) A provider shall not use a name:

(A) With the words insurance, casualty, surety, mutual, or any other words descriptive of the insurance, casualty, or surety business; or

(B) Deceptively similar to the name or description of any

insurance or surety corporation or any other provider.

(2)(A) This subsection shall not apply to a company that was using any of the prohibited language in its name prior to the effective date of this chapter.

(B) However, a company using the prohibited language in its name shall conspicuously disclose in its service contracts that the service contract is not an insurance contract.

(b) A provider or its representative shall not in its service contracts or literature make or permit or cause to be made any false or misleading statement or deliberately omit any material statement that would be considered misleading if omitted in connection with the sale, offer to sell, or advertisement of a service contract.

(c) A person, including without limitation, bank, savings and loan association, lending institution, manufacturer, or seller of any product, shall not require the purchase of a service contract as a condition of a loan or a condition for the sale of any property.

4-112-108. Recordkeeping requirements.

(a)(1) A provider shall keep accurate accounts, books, and records concerning transactions regulated under this chapter.

(2) A provider's accounts, books, and records shall include:

(A) A copy of each type of service contract issued;

(B) The name and address of each service contract holder to the extent that the name and address have been furnished by the service contract holder;

(C) A list of the provider locations where service contracts are marketed, sold, or offered for sale; and

(D) Claims files containing at a minimum the dates, amounts, and description of all receipts, claims, and expenditures related to the service contracts.

(3) Except as provided in subsection (b) of this section, a provider shall retain all records pertaining to each service contract holder for at least three (3) years after the specified period of coverage has expired.

(4)(A) A provider may keep all records required under this chapter on a computer disk or other similar technology.

(B) If a provider maintains records in other than hard copy, records shall be accessible from a computer terminal available to the Insurance Commissioner and be capable of duplication to legible hard copy.

(b) A provider discontinuing business in this state shall maintain its records until it furnishes the commissioner satisfactory proof that it has discharged all obligations to service contract holders in this state.

(c) A provider shall make all accounts, books, and records concerning transactions regulated under this chapter or other pertinent laws available to the commissioner upon request.

(d) The books and records requirement of this section may be delegated by the provider to its administrator or other designee, but such delegation shall not relieve the provider of its obligations to have the books and records maintained and produced upon the commissioner's request.

4-112-109. Cancellation of reimbursement insurance policy.

(a) An insurer that issued a reimbursement insurance policy shall not terminate the policy until at least sixty (60) days' notice of termination has been mailed or delivered to the Insurance Commissioner and in accordance with any other applicable law.

(b) The termination of a reimbursement insurance policy shall not reduce the insurer's responsibility for service contracts issued by providers prior to the date of the termination.

4-112-110. Obligation of reimbursement insurance policy insurers.

(a)(1) Providers are considered to be the agent of the insurer that issued a reimbursement insurance policy for the purpose of obligating an insurer for the acts of its agents, including the collection of moneys not forwarded.

(2) If a provider is acting as an administrator and enlists other providers, the provider acting as the administrator shall notify the insurer of the existence and identities of the other providers.

(b) This chapter shall not prevent or limit the right of an insurer that issued a reimbursement insurance policy to seek indemnification or subrogation against a provider if the insurer pays or is obligated to pay a service contract holder sums that the provider was obligated to pay pursuant to the provisions of the service contract or under a contractual agreement.

4-112-111. Enforcement provisions.

(a) The Insurance Commissioner may conduct investigations or examinations of providers, administrators, insurers, or other persons to enforce the provisions of this chapter and protect service contract holders in this state.

(b)(1) The commissioner may take any action that is necessary or appropriate to enforce the provisions of this chapter and the commissioner's

rules and orders to protect service contract holders in this state.

(2) The commissioner may order a provider to cease and desist from committing violations of this chapter or the commissioner's rules or orders, may issue an order prohibiting a provider from selling or offering a service contract for sale, or may issue an order imposing a civil penalty, or any combination of these, if the provider has violated this chapter or the commissioner's rules or orders.

(3)(A) A person aggrieved by an order issued under this subsection may request a hearing before the commissioner by filing a request with the commissioner within twenty (20) days of the commissioner's order.

(B) Pending the hearing and the decision by the commissioner, the commissioner shall suspend the effective date of the order.

(C)(i) At the hearing, the burden shall be on the commissioner to show why the order is justified.

(ii) The provisions of § 23-61-301 et seq. shall apply to a hearing requested under this subsection.

(4)(A) The commissioner may bring an action in the Pulaski County Circuit Court for an injunction or other appropriate relief for threatened or existing violations of this chapter or of the commissioner's rules or orders.

(B) An action filed under this subdivision (b)(3)(A) of this section may also seek restitution on behalf of persons aggrieved by a violation of this chapter or a rule or an order of the commissioner.

(5)(A) A person in violation of this chapter or a rule or an order of the commissioner may be assessed a civil penalty not to exceed five hundred dollars (\$500) per violation and no more than ten thousand dollars (\$10,000) in the aggregate for all violations of a similar nature.

(B) For purposes of this subdivision (b)(5), violations shall be of a similar nature if the violation consists of the same or similar course of conduct, action, or practice, irrespective of the number of times the act, conduct, or practice that is determined to be a violation of this chapter has occurred.

(c) The authority of the commissioner under this section is in addition to other authorities of the commissioner.

4-112-112. Rules.

The Insurance Commissioner may promulgate rules necessary to effectuate this chapter.

4-112-113. Effective date — Exception.

This chapter shall become effective and apply to all service contracts issued on or after October 1, 2007. However, a provider engaged in the service contract business in this state on or before the effective date of this chapter that submits an application for registration as a provider under this chapter within thirty (30) days after the Insurance Commissioner makes the application available may continue to engage in business as a provider in this state until final agency action is taken by the commissioner regarding the registration application and all rights to administrative judicial review have been exhausted or have expired."

The Amendment was read

By: Representative Maloch

DLP/SML - 03-09-2007 10:08

DLP388

Chief Clerk

MEMORANDUM TO WHOM IT MAY CONCERN

RE: Amendment #2 to HB 1808

Page 2

March 13, 2007

AND

Page 1, line 29, delete "AND ADMINISTRATION - DISBURSING OFFICER"

AND

Page 1, line 31, insert "Minority" after "Small"

AND

Page 1, line 36, insert "Minority" after "Small"

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 1808.

/s/ Benny C. Petrus

Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman

House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman

House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 1808

"AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION -
DISBURSING OFFICER - SMALL CONTRACTORS SURETY BONDING AND MENTOR
PROTEGEE TRAINING PILOT PROGRAM GENERAL IMPROVEMENT
APPROPRIATION."

Amendment No. 2 to House Bill No. 1808.

Amend House Bill No. 1808 as engrossed, H3/8/07 (version: 03-08-2007 09:02):

Page 1, line 40,(11) delete "FINANCE AND ADMINISTRATION - DISBURSING" and substitute "WORKFORCE EDUCATION"

AND

Page 1, line 44,(12) delete "OFFICER"

AND

Page 1, line 44,(12) insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 47,(18) delete "FINANCE" and substitute "WORKFORCE EDUCATION"

AND

Page 1, line 48,(19) delete "AND ADMINISTRATION - DISBURSING OFFICER"

AND

Page 1, line 49,(20) insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 26,(27) insert "MINORITY" between "SMALL" and "CONTRACTORS"

AND

Page 1, line 27,(28), delete "Finance and" and substitute "Workforce Education,"

AND

Page 1, line 28,(29) delete "Administration - Disbursing Officer,"

AND

Page 1, line 30,(31) insert "Minority" after "Small"

AND

Page 1, line 35,(36) insert "Minority" after "Small"

The Amendment was read _____

By: Representative Blount

MAH/MAH - 03-12-2007 15:14 _____

MAH282

Chief Clerk

STATE OF ARKANSAS
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH GENERAL ASSEMBLY
ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 13, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2805**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2805. In the Amendment, page 1, the first line should read: "Page 1, delete lines 16 through 18 and substitute the following:" (changed lines 15 through 19 to lines 16 through 18)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2805.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2805

"AN ACT TO AUTHORIZE NURSES A TO PRONOUNCE DEATH A FOR RESIDENTS OF
LONG-TERM CARE FACILITIES."

Amendment No. 1 to House Bill No. 2805.

Amend House Bill No. 2805 as originally introduced:

Page 1, delete lines 45 (16)through-49 (18) and substitute the following:

"AN ACT TO AUTHORIZE NURSES TO PRONOUNCE DEATH FOR RESIDENTS
OF LONG-TERM CARE FACILITIES."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 20-18-601(c)-(e), concerning preparation
and filing of death certificates, are amended to read as follows:

(c)(1) The medical certification shall be completed, signed, and
returned to the funeral director within two (2) business days after receipt
of the death certificate by the physician in charge of the patient's care for
the illness or condition which resulted in death, except when inquiry is
required by § 12-12-315, § 12-12-318, or § 14-15-301 et seq.

(2)(A) In the absence of the physician, or with his or her
approval, the certificate may be completed and signed by his or her associate
physician, the chief medical officer of the institution in which death
occurred, by the pathologist who performed an autopsy upon the decedent, or
by a registered nurse or an advanced practice nurse as provided in
subdivision (c)(2) of this section this subdivision (c)(2), provided the
individual has access to the medical history of the case, views the deceased
at or after death, and death is due to natural causes.

(B) The person completing the cause-of-death section of
the certificate shall attest to its accuracy either by a signature or by
approved electronic process.

(3)(A) A registered nurse or an advanced practice nurse employed
by the attending hospice may complete and sign the medical certification of
death for a patient who is terminally ill, whose death is anticipated, who is
receiving services from a hospice program certified under § 20-7-117, and who

dies in a hospice inpatient program or as a hospice patient in a nursing home may pronounce death and complete and sign the medical certification of death, when:

- (i) Death occurs:
 - (a) From natural causes; and
 - (b) In a hospital, a nursing facility, a hospice, or a private home served by a home health care provider or a hospice; and
 - (ii) The patient is under the care of a physician who is unable to be present within a reasonable period of time to certify the fact of death.
- (B) The registered nurse or an advanced practice nurse may release the body to the funeral director after notifying the county coroner and the chief law enforcement officer in accordance with § 12-12-315, the family, and the attending physician and after certifying the fact of death and completing and signing the medical certification of death.
- (C) The registered nurse or an advanced practice nurse shall document the clinical criteria for the determination and pronouncement of death in the patient's medical record.
- (D) The hospital, nursing home, home health care provider, or hospice provider shall have adopted written policies and procedures that provide for the determination and pronouncement of death by a registered nurse or an advanced practice nurse.
- (E) This subdivision (c)(3) does not authorize a registered nurse or an advanced practice nurse to determine the cause of death.
- (F)(i) A registered nurse or an advanced practice nurse who determines death under this subdivision (c)(3) is not liable for civil damages and is not subject to criminal prosecution for his or her actions or the actions of others based on the determination of death.
- (ii) A person who acts in good faith reliance of a registered nurse's determination of death or an advanced practice nurse's determination of death is not liable for civil damages or subject to criminal prosecution for the person's actions.
- (4) If the hospice patient dies in the home, the registered nurse may make pronouncement of death. However, the county coroner and the chief law enforcement official of the county or municipality where death occurred shall be immediately notified in accordance with § 12-12-315.

(5)(4)(A) The Division of Health of the Department of Health and Human Services shall provide hospitals, nursing homes, and hospices with the appropriate death certificate forms which will be made available to the attending physicians, coroners, registered nurses, advanced practice nurses, or other certifiers of death.

(B) When death occurs outside these health facilities, the funeral home shall provide the death certificate to the certifier.

(d)(1) If the cause of death appears to be other than the illness or condition for which the deceased was being treated or if inquiry is required by either any of the laws referred to in subsection (c) of this section, the case shall be referred to the office of the State Medical Examiner or coroner in the jurisdiction where the death occurred or the body was found for investigation to determine and certify the cause of death.

(2) If the State Medical Examiner or county coroner determines that the case does not fall within his or her jurisdiction, he or she shall within twenty-four (24) hours refer the case back to the physician for completion of the medical certification.

(e) When inquiry is required by either any of the laws referred to in subsection (c) of this section, the State Medical Examiner or coroner in the jurisdiction where the death occurred or the body was found shall determine the cause of death and shall complete and sign the medical certification within forty-eight (48) hours after taking charge of the case."

The Amendment was read

By: Representative T. Baker

MGF/CDS - 03-12-2007 13:13

MGF511

Chief Clerk

SENATE BILL NO. 100

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING BENEFITS, CREDITED SERVICE, ELIGIBILITY REQUIREMENTS, EMPLOYEE AND EMPLOYER CONTRIBUTIONS, AND THE ADMINISTRATION OF THE ARKANSAS STATE HIGHWAY EMPLOYEES' RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 140

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING DISABILITY RETIREMENT UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 142

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ARKANSAS TEACHER RETIREMENT SYSTEM EMPLOYER CONTRIBUTION RATE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 236

BY: SENATOR MADISON**BY: REPRESENTATIVE EDWARDS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ARKANSAS PUBLIC SAFETY COMMUNICATIONS ACT OF 1985 TO ADD DEFINITIONS; TO LEVY ADDITIONAL SERVICE CHARGES; TO CHANGE THE CMRS EMERGENCY TELEPHONE SERVICES BOARD'S NAME; TO CLARIFY THE BOARD'S DUTIES CONCERNING THE FUNDS COLLECTED FROM LEVIES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 334

BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THAT OUT-OF-STATE TUITION PAID BY THE STATE OF ARKANSAS BE REPAID IF THE STUDENT DOES NOT RETURN TO THE STATE TO PRACTICE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 443

BY: SENATORS MALONE, FARIS**BY: REPRESENTATIVE HAWKINS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE LEAVE FOR STATE EMPLOYEES TO PARTICIPATE IN THEIR CHILDREN'S EDUCATIONAL ACTIVITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 840

BY: SENATORS GLOVER, CRITCHER, BOOKOUT, CAPPS, HENDREN, B. JOHNSON, J. TAYLOR, TRUSTY, WILKINS, BROADWAY, *ALTES, ARGUE, BAKER, BISBEE, BROWN, BRYLES, CRUMBLY, FARIS, HILL, HORN, G. JEFFRESS, J. JEFFRESS, LAVERTY, LUKER, MADISON, MALONE, MILLER, B. PRITCHARD, SALMON, T. SMITH, STEELE, R. THOMPSON, WHITAKER, WILKINSON, WOMACK*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE ARKANSAS STATE HIGHWAY COMMISSION TO ISSUE FEDERAL HIGHWAY GRANT ANTICIPATION AND TAX REVENUE BONDS FOR THE PURPOSES OF CONSTRUCTING AND RENOVATING ROADS AND HIGHWAYS; PROVIDING FOR A STATEWIDE ELECTION ON THE QUESTION OF ISSUING BONDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 849

BY: SENATOR TRUSTY

BY: REPRESENTATIVE LOVELL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 26-18-303 TO ALLOW THE ARKANSAS DEPARTMENT OF ECONOMIC DEVELOPMENT TO OBTAIN FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION INFORMATION RELATED TO ECONOMIC DEVELOPMENT INCENTIVES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 868

BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH THE HUMAN SERVICES WORKERS IN THE SCHOOLS PROGRAM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4

BY: SENATORS BISBEE, HENDREN

BY: REPRESENTATIVES PACE, HARDWICK, HARRIS, BURKES, KENNEY, ANDERSON, D. HUTCHINSON

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF JUDGE TERRY CRABTREE AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE JUDICIARY AND TO THE PEOPLE OF ARKANSAS.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

Upon motion of Representative David Evans, the House adjourned at 2:35 p.m. until 1:30 p.m., Wednesday, March 14, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

**SIXTY-SIXTH DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

March 14, 2007

The House was called to order at 1:33 p.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

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

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Reverend Keith Goza, Pastor, First United Methodist Church, Forrest City, Arkansas.

The House stood and gave the Pledge of Allegiance to the Flag.

The reading of the Journal of yesterday's proceedings was dispensed with.

COMMITTEE REPORT

	March 14, 2007
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	LINDA CHESTERFIELD CHAIRPERSON
HOUSE BILL NO. 2320 BY REPRESENTATIVE MOORE	DO PASS
HOUSE BILL NO. 2355 BY REPRESENTATIVE J. JOHNSON	DO PASS
HOUSE BILL NO. 2357 BY REPRESENTATIVE STEWART	DO PASS AS AMENDED #1
HOUSE BILL NO. 2490 BY REPRESENTATIVE J. JOHNSON	DO PASS AS AMENDED #1
HOUSE CONCURRENT RESOLUTION NO. 1032 BY REPRESENTATIVE WOOD	DO PASS

COMMITTEE REPORT

	March 14, 2007
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	TOMMY DICKINSON CHAIRPERSON
HOUSE BILL NO. 2742 BY REPRESENTATIVE BREEDLOVE	DO PASS
HOUSE RESOLUTION NO. 1029 BY REPRESENTATIVE STEWART	DO PASS

COMMITTEE REPORT

	March 14, 2007
CITY, COUNTY AND LOCAL AFFAIRS	STEPHANIE FLOWERS CHAIRPERSON
HOUSE BILL NO. 2302 BY REPRESENTATIVE PACE	DO PASS AS AMENDED #1
HOUSE BILL NO. 2382 BY REPRESENTATIVE REEP	DO PASS
HOUSE BILL NO. 2492 BY REPRESENTATIVE DUNN	DO PASS

COMMITTEE REPORT

	March 14, 2007
INSURANCE AND COMMERCE	SID ROSENBAUM
	CHAIRPERSON
HOUSE BILL NO. 1636	DO PASS
BY REPRESENTATIVE BOND	AS AMENDED #1 (DLP 375)
HOUSE BILL NO. 2334	DO PASS
BY REPRESENTATIVE L. SMITH	AS AMENDED #1 (GLG 207)
HOUSE BILL NO. 2477	DO PASS
BY REPRESENTATIVE LAMOUREUX	
HOUSE BILL NO. 2487	DO PASS
BY REPRESENTATIVE BOND	AS AMENDED #1 (DLP 399)
HOUSE BILL NO. 2545	DO PASS
BY REPRESENTATIVE WOOD	
HOUSE BILL NO. 2620	DO PASS
BY REPRESENTATIVE WALTERS	AS AMENDED #2 (DLP 422)
HOUSE BILL NO. 2697	DO PASS
BY REPRESENTATIVE WYATT	
HOUSE BILL NO. 2702	DO PASS
BY REPRESENTATIVE SAUNDERS	
SENATE BILL NO. 79	DO PASS
BY SENATOR BISBEE	
SENATE BILL NO. 88	DO PASS
BY SENATOR J. JEFFRESS	
SENATE BILL NO. 357	DO PASS
BY SENATOR HORN	
SENATE CONCURRENT	
RESOLUTION NO. 13	DO PASS
BY SENATOR WILKINSON	

COMMITTEE REPORT

	March 14, 2007
INSURANCE AND COMMERCE	DAVID WYATT
	VICE-CHAIRPERSON
HOUSE BILL NO. 2562	DO PASS
BY REPRESENTATIVE KEY	
SENATE BILL NO. 379	DO PASS
BY SENATOR MILLER	
SENATE BILL NO. 439	DO PASS
BY SENATOR HORN	

COMMITTEE REPORT

	March 14, 2007
STATE AGENCIES AND GOVERNMENTAL AFFAIRS	JEFF WOOD
	CHAIRPERSON
HOUSE BILL NO. 1703	DO PASS
BY REPRESENTATIVE DAVENPORT	
HOUSE BILL NO. 2353	DO PASS
BY REPRESENTATIVE GREENBERG	AS AMENDED #1
HOUSE BILL NO. 2371	DO PASS
BY REPRESENTATIVE KING	AS AMENDED #1
HOUSE BILL NO. 2625	DO PASS
BY REPRESENTATIVE SUMPTER	
HOUSE BILL NO. 2628	DO PASS
BY REPRESENTATIVE R. GREEN	
HOUSE BILL NO. 2763	DO PASS
BY REPRESENTATIVE SAUNDERS	AS AMENDED #1
SENATE BILL NO. 309	DO PASS
BY SENATOR FARIS	
SENATE BILL NO. 368	DO PASS
BY SENATOR WILKINSON	
SENATE BILL NO. 765	DO PASS
BY SENATOR SALMON	

COMMITTEE REPORT

	March 14, 2007
RULES	DAVID DUNN
	CHAIRPERSON
HOUSE BILL NO. 2410	DO PASS
BY REPRESENTATIVE PETRUS	
HOUSE BILL NO. 2448	DO PASS
BY REPRESENTATIVE HYDE	AS AMENDED #1
HOUSE BILL NO. 2728	DO PASS
BY REPRESENTATIVE PETRUS	
HOUSE BILL NO. 2730	DO PASS
BY REPRESENTATIVE PETRUS	

COMMITTEE REPORT

	March 14, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1120	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1393	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1412	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1595	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 381	DO PASS
BY SENATOR BOOKOUT, ET AL	

COMMITTEE REPORT

March 14, 2007

JOINT COMMITTEE ON PUBLIC
RETIREMENT AND SOCIAL
SECURITY PROGRAMS

ERIC HARRIS
VICE-CHAIRPERSON

SENATE BILL NO. 100

DO PASS

BY SENATOR J. JEFFRESS

SENATE BILL NO. 142

DO PASS

BY SENATOR J. JEFFRESS

SENATE BILL NO. 149

DO PASS

BY SENATOR FARIS

Upon motion of Representative Cook, **HOUSE BILL NO. 2269** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2269

Amend **HOUSE BILL NO. 2269** as engrossed,

H3/12/07 (version: 03-12-2007 10:09):

Delete SECTION 13 in its entirety and substitute the following:

"SECTION 13. Arkansas Code § 6-20-2508(e), concerning the academic facilities catastrophic program, is amended to read as follows:

(e)(1)(A) If a school district qualifies for state financial participation under this section, the division shall certify the amount of state financial participation to the Commission for Arkansas Public School Academic Facilities and Transportation ~~for oversight purposes.~~

(B) The amount of state financial participation under this section shall not exceed the amount resulting from the application of the academic facilities wealth index to the cost necessary to bring the academic facility into compliance with the Arkansas Public School Academic Facility Manual, less any withholding or reduction imposed by the commission under § 6-21-114(d) for a school district's failure to comply with the commission's insurance requirements, including without limitation, the failure to carry replacement cost coverage, if applicable, on all buildings and facilities.

~~(B)(2)(A)~~ The commission shall certify the amount to the Department of Education for payment.

~~(2)(B)~~ For tracking purposes, the school district shall account for the funds received as a state financial participation under this section as restricted funds and shall account for the funds in accordance with provisions of law, including, without limitation, the Arkansas Educational Financial Accounting and Reporting Act of 2004, § 6-20-2201 et seq., and rules established by the State Board of Education and the commission."

/s/ David Cook

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cook, HOUSE BILL NO. 2269 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2269

Amend HOUSE BILL NO. 2269 as engrossed,

H3/12/07 (version: 03-12-2007 10:09):

Page, 3 delete line 22 and substitute the following:

"tax plus ~~seventy-five percent (75%)~~ of the average miscellaneous funds"

AND

Page 5, delete lines 17 through 20 and substitute the following:

"2005, has been satisfied, which shall include defeasance.

(B) If a school district has issued refunding bonds to refund bonds in existence as of January 1, 2005, the school district shall notify the"

AND

Page 5, delete lines 23 through 27 and substitute the following:

"had the bonds not been refunded.

(2)(A) Within thirty (30) days after receiving notification"

AND

Page 7, line 4, delete "(b)" and substitute "(b)(1)"

AND

Page 7, line 8, delete "(1)" and substitute "~~(1)~~(A)"

AND

Page 7, line 11, delete "(2)(A)" and substitute "~~(2)(A)~~(B)(i)"

AND

Page 7, line 14, delete "(B)" and substitute "~~(B)~~(ii)"

AND

Page 7, line 19, delete "~~(3)(A)~~" and substitute "~~(3)~~(C)(i)"

AND

Page 7, line 22, delete "(B)" and substitute "(ii)"

AND

Page 7, line 28, delete "(4)" and substitute "~~(4)~~(D)"

AND

Page 7, line 30, delete "(5)" and substitute "~~(5)~~(E)"

AND

Page 7, line 34, delete "(6)" and substitute "~~(6)~~(F)"

AND

Page 8, line 2, delete "(7)" and substitute "~~(7)~~(G)"

AND

Page 8, delete line 5 and substitute the following:

"students in the district.

(2)(A) The life-cycles requirement contained in the state facility assessment of 2004 are advisory only and shall not be sufficient to support the approval of those items in the list of approved projects or individual items within a project.

(B) The division shall require independent proof of the failure of the equipment or other item."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2272** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2272

Amend **HOUSE BILL NO. 2272** as originally introduced:

Page 2, line 34 , delete "reduced" and substitute "withheld or reduced"

AND

Page 3, line 19, delete "Study:" and substitute "Study and promulgate rules concerning:"

AND

Page 4, line 5, delete "reduction" and substitute "withholding or reduction"

AND

Delete SECTION 3 in its entirety and substitute the following:

"SECTION 3. Arkansas Code § 6-20-2508(e), concerning the academic facilities catastrophic program, is amended to read as follows:

(e)(1)(A) If a school district qualifies for state financial participation under this section, the division shall certify the amount of state financial participation to the Commission for Arkansas Public School Academic Facilities and Transportation ~~for oversight purposes.~~

(B) The amount of state financial participation under this

section shall not exceed the amount resulting from the application of the academic facilities wealth index to the cost necessary to bring the academic facility into compliance with the Arkansas Public School Academic Facility Manual, less any withholding or reduction imposed by the commission under § 6-21-114(d) for a school district's failure to comply with the commission's insurance requirements, including without limitation, the failure to carry replacement cost coverage, if applicable, on all buildings and facilities.

~~(B)(2)(A)~~ The commission shall certify the amount to the Department of Education for payment.

~~(2)(B)~~ For tracking purposes, the school district shall account for the funds received as a state financial participation under this section as restricted funds and shall account for the funds in accordance with provisions of law, including, without limitation, the Arkansas Educational Financial Accounting and Reporting Act of 2004, § 6-20-2201 et seq., and rules established by the State Board of Education and the commission."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2425** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2425

Amend **HOUSE BILL NO. 2425** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. FINDINGS. The General Assembly finds that:

(1) The General Assembly has examined the document "Arkansas Department of Education, Percent Change in Three-Quarter Average ADMs Over 2 Years -- 2005-2006 Required Debt Mills", dated February 28, 2007, and determined that thirty-two (32) of two hundred forty-five (245) school districts are now at or above ten (10) mills of debt service. This would seem to be well within range of school districts in Arkansas needing academic facilities improvements;

(2) No evidence was presented during the 2006 Act 57 hearings of

any school district suffering from a problem related to its inability to raise sufficient mills for academic facilities improvements;

(3) However, the General Assembly should support a loan program for the next biennium to assist districts that raise ten (10) mills for academic facilities and also have a four percent (4%) increase in growth over the previous two (2) years that is maintained in the present year; and

(4) This short term loan program will enable the General Assembly to examine the success of this number of mills and the increase in students to resolve the unproven idea that there are school districts that are unable to construct facilities because there is a limit on the number of mills they can raise or should be required to feasibly raise and that growth is the cause.

SECTION 2. Arkansas Code § 6-20-2511 is amended to read as follows:

6-20-2511. High-growth school districts.

~~(a) The Division of Public School Academic Facilities and Transportation shall develop a program to provide state financial participation in the form of emergency loans to eligible high-growth school districts for assistance with excess debt service requirements. The amount of an emergency loan shall be based on:~~

~~(1) Growth trends in the district;~~

~~(2) The application of space utilization standards in the district;~~

~~(3) The academic facilities wealth index of the school district; and~~

~~(4) The prudent and resourceful expenditure of state funds with regard to public school academic facilities.~~

~~(b) The division shall report to the General Assembly by January 15, 2007, on the development of the program and obtain formal legislative approval and funding before implementing the program.~~

(a) As used in this section:

(1) "High-growth school district" means a public school district in which the average daily membership for the public school district in the present school year is four percent (4%) higher than the school year that is two (2) years prior to the present school year; and

(2) "Maximum expected millage" means ten (10) mills, representing the maximum number of mills that a public school district is expected to raise to service its bonded indebtedness incurred for academic facilities.

(b) There is established the Academic Facilities High-Growth School District Loan Program under which the Department of Education shall provide an interest-free loan to a high-growth school district in which the mills required to service the bonded indebtedness incurred for academic facilities exceeds the maximum expected millage for the high-growth school district.

(c)(1) A high-growth school district may apply for an interest-free loan when the high-growth school district has raised the maximum expected millage and the revenue generated from the maximum expected millage is less than the amount required to service the bonded indebtedness incurred for academic facilities.

(2) The amount of the loan shall be the amount of moneys required for academic facilities less the sum of:

(A) The revenues generated by the maximum expected millage;
and

(B) The state revenue received by the high-growth school district under the Academic Facilities Partnership Program.

(3) The high-growth school district shall apply for the loan under from the Revolving Loan Fund, subject to §§ 6-20-801 - 6-20-816.

(d)(1) When the revenue required to service the bonded indebtedness incurred for the high-growth school district's academic facilities is less than the revenue generated by maximum expected millage, the high-growth school district shall repay the loan.

(2)(A) The high-growth school district shall make annual payments to the state in the amount of:

(i) The revenue generated by the high-growth school district's millage up to the amount of the revenues generated from the maximum expected millage for the year; less

(ii) The revenue required to service the high-growth school district's bonded indebtedness for academic facilities.

(B) The payments under this subdivision (d) shall continue until the loan is paid in full.

(3)(A) During the time that the loan to the high-growth school district is in repayment, the high-growth school district:

(i) Shall use all revenues generated below the maximum expected millage to repay the loan;

(ii) Shall not issue refunding bonds or refunding certificates, as provided under § 6-20-815; and

(iii) Shall not otherwise change the amount of revenues available to repay the loan without the prior approval of the department.

(e) Within a reasonable time after its receipt, each application under subsection (c) of this section shall be examined by the department in accordance with rules established by the State Board of Education as to the accuracy of the answers contained therein.

(f)(1) After considering the merits of each application, the department may, in

its discretion, approve the application for the full amount of the proposed loan, approve the application for a loan of a lesser amount than the amount requested, or disapprove the application.

(2) Prior to approving the application, the department shall make a determination that the total space available in the high-growth school district is less than the amount needed to accommodate the growth of students.

(g) The Commission for Arkansas Public School Facilities and Transportation shall adopt rules to implement the program established by this section.

SECTION 3. NOT TO BE CODIFIED. The document attached hereto titled "Arkansas Department of Education, Percent Change in Three-Quarter Average ADMs Over 2 Years -- 2005-2006 Required Debt Mills", dated February 28, 2007, is specifically adopted by the House Education Committee and the Senate Education Committee and recommended to the General Assembly and shall be filed in the journals of the House and Senate."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 2731** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2731

Amend **HOUSE BILL NO. 2731** as originally introduced:

Page 1, delete lines 9 through 12 and substitute the following:

"AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS SYSTEM CRIMINAL JUSTICE INSTITUTE TO TRAIN AND INSTRUCT LAW ENFORCEMENT OFFICIALS,"

AND

Page 1, delete lines 18 through 22 and substitute the following:

"AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS AT LITTLE ROCK AND THE ARKANSAS JUDICIAL COUNCIL TO COOPERATE TO AWARD GRANTS FOR THE TRAINING AND INSTRUCTION OF LAW ENFORCEMENT

OFFICIALS."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 64 is amended to add an additional subchapter to read as follows:

6-64-1201. Legislative findings.

The General Assembly finds that:

(1) There is increasing pressure on county jails to provide or find appropriate care for detainees and jail inmates who have a mental illness;

(2) There are an inadequate number of acute inpatient psychiatric beds and, in some areas, limited follow-up treatment options available to adults with mental illness who have been arrested;

(3) Arkansas ranks forty-ninth in the number of state-operated, psychiatric beds per thousand population;

(4) The only non-profit psychiatric hospital beds for adults with mental illness are located in Pulaski County and Jefferson County;

(5) In 2005, there were sixty-eight (68) counties in Arkansas that had no acute inpatient psychiatric beds;

(6) According to the United States Department of Justice, in 2000 only sixteen percent (16%) of jail inmates reported either a mental or emotional condition or an overnight stay in a mental hospital or program;

(7) In 2006 more than fifty percent (50%) of all prison and state inmates reported mental health problems, including symptoms of major depression, mania, and psychotic disorder;

(8) It is estimated that seventy percent (70%) of jail inmates with mental illnesses are incarcerated for nonviolent offenses;

(9) Jail diversion programs, including mental health courts, have demonstrated that when jail diversion programs are part of a system, jail diversion programs can help persons with mental illness and can reduce the likelihood of that person's re-entry into jail or prison;

(10) A survey of county judges and chiefs of police in Arkansas reveals a recognition that there are gaps in the system that they cannot address by themselves;

(11) Law enforcement officers and jail personnel would benefit from training specifically geared toward promptly recognizing the person who may have a mental illness and to respond to that person in an appropriate manner;

(12) The counties and cities of Arkansas do not have sufficient funding to absorb an unfunded mandate to provide training and treatment in the jails,

particularly as the training relates to the administration of prescribed medication;

(13) Grant funds are available addressing some of these challenges and can be applied for if state employees skilled in grant writing already employed by the state are assigned to obtaining the funds to support the purpose of this subchapter; and

(14) The absence of jail services required by detainees and inmates who have mental illness has resulted in litigation and threats of litigation that might result in limitation of the state's sovereignty and higher costs of meeting constitutional standards.

6-64-1202. Definitions.

As used in this subchapter:

(1) "Community mental health centers" means those private non-profit organizations certified by the Division of Behavioral Health under § 20-47-202 as community mental health centers and contracted to perform designated public mental health services in the respective catchment areas of the state;

(2) "Crisis Intervention Team" means a community-based collaborative effort between law enforcement officers and jail personnel and mental health professionals to help law enforcement officers and jail personnel handle incidents involving persons with mental illness;

(3) "Inmate with mental illness" means a jail inmate who, after being assessed by a person qualified by licensure to conduct an assessment, meets the criteria for serious mental illness or is in danger of harm to self or others;

(4) "Jail inmate" means a natural person who is in the custody of law enforcement authorities within the confines of a county jail; and

(5) "Person with mental illness arrested by a law enforcement officer" means a person who appears to be a danger to himself or herself or to others or to need mental health evaluation for treatment.

6-64-1203. Law Enforcement Training Committee -- Creation -- Duties.

(a) The Law Enforcement Training Committee is created to:

(1) Identify mental health training needs for law enforcement officers;
and

(2) Develop a mental health training curriculum for law enforcement officers and jail personnel to be delivered statewide.

(b)(1) The committee shall be led by the Criminal Justice Institute of the University of Arkansas System.

(2) The committee shall include representatives of:

(A) Arkansas Law Enforcement Training Academy;

(B) Research and Training Institute of the Division of Behavioral

Health;

(C) Arkansas Department of Community Correction;

(D) Mental Health Council;

(E) Administrative Office of the Courts;

(F) Local, state, and county law enforcement officers; and

(G) Mental health practitioners.

(c) The training and delivery strategies may consist of:

(1) Basic level training for law enforcement officers and jail personnel to be included in the entry-level training program curricula;

(2) Advanced level training for law enforcement officers and jail personnel that is designed to enhance the effectiveness of the response of law enforcement officers and jail personnel to persons with mental illness;

(3) Training, such as Crisis Intervention Team Training, that includes methods for establishing a collaborative effort between law enforcement personnel and the community to provide appropriate services to those persons with mental illness who come into contact with the law enforcement system;

(4) Establishment of regional training teams, consisting of mental health and law enforcement officers; and

(5) A train-the-trainer model so that mental health training can be provided in each county jail at frequent and regular intervals as needed by a local person who has received formal training through curricula developed under this subchapter.

(d) Crisis Intervention Teams shall be:

(1) Supported by state funding; and

(2) Provided initial assistance in organization.

(e)(1) Local police departments and sheriff departments may apply to the Criminal Justice Institute for crisis intervention training under this subchapter.

(2) The Crisis Intervention Team Training curriculum development and delivery under subdivision (b)(3) of this section shall be supported by state funding.

(f)(1) A graduate of the Crisis Intervention Team Training shall provide the local department in which he or she serves with information and materials obtained at the crisis intervention training.

(2)(A) Each department that sends law enforcement officers to receive Crisis Intervention Team training shall convene a meeting at least annually to review and improve the program in the department.

(B) The meeting shall include without limitation representatives of:

(i) Local behavioral health service providers;

(ii) Community mental health centers within the jurisdiction of the department;

(iii) Consumers;

(iv) Courts;

(v) National Alliance on Mental Illness; and

(vi) Local institutions of higher education, including without limitation, the University of Arkansas for Medical Sciences and the Area Health Education Centers of the University of Arkansas for Medical Sciences.

(f) The goal of the Crisis Intervention Team Training program is to establish a collaborative effort between law enforcement officers and jail personnel and the community to provide appropriate services to persons with mental illness who come into contact with the law enforcement system."

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Medley, **HOUSE BILL NO. 2733** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2733

Amend **HOUSE BILL NO. 2733** as engrossed,

H3/7/07 (version: 03-07-2007 09:42):

Page 1, delete lines 27 through 32 and substitute the following:

"the state for a period of four (4) years from the date of issuance.

(2) Upon renewal, a valid license to carry a concealed handgun shall be issued for a period of five (5) years."

AND

Page 1, delete lines 34, 35 and 36 and substitute the following:

"of any county of this state shall be renewed every four (4) years.

(ii) Upon renewal, a valid license issued to a former elected or appointed sheriff of any county of this state to carry a concealed handgun shall be issued for a period of five (5) years."

AND

Page 2, delete lines 1 through 4

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Moore, **HOUSE BILL NO. 2278** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2278

Amend **HOUSE BILL NO. 2278** as engrossed,

H3/12/07 (version: 03-12-2007 09:54):

Page 3, delete line 28, and substitute the following:

"(1) In an economically distressed area or a county that borders two (2) counties defined as economically distressed.

(2) In an unincorporated area or a city with a population of less"

/s/ Robert Moore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Greenberg, **HOUSE BILL NO. 1172** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1172

Amend **HOUSE BILL NO. 1172** as engrossed,

H3/12/07 (version: 03-12-2007 10:10):

Page 1, delete line 5 and substitute the following:

"By: Representative Harris, Greenberg"

/s/ Dan Greenberg

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Wood, **HOUSE BILL NO. 2543** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2543

Amend **HOUSE BILL NO. 2543** as originally introduced:

Page 2, line 14, delete "(3)" and substitute "(3)(A)"

AND

Page 2, delete line 18 and substitute the following:

"Energy Policy Act of 2005, Pub. L. No. 109-58. The maximum amount that may be directly recovered from an affected utility shall be three million dollars (\$3,000,000) annually.

(B) In the event the Commission directly recovers the fees and expenses of its attorneys and consultants from an affected utility under this section, that utility shall be allowed to implement a surcharge mechanism to recover only the expenses directly recovered from that utility.

(i) The surcharge shall be established annually to recover only the amounts directly recovered from that utility during the preceding calendar year.

(ii) The surcharge mechanism shall include provisions to address any excessive or deficient recoveries during the preceding calendar year. The surcharge shall not include any interest or carrying charges.

(iii) Any surcharge must be approved by the Commission before it can be implemented."

AND

Page 2, line 22, delete "have been affected and will continue to" and substitute "may"

AND

Page 2, line 23, delete "the families or Arkansas" and substitute "Arkansas utility consumers"

AND

Page 2, line 24, delete "because of the actions of public utilities"

/s/ Jeff Wood

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Walters, **HOUSE BILL NO. 2619** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2619

Amend **HOUSE BILL NO. 2619** as originally introduced:

Page 1, delete line 33 and substitute the following:

"(D) Any facility operated by the Division of Youth Services or any facility contracting with the Division of Youth Services to provide care for juveniles committed to the Division of Youth Services."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2420** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2420

Amend **HOUSE BILL NO. 2420** as originally introduced:

Page 2, delete lines 13 through 18, and substitute the following:

"the department shall develop and calculate capitalization rates by using appropriate long-term federal security rates, risk rates, management rates, and other appropriate financial rates."

AND

Page 2, delete line 21, and substitute the following:

"(8%) nor more than twelve percent (12%)."

(4) By October 15 of each year, the department shall report to the Legislative Council any changes to any part of the formula used to determine the value or the capitalization rate.

SECTION 2. Arkansas Code § 26-26-1116 is repealed.

~~26-26-1116. Land modification.~~

~~(a) The Assessment Coordination Department shall not modify the value of agricultural land, timber land, or pasture land unless it conducts at least one (1) public hearing in each congressional district of this state with the last public hearing~~

occurring no later than six (6) months prior to the date of the modification.

~~(b) The department shall provide written justification for any modification of the value of agricultural land, timber land, or pasture land."~~

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative T. Bradford, **HOUSE BILL NO. 2684** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2684

Amend **HOUSE BILL NO. 2684** as originally introduced:

Page 1, delete line 9, and substitute the following:

"AN ACT AMEND ARKANSAS CODE § 12-41-505 TO"

AND

Page 1, delete lines 15 through 18, and substitute the following:

"TO AMEND ARKANSAS CODE § 12-41-505 TO PROVIDE FOR COLLECTION OF POST-CONVICTION EXPENSES OF INCARCERATION FOR MISDEMEANORS AND VIOLATIONS."

AND

Page 2, delete lines 18 through 25, and substitute the following:

"initial incarceration for the whole time he or she remains there on the underlying offense, when applicable, or for failure to pay any fine, cost, or fee associated with the underlying offense, as well as incarceration time for failure to pay a charge or fine for failure to comply with an order of a court associated with the underlying offense.

(e)(1)(A) In order to collect the expenses described in subsection (d) of this section, a city or county shall file documentation of the expenses certified by an official of the city or county that incarcerated the defendant with the court that issued the order described in subsection (d) of this section.

(B)(i) A copy of the documentation of expenses described in subdivision (e)(1)(A) of this section shall be served on the defendant by certified mail, addressee only, return receipt requested or personal service.

(ii) The defendant is entitled to a request a hearing within the time allowed under the Arkansas Rules of Civil Procedure on the amount of the expenses before the sentencing court.

(2) Upon determination of the amount of expenses after a hearing under subdivision (e)(1)(B)(ii), or default by the defendant, the amount of expenses described in subdivision (e)(1)(A) of this section constitutes a judgment against the defendant and may be collected by any means that a civil judgment may be collected."

/s/ Toni Bradford

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 2708** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2708

Amend **HOUSE BILL NO. 2708** as originally introduced:

Add Senator J. Jeffress as a cosponsor of the bill.

AND

Page 1, line 25, delete "sick leave" and substitute "sick leave and annual leave"

AND

Page 1, line 36, add a new subsection to read as follows:

"(e)(1) An administrator must use accumulated leave time for days the administrator is not physically present at the school where the administrator is employed or representing the school at an official function.

(2) An administrator shall not accumulate more than ninety (90) days of annual leave in a fiscal year."

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 1441** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1441

Amend **HOUSE BILL NO. 1441** as originally introduced:

Page 2, delete line 12 and substitute the following:

"held by or for, or passed through a public educational entity, except for funds held in a trustee or agency capacity for others or funds donated or granted to a public educational entity for a specific purpose."

AND

Page 3, delete line 9 and substitute the following:

"(C) An award or prize for participation in a school activity or extra-curricular activity that rewards only an individual or"

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ragland, **HOUSE BILL NO. 1082** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1082

Amend **HOUSE BILL NO. 1082** as originally introduced:

Page 1, line 30, delete "department" and substitute "department that was covered by a police pension and relief fund under § 24-11-401 et seq."

AND

Page 1, line 34, delete "24-10-401" and substitute "24-11-401"

AND

Page 2, delete line 18 and substitute:

"more than one (1) state-supported retirement system.

(d) A member who purchases credit for police service under this section shall continue in active service for one (1) year for each year that is purchased."

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Ragland, **HOUSE BILL NO. 1761** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1761

Amend **HOUSE BILL NO. 1761** as engrossed,

H3/5/07 (version: 03-05-2007 09:36):

Add Representative Burris as a cosponsor of the bill

AND

Add Senator Whitaker as a cosponsor of the bill

/s/ Roy Ragland

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stewart, **HOUSE BILL NO. 2335** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2335

Amend **HOUSE BILL NO. 2335** as originally introduced:

Page 2, delete line 5 and substitute:

"scholarship programs by January 1, 2008.

(4) Except as provided under subsection (b)(2) of this section, all institutions of higher education in Arkansas shall begin submitting electronic transcripts to the Department of Higher Education by July 1, 2008."

/s/ Randy Stewart

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Stewart, **HOUSE RESOLUTION NO. 1022** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE RESOLUTION NO. 1022

Amend **HOUSE RESOLUTION NO. 1022** as originally introduced:

Page 1, delete lines 17 through 20 in their entirety and substitute the following:

WHEREAS, Dierks, Arkansas, located approximately in the middle of Howard County in the southwest part of Arkansas, grew from a logging camp known as Hardscrabble; and

WHEREAS, in 1907, forty-three (43) persons petitioned the county seat of Howard County and were granted corporation papers to become a township; and

WHEREAS, The Town of Dierks, Arkansas, was named after Hans Dierks who was the founder of Dierks Lumber and Coal Company, which was purchased by Frederick Weyerhaeuser in 1969, and is still the largest employer in the area; and

WHEREAS, Dierks is best known in the area for its scenic one-thousand-three-hundred-sixty acre, Dierks Lake, an area including numerous recreational facilities for boating, fishing, camping, picnicking, and sight-seeing; its being the sponsor of the annual Pine Tree Festival; and its being the home of the Dierks High School Outlaws sports teams; and

WHEREAS, on April 28, 2007, the approximate one thousand three hundred (1,300) proud citizens of Dierks, Arkansas, will celebrate the centennial anniversary of their incorporation as Dierks, Arkansas,

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the House of Representatives of the Eighty-Sixth General Assembly of the State of Arkansas congratulates Dierks, Arkansas, on its one-hundredth anniversary.

/s/ Randy Stewart

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 2433** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2433

Amend **HOUSE BILL NO. 2433** as originally introduced:

Page 1, line 10, delete "CORPORATIONS" and substitute "BUSINESS ENTITIES"
AND

Page 1, line 15, delete "CORPORATIONS" and substitute "BUSINESS ENTITIES"
AND

Page 1, line 23, delete "corporations" and substitute "business entities"
AND

Page 1, line 25, delete "corporations" and substitute "proprietorships, firms, partnerships, joint ventures, syndicates, labor unions, business trusts, companies, corporations, associations, committees, or any other organization or group of persons acting in concert"

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2727** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2727

Amend **HOUSE BILL NO. 2727** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 7-6-203(a) and (b), concerning campaign contribution limitations and created by Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as follows:

7-6-203. Contributions - Limitations - Acceptance or solicitation - Use as personal income - Disposition.

(a)(1)(A) It shall be unlawful for any candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(2)(A) It shall be unlawful for any candidate for the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(b)(1)(A) It shall be unlawful for any person to make a contribution to a candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or unopposed.

(2)(A) It shall be unlawful for any person to make a contribution to a candidate for the office of Governor, Lieutenant Governor, Secretary of State,

Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or unopposed.

SECTION 2. Arkansas Code § 7-6-203(g), concerning the use of campaign funds as personal income and created by Initiated Act 1 of 1996, is amended to read as follows:

(g)(1) A candidate shall not take any campaign funds as personal income. This subdivision (g)(1) shall not apply to campaign funds that were:

(A) Accumulated prior to the passage of Initiated Act 1 of 1990;

or

(B) Disposed of prior to July 28, 1995.

(2) A candidate shall not take any campaign funds as income for his or her spouse or dependent children, except that:

(A) This subsection shall not prohibit a candidate who has an opponent from employing his or her spouse or dependent children as campaign workers; and except that

(B) Any candidate who has an opponent and who, during the campaign and before the election, takes a leave of absence without pay from his or her primary place of employment shall be authorized to take campaign funds during the campaign and before the election as personal income up to the amount of employment income lost as a result of such leave of absence.

(3) A candidate who takes campaign funds during the campaign and before the election under a leave of absence pursuant to the provisions of subdivision (g)(2) of this section may elect to treat the campaign funds as a loan from the campaign fund to the candidate to be paid back to the campaign fund by the candidate.

(4)(A) For purposes of this subsection, a candidate who uses campaign funds to fulfill any commitment, obligation, or expense that would exist regardless of the candidate's campaign shall be deemed to have taken campaign funds as personal income.

(B) The use of campaign funds to purchase a cake or other perishable item of food at a fund-raising event held by a volunteer agency, as defined in § 16-6-103, shall not be considered a taking of campaign funds as personal income.

(C)(i) The use of campaign funds by a candidate to make a contribution to another candidate's campaign shall not be considered a taking of

campaign funds as personal income.

(ii) A contribution made under subdivision (g)(4)(C)(i) of this section shall not exceed two hundred fifty dollars (\$250) per election.

(iii) A contribution under subdivision (g)(4)(C)(i) of this section shall not count toward the campaign contribution limitations established under subsections (a) and (b) of this section.

SECTION 3. Arkansas Code § 21-8-402(5)(B)(xii), concerning certain exceptions to the definition of “gift” and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(xii) An item which appointed or elected members of a specific governmental body or employees of an appointed or elected governmental official purchase with their own personal funds and present to a fellow member of that governmental body or official in recognition of public service;

SECTION 4. Arkansas Code § 21-8-801(a)(1), concerning prohibited acts of public servants and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(1) Receive a gift or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, ~~for the performance of the duties and responsibilities of his or her office or position~~ when the gift or compensation is given as a result of:

(A) The public servant’s office or position; or

(B) A business relationship developed as a result of the public servant’s office or position; or”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2729** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2729

Amend **HOUSE BILL NO. 2729** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 21-8-402(5)(B)(xii), concerning certain exceptions to the definition of “gift” and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(xii) An item which appointed or elected members of a specific governmental body or employees of an appointed or elected governmental official purchase with their own personal funds and present to a fellow member of that governmental body or official in recognition of public service;

SECTION 2. Arkansas Code § 21-8-801(a)(1), concerning prohibited acts of public servants and resulting from Initiated Act 1 of 1988, is amended to read as follows:

(1) Receive a gift or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, ~~for the performance of the duties and responsibilities of his or her office or position~~ when the gift or compensation is given as a result of:

(A) The public servant’s office or position; or

(B) A business relationship developed as a result of the public servant’s office or position; or”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2726** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2726

Amend **HOUSE BILL NO. 2726** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 21, Chapter 8 is amended to add an additional subchapter to read as follows:

21-8-1101. Definitions.

As used in this subchapter:

(1) “Board member” means a member of any state board, bureau, commission, or institution of the State of Arkansas;

(2) “Directly or indirectly interested” means the receipt of compensation or other benefits by a:

(A) Board member;

(B) Family member; or

(C) Business or other entity in which the board member or family member has a financial interest;

(3) “Family” or “family member” means:

(A) An individual’s spouse;

(B) Children of the individual or children of the individual’s spouse;

(C) The spouse of a child of the individual or the spouse of a child of the individual’s spouse;

(D) Parents of the individual or parents of the individual’s spouse;

(E) Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;

(F) Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or

(G) Anyone acting or serving as an agent of the individual or as an agent of the individual’s spouse;

(4) “Financial interest” means:

(A) Ownership of more than a five percent (5%) interest in a business or other entity;

(B) Holding a position as an officer, director, trustee, partner, or other top level management of a business or other entity; or

(C) Classification as an employee, agent, independent contractor, or any position where the individual's compensation is based, in whole or in part, on transactions with the public educational entity;

(5) "Institution" means any state-supported institution of higher education of the State of Arkansas or its related foundations or other related entities;

(6) "Other related entity" means:

(A) Any foundation or other entity established for the sole benefit of the public agency or institution;

(B) An entity owned by the public agency or institution or one of its foundations; or

(C) An entity receiving grants or aid from or through the public agency or institution;

(7) "Public agency" means any state agency, bureau, commission, institution, board, or constitutional agency of the State of Arkansas; and

(8) "Transaction" means a contract, exchange, promise, financial relationship, or any other agreement.

21-8-1102. Filing of disclosure of related party transactions.

(a) Between January 1 and January 31 of each year, a board member shall file a disclosure of related party transactions with the Secretary of State.

(b) A board member shall disclose any transaction with another board member, the public agency, other related entity, or an entity served by the public agency if the board member directly or indirectly receives a benefit in the amount of five thousand dollars (\$5,000) or more:

(1) In any calendar year;

(2) In a twelve (12) month period; or

(3) At a predetermined point in the future.

(c) Upon the initial filing of the disclosure of related party transactions, a board member shall disclose any transactions with another board member or the public agency or other related entity where the board member is directly or indirectly receiving a benefit in the amount of five thousand dollars (\$5,000) in any of the three (3) previous calendar years.

(d) Nothing in this section shall require board members to disclose the amount of donations to public agencies or their related entities.

(e)(1) The Secretary of State shall develop forms to assure compliance with this subchapter.

(2) The content of the forms shall include without limitation the nature and amount of the transactions and the names of the parties to the transactions.

(f) The filing of disclosure of related party transactions shall also include transactions by board members with public agencies or other related entity involving patents, copyrights, or other proprietary information belonging in whole or in part to:

(1) The public agency;

(2) An entity served by the public agency; or

(3) An entity with which the public agency or an entity served by the public agency is actively involved in research.”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2724** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2724

Amend **HOUSE BILL NO. 2724** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 7, Chapter 6, Subchapter 2 is amended to add an additional section to read as follows:

7-6-227. Contributions by business entities sharing the same majority owner.

(a) As used in this section, “business entities” means proprietorships, firms, partnerships, joint ventures, syndicates, labor unions, business trusts, companies, corporations, associations, committees, or any other organization or group of persons acting in concert.

(b) Two (2) or more business entities sharing the same majority owner shall be considered a single person for the purpose of making a contribution or contributions to a candidate for each election, whether opposed or unopposed.

(c)(1) A candidate shall not knowingly accept campaign contributions from two (2) or more business entities sharing the same majority owner which, in the aggregate, exceed the campaign contribution limit under § 7-6-203(a) and (b).

(2) If a candidate determines that he or she unknowingly accepted a contribution or contributions that violates subdivision (c)(1) of this section, the candidate shall return the contribution or contributions to the business entity within

five (5) days of the determination.

SECTION 2. Arkansas Code § 19-11-705 is amended to read as follows:

19-11-705. Employee conflict of interest.

(a)~~(1)~~ Conflict of Interest.

(1)(A) It shall be a breach of ethical standards for any employee or a member of the employee's immediate family to have a financial interest in a contract with the state agency employing the employee or a nonprofit organization created for the specific benefit of the state agency employing the employee, unless the contract:

(i) Is approved as provided in § 19-11-717 or § 19-11-718; or

(ii) Obtained under competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(B) An employee awarded a contract pursuant to competitive sealed bids or competitive sealed proposals pertaining to contracts entered into during the previous calendar year shall report the contract to the Director of the Arkansas Ethics Commission by January 31 of each year.

(2) It shall be a breach of ethical standards for any employee to participate directly or indirectly in any proceeding or application, in any request for ruling or other determination, in any claim or controversy, or in any other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefor with a state agency, in which to the employee's knowledge:

(A) The employee or any member of the employee's immediate family has a financial interest;

(B) A business or organization has a financial interest, in which business or organization the employee, or any member of the employee's immediate family, has a financial interest; or

(C) Any other person, business, or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is a party.

~~(2)~~(3) "Direct or indirect participation" shall include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

(b) Financial Interest in a Blind Trust. Where an employee or any member of the employee's immediate family holds a financial interest in a blind trust, the employee shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest if disclosure of the existence of the blind trust has

been made to the ~~Director of the Department of Finance and Administration~~ director.

(c) Discovery of Conflict of Interest, Disqualification, and Waiver. Upon discovery of a possible conflict of interest, an employee shall promptly file a written statement of disqualification with the ~~Director of the Department of Finance and Administration~~ director and shall withdraw from further participation in the transaction involved. The employee may, at the same time, apply to the director in accordance with § 19-11-715(b) for an advisory opinion as to what further application, if any, the employee may have in the transaction, or for a waiver in accordance with § 19-11-715(c).

SECTION 3. Arkansas Code § 19-11-706 is amended to read as follows:

19-11-706. Employee disclosure requirements.

(a) Disclosure of Benefit Received from Contract. Any employee who has or obtains any benefit from any state contract with a business in which the employee has a financial interest shall report such benefit to the ~~Director of the Department of Finance and Administration~~ Director of the Arkansas Ethics Commission by January 31 for transactions occurring in or contracts entered into during the previous calendar year. However, this section shall not apply to a contract with a business where the employee's interest in the business has been placed in a disclosed blind trust.

(b) Failure to Disclosure Benefit Received. Any employee who knows or should have known of such benefit and fails to report the benefit to the ~~director~~ Arkansas Ethics Commission is in breach of the ethical standards of this section.

SECTION 4. Arkansas Code § 19-11-712(b), pertaining to the civil and administrative remedies against employees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to existing remedies for breach of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Forfeiture of pay without suspension;
- (3) Suspension with or without pay for specified periods of time; and
- (4) Termination of employment.

SECTION 5. Arkansas Code § 19-11-713(b), pertaining to the civil and administrative remedies against nonemployees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to the existing remedies for breach

of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Termination of transactions; and
- (3) Suspension or debarment from being a contractor or subcontractor

under state contracts.

SECTION 6. Arkansas Code § 19-11-715 is amended to read as follows:

19-11-715. ~~Duties of Director of Department of Finance and Administration~~ Rules and advisory opinion by the Arkansas Ethics Commission.

(a) ~~Regulations~~ Rules. The ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission shall promulgate ~~regulations~~ rules to implement this subchapter and shall do so in accordance with this subchapter and the applicable provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) ~~Advisory Opinions~~. On written request of state agencies, employees, or contractors and in consultation with the Attorney General, the ~~director~~ Arkansas Ethics Commission may render written advisory opinions regarding the appropriateness of the course of conduct to be followed in proposed transactions. Such requests and advisory opinions may be duly published in the manner in which ~~regulations~~ rules of this state are published. ~~Compliance with the requirements of a duly promulgated advisory opinion of the director shall be deemed to constitute compliance with the ethical standards of this subchapter.~~

~~(c) Waiver. On written request of an employee, the director may grant an employee a written waiver from the application of § 19-11-705, which refers to employee conflict of interest, and grant permission to proceed with the transaction to such extent and upon such terms and conditions as may be specified. Such waiver and permission may be granted when the interests of the state so require or when the ethical conflict is insubstantial or remote.~~

SECTION 7. Arkansas Code § 19-11-716 is amended to read as follows:

19-11-716. Participation in business incubators — ~~Regulations~~ Rules and guidelines.

(a) The provisions of this subchapter shall not be applicable to faculty or staff of state-supported institutions of higher education participating in business incubators within this state if the faculty or staff have followed the rules promulgated by the governing board of the institution of higher education.

(b)(1) The ~~Director of the Department of Finance and Administration~~

Arkansas Ethics Commission shall promulgate rules and regulations pursuant to the procedure for adoption as provided under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and under § 10-3-309 to implement a program allowing admittance to business incubators by faculty or staff of state-supported institutions of higher education or admittance by companies in which faculty or staff may hold an ownership interest.

(2) The program may include guidelines setting forth full disclosure requirements, any limitations on ownership interests, maximum income amounts to be received, annual reporting to the General Assembly, mandatory levels of student participation and such other reasonable restrictions as are necessary to maintain the public trust while encouraging the facilitation of commercialization of university-generated technology or discovery.

(c) The institution of higher education shall provide information regarding the transactions described in subdivision (b)(1) of this section and ownership interests of employees or board members in business incubators pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(d) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 8. Arkansas Code § 19-11-717 is amended to read as follows:

19-11-717. Institutions of higher education Transactions with institutions of higher education involving patents, copyrights, or other proprietary information.

~~(a) Notwithstanding anything in this subchapter to the contrary, if, in either of the events in subdivisions (a)(1) and (2) of this section, the contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an employee or former employee of the institution have rights or interests, provided that any contract or subcontract shall be approved by the governing board of the institution in a public meeting, it shall not be a violation of § 19-11-709, a conflict of interest, or a breach of ethical standards for:~~

~~(1) The institution to contract with a person or firm in which an employee or former employee of the institution has a financial interest; or~~

~~(2) The employee or former employee of the institution to participate directly or indirectly in any matter pertaining to any contract or subcontract or any solicitation or proposal for any contract or subcontract between the institution and a person or firm in which the employee or former employee has a financial interest. If a contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an~~

employee or former employee have direct or indirect rights or interests, an institution may enter the contract, except that any contract or subcontract shall be approved by the governing board of the institution in a public meeting.

(b)(1) Nothing in the Arkansas Procurement Law, § 19-11-201 et seq., or in § 19-11-1001 et seq., shall prevent a state agency from contracting for goods or services, including professional or consultant services, with an organization that employs or contracts with a regular, full-time, or part-time employee of a public institution of higher education in situations in which the employee of the public institution of higher education will provide some or all of the goods or services under the contract.

(2) Any organization or state agency entering into a contract described under this subsection shall comply with the provisions of the Arkansas Procurement Law, § 19-11-201 et seq., and § 19-11-1001 et seq., to the extent that the provisions do not conflict with this section.

(3) An employee of a public institution of higher education who provides goods or services to a state agency through his or her association with an organization that has a contract with the state agency to provide goods or services shall obtain the requisite approvals under the policies of the public institution of higher education by which he or she is employed and comply with all provisions of this subchapter.

(c) The Arkansas Ethics Commission may promulgate rules regarding contracts as allowed in this section.

(d) The institution of higher education shall provide information regarding these transactions pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(e) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 9. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Issuance of waivers by the Arkansas Ethics Commission.

(a) A state agency or a nonprofit organization created for the specific benefit of a state agency may file a request with the Director of the Arkansas Ethics Commission to review a contract between the state agency or nonprofit organization and an employee of that state agency or nonprofit organization or a member of the employee's immediate family and to request a waiver for the contract from the provisions of this subchapter.

(b) The request shall fully disclose all pertinent terms and conditions of the

contract and shall state the unusual circumstances necessitating and justifying the contract.

(c)(1) The Director of the Arkansas Ethics Commission shall in writing approve, disapprove, or request additional information necessary to make a proper determination pertaining to the request within ten (10) working days of receipt of the request.

(2)(A) If additional information is requested, the director shall have an additional ten (10) working days from receipt of the information to approve or disapprove the contract.

(B) If the director fails to approve or disapprove the contract within the ten (10) working day periods provided in this subdivision (c)(2), the contract shall be deemed approved.

(3) No contract subject to review by the director shall be valid or enforceable until an approval letter has been issued by the director or if the director fails to respond within the time periods specified in this section.

(d) After examining the submitted information and additional requested testimony or data, the director may approve the waiver of the contract if in the opinion of the director:

(1) The circumstances are such that fair competitive access to governmental procurement has been obtained;

(2) The contract is in the best interest of the state;

(3) The state agency has followed proper procedures in bidding or awarding the contract; and

(4) It appears that an employee has not used his or her position to obtain the contract.

(e)(1) All decisions of the director may be appealed to the Arkansas Ethics Commission for review. All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(2) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the person making the appeal.

(f) All decisions of the director or the Arkansas Ethics Commission regarding the approval or denial of a contract shall be reported to the state agency or nonprofit organization, the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee on a quarterly basis.

(g) No contract subject to review and approval by the director or the Arkansas Ethics Commission shall be valid or enforceable until an approval letter has been issued by the director or the Arkansas Ethics Commission.

(h) The Arkansas Ethics Commission shall adopt appropriate rules regarding the administration of the procedures contained in this subsection.

(i) Any person knowingly providing or furnishing false information or knowingly not fully disclosing relevant information necessary for a proper determination by the director or the Arkansas Ethics Commission is guilty of violating the provisions of this subchapter.

SECTION 10. Arkansas Code § 19-11-1004(c), pertaining to restrictions on contracts, is amended to read as follows:

(c)(1) Except as provided in this subsection, no state agency shall engage in a professional services or consultant services contract with a part-time or full-time employee who occupies a position authorized to be paid from extra help or regular salaries for a state agency, except as provided in § 21-1-403.

(2) However, this subsection does not prohibit an institution of higher education from executing a contract with a state agency under which professional or consulting services will be performed by employees of the institution of higher education.

(3) An employee of an institution of higher education performing professional or consulting services to a state agency may receive additional compensation if:

(A) The institution of higher education requests and receives written approval from the Office of Personnel Management of the Department of Finance and Administration concerning the amount of additional compensation to be paid to any employee; and

(B) The total salary payments received from the employee's regular salaried position and amounts received for services performed under a professional services contract do not exceed one hundred twenty-five percent (125%) of the maximum annual salary authorized by law for the employee's position with the institution of higher education.

(4) Any state agency engaging in a professional services or consultant services contract as provided in subdivisions (c)(2) or (c)(3) of this section shall provide a listing of such contracts for the previous year, including without limitation the amounts paid and the person or persons performing the services, to the Legislative Council and the Legislative Joint Auditing Committee by January 31 of each year.

SECTION 11. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Enforcement.

The Arkansas Ethics Commission shall have the authority to:

(1) Issue advisory opinions and guidelines on the requirements of § 19-11-701 et seq.;

(2) Investigate potential violations of § 19-11-701 et seq.;

(3) Impose civil and administrative remedies as provided in §§ 19-11-712 and 19-11-713 upon the finding of one (1) or more violations of § 19-11-701 et seq; and

(4) Promulgate reasonable rules to implement and administer the requirements of § 19-11-701 et seq.

SECTION 12. Arkansas Code § 21-8-603 is amended to read as follows:

21-8-603. Activity reports - Inspection.

(a)(1) Within fifteen (15) days after the end of each calendar quarter, each registered lobbyist shall file a complete and detailed statement, signed and sworn to, concerning his or her lobbying activities during the previous calendar quarter.

(2)(A) A registered lobbyist who lobbies members of the General Assembly shall file a monthly lobbyist activity report, signed and sworn to, for any month in which the General Assembly is in session. A quarterly report is not required if the registered lobbyist has filed monthly lobbyist activity reports for each month of the calendar quarter.

(B) The monthly lobbyist activity report shall be filed within ten (10) days after the end of each month.

(b) Lobbyist activity reports shall be open to public inspection.

(c) When filing any report required by this section, a lobbyist shall send a copy of the report to any public servant named in the report as receiving:

(1) Anything of pecuniary value given to the public servant or on behalf of the public servant;

(2) Payment for food, lodging, or travel; or

(3) Any other item paid or given to a public servant or on behalf of the public servant, except for campaign contributions, unless consideration of equal or greater value has been given.

SECTION 13. Arkansas Code § 21-8-604 is amended to read as follows:

21-8-604. Activity reports - Required contents.

(a) The lobbyist activity reports shall be signed and sworn to by the registered lobbyist.

(b) The reports shall contain:

(1)(A) The total of all expenditures made or incurred by the registered lobbyist or on behalf of the registered lobbyist by his or her employer or any officer, employee, or agent during the preceding period.

(B) These totals shall be itemized according to financial

category and employers and clients, including food and refreshments, entertainment, living accommodations, advertising, printing, postage, travel, telephone, and other expenses or services.

(C) Registered lobbyists shall not be required to report office expenses other than office expenses specifically required to be reported under this section.

(D) Registered lobbyists are not required to report unreimbursed personal living and travel expenses not incurred directly for lobbying;

(2)(A) An itemized listing of each:

(i) ~~Gift~~ Anything of pecuniary value given to a public servant or on behalf of the public servant;

(ii) Payment for food, lodging, or travel ~~in excess of forty dollars (\$40.00)~~ on behalf of a public servant; and

(iii) Any other item paid or given to a public servant or on behalf of the public servant, except for campaign contributions, ~~having a value in excess of forty dollars (\$40.00)~~ unless consideration of equal or greater value has been given therefor. If the person receiving or to be benefiting by the item is a public employee, the person's governmental body shall be identified.

(B) Each item shall be identified by date, amount paid or value, and the name of the individual receiving or to be benefited by the item, and a description of the item.

(C) In the case of special events, including parties, dinners, athletic events, entertainment, and other functions, expenses need not be allocated by individuals. The information reported for a special event shall include:

(i) The date of the event;

(ii) The name of the event;

(iii) The location of the event;

(iv) The name of the governmental body or group of public servants invited;

(v) The exact amount paid by the lobbyist toward the total expenditure; and

(vi) The name of the lobbyist's employer or client making the expenditure and the names of all other lobbyists sharing in the cost of the payment;

(3) A detailed statement of any money loaned or promised or line of credit established to a public servant or to anyone on behalf of the public servant ~~in excess of twenty five dollars (\$25.00) per individual~~. Money loaned or a line of credit established that is issued in the ordinary course of business by a financial institution

or a person who regularly and customarily extends credit shall not be required to be disclosed; and

(4) A statement detailing the direct business association or partnership with any public servant before whom the lobbyist may engage in lobbying.

(c) Whenever the name of a public servant will appear in an activity report of a lobbyist, the lobbyist shall notify the public servant and provide him or her the information being reported. The lobbyist shall mail or deliver the notification to the public servant not later than seven (7) working days prior to the date for filing the activity report.

SECTION 14. Arkansas Code § 21-8-1001 is amended to read as follows:

21-8-1001. Conflicts of interest.

(a)(1) No member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency shall participate in, vote on, influence, or attempt to influence an official decision if the member has a pecuniary interest in the matter under consideration by the board, commission, or entity.

(2) A member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency may participate in, vote on, influence, or attempt to influence an official decision if the only pecuniary interest that may accrue to the member is incidental to his or her position or accrues to him or her as a member of a profession, occupation, or large class to no greater extent than the pecuniary interest could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

(b) No member of a state board or commission or board member of an entity receiving state funds shall participate in any discussion or vote on a rule or regulation that exclusively benefits the member.

(c)(1) Nothing in this chapter shall prohibit a board or commission member from contracting with the board or commission on which he or she serves if the contracts are obtained through competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(2) A board or commission member awarded a contract pursuant to competitive sealed bids or competitive sealed proposals shall report the contract to the Director of the Arkansas Ethics Commission by January 31 of each year pertaining to contracts entered into during the previous calendar year.

(d)(1) Except for contracts covered under subdivision (c)(1) of this section, before a contract or transaction with a member having a pecuniary interest as allowed in this section is deemed valid and enforceable, the state entity shall disclose to the director the nature and amount of the contract or transaction.

(2)(A) Upon receipt of the disclosure, the director has ten (10) working days to notify the state entity that additional information is needed, or to inform the state entity that the contract or transaction is disapproved.

(B) If additional information is requested, the director has ten (10) additional working days from the receipt of the information to inform the state entity that the contract or transactions are disapproved.

(C) If the director does not send the state entity written notice of the disapproval of the contract or transaction within ten (10) working days, the contract or transaction is deemed approved by the director.

(3) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(4) The director may disapprove the contract or transaction if it appears that:

(A) The circumstances are such that fair competitive access to governmental procurement has not been obtained;

(B) There is no rational basis for the award of the contract to the member;

(C) The state entity has not followed proper procedures in bidding or awarding the contract; or

(D) It appears that a board or commission member has used his or her position to obtain the contract.

(5)(A) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(B) All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(C) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the state agency making the appeal.

(e) On a quarterly basis, the director shall notify the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee of all contracts or transactions disclosed to the director for review pursuant to the terms of this section.

SECTION 15. Arkansas Code 21-8-1004 is amended to read as follows:

§ 21-8-1004. Penalties — Investigation by Arkansas Ethics Commission.

(a) In addition to any penalty contained in any other provision of law, including without limitation § 19-11-702, any member of a state board or commission or board member of an entity receiving state funds who knowingly and intentionally

violates any of the provisions of this subchapter may be removed from office by the appointing authority.

(b) The Arkansas Ethics Commission may investigate complaints alleging a violation of this subchapter and may make recommendations to the appointing authority.

SECTION 16. Arkansas Code Title 21, Chapter 8 is amended to add an additional subchapter to read as follows:

21-8-1101. Definitions.

As used in this subchapter:

(1) “Board member” means a member of any state board, bureau, commission, or institution of the State of Arkansas;

(2) “Directly or indirectly interested” means the receipt of compensation or other benefits by a:

(A) Board member;

(B) Family member; or

(C) Business or other entity in which the board member or family member has a financial interest;

(3) “Family” or “family member” means:

(A) An individual’s spouse;

(B) Children of the individual or children of the individual’s spouse;

(C) The spouse of a child of the individual or the individual’s spouse;

(D) Parents of the individual or parents of the individual’s spouse;

(E) Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;

(F) Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or

(G) Anyone acting or serving as an agent of the individual or as an agent of the individual’s spouse;

(4) “Financial interest” means:

(A) Ownership of more than a five percent (5%) interest in a business or other entity;

(B) Holding a position as an officer, director, trustee, partner, or other top level management of a business or other entity; or

(C) Classification as an employee, agent, independent contractor, or any position where the individual's compensation is based, in whole or in part, on transactions with the public educational entity;

(5) "Institution" means any state-supported institution of higher education of the State of Arkansas or its related foundations or other related entities;

(6) "Other related entity" means:

(A) Any foundation or other entity established for the sole benefit of the public agency or institution;

(B) An entity owned by the public agency or institution or one of its foundations; or

(C) An entity receiving grants or aid from or through the public agency or institution;

(7) "Public agency" means any state agency, bureau, commission, institution, board, or constitutional agency of the State of Arkansas; and

(8) "Transaction" means a contract, exchange, promise, financial relationship, or any other agreement.

21-8-1102. Filing of disclosure of related party transactions.

(a) Between January 1 and January 31 of each year, a board member shall file a disclosure of related party transactions with the Secretary of State.

(b) A board member shall disclose any transaction with another board member, the public agency, other related entity, or an entity served by the public agency if the board member directly or indirectly receives a benefit in the amount of five thousand dollars (\$5,000) or more:

(1) In any calendar year;

(2) In a twelve (12) month period; or

(3) At a predetermined point in the future.

(c) Upon the initial filing of the disclosure of related party transactions, a board member shall disclose any transactions with another board member or the public agency or other related entity where the board member is directly or indirectly receiving a benefit in the amount of five thousand dollars (\$5,000) in any of the three (3) previous calendar years.

(d) Nothing in this section shall require board members to disclose the amount of donations to public agencies or their related entities.

(e)(1) The Secretary of State shall develop forms to assure compliance with this subchapter.

(2) The content of the forms shall include without limitation the nature and amount of the transactions and the names of the parties to the transactions.

(f) The filing of disclosure of related party transactions shall also include transactions by board members with public agencies or other related entity involving patents, copyrights, or other proprietary information belonging in whole or in part to:

(1) The public agency;

(2) An entity served by the public agency; or

(3) An entity with which the public agency or an entity served by the public agency is actively involved in research.”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 2723** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2723

Amend **HOUSE BILL NO. 2723** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 19-11-705 is amended to read as follows:

19-11-705. Employee conflict of interest.

(a)~~(4)~~ Conflict of Interest.

(1)(A) It shall be a breach of ethical standards for any employee or a member of the employee's immediate family to have a financial interest in a contract with the state agency employing the employee or a nonprofit organization created for the specific benefit of the state agency employing the employee, unless the contract:

(i) Is approved as provided in § 19-11-717 or § 19-11-718; or

(ii) Obtained under competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(B) An employee awarded a contract pursuant to competitive sealed bids or competitive sealed proposals pertaining to contracts entered into during the previous calendar year shall report the contract to the Director of the Arkansas Ethics Commission by January 31 of each year.

(2) It shall be a breach of ethical standards for any employee to

participate directly or indirectly in any proceeding or application, in any request for ruling or other determination, in any claim or controversy, or in any other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefor with a state agency, in which to the employee's knowledge:

(A) The employee or any member of the employee's immediate family has a financial interest;

(B) A business or organization has a financial interest, in which business or organization the employee, or any member of the employee's immediate family, has a financial interest; or

(C) Any other person, business, or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is a party.

(2)(3) "Direct or indirect participation" shall include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

(b) Financial Interest in a Blind Trust. Where an employee or any member of the employee's immediate family holds a financial interest in a blind trust, the employee shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest if disclosure of the existence of the blind trust has been made to the ~~Director of the Department of Finance and Administration~~ director.

(c) Discovery of Conflict of Interest, Disqualification, and Waiver. Upon discovery of a possible conflict of interest, an employee shall promptly file a written statement of disqualification with the ~~Director of the Department of Finance and Administration~~ director and shall withdraw from further participation in the transaction involved. The employee may, at the same time, apply to the director in accordance with § 19-11-715(b) for an advisory opinion as to what further application, if any, the employee may have in the transaction, or for a waiver in accordance with § 19-11-715(c).

SECTION 2. Arkansas Code § 19-11-706 is amended to read as follows:

19-11-706. Employee disclosure requirements.

(a) Disclosure of Benefit Received from Contract. Any employee who has or obtains any benefit from any state contract with a business in which the employee has a financial interest shall report such benefit to the ~~Director of the Department of Finance and Administration~~ Director of the Arkansas Ethics Commission by January 31 for transactions occurring in or contracts entered into during the previous calendar year. However, this section shall not apply to a contract with a business

where the employee's interest in the business has been placed in a disclosed blind trust.

(b) Failure to Disclosure Benefit Received. Any employee who knows or should have known of such benefit and fails to report the benefit to the ~~director~~ Arkansas Ethics Commission is in breach of the ethical standards of this section.

SECTION 3. Arkansas Code § 19-11-712(b), pertaining to the civil and administrative remedies against employees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to existing remedies for breach of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Forfeiture of pay without suspension;
- (3) Suspension with or without pay for specified periods of time; and
- (4) Termination of employment.

SECTION 4. Arkansas Code § 19-11-713(b), pertaining to the civil and administrative remedies against nonemployees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to the existing remedies for breach of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Termination of transactions; and
- (3) Suspension or debarment from being a contractor or subcontractor under state contracts.

SECTION 5. Arkansas Code § 19-11-715 is amended to read as follows:

19-11-715. ~~Duties of Director of Department of Finance and Administration~~ Rules and advisory opinion by the Arkansas Ethics Commission.

(a) ~~Regulations~~ Rules. The ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission shall promulgate ~~regulations~~ rules to implement this subchapter and shall do so in accordance with this subchapter and the applicable provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) Advisory Opinions. On written request of state agencies, employees, or

contractors and in consultation with the Attorney General, the director Arkansas Ethics Commission may render written advisory opinions regarding the appropriateness of the course of conduct to be followed in proposed transactions. Such requests and advisory opinions may be duly published in the manner in which ~~regulations~~ rules of this state are published. ~~Compliance with the requirements of a duly promulgated advisory opinion of the director shall be deemed to constitute compliance with the ethical standards of this subchapter.~~

~~(c) Waiver. On written request of an employee, the director may grant an employee a written waiver from the application of § 19-11-705, which refers to employee conflict of interest, and grant permission to proceed with the transaction to such extent and upon such terms and conditions as may be specified. Such waiver and permission may be granted when the interests of the state so require or when the ethical conflict is insubstantial or remote.~~

SECTION 6. Arkansas Code § 19-11-716 is amended to read as follows:

19-11-716. Participation in business incubators — ~~Regulations~~ Rules and guidelines.

(a) The provisions of this subchapter shall not be applicable to faculty or staff of state-supported institutions of higher education participating in business incubators within this state if the faculty or staff have followed the rules promulgated by the governing board of the institution of higher education.

~~(b)(1) The Director of the Department of Finance and Administration~~ Arkansas Ethics Commission shall promulgate rules ~~and regulations~~ pursuant to the procedure for adoption as provided under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and under § 10-3-309 to implement a program allowing admittance to business incubators by faculty or staff of state-supported institutions of higher education or admittance by companies in which faculty or staff may hold an ownership interest.

(2) The program may include guidelines setting forth full disclosure requirements, any limitations on ownership interests, maximum income amounts to be received, annual reporting to the General Assembly, mandatory levels of student participation and such other reasonable restrictions as are necessary to maintain the public trust while encouraging the facilitation of commercialization of university-generated technology or discovery.

(c) The institution of higher education shall provide information regarding the transactions described in subdivision (b)(1) of this section and ownership interests of employees or board members in business incubators pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(d) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 7. Arkansas Code § 19-11-717 is amended to read as follows:

19-11-717. Institutions of higher education Transactions with institutions of higher education involving patents, copyrights, or other proprietary information.

~~(a) Notwithstanding anything in this subchapter to the contrary, if, in either of the events in subdivisions (a)(1) and (2) of this section, the contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an employee or former employee of the institution have rights or interests, provided that any contract or subcontract shall be approved by the governing board of the institution in a public meeting, it shall not be a violation of § 19-11-709, a conflict of interest, or a breach of ethical standards for:~~

~~(1) The institution to contract with a person or firm in which an employee or former employee of the institution has a financial interest; or~~

~~(2) The employee or former employee of the institution to participate directly or indirectly in any matter pertaining to any contract or subcontract or any solicitation or proposal for any contract or subcontract between the institution and a person or firm in which the employee or former employee has a financial interest. If a contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an employee or former employee have direct or indirect rights or interests, an institution may enter the contract, except that any contract or subcontract shall be approved by the governing board of the institution in a public meeting.~~

(b)(1) Nothing in the Arkansas Procurement Law, § 19-11-201 et seq., or in § 19-11-1001 et seq., shall prevent a state agency from contracting for goods or services, including professional or consultant services, with an organization that employs or contracts with a regular, full-time, or part-time employee of a public institution of higher education in situations in which the employee of the public institution of higher education will provide some or all of the goods or services under the contract.

(2) Any organization or state agency entering into a contract described under this subsection shall comply with the provisions of the Arkansas Procurement Law, § 19-11-201 et seq., and § 19-11-1001 et seq., to the extent that the provisions do not conflict with this section.

(3) An employee of a public institution of higher education who provides goods or services to a state agency through his or her association with an organization that has a contract with the state agency to provide goods or services

shall obtain the requisite approvals under the policies of the public institution of higher education by which he or she is employed and comply with all provisions of this subchapter.

(c) The Arkansas Ethics Commission may promulgate rules regarding contracts as allowed in this section.

(d) The institution of higher education shall provide information regarding these transactions pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(e) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 8. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Issuance of waivers by the Arkansas Ethics Commission.

(a) A state agency or a nonprofit organization created for the specific benefit of a state agency may file a request with the Director of the Arkansas Ethics Commission to review a contract between the state agency or nonprofit organization and an employee of that state agency or nonprofit organization or a member of the employee's immediate family and to request a waiver for the contract from the provisions of this subchapter.

(b) The request shall fully disclose all pertinent terms and conditions of the contract and shall state the unusual circumstances necessitating and justifying the contract.

(c)(1) The Director of the Arkansas Ethics Commission shall in writing approve, disapprove, or request additional information necessary to make a proper determination pertaining to the request within ten (10) working days of receipt of the request.

(2)(A) If additional information is requested, the director shall have an additional ten (10) working days from receipt of the information to approve or disapprove the contract.

(B) If the director fails to approve or disapprove the contract within the ten (10) working day periods provided in this subdivision (c)(2), the contract shall be deemed approved.

(3) No contract subject to review by the director shall be valid or enforceable until an approval letter has been issued by the director or if the director fails to respond within the time periods specified in this section.

(d) After examining the submitted information and additional requested testimony or data, the director may approve the waiver of the contract if in the

opinion of the director:

(1) The circumstances are such that fair competitive access to governmental procurement has been obtained;

(2) The contract is in the best interest of the state;

(3) The state agency has followed proper procedures in bidding or awarding the contract; and

(4) It appears that an employee has not used his or her position to obtain the contract.

(e)(1) All decisions of the director may be appealed to the Arkansas Ethics Commission for review. All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(2) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the person making the appeal.

(f) All decisions of the director or the Arkansas Ethics Commission regarding the approval or denial of a contract shall be reported to the state agency or nonprofit organization, the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee on a quarterly basis.

(g) No contract subject to review and approval by the director or the Arkansas Ethics Commission shall be valid or enforceable until an approval letter has been issued by the director or the Arkansas Ethics Commission.

(h) The Arkansas Ethics Commission shall adopt appropriate rules regarding the administration of the procedures contained in this subsection.

(i) Any person knowingly providing or furnishing false information or knowingly not fully disclosing relevant information necessary for a proper determination by the director or the Arkansas Ethics Commission is guilty of violating the provisions of this subchapter.

SECTION 9. Arkansas Code § 19-11-1004(c), pertaining to restrictions on contracts, is amended to read as follows:

(c)(1) Except as provided in this subsection, no state agency shall engage in a professional services or consultant services contract with a part-time or full-time employee who occupies a position authorized to be paid from extra help or regular salaries for a state agency, except as provided in § 21-1-403.

(2) However, this subsection does not prohibit an institution of higher education from executing a contract with a state agency under which professional or consulting services will be performed by employees of the institution of higher education.

(3) An employee of an institution of higher education performing

professional or consulting services to a state agency may receive additional compensation if:

(A) The institution of higher education requests and receives written approval from the Office of Personnel Management of the Department of Finance and Administration concerning the amount of additional compensation to be paid to any employee; and

(B) The total salary payments received from the employee's regular salaried position and amounts received for services performed under a professional services contract do not exceed one hundred twenty-five percent (125%) of the maximum annual salary authorized by law for the employee's position with the institution of higher education.

(4) Any state agency engaging in a professional services or consultant services contract as provided in subdivisions (c)(2) or (c)(3) of this section shall provide a listing of such contracts for the previous year, including without limitation the amounts paid and the person or persons performing the services, to the Legislative Council and the Legislative Joint Auditing Committee by January 31 of each year.

SECTION 10. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Enforcement.

The Arkansas Ethics Commission shall have the authority to:

(1) Issue advisory opinions and guidelines on the requirements of § 19-11-701 et seq.;

(2) Investigate potential violations of § 19-11-701 et seq.;

(3) Impose civil and administrative remedies as provided in §§ 19-11-712 and 19-11-713 upon the finding of one (1) or more violations of § 19-11-701 et seq; and

(4) Promulgate reasonable rules to implement and administer the requirements of § 19-11-701 et seq.

SECTION 11. Arkansas Code § 21-8-1001 is amended to read as follows:

21-8-1001. Conflicts of interest.

(a)(1) No member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency shall participate in, vote on, influence, or attempt to influence an official decision if the member has a pecuniary interest in the matter under consideration by the board, commission, or entity.

(2) A member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency may

participate in, vote on, influence, or attempt to influence an official decision if the only pecuniary interest that may accrue to the member is incidental to his or her position or accrues to him or her as a member of a profession, occupation, or large class to no greater extent than the pecuniary interest could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

(b) No member of a state board or commission or board member of an entity receiving state funds shall participate in any discussion or vote on a rule or regulation that exclusively benefits the member.

(c)(1) Nothing in this chapter shall prohibit a board or commission member from contracting with the board or commission on which he or she serves if the contracts are obtained through competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(2) A board or commission member awarded a contract pursuant to competitive sealed bids or competitive sealed proposals shall report the contract to the Director of the Arkansas Ethics Commission by January 31 of each year pertaining to contracts entered into during the previous calendar year.

(d)(1) Except for contracts covered under subdivision (c)(1) of this section, before a contract or transaction with a member having a pecuniary interest as allowed in this section is deemed valid and enforceable, the state entity shall disclose to the director the nature and amount of the contract or transaction.

(2)(A) Upon receipt of the disclosure, the director has ten (10) working days to notify the state entity that additional information is needed, or to inform the state entity that the contract or transaction is disapproved.

(B) If additional information is requested, the director has ten (10) additional working days from the receipt of the information to inform the state entity that the contract or transactions are disapproved.

(C) If the director does not send the state entity written notice of the disapproval of the contract or transaction within ten (10) working days, the contract or transaction is deemed approved by the director.

(3) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(4) The director may disapprove the contract or transaction if it appears that:

(A) The circumstances are such that fair competitive access to governmental procurement has not been obtained;

(B) There is no rational basis for the award of the contract to the member;

(C) The state entity has not followed proper procedures in

bidding or awarding the contract; or

(D) It appears that a board or commission member has used his or her position to obtain the contract.

(5)(A) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(B) All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(C) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the state agency making the appeal.

(e) On a quarterly basis, the director shall notify the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee of all contracts or transactions disclosed to the director for review pursuant to the terms of this section.

SECTION 12. Arkansas Code 21-8-1004 is amended to read as follows:

§ 21-8-1004. Penalties — Investigation by Arkansas Ethics Commission.

(a) In addition to any penalty contained in any other provision of law, including without limitation § 19-11-702, any member of a state board or commission or board member of an entity receiving state funds who knowingly and intentionally violates any of the provisions of this subchapter may be removed from office by the appointing authority.

(b) The Arkansas Ethics Commission may investigate complaints alleging a violation of this subchapter and may make recommendations to the appointing authority.”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pickett, **HOUSE BILL NO. 2325** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2325

Amend **HOUSE BILL NO. 2325** as engrossed,

H3/13/07 (version: 03-13-2007 09:03):

Add Senator Bryles as a cosponsor

/s/ Betty Pickett

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative L. Smith, **HOUSE BILL NO. 2247** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2247

Amend **HOUSE BILL NO. 2247** as originally introduced:

Page 1, line 24, delete "housing that" and substitute "housing in new developments that"

AND

Page 1, line 25, delete "government may" and substitute "government in a city with a population of fifty thousand (50,000) or more may"

AND

Page 1, delete lines 28 through 30, and substitute the following:

"create affordable housing units:

(2) Authorize up to fifteen percent (15%) of homes within a new development to meet guidelines for affordable housing; and

(3) Authorize restrictions on the use, cost, and resale of the designated affordable housing."

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pate, **HOUSE BILL NO. 2262** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2262

Amend **HOUSE BILL NO. 2262** as originally introduced:

Page 2, delete lines 21 and 22, and substitute the following:

"uniform court cost collected under § 16-10-305(a)(5) shall be remitted by the tenth day of each month to the Administration of Justice Fund Section of the Office of Administrative Services of the Department of Finance and Administration on a form provided by that office for deposit into the Drug Abuse"

/s/ Mark Pate

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2426** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2426

Amend **HOUSE BILL NO. 2426** as originally introduced:

Delete everything after the enacting clause and substitute the following:

SECTION 1. FINDINGS. The General Assembly finds that:

(1) The General Assembly adopted Acts 34 and 35 of the First Extraordinary Session of 2006 to determine whether school districts were unable to contribute local resources necessary to qualify for participation in state-funded facilities programs;

(2) School districts with insufficient bonding capacity were accommodated by the passage of Acts 22 and 23 of the First Extraordinary Session of 2006, which removed the bonded debt ratio, thus removing the cap on bond issuance;

(3) School districts with declining enrollment were addressed by Act 2206 of 2005 by allowing a three-year average to be used in determining the school district's facilities wealth index and by Act 21 of the First Extraordinary Session of

2006, which provided additional funding for declining enrollment based on the previous two (2) years' average daily membership. No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this;

(4) The General Assembly researched a school district with a low assessed property valuation and a low facilities wealth index and determined that it is treated the same as a school district with high property valuation and a high facilities wealth index. The research indicated, for example, that Poyen is required to use the same amount of mills to build facilities for ten percent (10%) of its students as Bryant, which is in the middle, and as Bentonville, which is on top. No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this; and

(5) School districts at or above the 95th percentile are addressed through SB962 of the 86th General Assembly. It provides that every school district at 100% of the facilities wealth index or above is adjusted to the same amount as the first district below one hundred percent (100%) on the facilities wealth index, unless that would exceed five thousandths (.005). In that case, the amount is capped at five thousandths (.005). No evidence was presented during the hearings held in 2006 pursuant to Act 57 of any school district suffering from a problem related to this.

SECTION 2. Arkansas Code § 6-21-811 is amended to read as follows:

6-21-811. Academic Facilities Distress Program.

(a) As used in this section, "safe, dry, and healthy" means improvements that are required for a public school academic facility to:

(i) Be in good and acceptable condition;

(ii) Provide a safe and comfortable environment for the public school academic facility's inhabitants; and

(iii) Maintain the integrity of the academic facility envelope.

(a)(b) The Division of Public School Academic Facilities and Transportation shall identify a public school or school district as being in academic facilities distress if the division determines that the public school or school district has engaged in actions or inactions that result in any of the following:

(1) Any act or violation determined by the division to jeopardize any academic facility used by a public school or school district, including, but not limited to:

(A) Material failure to properly maintain academic facilities in accordance with this subchapter and rules adopted by the Commission for Arkansas

Public School Academic Facilities and Transportation;

(B) Material violation of local, state, or federal fire, health, or safety code provisions or laws;

(C) Material violation of applicable building code provisions or law;

(D) Material failure to provide timely and accurate facilities master plans to the division;

(E) Material failure to comply with state law governing purchasing or bid requirements in relation to academic facilities projects; or

(F) Material default on any school district debt obligation; or

(G) Material failure to progress according to the school district's facilities master plan; and

(2) Any other condition of an academic facility or facilities in a public school or school district that is determined by the division to have a detrimental impact on educational services provided by that public school or school district.

(c)(1) Every two (2) years beginning February 1, 2008, the division shall determine whether the progress of each school district complies with the school district's facilities master plan and shall notify the school district of any noncompliance.

(2) The division shall annually review the applications made for the Academic Facilities Partnership Program established under § 6-20-2507, to identify any school district that did not apply for state funding for necessary facilities to meet adequacy requirements of safe, dry, and healthy, suitability, and growth and shall notify the school district of any deficiencies.

(3) Within thirty (30) days of receiving the notice provided under subdivision (c)(1) or (2) of this section, the school district shall submit a facilities improvement plan to the division for its review and approval that states how the school district will address the noncompliance issues contained in the notice.

(4) If the division does not approve the facilities improvement plan submitted by the school district, it shall identify the school district as being in facilities distress.

(5) A school district may appeal the decision of the division under this subsection (c) to the commission pursuant to the procedures established by the commission;

(d)(1)(A) Within ten (10) days of a school district's failure to pass a millage required to fulfill its obligations under the school district's facilities master plan, the division shall provide written notice to the school district of the date, time, and place for a conference with the school district at which the division will:

(i) Determine whether as a result of the failed millage there are facilities issues relating to:

(a) Safe, dry, and healthy public school academic facilities;

(b) The presence and number of suitability needs of public school academic facilities; or

(c) Immediate need for academic facilities to meet student growth; and

(ii) Thoroughly discuss and explain the sanctions and requirements that are available to the commission if the school district is identified as being in facilities distress under this section and § 6-21-812.

(B) The written notice shall be provided via certified mail to the president of the school board and the superintendent of the school district.

(C) The commission shall establish rules for the implementation of this subdivision (d)(1).

(2)(A) If the commission determines that there are safe, dry, and healthy, growth, or suitability issues, the commission may direct the school district to conduct a special election to vote on a millage increase.

(B)(i) The division and the school district shall agree upon the issues to be submitted for a vote in the special election.

(ii) The special election may not include any issues other than the issues that are mutually agreed upon.

(C) The special election shall be held on a date that is:

(i) Mutually agreed upon by the division and the school district; and

(ii) Not later than seven (7) months from the date of the election at which the millage failed, unless it is necessary to extend the date beyond seven (7) months because of restrictions on the number of elections that may be held within a calendar year.

(D) If within ninety (90) days from the notice provided to the school district under subdivision (d)(1)(A) the school district has not set an election date, the division shall identify the school district as being in facilities distress.

(E)(i) If the school district is able to finance the safe, dry, and healthy, growth, and suitability improvements without the necessity of a special election on increasing its millage, the school district may enter into an agreement with the division to fund its safe, dry, and healthy, growth, and suitability improvements separately.

(ii) The division shall identify the school district as being

in facilities distress for failure to implement the agreed upon plan for safe, dry, and healthy, growth, and suitability improvements.

~~(b)~~(e) The division shall provide written notice, via certified mail, return receipt requested, to the president of the school board and the superintendent of the public school or school district identified as being in facilities distress.

~~(e)(1)~~(f)(1) A public school or school district identified as being in facilities distress shall develop a facilities improvement plan within thirty (30) days from the date of receipt of the notice and promptly submit the facilities improvement plan to the division for review and approval.

(2) A public school or school district shall review and revise its facilities improvement plan on a periodic basis as determined by the division and submit the updated facilities improvement plan to the division in order for the division to determine whether the public school or school district is correcting its deficient areas of practice regarding academic facilities.

(3) A school district shall use facilities improvement plans as necessary to supplement and update its facilities master plan.

~~(d)~~(g) When a school district is identified by the division to be in facilities distress, the division may:

(1)(A) Provide on-site technical evaluation and assistance and make recommendations to the district superintendent regarding the care and maintenance of any academic facility in the district.

(B) Any school district identified as being in facilities distress status shall accept on-site technical evaluation and assistance from the division.

(C) The recommendations of the division are binding on the district, the superintendent, and the school board;

(2) Require the superintendent to relinquish all administrative authority with respect to the school district;

(3)(A) Appoint an individual in place of the superintendent to administratively operate the school district under the supervision and approval of the Director of the Division of Public School Academic Facilities and Transportation.

(B) The division may direct the school district to compensate from school district funds the individual appointed to operate the school district;

(4) Suspend or remove all members of the current board of directors and call for the election of a new school board for the school district, in which case the school district shall reimburse the county board of election commissioners for election costs as otherwise required by law;

(5) Require the school district to operate without a local school board under the supervision of the local superintendent or an individual or panel appointed

by the director;

(6) Return the administration of the school district to the former board or place the administration of the school district in a newly elected school board;

(7) Require school district staff and employees to attend training in areas of concern for the public school or school district;

(8)(A) Require a school district to cease immediately all expenditures related to activities not described as part of an adequate education in § 6-20-2302 and place money that would have been spent on the activities into an academic facilities escrow account to be released only upon approval by the division for use in conjunction with a local academic facilities project.

(B) School districts shall include a clause addressing this contingency in all contracts with personnel who are involved with activities not described as part of an adequate education;

(9) Notify the public school or school district in writing that the deficiencies regarding academic facilities shall be corrected within a time period designated by the division;

(10)(A) Petition the ~~state board~~ State Board of Education at any time for the consolidation, annexation, or reconstitution of a school district in facilities distress or take other appropriate action as allowed by this subchapter in order to secure and protect the best interest of the educational resources of the state or to provide for the best interest of students in the school district.

(B) The state board may approve the petition or take other appropriate action as allowed by this subchapter.

(C)(i) The state board shall consolidate, annex, or reconstitute any school district that fails to remove itself from the classification of a school district in facilities distress within two (2) consecutive school years of receipt of notice of identification of facilities distress status by the division;

~~(ii)(a) A school district may appeal the action of the state board to the Commission for Public School Academic Facilities and Transportation in accordance with procedures developed by the state board.~~

~~(b) The commission may reverse the action of the state board if the commission finds that the school district could not remove itself from facilities distress due to impossibility caused by external forces beyond the school district's control; and~~

(11) Correct the failure of a school district to complete its agreed plan or to pass the millage in the special election under subdivision (d)(2) of this section by contracting for and completing the necessary improvements under the agreed plan;

(12)(A) If the division recommends and the commission concurs that the academic facilities in the public school district in facilities distress are inadequate to provide an adequate education, the state board may dissolve the district and transfer students to public schools in other public school districts.

(B) The state board shall determine the division of the public school district's territory and the division of its debt;

and

(11)(13) Take any other action allowed by law that is deemed necessary to assist a public school or school district in removing criteria of facilities distress.

(e)(h) No school district identified by the division as being in facilities distress may incur any debt without the prior written approval of the commission.

(f)(i) A public school or school district in facilities distress may petition the commission for removal from facilities distress status only after the division has certified in writing that the public school or school district has corrected all criteria for being classified as in facilities distress and has complied with all division recommendations and requirements for removal from facilities distress.

(g)(j) The division shall submit a written evaluation on the status of each school district in facilities distress to the commission and the state board at least one (1) time every six (6) months.

(k)(1)(A) If a school district is identified as being in facilities distress and has safe, dry, and healthy, growth, or suitability improvement issues, the division, in addition to any other remedy under this section and § 6-21-812, may provide a loan to the school district to be repaid from any funds available that are not required to provide an adequate education.

(B) Funds available that are not required to provide an adequate education include:

(i)(a) Fund balances and any cash on hand that are not part of foundation funding or categorical funding under § 6-20-2305 and are not otherwise required to provide an adequate education for students in the public school district; and

(b) Revenues that are not obligated on bonds;

(ii) Funds remaining after the annual payment on a bond obligation are included in funds that are not required to provide an adequate education.

(2) The public school district shall repay the loan on the schedule determined by the division.

SECTION 3. NOT TO BE CODIFIED. The document attached hereto titled

"Arkansas Department of Education, Analysis of the Academic Facilities Wealth Index for Providing Facilities for 10% of a District's ADM", dated March 8, 2007, is specifically adopted by the House Education Committee and the Senate Education Committee and recommended to the General Assembly and shall be filed in the journals of the House and Senate.

SECTION 4. NOT TO BE CODIFIED. The Commission for Arkansas Public School Academic Facilities and Transportation is requested to reexamine the role and function of the State Facility Assessment of 2004 and report its findings to the House Interim Committee on Education and Senate Interim Committee on Education by May 1, 2008."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Rosenbaum, **HOUSE BILL NO. 2548** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2548

Amend **HOUSE BILL NO. 2548** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 23, Chapter 112, Subchapter 3 is amended to add an additional section to read as follows:

23-112-317. Negative equity financing and disclosures permitted.

A new or used motor vehicle dealer or a new or used motor vehicle lessor is not required to be licensed by the State Bank Department in order to:

(1)(A) Pay in connection with a credit sale transaction any amount necessary to satisfy a lease, a security interest, or a lien upon a motor vehicle that is either returned or traded in to the new or used motor vehicle dealer or the new or used motor vehicle lessor by the purchaser of a new or used motor vehicle.

(B) The amount paid by the new or used motor vehicle dealer or by the new or used motor vehicle lessor may be included and disclosed as part of the credit sale transaction; or

(2)(A) Pay in connection with a lease transaction, any amount

necessary to satisfy a lease, a security interest, or a lien upon a motor vehicle that is either returned or traded in to the new or used motor vehicle dealer or the new or used motor vehicle lessor by the lessee of a new or used motor vehicle.

(B) The amount paid by the new or used motor vehicle dealer or by the new or used motor vehicle lessor may be included and disclosed as part of the amount to be paid by the lessee under the lease transaction."

/s/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Garner, **HOUSE BILL NO. 2665** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2665

Amend **HOUSE BILL NO. 2665** as originally introduced:

Add Senators Altes, Baker, Hendren, and Pritchard as cosponsors of the bill

AND

Add Representatives Allen, Anderson, Baker, Berry, Brown, Burkes, Chesterfield, Creekmore, Dunn, D. Evans, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Harris, Hutchinson, Hyde, Kenney, Key, King, Lamoureux, M. Martin, Maxwell, Medley, Norton, Overbey, Pace, Patterson, Pierce, Pyle, Ragland, Roebuck, Rogers, Rosenbaum, Sample, Schulte, Sullivan, Walters, Wells, Wills, and Woods as cosponsors of the bill

AND

Delete lines 9 through 15 and substitute the following:

"AN ACT TO IMPROVE OPPORTUNITY FOR ALL ARKANSANS TO SECURE HIGHER PAYING JOBS BY INCREASING THE RETENTION OF CAPITAL WITHIN THE STATE AND TO ATTRACT NEW INVESTMENT TO THE STATE; TO REDUCE THE INCOME TAX RATES OF THE STATE OF ARKANSAS WHEN NET GENERAL REVENUES ARE SUFFICIENT; TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO INFLATION-ADJUSTED MARGIN OF

GROWTH; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"THE INCOME TAX PLEDGE ACT OF 2007."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 4 is amended to add an additional section to read as follows:

26-51-455. Reduction of income tax.

(a) As used in this section, "Inflation adjusted margin of growth" means a yearly amount adjusted at the close of the fiscal year, but not later than August 31 of that calendar year, by the "Consumer Price Index for All Urban Consumers", as published by the United States Department of Labor, or its successor, for that fiscal year.

(b) If the net general revenue collected from taxes by the state for fiscal year 2008 reach or exceed four billion seven hundred million dollars (\$4,700,000,000), the income tax rate is reduced by one-quarter of one percent for all income brackets and shall remain at the new rate, effective January 1, 2009 for income taxes paid in taxable year 2008.

(c) For fiscal year 2009, the inflation-adjusted margin of growth shall be two hundred fifty million dollars (\$250,000,000) adjusted by the Consumer Price Index for All Urban Consumers for that fiscal year as published by the United States Department of Labor, or its successor.

(d) For any fiscal year following fiscal year 2009, the current Inflation Adjusted Margin of Growth shall be determined by adjusting the Inflation Adjusted Margin of Growth of the previous fiscal year by the CPI-U of the current fiscal year.

(e) For any fiscal year following fiscal year 2009, should the net general revenue of that fiscal year exceed the highest net general revenue of any previous fiscal year by amount greater than the current fiscal year's inflation-adjusted margin of growth, the income tax rate shall be reduced by one-quarter of one percent (1/4 %) effective January 1st of the following calendar year for income taxes paid in the previous calendar year, until the maximum tax rate for any tax bracket shall be no more than three percent (3%).

(f) The Department of Finance and Administration shall promulgate rules to implement this section."

/s/ Ed Garner

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 2590** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2590

Amend **HOUSE BILL NO. 2590** as engrossed,

H3/7/07 (version: 03-07-2007 09:21):

Add Representatives Glidewell, L. Evans, Wyatt, Davenport, Davis, Kidd, Allen, Hoyt, Reynolds, Shelby, House, J. Roebuck, Pierce, King, Hyde, D. Hutchinson, L. Cowling, Stewart, Greenburg, George as cosponsors.

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wills, **HOUSE BILL NO. 2345** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2345

Amend **HOUSE BILL NO. 2345** as engrossed,

H3/12/07 (version: 03-12-2007 08:54):

Page 2, delete lines 32 through 36 entirely

AND

Page 3, delete lines 1 through 7

AND

Page 3, line 9, delete "SECTION 6." and substitute "SECTION 5."

AND

If appropriate, renumber the sections of the bill in consecutive order

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pate, **HOUSE BILL NO. 2296** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2296

Amend **HOUSE BILL NO. 2296** as originally introduced:

Add Representatives E. Brown, Thyer, and Walters as cosponsors of the bill

AND

Add Senator R. Thompson as a cosponsor of the bill

AND

Delete SECTION 1 in its entirety

AND

Delete SECTION 2 in its entirety

AND

Page 2, line 34, delete "SECTION 3." and substitute "SECTION 1."

AND

Page 3, delete lines 7 and 8, and substitute the following:

"sealing of the records of the criminal prosecution is governed by § 5-4-311, § 5-64-413, or §§ 16-93-301 — 16-93-303; and"

AND

Delete SECTION 4 in its entirety

AND

Delete SECTION 5 in its entirety

AND

Delete SECTION 6 in its entirety

AND

Delete SECTION 7 in its entirety

AND

Delete SECTION 8 in its entirety

AND

Page 6, line 1, delete "SECTION 9." and substitute "SECTION 2."

AND

Page 6, delete line 11, and substitute the following:

"(ii) A sentence of a fine not exceeding three thousand five hundred dollars (\$3,500) or an assessment of court"

AND

Page 7, line 3, delete "habitual offender"

AND

Page 7, delete line 4, and substitute the following:

"(4) A determination of criminal history scores;

(5) Sentencing; and"

AND

Page 7, line 5, delete "(5)" and substitute "(6)"

AND

Page 7, line 11, delete "habitual offender"

AND

Page 7, delete line 12, and substitute the following:

"(3) A determination of criminal history scores;

(4) Sentencing; and"

AND

Page 7, line 13, delete "(4)" and substitute "(5)"

AND

Page 7, line 19, delete "SECTION 10." and substitute "SECTION 3."

AND

Page 8, delete line 10, and substitute the following:

"to register as a sex offender or a misdemeanor conviction for driving while intoxicated."

AND

Delete SECTION 11 in its entirety

AND

Page 9, line 24, delete "SECTION 12." and substitute "SECTION 4."

AND

Page 10, line 1, delete "misdemeanor:" and substitute "misdemeanor offense committed after January 1, 2007:"

AND

Delete SECTION 13 in its entirety

/s/ Mark Pate

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative King, **HOUSE BILL NO. 2372** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2372

Amend **HOUSE BILL NO. 2372** as originally introduced:

Add Representatives George, Lamoureux, Norton, Ragland as cosponsors

/s/ Bryan King

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1541** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1541

Amend **HOUSE BILL NO. 1541** as engrossed,

H3/2/07 (version: 03-02-2007 10:36):

Page 2, delete lines 4 through page 8, line 14 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL**

ADMINISTRATIVE POSITIONS

(1) Chancellor, U of A at Little Rock	1	\$161,728	\$164,963
(2) Dean of Law School	1	\$155,239	\$158,344
(3) Provost & VCAA	1	\$137,410	\$140,158
(4) Vice Chan. for Finance & Admin.	1	\$133,359	\$136,026
(5) Vice Chan. for Educational Services	1	\$131,333	\$133,960
(6) Vice Chan. for Univ. Advancement	1	\$131,333	\$133,960
(7) Dean of Business Administration	1	\$130,283	\$132,889
(8) Dean of Science & Math	1	\$130,283	\$132,889
(9) Vice Provost for Research	1	\$127,283	\$129,829
(10) Dean of Schools/Colleges	6	\$127,282	\$129,828
(11) Director of Development	1	\$118,418	\$120,786
(12) Assoc. Vice-Chancellor	5	\$115,420	\$117,728
(13) Exec. Assist. to the Chancellor	1	\$115,420	\$117,728
(14) Dir. Ark. Inst. Economic Advancement	1	\$114,746	\$117,041
(15) Dir. of Ark. Institute of Government	1	\$114,746	\$117,041
(16) Director of Univ. Communications	1	\$114,746	\$117,041
(17) Dean of Library	1	\$113,434	\$115,703
(18) Chief Information Technology Officer	1	\$111,782	\$114,018
(19) Director of Arkansas SBDC	1	\$111,782	\$114,018
(20) Director of Mgt Systems & Planning	1	\$111,782	\$114,018
(21) Division Chief	3	\$109,939	\$112,138
(22) Director of Financial Services	1	\$102,961	\$105,020
(23) Dir. of Administrative Services	1	\$102,961	\$105,020
(24) Dir. of Res. and Sponsored Programs	1	\$102,695	\$104,749
(25) Dir. Office of International Prog.	1	\$102,695	\$104,749
(26) Associate Dean	5	\$102,005	\$104,045
(27) Physician	1	\$97,382	\$99,330
(28) Director of Physical Plant	1	\$96,915	\$98,853
(29) Assistant Dean	4	\$96,728	\$98,663

(30) Director of Academic Advising	1	\$95,594	\$97,506
(31) Dir. of Instructional/Faculty Dev	1	\$92,629	\$94,482
(32) Director of Records & Registration	1	\$92,629	\$94,482
(33) Dir of Corp. & Foundation Relations	2	\$91,646	\$93,479
(34) Director of Annual Giving	1	\$91,646	\$93,479
(35) Dir. of Counseling Services	1	\$91,646	\$93,479
(36) Director of Planned Giving	1	\$91,646	\$93,479
(37) Director of Recruitment & Retention	1	\$86,828	\$88,565
(38) Dir. Of Continuing Education	1	\$86,828	\$88,565
(39) Dean of Students	1	\$86,828	\$88,565
(40) Assoc. Dir. Computing Services	4	\$85,584	\$87,296
(41) Director of Institutional Research	1	\$84,117	\$85,799
(42) Dir. of Admissions & Financial Aid	1	\$83,680	\$85,354
(43) Director of Cooperative Educ. Prog.	1	\$81,474	\$83,103
(44) Dir. of Community Partnerships	1	\$81,474	\$83,103
(45) Director of Health Services	1	\$80,514	\$82,124
(46) Dir. Student Development Center	1	\$80,467	\$82,076
(47) Project/Program Administrator	40		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(48) Business Manager	1	\$78,367	\$79,934
(49) Treasurer/Investment Manager	1	\$78,367	\$79,934
(50) Assoc. Dean of Students	2	\$77,923	\$79,481
(51) Director of Admissions	1	\$77,923	\$79,481
(52) Assoc. Dir Research & Sponsored Prog	1	\$75,351	\$76,858
(53) Budget Director	2	\$74,727	\$76,222
(54) Dir. of Adm. & Registrar/Law	1	\$74,180	\$75,664
(55) Development Officer	6	\$72,538	\$73,989
(56) Project Coordinator	1	\$72,180	\$73,624
(57) Coord. of Cooperative Education	1	\$72,162	\$73,605
(58) Director of Testing Services	1	\$70,862	\$72,279
(59) Research Coordinator	2	\$69,920	\$71,318
(60) Director of Alumni Relations	1	\$67,289	\$68,635
(61) APAC Coordinator	1	\$66,028	\$67,349
(62) Director of Student Activities	1	\$64,793	\$66,089
(63) Computer Systems Mgr.	1	\$64,523	\$65,813
(64) Director of Disability Services	1	\$63,114	\$64,376

(65) Academic/Student Support	56		
Student Development Specialist		\$63,114	\$64,376
Academic Counselor		\$55,852	\$56,969
(66) Coord. of Intramural Activities	1	\$61,215	\$62,439
(67) Assoc Dir of Financial Aid	2	\$58,861	\$60,038
(68) Job Developer/Cooperative Ed. Prog.	1	\$58,590	\$59,762
(69) Institutional Assistant	35	\$53,270	\$54,335

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(70) Asst Dir of Comp Svs III - Inst	1	GRADE 25
(71) UALR Director of Public Safety	1	GRADE 25
(72) Systems Analyst III - Inst	4	GRADE 24
(73) Assistant Controller	1	GRADE 23
(74) Database Coordinator II - Inst	1	GRADE 23
(75) DP Production Manager I - Inst	1	GRADE 23
(76) UALR Purchasing Agent	1	GRADE 23
(77) Career Planning & Plcmt Coord	1	GRADE 22
(78) Computer Support Spec III - Inst	5	GRADE 22
(79) DP Network Technician III - Inst	3	GRADE 22
(80) Systems Analyst II - Inst	5	GRADE 22
(81) UALR Asst Dir of Physical Plant	2	GRADE 22
(82) Accounting Supervisor II	6	GRADE 21
(83) HE Public Safety Commander I	2	GRADE 21
(84) Inst Personnel Svcs Manager	2	GRADE 21
(85) Accounting Supervisor I	3	GRADE 20
(86) Buyer Supervisor	1	GRADE 20
(87) Computer Support Spec II - Inst	6	GRADE 20
(88) Counselor II	7	GRADE 20
(89) DP Network Technician II - Inst	3	GRADE 20
(90) Editor	2	GRADE 20
(91) HE Public Safety Supervisor	6	GRADE 20
(92) Instrumentation Engineer	1	GRADE 20
(93) Plant Maintenance Coordinator	4	GRADE 20
(94) Plant Maintenance Engineer	1	GRADE 20
(95) Program Coordinator	19	GRADE 20
(96) Student Health Services Nurse II	2	GRADE 20
(97) Systems Analyst I - Inst	4	GRADE 20
(98) UALR Dir of Deseg & Aff Action	1	GRADE 20

(99) UALR Payroll Services Manager	1	GRADE 20
(100) Applications Programmer II - Inst	1	GRADE 19
(101) Budget Specialist	3	GRADE 19
(102) Buyer	6	GRADE 19
(103) Chief Construction Inspector	1	GRADE 19
(104) DP Operations Supv II - Inst	1	GRADE 19
(105) Research Project Analyst	2	GRADE 19
(106) Accountant	25	GRADE 18
(107) Assistant Registrar	2	GRADE 18
(108) Computer Support Spec I - Inst	6	GRADE 18
(109) Const & Maintenance Project Est	2	GRADE 18
(110) DP Network Technician I - Inst	1	GRADE 18
(111) HE Public Safety Officer II	21	GRADE 18
(112) Management Project Analyst I	1	GRADE 18
(113) Payroll Services Specialist	1	GRADE 18
(114) Personnel Assistant II - Inst	3	GRADE 18
(115) Plant Maintenance Supervisor	2	GRADE 18
(116) Plant Warehouse Foreman	1	GRADE 18
(117) Safety Supervisor	1	GRADE 18
(118) Skilled Trades Supervisor	6	GRADE 18
(119) Administrative Assistant II	34	GRADE 17
(120) Archival Assistant	2	GRADE 17
(121) DP Operations Supervisor I - Inst	2	GRADE 17
(122) Instrumentation Technician II	2	GRADE 17
(123) Landscape Supervisor II	2	GRADE 17
(124) Logistics Manager	1	GRADE 17
(125) Multimedia Specialist	2	GRADE 17
(126) Program Advisor	9	GRADE 17
(127) Skilled Trades Worker	35	GRADE 17
(128) Stationary Engineer	13	GRADE 17
(129) Theatre Arts Tech Supervisor	2	GRADE 17
(130) Computer Technician II - Inst	2	GRADE 16
(131) Coordinator of Housekeeping	1	GRADE 16
(132) HE Public Safety Officer I	8	GRADE 16
(133) Multimedia Tech Controller II	2	GRADE 16
(134) Accounting Technician II	15	GRADE 15
(135) Administrative Assistant I	30	GRADE 15
(136) Administrative Office Supervisor	15	GRADE 15

(137) Graphic Artist I	2	GRADE 15
(138) Insurance Representative	1	GRADE 15
(139) Laboratory Coordinator	1	GRADE 15
(140) Landscape Supervisor I	1	GRADE 15
(141) Payroll Officer	2	GRADE 15
(142) Store Supervisor	2	GRADE 15
(143) Administrative Secretary	55	GRADE 14
(144) Architectural Draftsman	1	GRADE 14
(145) Audiovisual Technician	1	GRADE 14
(146) Computer Publishing Operator	1	GRADE 14
(147) Computer Technician I - Inst	4	GRADE 14
(148) Library Academic Technician III	17	GRADE 14
(149) Medical/Legal Secretary	2	GRADE 14
(150) Personnel Assistant I - Inst	1	GRADE 14
(151) Computer Lab Tech - Inst	1	GRADE 13
(152) Secretary II	20	GRADE 13
(153) Accounting Technician I	1	GRADE 12
(154) Cashier II	1	GRADE 12
(155) Documents Examiner II	1	GRADE 12
(156) HE Public Safety Dispatcher	12	GRADE 12
(157) Library Academic Technician II	12	GRADE 12
(158) Mailroom Supervisor	1	GRADE 12
(159) Registrar's Assistant	5	GRADE 12
(160) Assistant Lab Animal Technician	1	GRADE 12
(161) Secretary I	1	GRADE 12
(162) Shipping & Receiving Clerk	1	GRADE 12
(163) Receptionist	1	GRADE 10
(164) Reproduction Equipment Operator	1	GRADE 10
(165) Mail Officer	5	GRADE 09
(166) Custodial Supervisor II	8	GRADE 08
(167) Custodial Supervisor I	2	GRADE 06
(168) Maintenance Worker II	5	GRADE 05
(169) Custodial Worker II	10	GRADE 04
(170) Maintenance Worker I	8	GRADE 04
(171) Custodial Worker I	50	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(172) Faculty	55	
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University Professor - GIT		\$133,965	\$136,644
Professor - GIT		\$132,546	\$135,197
University Professor		\$126,791	\$129,327
Professor		\$117,149	\$119,492
Assoc. Professor - GIT		\$113,095	\$115,357
Assoc. Professor		\$109,041	\$111,222
Asst. Professor - GIT		\$107,015	\$109,155
Asst. Professor		\$92,744	\$94,599
Instructor - GIT		\$82,955	\$84,614
Instructor		\$76,240	\$77,765
(173) Department Chairperson	35	\$119,175	\$121,559
(174) Research/Extension Specialist	54		
Senior Research/Extension Spec		\$117,149	\$119,492
Research/Extension Specialist		\$109,042	\$111,223
Associate Research/Extension Spec		\$92,744	\$94,599
Assistant Research/Extension Spec		\$72,494	\$73,944
(175) Research Support	155		
Research Associate		\$86,750	\$88,485
Post Doctoral Fellow		\$72,366	\$73,813
Research Assistant - GIT		\$59,739	\$60,934
Research Assistant		\$51,930	\$52,969
Graduate Assistant		\$37,954	\$38,713
(176) Librarian	17	\$66,434	\$67,763
(177) Lecturer	3	\$58,375	\$59,543
(178) Extension Assistant	4	\$51,930	\$52,969

NINE MONTH EDUCATION AND GENERAL
ACADEMIC POSITIONS

(179) Faculty	410		
Distinguished Prof. - Law School		\$142,928	\$145,787
Professor - Law School		\$133,561	\$136,232
Distinguished Professor		\$131,224	\$133,848
University Professor		\$124,591	\$127,083
Professor		\$115,124	\$117,426
Assoc. Professor - Law School		\$115,124	\$117,426
Asst. Professor - Law School		\$107,015	\$109,155
Assoc. Professor		\$100,934	\$102,953
Asst. Professor		\$84,492	\$86,182
Instructor		\$65,927	\$67,246

(180) Lecturer	330	\$53,270	\$54,335
(181) Graduate Assistant	210	\$20,808	\$21,224

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(182) Head Basketball Coach	2	\$129,798	\$132,394
(183) Director of Athletics	1	\$121,663	\$124,096
(184) Director of Special Events Center	1	\$80,514	\$82,124
(185) Project/Program Administrators	10		
Project/Program Director		\$80,480	\$82,090
Project/Program Manager		\$72,827	\$74,284
Project/Program Specialist		\$62,836	\$64,093
(186) Asst. Athletic Director	4	\$75,366	\$76,873
(187) Head Coach	10	\$75,366	\$76,873
(188) Dir. of Printing Services	1	\$66,962	\$68,301
(189) Assistant Coach	13	\$65,612	\$66,924
(190) Asst. Dir. of Aquatics & Fitness	1	\$63,114	\$64,376

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(191) UALR Director of Student Union	1	GRADE 23
(192) Counselor II	1	GRADE 20
(193) UALR Director of Housing	1	GRADE 20
(194) Assistant Dir of Student Union	1	GRADE 18
(195) Printer Supervisor	2	GRADE 18
(196) Administrative Assistant II	2	GRADE 17
(197) Printer III	2	GRADE 17
(198) Recreation Coordinator	1	GRADE 17
(199) Coordinator of Housekeeping	1	GRADE 16
(200) Printer II	6	GRADE 16
(201) Accounting Technician II	1	GRADE 15
(202) Accounts Supervisor	1	GRADE 15
(203) Administrative Assistant I	1	GRADE 15
(204) Store Supervisor	1	GRADE 15
(205) Residence Hall Manager II	1	GRADE 14
(206) Administrative Secretary	2	GRADE 14
(207) Head Cashier	1	GRADE 13
(208) Student Union Section Manager	1	GRADE 13
(209) Apprentice Tradesman	1	GRADE 11
(210) Secretary I	1	GRADE 11

(211) Shipping & Receiving Clerk	1	GRADE 11
(212) Receptionist	1	GRADE 10
(213) Reproduction Equipment Operator	2	GRADE 10
(214) Custodial Supervisor I	1	GRADE 06
(215) Custodial Worker II	6	GRADE 04
(216) Maintenance Worker I	1	GRADE 04
(217) Custodial Worker I	9	GRADE 03

COLLEGE OF INFO SCIENCES & SYS ENG

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(218) Dean of Engineering-ISSE	1	\$167,418	\$170,766
(219) Associate Dean	1	\$121,203	\$123,627
(220) Assistant Dean	3	\$104,987	\$107,087
(221) Director of Bridge Program	1	\$80,364	\$81,971
(222) Director of Summer Institute	1	\$80,364	\$81,971
(223) Technical Support Staff	10	\$72,829	\$74,286
(224) Academic Counselor	1	\$71,430	\$72,859

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(225) Administrative Assistant II	4	GRADE 17
(226) Administrative Secretary	4	GRADE 14

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(227) Department Chair	2	\$135,388	\$138,096
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NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(228) Faculty (9 Month)	28		
Professor		\$125,251	\$127,756
Associate Professor		\$107,015	\$109,155
Assistant Professor		\$103,742	\$105,817
(229) Graduate Assistant	11	\$33,970	\$34,649

NANOTECHNOLOGY CENTER

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(230) Vice Provost for Innovation and Comm	1	\$167,418	\$170,766
(231) Director of Nanotechnology Center	1	\$141,197	\$144,021
(232) Chief Scientist	1	\$132,548	\$135,199
(233) Chief of Instrumentation	1	\$86,750	\$88,485

(234) Coordinator of Commercialization	1	\$80,364	\$81,971
(235) Project/Program Administrator	3		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(236) Research Support	12		
Research Associate		\$86,750	\$88,485
Post Doctoral Fellow		\$72,366	\$73,813
Research Assistant		\$51,930	\$52,969
Graduate Assistant		\$37,954	\$38,713

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(237) Administrative Assistant II	2	GRADE 17
(238) Administrative Assistant I	<u>2</u>	GRADE 15

MAX. NO. OF EMPLOYEES 2,283";

Page 8, line 20 replace "fifty (1,050)" with "three hundred thirty (1,330)";

Page 8, insert between lines 33 and 34:

"(02) EXTRA HELP 0 1,192,153"

and renumber the item numbers in Section 3;

Page 8, line 35 replace "\$ 61,079,586" with "\$ 62,271,739";

Page 9, line 11 replace "10,000,000 10,000,000" with "11,000,000 12,000,000";

Page 9, line 25 replace "\$ 339,000,000 \$ 340,836,000" with "\$ 340,000,000 \$ 342,836,000".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1545** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1545

Amend **HOUSE BILL NO. 1545** as originally introduced:

Page 2, delete lines 3 through page 8, line 1 and insert therefor:

" **TWELVE MONTH EDUCATIONAL AND GENERAL ADMINISTRATIVE POSITIONS**

(1) President, Arkansas Tech University	1	\$154,978	\$158,078
(2) Vice-Pres. for Academic Affairs	1	\$127,787	\$130,343
(3) Vice-Pres. for Admin & Finance	1	\$127,787	\$130,343
(4) Vice President for Development	1	\$125,845	\$128,362
(5) Vice-Pres. for Student Affairs	1	\$125,845	\$128,362
(6) Vice-Pres for Government Relations	1	\$125,845	\$128,362
(7) Dean of School	7	\$121,961	\$124,400
(8) Assoc Vice-Pres of Academic Affairs	1	\$114,901	\$117,199
(9) Executive Assistant to the President	1	\$111,586	\$113,818
(10) Assoc Vice-Pres of Fiscal Affairs	1	\$110,592	\$112,804
(11) Associate Vice-President	2	\$110,592	\$112,804
(12) Dir. of Computer Services	1	\$107,105	\$109,247
(13) General Counsel	1	\$99,039	\$101,020
(14) Controller	1	\$98,649	\$100,622
(15) Dir of Physical Plant/Plant Engineer	1	\$92,855	\$94,712
(16) Dir. of Student Development Center	1	\$91,663	\$93,496
(17) Registrar	1	\$90,331	\$92,138
(18) Dir. of Cont. Ed. & Comm. Serv.	1	\$83,200	\$84,864
(19) Director of Enrollment Management	1	\$83,200	\$84,864
(20) Dean of Students	1	\$83,200	\$84,864
(21) Dir. of Ark Intl Lang Program	1	\$82,196	\$83,840
(22) Director of Virtual Learning Center	1	\$82,009	\$83,649
(23) Director of Institutional Research	1	\$80,603	\$82,215
(24) Project/Program Administrator	19		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(25) Director of Admissions	1	\$80,184	\$81,788
(26) Director of International Programs	1	\$80,184	\$81,788

(27) Director of Public Affairs	1	\$80,184	\$81,788
(28) Director of Student Aid	1	\$80,184	\$81,788
(29) Director of Alumni Svcs & Annual Giv	1	\$80,184	\$81,788
(30) Director of Media Services	1	\$80,184	\$81,788
(31) Business Manager	1	\$74,767	\$76,262
(32) Assoc. Dean of Employmt & Career Svc	1	\$74,767	\$76,262
(33) Associate Dean of Students	4	\$74,767	\$76,262
(34) Associate Registrar	2	\$74,767	\$76,262
(35) Associate Dean of Schools	2	\$74,386	\$75,874
(36) Director of Public Safety	1	\$72,778	\$74,234
(37) ATU Dir of Public Safety	1	\$72,641	\$74,094
(38) Director of Budget	1	\$71,603	\$73,035
(39) Director of Administrative Services	1	\$70,913	\$72,331
(40) Endowment Financial Analyst	1	\$70,118	\$71,520
(41) Dir of Corp and Foundation Giving	1	\$69,504	\$70,894
(42) Director of Donor Relations & Dev.	1	\$69,504	\$70,894
(43) Special Projects Coordinator	4	\$69,102	\$70,484
(44) Director of Placement/Career Service	1	\$65,399	\$66,707
(45) Dir. of Pub. & Creative Svcs.	1	\$64,160	\$65,443
(46) Asst Dir of Computer Services	2	\$63,193	\$64,457
(47) Dir of Academic Technology & Comp	1	\$63,193	\$64,457
(48) Dir of Recruitment & Orientation	1	\$63,193	\$64,457
(49) Student Development Specialist	6	\$63,114	\$64,376
(50) Career Advisor	1	\$63,114	\$64,376
(51) Dir of Acad Advisement and Retention	1	\$63,114	\$64,376
(52) Coordinator of Grants Management	1	\$63,114	\$64,376
(53) Director of Academic Services	1	\$63,114	\$64,376
(54) Assistant Dean of Students	1	\$61,333	\$62,560
(55) Major Gift Development Officer	8	\$61,333	\$62,560
(56) Coord. Affirm. Action/Disability Svc	1	\$60,472	\$61,681
(57) Dir. of Learning Resource Center	2	\$60,472	\$61,681
(58) Institutional Assistant	4	\$53,270	\$54,335
(59) Academic Advisor	4	\$49,239	\$50,224

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(60) Asst Dir of Comp Svcs III - Inst	1	GRADE 25
(61) Asst Dir of Comp Svcs II - Inst	1	GRADE 24

(62) DP Network Manager III - Inst	1	GRADE 24
(63) Systems Analyst III - Inst	1	GRADE 24
(64) Assistant Controller	1	GRADE 23
(65) Database Coordinator II - Inst	1	GRADE 23
(66) DP Operations Supv III - Inst	1	GRADE 22
(67) Systems Analyst II - Inst	2	GRADE 22
(68) Procurement Manager	1	GRADE 22
(69) Career Plan & Plac Coordinator	1	GRADE 22
(70) Accounting Supervisor II	1	GRADE 21
(71) ATU Asst Dir of Physical Plt	2	GRADE 21
(72) ATU Grants Manager	1	GRADE 21
(73) ATU Financial Analyst	1	GRADE 21
(74) Data Base Coordinator I-Inst	1	GRADE 21
(75) Development Specialist	1	GRADE 21
(76) Assistant Dir of Financial Aid	1	GRADE 20
(77) Accounting Supervisor I	1	GRADE 20
(78) Computer Support Spec II-Inst	2	GRADE 20
(79) Counselor II	6	GRADE 20
(80) Institution Personnel Analyst	1	GRADE 20
(81) DP Network Manager I - Inst	1	GRADE 20
(82) DP Network Tech II - Inst	1	GRADE 20
(83) HE Public Safety Supervisor	1	GRADE 20
(84) Management Project Analyst II	3	GRADE 20
(85) Program Coordinator	3	GRADE 20
(86) Systems Analyst I - Inst	1	GRADE 20
(87) ATU Payroll Services Manager	1	GRADE 20
(88) Systems Programmer I - Inst	1	GRADE 20
(89) Applications Programmer II - Inst	2	GRADE 19
(90) ATU Dir Grounds Maintenance	1	GRADE 19
(91) ATU Director of Housekeeping	1	GRADE 19
(92) Budget Specialist	1	GRADE 19
(93) Student Accounts Officer-ATU	1	GRADE 19
(94) Career Plan & Placement Advisor	1	GRADE 19
(95) Coordinator of Information Svcs.	1	GRADE 19
(96) Buyer	2	GRADE 19
(97) Research Project Analyst	1	GRADE 19
(98) Skilled Trades Foreman	2	GRADE 19

(99) Accountant	7	GRADE 18
(100) Assistant Registrar	1	GRADE 18
(101) ATU Coliseum Manager	1	GRADE 18
(102) Computer Support Spec I-Inst	2	GRADE 18
(103) Counselor I	1	GRADE 18
(104) DP Network Technician I-Inst	1	GRADE 18
(105) Financial Aid Officer II	5	GRADE 18
(106) HE Public Safety Officer II	8	GRADE 18
(107) Personnel Assistant II - Inst	2	GRADE 18
(108) Public & Student Recruit Spec II	3	GRADE 18
(109) Administrative Assistant II	8	GRADE 17
(110) Farm Foreman - Inst	1	GRADE 17
(111) Landscape Supervisor II	1	GRADE 17
(112) Library Supervisor I	1	GRADE 17
(113) Museum Exhibits Specialist	2	GRADE 17
(114) Skilled Trades Worker	20	GRADE 17
(115) Student Union Night Manager	1	GRADE 17
(116) Telecommunications Coordinator	1	GRADE 17
(117) Telephone Technician	1	GRADE 17
(118) TV Engineer	1	GRADE 17
(119) Collections Officer	1	GRADE 16
(120) Admissions Analyst Supervisor	1	GRADE 16
(121) Computer Technician II - Inst	3	GRADE 16
(122) Coordinator of Housekeeping	1	GRADE 16
(123) Food Production Supervisor	2	GRADE 16
(124) HE Public Safety Officer I	2	GRADE 16
(125) Publicity & Student Recruit Spec I	1	GRADE 16
(126) Staff Development Specialist I	1	GRADE 16
(127) Accounting Technician II	9	GRADE 15
(128) Administrative Assistant I	3	GRADE 15
(129) Equipment Mechanic	1	GRADE 15
(130) Farm Maintenance Mechanic	1	GRADE 15
(131) Landscape Supervisor I	1	GRADE 15
(132) Special Events Supervisor	7	GRADE 15
(133) Administrative Secretary	7	GRADE 14
(134) Collector	1	GRADE 14
(135) Computer Technician I-Inst	2	GRADE 14

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(136) Library Academic Technician III	5	GRADE 14
(137) Boiler Operator	1	GRADE 13
(138) Head Cashier	1	GRADE 13
(139) Laboratory Technician II	3	GRADE 13
(140) Personnel Officer I	1	GRADE 13
(141) Secretary II	12	GRADE 13
(142) Accounting Technician I	4	GRADE 12
(143) Cashier II	2	GRADE 12
(144) Document Examiner II	2	GRADE 12
(145) Library Academic Technician II	4	GRADE 12
(146) Registrar's Assistant	8	GRADE 12
(147) Apprentice Tradesman	5	GRADE 11
(148) Custodial Services Shift Supv	2	GRADE 11
(149) Heavy Equipment Operator	1	GRADE 11
(150) Purchasing Assistant	1	GRADE 11
(151) Secretary I	42	GRADE 11
(152) Special Events Worker	1	GRADE 11
(153) Clerical Assistant	1	GRADE 10
(154) Data Entry Specialist	1	GRADE 10
(155) Equipment Operator	5	GRADE 08
(156) Bldg/Equip Maint Repairman II	1	GRADE 08
(157) Farm Worker	2	GRADE 08
(158) Office Clerk	1	GRADE 07
(159) Bldg/Equip Maint Repairman I	1	GRADE 06
(160) Maintenance Worker II	6	GRADE 05
(161) Custodial Worker II	17	GRADE 04
(162) Maintenance Worker I	2	GRADE 04
(163) Custodial Worker I	25	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(164) Department Chairperson	25	\$114,192	\$116,476
(165) Director of Library	1	\$108,689	\$110,863
(166) Dir of Mining, Energy & Natural Res	1	\$102,409	\$104,457
(167) Research Scientist & Assoc Dir	1	\$94,798	\$96,694
(168) Research Scientist	4	\$85,537	\$87,248
(169) Part-Time Research Scientist	2	\$85,537	\$87,248
(170) Dir. of ATU Museum of Pre-History	1	\$83,200	\$84,864
(171) Director of Math and Science Inst.	1	\$83,128	\$84,791

(172) Librarian	1	\$78,489	\$80,059
(173) Instructor	4	\$73,137	\$74,600
(174) Associate Librarian	4	\$65,168	\$66,471
(175) Assistant Librarian	3	\$60,374	\$61,581
(176) Research Assistant	6	\$49,765	\$50,760

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(177) Faculty	245		
Distinguished Professor		\$125,741	\$128,256
Professor		\$110,309	\$112,515
Assoc. Professor		\$96,707	\$98,641
Asst. Professor		\$80,963	\$82,582
Instructor		\$63,168	\$64,431
(178) Part-Time Faculty	145	\$33,180	\$33,844
(179) Graduate Assistant	90	\$19,931	\$20,330

TWELVE MONTH AUXILIARY ENTERPRISES
NONCLASSIFIED POSITIONS

(180) Athletic Director	1	\$94,632	\$96,525
(181) Head Coach	10	\$86,463	\$88,192
(182) Asst. Athletic Director	1	\$72,648	\$74,101
(183) Assoc. Athletic Director/Compliance	1	\$70,372	\$71,779
(184) Asst. Coach	10	\$67,968	\$69,327
(185) Athletic Academic Director	1	\$67,968	\$69,327
(186) Head Athletic Trainer	1	\$67,968	\$69,327
(187) Bookstore Manager	1	\$62,098	\$63,340
(188) Assistant Athletic Trainer	3	\$29,333	\$29,920

TWELVE MONTH AUXILIARY ENTERPRISES
CLASSIFIED POSITIONS

(189) ATU Director of Housing	1	GRADE 21
(190) Accounting Supervisor II	1	GRADE 21
(191) Student Health Services Nurse II	1	GRADE 20
(192) Special Events Manager	1	GRADE 19
(193) Coordinator of Sports Information	1	GRADE 19
(194) Skilled Trades Supervisor	1	GRADE 18
(195) Recreation Coordinator	1	GRADE 17
(196) Skilled Trades Worker	2	GRADE 17
(197) Assistant Bookstore Manager	1	GRADE 16
(198) Resident Program Coordinator	4	GRADE 16

(199) Accounting Technician II	2	GRADE 15
(200) Campus Postmaster	1	GRADE 15
(201) Central Supply Supervisor	1	GRADE 15
(202) Bookstore Office Manager	1	GRADE 14
(203) Resident Hall Manager II	3	GRADE 14
(204) Head Cashier	1	GRADE 13
(205) Cashier II	1	GRADE 12
(206) Resident Hall Manager I	2	GRADE 12
(207) Apprentice Tradesman	1	GRADE 11
(208) Secretary I	1	GRADE 11
(209) Shipping and Receiving Clerk	1	GRADE 11
(210) Clerical Assistant	1	GRADE 10
(211) Stadium Maintenance Supervisor	1	GRADE 10
(212) Cashier I	1	GRADE 09
(213) Custodial Supervisor II	1	GRADE 08
(214) Equipment Operator	1	GRADE 08
(215) Office Clerk	1	GRADE 07
(216) Maintenance Worker II	1	GRADE 05
(217) Custodial Worker II	1	GRADE 04
(218) Maintenance Worker I	1	GRADE 04
(219) Custodial Worker I	10	GRADE 03

CONTINGENCY POSITIONS - FOOD SERVICE

NONCLASSIFIED POSTIONS

(220) Director of Food Service	1	\$62,543	\$63,794
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CONTINGENCY POSITIONS - FOOD SERVICE

CLASSIFIED POSITIONS

(221) Food Production Supervisor	3	GRADE 16
(222) Butcher II	2	GRADE 11
(223) Cook II	8	GRADE 10
(224) Cook I	4	GRADE 08
(225) Food Service Worker II	9	GRADE 05
(226) Food Service Worker I	13	GRADE 03

ARKANSAS VALLEY TECHNICAL INSTITUTE

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(227) Chancellor AVTI	1	\$123,222	\$125,686
(228) Chief Academic Officer	1	\$98,901	\$100,879
(229) Chief Fiscal Officer	1	\$92,744	\$94,599

(230) Chief Student Life Officer	1	\$92,744	\$94,599
(231) Director of Computer Services	1	\$70,972	\$72,391
(232) Director of Financial Aid	1	\$70,315	\$71,721
(233) Coord of Continuing Ed/Business Outr	1	\$70,315	\$71,721
(234) Associate Registrar	1	\$67,086	\$68,428
(235) Coordinator of Advising, Testing, an	1	\$63,193	\$64,457
(236) Assessment Coordinator	1	\$51,417	\$52,445
(237) Director of Admin. Support Services	1	\$48,233	\$49,198
(238) Industry Training Specialist	5	\$20,103	\$20,505

TWELVE MONTH EDUCATION AND GENERAL

CLASSIFIED POSITIONS

(239) Coord of Information Services	1	GRADE 19
(240) Plant Maintenance Supervisor	1	GRADE 18
(241) Assistant Registrar	1	GRADE 18
(242) Administrative Assistant II	2	GRADE 17
(243) Accounting Technician II	1	GRADE 15
(244) Administrative Secretary	1	GRADE 14
(245) Computer Technician I-Inst	1	GRADE 14
(246) Personnel Assistant I-Inst	1	GRADE 14
(247) Secretary II	5	GRADE 13
(248) Secretary I	2	GRADE 11
(249) Bldg/Equip Maint Repairman II	4	GRADE 08

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(250) Librarian	1	\$78,489	\$80,059
(251) Teaching Assistant	3	\$44,692	\$45,586

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(252) Workforce Ed Faculty	38	\$58,121	\$59,283
(253) Workforce Ed Part-Time Faculty	<u>25</u>	\$20,103	\$20,505

MAX. NO. OF EMPLOYEES 1,189";

Page 8, line 6 replace "four hundred sixty" with "nine hundred fifty eight";

Page 8, line 7 replace "(460)" with "(958)";

Page 8, line 19 replace "1,091,515 1,091,515" with "1,283,702 1,286,093";

Page 8, line 28 replace "\$ 31,756,357 \$ 32,154,315" with "\$ 31,948,544 \$ 32,348,893";

Page 9, line 3 replace "1,170,086 1,170,086" with "1,200,000 1,200,000";

Page 9, line 17 replace "\$ 102,340,689 \$ 102,746,598" with "\$ 102,370,603 \$ 102,776,512".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Sample, **HOUSE BILL NO. 1764** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1764

Amend **HOUSE BILL NO. 1764** as originally introduced:

Page 1, Section 1 delete subsection (B).

/s/ Bill Sample

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1843** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1843

Amend **HOUSE BILL NO. 1843** as engrossed,

H3/12/07 (version: 03-12-2007 09:17):

Page 2, delete SECTION 3 in its entirety

And

Appropriately renumber the subsequent SECTIONS of the bill.

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1844** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1844

Amend **HOUSE BILL NO. 1844** as engrossed,

H3/12/07 (version: 03-12-2007 09:19):

Page 1, delete SECTION 2 in its entirety

And

Appropriately renumber the subsequent SECTIONS of the bill.

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Petrus, **HOUSE BILL NO. 1845** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1845

Amend **HOUSE BILL NO. 1845** as engrossed,

H3/12/07 (version: 03-12-2007 09:19):

Page 2, line 3, delete "twenty six million dollars (\$26,000,000)" and substitute "twenty two million dollars (\$22,000,000)"

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2769**. Recommended Committee study by City, County, and Local Affairs Committee - House.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 14, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1082	BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 1172 - TITLE -	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1441	BY REPRESENTATIVE PICKETT, ET AL
HOUSE BILL NO. 1541	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1545	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1761	BY REPRESENTATIVE RAGLAND, ET AL
HOUSE BILL NO. 1764	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 1843	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1844	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1845	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 2235	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2247	BY REPRESENTATIVE L. SMITH, ET AL
HOUSE BILL NO. 2262	BY REPRESENTATIVE PATE
HOUSE BILL NO. 2269	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2272	BY REPRESENTATIVE COOK, ET AL
HOUSE BILL NO. 2278	BY REPRESENTATIVE MOORE, ET AL
HOUSE BILL NO. 2296 - TITLE -	BY REPRESENTATIVE PATE, ET AL
HOUSE BILL NO. 2325 - TITLE -	BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 2345	BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2372 - TITLE -	BY REPRESENTATIVE KING
HOUSE BILL NO. 2420 - TITLE -	BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2425	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2426	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2433 - TITLE -	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2543	BY REPRESENTATIVE WOOD
HOUSE BILL NO. 2548	BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 2590 - TITLE -	BY REPRESENTATIVE WILLS, ET AL
HOUSE BILL NO. 2619	BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2665 - TITLE -	BY REPRESENTATIVE GARNER
HOUSE BILL NO. 2684 - TITLE -	BY REPRESENTATIVE T. BRADFORD
HOUSE BILL NO. 2708 - TITLE -	BY REPRESENTATIVE PICKETT, ET AL
HOUSE BILL NO. 2723	BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2724	BY REPRESENTATIVE PETRUS, ET AL

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2726 BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2727 BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2729 BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2731 - TITLE - BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 2733 BY REPRESENTATIVE MEDLEY
HOUSE RESOLUTION
NO. 1022 BY REPRESENTATIVE STEWART
SENATE BILL NO. 206 BY SENATOR G. JEFFRESS

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1172

BY: REPRESENTATIVES HARRIS, GREENBERG

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING POLICE PENSION AND RELIEF FUNDS OF CITIES OF THE FIRST CLASS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2296

*BY: REPRESENTATIVES PATE, E. BROWN, THYER, WALTERS
BY: SENATOR R. THOMPSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF VARIOUS PROVISIONS OF THE ARKANSAS CODE REGARDING EXPUNGEMENT AND SEALING OF RECORDS OF CRIMINAL CONVICTIONS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2325

BY: REPRESENTATIVE PICKETT

BY: *SENATOR BRYLES*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE RETENTION AND GRADUATION RATES AT PUBLIC COLLEGES AND UNIVERSITIES BY PROVIDING A MECHANISM TO DISTRIBUTE INCENTIVE FUNDING FOR IMPROVED STUDENT OUTCOMES; TO ESTABLISH THE PRODUCTIVITY ENHANCEMENT FOR UNDERGRADUATE HIGHER EDUCATION ACT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2372

BY: REPRESENTATIVES KING, *GEORGE, LAMOUREUX, NORTON, RAGLAND*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW A TAX CREDIT TO A TAXPAYER THAT IS A POULTRY PRODUCER AND THAT SUFFERS A FLOCK LOSS DUE TO THE AVIAN INFLUENZA VIRUS, CORONAVIRUS, EXOTIC NEWCASTLE VIRUS, LT VIRUS, OR MG VIRUS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2420

BY: REPRESENTATIVES PETRUS, LOVELL

BY: *SENATOR GLOVER*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE THE VALUATION PROCESS FOR AGRICULTURAL LAND, PASTURE LAND, AND TIMBER LAND IN ORDER TO MORE ACCURATELY REFLECT PROPERTY VALUE AND TO PRODUCE ADDITIONAL REVENUES FOR PUBLIC SCHOOL DISTRICTS AND COUNTIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2433

BY: REPRESENTATIVE MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING CAMPAIGN CONTRIBUTIONS BY *BUSINESS ENTITIES* SHARING THE SAME MAJORITY OWNER; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2590

BY: REPRESENTATIVES WILLS, *GLIDEWELL, L. EVANS, WYATT, DAVENPORT, DAVIS, KIDD, ALLEN, HOYT, REYNOLDS, SHELBY, HOUSE, J. ROEBUCK, PIERCE, KING, HYDE, D. HUTCHINSON, L. COWLING, STEWART, GREENBERG, GEORGE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE ARKANSAS HIGHWAY FINANCING ACT OF 2007; TO ENSURE THE ECONOMIC DEVELOPMENT OF THE STATE BY PROVIDING FOR BOND ISSUANCE FOR THE ESSENTIAL INFRASTRUCTURE OF *INTERSTATES*; TO AUTHORIZE THAT THE REPAYMENT OF THE BONDS BE GUARANTEED BY THE FULL FAITH AND CREDIT OF THE STATE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2665

BY: REPRESENTATIVES GARNER, ALLEN, ANDERSON, T. BAKER, BERRY, E. BROWN, BURKES, CHESTERFIELD, D. CREEKMORE, DUNN, D. EVANS, GASKILL, GEORGE, GLIDEWELL, R. GREEN, GREENBERG, HALL, HARDWICK, HARRIS, D. HUTCHINSON, HYDE, KENNEY, KEY, KING, LAMOUREUX, M. MARTIN, MAXWELL, MEDLEY, NORTON, OVERBEY, PACE, PATTERSON, PIERCE, PYLE, RAGLAND, J. ROEBUCK, ROGERS, ROSENBAUM, SAMPLE, SCHULTE, SULLIVAN, WALTERS, WELLS, WILLS, WOODS

BY: SENATORS ALTES, BAKER, HENDREN, B. PRITCHARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE OPPORTUNITY FOR ALL ARKANSANS TO SECURE HIGHER PAYING JOBS BY INCREASING THE RETENTION OF CAPITAL WITHIN THE STATE AND TO ATTRACT NEW INVESTMENT TO THE STATE; TO REDUCE THE INCOME TAX RATES OF THE STATE OF ARKANSAS WHEN NET GENERAL REVENUES ARE SUFFICIENT; TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO INFLATION-ADJUSTED MARGIN OF GROWTH; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2684

BY: REPRESENTATIVE T. BRADFORD

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMEND ARKNASAS CODE § 12-41-505 TO PROVIDE FOR COLLECTION OF POST-CONVICTION EXPENSES OF INCARCERATION FOR MISDEMEANORS AND VIOLATIONS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2708

BY: REPRESENTATIVE PICKETT

BY: *SENATOR J. JEFFRESS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING SCHOOL DISTRICTS' RECORDS OF USED AND ACCUMULATED LEAVE BY ADMINISTRATORS; AND TO CLARIFY PAYMENT FOR UNUSED LEAVE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2731

BY: REPRESENTATIVE MEDLEY

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO AUTHORIZE THE UNIVERSITY OF ARKANSAS SYSTEM CRIMINAL JUSTICE INSTITUTE TO TRAIN AND INSTRUCT LAW ENFORCEMENT OFFICIALS, INCLUDING JAIL PERSONNEL, ON THE HANDLING OF PERSONS WITH MENTAL ILLNESS; AND FOR OTHER PURPOSES.*

SENATE CONCURRENT RESOLUTION NO. 8

BY: SENATOR CRITCHER

CONGRATULATING THE WILKINSON FAMILY AND THE FARMERS BANK BOARD OF DIRECTORS, OFFICERS, AND STAFF ON ITS CENTENNIAL.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Upon motion of Representative Jeffrey, **SENATE BILL NO. 206** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 206

Amend **SENATE BILL NO. 206** as engrossed,

S3/5/07 (version: 03-05-2007 14:54):

Page 1, line 9, delete "OIL" and substitute "OIL AND GAS"

AND

Delete the subtitle in its entirety and substitute:

"TO REGULATE OIL AND GAS PRODUCTION AND
TO LIMIT COMPENSATION FOR SPILL DAMAGES
TO THE SURFACE ESTATE."

AND

Page 2, line 32, delete "oil" and substitute "oil or gas"

/s/ Robert Jeffrey

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

/s/ Ms. Jo Renshaw
Chief Clerk

Morning Hour Expired.

Representative Thyer moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1104

Amend HOUSE BILL NO. 1104 as originally introduced:

Page 1, delete lines 31 through 36 and substitute the following:

“Council may meet during a session of the General Assembly to transact business concerning the personnel and operations of the Bureau of Legislative Research.

(2) This subsection (h) does not limit the authority of the Legislative Council to meet during a recess as authorized by §§ 10-3-211 or 10-2-223.”

AND

Page 2, delete lines 1 through 4

/s/ Shawn Womack

The Amendment was read and the vote was as follows:

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, R. Green, Sullivan, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Walters moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1426

Amend HOUSE BILL NO. 1426 as engrossed,
H2/15/07 (version: 02-15-2007 08:46):

Delete everything after the ENACTING CLAUSE and substitute the following:

“SECTION 1. Arkansas Code Title 23 is amended to add a new chapter to read as follows:

CHAPTER 114 CHARITABLE BINGO AND RAFFLES

SUBCHAPTER 1 GENERAL PROVISIONS

23-114-101. Short title.

This chapter shall be known and may be cited as the “Charitable Bingo and Raffles Enabling Act”.

23-114-102. Definitions.

As used in this chapter:

(1)(A) "Authorized organization" means an organization eligible for a license to conduct games of bingo and raffles that is a nonprofit tax-exempt religious, educational, veterans, fraternal, service, civic, medical, volunteer rescue service, volunteer firefighters organization, or volunteer police organization that has been in continuing existence as a nonprofit tax-exempt organization in this state for a period of not less than five (5) years immediately prior to conducting the game of bingo or raffles.

(B) A nonprofit tax-exempt instrumentality of the United States Government is a service agency for the purpose of this subdivision (1):

(2)(A) "Bingo equipment" means equipment and supplies used, made, or sold for the purpose of use in bingo.

(B) "Bingo equipment" includes:

(i) A machine or other device from which balls or other items are withdrawn to determine the letters and numbers or other symbols to be called;

(ii) A bingo face;

(iii) A bingo ball;

(iv) Any other device commonly used in the direct operation of a bingo game.

(C) “Bingo equipment” is not intended and shall not be construed to permit the participants to play the game through:

(i) Any electronic device or machine; or

(ii) A pull-tab bingo ticket.

(D) "Bingo equipment" does not include:

(i) A bingo game set commonly manufactured and sold as a child's game for a retail price of twenty dollars (\$20.00) or less, unless the set or a part of the set is used in a game of bingo subject to regulation under this chapter;
or

(ii) A commonly available component part of bingo equipment such as a light bulb or fuse;

(E) "Bingo face" means a disposable flat piece of paper that may be used one (1) time and that cannot be reused after the game, in which the bingo face was used, is ended. The bingo face is marked off into any number of squares in any arrangement of rows, with each square being designated by number, letter, or combination of numbers and letters, and with one (1) or more squares designated as a "free" space with the word "Arkansas" and a facsimile outline of a map of Arkansas on the space;

(3) "Bingo session" means all activities incidental to the conduct of a series of bingo games by a licensed authorized organization, beginning when the first game of bingo of a bingo session is commenced by calling the first bingo ball drawn, such session not to exceed five (5) consecutive hours during any one (1) twenty-four-hour calendar day;

(4) "Charitable purpose" means a purpose described by § 23-114-504;

(5) "Department" means the Department of Finance and Administration;

(6) "Director" means the Director of the Department of Finance and Administration;

(7) "Distributor" means a person or business entity that sells, markets, or otherwise provides bingo equipment to a licensed authorized organization;

(8)(A) "Game of bingo" means a single game of the activity commonly known as "bingo" in which the participants pay a sum of money for the use of one (1) or more bingo faces.

(B) "Game of bingo" includes only a game in which the winner receives a pre-announced, fixed-dollar prize and in which the winner is determined by the matching of letters and numbers on a bingo face imprinted with at least twenty-four (24) numbers, with letters and numbers appearing on objects randomly drawn and announced by a caller, in contemporaneous competition among all players in the game;

(9) "Gross receipts" means the total amount received from the sale of

raffle tickets and the sale, rental, transfer, or use of bingo faces and entrance fees charged at premises at which games of bingo or raffles are conducted without any deduction on account of prizes paid, losses, or any other expenses whatsoever;

(10) "Licensed authorized organization" means an authorized organization that holds a license to conduct games of bingo or raffles;

(11) "Manufacturer" means a person or business entity that produces finished bingo equipment from raw materials, supplies, or subparts and that sells, markets, or otherwise provides such equipment to a licensed distributor;

(12) "Person" means any individual, company, partnership, limited liability company, joint venture, joint agreement, association, mutual or otherwise, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other private entity;

(13) "Premises" means the area subject to the direct control of and actual use by a licensed authorized organization or group of licensed authorized organizations to conduct games of bingo. Premises includes a location or place;

(14) "Primary business office" means the Arkansas location at which all records relating to the primary purpose of a licensed authorized organization are maintained in the ordinary course of business;

(15) "Raffle" means the selling of tickets to win a prize awarded through a random drawing, provided that the term "raffle" shall not include any game played through the use of a machine or electronic device;

(16) "Responsible person" means the person or persons within a licensed authorized organization that is responsible for organizing, conducting and otherwise administering the licensed authorized organization's raffles or bingo sessions; and

(17) "Taxpayer" means a distributor of bingo equipment licensed under this chapter.

23-114-103. General provisions.

(a) The game of bingo or a raffle conducted by a licensed authorized organization shall not be a lottery prohibited by Arkansas Constitution, Article 19, Section 14, if all net receipts over and above the actual cost of conducting the game of bingo or raffle are used only for charitable, religious, or philanthropic purposes.

(b)(1) No net receipts from games of bingo or raffles shall be used to compensate in any manner any person who works for or is in any way affiliated with the licensed authorized organization.

(2)(A) Charitable bingo or raffles shall only be conducted by a licensed authorized organization through its bona fide officers and members who volunteer their time and receive no compensation for their services.

(B) A licensed authorized organization shall not conduct games of bingo or raffles through any agent or third party.

(c) The provisions of this chapter are not intended and shall not be construed to allow the play of games of bingo or raffles through any electronic device or machine.

23-114-104. Penalty.

(a)(1) A violation of this chapter by a licensed authorized organization is an unclassified misdemeanor and shall be punishable by a fine not to exceed five thousand dollars (\$5,000).

(2) A second or subsequent offense is an unclassified misdemeanor and shall be punishable by a fine not to exceed ten thousand dollars (\$10,000).

(b) A person who conducts a game of bingo or a raffle without a license under this chapter shall be subject to the same penalties as provided under § 5-66-118, concerning lotteries.

SUBCHAPTER 2 ADMINISTRATION

23-114-201. Control and supervision of games of bingo and raffles.

(a) The Director of the Department of Finance and Administration shall administer this chapter under the provisions of the Arkansas Tax Procedure Act, § 26-18-101 et. seq.

(b) The director has broad authority and shall exercise strict control and close supervision over all games of bingo and raffles conducted in this state so that bingo and raffles are fairly conducted and the proceeds derived from bingo and raffles are used only for an authorized purpose.

(c) The department may employ any inspectors or other personnel that the director determines are necessary to properly administer this chapter.

23-114-202. Approval of bingo faces and raffle tickets.

(a) The Director of the Department of Finance and Administration by rule shall provide procedures for the approval of bingo faces and raffle tickets.

(b)(1) A licensed authorized organization shall not use or distribute a bingo face unless the bingo face has been approved by the director.

(2)(A) All bingo faces must be purchased by the licensed authorized organization from a distributor licensed under this chapter.

(B) Only one (1) game shall be played on each bingo face.

(c) All bingo faces and raffle tickets must be pre-printed on paper or plastic in a form approved by the director. No electronic devices, machines, or facsimiles may be used as bingo faces, raffle tickets, or otherwise, by participants of games of bingo or raffles conducted under this chapter.

(d) All bingo faces and raffle tickets must be sequentially numbered at the

time of printing.

23-114-203. Rulemaking authority.

The Director of the Department of Finance and Administration may adopt rules to aid in the enforcement and administration of this chapter.

SUBCHAPTER 3 LICENSING

23-114-301. Authorized organization license.

The Department of Finance and Administration may license an entity that is an authorized organization.

23-114-302. License fees – Authorized organizations.

(a) An authorized organization license to conduct games of bingo and raffles may be issued to an authorized organization and is subject to renewal on an annual basis. The annual fee for this license shall be one hundred dollars (\$100).

(b) In lieu of the annual license issued under subsection (a) of this section, an authorized organization, at its request, may be issued one (1) or more of the following temporary authorized organization licenses:

(1) A temporary license to conduct one (1) bingo session. The fee for this temporary license is twenty-five dollars (\$25.00);

(2) A temporary license, to be known as a Class I temporary raffle license, to conduct one (1) raffle, other than a raffle under subdivision (b)(3) of this section. The fee for this temporary license is twenty-five dollars (\$25.00); and

(3) A temporary license, to be known as a Class II temporary raffle license, to conduct one (1) raffle in which the total prize package to be given away has been donated and has a total value of less than five hundred dollars (\$500). The fee for this temporary license is ten dollars (\$10.00).

23-114-303 License application – Authorized organizations.

(a) An applicant for an authorized organization license shall file a written, verified application with the Department of Finance and Administration on a form prescribed by the department.

(b) The license application shall include:

(1) The name and address of the applicant;

(2) A designation and address of the premises intended to be used for a raffle or bingo session;

(3) The name and address of the person or persons within the authorized organization who will be responsible for organizing, conducting, and otherwise administering the raffle or bingo sessions;

(4) If the premises upon which a raffle or bingo session will be conducted has been leased by the authorized agent, a copy of the lease agreement; and

(5) A statement that the applicant complies with the conditions for eligibility for the license.

(c) The responsible person within an authorized organization shall meet the following requirements:

(1) The responsible person shall not have been found guilty of or pleaded guilty or no contest to:

(A) Any felony by any court in the State of Arkansas; or

(B) Any similar offense by a court in another state or of any similar offense by a military or federal court;

(2)(A) In order to determine a responsible person's suitability to organize, conduct and administer raffles and bingo sessions, the Director of the Department of Finance and Administration may require that the responsible person be fingerprinted and the fingerprints forwarded for a criminal background check through the Department of Arkansas State Police.

(B) After the completion of the criminal background check through the Department of Arkansas State Police, the fingerprints shall be forwarded by the Department of Arkansas State Police to the Federal Bureau of Investigation for a national criminal history record check; and

(3) The responsible person shall sign a release that allows the Department of Arkansas State Police to release:

(A) An Arkansas noncriminal justice background check to the Department of Finance and Administration; and

(B) A fingerprint card of the applicant to the Federal Bureau of Investigation to allow a federal fingerprint-based background check to be performed.

(d)(1) Before the renewal of an annual license, the authorized organization shall report the following information:

(A) The amount of the total gross receipts derived from games of bingo and raffles;

(B) The net proceeds derived from games of bingo and raffles;

(C) The use to which the proceeds have been or are to be applied; and

(D) If requested by the director, a list of expenses paid or incurred.

(2) A licensed authorized organization shall maintain records to substantiate the contents of the report required by this subsection (d).

23-114-304 License application – Distributors and manufacturers.

(a) An applicant for a distributor license or a manufacturer license shall file a written verified application with the Department of Finance and Administration on a

form prescribed by the department.

(b) The license application shall include:

(1) The name, address, and federal employer identification number of the applicant;

(2) The names and positions of the applicant's officers;

(3) The name and address of the person or persons who are responsible for the applicant's sales of bingo equipment; and

(4) A statement that the applicant complies with the conditions for eligibility for the license.

(c) The person or persons who are responsible for the applicant's sales of bingo equipment shall meet the following requirements:

(1) The person or persons shall not have been found guilty of, or pleaded guilty or no contest to:

(A) Any felony by any court in the state of Arkansas; or

(B) Any similar offense by a court in another state or of any similar offense by a military or federal court;

(2)(A) In order to determine the person's or persons' suitability to be involved in the sale of bingo equipment, the Director of the Department of Finance and Administration may require that the person or persons be fingerprinted and the fingerprints forwarded for a criminal background check through the Department of Arkansas State Police.

(B) After the completion of the criminal background check through the Department of Arkansas State Police, the fingerprints shall be forwarded by the Department of Arkansas State Police to the Federal Bureau of Investigation for a national criminal history record check; and

(3) The person or persons responsible for an applicant's sales of bingo equipment shall sign a release that allows the Department of Arkansas State Police to release the following:

(A) An Arkansas noncriminal justice background check to the Department of Finance and Administration; and

(B) A fingerprint card of the applicant to the Federal Bureau of Investigation to allow a federal fingerprint-based background check to be performed.

23-114-305. Denial, suspension, or revocation of licenses.

(a) All proceedings for the suspension and revocation of the license issued to a manufacturer, a distributor, or an authorized organization under this chapter shall be before the Department of Finance and Administration.

(b) The department may deny an application for a license, or for the renewal of a license issued under this chapter, if it determines that issuing the license would

violate any provisions of this chapter.

(c) The proceedings shall be conducted in accordance with the Arkansas Tax Procedure Act, § 26-18-101 et seq.

23-114-306. Display of license.

A licensed authorized organization shall conspicuously display a license issued under this chapter at the premises at which a raffle or a game of bingo is conducted at all times during the conduct of the raffle or the game of bingo.

23-114-307. Licenses and fees – Distributors and manufacturers.

(a) A distributor license may be issued to a distributor of bingo equipment and is subject to renewal on an annual basis. The annual fee for this license shall be two thousand five hundred dollars (\$2,500).

(b) A manufacturer license may be issued to a manufacturer of bingo equipment and is subject to renewal on an annual basis. The annual fee for this license shall be two thousand five hundred dollars (\$2,500).

23-114-308. Failure to file excise tax reports.

A distributor of bingo equipment licensed under this chapter shall not be eligible to renew its license unless all excise tax reports required under this chapter have been filed and all reported taxes are paid in full.

SUBCHAPTER 4 OPERATION OF GAMES OF BINGO AND RAFFLES

23-114-401. Bingo premises – Sale of raffle tickets.

(a)(1) Games of bingo shall not be conducted at more than one (1) premises on property owned or leased by a licensed authorized organization.

(2) The Department of Finance and Administration shall not license more than one (1) organization to conduct games of bingo at the same premises.

(3) Games of bingo under this chapter shall not be conducted through any system that links the games of bingo or participants at one (1) premises location to any other premises or participants.

(4) All participants in games of bingo shall be physically present in person at the authorized premises in a single facility in order to play a game of bingo under this chapter.

(b)(1) The conduct of raffles is not limited to property owned or leased by a licensed authorized organization, but shall be conducted pursuant to the rules of the Department of Finance and Administration.

(2) Raffle tickets may be sold:

(A) At the authorized premises of the licensed authorized organization; and

(B) Off the authorized premises of the licensed authorized organization, if the tickets are sold by uncompensated volunteers of the licensed

authorized organization.

(3) No raffle ticket shall be sold through the mail or through the Internet, email, fax, telephone, or any other electronic means.

23-114-402. Restrictions on premises and equipment providers.

A person shall not lease or otherwise make a premises or equipment available for conducting a raffle or a game of bingo for any direct or indirect consideration in excess of the bona fide reasonable fair market rental value of the premises or equipment, and no portion of the consideration for premises or equipment shall be based upon a percentage or specified portion of the revenue or profit from games of bingo or raffles conducted by a licensed authorized organization.

23-114-403. Compensation prohibited.

No person may be compensated for organizing, promoting, conducting, or otherwise administering a charitable raffle or bingo event. The functions of organizing, promoting, conducting, or otherwise administering a charitable raffle or bingo event shall be performed by volunteers from the charitable organization.

23-114-404. Admission to games of bingo.

(a) A person shall not be denied admission to a raffle or a game of bingo or the opportunity to participate in a raffle or a game of bingo because of race, color, creed, religion, national origin, sex, or disability, or because the person is not a member of the licensed authorized organization conducting the raffle or game of bingo.

(b) No individual under eighteen (18) years of age may play a game of bingo or purchase raffle tickets from a licensed authorized organization.

23-114-405. Raffle and bingo records.

(a) A licensed authorized organization shall provide to the Director of the Department of Finance and Administration at the time of application for license the address of its primary business office. If the licensed authorized organization maintains its raffle and bingo records at a location other than the primary business office, the organization shall provide the address of the location where the records are maintained.

(b) Bingo and raffle records shall be maintained in Arkansas.

(c) The Director of the Department of Finance and Administration may provide by rule for different recordkeeping procedures for licensed authorized organizations based upon the amount of gross receipts of the licensed authorized organization.

23-114-406. Gift certificates.

(a) Nothing in this chapter prohibits a licensed authorized organization from

selling or redeeming a gift certificate that entitles the bearer of the certificate to participate in a raffle or play a game of bingo.

(b) A licensed authorized organization that sells or redeems a gift certificate shall keep adequate records relating to the gift certificate.

23-114-407. Bingo sessions and number of raffles.

(a)(1) A bingo session begins when the first game of bingo of the bingo session is commenced by calling the first bingo ball drawn.

(2) A licensed authorized organization may conduct one (1) bingo session per calendar day and shall not exceed two (2) bingo sessions during any one (1) calendar week.

(b) A bingo session shall not exceed five (5) consecutive hours during any one (1) twenty-four-hour calendar day.

23-114-408. Prizes.

(a) A bingo prize shall not have a value of more than five hundred dollars (\$500) for a single game.

(b) For the total prizes of all games of bingo, a licensed authorized organization shall not offer or award during a single bingo session prizes with an aggregate value of more than five thousand dollars (\$5,000.)

(c) A licensed authorized organization shall not award or offer to award a door prize with a value of more than two hundred fifty dollars (\$250) per bingo session. This door prize value shall not accrue against the bingo session prize limitation of five thousand dollars (\$5,000).

(d) A bingo prize, other than cash, may be merchandise with a recognized wholesale cost not to exceed five hundred dollars (\$500). A copy of the receipt for such merchandise shall be maintained in the licensed authorized organization's bingo records.

(e)(1) Except as otherwise provided in subdivision (e)(2) of this section, the total value of raffle prizes in a calendar year shall not exceed fifty thousand dollars (\$50,000).

(2) If the prizes were donated to the licensed authorized organization, there is no total value limit on raffle prizes, except as applicable to a temporary license to conduct a raffle under § 23-114-302(b)(3).

(f) A raffle prize may not exceed five hundred dollars (\$500) in cash. As used in this subsection (f) "cash" means coins, paper currency, or a negotiable instrument that represents and is readily convertible to coins or paper currency.

23-114-409. Purchase of bingo equipment.

Licensed authorized organizations shall purchase bingo equipment only from distributors licensed under this chapter. Distributors that wish to sell bingo

equipment to licensed authorized organizations within this state shall purchase bingo equipment only from manufacturers licensed under this chapter.

SUBCHAPTER 5 RAFFLE AND BINGO ACCOUNTS

23-114-501. Bingo and raffle accounts.

(a)(1) A licensed authorized organization with gross receipts from raffles or bingo games in excess of five hundred dollars (\$500) per month shall establish and maintain one (1) regular checking account designated as the bingo and raffle account.

(2) A licensed authorized organization may also maintain an interest-bearing savings account designated as the bingo and raffle savings account.

(b)(1) A licensed authorized organization shall deposit into the bingo and raffle account all funds derived from the conduct of games of bingo and raffles, less the amount awarded as cash prizes. Except as provided by subdivision (b)(2) of this section, a deposit shall be made not later than the next business day after the day of the raffle or bingo session on which the receipts were obtained.

(2) A licensed authorized organization may deposit funds derived from the conduct of a raffle or games of bingo that are paid through a debit card transaction into the bingo fund not later than seventy-two (72) hours after the transaction.

(c) A licensed authorized organization may lend money from its general fund to its bingo and raffle account if the organization requests and receives the prior approval of the Department of Finance and Administration. Except as provided by this section, no other funds may be deposited into the bingo and raffle account.

(d) A licensed authorized organization shall not commingle gross receipts derived from the conduct of games of bingo and raffles with other funds of the organization.

(e) Except as permitted, the licensed authorized organization shall not transfer gross receipts to another account maintained by the licensed authorized organization.

(f) A licensed authorized organization shall maintain all of its savings and checking accounts established under this section in a financial institution in this state.

23-114-502. Withdrawals from a bingo and raffle account.

(a)(1) Funds from the bingo and raffle account shall be withdrawn by preprinted, consecutively numbered checks or withdrawal slips, signed by an authorized representative of the licensed authorized organization and made payable to a person.

(2) A check or withdrawal slip shall not be made payable to "cash,"

"bearer," or a fictitious payee.

(3) The nature of the payment made shall also be noted on the face of the check or withdrawal slip.

(b) The checks for the bingo and raffle account shall be imprinted with the words "Bingo and Raffle Account" and shall contain the licensed authorized organization's bingo and raffle license number on the face of each check.

(c) A licensed authorized organization shall keep and account for all checks and withdrawal slips, including voided checks and withdrawal slips.

23-114-503. Authorized uses of a bingo and raffle account.

(a) A licensed authorized organization may draw a check on the organization's bingo and raffle account only for:

(1) The payment of necessary and reasonable bona fide bingo and raffle related expenses;

(2) The disbursement of net proceeds derived from the conduct of games of bingo or raffles to charitable purposes; or

(3) The transfer of net proceeds derived from the conduct of games of bingo or raffles to the licensed authorized organization's bingo and raffle savings account pending a disbursement to a charitable purpose.

(b) A licensed authorized organization shall make the disbursement of net proceeds on deposit in the bingo and raffle savings account to a charitable purpose by transferring the intended disbursement back into the licensed authorized organization's bingo and raffle checking account and then withdrawing an amount by a check drawn on the bingo and raffle checking account.

23-114-504. Use of net proceeds for charitable purposes.

(a) A licensed authorized organization shall devote to the charitable purposes of the organization its net proceeds of games of bingo and raffles.

(b) Except as otherwise provided by law, the net proceeds derived from games of bingo and raffles are dedicated to the charitable purposes of the licensed authorized organization only if directed to a cause, need, or activity that is consistent with the federal tax exemption the licensed authorized organization obtained under 26 U.S.C. Section 501, as in existence on January 1, 2007, and under which the organization qualifies as a nonprofit organization as defined by law. If the licensed authorized organization is not required to obtain a federal tax exemption under 26 U.S.C. Section 501, as in existence on January 1, 2007, the licensed authorized organization's net proceeds are dedicated to the charitable purposes of the licensed authorized organization only if directed to a cause, need, or activity that is consistent with the purposes and objectives for which the licensed authorized organization qualifies as a licensed authorized organization.

(c)(1) The licensed authorized organization shall make mandatory annual or more frequent disbursements from the bingo and raffle account to the general fund of the licensed authorized organization after providing for appropriate reserves and funds necessary to pay for reasonable and necessary bingo and raffle expenses.

(2) Once funds are distributed to the licensed authorized organization general fund under subdivision (c)(1) of this section, no funds shall be returned to the bingo and raffle account except by means of a loan from the licensed authorized organization's general fund to the bingo and raffle account as evidenced by a written instrument.

23-114-505. Use of proceeds by a licensed authorized organization.

A licensed authorized organization shall not use the net proceeds from games of bingo or raffles directly or indirectly to:

(1) Support or oppose a candidate or slate of candidates for public office;

(2) Support or oppose a measure submitted to a vote of the people; or

(3) Influence or attempt to influence legislation.

23-114-506. Items of bingo and raffle expense.

(a) Expenses that are reasonable and necessary to lawfully conduct games of bingo or raffles are allowable and include expenses incurred for:

(1) Advertising, including the cost of printing bingo and raffle gift certificates;

(2) Repairs to premises and equipment;

(3) Bingo and raffle supplies and equipment;

(4) Prizes;

(5) Stated rental or mortgage and insurance expenses;

(6) License fees; and

(7) Bookkeeping or accounting services.

(b) No person may be compensated for organizing, promoting, conducting, or otherwise administering a raffle or bingo event. Any such compensation is prohibited under this chapter and is not an allowable expense.

23-114-507. Expenses paid from bingo and raffle account.

The following items of expenses incurred or paid in connection with the conduct of games of bingo or raffles must be paid from a licensed authorized organization's bingo and raffle checking account if the organization is required under § 23-114-501 to maintain such an account:

(1) Advertising, including the cost of printing bingo and raffle gift certificates;

(2) Repairs to premises and equipment;

- (3) Bingo and raffle supplies and equipment;
- (4) Prizes;
- (5) Stated rental or mortgage and insurance expenses;
- (6) Bookkeeping or accounting services; and
- (7) License fees.

SUBCHAPTER 6 EXCISE TAX

23-114-601. Tax levied.

(a)(1) There is levied an excise tax of one cent (1¢) upon the sale of each bingo face sold by a licensed distributor to a licensed authorized organization in this state.

(2) There is levied an excise tax of ten percent (10%) of the gross receipts derived from the sale of all bingo equipment other than bingo faces by a licensed distributor to a licensed authorized organization in this state.

(b) Items taxed under subsection (a) of this section shall be exempt from the Arkansas Gross Receipts Tax Act of 1941 and the Arkansas Compensating Tax Act of 1949.

23-114-602. Payment and reporting of tax.

(a) The excise tax levied under this subchapter is due and payable by distributors that sold bingo faces and other bingo equipment to licensed authorized organizations in this state. The tax shall be reported and paid to the Department of Finance and Administration monthly on or before the fifteenth (15th) day of the month following the month of sale.

(b) The report shall be filed under oath on forms prescribed by the Director of the Department of Finance and Administration.

(c) The director shall adopt any rules necessary for the proper reporting and payment of the tax.

23-114-603. Information to be reported.

(a) The excise tax report required under § 23-114-602 shall include the following information:

(1) The total number of bingo faces and the gross receipts derived from the sale of other bingo equipment sold to all licensed authorized organizations in this state; and

(2) Any other information that the Director of the Department of Finance and Administration determines is necessary to properly administer the excise tax levied by this subchapter.

(b) A taxpayer shall maintain records to substantiate the contents of each report.

23-114-604. Record of prize winners.

The Director of the Department of Finance and Administration may require a licensed authorized organization to maintain records relating to prizes awarded at a raffle or bingo session.

23-114-605. Collection and disbursement of excise tax and license fees.

The Department of Finance and Administration shall deposit the revenue collected from the license fees levied under § 23-114-302, § 23-114-307, and the excise tax levied in § 23-114-601 to the credit of the General Revenue Fund Account of the State Apportionment Fund.

23-114-606. Non-filer tax assessments.

(a) If a distributor fails to file an excise tax report required under this chapter, the Department of Finance and Administration shall make an excise tax assessment for the period or periods for which the distributor failed to report.

(b) The estimate shall be based on any information covering any period possessed by the department.

(c) On the basis of the department's estimate, the department shall compute and determine the amount of excise tax required to be paid along with any applicable interest and penalties authorized under the Arkansas Tax Procedure Act.

SUBCHAPTER 7 ENFORCEMENT23-114-701. Revocation of License – Licensed authorized organization.

The license issued to an authorized organization is subject to revocation under this chapter if the organization:

(1) Makes a false statement or material omission in an application for a license under this chapter;

(2) Fails to maintain records that fully and accurately record each transaction connected with:

(A) Conducting raffles or games of bingo; and

(B) Leasing of premises to be used for raffles or games of bingo.

(3) Falsifies or makes a false entry in a book or record if the entry relates in any way to the promotion, operation or administration of raffles or games of bingo;

(4) Diverts or pays a portion of the proceeds from a raffle or a game of bingo to a person except in furtherance of one (1) or more of the lawful purposes set forth in this chapter; or

(5) Violates this chapter or a term of a license issued under this chapter in any other way.

23-114-702. Revocation of License – Distributors and manufacturers.

The license issued to a distributor or manufacturer is subject to revocation under this chapter if the licensee:

(1) Makes a false statement or material omission in an application for a license under this chapter;

(2) Fails to maintain records that fully and accurately record all transactions connected with the distribution of bingo equipment;

(3) Falsifies or makes a false entry in a book or record if the entry relates in any way to the distribution of bingo equipment; or

(4) Violates this chapter or a term of a license issued under this chapter in any other way.

23-114-703. Inspection of premises.

The Department of Finance and Administration may enter and inspect the premises where:

(1) A raffle or a game of bingo is being conducted or intended to be conducted; or

(2) Equipment used or intended for use in a raffle or a game of bingo is located.

23-114-704. Injunction.

(a) If the Department of Finance and Administration has reason to believe that this chapter has been or is about to be violated, the Director of the Department of Finance and Administration may petition a court for injunctive relief to restrain the violation.

(b) Venue for an action seeking injunctive relief is in Pulaski County, Arkansas.

(c) If the court finds that this chapter has been violated or is about to be violated, the court shall issue a temporary restraining order and, after due notice and hearing, a temporary injunction, and after a final trial, a permanent injunction to restrain the violation.

23-114-705. Examination of records.

The Department of Finance and Administration is authorized to audit and examine the books, papers, records, equipment, and place of business of a licensed authorized organization, a licensed distributor, or a licensed manufacturer to verify compliance with the provisions of this chapter.

SECTION 2. Arkansas Code § 5-66-118 is amended to read as follows:

5-66-118. Lottery, etc. - Tickets.

(a) ‡ Except as authorized under § 23-114-101 et seq., it is unlawful for any person to:

(1) Keep an office, room, or place for the sale or disposition of a lottery, policy, and gift concert ticket or slip or like device;

(2) Vend, sell, or otherwise dispose of any lottery, policy, or gift concert ticket, slip, or like device;

(3) Possess any lottery, policy, or gift concert ticket, slip or like device, except a lottery ticket issued in another state where a lottery is legal; or

(4) Be interested either directly or indirectly in the sale or disposition of any lottery, policy, or gift concert ticket, slip or like device.

(b) In any prosecution or investigation under this section, it is no exemption for a witness that his or her testimony may incriminate himself or herself, but no such testimony given by the witness shall be used against him or her in any prosecution except for perjury, and the witness is discharged from liability for any violation of the law upon his or her part disclosed by his or her testimony.

(c)(1) The General Assembly recognizes that:

(A) The present laws relating to lotteries are vague in certain areas and, although designed to prohibit the operation of lotteries in the state, may be interpreted to prohibit even the printing of lottery tickets by companies in this state for distribution in other states where lotteries are legal;

(B) There are companies in this state that print various types of tickets, stamps, tags, coupon books, and similar devices and that may be interested in printing lottery tickets for states where lotteries are lawful; and

(C) It is the intent and purpose of this subsection to clarify the present law relating to lotteries to specifically permit businesses in Arkansas to print lottery tickets for use in states where lotteries are lawful.

(2)(A) The printing or other production of lottery tickets by a business located in Arkansas for use in a state where a lottery is permitted is declared to be lawful.

(B) Nothing contained in this section and § 5-66-119 or any other law shall be construed to make printing or production of lottery tickets described in subdivision (c)(2)(A) of this section unlawful.

(d)(1) Any person who violates any provision of this section is guilty of a an unclassified misdemeanor and upon conviction shall be fined ~~in any sum not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500)~~ an amount not to exceed ten thousand dollars (\$10,000).

(2) A second or subsequent offense is a Class D felony."

/s/ Steve Faris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Anderson, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, Glidewell, R. Green, Hall, Hardwick, Hardy, Harris, Hawkins, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pickett, Pierce, S. Prater, Pyle, Ragland, Rainey, Reynolds, J. Roebuck, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total80

NEGATIVE: Cheatham, Harrelson, House, Pate, Powers, Reep.

Total6

ABSENT OR NOT VOTING: Adcock, T. Baker, Chesterfield, L. Cowling, S. Dobbins, Gaskill, Greenberg, Key, Medley, Rogers, Sample, Wells, Mr. Speaker.

Total13

VOTING PRESENT: Kidd.

Total1

Total number of votes cast87

Total number voting in the affirmative80

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Walters moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE
AMENDMENT NO. 2 TO HOUSE BILL NO. 1426

Amend **HOUSE BILL NO. 1426** as engrossed,

S3/1/07 (version: 03-01-2007 11:45):

Page 4, delete lines 2 and 3 and substitute the following:

“and actual use by a licensed authorized organization to conduct games of bingo. Premises includes a”

AND

Page 12, delete lines 18 and 19 and substitute the following:

“(a) A bingo prize shall not have a value of more than one thousand dollars (\$1,000) for a single game.”

AND

Page 12, line 22, delete “five thousand dollars (\$5,000)” and substitute “seven thousand five hundred dollars (\$7,500)”

AND

Page 12, line 26, delete “five thousand dollars (\$5,000)” and substitute “seven thousand five hundred dollars (\$7,500)”

AND

Page 12, line 28, delete “five hundred dollars (\$500)” and substitute “one thousand dollars (\$1,000)”

/s/ Tommy Baker

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, Glidewell, R. Green, Greenberg, Hardy, Harris, Hawkins, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Kenney, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pickett, Pierce, S. Prater, Pyle, Ragland, Rainey, Reynolds, J. Roebuck, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total80

NEGATIVE: Gaskill, Harrelson, House, J. Johnson, Pate, Powers, Reep.

Total7

ABSENT OR NOT VOTING: Cheatham, Chesterfield, L. Cowling, S. Dobbins, Hall, Hardwick, Key, Medley, Rogers, Sample, Wells, Mr. Speaker.

Total12

VOTING PRESENT: Kidd.

Total1

Total number of votes cast88

Total number voting in the affirmative80

Necessary to concur in the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Walters moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 3 TO HOUSE BILL NO. 1426

Amend HOUSE BILL NO. 1426 as engrossed,

S3/1/07 (version: 03-01-2007 11:45):

Page 12, line 4, delete "bingo." and substitute "bingo conducted by the licensed authorized organization."

/s/ Steve Faris

The Amendment was read and the vote was as follows:

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

Total85

NEGATIVE: Pate, Reep.

Total2

ABSENT OR NOT VOTING: Chesterfield, L. Cowling, S. Dobbins, Gaskill, Key, Medley, Rogers, Sample, Wells, Wills, Mr. Speaker.

Total11

VOTING PRESENT: Cheatham, Kidd.

Total2

Total number of votes cast89

Total number voting in the affirmative85

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Walters moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 4 TO HOUSE BILL NO. 1426

Amend HOUSE BILL NO. 1426 as engrossed,

S3/1/07 (version: 03-01-2007 11:45):

Page 12, line 35, delete "there is no total value limit on raffle prizes," and substitute "the total value of raffle prizes in a calendar year shall not exceed one hundred thousand dollars (\$100,000)."

/s/ Steve Faris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harris, Hawkins, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pickett, Pierce, Pyle, Ragland, Reynolds, J. Roebuck, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total77

NEGATIVE: Harrelson, House, J. Johnson, Pate, Powers, Reep.

Total6

ABSENT OR NOT VOTING: Chesterfield, L. Cowling, S. Dobbins, Gaskill, Hardy, Kenney, Key, Medley, S. Prater, Rainey, Rogers, Sample, Stewart, Wells, Mr. Speaker.

Total15

VOTING PRESENT: Cheatham, Kidd.

Total2

Total number of votes cast85

Total number voting in the affirmative77

Necessary to concur in the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Wells moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1039

Amend HOUSE BILL NO. 1039 as engrossed,

H2/6/07 (version: 02-07-2007 08:44):

Add Representative Walters as a cosponsor of the bill.

AND

Page 1, delete line 35 and substitute the following:

"school year for every"

AND

Page 2, delete lines 2 through 7, and substitute the following:

"each calendar week of the school year, which may include without limitation daily recess, physical education instruction in addition to the requirement of subdivision (b)(1)(A)(i)(a) of this section, or intramural sports;

(ii) For students in grades five through eight (5-8) who attend a public school organized to teach grades five through eight (5-8), or any combination thereof, sixty (60) minutes of physical"

/s/ Shane Broadway

The Amendment was read and the vote was as follows:

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

Total83

NEGATIVE: Blount, Bond, D. Evans, Flowers, Pate, Powers, Shelby.

Total7

ABSENT OR NOT VOTING: Adcock, Chesterfield, S. Dobbins, Medley, Pickett, S. Prater, Rainey, Rogers, Wills, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative83

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1095

BY: REPRESENTATIVE HARRIS

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Edwards, Hardy, Medley, Pate, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative.....94

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

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

HOUSE BILL NO. 1098

BY: REPRESENTATIVE HARRIS

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: E. Brown, Medley, Pate, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1098**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: E. Brown, Medley, Pate, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1346

BY: REPRESENTATIVE STEWART

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

AFFIRMATIVE: Abernathy, Anderson, T. Baker, Berry, T. Bradford, Breedlove, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, Davenport, Dickinson, D. Evans, L. Evans, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Jeffrey, Kenney, Kidd, King, Lamoureux, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Pate, Patterson, Pennartz, S. Prater, Pyle, Ragland, Reep, Rogers, Rosenbaum, Sample, Saunders, Stewart, Sullivan, Thyer, Wagner, Wells, Wood, Woods, Wyatt.

Total64

NEGATIVE: Adcock, Allen, Blount, Bond, Cheatham, Chesterfield, D. Creekmore, S. Dobbins, Dunn, Edwards, Flowers, Hyde, D. Johnson, J. Johnson, Key, W. Lewellen, Medley, Pace, Pickett, Pierce, Powers, Rainey, Reynolds, J. Roebuck, Schulte, Shelby, L. Smith, Sumpter, Walters, Webb, Wills.

Total31

ABSENT OR NOT VOTING: E. Brown, Davis, Everett, Overbey, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative64

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

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

Upon motion of Representative Stewart the Clincher motion prevailed.

HOUSE BILL NO. 2336

BY: REPRESENTATIVE D. HUTCHINSON

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Cheatham, Maxwell, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....95

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

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

HOUSE BILL NO. 2556

BY: REPRESENTATIVE CHESTERFIELD

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

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

Total93

NEGATIVE: Berry, Reep.

Total2

ABSENT OR NOT VOTING: Davis, Kenney, Maloch, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

Upon motion of Representative Chesterfield the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 2556**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE: Berry, Reep.

Total2

ABSENT OR NOT VOTING: Davis, Kenney, Maloch, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

Upon motion of Representative Chesterfield the Clincher motion prevailed.

HOUSE BILL NO. 2470

BY: REPRESENTATIVE J. JOHNSON

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davenport, Davis, Hardwick, D. Hutchinson, S. Prater, Rogers, Walters, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

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

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

HOUSE BILL NO. 2327

BY: REPRESENTATIVE BLOUNT

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Rogers, Walters, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative.....96

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

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

HOUSE BILL NO. 2234

BY: REPRESENTATIVE NORTON

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

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

Total90

NEGATIVE: D. Johnson, Pickett.

Total2

ABSENT OR NOT VOTING: Bond, Everett, D. Hutchinson, Kenney, W. Lewellen, Rogers, Mr. Speaker.

Total7

VOTING PRESENT: Sumpter.

Total1

Total number of votes cast93

Total number voting in the affirmative90

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

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

HOUSE BILL NO. 2552

BY: REPRESENTATIVE D. JOHNSON

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

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

Total95

NEGATIVE: L. Smith.

Total1

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2552**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total	95
NEGATIVE: L. Smith.	
Total	1
ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Rogers, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast	96
Total number voting in the affirmative	95
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2427

BY: REPRESENTATIVE ABERNATHY

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

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

Total85

NEGATIVE: R. Green.

Total1

ABSENT OR NOT VOTING: Anderson, E. Brown, Cook, Cornwell, Davenport, S. Dobbins, Gaskill, Hardwick, D. Hutchinson, Key, M. Martin, Medley, Rogers, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative.....85

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

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

HOUSE BILL NO. 2430

BY: REPRESENTATIVE ABERNATHY

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

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

Total89

NEGATIVE: Burkes, D. Creekmore, Lamoureux, M. Martin, Pennartz, Woods.

Total6

ABSENT OR NOT VOTING: L. Evans, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative89

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

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

***** EXPUNGED*****03/22/07*****

HOUSE BILL NO. 2431

BY: REPRESENTATIVE ABERNATHY

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

AFFIRMATIVE: Abernathy, Allen, T. Bradford, Breedlove, J. Brown, Burkes, Cash, Cheatham, Cornwell, Davis, L. Evans, Everett, Gaskill, Glidewell, Greenberg, Hardwick, Harrelson, Hawkins, Hoyt, Hyde, Jeffrey, Kenney, Lamoureux, Maxwell, Moore, Pierce, Powers, S. Prater, Ragland, Reynolds, J. Roebuck, Rosenbaum, Stewart, Sullivan, Thyer, Wells, Wills, Wood, Woods, Wyatt.

Total40

NEGATIVE: Adcock, Anderson, Berry, Blount, Bond, E. Brown, Burris, Chesterfield, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Flowers, Garner, George, R. Green, Hall, Hardy, Harris, House, D. Johnson, J. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Maloch, M. Martin, Medley, Norton, Pace, Pate, Patterson, Pennartz, Pyle, Reep, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Sumpter, Wagner, Walters, Webb.

Total53

ABSENT OR NOT VOTING: T. Baker, D. Hutchinson, Lowery, Overbey, Pickett, Rainey, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative.....40

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

So the Bill failed.

***** EXPUNGED*****03/22/07*****

HOUSE BILL NO. 2411

BY: REPRESENTATIVE ADCOCK

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Jeffrey, Rogers, Wyatt, Mr. Speaker.

Total4

VOTING PRESENT: Hardy.

Total1

Total number of votes cast96

Total number voting in the affirmative95

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

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

HOUSE BILL NO. 1132

BY: REPRESENTATIVE S. PRATER

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

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

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: D. Hutchinson, Rogers, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast	97
Total number voting in the affirmative.....	97
Necessary to the passage of the bill.....	51

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

Representative D. Johnson moved to re-refer **HOUSE BILL NO. 1624** back to the Judiciary Committee. Motion carried.

Representative Breedlove moved that the record by which **AMENDMENT #1** to **HOUSE BILL NO. 2741** passed be expunged from the record, which motion prevailed by more than 67 votes.

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, D. Hutchinson, Rogers, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to the adoption of the motion67

So the Motion was adopted.

HOUSE BILL NO. 2384

BY: REPRESENTATIVE PETRUS

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

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

Total89

NEGATIVE: L. Cowling, Hardy, Wyatt.

Total3

ABSENT OR NOT VOTING: Berry, J. Brown, Hardwick, D. Hutchinson, Maxwell, Overbey, Pierce, Rogers.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative89

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

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

Upon motion of Representative Petrus the Clincher motion prevailed.

HOUSE BILL NO. 1500

BY: REPRESENTATIVE W. LEWELLEN

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

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

Total88

NEGATIVE: Davenport.

Total1

ABSENT OR NOT VOTING: Cooper, Dunn, George, Hardwick, D. Hutchinson, Overbey, Pickett, Rogers, Sumpter, Mr. Speaker.

Total10

VOTING PRESENT: Greenberg.

Total1

Total number of votes cast90

Total number voting in the affirmative.....88

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

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

HOUSE BILL NO. 2581

BY: REPRESENTATIVE T. BRADFORD

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

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hall, Hardwick, D. Hutchinson, Lamoureux, Lovell, Pace, Rogers, Thyer, Wyatt, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

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

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

HOUSE BILL NO. 2511

BY: REPRESENTATIVE WYATT

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Hall, Hardwick, D. Hutchinson, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....95

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

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

HOUSE BILL NO. 2386

BY: REPRESENTATIVE REEP

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Hall, Hardwick, D. Hutchinson, Pickett, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2386**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Hall, Hardwick, D. Hutchinson, Pickett, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2252

BY: REPRESENTATIVE MAXWELL

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

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

Total93

NEGATIVE: Cash.

Total1

ABSENT OR NOT VOTING: Blount, Burris, Gaskill, D. Hutchinson, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2252**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE: Cash.

Total1

ABSENT OR NOT VOTING: Blount, Burris, Gaskill, D. Hutchinson, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2251

BY: REPRESENTATIVE J. JOHNSON

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Blount, Cash, Davis, D. Hutchinson, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

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

HOUSE BILL NO. 1477

BY: REPRESENTATIVE PICKETT

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

AFFIRMATIVE: Abernathy, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, E. Brown, J. Brown, Burris, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Gaskill, George, Glidewell, R. Green, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Medley, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total80

NEGATIVE: Burkes, Flowers, Garner, Greenberg, Key, Woods.

Total6

ABSENT OR NOT VOTING: Adcock, Allen, T. Bradford, Cash, L. Cowling, Davis, L. Evans, Hoyt, D. Hutchinson, Maloch, Moore, Rogers, Sullivan, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative.....80

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

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

***** EXPUNGED*****03/28/07*****

SENATE BILL NO. 25

BY: SENATOR MADISON

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

AFFIRMATIVE: Abernathy, Adcock, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cornwell, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, Key, Kidd, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Overbey, Patterson, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total76

NEGATIVE: Allen, E. Brown, Burkes, Cook, Hardwick, J. Johnson, King, Lamoureux, Pace, Pate, Pennartz, Pickett, Woods.

Total13

ABSENT OR NOT VOTING: Cooper, L. Cowling, Dickinson, D. Hutchinson, Kenney, M. Martin, Norton, Ragland, Rogers, Sample, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative76

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

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

***** EXPUNGED*****03/28/07*****

***** EXPUNGED*****03/28/07*****

SENATE BILL NO. 22

BY: SENATOR MADISON

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

AFFIRMATIVE: Abernathy, Adcock, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cornwell, L. Cowling, D. Creekmore, Davenport, S. Dobbins, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Overbey, Patterson, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total77

NEGATIVE: Allen, E. Brown, Burkes, Cook, Cooper, Dunn, D. Evans, Hardwick, King, Lamoureux, Pace, Pate, Pennartz, Pickett, Woods.

Total15

ABSENT OR NOT VOTING: Davis, Dickinson, D. Hutchinson, Kenney, Norton, Rogers, Mr. Speaker.

Total7

VOTING PRESENT: M. Martin.

Total1

Total number of votes cast93

Total number voting in the affirmative77

Necessary to the passage of the bill51

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

***** EXPUNGED*****03/28/07*****

SENATE BILL NO. 652

BY: SENATOR BISBEE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, R. Green, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill51

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

SENATE BILL NO. 655

BY: SENATOR BISBEE

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

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Berry, Davis, D. Evans, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total9

VOTING PRESENT: Flowers.

Total1

Total number of votes cast.....91

Total number voting in the affirmative90

Necessary to the passage of the bill51

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

SENATE BILL NO. 659

BY: SENATOR BISBEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cooper, Davis, R. Green, D. Hutchinson, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 857

BY: SENATOR LUKER

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Dunn, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 905

BY: SENATOR R. THOMPSON

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

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

Total94

NEGATIVE: Reynolds.

Total1

ABSENT OR NOT VOTING: Davis, D. Hutchinson, W. Lewellen, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative94

Necessary to the passage of the bill51

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

SENATE BILL NO. 906

BY: SENATOR R. THOMPSON

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, R. Green, Hardwick, D. Hutchinson, J. Johnson, Rogers, Mr. Speaker.

Total7

VOTING PRESENT: Hardy.

Total1

Total number of votes cast.....93

Total number voting in the affirmative92

Necessary to the passage of the bill51

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

HOUSE BILL NO. 1124

BY: JOINT BUDGET COMMITTEE

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

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Berry, Davis, R. Green, D. Hutchinson, Lamoureux, Pate, Rogers, L. Smith, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1124**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Berry, Davis, R. Green, D. Hutchinson, Lamoureux, Pate, Rogers, L. Smith, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1152

BY: JOINT BUDGET COMMITTEE

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

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, E. Brown, Cooper, Davis, D. Evans, R. Green, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1152**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, E. Brown, Cooper, Davis, D. Evans, R. Green, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1166

BY: JOINT BUDGET COMMITTEE

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

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

Total91

NEGATIVE: Harrelson.

Total1

ABSENT OR NOT VOTING: Berry, Cooper, Davis, D. Evans, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative91

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1166**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total91

NEGATIVE: Harrelson.

Total1

ABSENT OR NOT VOTING: Berry, Cooper, Davis, D. Evans, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1167

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Davis, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1167**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Davis, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1169

BY: JOINT BUDGET COMMITTEE

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

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

Total90

NEGATIVE: Pyle, Walters.

Total2

ABSENT OR NOT VOTING: Abernathy, Adcock, Davis, Glidewell, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative90

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1169**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total90

NEGATIVE: Pyle, Walters.

Total2

ABSENT OR NOT VOTING: Abernathy, Adcock, Davis, Glidewell, D. Hutchinson, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative90

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1170

BY: JOINT BUDGET COMMITTEE

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Abernathy, Adcock, Davis, D. Hutchinson, Kenney, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1170**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Abernathy, Adcock, Davis, D. Hutchinson, Kenney, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1171

BY: JOINT BUDGET COMMITTEE

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, J. Johnson, Kenney, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1171**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, J. Johnson, Kenney, Pate, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1192

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1192**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1193

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1193**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1326

BY: JOINT BUDGET COMMITTEE

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

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

Total92

NEGATIVE: Pyle.

Total1

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Pate, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1326**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total92

NEGATIVE: Pyle.

Total1

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Pate, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1329

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1329**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1348

BY: JOINT BUDGET COMMITTEE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Cornwell, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1348**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Cornwell, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1390

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: E. Brown, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1390**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: E. Brown, Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1391

BY: JOINT BUDGET COMMITTEE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total5

VOTING PRESENT: Berry, D. Evans.

Total2

Total number of votes cast.....95

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1391**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total5

VOTING PRESENT: Berry, D. Evans.

Total2

Total number of votes cast95

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1593

BY: JOINT BUDGET COMMITTEE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: L. Cowling, Davis, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1593**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: L. Cowling, Davis, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1594

BY: JOINT BUDGET COMMITTEE

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cornwell, L. Cowling, Davis, D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1594**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cornwell, L. Cowling, Davis, D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1596

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1596**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1598

BY: JOINT BUDGET COMMITTEE

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Norton, Overbey, Pace, Pate, Patterson, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, Rosenbaum, Sample, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total81

NEGATIVE: Hardwick, Harrelson, Pennartz, J. Roebuck, L. Smith.

Total5

ABSENT OR NOT VOTING: Burkes, L. Cowling, R. Green, Hardy, D. Hutchinson, Kenney, Key, Lamoureux, M. Martin, Moore, Rogers, Saunders, Woods, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast.....86

Total number voting in the affirmative81

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1598**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Norton, Overbey, Pace, Pate, Patterson, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, Rosenbaum, Sample, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total81

NEGATIVE: Hardwick, Harrelson, Pennartz, J. Roebuck, L. Smith.

Total5

ABSENT OR NOT VOTING: Burkes, L. Cowling, R. Green, Hardy, D. Hutchinson, Kenney, Key, Lamoureux, M. Martin, Moore, Rogers, Saunders, Woods, Mr. Speaker.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative81

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1600

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lamoureux, Maxwell, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1600**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lamoureux, Maxwell, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1601

BY: JOINT BUDGET COMMITTEE

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1601**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lamoureux, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1602

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Norton, Ragland, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1602**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Norton, Ragland, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1603

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lovell, Pickett, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1603**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: D. Hutchinson, Kenney, Lovell, Pickett, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1605

BY: JOINT BUDGET COMMITTEE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Creekmore, D. Hutchinson, Kenney, Powers, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1605**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Creekmore, D. Hutchinson, Kenney, Powers, Rogers, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1606

BY: JOINT BUDGET COMMITTEE

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1606**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Hutchinson, Kenney, Rogers, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 1773

BY: JOINT BUDGET COMMITTEE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative94

Necessary to the passage of the bill75

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

There being an Emergency Clause attached to **HOUSE BILL NO. 1773**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Hutchinson, Kenney, Pace, Rogers, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1095	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1098	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1124	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1132	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 1152	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1166	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1167	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1169	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1170	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1171	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1192	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1193	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1326	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1329	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1346	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 1348	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1390	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1391	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1477	BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 1500	BY REPRESENTATIVE W. LEWELLEN
HOUSE BILL NO. 1593	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1594	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1598	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1600	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1601	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1602	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1603	BY JOINT BUDGET COMMITTEE

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED,
CONTINUED

HOUSE BILL NO. 1605	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1606	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1773	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 2234	BY REPRESENTATIVE NORTON
HOUSE BILL NO. 2251	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2252	BY REPRESENTATIVE MAXWELL
HOUSE BILL NO. 2270	BY REPRESENTATIVE HYDE
HOUSE BILL NO. 2327	BY REPRESENTATIVE BLOUNT
HOUSE BILL NO. 2336	BY REPRESENTATIVE D. HUTCHINSON
HOUSE BILL NO. 2384	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 2386	BY REPRESENTATIVE REEP
HOUSE BILL NO. 2411	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2427	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 2430	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 2470	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2511	BY REPRESENTATIVE WYATT
HOUSE BILL NO. 2552	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2556	BY REPRESENTATIVE CHESTERFIELD
HOUSE BILL NO. 2581	BY REPRESENTATIVE T. BRADFORD

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 22	BY SENATOR MADISON AS AMENDED #1
SENATE BILL NO. 25	BY SENATOR MADISON AS AMENDED #1
SENATE BILL NO. 652	BY SENATOR BISBEE
SENATE BILL NO. 655	BY SENATOR BISBEE
SENATE BILL NO. 659	BY SENATOR BISBEE
SENATE BILL NO. 857	BY SENATOR LUKER
SENATE BILL NO. 905	BY SENATOR R. THOMPSON
SENATE BILL NO. 906	BY SENATOR R. THOMPSON

SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

HOUSE CONCURRENT RESOLUTION NO. 8	BY SENATOR CRITCHER
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ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1061	BY JOINT BUDGET COMMITTEE AS AMENDED #1
HOUSE BILL NO. 1144	BY REPRESENTATIVE THYER
HOUSE BILL NO. 1321	BY REPRESENTATIVE HARDY
HOUSE BILL NO. 1322	BY REPRESENTATIVE HARDY
HOUSE BILL NO. 1410	BY REPRESENTATIVE PACE
HOUSE BILL NO. 1472	BY REPRESENTATIVE DAVENPORT AS AMENDED #1 & 2

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED CONTINUED

HOUSE BILL NO. 1580	BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 1670	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1698	BY REPRESENTATIVE WILLS
HOUSE BILL NO. 1717	BY REPRESENTATIVE PATE
HOUSE BILL NO. 1789	BY REPRESENTATIVE EDWARDS
HOUSE BILL NO. 2215	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2238	BY REPRESENTATIVE PYLE
HOUSE BILL NO. 2239	BY REPRESENTATIVE PENNARTZ
HOUSE BILL NO. 2243	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2264	BY REPRESENTATIVE FLOWERS

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 52	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 65	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 127	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 128	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 132	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 197	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 208	BY SENATOR FARIS
SENATE BILL NO. 251	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 252	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 253	BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE, CONTINUED

SENATE BILL NO. 255	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 257	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 265	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 307	BY SENATOR BROADWAY
SENATE BILL NO. 339	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 340	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 341	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 342	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 343	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 344	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 345	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 347	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 348	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 349	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 351	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 352	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 353	BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 421	BY SENATOR HORN
SENATE BILL NO. 624	BY SENATOR MILLER
SENATE BILL NO. 766	BY SENATOR SALMON
SENATE BILL NO. 771	BY SENATOR BROADWAY
SENATE BILL NO. 830	BY SENATOR BROADWAY
SENATE BILL NO. 848	BY SENATOR T. SMITH
SENATE BILL NO. 901	BY SENATOR R. THOMPSON
SENATE BILL NO. 902	BY SENATOR R. THOMPSON
SENATE BILL NO. 918	BY SENATOR LAVERTY
SENATE BILL NO. 923	BY SENATOR T. SMITH

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT
RESOLUTION NO. 1011 BY REPRESENTATIVE PACE

ARKANSAS SENATE
SENATE CONCURRENT MEMORIAL RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT
MEMORIAL RESOLUTION
NO. 6 BY SENATOR FARIS

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 14, 2007

MR. SPEAKER:

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

HOUSE CONCURRENT

RESOLUTION NO. 1010 BY REPRESENTATIVE OVERBEY

HOUSE CONCURRENT

RESOLUTION NO. 1013 BY REPRESENTATIVE PENNARTZ, ET AL

HOUSE CONCURRENT

RESOLUTION NO. 1016 BY REPRESENTATIVE HARRELSON, ET AL

HOUSE BILL NO. 1023 BY REPRESENTATIVES R. GREEN & HARDWICK

HOUSE BILL NO. 1031 BY REPRESENTATIVES GASKILL & PATTERSON

HOUSE BILL NO. 1070 BY REPRESENTATIVE REEP

HOUSE BILL NO. 1085 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1159 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1185 BY REPRESENTATIVE EVERETT, ET AL

HOUSE BILL NO. 1188 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1189 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1191 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1242 BY REPRESENTATIVE GARNER

HOUSE BILL NO. 1454 BY REPRESENTATIVES D. JOHNSON & GARNER

HOUSE BILL NO. 1462 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1525 BY REPRESENTATIVE EDWARDS

HOUSE BILL NO. 1576 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1578 BY REPRESENTATIVE WELLS

HOUSE BILL NO. 1716 BY REPRESENTATIVES PATE & D. EVANS

HOUSE BILL NO. 1718 BY REPRESENTATIVE OVERBEY, ET AL

HOUSE BILL NO. 1772 BY REPRESENTATIVES GLIDEWELL & MEDLEY

HOUSE BILL NO. 2227 BY REPRESENTATIVE J. ROEBUCK

HOUSE BILL NO. 2273 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 2274 BY JOINT BUDGET COMMITTEE

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 11:05 a.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE CONCURRENT

RESOLUTION NO. 1010 BY REPRESENTATIVE OVERBEY

HOUSE CONCURRENT

RESOLUTION NO. 1013 BY REPRESENTATIVE PENNARTZ, ET AL

HOUSE CONCURRENT

RESOLUTION NO. 1016 BY REPRESENTATIVE HARRELSON, ET AL

HOUSE BILL NO. 1023 BY REPRESENTATIVES R. GREEN & HARDWICK

HOUSE BILL NO. 1031 BY REPRESENTATIVES GASKILL & PATTERSON

HOUSE BILL NO. 1070 BY REPRESENTATIVE REEP

HOUSE BILL NO. 1085 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1159 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1185 BY REPRESENTATIVE EVERETT, ET AL

HOUSE BILL NO. 1188 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1189 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1191 BY REPRESENTATIVE HARRIS

HOUSE BILL NO. 1242 BY REPRESENTATIVE GARNER

HOUSE BILL NO. 1454 BY REPRESENTATIVES D. JOHNSON & GARNER

HOUSE BILL NO. 1462 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1525 BY REPRESENTATIVE EDWARDS

HOUSE BILL NO. 1576 BY REPRESENTATIVE OVERBEY

HOUSE BILL NO. 1578 BY REPRESENTATIVE WELLS

HOUSE BILL NO. 1716 BY REPRESENTATIVES PATE & D. EVANS

HOUSE BILL NO. 1718 BY REPRESENTATIVE OVERBEY, ET AL

HOUSE BILL NO. 1772 BY REPRESENTATIVES GLIDEWELL & MEDLEY

HOUSE BILL NO. 2227 BY REPRESENTATIVE J. ROEBUCK

HOUSE BILL NO. 2273 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 2274 BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 11:05 a.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 14 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 14, 2007, I approved the following measure from the Regular Session of the Eighty-sixth General Assembly:

HOUSE BILL NO. 1632 - ACT 272

HOUSE BILL NO. 1633 - ACT 273

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 14 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 14, 2007, I approved the following measure from the Regular Session of the Eighty-sixth General Assembly:

HOUSE BILL NO. 1284 - ACT 275

HOUSE BILL NO. 1360 - ACT 276

Sincerely,

/s/ Mike Beebe

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of-

----- House Bill No. 2665

"TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO YEARLY INFLATION-ADJUSTED INCREASES IN THE NET GENERAL REVENUE."

Amendment No. 1 to House Bill No. 2665.

Amend House Bill No. 2665 as originally introduced:

Add Senators Altes, Baker, Hendren, and Pritchard as cosponsors of the bill

AND

Add Representatives Allen, Anderson, Baker, Berry, (E.) Brown, Burkes, Chesterfield, Creekmore, Dunn, D. Evans, Gaskill, George, Glidewell, Green, Greenberg, Hall, Hardwick, Harris, Hutchinson, Hyde, Kenney, Key, King, Lamoureux, M. Martin, Maxwell, Medley, Norton, Overbey, Pace, Patterson, Pierce, Pyle, Ragland, Roebuck, Rogers, Rosenbaum, Sample, Schulte, Sullivan, Walters, Wells, Wills, and Woods as cosponsors of the bill

AND

Delete lines 9 through 15 and substitute the following:

"AN ACT TO IMPROVE OPPORTUNITY FOR ALL ARKANSANS TO SECURE HIGHER PAYING JOBS BY INCREASING THE RETENTION OF CAPITAL WITHIN THE STATE AND TO ATTRACT NEW INVESTMENT TO THE STATE; TO REDUCE THE INCOME TAX RATES OF THE STATE OF ARKANSAS WHEN NET GENERAL REVENUES ARE SUFFICIENT; TO REDUCE INCOME TAX LEVELS BASED ON A FORMULA RELATED TO INFLATION-ADJUSTED MARGIN OF GROWTH; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"THE INCOME TAX PLEDGE ACT OF 2007."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 4 is amended to add an additional section to read as follows:

26-51-455. Reduction of income tax.

(a) As used in this section, "Inflation adjusted margin of growth" means a yearly amount adjusted at the close of the fiscal year, but not later

than August 31 of that calendar year, by the "Consumer Price Index for All Urban Consumers", as published by the United States Department of Labor, or its successor, for that fiscal year.

(b) If the net general revenue collected from taxes by the state for fiscal year 2008 reach or exceed four billion seven hundred million dollars (\$4,700,000,000), the income tax rate is reduced by one-quarter of one percent for all income brackets and shall remain at the new rate, effective January 1, 2009 for income taxes paid in taxable year 2008.

(c) For fiscal year 2009, the inflation-adjusted margin of growth shall be two hundred fifty million dollars (\$250,000,000) adjusted by the Consumer Price Index for All Urban Consumers for that fiscal year as published by the United States Department of Labor, or its successor.

(d) For any fiscal year following fiscal year 2009, the current Inflation Adjusted Margin of Growth shall be determined by adjusting the Inflation Adjusted Margin of Growth of the previous fiscal year by the CPI-U of the current fiscal year.

(e) For any fiscal year following fiscal year 2009, should the net general revenue of that fiscal year exceed the highest net general revenue of any previous fiscal year by amount greater than the current fiscal year's inflation-adjusted margin of growth, the income tax rate shall be reduced by one-quarter of one percent (1/4 %) effective January 1st of the following calendar year for income taxes paid in the previous calendar year, until the maximum tax rate for any tax bracket shall be no more than three percent (3%).

(f) The Department of Finance and Administration shall promulgate rules to implement this section."

The Amendment was read

By: Representative Garner

LMG/RCK - 03-13-2007 16:29

LMG200

Chief Clerk

STATE OF ARKANSAS EIGHTY-SIXTH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES ROOM 350, THIRD FLOOR, STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1089
(501) 682-7771 TDD (501) 682 9148

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

MEMORANDUM

TO: Whom It May Concern
FROM: House Committee on the Journal; Engrossed and Enrolled Bills
DATE: March 14, 2007
SUBJECT: Amendment #2 to **HOUSE BILL NO. 2278**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #2 to HB 2278. In the Amendment, page 1, the first line should read: "Page 3, delete lines 28 and 29 and substitute the following:" (changed "line 28" to "lines 28 and 29")

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2278.

/s/ Benny C. Petrus
Speaker of the House

/s/ J R Rogers

/s/ David Dunn, Chairman
House Rules

/s/ George Overbey, Jr.

/s/ Lenville Evans, Chairman
House Management Committee

/s/ Tim Massanelli, Parliamentarian

cc: Jo Renshaw, Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2278

""THE DELTA GEOTOURISM INCENTIVE ACT OF 2007.""

Amendment No. 2 to House Bill No. 2278.

Amend House Bill No. 2278 as engrossed, H3/12/07 (version: 03-12-2007 09:54):

Page 3, delete line(s) 28(and 29), and substitute the following:

"(1) In an economically distressed area or a county that borders two (2) counties defined as economically distressed.

(2) In an unincorporated area or a city with a population of less"

SENATE BILL NO. 52

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS STATE BOARD OF NURSING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 65

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS FIRE PROTECTION LICENSING BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 127

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS SENTENCING COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 128

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 132

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE CAPITOL ZONING DISTRICT COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 149

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO AMEND CERTAIN PROVISIONS OF ARKANSAS LAW CONCERNING BENEFITS UNDER THE STATE POLICE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.*

Was read the first time, rules suspended, read the second time and referred to the Committee on JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS.

SENATE BILL NO. 197

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE WORKERS' COMPENSATION COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 208

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO *REVISE* THE CAP ON REIMBURSEMENT TO VOLUNTEER FIRE DEPARTMENTS FOR SERVICES PROVIDED INVOLVING FIRES AND PERSONAL PROPERTY; TO EXTEND THE TIME PERIOD REQUIRED FOR NOTICE TO BE GIVEN BY A VOLUNTEER FIRE DEPARTMENT TO THE INSURANCE COMPANY; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 251

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION OF FUNDS TO ALLEVIATE CONDITIONS ARISING IN PUBLIC EMERGENCIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 252

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE TITLE 19, CHAPTER 6, SUBCHAPTERS 2, 3, 4 AND 8 – THE REVENUE CLASSIFICATION LAW OF ARKANSAS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 253

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR THE PAYMENT OF A PORTION OF FULL-TIME JUVENILE PROBATION AND INTAKE OFFICERS' SALARIES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 255

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPUTY PROSECUTING ATTORNEYS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 257

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION FOR MAINTAINING AND OPERATING A CONTINUING EDUCATION PROGRAM FOR THE COUNTY *CLERKS*, CIRCUIT CLERKS, COUNTY TREASURERS, AND COUNTY COLLECTORS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 265

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REPEAL SECTION 4 OF ACT 2315 OF 2005; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 307

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 27-23-108(b) TO WAIVE THE COMMERCIAL DRIVER'S LICENSE SKILLS TEST FOR QUALIFIED DRIVERS OF MILITARY VEHICLES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 339

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 340

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS COMMISSION ON LAW ENFORCEMENT STANDARDS AND TRAINING; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 341

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 342

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE INSTITUTIONS OF HIGHER EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 343

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS GOVERNOR'S MANSION COMMISSION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 344

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 345

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 347

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 348

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF PARKS AND TOURISM - ARKANSAS HISTORY COMMISSION; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 349

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 351

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 352

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE DEPARTMENT OF WORKFORCE EDUCATION - ARKANSAS TECHNICAL CAREERS STUDENT LOAN FORGIVENESS PROGRAM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 353

BY: JOINT BUDGET COMMITTEE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

SENATE BILL NO. 421

BY: SENATOR HORN**BY: REPRESENTATIVE HAWKINS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 17-95-101 TO ENSURE IMMUNITY FROM LIABILITY TO HEALTH CARE PROFESSIONALS ACTING AS GOOD SAMARITANS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 624

BY: SENATOR MILLER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE MARRIAGE LICENSE APPLICATION FEE TO PROVIDE FUNDING FOR LEGAL AID; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 766

BY: SENATOR SALMON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ALLOW MUNICIPAL POLICE DEPARTMENTS TO EXCHANGE PROPERTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 771

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ASSIST THE ADMINISTRATION OF MOTOR VEHICLE TITLES; TO EXPEDITE THE RELEASE AND TRANSFER OF MOTOR VEHICLE TITLES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 799

BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO BE KNOWN AS THE "TIRE SAFETY ACT OF 2007"; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 830

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE CREATION AND OPERATION OF RESEARCH PARK AUTHORITIES FOR THE PURPOSES OF ECONOMIC DEVELOPMENT; TO PRESCRIBE THE POWERS, DUTIES, AND RESPONSIBILITIES OF RESEARCH PARK AUTHORITIES; TO AMEND THE INTERLOCAL COOPERATION ACT TO SPECIFY RESEARCH PARKS; TO EXTEND THE CURRENT INCENTIVE FOR A DONATION TO A UNIVERSITY TO INCLUDE RESEARCH PARK AUTHORITIES; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 848

BY: SENATOR T. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE REQUIREMENTS FOR REPORTING AND REMITTING INCOME TAX ON WINNINGS PAID BY ELECTRONIC GAMES OF SKILL AT OAKLAWN JOCKEY CLUB AND SOUTHLAND GREYHOUND PARK; TO INCREASE THE AMOUNT ON WHICH THE FRANCHISE HOLDER IS REQUIRED TO WITHHOLD INCOME TAX ON WINNINGS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 901

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING NOTES OR BONDS OF A SUBURBAN IMPROVEMENT DISTRICT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 902

BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE LOCAL GOVERNMENT BOND ACT, § 14-164-302 ET SEQ.; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 918

BY: SENATOR LAVERTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES TO USE OR PERMIT THE USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES NO LATER THAN JUNE 30, 2008; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on STATE AGENCIES AND GOVERNMENTAL AFFAIRS.

SENATE BILL NO. 923

BY: SENATOR T. SMITH

BY: REPRESENTATIVE DUNN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPOSE DUTIES AND RESTRICTIONS ON CHECK-CASHERS AS RELATED TO MILITARY CUSTOMERS AND THEIR SPOUSES; TO IMPOSE PENALTIES FOR ROLLOVERS; TO ENCOURAGE AND PERMIT NO-FEE EXTENDED PAYOUTS; TO RESTRICT COLLECTION PRACTICES; TO OTHERWISE ENSURE FAIRNESS IN CHECK-CASHING; AND FOR OTHER PURPOSES.

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

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 6

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF DR. JOHN ALVIN VAUGHAN AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS, THE UNITED STATES OF AMERICA, AND HIS LOCAL COMMUNITY.

Was read the first time, rules suspended, read the second time and placed on the Calendar.

Upon motion of Representative David Evans, the House adjourned at 3:54 p.m. until 1:30 p.m., Thursday, March 15, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

