

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

Little Rock, Arkansas

March 15, 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 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 15, 2007
EDUCATION	MIKE KENNEY
	CHAIRPERSON
HOUSE BILL NO. 1517	DO PASS
BY REPRESENTATIVE COOK	AS AMENDED #2
HOUSE BILL NO. 1730	DO PASS
BY REPRESENTATIVE ABERNATHY	
HOUSE BILL NO. 1751	DO PASS
BY REPRESENTATIVE PICKETT	
HOUSE BILL NO. 2269	DO PASS
BY REPRESENTATIVE COOK	
HOUSE BILL NO. 2272	DO PASS
BY REPRESENTATIVE COOK	
HOUSE BILL NO. 2425	DO PASS
BY REPRESENTATIVE COOK	
HOUSE BILL NO. 2426	DO PASS
BY REPRESENTATIVE COOK	AS AMENDED #2

COMMITTEE REPORT

	March 15, 2007
EDUCATION	BILL ABERNATHY
	VICE-CHAIRPERSON
HOUSE BILL NO. 2555	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 2619	DO PASS
BY REPRESENTATIVE WALTERS	

COMMITTEE REPORT

	March 15, 2007
JUDICIARY	ROBERT N. JEFFREY
	CHAIRPERSON
HOUSE BILL NO. 1564	DO PASS, TO CONCUR
BY REPRESENTATIVE D. CREEKMORE	IN SENATE AMENDMENT #1
HOUSE BILL NO. 2266	DO PASS
BY REPRESENTATIVE KEY	
HOUSE BILL NO. 2271	DO PASS
BY REPRESENTATIVE KING	
HOUSE BILL NO. 2340	DO PASS
BY REPRESENTATIVE LAMOUREUX	
HOUSE BILL NO. 2361	DO PASS
BY REPRESENTATIVE REYNOLDS	
HOUSE BILL NO. 2534	DO PASS
BY REPRESENTATIVE L. SMITH	AS AMENDED #1
HOUSE BILL NO. 2553	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 2612	DO PASS
BY REPRESENTATIVE GREENBERG	AS AMENDED #1
HOUSE BILL NO. 2632	DO PASS
BY REPRESENTATIVE WALTERS	AS AMENDED #1
HOUSE BILL NO. 2684	DO PASS
BY REPRESENTATIVE T. BRADFORD	
SENATE BILL NO. 821	DO PASS
BY SENATOR MADISON	
SENATE BILL NO. 858	DO PASS
BY SENATOR LUKER	
SENATE BILL NO. 904	DO PASS
BY SENATOR THOMPSON	

COMMITTEE REPORT

	March 15, 2007
PUBLIC HEALTH, WELFARE AND LABOR	EDDIE COOPER CHAIRPERSON
HOUSE BILL NO. 1471 BY REPRESENTATIVE MOORE	DO PASS
HOUSE BILL NO. 1631 BY REPRESENTATIVE WILLS	DO PASS
HOUSE BILL NO. 1753 BY REPRESENTATIVE HOUSE	DO PASS
HOUSE BILL NO. 2347 BY REPRESENTATIVE DICKINSON	DO PASS
HOUSE BILL NO. 2551 BY REPRESENTATIVE D. JOHNSON	DO PASS
HOUSE BILL NO. 2626 BY REPRESENTATIVE SAMPLE	DO PASS AS AMENDED #1
HOUSE BILL NO. 2645 BY REPRESENTATIVE ADCOCK	DO PASS AS AMENDED #2
HOUSE BILL NO. 2646 BY REPRESENTATIVE ADCOCK	DO PASS
HOUSE BILL NO. 2657 BY REPRESENTATIVE D. JOHNSON	DO PASS
HOUSE BILL NO. 2705 BY REPRESENTATIVE SAUNDERS	DO PASS
HOUSE BILL NO. 2811 BY REPRESENTATIVE HARRELSON	DO PASS
HOUSE RESOLUTION NO. 1024 BY REPRESENTATIVE SHELBY	DO PASS
SENATE BILL NO. 398 BY SENATOR SALMON	DO PASS
SENATE BILL NO. 800 BY SENATOR WOMACK	DO PASS
SENATE BILL NO. 910 BY SENATOR WILKINS	DO PASS
SENATE BILL NO. 948 BY SENATOR GLOVER	DO PASS

COMMITTEE REPORT

	March 15, 2007
PUBLIC TRANSPORTATION	ROBBIE WILLS
	CHAIRPERSON
HOUSE BILL NO. 2249	DO PASS
BY REPRESENTATIVE S. PRATER	AS AMENDED #2 (JSE424)
HOUSE BILL NO. 2364	DO PASS
BY REPRESENTATIVE GREENBERG	AS AMENDED #1 (JSE428)
HOUSE BILL NO. 2441	DO PASS
BY REPRESENTATIVE MALOCH	

COMMITTEE REPORT

	March 15, 2007
PUBLIC TRANSPORTATION	FRANK GLIDEWELL
	VICE-CHAIRPERSON
SENATE BILL NO. 840	DO PASS
BY SENATOR GLOVER	

COMMITTEE REPORT

	March 15, 2007
REVENUE AND TAXATION	KEVEN ANDERSON
	CHAIRPERSON
HOUSE BILL NO. 1746	DO PASS
BY REPRESENTATIVE J. JOHNSON	
HOUSE BILL NO. 1828	DO PASS
BY REPRESENTATIVE HARRELSON	
HOUSE BILL NO. 2218	DO PASS, TO CONCUR IN
BY REPRESENTATIVE LOWERY	SENATE AMENDMENT #1
HOUSE BILL NO. 2420	DO PASS
BY REPRESENTATIVE PETRUS	
HOUSE BILL NO. 2665	DO PASS
BY REPRESENTATIVE GARNER	AS AMENDED #2
SENATE BILL NO. 373	DO PASS
BY SENATOR BROWN	
SENATE BILL NO. 849	DO PASS
BY SENATOR TRUSTY	

COMMITTEE REPORT

	March 15, 2007
CITY, COUNTY AND	STEPHANIE FLOWERS
LOCAL AFFAIRS	CHAIRPERSON
HOUSE BILL NO. 1531	DO PASS
BY REPRESENTATIVE HARRELSON	
HOUSE BILL NO. 2658	DO PASS
BY REPRESENTATIVE D. JOHNSON	AS AMENDED #2
HOUSE BILL NO. 2793	DO PASS
BY REPRESENTATIVE E. BROWN	AS AMENDED #2
SENATE BILL NO. 380	DO PASS
BY SENATOR SALMON	
SENATE BILL NO. 806	DO PASS
BY SENATOR SALMON	

COMMITTEE REPORT

	March 15, 2007
HOUSE RULES	DAVID DUNN
	CHAIRPERSON
HOUSE BILL NO. 1163	DO PASS
BY REPRESENTATIVE BURRIS	

COMMITTEE REPORT

	March 15, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1061	DO PASS, TO CONCUR IN
BY JOINT BUDGET COMMITTEE	SENATE AMENDMENT #1
HOUSE BILL NO. 1866	DO PASS
BY REPRESENTATIVE RAGLAND	
SENATE BILL NO. 52	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 65	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 127	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 252	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 255	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 257	DO PASS
BY JOINT BUDGET COMMITTEE	

COMMITTEE REPORT

	March 15, 2007
JOINT ENERGY	SHIRLEY WALTERS
	CHAIRPERSON
HOUSE BILL NO. 2442	DO PASS
BY REPRESENTATIVE MALOCH	AS AMENDED #1

COMMITTEE REPORT

	March 15, 2007
ADVANCED COMMUNICATIONS AND INFORMATION TECHNOLOGY	DARYL PACE
	CHAIRPERSON
HOUSE BILL NO. 2216	DO PASS
BY REPRESENTATIVE SAUNDERS	
HOUSE BILL NO. 2586	DO PASS
BY REPRESENTATIVE PACE	AS AMENDED #1 (MBM678)
HOUSE BILL NO. 2621	DO PASS
BY REPRESENTATIVE ROGERS	

Upon motion of Representative King, **HOUSE BILL NO. 2716** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2716

Amend **HOUSE BILL NO. 2716** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 14, Chapter 25 is amended to add an additional subchapter to read as follows:

14-25-201. Responsible Management Entities — Wastewater treatment systems.

(a) As used in this section, "Responsible Management Entity" means a wastewater treatment system service provider organized and operating under this section.

(b) A nonprofit corporation formed for the purpose of providing responsible management of wastewater treatment systems where municipal sewer service is not available shall operate in accordance with § 14-250-113, and have the powers set forth in § 14-250-111.

(c) Any of the following may enter into an agreement to become a Responsible Management Entity for the purpose of providing responsible management of wastewater treatment systems, including community sewer systems and groups of septic systems in a contiguous development, where municipal sewer service is not available:

(1) A political subdivision of the state;

(2) A district or an authority formed under § 14-233-101 et seq. or § 8-6-723;

(3) A nonprofit corporation formed for the purpose of providing responsible management of wastewater treatment systems; or

(4) A rural water association.

(d)(1) Any installations, operations, or maintenance performed on a wastewater treatment system on behalf of a Responsible Management Entity shall be done in compliance with the laws of this state, and the rules of the Arkansas Department of Environmental Quality or its successor, and the Division of Health of the Department of Health and Human Services or its successor.

(2) A Responsible Management Entity must also ensure all appropriate operator licenses are current and any continuing education requirements are fulfilled.

(e)(1) A developer constructing a new wastewater treatment system where municipal sewer service is not available may transfer all liabilities for the wastewater treatment system to a responsible management entity if:

(A)(i) Before construction begins, the developer secures written approval of the proposed wastewater treatment system from the Division of Health of the Department of Health and Human Services, and from the Responsible Management Entity.

(ii) Approval from the Responsible Management Entity may be contained in a standard management agreement approved by the Arkansas Department of Environmental Quality;

(B) Covenants are contained in the deed for the wastewater treatment system requiring payment of reasonable fees by the purchaser to the Responsible Management Entity for ongoing operations and maintenance of the system; and

(C) Ownership of the wastewater treatment system is transferred to the responsible management entity upon completion.

(2) Under no circumstances shall the liability for fraud or negligence on the part of the developer be transferred."

/s/ Bryan King

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Patterson, **HOUSE BILL NO. 2417** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2417

Amend **HOUSE BILL NO. 2417** as originally introduced:

Delete Section 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 20-31-103 is amended to read as follows:

20-31-103. Exemptions.

(a) The following types of construction and structures shall be exempted from this chapter:

(1) Any construction, installation, maintenance, repair, or renovation by a public utility regulated by the Arkansas Public Service Commission, by a rural electric association or cooperative, or by a municipal utility, of any transmission or distribution lines or facilities incidental to their business and covered under other nationally recognized safety standards;

(2) Any construction, installation, maintenance, repair, or renovation of any nonresidential farm building or structure; and

(3) Any construction or manufacture of manufactured homes covered by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401 et seq.;

~~(4) Primary residences, whether existing or under construction, when the owner performs the electrical work thereon or the owner performs the construction, maintenance, or installation of electrical facilities thereon.~~

(b) The exemption from compliance with the standards promulgated in this section shall not be referred to in any way, and it shall not be any evidence of the lack of negligence or the exercise of due care by a party at a trial of any civil action to recover damages by any party."

/s/ Mike Patterson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Reynolds, **HOUSE BILL NO. 2486** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2486

Amend **HOUSE BILL NO. 2486** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

“SECTION 1. Arkansas Code Title 18, Chapter 60, Subchapter 5 is amended to add an additional section to read as follows:

18-60-512. Quieting title to mineral rights.

(a) It is the intention of the General Assembly by the enactment of this section to encourage and promote a judicial resolution to the ascertainment of title to mineral rights whenever possible in light of decisions of the Arkansas Supreme Court such as *Sorkin v. Myers*, 216 Ark. 908, 227 S.W.2d 958 (1950) and *Dawdy v. Holt*, 281 Ark. 171, 662 S.W.2d 818 (1984) recognizing the uncertain status of the title to numerous mineral interests in the state.

(b) A surface owner or the holder of a tax deed to a mineral interest issued by a county clerk before January 1, 1984, may petition under this subchapter to quiet and confirm in the surface owner or holder of the tax deed the title to the mineral rights:

- (1) Beneath the land of the surface owner; or
- (2) Described in the tax deed issued by the county clerk.

(c) The following parties are necessary parties to an action under this section and shall be summoned in accordance with Rule 4 of the Arkansas Rules of Civil Procedure if the party does not enter an appearance:

- (1) The surface owner;
- (2) A prior surface owner at any time on or after the time that the mineral interest was severed from the surface estate;
- (3) A prior or current grantee of a recorded deed or a recorded tax deed to the mineral interest;
- (4) A party with an interest of record in the land; and
- (5) Any other party that the plaintiff knows claims an interest in the mineral rights.

(d) In an action under this section the court:

- (1) Shall determine by a preponderance of the evidence under equitable principles the rightful ownership of the mineral rights; and
- (2) Shall consider:

(A) All facts and circumstances surrounding the severance of the mineral interest;

(B) The strength of the claim of the holder of a tax deed to the mineral interest without disqualification solely because the delinquent mineral interest was not subjoined to the surface estate in the books of the county assessor due to the listing of the mineral interest in a separate book than the surface estate;

(C) The period of time and the amount of all taxes paid under a tax deed to the minerals; and

(D) Any other fact or circumstance the court deems appropriate.

(e) If title to the mineral interest is not quieted and confirmed in a party that alone or in conjunction with the party's predecessors paid the taxes for more than five (5) consecutive years under a tax deed to the mineral rights that was issued before January 1, 1984, the court shall:

(1) Order the party that is awarded a decree quieting and confirming title to the mineral rights to reimburse the tax payments of a party that alone or in conjunction with the party's predecessors paid the taxes for more than five (5) consecutive years under a tax deed to the mineral rights that was issued before January 1, 1984; and

(2) Withhold entry of judgment until the tax payments are reimbursed under subdivision (d)(1) of this section."

/s/ Lance Reynolds

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. 2440** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2440

Amend **HOUSE BILL NO. 2440** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 23-89-301(5), concerning the definition of an automobile insurance "policy" for notice of cancellation purposes, is amended to read as follows:

(5) "Policy" means an automobile liability, automobile physical damage, or automobile collision policy, or any combination thereof, delivered or issued for delivery in this state ~~insuring a single individual or husband and wife resident of the same household, as named insured, and under which the insured vehicles therein designated are of the following types only:~~

~~(A) A motor vehicle of the private passenger or station wagon-type that is not used as a public or livery conveyance for passengers, nor rented to others; or~~

~~(B) Any other four-wheel motor vehicle with a load capacity of one thousand five hundred pounds (1,500 lbs.) or less which is not used in the occupation, profession, or business of the insured. However, this subchapter shall not apply to any policy:~~

~~(i) Issued under an automobile assigned risk plan;~~

~~(ii) Insuring more than four (4) automobiles; or~~

~~(iii) Covering garage, automobile sales agency, repair shop, service station, or public parking place operation hazards; and"~~

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Pace, **HOUSE BILL NO. 2302** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2302

Amend **HOUSE BILL NO. 2302** as originally introduced:

Page 3, delete lines 13 through 22 in their entirety and substitute the following:

"(a)(1)(A) For a constable to have access to information from the Arkansas Crime Information Center:

(i) He or she shall satisfactorily complete the constable certification course provided by the Arkansas Commission on Law Enforcement Standards and Training.

(ii) Each year after completing the certification course required under subdivision (1)(A)(i) of this subsection, he or she shall satisfactorily complete sixteen (16) hours of training provided by the Arkansas Commission on Law Enforcement Standards and Training.

(B) For a constable to carry a firearm:

(i) He or she shall attend sixteen (16) hours of firearms training; and

(ii) Each year after completing the training required under subdivision (1)(B)(i) of this subsection, he or she shall satisfy the firearm qualification standards for a law enforcement official."

AND

Page 3, delete line 32 and substitute the following:

"(i) A long sleeve black shirt with black epaulets and black pocket flaps and a gray tie from October"

AND

Page 3, line 34 after "A", add "short sleeve"

AND

Page 4, delete lines 20 and 21 and substitute the following:

"shall drive a motor vehicle that is:

(1) Fully equipped with emergency equipment; and

(2) Clearly marked with a six-point star and the words "Arkansas Constable"."

AND

Page 4, line 29, after "for", add "certifying"

/s/ Daryl Pace

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. 2478** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2478

Amend **HOUSE BILL NO. 2478** as originally introduced:

Page 1, delete line 10 of the TITLE, and substitute the following:

"QUALIFIED ELECTORS BEFORE A CITY MAY"

AND

Page 1, delete lines 15 through 16 of the SUBTITLE, and substitute the following:

"QUALIFIED ELECTORS BEFORE A CITY MAY LEVY A TAX."

AND

Page 1, delete lines 21 through 32, and renumber the remaining section

/s/ Michael Lamoureux

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. 2371** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2371

Amend **HOUSE BILL NO. 2371** as originally introduced:

Add Representative E. Brown as a cosponsor of the bill

/s/ Bryan King

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2763** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2763

Amend **HOUSE BILL NO. 2763** as originally introduced:

Page 8, line 15, delete "[Effective" and substitute "[~~E~~ffective"

AND

Page 8, line 16, delete "January 1, 2006.]" and substitute "~~January 1, 2006.~~"

AND

Page 8, line 21, delete "election officials or county clerk" and substitute "~~election officials~~ poll workers"

And

Page 8, delete lines 23 and 24 and substitute "unable to mark or cast the ballot ~~because he or she cannot read or write or because of physical, sensory, or other disability or other legal cause~~ without help and needs assistance in casting his or her ballot."

AND

Page 8, line 30, delete "election officials" and substitute "~~election officials~~ poll workers"

AND

Page 8, line 32, delete "election officials" and substitute "~~election officials~~ poll workers"

AND

Page 8, line 33, delete "election officials" and substitute "~~election officials~~ poll workers"

AND

Page 9, line 3, delete "election officials" and substitute "~~election officials~~ poll workers"

AND

Page 9, delete lines 7 through 9 and substitute: "who presents himself or herself for voting and who then informs ~~an election official~~ a poll worker at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to and assisted by ~~an election official~~ a poll worker to advance to the head of any line of voters then waiting in line to vote at the polling site."

AND

Page 11, delete lines 25 through 29 and substitute:

"(2)(A) The state board shall ~~provide~~ mail to the chair of each county board and the chair of each county political party a copy of this section and of Pub. L. No. 98-435.

~~(B) The state board shall send the copies by certified mail."~~

AND

Page 12, line 11, delete "ballots" and substitute "paper ballots"

AND

Page 12, line 12, delete "ballots" and substitute "paper ballots"

AND

Page 12, line 22, delete "written on" and substitute "~~written on~~ handwritten on the ballot."

AND

Page 12, delete line 23

AND

Page 12, delete lines 31 through 34 and substitute:

"neither of them shall be counted. If a ballot shall be found to contain ~~a greater number of names for any one (1) office than the number of persons required to fill the office, it shall be considered fraudulent as to the whole of the names designated to fill the office, but no further~~ marks for more than the maximum allowable number of candidates in any one contest, the contest shall be considered overvoted, and it

shall be the responsibility of the election officials to determine the voter's intent;"

AND

Page 14, line 28, delete SECTION 14 in its entirety and substitute:

"SECTION 14. Arkansas Code § 7-7-203 is amended to read as follows:

7-7-203. Dates.

(a) The general primary election shall be held on the second Tuesday in June preceding the general election.

(b) The preferential primary election shall be held on the Tuesday three (3) weeks prior to the general primary election.

(c)(1) Party pledges, if any, shall be filed and any filing fees of a political party, if any, shall be paid during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(2) A party certificate and the political practice pledge for primary elections shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(3) The name of a candidate who fails to file a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

(4) Party pledges, if any, shall be filed, filing fees, if any, shall be paid, and party certificates and political practice pledges shall be filed for special primary elections on or before the deadline established by proclamation of the Governor.

~~(5) Pledges and filing fees of the political party for a new political party shall be filed and paid as provided in subsection (f) of this section.~~

(d) No later than forty (40) days before the preferential primary election, the chairman and secretary of the state committee of the political party shall certify the ballot to the various county committees and to the various county boards of election commissioners with the names of all candidates who have qualified with the state committee for election by filing the party pledge and paying the filing fees of the political party within the time required by law.

~~(e) Election officials of primary elections shall be selected by the county board of election commissioners in the same manner as in the general election.~~

~~(f)~~(e) Any group of voters desiring to form a new political party may do so by filing a petition with the Secretary of State in accordance with § 7-7-205.

~~(g)(1)(f)(1)~~ The county board shall convene, at the time specified in the notice to the members given by the chair of the board, no later than the tenth day after each primary election for the purpose of canvassing the returns and certifying the election results.

(2) If no time is specified for the meeting of the county board, the meeting shall be at 5:00 p.m.

~~(h)(g)~~ The county convention of a political party holding a primary election shall be held on the first Monday following the date of the general primary.

~~(i)(1)(h)(1)~~ The county board of election commissioners shall certify to the county clerk and the county committee a list of all nominated candidates for county, township, and municipal offices, and the political parties' county committee members and delegates.

(2) At the same time, the county board of election commissioners shall certify to the Secretary of State and the secretary of the state committee the results of the contests for all United States, state, and district offices. Immediately after ascertaining the results for all United States, state, and district offices, the Secretary of State shall certify to the state committee a list of all nominated candidates for the offices.

~~(j)(1)(A)(i)(1)(A)~~ The Secretary of State shall at least seventy (70) days prior to the date of the general election notify by registered mail the chairman and secretary of the state committee of the respective political parties that a certificate of nomination is due for all nominated candidates for United States, state, and district offices in order that the candidates' names be placed on the ballot of the general election.

(B)(i) The state committee shall issue certificates of nomination to all nominated candidates for United States, state, and district offices, who shall file the certificates with the Secretary of State at least sixty (60) days prior to the general election.

(ii) However, if the chairman and secretary of the state committee of the respective political parties are not properly notified as directed by subdivision ~~(j)(1)(A)(i)(1)(A)~~ of this section, the failure of a candidate to file a certificate of nomination shall not prevent that candidate's name from being placed on the ballot of the general election.

(2)(A) Each county clerk shall at least sixty (60) days prior to the date of the general election notify by registered mail the chairmen and secretaries of the county committees of the respective political parties that a certified list of all

nominated candidates for county, township, and municipal offices is due and shall be filed with the county board of election commissioners and the county clerk in order that the candidates' names be placed on the ballot for the general election.

(B)(i) Each county committee shall issue the certified list on behalf of those nominated candidates and submit the certified list to the county board of election commissioners and the county clerk at least forty-five (45) days but not more than fifty-five (55) days prior to the general election.

(ii) However, if the chairmen and secretaries of the county committees of the respective political parties are not properly notified as directed by subdivision ~~(j)(2)(A)~~(i)(1)(A) of this section, the failure of a certified list to be filed shall not prevent any candidate's name from being placed on the ballot of the general election."

/s/ Rick Saunders

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. 2753** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2753

Amend **HOUSE BILL NO. 2753** as originally introduced:

Page 1, delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 26-51-404(b), concerning exemptions from gross income, is amended to add the following subdivision:

(29)(A) Wages, salaries, or other similar compensation received from employment in an adjoining state that does not levy a state income tax.

(B) The exemption provided in this subdivision (29)(A) is intended only for individual taxpayers and not to provide an exemption for corporations or any taxpayers other than individual taxpayers.

(C) The exemption provided in this subdivision (29)(A) does not cover any other income received by the individual taxpayer.

SECTION 2. The General Assembly finds that adjoining states that do not impose an income tax on its residents present a tax inequity that induces citizens who would otherwise settle in Arkansas to move to the border state that does not impose an income tax on its citizens. This act is designed to induce persons to establish their homes in Arkansas."

/s/ Denny Sumpter

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative W. Lewellen, **HOUSE BILL NO. 2496** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2496

Amend **HOUSE BILL NO. 2496** as originally introduced:

Page 2, delete lines 5 through 29 and substitute the following:

"20-76-702. Fund set-asides."

AND

Page 3, line 21, delete "20-76-704." and substitute "20-76-703."

/s/ Wilhelmina Lewellen

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. 2 TO HOUSE BILL NO. 2521

Amend **HOUSE BILL NO. 2521** as engrossed,

H3/12/07 (version: 03-12-2007 09:33):

Page 12, delete lines 2 and 3 and substitute the following:

"related to licensing and protecting intellectual property."

AND

Page 12, delete lines 13 through 36

AND

Page 13, delete lines 1 through 18

AND

Page 13, line 19, delete "(8)" and substitute "(7)"

AND

Page 13, line 27, delete "(9)" and substitute "(8)"

AND

Page 14, line 12, delete “(10)” and substitute “(9)”

AND

Page 14, line 15, delete “(11)” and substitute “(10)”

AND

Page 14, line 19, delete “(12)” and substitute “(11)”

AND

Page 15, line 3, delete “(13)” and substitute “(12)”

AND

Page 15, line 8, delete “(14)” and substitute “(13)”

/s/ David Dunn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Johnson, **HOUSE BILL NO. 2490** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2490

Amend **HOUSE BILL NO. 2490** as originally introduced:

Page 1, line 29, delete "The" and substitute "(a) The"

AND

Page 2, delete line 2 and substitute:

Education and the Senate Interim Committee on Education.

(b) The House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth shall conduct an investigation under this section by utilizing data, reports, and testimony provided from all of the stakeholders involved in this system, including, but not limited to:

(1) The Director of the Division of Youth Services of the Department of Human Services;

(2) The Commissioner of Education of the Department of Education;

- (3) The Director of the Administrative Office of the Courts;
 (4) A representative from the Juvenile Ombudsman Division of the Arkansas Public Defender Commission;
 (5) Disability rights advocates with knowledge of special education needs; and
 (6) Any other stakeholders involved in the delivery of services to juveniles committed to the juvenile justice system."

/s/ Janet Johnson

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

/s/ Ms. Jo Renshaw
 Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 1636** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1636

Amend **HOUSE BILL NO. 1636** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 23, Chapter 4 is amended to add an additional subchapter to read as follows:

23-4-1001. Definitions.

As used in this subchapter:

(1))(A) "Pole attachment" means the attachment of wires and related equipment to a pole, duct, or conduit owned or controlled by a public utility for the provision of:

- (i) Electric service;
- (ii) Telecommunication service;
- (iii) Cable television service;
- (iv) Internet access service; or
- (v) Other related information services.

(B) "Pole attachment" does not mean multiground neutral connections; and

(2)(A) "Public utility" means an electric utility in defined at § 23-1-101, an electric cooperative as defined in § 23-18-201, or a telecommunications provider as defined in § 23-17-403(24).

(B) "Public utility" does not mean a municipal electric utility.

23-4-1002. Nondiscriminatory access for pole attachments.

A public utility shall provide nondiscriminatory access for a pole attachment to:

- (1) An electric utility;
- (2) A telecommunications provider;
- (3) A cable television service; or
- (4) A cable Internet access service.

23-4-1003. Regulation by commission of rates, terms, and conditions.

(a) The Arkansas Public Service Commission shall regulate the rates, terms, and conditions upon which a public utility shall provide access for a pole attachment.

(b)(1) The commission shall develop rules necessary for the effective regulation of the rates, terms, and conditions upon which a public utility shall provide access for a pole attachment.

(2) In developing and implementing the rules under this subsection, the commission shall consider:

(A) The interests of the subscribers of the services offered through pole attachments;

(B) The interests of the consumers of the public utility services;

(C) Maintenance of reliability of public utility services; and

(D) Compliance with applicable safety standards.

(3) The commission shall adopt the initial rules under this subsection within one (1) year of the effective date of this act.

(c) Nothing in this section prevents a public utility, an electric utility, a telecommunications provider, a cable television service, or a cable Internet access service from entering into a voluntarily negotiated, written agreement regarding the rates, terms, and conditions upon which access for a pole attachment is provided.

23-4-1004. Authority of commission to hear complaints.

(a) The Arkansas Public Service Commission may hear and determine all complaints arising from:

(1) A public utility's failure or refusal to provide access for a pole attachment;

(2) The inability of a public utility and an entity seeking access for a pole attachment to reach a voluntarily negotiated, written agreement governing access for the pole attachment; and

(3) Disputes between a public utility and an entity over the implementation of an existing contract granting the entity access for a pole attachment.

(b) A public utility shall provide information required for the commission to verify that the costs associated with access for pole attachments provided by the public utility are just and reasonable.

(c)(1) The commission shall resolve any complaint or dispute that the commission may hear under this section within one hundred eighty (180) days after the complaint is filed with the commission.

(2) However, the commission by rule may extend the time to resolve a complaint or dispute for up to three hundred sixty (360) days after the complaint is filed.

23-4-1005. Certification.

Upon the adoption of rules under § 23-4-1003, the Arkansas Public Service Commission shall certify to the Federal Communications Commission that:

(1) The Arkansas Public Service Commission regulates the rates, terms, and conditions of access for pole attachments;

(2) In regulating the rates, terms, and conditions of access for pole attachments, the state considers the interests of the:

(A) Subscribers of service offered by the pole attachments; and

(B) Customers of the public utility; and

(3) The Arkansas Public Service Commission has adopted rules under this subchapter that:

(A) Implement the Arkansas Public Service Commission's regulatory authority; and

(B) Provide that complaints heard by the Arkansas Public Service Commission under this subchapter shall be resolved:

(i) Within one hundred eighty (180) days after the complaint is filed; or

(ii) If the Arkansas Public Service Commission elects to extend the period, not exceeding three hundred sixty (360) days after the complaint is filed."

/s/ Will Bond

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2516** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2516

Amend **HOUSE BILL NO. 2516** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 23-41-101 is amended to read as follows:
23-41-101. Title.

This chapter shall be known and may be cited as the "~~Sale of Checks~~ Money Services Act".

SECTION 2. Arkansas Code § 23-41-102 is amended to read as follows:
23-41-102. Definitions.

As used in this chapter, ~~unless the context otherwise requires:~~

(1) "Agent" means ~~"subagents" of the licensee or other representatives who are authorized to act on behalf of the licensee in the sale of checks issued by the licensee, whether or not the subagent or representative was solicited by or deals directly with the licensee~~ a person authorized to provide money services on behalf of the licensee, whether or not the person was solicited by or deals directly with the licensee;

(2)(A) "Check" means any check, draft, money order, ~~or other written instrument for the transmission or payment of money or credit, except that it does not mean money or currency of any nation,~~ traveler's check, or other instrument,

whether composed of paper, plastic, a magnetic or electronic record, or other medium, or any combination thereof, for the transmission or payment of money, monetary value, or credit, whether or not negotiable.

(B) "Check" does not include:

(i) Money or currency of any nation; or

(ii) A credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services;

(3) "Commissioner" means the Securities Commissioner or his or her designee;

(4) "Fiscal year" means a licensee's accounting period as adopted for federal taxation purposes;

(5) "Issuing" means the act of drawing, creating, or providing any check, instrument of exchange, or payment by a person who engages in the business of drawing, creating, or providing these instruments a check, instrument of exchange, or payment as a service or for a fee or other consideration;

(6) "Licensee" means any person licensed under this chapter;

(7) "Monetary value" means a medium of exchange, whether or not redeemable in money;

(8)(A) "Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government.

(B) "Money" includes a monetary unit of account established by an intergovernmental organization or by agreement between two (2) or more governments;

~~(7)~~(9) "Money order" means a bill of exchange issued at the request, and for the use or benefit, of a person other than the issuer and representing an unconditional order or obligation in writing of the issuer to pay a sum certain in money on demand to order or to bearer;

(10) "Money services" means money transmission or the sale or issuance of checks or other financial or payment instruments;

(11)(A) "Money transmission" means selling or issuing checks, payment instruments, or stored value or receiving money or monetary value for transmission.

(B) "Money transmission" does not include the provision solely of delivery, online or telecommunications services, or network access;

~~(8)~~(12) "Net worth" means the excess of assets over liabilities as determined by generally accepted accounting principles;

(13) "Outstanding", with respect to a check or payment instrument, means issued or sold by or for the licensee and reported as sold but not yet paid by or for the licensee;

(9)(14) "Person" means any individual, partnership, joint-stock association, trust, unincorporated association, ~~or~~ corporation, ~~and~~, business trust, estate, limited liability company, joint venture, government, governmental subdivision, agency, or instrumentality or any other legal or commercial entity;

(15) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(16) "Stored value" means monetary value that is evidenced by an electronic record, whether or not in electronic form; and

(17) "Writing" means a check or instrument for which a record exists.

SECTION 3. Arkansas Code § 23-41-103(b), concerning exempt transactions, is amended to read as follows:

(b) This chapter shall not apply to ~~the sale or issuance of checks~~ money services provided by:

(1) ~~The United States or any department or agency of the United States;~~ Any agency or corporate instrumentality of the United States or any state operating under the specific authority of any state or of the United States; or

(2) Banks, credit unions, and savings and loan associations organized under the laws of this state, another state, or of the United States and insured by the United States, the Federal Deposit Insurance Corporation, the National Credit Union Administration, or any other agency ~~thereof~~ of the United States, and authorized to do business in this state.

SECTION 4. Arkansas Code § 23-41-104 is amended to read as follows:

23-41-104. Penalty - Enforcement.

(a) Any person is guilty of a Class A ~~misdemeanor~~ B felony who purposely:

(1) Violates any provision of this chapter, or any regulation adopted or order issued by the Securities Commissioner pursuant to this chapter with intent to defraud or deceive;

(2) Makes any false or misleading statement of a material fact in any application, statement, or report filed pursuant to this chapter;

(3) Omits to state any material fact necessary to provide the commissioner with information lawfully required by him or her; or

(4) Obstructs any lawful investigation, examination, entry, or access by the commissioner.

(b) Each day during which a violation continues constitutes a separate offense.

(c) The imposition of any fine or term of imprisonment pursuant to subsection (a) of this section:

(1) Is in addition to any suspension, revocation, or denial of a license which may result from the violation;

(2) Is not a bar to enforcement of this chapter by an injunction or other appropriate civil remedy.

(d) For the purposes of venue for any civil or criminal action under this chapter, any violation of this chapter or of any rule, regulation, or order promulgated hereunder shall be considered to have been committed in any county:

(1) In which any act was performed in furtherance of the transaction which violated the chapter;

(2) In which the principal or an aider or abetter initiated or acted in furtherance of a course of conduct;

(3) From which any violator gained control or possession of any proceeds of the violation or of any books, records, documents, or other material or objects which were used in furtherance of the violation; or

(4) From which or into which the violator directed any postal, telephonic, electronic, or other communication in furtherance of the violation.

(e) The commissioner may refer such evidence as is available concerning violations of this chapter or any rule or order hereunder to any appropriate prosecuting or law enforcement authority.

(f) Nothing in this chapter limits the power of the state to punish any person for any conduct which constitutes a crime by statute or common law.

(g)(1) If it appears to the commissioner that any person has engaged in or is about to engage in an act or practice constituting a violation of any provision, rule, or order under this chapter, the commissioner may order the person to cease and desist from the act or practice.

(2) Upon the entry of the order, the commissioner shall promptly notify the person that the order has been entered, of the reasons for the order, and of that person's right to a hearing on the order.

(3) A hearing shall be held on the written request of the person aggrieved by the order if the request is received by the commissioner within thirty (30) days of the date of the entry of the order or if ordered by the commissioner.

(4) If a hearing is not requested and none is ordered by the commissioner, the order remains in effect until it is modified or vacated by the commissioner.

(5) If a hearing is held, the commissioner may affirm, modify, or vacate the order after the hearing.

(h)(1) The commissioner may apply to the Pulaski County Circuit Court to temporarily or permanently enjoin any act or practice that violates any provision, rule, or order under this chapter and to enforce compliance with this chapter.

(2)(A) Upon a proper showing by the commissioner, the Pulaski County Circuit Court shall grant a permanent or temporary injunction, restraining order, or writ of mandamus.

(B) The Pulaski County Circuit Court shall not require the commissioner to post a bond.

(i) The commissioner may also seek and upon proper showing the appropriate court shall grant any other relief that may be in the public interest, including without limitation:

(1) The appointment of a receiver, temporary receiver, or conservator;

(2) A declaratory judgment;

(3) An accounting;

(4) Disgorgement of profits; or

(5) Assessment of a fine of not more than five thousand dollars (\$5,000) for each violation of this subchapter or any rule promulgated under this subchapter.

(j) This chapter does not prohibit or restrict the informal disposition of a proceeding or allegations that might give rise to a proceeding by stipulation, settlement, consent, or default in lieu of a formal or informal hearing on the allegations or in lieu of the sanctions authorized by this chapter.

SECTION 5. Arkansas Code § 23-41-107 is amended to read as follows:

23-41-107. Notice.

Except as otherwise provided in this chapter, whenever the Securities Commissioner is required to give notice to any person, applicant, or licensee, the notice requirement ~~shall be~~ is complied with if, within the ~~time~~ times fixed in §§ 23-41-104(g) and 23-41-122, the notice ~~shall be~~ is:

~~(1) enclosed~~ Enclosed in an envelope with United States postage fully prepaid and plainly addressed to the person, applicant, or licensee, at:

~~(A) the~~ The address set forth in the application or license; ~~or~~

~~(B) In the case of a nonlicensed person, any address from which the person is conducting business or where the person resides~~ United States postage fully prepaid; and

~~(2) deposited~~ Deposited registered or certified in the United States mail or by any other form of delivery requiring a signature of the person or the agent of the person.

SECTION 6. Arkansas Code § 23-41-108(c)(1) concerning venue for the appointment of a receiver, is amended to read as follows:

(c)(1) Whenever a licensee has refused or is unable to pay its obligations generally as they become due or whenever it appears to the commissioner that a licensee is in an unsafe or unsound condition, the commissioner, or the Attorney General representing the commissioner, may apply to the ~~Chancery Court~~ of Pulaski County Circuit Court or to the ~~chancery circuit~~ court of any county in which the licensee is located for the appointment of a receiver for the licensee. The court may require the receiver to post a bond in such amount as may appear necessary to protect claimants of the licensee.

SECTION 7. Arkansas Code § 23-41-110 is amended to read as follows:

23-41-110. License required.

~~(a)(1) No~~ A person located in this state shall not engage in the business of ~~selling or issuing checks providing money services as a service~~ or for a fee or other consideration without first securing a license ~~to do so~~ from the Securities Commissioner under this chapter.

~~(2)(A)~~ A person shall not engage in the business of providing money services as a service or for a fee or other consideration with a person located in this state without first securing a license from the commissioner under this chapter.

~~(B)~~ For purposes of this subdivision (a)(2), a person located outside of this state who delivers money or monetary value only to a person located in this state shall not be deemed to be engaged in the business of providing money services so long as no fee or other consideration is received by or on behalf of the person located outside of this state from the person to whom the money or monetary value is delivered.

(b) A separate license is not required for an agent of a licensee, or an employee of such ~~the~~ agent, who acts on behalf of the licensee in providing money services or in the sale or exchange of checks of which the licensee is the issuer unless the agent receives money for transmission directly from the public or directly sells or delivers the licensee's checks over the counter to the public and, in the ordinary course of business, receives or has access to:

(1) The licensee's checks which, after payment, are returned through banking channels or otherwise for verification, reconciliation, or accounting with respect thereto; or

(2) Bank statements relating to checks so returned or money transmitted by the agent.

(c)(1) All money or credits received by an agent of a licensee from the sale or issuance of checks or for the purpose of transmission must be remitted to the licensee or deposited with a bank authorized to do business in this state for credit to an account of the licensee not later than the seventh business day following its receipt.

(2) However, the requirement of subdivision (c)(1) of this section shall not apply:

(A) If an agent has placed on deposit with the licensee an amount not less than the average of the aggregate face amount of money received for transmission and checks issued by the licensee and sold by the agent per day multiplied by the number of days in excess of seven (7) of the remittance period agreed to in a written agreement between the agent and licensee; and

(B) To funds received from the sale of travelers' checks.

SECTION 8. Arkansas Code § 23-41-111 is amended to read as follows:

23-41-111. Application for license.

(a) Every application for a license required under this chapter shall be in writing, signed by the applicant, in the form prescribed by the Securities Commissioner, and shall be submitted under oath.

(b) The application shall contain:

(1) The name and principal business address of the applicant and, if incorporated, the date and place of its incorporation;

(2) The name and address of each of the applicant's branch offices, subsidiaries, or affiliates, if any, which will be operated under the license;

(3) The name and address, business and residential, of the proprietor or partners of the applicant or, if the applicant is a corporation or association, of each of the directors, trustees, and principal officers and of any stockholder who owns twenty percent (20%) or more of the applicant's stock;

(4) A description of the applicant's business and mode of operation;

(5) The name and address of each agent and location in this state through which money services will be provided or checks will be issued or sold pursuant to the license;

(6) The name of every other state in which the applicant has applied for or has been granted a license or authorization to sell or issue or is selling or issuing checks or providing money services; and

(7) Other pertinent information as the commissioner may require.

(c) The application ~~must~~ shall be accompanied by:

(1) A surety bond or securities as required by this chapter;

(2) Evidence of the ability of the applicant to meet the requirements of this chapter, which requirements may include, among other information, an audited financial statement prepared in accordance with generally accepted accounting principles satisfactory to the commissioner, showing that the applicant's minimum net worth is equal to or in excess of five hundred thousand dollars (\$500,000);

(3) A nonrefundable fee of one thousand five hundred dollars (\$1,500) for processing of the initial application. The applicant shall also pay such additional expenses incurred in the process of investigation as the commissioner deems necessary. However, such additional expenses shall not exceed the sum of one hundred dollars (\$100) per day for each examiner required for the investigation, plus travel expenses, if appropriate; and

(4) A license fee in the amount specified in § 23-41-113, which fee may be prorated on the basis of the licensing year as provided by the commissioner.

(d) As used in this section, "applicant" ~~shall mean~~ means the person holding or seeking a license pursuant to this chapter, any director or officer of ~~such~~ the person, or any person who controls ~~such~~ the person.

SECTION 9. Arkansas Code § 23-41-112(b), concerning the time within which the Securities Commissioner must act on an application for license, is amended to read as follows:

(b)(1) ~~The~~ Unless a proceeding is commenced by the commissioner to deny an application or a renewal application, the commissioner shall approve an application for a license within ~~ninety (90)~~ one hundred twenty (120) days from the

date of filing a completed application and shall approve a renewal of a license within thirty (30) days of filing a completed renewal application.

(2) However, the commissioner may deny an application for an initial license or a renewal of a license if, after notice and opportunity for a hearing, the commissioner makes any of the following findings in a written order of denial:

(A) The granting of the license will be against the public interest;

(B) The applicant does not intend actively and in good faith to carry on as a business the transactions which would be permitted by the issuance of the license applied for;

(C) The applicant is not of good business reputation;

(D) The applicant is lacking in integrity. For purposes of this subdivision (b)(1)(D), the commissioner may find that an applicant is lacking in integrity if the applicant, or any person who controls the applicant, or any director or officer of the applicant, has been convicted of, or has pled guilty or nolo contendere to, any crime involving fraud or dishonesty. This shall not be deemed to constitute the only grounds upon which the commissioner may find that the applicant is lacking in integrity;

(E) The applicant or any person acting on behalf of the applicant has knowingly made or caused to be made in any application or report filed with the commissioner, or in any proceeding before the commissioner, any statement which was, at the time and in light of the circumstances under which it was made, false or misleading with respect to any material fact or has knowingly omitted to state in any such application, report, or proceeding any material fact which is required to be stated therein;

(F) The applicant has previously engaged in any fraudulent practice or act or has conducted any business in an unlawful or dishonest manner;

(G) The applicant has shown incompetence or untrustworthiness in the conduct of any business or has, by commission of a wrongful act or practice in the course of business, exposed the public or those dealing with the applicant to the danger of loss;

(H) The applicant has knowingly failed to perform a duty expressly imposed upon the applicant by this chapter, or has knowingly committed an act expressly forbidden by this chapter;

- (I) The applicant has been convicted of, or pled guilty to:
- (i) A felony; or
 - (ii) Any crime involving moral turpitude;
- (J) The applicant has knowingly aided or abetted any person in any act or omission which could constitute grounds for denial, suspension, or revocation of a license issued under this chapter;
- (K) The applicant has violated any provision of this chapter or any rule or order promulgated or issued pursuant to this chapter or has knowingly permitted any person in its employ to violate any provision of this chapter or any rule or order promulgated or issued pursuant to this chapter; or
- (L) The applicant fails or refuses to pay any fee required herein;
- (M) The applicant or any agent or other person acting on the applicant's behalf has engaged in unethical conduct or practice or has conducted business in an unethical manner; or
- (N) The applicant or any agent or other person acting on the applicant's behalf has unreasonably failed to provide information or documents pursuant to a written request by the commissioner.

~~(2)~~(3) As used in this section, "applicant" ~~shall mean~~ means the person holding or seeking a license pursuant to this chapter, any director or officer of ~~such~~ the person, or any person who controls ~~such~~ the person.

~~(3)~~(4)(A) If an applicant fails to make a reasonable attempt to complete an application for an initial license within sixty (60) days from the date on which the staff notifies the applicant at the address listed in the application by regular mail of any deficiencies that exist in the completion of the application, the commissioner may deem the application abandoned and notify the applicant that the application will not be granted. (B) Any subsequent application filed by the applicant shall be treated as a new application and shall be accompanied by the requirements for a new application as set forth in § 23-41-111, including payment of the application fee set forth in that section.

SECTION 10. Arkansas Code § 23-41-117(c), concerning money held in trust by a check issuer, is amended to read as follows:

(c)(1) All funds collected or received from the sale of checks or for money transmission by an agent shall be impressed with a trust in favor of such licensee in an amount equal to the amount of the proceeds due the licensee and shall not be commingled with other funds of the agent.

(2)(A) No proceeds received by any agent or agents of a licensee from the sale of any check money transmission issued by ~~such~~ the licensee, while held by the agent, nor any property impressed with a trust pursuant to this section shall be subject to attachment, levy of execution, or sequestration by order of any court, except for the benefit of the licensee.

~~(B) In the event that~~ If a licensee's license is revoked by the commissioner, all sales proceeds and money for transmission then held in trust by agents of that licensee shall be deemed to have been assigned to the commissioner.

SECTION 11. Arkansas Code § 23-41-118 is amended to read as follows:

23-41-118. Conduct of business - Location - Agents ~~—~~ Change of control.

(a) Each licensee may conduct ~~his~~ the licensee's business at those locations within this state, and through or by means of those employees, agents, subagents, or representatives ~~which he~~ that the licensee may from time to time designate and appoint.

(b) A licensee proposing a change of control of the licensee or a person that controls the licensee shall:

(1) Give the Securities Commissioner fifteen (15) days' written notice of the proposed change of control accompanied by a request for approval of the change of control; and

(2) Receive the commissioner's approval before the change of control and pay a nonrefundable fee of two hundred fifty dollars (\$250).

(c)(1) The commissioner may require the licensee to provide additional information considered relevant by the commissioner to determine the request for a change of control concerning the proposed persons in control of the licensee. The request for additional information may include any information.

(2) A request for a change of control is not complete until all information requested by the commissioner has been furnished to the commissioner.

(3) The commissioner shall notify the licensee in writing of the date on which the request for a change of control was determined to be complete.

(d)(1) The commissioner shall approve a request for change of control within one hundred twenty (120) days of the completion of the request under subsection (c) of this section if after investigation the commissioner determines that:

(A) The person or group of persons acquiring control has the competence, experience, character, and general fitness to operate the licensee or person in control of the licensee in a lawful and proper manner;

(B) The public interest will not be jeopardized by the change of control; and

(C) No other grounds for denial of a license under § 23-41-112(b) exist.

(2) If the request for a change of control is not approved or denied within one hundred twenty (120) days after the request was determined to be complete under subsection (c) of this section:

(1) The request is approved; and

(2) The change of control takes effect on the first business day after expiration of the one hundred twenty (120) days.

(e)(1) This section does not apply to a change of control resulting from a public offering of securities.

(2) A person may obtain a determination from the commissioner of whether a person would be considered a person in control of a licensee upon the completion of a proposed transaction.

(3) If the commissioner determines that the person would not be a person in control of a licensee, the commissioner shall notify the person in writing and the proposed transaction shall not be subject to the requirements of this section.

SECTION 12. Arkansas Code § 23-41-119(b), concerning semiannual reports required to be filed with by check issuers, is amended to read as follows:

(b)(1) The report shall, if the commissioner requests, If requested by the commissioner the report shall list the name and address of each agent authorized by the licensee as of the close of business on the last day of the one-half (1/2) calendar year preceding the report to engage in the sale of checks of which the licensee is the issuer or the transmission of money on behalf of the licensee.

(2) The commissioner may require that the report include the annual dollar amount of checks sold and money transmitted by the licensee in Arkansas during the preceding one-half (1/2) calendar year or the average amount of outstanding liabilities of the licensee from business for which he the licensee is licensed, or both amounts.

SECTION 13. Arkansas Code § 23-41-120 is amended to read as follows:

23-41-120. Annual financial statement - Examinations.

(a)(1) Each licensee shall submit to the ~~commissioner~~ Securities Commissioner on an annual basis an audited financial statement covering the licensee's most recent fiscal year ended showing the financial condition of the licensee or owners thereof within ninety (90) days from the end of the licensee's fiscal year.

(2) The statement shall be prepared in accordance with generally accepted accounting principles in a form acceptable to the commissioner and prepared by an accountant acceptable to the commissioner.

(3) A filing fee of twenty-five dollars (\$25.00) shall accompany the statement at the time of filing.

(b)(1) In addition to any other powers or authority conferred by this chapter, and at such times as ~~he~~ the commissioner may deem proper, the commissioner ~~shall have the authority to~~ may examine the books and records of any licensee and any other documents relevant to the conduct of the licensee's business to determine whether ~~such~~ the business is being conducted in compliance with this chapter.

(2) For purposes of these examinations, the commissioner may enter upon any of the business premises of a licensee or ~~his~~ the licensee's agents during normal business hours and request access to the relevant documents. Any obstruction or denial of such entry or access is a violation of this chapter.

(c) The commissioner ~~shall~~ may charge and collect from the licensee a reasonable fee in an amount sufficient to cover the cost of any examination. However, the fee shall not exceed the sum of one hundred dollars (\$100) per day for each examiner required for the examination, plus travel expenses when necessary or appropriate, up to a maximum of a total of one thousand dollars (\$1,000) per year.

SECTION 14. Arkansas Code § 23-41-121(c), concerning enforcement of subpoenas, is amended to read as follows:

(c)(1) In case of contumacy by, or refusal to obey a subpoena issued to, any person, the ~~Chancery Court of Pulaski County~~ Circuit Court, upon application by the commissioner, may issue ~~to the person~~ an order requiring ~~him~~ the person to:

(A) ~~appear~~ Appear before the commissioner, or any employee of the State Securities Department designated by ~~him~~ the commissioner; and

(B) ~~there to produce~~ Produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question.

(2) Failure to obey the order of the court shall be punished by the court as a contempt of court.

SECTION 15. Arkansas Code § 23-41-122(a), concerning suspension or revocation of a license, is amended to read as follows:

(a) ~~The Securities Commissioner may, upon fifteen (15) days' notice to the licensee, stating the contemplated action and in general the grounds therefor, Upon~~ fifteen (15) days' notice to the licensee stating the contemplated action and in general the grounds for the action, the Securities Commissioner may hold a hearing

at which the licensee shall have a reasonable opportunity to be heard for the purpose of determining whether a license should be suspended or revoked for failure of the licensee to comply with the provisions of this chapter ~~and the regulations hereunder~~ or any rule or order issued under this chapter.

SECTION 16. Arkansas Code Title 23, Chapter 41, Subchapter 1 is amended to add an additional section to read as follows:

23-41-123. Public inspection of records — Exceptions.

(a)(1) Unless otherwise specified in this section, all information filed with the Securities Commissioner shall be available for public inspection under rules promulgated by the commissioner consistent with state and federal law governing the disclosure of public information.

(b) Except for reasonably segregable portions of information and records that by law would routinely be made available to a party other than an agency in litigation with the commissioner, the commissioner shall not publish or make available:

(1) Information contained in reports, summaries, analyses, letters, or memoranda arising out of, in anticipation of, or in connection with an investigation, examination, or inspection of the books and records of any person;

(2) Interagency or intra-agency memoranda or letters, including without limitation:

(A) Records that reflect discussions between or consideration by the commissioner or members of his or her staff, or both, of any action taken or proposed to be taken by the commissioner or by any members of his or her staff; and

(B) Unless by law routinely made available to a party other than an agency in litigation with the commissioner, reports, summaries, analyses, conclusions, or any other work product of the commissioner or of attorneys, accountants, analysts, or other members of the commissioner's staff, prepared in the course of an:

(i) Inspection of the books or records of a person whose affairs are regulated by the commissioner; or

(ii) Examination, investigation, or litigation conducted by or on behalf of the commissioner;

(3) Personnel files, medical files, and similar files if disclosure would constitute a clearly unwarranted invasion of personal privacy, including without limitation:

(A) Information concerning all employees of the State Securities Department and all persons subject to regulation by the department; and

(B) Personal information reported to the commissioner under the department's rules concerning registration about employees of check issuers, money transmitters, money services providers, or their agents;

(4)(A) Investigatory records compiled for law enforcement purposes to the extent that production of the records would:

(i) Interfere with enforcement proceedings;

(ii) Deprive a person of a right to a fair trial or an impartial adjudication; or

(iii) Disclose the identity of a confidential source.

(B) The commissioner may also withhold investigatory records that would:

(i) Constitute an unwarranted invasion of personal privacy;

(ii) Disclose investigative techniques and procedures; or

(iii) Endanger the life or physical safety of law enforcement personnel.

(C) As used in this section, "investigatory records" includes:

(i) All documents, records, transcripts, correspondence, and related memoranda and work products concerning examinations and other investigations and related litigation as authorized by law that pertain to or may disclose the possible violation by any person of any provision of the statutes or rules administered by the commissioner; and

(ii) All written communications from or to any person confidentially complaining or otherwise furnishing information respecting a possible violation, as well as all correspondence and memoranda in connection with the confidential complaints or information;

(5) Information contained in or related to examinations, operating reports, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions, check issuers, money transmitters, or money services providers;

(6)(A) Financial records of check issuers, money transmitters, money services providers, or their agents obtained during or as a result of an examination by the commissioner.

(B) However, when a record under this subchapter is required to be filed with the commissioner as part of an application for license, annual renewal, or otherwise, the record, including financial statements prepared by certified public accountants, shall be public information unless sections of the information are bound separately and are marked "confidential" by the check issuer, money transmitter, money services provider, or agent upon filing.

(C) Information under subdivision (b)(6)(B) of this section bound separately and marked "confidential" shall be deemed nonpublic until ten (10) days after the commissioner has given the check issuer, money transmitter, money services provider, or agent notice that an order will be entered deeming the material public information.

(D) A check issuer, money transmitter, or money services provider may seek an injunction from the Pulaski County Circuit Court ordering the commissioner to withhold the information as nonpublic pending a final order from a court of competent jurisdiction if the order of the commissioner under subdivision (b)(6)(C) of this section is appealed under applicable law;

(7) Trade secrets obtained from any person; or

(8) Any other records that are required to be closed to the public and are not deemed open to public inspection under the Freedom of Information Act of 1967, § 25-19-101 et seq., or under other law.

SECTION 17. TEMPORARY LANGUAGE. DO NOT CODIFY. The enactment and adoption of this act shall not repeal, expressly or impliedly, any act passed at the regular session of the 86th General Assembly that adopts the Uniform Money Services Act. Any act that adopts the Uniform Money Services Act shall have full effect and, so far as that act varies from or conflicts with any provision contained in this act, the act that adopts the Uniform Money Services Act shall supersede this act."

/s/ Will Bond

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. 2357** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2357

Amend **HOUSE BILL NO. 2357** as originally introduced:

Page 13, delete lines 20 through 29 and substitute:

- “(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.”

AND

Page 13, delete lines 30 through 36 entirely

AND

Page 14, delete lines 1 through 36 entirely

AND

Page 15, delete lines 1 through 15 entirely

/s/ Randy Stewart

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2713** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2713

Amend **HOUSE BILL NO. 2713** as originally introduced:

Add Representative Wells as a cosponsor of the bill

AND

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 17-49-102 is amended to read as follows:

17-49-102. Purpose.

It is the purpose and intent of this subchapter to:

~~(1) Protect the public from improper sales techniques by providing for the licensing and regulation of transient merchants; and~~

~~(2) Provide that the license fees, bonding requirements, and penalties prescribed in this subchapter for transient merchants shall be minimum license fees, bond requirements, and penalties and shall not be construed to limit or restrict the authority of counties, cities, and towns in the state to levy additional license fees and to require additional bonding for transient merchants engaging in business in counties, cities, and towns.~~

(a) The General Assembly finds that because of the temporary nature of the business conducted by transient merchants, consumers in the State of Arkansas are not likely to be able to obtain proper contact information to resolve disputes with, serve legal process upon, or satisfy monetary judgments against transient merchants doing business in the State of Arkansas.

(b) It is the purpose and intent of this subchapter to:

(1) Provide the consumers of the State of Arkansas with contact information regarding potential monetary recourse against transient merchants; and

(2) Provide that the registration fees and bonding requirements in this subchapter for transient merchants shall be minimum registration fees and bonding requirements and shall not be construed to limit or restrict the authority of counties, cities, and towns in the state to levy additional license fees and to require additional bonding for transient merchants engaged in business in counties, cities, and towns.

SECTION 2. Arkansas Code § 17-49-103 is amended to read as follows:

17-49-103. Definitions.

As used in this subchapter, ~~unless the context otherwise requires:~~

(1) "Person" means any individual, corporation, partnership, association, or other entity;

(2) "Temporary or transient business" means any business conducted for the sale or offer for sale of goods, wares, or merchandise which is carried on in any building, structure, motor vehicle, railroad car, or real estate for a period of less than six (6) months in each year without written evidence of a right to occupy the premises on which a person is conducting business; and

(3) "Transient merchant" means any person, firm, corporation, partnership, or other entity which engages in, does, or transacts any temporary or transient business in the state, either in one (1) locality or in traveling from place to place in the state, offering for sale or selling goods, wares, merchandise, or services; ~~and includes those merchants who hire, lease, use, or occupy any building, structure, motor vehicle, railroad car, or real estate for the purpose of carrying on such a business.~~

SECTION 3. Arkansas Code § 17-49-106 is amended to read as follows:

17-49-106. ~~License~~ Registration required - Penalty for violation.

(a) It is unlawful for any transient merchant to transact business in any county in this state unless the merchant and the owners of any goods, wares, or merchandise to be offered for sale or sold, if such are not owned by the merchant, shall have first secured a ~~license~~ registration certificate and shall have otherwise complied with the requirements of this subchapter.

(b) Any person or entity that transacts a transient business as defined in § 17-49-103 without having first ~~obtained a license~~ registered in accordance with the provisions of this subchapter, or who knowingly advertises, offers for sale, or sells any goods, wares, merchandise, or services in violation of the provisions of this subchapter, shall be guilty of a Class A misdemeanor.

(c) The penalty prescribed in this section shall be in addition to any other penalties prescribed by law for any criminal offense committed by the licensee.

SECTION 4. Arkansas Code § 17-49-107 is amended to read as follows:

17-49-107. ~~Application for license~~ Registration for business.

(a) Any transient merchant desiring to transact business in any county in this state shall ~~make application for and obtain a license~~ register in each county in which the merchant desires to transact business.

(b) The ~~application for license~~ registration shall be filed with the county clerk and shall include the following information:

(1) The name and permanent address of the transient merchant making the application and, if the applicant is a firm or corporation, the name and address of the members of the firm or the officers of the corporation, as the case may be;

(2) If the applicant is a corporation, there shall be stated on the application form the date of incorporation, the state of incorporation, and, if the applicant is a corporation formed in a state other than the State of Arkansas, the date on which the corporation qualified to transact business as a foreign corporation in the State of Arkansas;

(3) A statement showing the kind of business proposed to be conducted, the length of time for which the applicant desires to transact such business, and the location of the proposed place of business;

(4) The name and permanent address of the transient merchant's registered agent or office;

(5) Proof that the applicant has acquired all other required city, county, and state permits and licenses; and

(6) There shall be attached to the application a receipt or statement showing that any personal property taxes due on goods, wares, or merchandise to be offered for sale have been paid.

(c) The county clerk in each county shall design and cause to be printed appropriate forms for applications for ~~licenses~~ registration and for the ~~license~~ registration certificates to be issued to applicants under this subchapter.

SECTION 5. Arkansas Code § 17-49-108 is amended to read as follows:

17-49-108. Service of process, notice, or demand.

(a) Each registered agent designated by a transient merchant ~~in the application for a license~~ shall be a resident of the county and shall be agent of the transient merchant upon whom any process, notice, or demand required or permitted by law to be served upon the transient merchant may be served.

(b) The registered agent shall agree in writing to act as such agent, and a copy of the agreement to so act shall be filed by the ~~applicant~~ transient merchant with the ~~application for a license~~ registration.

(c) The county clerk of each county shall maintain an alphabetical list of all transient merchants in the county and the names and addresses of their registered agents.

(d) If any transient merchant doing business or having done business in any county within the state shall fail to have or maintain a registered agent in the county

or if the registered agent cannot be found at his or her permanent address, the county clerk shall be an agent of the transient merchant for service of all process, notices, or demands.

(e) Service on the county clerk shall be made by delivering to and leaving with him or her, or any person designated by the clerk to receive the service, duplicate copies of the process, notice, or demand.

(f) When any process, notice, or demand is served on the clerk, he or she shall immediately cause one copy to be forwarded by registered or certified mail to the permanent address of the transient merchant.

(g) The provisions of this section shall not limit or otherwise affect the right of any person to serve any process, notice, or demand in any other manner now or hereafter authorized by law.

SECTION 6. Arkansas Code § 17-49-109 is amended to read as follows:

17-49-109. License Registration fee and bond.

(a) Each application for a transient merchant license registration certificate shall be accompanied by a license registration fee of ~~two hundred fifty dollars (\$250)~~ fifty dollars (\$50) and by a cash bond or a surety bond issued by a corporate surety authorized to do business in the state in the amount of two thousand dollars (\$2,000) or five percent (5%) of the wholesale value of any goods, wares, merchandise, or services to be offered for sale, whichever sum is lesser.

(b) The surety bond shall be in favor of the State of Arkansas and shall assure the payment by the applicant of all taxes that may be due from the applicant to the state or any political subdivision of the state, the payment of any fines that may be assessed against the applicant or its agents or employees for violation of the provisions of this subchapter, and for the satisfaction of all judgments that may be rendered against the transient merchant or its agents or employees in any cause of action commenced by any purchaser of goods, wares, merchandise, or services within one (1) year from the date of the sale by the transient merchant.

(c) The bonds shall be maintained so long as the transient merchant conducts business in the county and for a period of one (1) year after the termination of the business. The bonds shall be released only when the transient merchant furnishes satisfactory proof to the county clerk that it has satisfied all claims of purchasers of goods, wares, merchandise, or services from the merchant and that all state and local sales taxes and other taxes have been paid.

SECTION 7. Arkansas Code § 17-49-110 is amended to read as follows:

17-49-110. Issuance and terms of license registration certificate.

(a) A transient business ~~license~~ registration certificate shall be issued hereunder under this section only when all requirements of this subchapter have been met.

(b) The ~~license~~ registration certificate shall:

- (1) Not be transferable;
- (2) Be valid only within the territorial limits of the issuing county;
- (3) Be valid only for a period of ninety (90) days; and
- (4) Be valid only for the business stated in the application.

(c) A ~~license~~ registration certificate so issued shall be valid for only one (1) person, unless the person ~~shall be~~ is a member of a partnership or employee of a firm or corporation obtaining the ~~license~~ registration certificate.”

/s/ Will Bond

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2518** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2518

Amend **HOUSE BILL NO. 2518** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

“SECTION 1. Arkansas Code Title 23 is amended to add an additional chapter to read as follows:

CHAPTER 55 -- UNIFORM MONEY SERVICES ACT

ARTICLE 1 -- GENERAL PROVISIONS

23-55-101. Short title.

This chapter may be cited as the Uniform Money Services Act.

23-55-102. Definitions.

In this chapter:

(1) "Applicant" means a person that files an application for a license under this Act.

(2) "Authorized delegate" means a person a licensee designates to provide money services on behalf of the licensee.

(3) "Bank" means an institution organized under federal or state law which:

(A) accepts demand deposits or deposits that the depositor may use for payment to third parties and engages in the business of making commercial loans; or

(B) engages in credit card operations and maintains only one office that accepts deposits, does not accept demand deposits or deposits that the depositor may use for payments to third parties, does not accept a savings or time deposit less than \$100,000, and does not engage in the business of making commercial loans.

(4) "Commissioner" means the Securities Commissioner.

(5) "Control" means:

(A) Ownership of, or the power to vote, directly or indirectly, at least 25 percent of a class of voting securities or voting interests of a licensee or person in control of a licensee;

(B) power to elect a majority of executive officers, managers, directors, trustees, or other persons exercising managerial authority of a licensee or person in control of a licensee; or

(C) the power to exercise directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

(6) "Currency exchange" means receipt of revenues from the exchange of money of one government for money of another government.

(7) "Executive officer" means a president, chairperson of the executive committee, chief financial officer, responsible individual, or other individual who performs similar functions.

(8) "Licensee" means a person licensed under this Act.

(9) "Monetary value" means a medium of exchange, whether or not redeemable in money.

(10) "Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government. The term includes a monetary unit of account established by an intergovernmental organization or by

agreement between two or more governments.

(11) "Money services" means money transmission, check cashing, or currency exchange.

(12) "Money transmission" means selling or issuing payment instruments, stored value, or receiving money or monetary value for transmission. The term does not include the provision solely of delivery, online or telecommunications services, or network access.

(13) "Outstanding," with respect to a payment instrument, means issued or sold by or for the licensee and reported as sold but not yet paid by or for the licensee.

(14) "Payment instrument" means a check, draft, money order, traveler's check, or other instrument for the transmission or payment of money or monetary value, whether or not negotiable. The term does not include a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.

(15) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation; or any other legal or commercial entity.

(16) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(17) "Responsible individual" means an individual who is employed by a licensee and has principal managerial authority over the provision of money services by the licensee in this State.

(18) "State" means a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(19) "Stored value" means monetary value that is evidenced by an electronic record.

(20) "Unsafe or unsound practice" means a practice or conduct by a person licensed to engage in money transmission or an authorized delegate of such a person which creates the likelihood of material loss, insolvency, or dissipation of the licensee's assets, or otherwise materially prejudices the interests of its customers.

23-55-103. Exclusions.

This chapter does not apply to:

(1) the United States or a department, agency, or instrumentality thereof;

(2) money transmission by the United States Postal Service or by a contractor on behalf of the United States Postal Service;

(3) a state, county, city, or any other governmental agency or governmental subdivision of a State;

(4) a bank, bank holding company, office of an international banking corporation, branch of a foreign bank, corporation organized pursuant to the Bank Service Corporation Act, 12 U.S.C. Section 1861-1867 (Supp. V 1999), or corporation organized under the Edge Act, 12 U.S.C. Section 611-633 (1994 & Supp. V 1999), under the laws of a State or the United States if it does not issue, sell, or provide payment instruments or stored value through an authorized delegate that is not such a person;

(5) electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality thereof, or a State or governmental subdivision, agency, or instrumentality thereof;

(6) a board of trade designated as a contract market under the federal Commodity Exchange Act, 7 U.S.C. Section 1-25 (1994), or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for such a board;

(7) a registered futures commission merchant under the federal commodities laws to the extent of its operation as such a merchant;

(8) a person that provides clearance or settlement services pursuant to a registration as a clearing agency or an exemption from such registration granted under the federal securities laws to the extent of its operation as such a provider;

(9) an operator of a payment system to the extent that it provides processing, clearing, or settlement services, between or among persons excluded by this section, in connection with wire transfers, credit card transactions, debit card transactions, stored-value transactions, automated clearing house transfers, or similar funds transfers; or

(10) a person registered as a securities broker-dealer under federal or state securities laws to the extent of its operation as such a broker-dealer.

ARTICLE 2 -- MONEY TRANSMISSION LICENSES

23-55-201. License required.

(a) A person may not engage in the business of money transmission or advertise, solicit, or hold itself out as providing money transmission unless the person:

(1) is licensed under this subchapter or approved to engage in money transmission under § 23-55-203;

(2) is an authorized delegate of a person licensed under this subchapter; or

(3) is an authorized delegate of a person approved to engage in money transmission under § 23-55-203.

(b) A license under this subchapter is not transferable or assignable.

23-55-202. Application for license.

(a) In this section, "material litigation" means litigation that according to generally accepted accounting principles is significant to an applicant's or a licensee's financial health and would be required to be disclosed in the applicant's or licensee's annual audited financial statements, report to shareholders, or similar records.

(b) A person applying for a license under this subchapter shall do so in a form and in a medium prescribed by the commissioner. The application must state or contain:

(1) the legal name and residential and business addresses of the applicant and any fictitious or trade name used by the applicant in conducting its business;

(2) a list of any criminal convictions of the applicant and any material litigation in which the applicant has been involved in the 10-year period next preceding the submission of the application;

(3) a description of any money services previously provided by the applicant and the money services that the applicant seeks to provide in this State;

(4) a list of the applicant's proposed authorized delegates and the locations in this State where the applicant and its authorized delegates propose to engage in money transmission or provide other money services;

(5) a list of other States in which the applicant is licensed to engage in money transmission or provide other money services and any license revocations, suspensions, or other disciplinary action taken against the applicant in another State;

(6) information concerning any bankruptcy or receivership proceedings affecting the licensee;

(7) a sample form of contract for authorized delegates, if applicable, and a sample form of payment instrument or instrument upon which stored value is recorded, if applicable;

(8) the name and address of any bank through which the applicant's payment instruments and stored value will be paid;

(9) a description of the source of money and credit to be used by the applicant to provide money services; and

(10) any other information the commissioner reasonably requires with respect to the applicant.

(c) If an applicant is a corporation, limited liability company, partnership, or other entity, the applicant shall also provide:

(1) the date of the applicant's incorporation or formation and State or country of incorporation or formation;

(2) if applicable, a certificate of good standing from the State or country in which the applicant is incorporated or formed;

(3) a brief description of the structure or organization of the applicant, including any parent or subsidiary of the applicant, and whether any parent or subsidiary is publicly traded;

(4) the legal name, any fictitious or trade name, all business and residential addresses, and the employment, in the 10-year period next preceding the submission of the application of each executive officer, manager, director, or person that has control, of the applicant;

(5) a list of any criminal convictions and material litigation in which any executive officer, manager, director, or person in control of, the applicant has been involved in the 10-year period next preceding the submission of the application;

(6) a copy of the applicant's audited financial statements for the most recent fiscal year and, if available, for the two-year period next preceding the submission of the application;

(7) a copy of the applicant's unconsolidated financial statements for the current fiscal year, whether audited or not, and, if available, for the two-year period next preceding the submission of the application;

(8) if the applicant is publicly traded, a copy of the most recent report filed with the United States Securities and Exchange Commission under Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m (1994 &

Supp. V 1999);

(9) if the applicant is a wholly owned subsidiary of:

(A) a corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed under Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m (1994 & Supp. V 1999); or

(B) a corporation publicly traded outside the United States, a copy of similar documentation filed with the regulator of the parent corporation's domicile outside the United States;

(10) if the applicant has a registered agent in this State, the name and address of the applicant's registered agent in this State; and

(11) any other information the commissioner reasonably requires with respect to the applicant.

(d) A nonrefundable application fee of \$1,500 and a license fee of \$750 must accompany an application for a license under this subchapter. The license fee must be refunded if the application is denied.

(e) The commissioner may waive one or more requirements of subsections (b) and (c) or permit an applicant to submit other information in lieu of the required information.

23-55-203. Approval to engage in money transmission when licensed in another state.

(a) A person that is licensed to engage in money transmission in at least one other state, with the approval of the commissioner and in accordance with this section, may engage in money transmission and currency exchange in this state without being licensed pursuant to § 23-55-202 if:

(1) the state in which the person is licensed has enacted the Uniform Money Services Act or the commissioner determines that the money transmission laws of that state are substantially similar to those imposed by the law of this state;

(2) the person submits to, and in the form required by, the commissioner:

(A) in a record, an application for approval to engage in money transmission and currency exchange in this state without being licensed pursuant to § 23-55-202;

(B) a nonrefundable fee of \$1,000; and

(C) a certification of license history in the other state.

(b) When an application for approval under this section is complete, the commissioner shall promptly notify the applicant, in a record, of the date on which the request was determined to be complete and:

(1) the commissioner shall approve or deny the request within 120 days after that date; or

(2) if the request is not approved or denied within 120 days after that date:

(A) the request is approved; and

(B) the approval takes effect as of the first business day after expiration of the 120-day period.

(c) A person that engages in money transmission and currency exchange in this state pursuant to this section shall comply with the requirements of, and is subject to the sanctions under, Articles 6, 7, and 8, § 23-55-601 et seq., § 23-55-701 et seq., and § 23-55-801 et seq., as if the person were licensed pursuant to § 23-55-202.

23-55-204. Security.

(a) Except as otherwise provided in subsection (b), a surety bond, letter of credit, or other similar security acceptable to the commissioner in the amount of \$50,000 plus \$10,000 per location, not exceeding a total addition of \$250,000, must accompany an application for a license.

(b) Security must be in a form satisfactory to the commissioner and payable to the State for the benefit of any claimant against the licensee to secure the faithful performance of the obligations of the licensee with respect to money transmission.

(c) The aggregate liability on a surety bond may not exceed the principal sum of the bond. A claimant against a licensee may maintain an action on the bond, or the commissioner may maintain an action on behalf of the claimant.

(d) A surety bond must cover claims for so long as the commissioner specifies, but for at least five years after the licensee ceases to provide money services in this State. However, the commissioner may permit the amount of security to be reduced or eliminated before the expiration of that time to the extent the amount of the licensee's payment instruments or stored-value obligations outstanding in this State is reduced. The commissioner may permit a licensee to substitute another form of security acceptable to the commissioner for the security effective at the time the licensee ceases to provide money services in this State.

(e) In lieu of the security prescribed in this section, an applicant for a license or a licensee may provide security in a form prescribed by the commissioner.

(f) The commissioner may increase the amount of security required to a maximum of \$1,000,000 if the financial condition of a licensee so requires, as evidenced by reduction of net worth, financial losses, or other relevant criteria.

23-55-205. Issuance of license.

(a) When an application is filed under this subchapter, the commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The commissioner shall issue a license to an applicant under this subchapter if the commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with §§ 23-55-202, 23-55-203, and 23-55-206; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of, the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission;

(b) When an application for an original license under this subchapter is complete, the commissioner shall promptly notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the commissioner shall approve or deny the application within 120 days after that date; or

(2) if the application is not approved or denied within 120 days after that date:

(A) the application is deemed approved; and

(B) the commissioner shall issue the license under this subchapter, to take effect as of the first business day after expiration of the 120-day period.

(c) The commissioner may for good cause extend the application period.

(d) An applicant whose application is denied by the commissioner under this subchapter may appeal, within 30 days after receipt of the notice of the denial, from the denial and request a hearing.

23-55-206. Renewal of license.

(a) A licensee under this subchapter shall pay an annual renewal fee of \$750 no later than 30 days before the anniversary of the issuance of the license or, if the

last day is not a business day, on the next business day.

(b) A licensee under this subchapter shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the commissioner. The renewal report must state or contain:

(1) a copy of the licensee's most recent audited annual financial statement or, if the licensee is a wholly owned subsidiary of another corporation, the most recent audited consolidated annual financial statement of the parent corporation or the licensee's most recent audited consolidated annual financial statement;

(2) the number and monetary amount of payment instruments and stored-value sold by the licensee in this State which have not been included in a renewal report, and the monetary amount of payment instruments and stored value currently outstanding;

(3) a description of each material change in information submitted by the licensee in its original license application which has not been reported to the commissioner on any required report;

(4) a list of the licensee's permissible investments and a certification that the licensee continues to maintain permissible investments according to the requirements set forth in §§ 23-55-701 and 23-55-702;

(5) proof that the licensee continues to maintain adequate security as required by § 23-55-203; and

(6) a list of the locations in this State where the licensee or an authorized delegate of the licensee engages in money transmission or provides other money services.

(c) If a licensee does not file a renewal report or pay its renewal fee by the renewal date or any extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of 10 days after the notice is sent, the licensee's license is suspended 10 days after the commissioner sends the notice of suspension. The suspension must be lifted if, within 20 days after its license is suspended, the licensee:

(1) files the report and pays the renewal fee; and

(2) pays \$100 for each day after suspension that the commissioner did not receive the renewal report and the renewal fee.

(d) The commissioner for good cause may grant an extension of the renewal date.

23-55-207. Net worth.

A licensee under this subchapter shall maintain a net worth of at least \$250,000 determined in accordance with generally accepted accounting principles.

ARTICLE 3 -- [Reserved.]ARTICLE 4 -- CURRENCY EXCHANGE LICENSES23-55-401. License required.

(a) A person may not engage in currency exchange or advertise, solicit, or hold itself out as providing currency exchange for which the person receives revenues equal or greater than five percent of total revenues unless the person:

(1) is licensed under this subchapter;

(2) is licensed for money transmission under Article 2, § 23-55-201 et seq., or approved to engage in money transmission under § 23-55-203;

(3) is an authorized delegate of a person licensed under Article 2, § 23-55-201 et seq.; or

(4) is an authorized delegate of a person approved to engage in money transmission under § 23-55-203.

(b) A license under this subchapter is not transferable or assignable.

23-55-402. Application for license.

(a) A person applying for a license under this subchapter shall do so in a form and in a medium prescribed by the commissioner. The application must state or contain:

(1) the legal name and residential and business addresses of the applicant, if the applicant is an individual or, if the applicant is not an individual, the name of each partner, executive officer, manager, and director;

(2) the location of the principal office of the applicant;

(3) complete addresses of other locations in this State where the applicant proposes to engage in currency exchange or check cashing, including all limited stations and mobile locations;

(4) a description of the source of money and credit to be used by the applicant to engage in check cashing and currency exchange; and

(5) other information the commissioner reasonably requires with respect to the applicant, but not more than the commissioner may require under subchapter 2.

(b) A nonrefundable application fee of \$1,500 and a license fee of \$750 must accompany an application for a license under this subchapter. The license fee must be refunded if the application is denied.

23-55-403. Issuance of license.

(a) When an application under this subchapter, the commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The commissioner shall issue a license to an applicant under this subchapter if the commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with § 23-55-402; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of, the applicant indicate that it is in the interest of the public to permit the applicant to engage in currency exchange.

(b) When an application for an original license under this subchapter is complete, the commissioner shall promptly notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the commissioner shall approve or deny the application within 120 days after that date; or

(2) if the application is not approved or denied within 120 days after that date:

(A) the application is deemed approved; and

(B) the commissioner shall issue the license under this subchapter, to take effect as of the first business day after expiration of the period.

(c) The commissioner may for good cause extend the application period.

(d) An applicant whose application is denied a license by the commissioner under this subchapter may appeal, within 30 days after receipt of the notice of the denial, from the denial and request a hearing.

23-55-404. Renewal of License.

(a) A licensee under this subchapter shall pay a biennial renewal fee of \$750 no later than 30 days before each biennial anniversary of the issuance of the license or, if the last day is not a business day, on the next business day.

(b) A licensee under this subchapter shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the commissioner. The renewal report must state or contain:

(1) a description of each material change in information submitted by

the licensee in its original license application that has not been reported to the commissioner on any required report; and

(2) a list of the locations in this State where the licensee or an authorized delegate of the licensee engages in currency exchange or check cashing, including limited stations and mobile locations.

(c) If a licensee does not file a renewal report and pay its renewal fee by the renewal date or any extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of 10 days after the notice is sent, the licensee's license is suspended 10 days after the commissioner sends the notice of suspension.

(d) The commissioner for good cause may grant an extension of the renewal date.

ARTICLE 5--AUTHORIZED DELEGATES

23-55-501. Relationship between licensee and authorized delegate.

(a) In this section, "remit" means to make direct payments of money to a licensee or its representative authorized to receive money or to deposit money in a bank in an account specified by the licensee.

(b) A contract between a licensee and an authorized delegate must require the authorized delegate to operate in full compliance with this chapter. The licensee shall furnish in a record to each authorized delegate policies and procedures sufficient for compliance with this chapter.

(c) An authorized delegate shall remit all money owing to the licensee in accordance with the terms of the contract between the licensee and the authorized delegate.

(d) If a license is suspended or revoked or a licensee does not renew its license, the commissioner shall notify all authorized delegates of the licensee whose names are in a record filed with the commissioner of the suspension, revocation, or non-renewal. After notice is sent or publication is made, an authorized delegate shall immediately cease to provide money services as a delegate of the licensee.

(e) An authorized delegate may not provide money services outside the scope of activity permissible under the contract between the authorized delegate and the licensee, except activity in which the authorized delegate is authorized to engage under subchapter 2 or 4. An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission.

(f) An authorized delegate may not use a subdelegate to conduct money services on behalf of a licensee.

23-55-502. Unauthorized activities.

A person may not provide money services on behalf of a person not licensed under this chapter. A person that engages in that activity provides money services to the same extent as if the person were a licensee.

ARTICLE 6--EXAMINATIONS — REPORTS — RECORDS

23-55-601. Authority to conduct examinations.

(a) The commissioner may conduct an annual examination of a licensee or of any of its authorized delegates upon 45 days' notice in a record to the licensee.

(b) The commissioner may examine a licensee or its authorized delegate, at any time, without notice, if the commissioner has reason to believe that the licensee or authorized delegate is engaging in an unsafe or unsound practice or has violated or is violating this chapter or a rule adopted or an order issued under this chapter.

(c) If the commissioner concludes that an on-site examination is necessary under subsection (a), the licensee shall pay the reasonable cost of the examination.

(d) Information obtained during an examination under this chapter may be disclosed only as provided in § 23-55-607.

23-55-602. Cooperation.

The commissioner may consult and cooperate with other state money services regulators in enforcing and administering this act. They may jointly pursue examinations and take other official action that they are otherwise empowered to take.

23-55-603. Reports.

(a) A licensee shall file with the commissioner within 15 business days any material changes in information provided in a licensee's application as prescribed by the commissioner.

(b) A licensee shall file with the commissioner within 45 days after the end of each fiscal quarter a current list of all authorized delegates, and locations in this State where the licensee or an authorized delegate of the licensee provides money services, including limited stations and mobile locations. The licensee shall state the name and street address of each location and authorized delegate.

(c) A licensee shall file a report with the commissioner within one business day after the licensee has reason to know of the occurrence any of the following events:

(1) the filing of a petition by or against the licensee under the United

States Bankruptcy Code, 11 U.S.C. Section 101-110 (1994 & Supp. V. 1999), for bankruptcy or reorganization;

(2) the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or the making of a general assignment for the benefit of its creditors;

(3) the commencement of a proceeding to revoke or suspend its license in a State or country in which the licensee engages in business or is licensed;

(4) the cancellation or other impairment of the licensee's bond or other security;

(5) a charge or conviction of the licensee or of an executive officer, manager, director, or person in control, of the licensee for a felony; or

(6) a charge or conviction of an authorized delegate for a felony.

23-55-604. Change of control.

(a) A licensee shall:

(1) give the commissioner notice in a record of a proposed change of control within 15 days after learning of the proposed change of control;

(2) request approval of the acquisition; and

(3) submit a nonrefundable fee of \$1,000 with the notice.

(b) After review of a request for approval under subsection (a), the commissioner may require the licensee to provide additional information concerning the proposed persons in control of the licensee. The additional information must be limited to the same types required of the licensee or persons in control of the licensee as part of its original license or renewal application.

(c) The commissioner shall approve a request for change of control under subsection (a) if, after investigation, the commissioner determines that the person or group of persons requesting approval has the competence, experience, character, and general fitness to operate the licensee or person in control of the licensee in a lawful and proper manner and that the public interest will not be jeopardized by the change of control.

(d) When an application for a change of control under this subchapter is complete, the commissioner shall notify the licensee in a record of the date on which the request was determined to be complete and:

(1) the commissioner shall approve or deny the request within 120 days after that date; or

(2) if the request is not approved or denied within 120 days after that date:

(A) the request is deemed approved; and

(B) the commissioner shall permit the change of control under this section, to take effect as of the first business day after expiration of the period.

(e) The commissioner, by rule of order, may exempt a person from any of the requirements of subsection (a)(2) and (3) if it is in the public interest to do so.

(f) Subsection (a) does not apply to a public offering of securities.

(g) Before filing a request for approval to acquire control of a licensee or person in control of a licensee, a person may request in a record a determination from the commissioner as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the commissioner determines that the person would not be a person in control of a licensee, the commissioner shall enter an order to that effect and the proposed person and transaction is not subject to the requirements of subsections (a) through (c).

23-55-605. Records.

(a) A licensee shall maintain the following records for determining its compliance with this Act for at least three years:

(1) a record of each payment instrument or stored-value obligation sold;

(2) a general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;

(3) bank statements and bank reconciliation records;

(4) records of outstanding payment instruments and stored-value obligations;

(5) records of each payment instrument and stored-value obligation paid within the three-year period;

(6) a list of the last known names and addresses of all of the licensee's authorized delegates; and

(7) any other records the commissioner reasonably requires by rule.

(b) The items specified in subsection (a) may be maintained in any form of record.

(c) Records may be maintained outside this State if they are made accessible to the commissioner on seven business-days' notice that is sent in a record.

(d) All records maintained by the licensee as required in subsections (a) through (c) are open to inspection by the commissioner pursuant to § 23-55-601.

23-55-606. Money laundering reports.

(a) A licensee and an authorized delegate shall file with the commissioner all reports required by federal currency reporting, record keeping, and suspicious transaction reporting requirements as set forth in 31 U.S.C. Section 5311 (1994), 31 C.F.R. Section 103 (2000) and other federal and state laws pertaining to money laundering.

(b) The timely filing of a complete and accurate report required under subsection (a) with the appropriate federal agency is compliance with the requirements of subsection (a), unless the commissioner notifies the licensee that reports of this type are not being regularly and comprehensively transmitted by the federal agency to the commissioner.

23-55-607. Confidentiality.

(a) Except as otherwise provided in subsection (b), all information or reports obtained by the commissioner from an applicant, licensee, or authorized delegate and all information contained in or related to examination, investigation, operating, or condition reports prepared by, on behalf of, or for the use of the commissioner, or financial statements, balance sheets, or authorized delegate information, are confidential and are not subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(b) The commissioner may disclose information not otherwise subject to disclosure under subsection (a) to representatives of state or federal agencies who promise in a record that they will maintain the confidentiality of the information; or the commissioner finds that the release is reasonably necessary for the protection of the public and in the interests of justice, and the licensee has been given previous notice by the commissioner of its intent to release the information.

(c) This section does not prohibit the commissioner from disclosing to the public a list of persons licensed under this chapter or the aggregated financial data concerning those licensees.

ARTICLE 7--PERMISSIBLE INVESTMENTS

23-55-701. Maintenance of permissible investments.

(a) A licensee shall maintain at all times permissible investments that have a market value computed in accordance with generally accepted accounting principles of not less than the aggregate amount of all of its outstanding payment instruments and stored value obligations issued or sold in all states and money transmitted from

all states by the licensee.

(b) The commissioner, with respect to any licensees, may limit the extent to which a type of investment within a class of permissible investments may be considered a permissible investment, except for money and certificates of deposit issued by a bank. The commissioner by rule may prescribe or by order allow other types of investments that the commissioner determines to have a safety substantially equivalent to other permissible investments.

(c) Permissible investments, even if commingled with other assets of the licensee, are held in trust for the benefit of the purchasers and holders of the licensee's outstanding payment instruments and stored value obligations in the event of bankruptcy or receivership of the licensee.

23-55-702. Types of permissible investments.

(a) Except to the extent otherwise limited by the commissioner pursuant to Section 701, the following investments are permissible under § 23-55-701:

(1) cash, a certificate of deposit, or senior debt obligation of an insured depository institution, as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. Section 1813 (1994 & Supp. V. 1999);

(2) banker's acceptance or bill of exchange that is eligible for purchase upon endorsement by a member bank of the Federal Reserve System and is eligible for purchase by a Federal Reserve Bank;

(3) an investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities;

(4) an investment security that is an obligation of the United States or a department, agency, or instrumentality thereof; an investment in an obligation that is guaranteed fully as to principal and interest by the United States; or an investment in an obligation of a State or a governmental subdivision, agency, or instrumentality thereof;

(5) receivables that are payable to a licensee from its authorized delegates, in the ordinary course of business, pursuant to contracts which are not past due or doubtful of collection if the aggregate amount of receivables under this paragraph does not exceed 20 percent of the total permissible investments of a licensee and the licensee does not hold at one time receivables under this paragraph in any one person aggregating more than 10 percent of the licensee's total permissible investments; and

(6) a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and

Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to investments specified in paragraphs (1) through (4).

(b) The following investments are permissible under § 23-55-701, but only to the extent specified:

(1) an interest-bearing bill, note, bond, or debenture of a person whose equity shares are traded on a national securities exchange or on a national over-the-counter market, if the aggregate of investments under this paragraph does not exceed 20 percent of the total permissible investments of a licensee and the licensee does not at one time hold investments under this paragraph in any one person aggregating more than 10 percent of the licensee's total permissible investments;

(2) a share of a person traded on a national securities exchange or a national over-the-counter market or a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to shares of a person traded on a national securities exchange or a national over-the-counter market, if the aggregate of investments under this paragraph does not exceed 20 percent of the total permissible investments of a licensee and the licensee does not at one time hold investments in any one person aggregating more than 10 percent of the licensee's total permissible investments;

(3) a demand-borrowing agreement made to a corporation or a subsidiary of a corporation whose securities are traded on a national securities exchange if the aggregate of the amount of principal and interest outstanding under demand-borrowing agreements under this paragraph does not exceed 20 percent of the total permissible investments of a licensee and the licensee does not at one time hold principal and interest outstanding under demand-borrowing agreements under this paragraph with any one person aggregating more than 10 percent of the licensee's total permissible investments; and

(4) any other investment the commissioner designates, to the extent specified by the commissioner.

(c) The aggregate of investments under subsection (b) may not exceed 50 percent of the total permissible investments of a licensee calculated in accordance

with § 23-55-701.

ARTICLE 8--ENFORCEMENT

23-55-801. Suspension and revocation.

(a) The commissioner may suspend or revoke a license or order a licensee to revoke the designation of an authorized delegate if:

(1) the licensee violates this chapter or a rule adopted or an order issued under this Act;

(2) the licensee does not cooperate with an examination or investigation by the commissioner;

(3) the licensee engages in fraud, intentional misrepresentation, or gross negligence;

(4) an authorized delegate is convicted of a violation of a state or federal anti-money laundering statute, or violates a rule adopted or an order issued under this chapter, as a result of the licensee's willful misconduct or willful blindness;

(5) the competence, experience, character, or general fitness of the licensee, authorized delegate, person in control of a licensee, or responsible person of the licensee or authorized delegate indicates that it is not in the public interest to permit the person to provide money services;

(6) the licensee engages in an unsafe or unsound practice;

(7) the licensee is insolvent, suspends payment of its obligations, or makes a general assignment for the benefit of its creditors; or

(8) the licensee does not remove an authorized delegate after the commissioner issues and serves upon the licensee a final order including a finding that the authorized delegate has violated this chapter.

(b) In determining whether a licensee is engaging in an unsafe or unsound practice, the commissioner may consider the size and condition of the licensee's money transmission, the magnitude of the loss, the gravity of the violation of this Act, and the previous conduct of the person involved.

23-55-802. Suspension and revocation of authorized delegates.

(a) The commissioner may issue an order suspending or revoking the designation of an authorized delegate, if the commissioner finds that:

(1) the authorized delegate violated this chapter or a rule adopted or an order issued under this chapter;

(2) the authorized delegate did not cooperate with an examination or investigation by the commissioner;

(3) the authorized delegate engaged in fraud, intentional

misrepresentation, or gross negligence;

(4) the authorized delegate is convicted of a violation of a state or federal anti-money laundering statute;

(5) the competence, experience, character, or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money services; or

(6) the authorized delegate is engaging in an unsafe or unsound practice.

(b) In determining whether an authorized delegate is engaging in an unsafe or unsound practice, the commissioner may consider the size and condition of the authorized delegate's provision of money services, the magnitude of the loss, the gravity of the violation of this chapter or a rule adopted or order issued under this chapter, and the previous conduct of the authorized delegate.

(c) An authorized delegate may apply for relief from a suspension or revocation of designation as an authorized delegate according to procedures prescribed by the commissioner.

23-55-803. Orders to cease and desist.

(a) If the commissioner determines that a violation of this chapter or of a rule adopted or an order issued under this chapter by a licensee or authorized delegate is likely to cause immediate and irreparable harm to the licensee, its customers, or the public as a result of the violation, or cause insolvency or significant dissipation of assets of the licensee, the commissioner may issue an order requiring the licensee or authorized delegate to cease and desist from the violation. The order becomes effective upon service of it upon the licensee or authorized delegate.

(b) The commissioner may issue an order against a licensee to cease and desist from providing money services through an authorized delegate that is the subject of a separate order by the commissioner.

(c) An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to § 23-55-801 or § 23-55-802.

23-55-804. Consent orders.

The commissioner may enter into a consent order at any time with a person to resolve a matter arising under this chapter or a rule adopted or order issued under this chapter. A consent order must be signed by the person to whom it is issued or by the person's authorized representative, and must indicate agreement with the

terms contained in the order. A consent order may provide that it does not constitute an admission by a person that this chapter or a rule adopted or an order issued under this chapter has been violated.

23-55-805. Civil penalties.

The commissioner may assess a civil penalty against a person that violates this chapter or a rule adopted or an order issued under this chapter in an amount not to exceed \$1,000 per day for each day the violation is outstanding, plus this State's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney's fees.

23-55-806. Criminal penalties.

(a) A person that intentionally makes a false statement, misrepresentation, or false certification in a record filed or required to be maintained under this chapter, that intentionally makes a false entry or omits a material entry in such a record, or violates any rule promulgated or order issued hereunder is guilty of a Class B felony.

(b) A person that knowingly engages in an activity for which a license is required under this chapter without being licensed under this chapter and who receives more than \$500 in compensation within a 30-day period from this activity is guilty of a Class B felony.

(c) A person that knowingly engages in an activity for which a license is required under this chapter without being licensed under this chapter and who receives no more than \$500 in compensation within a 30-day period from this activity is guilty of a Class A misdemeanor.

23-55-807. Unlicensed persons.

(a) If the commissioner has reason to believe that a person has violated or is violating § 23-55-201 or § 23-55-401 the commissioner may issue an order to show cause why an order to cease and desist should not issue requiring that the person cease and desist from the violation of § 23-55-201 or § 23-55-401.

(b) In an emergency, the commissioner may petition the Pulaski County Circuit Court for the issuance of a temporary restraining order ex parte pursuant to the rules of civil procedure.

(c) An order to cease and desist becomes effective upon service of it upon the person.

(d) An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to §§ 23-55-901 and 23-55-902.

23-55-808. Receivership.

(a)(1) Whenever a licensee has refused or is unable to pay its obligations generally as they become due or whenever it appears to the commissioner that a licensee is in an unsafe or unsound condition, the commissioner, or the Attorney General representing the commissioner, may apply to the Pulaski County Circuit Court or to the circuit court of any county in which the licensee is located for the appointment of a receiver for the licensee. The court may require the receiver to post a bond in such amount as may appear necessary to protect claimants of the licensee.

(2) The receiver, subject to the approval of the court, shall take possession of the books, records, and assets of the licensee and shall take such action with respect to employees, agents, or representatives of the licensee or such other action as may be necessary to conserve the assets of the licensee or ensure payment of instruments issued by the licensee pending further disposition of its business as provided by law. The receiver shall sue and defend, compromise, and settle all claims involving the licensee and exercise such powers and duties as may be necessary and consistent with the laws of this state applicable to the appointment of receivers.

(3) The receiver, from time to time, but in no event less frequently than once each calendar quarter, shall report to the court with respect to all acts and proceedings in connection with the receivership.

ARTICLE 9--ADMINISTRATIVE PROCEDURES

23-55-901. Administrative proceedings.

All administrative proceedings under this chapter must be conducted in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

23-55-902. Hearings.

Except as otherwise provided in §§ 23-55-205(c), 23-55-404(c), 23-55-803, and 23-55-807, the commissioner may not suspend or revoke a license, issue an order to cease and desist, suspend or revoke the designation of an authorized delegate, or assess a civil penalty without notice and an opportunity to be heard. The commissioner shall also hold a hearing when requested to do so by an applicant whose application for a license is denied.

ARTICLE 10--MISCELLANEOUS PROVISIONS

23-55-1001. Uniformity of application and construction.

In applying and construing this Uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among States that enact it.

23-55-1002. Severability clause.

If any provision of this chapter or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

23-55-1003. Effective date.

This chapter takes effect January 1, 2008.

23-55-1004. [Reserved.]23-55-1005. Savings and transitional provisions.

(a) A license issued under the Sale of Checks Act, § 23-41-101 et seq., that is in effect immediately before January 1, 2008 remains in force as a license under the Sale of Checks Act, § 23-41-101 et seq., until the license's expiration date. Thereafter, the licensee is deemed to have applied for and had received a license under this chapter and must comply with the renewal requirements set forth in this chapter.

(b) This chapter applies to the provision of money services on or after January 1, 2008. This chapter does not apply to money transmission provided by a licensee who was licensed to provide money transmission under the Sale of Checks Act, § 23-41-101 et seq., and whose license remains in force under this section.

SECTION 2. Except as provided in § 23-55-1005, effective January 1, 2008, Arkansas Code Title 23, Chapter 41, is repealed.

~~23-41-101. Title.~~

~~This chapter shall be known and may be cited as the "Sale of Checks Act".~~

~~23-41-102. Definitions.~~

~~As used in this chapter, unless the context otherwise requires:~~

~~(1) "Agent" means "subagents" of the licensee or other representatives who are authorized to act on behalf of the licensee in the sale of checks issued by the licensee, whether or not the subagent or representative was solicited by or deals directly with the licensee;~~

~~(2) "Check" means any check, draft, money order, or other written instrument for the transmission or payment of money or credit, except that it does not mean money or currency of any nation;~~

~~(3) "Commissioner" means the Securities Commissioner;~~

~~(4) "Fiscal year" means a licensee's accounting period as adopted for federal taxation purposes;~~

~~(5) "Issuing" means the act of drawing any instrument of exchange by~~

~~a person who engages in the business of drawing those instruments as a service or for a fee or other consideration;~~

~~(6) "Licensee" means any person licensed under this chapter;~~

~~(7) "Money order" means a bill of exchange issued at the request, and for the use or benefit, of a person other than the issuer and representing an unconditional order or obligation in writing of the issuer to pay a sum certain in money on demand to order or to bearer;~~

~~(8) "Net worth" means excess of assets over liabilities as determined by generally accepted accounting principles; and~~

~~(9) "Person" means any individual, partnership, joint-stock association, trust, unincorporated association, or corporation.~~

~~23-41-103. Exempt transactions.~~

~~(a) This chapter shall not apply to the receipt of money by any incorporated telegraph company at any agency or office of the company for immediate transmission by telegraph.~~

~~(b) This chapter shall not apply to the sale or issuance of checks by:~~

~~(1) The United States or any department or agency of the United States; or~~

~~(2) Banks, credit unions, and savings and loan associations organized under the laws of this state or of the United States and insured by the United States or any agency thereof, and authorized to do business in this state.~~

~~23-41-104. Penalty - Enforcement.~~

~~(a) Any person is guilty of a Class A misdemeanor who purposely:~~

~~(1) Violates any provision of this chapter or any regulation adopted or order issued by the Securities Commissioner pursuant to this chapter with intent to defraud or deceive;~~

~~(2) Makes any false or misleading statement of a material fact in any application, statement, or report filed pursuant to this chapter;~~

~~(3) Omits to state any material fact necessary to provide the commissioner with information lawfully required by him; or~~

~~(4) Obstructs any lawful investigation, examination, entry, or access by the commissioner.~~

~~(b) Each day during which a violation continues constitutes a separate offense.~~

~~(c) The imposition of any fine or term of imprisonment pursuant to subsection (a) of this section:~~

~~(1) Is in addition to any suspension, revocation, or denial of a license which may result from the violation; and~~

~~(2) Is not a bar to enforcement of this chapter by an injunction or other appropriate civil remedy.~~

~~(d) For the purposes of venue for any civil or criminal action under this chapter, any violation of this chapter or of any rule, regulation, or order promulgated hereunder shall be considered to have been committed in any county:~~

~~(1) In which any act was performed in furtherance of the transaction which violated the chapter;~~

~~(2) In which the principal or an aider or abetter initiated or acted in furtherance of a course of conduct;~~

~~(3) From which any violator gained control or possession of any proceeds of the violation or of any books, records, documents, or other material or objects which were used in furtherance of the violation; or~~

~~(4) From which or into which the violator directed any postal, telephonic, electronic, or other communication in furtherance of the violation.~~

~~(e) The commissioner may refer such evidence as is available concerning violations of this chapter or any rule or order hereunder to any appropriate prosecuting or law enforcement authority.~~

~~(f) Nothing in this chapter limits the power of the state to punish any person for any conduct which constitutes a crime by statute or common law.~~

~~23-41-105. Rules and regulations.~~

~~The Securities Commissioner may make and enforce reasonable rules and regulations which are necessary for the enforcement and execution of this chapter.~~

~~23-41-106. Disposition of fees.~~

~~All license and investigation fees provided for in this chapter shall be retained by the Securities Commissioner during the fiscal year in which collected to pay for the costs of administering this chapter.~~

~~23-41-107. Notice.~~

~~Except as otherwise provided in this chapter, whenever the Securities Commissioner is required to give notice to any applicant or licensee, the notice requirement shall be complied with if, within the time fixed in § 23-41-122, the notice shall be enclosed in an envelope plainly addressed to the applicant or licensee, at the address set forth in the application or license, United States postage fully prepaid and deposited registered or certified in the United States mail.~~

~~23-41-108. Discontinuance of business.~~

~~(a) Within five (5) days after a discontinuance of a licensee's business, he shall inform the Securities Commissioner of the discontinuance and shall surrender his license for cancellation.~~

~~(b) If, as a result of any investigation, hearing, report, or examination, the commissioner finds that a licensee is insolvent or is conducting his business in such a manner as to render his further operations hazardous to the public, then the commissioner may, through an order served personally or by certified mail upon the licensee and any person known to the commissioner to possess funds of the licensee or its customers, require the immediate discontinuance of the disbursement of the funds and the cessation of the licensee's business. The order shall remain in effect until it is set aside, in whole or in part, by the commissioner or otherwise modified.~~

~~(c)(1) Whenever a licensee has refused or is unable to pay its obligations generally as they become due or whenever it appears to the commissioner that a licensee is in an unsafe or unsound condition, the commissioner, or the Attorney General representing the commissioner, may apply to the Chancery Court of Pulaski County or to the chancery court of any county in which the licensee is located for the appointment of a receiver for the licensee. The court may require the receiver to post a bond in such amount as may appear necessary to protect claimants of the licensee.~~

~~(2) The receiver, subject to the approval of the court, shall take possession of the books, records, and assets of the licensee and shall take such action with respect to employees, agents, or representatives of the licensee or such other action as may be necessary to conserve the assets of the licensee or ensure payment of instruments issued by the licensee pending further disposition of its business as provided by law. The receiver shall sue and defend, compromise, and settle all claims involving the licensee and exercise such powers and duties as may be necessary and consistent with the laws of this state applicable to the appointment of receivers.~~

~~(3) The receiver, from time to time, but in no event less frequently than once each calendar quarter, shall report to the court with respect to all acts and proceedings in connection with the receivership.~~

~~23-41-109. Judicial review.~~

~~All final administrative decisions of the Securities Commissioner under this chapter shall be subject to judicial review by the Circuit Court of Pulaski County on questions of law and appeal therefrom to the Arkansas Supreme Court.~~

~~23-41-110. License required.~~

~~(a) No person shall engage in the business of selling or issuing checks as a service or for a fee or other consideration without first securing a license to do so from the Securities Commissioner under this chapter.~~

~~(b) A separate license is not required for an agent of a licensee, or an employee of such an agent, who acts on behalf of the licensee in the sale or exchange of checks of which the licensee is the issuer unless the agent directly sells or delivers the licensee's checks over the counter to the public and, in the ordinary course of business, receives or has access to:~~

~~(1) The licensee's checks that are returned after payment through banking channels or otherwise for verification, reconciliation, or accounting with respect thereto; or~~

~~(2) Bank statements relating to checks so returned.~~

~~(c)(1) All money or credits received by an agent of a licensee from the sale or issuance of checks or for the purpose of transmission must be remitted to the licensee or deposited with a bank authorized to do business in this state for credit to an account of the licensee not later than the seventh business day following its receipt.~~

~~(2) However, the requirement of subdivision (c)(1) of this section shall not apply:~~

~~(A) If an agent has placed on deposit with the licensee an amount not less than the average of the aggregate face amount of checks issued by the licensee and sold by the agent per day multiplied by the number of days in excess of seven (7) of the remittance period agreed to in a written agreement between the agent and licensee; and~~

~~(B) To funds received from the sale of travelers' checks.~~

~~23-41-111. Application for license.~~

~~(a) Every application for a license required under this chapter shall be in writing, signed by the applicant, in the form prescribed by the Securities Commissioner, and shall be submitted under oath.~~

~~(b) The application shall contain:~~

~~(1) The name and principal business address of the applicant and, if incorporated, the date and place of its incorporation;~~

~~(2) The name and address of each of the applicant's branch offices, subsidiaries, or affiliates, if any, which will be operated under the license;~~

~~(3) The name and address, business and residential, of the proprietor~~

~~or partners of the applicant or, if the applicant is a corporation or association, of each of the directors, trustees, and principal officers and of any stockholder who owns twenty percent (20%) or more of the applicant's stock;~~

~~(4) A description of applicant's business and mode of operation;~~

~~(5) The name and address of each agent and location in this state through which checks will be issued or sold pursuant to the license;~~

~~(6) The name of every other state in which the applicant has applied for or has been granted a license or authorization to sell or issue or is selling or issuing checks; and~~

~~(7) Other pertinent information as the commissioner may require.~~

~~(c) The application must be accompanied by:~~

~~(1) A surety bond or securities as required by this chapter;~~

~~(2) Evidence of the ability of the applicant to meet the requirements of this chapter, which requirements may include, among other information, an audited financial statement satisfactory to the commissioner, showing that the applicant's minimum net worth is equal to or in excess of five hundred thousand dollars (\$500,000);~~

~~(3) A nonrefundable fee of one thousand five hundred dollars (\$1,500) for processing of the initial application. The applicant shall also pay such additional expenses incurred in the process of investigation as the commissioner deems necessary. However, such additional expenses shall not exceed the sum of one hundred dollars (\$100) per day for each examiner required for the investigation, plus travel expenses, if appropriate; and~~

~~(4) A license fee in the amount specified in § 23-41-113, which fee may be prorated on the basis of the licensing year as provided by the commissioner.~~

~~(d) As used in this section, "applicant" means the person holding or seeking a license pursuant to this chapter, any director or officer of such person, or any person who controls such person.~~

~~23-41-112. Approval or denial of application.~~

~~(a) The Securities Commissioner shall have the authority to investigate the financial condition, responsibility, business experience, background character, general fitness, and conduct of the applicant or licensee, and any partners, directors, trustees, officers, or employees for the purpose of determining whether a license should be issued to the applicant or whether a licensee has committed any act or omission that could constitute grounds for denial, suspension, or revocation of a license issued under this chapter.~~

~~(b)(1) The commissioner shall approve an application for a license within ninety (90) days from the date of filing and shall approve a renewal of a license within thirty (30) days of filing. However, the commissioner may deny an application or a renewal if, after notice and opportunity for a hearing, the commissioner makes any of the following findings in a written order of denial:~~

~~(A) The granting of the license will be against the public interest;~~

~~(B) The applicant does not intend actively and in good faith to carry on as a business the transactions which would be permitted by the issuance of the license applied for;~~

~~(C) The applicant is not of good business reputation;~~

~~(D) The applicant is lacking in integrity. For purposes of this subdivision (b)(1)(D), the commissioner may find that an applicant is lacking in integrity if the applicant, or any person who controls the applicant, or any director or officer of the applicant, has been convicted of, or has pled guilty or nolo contendere to, any crime involving fraud or dishonesty. This shall not be deemed to constitute the only grounds upon which the commissioner may find that the applicant is lacking in integrity;~~

~~(E) The applicant or any person acting on behalf of the applicant has knowingly made or caused to be made in any application or report filed with the commissioner, or in any proceeding before the commissioner, any statement which was, at the time and in light of the circumstances under which it was made, false or misleading with respect to any material fact or has knowingly omitted to state in any such application, report, or proceeding any material fact which is required to be stated therein;~~

~~(F) The applicant has previously engaged in any fraudulent practice or act or has conducted any business in an unlawful or dishonest manner;~~

~~(G) The applicant has shown incompetence or untrustworthiness in the conduct of any business or has, by commission of a wrongful act or practice in the course of business, exposed the public or those dealing with the applicant to the danger of loss;~~

~~(H) The applicant has knowingly failed to perform a duty expressly imposed upon the applicant by this chapter, or has knowingly committed an act expressly forbidden by this chapter;~~

~~(I) The applicant has been convicted of, or pled guilty to:~~

~~(i) A felony; or~~

~~(ii) Any crime involving moral turpitude;~~

~~(J) The applicant has knowingly aided or abetted any person in any act or omission which could constitute grounds for denial, suspension, or revocation of a license issued under this chapter;~~

~~(K) The applicant has knowingly permitted any person in its employ to violate any provision of this chapter; or~~

~~(L) The applicant fails or refuses to pay any fee required herein.~~

~~(2) As used in this section, "applicant" means the person holding or seeking a license pursuant to this chapter, any director or officer of such person, or any person who controls such person.~~

~~23-41-113. License fees -- Renewal.~~

~~(a) Except as provided in § 23-41-111(c)(4), before any license is issued or renewed, the applicant or licensee shall pay an annual license fee in the amount of seven hundred fifty dollars (\$750).~~

~~(b) A license issued pursuant to this chapter expires on December 31 of the year in which it is issued, and thereafter expires on December 31 of each year unless it is earlier surrendered, suspended, or revoked.~~

~~(c) The license may be renewed from year to year upon payment of the fee required by this section and approval of the Securities Commissioner, provided that the licensee files an application for renewal stating any changes from the original application of the licensee at least thirty (30) days before the expiration of his current license and provided that the applicant continues to comply with all provisions of this chapter and all regulations and rules hereunder.~~

~~23-41-114. Surety bond.~~

~~(a) Each applicant shall submit prior to issuance of a license, and shall maintain in force at all times during which he is licensed, a surety bond payable to the Securities Commissioner for the benefit of any holder of any outstanding check sold or issued by the licensee or its agents in the principal sum of two hundred fifty thousand dollars (\$250,000).~~

~~(b)(1) The bond shall:~~

~~(A) Be in a form satisfactory to the commissioner;~~

~~(B) Be issued by a bonding company authorized to do business in this state; and~~

~~(C) Secure the faithful performance of the obligation of the applicant and its agents with respect to the receipt of money and the issuance and sale of checks in connection thereto.~~

~~(2) The aggregate liability of the surety shall in no event exceed the principal sum of the bond.~~

~~(c)(1) In the event of the rendering of a judgment against a licensee in an amount in excess of ten percent (10%) of the net worth of the licensee, the licensee shall, within ten (10) days after the notice of entry of such judgment against it by any creditor or claimant arising out of the business regulated by this chapter, give notice thereof to the commissioner by registered or certified mail with details sufficient to identify the action or judgment.~~

~~(2) The surety or licensee shall, within ten (10) days after it pays any claim or judgment to such a creditor or claimant, give notice thereof to the commissioner by registered or certified mail with details sufficient to identify the creditor or claimant and the claim or judgment so paid.~~

~~(d) Whenever the principal sum of the bond is reduced by recoveries against it or payments thereon, the licensee shall furnish:~~

~~(1) A new or additional bond so that the total or aggregate principal sum of the bonds equals the sum required under subsection (a) of this section; or~~

~~(2) An endorsement duly executed by the surety reinstating the bond to the required principal sum.~~

~~(e) The liability of the surety on the bond to any such creditor or claimant shall not be affected by any misrepresentation, breach of warranty, failure to pay a premium, or other act or omission of the licensee or by any insolvency or bankruptcy of the licensee.~~

~~(f) The liability of the surety shall continue as to all transactions entered into in good faith by the creditors and claimants with the licensee's agents within thirty (30) days after the earlier of:~~

~~(1) The licensee's death or the dissolution or liquidation of his business; or~~

~~(2) The termination of the bond.~~

~~(g) Whenever the commissioner determines that the protection of the public so requires, he may order that an increase be made in the principal sum of the original bond of any licensee. However, the increase shall not exceed two hundred fifty thousand dollars (\$250,000).~~

~~(h) Neither a licensee nor his surety may cancel or alter such a bond except after notice to the commissioner by registered or certified mail. The cancellation or alteration is not effective until thirty (30) days after receipt of the notice by the commissioner. A cancellation or alteration does not affect any liability incurred or~~

~~accrued on the bond before the expiration of the thirty-day period set forth in subsection (f) of this section.~~

~~23-41-115. Deposit of securities in lieu of bond.~~

~~(a) In lieu of any bond required under this chapter, the licensee may deposit with the Securities Commissioner securities with a market value equal to the amount of any such bond.~~

~~(b) The securities shall consist of:~~

~~(1) General obligations of, or obligations fully guaranteed by, the United States or of any agency or instrumentality of or corporation wholly owned by the United States directly or indirectly; or~~

~~(2) Direct general obligations of the State of Arkansas or of any county, city, town, school district, or other political subdivision or municipal corporation of the State of Arkansas.~~

~~(c) The securities shall be held by the commissioner to secure the same obligation as would any bond required by this chapter.~~

~~(d) The securities so deposited may, with the approval of the commissioner, be exchanged from time to time for other securities receivable as aforesaid. All the securities shall be subject to sale and transfer and to the disposal of the proceeds by the commissioner only on the order of a court of competent jurisdiction.~~

~~(e) So long as the licensee depositing shall continue solvent, the licensee shall be permitted to receive the interest or dividends on the deposit of securities.~~

~~(f) The commissioner may provide for custody of the securities by any qualified trust company or bank located in the State of Arkansas or by any Federal Reserve bank. The compensation, if any, of the custodian for acting as such under this section shall be paid by the depositing licensee.~~

~~23-41-116. [Repealed.]~~

~~23-41-117. Minimum net worth - Investments - Proceeds of sale.~~

~~(a) Each licensee under this chapter shall at all times maintain a minimum net worth of at least five hundred thousand dollars (\$500,000).~~

~~(b)(1) Each licensee shall at all times maintain permissible investments having a value, computed in accordance with generally accepted accounting principles, equal to or greater than the aggregate liabilities of the licensee with respect to checks sold or issued and outstanding and money or credits received for transmission.~~

~~(2) As used in this section, "permissible investment" shall mean:~~

~~(A) Cash;~~

~~(B) Certificates of deposit or other debt instruments of a financial institution, which debt instruments are insured by an agency of the federal government and which are readily marketable;~~

~~(C) Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as banker's acceptances, which are eligible for purchase by member banks of the federal reserve system;~~

~~(D) Commercial paper of prime quality as defined by a nationally recognized organization that rates such paper;~~

~~(E) Investment securities that are obligations of the United States or any of its agencies or instrumentalities, or obligations which are guaranteed fully as to principal and interest by the United States or any obligations of any state, municipality, or of any political subdivision of a state or municipality;~~

~~(F) Shares in a money market fund or interest-bearing bills, notes, or bonds;~~

~~(G) Any common or preferred stock traded on a national securities exchange. Investments in stock under this subdivision shall not exceed ten percent (10%) of the amount of permissible investments held by a licensee or twenty percent (20%) of the net worth of the licensee, whichever is less; and~~

~~(H) Any other investments approved by the Securities Commissioner.~~

~~(c)(1) All funds collected or received from the sale of checks by an agent shall be impressed with a trust in favor of such licensee in an amount equal to the amount of the proceeds due the licensee and shall not be commingled with other funds of the agent.~~

~~(2) No proceeds received by any agent or agents of a licensee from the sale of any check issued by such licensee, while held by the agent, nor any property impressed with a trust pursuant to this section shall be subject to attachment, levy of execution, or sequestration by order of any court, except for the benefit of the licensee. In the event that a licensee's license is revoked by the commissioner, all sales proceeds then held in trust by agents of that licensee shall be deemed to have been assigned to the commissioner.~~

~~23-41-118. Conduct of business—Location—Agents.~~

~~Each licensee may conduct his business at those locations within this state, and through or by means of those employees, agents, subagents, or representatives which he may from time to time designate and appoint.~~

~~23-41-119. Semiannual reports.~~

~~(a) Each licensee, on or before July 31 and January 31 of each year, shall file a report with the Securities Commissioner for the preceding one-half (1/2) calendar year.~~

~~(b)(1) The report shall, if the commissioner requests, list the name and address of each agent authorized by the licensee as of the close of business on the last day of the one-half (1/2) calendar year preceding the report to engage in the sale of checks of which the licensee is the issuer.~~

~~(2) The commissioner may require that the report include the annual dollar amount of checks sold by the licensee in Arkansas during the preceding one-half (1/2) calendar year, or the average amount of outstanding liabilities of the licensee from business for which he is licensed, or both amounts.~~

~~(c) A filing fee of twenty-five dollars (\$25.00) for each report shall be paid at the time of filing.~~

~~23-41-120. Annual financial statement - Examinations.~~

~~(a) Each licensee shall submit to the Securities Commissioner on an annual basis an audited financial statement covering the licensee's most recent fiscal year ended showing the financial condition of the licensee or owners thereof within ninety (90) days from the end of the licensee's fiscal year. The statement shall be in a form and prepared by an accountant acceptable to the commissioner. A filing fee of twenty-five dollars (\$25.00) shall accompany the statement at the time of filing.~~

~~(b)(1) In addition to any other powers or authority conferred by this chapter, and at such times as he may deem proper, the commissioner shall have the authority to examine the books and records of any licensee and any other documents relevant to the conduct of the licensee's business to determine whether such business is being conducted in compliance with this chapter.~~

~~(2) For purposes of these examinations, the commissioner may enter upon any of the business premises of a licensee or his agents during normal business hours and request access to the relevant documents. Any obstruction or denial of such entry or access is a violation of this chapter.~~

~~(c) The commissioner shall charge and collect from the licensee a reasonable fee in an amount sufficient to cover the cost of any examination. However, the fee shall not exceed the sum of one hundred dollars (\$100) per day for each examiner required for the examination, plus travel expenses when necessary or appropriate, up to a maximum of a total of one thousand dollars (\$1,000) per year.~~

~~23-41-121. Investigations - Delegation of authority.~~

~~(a) The Securities Commissioner may conduct any necessary investigations~~

~~and hearings to determine whether any licensee or other person has violated any of the provisions of this chapter or whether any licensee has conducted himself in a manner which requires the suspension, revocation, or denial of renewal of his license.~~

~~(b) For the purposes of this chapter, the commissioner has power to require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to any matter under hearing or investigation pursuant to this chapter and shall issue subpoenas at the request of an interested party.~~

~~(c) In case of contumacy by, or refusal to obey a subpoena issued to, any person, the Chancery Court of Pulaski County, upon application by the commissioner, may issue to the person an order requiring him to appear before the commissioner, or any employee of the State Securities Department designated by him, and there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. Failure to obey the order of the court shall be punished by the court as a contempt of court.~~

~~(d) The commissioner may require any licensee to submit such reports concerning his business as the commissioner deems necessary for the enforcement of this chapter.~~

~~(e) Except as provided in § 23-41-104(e), all reports of investigations and examinations and other reports rendered pursuant to this section and all correspondence, memoranda, or information relating to or arising therefrom, including any authenticated copies thereof in the possession of any licensee or the commissioner, are confidential communications, are not subject to any subpoena, and shall not be made public unless the commissioner determines that justice and the public advantage will be served by their publication. This subsection does not preclude any party to an administrative or judicial proceeding from introducing into evidence any information or document otherwise available or admissible.~~

~~(f) The commissioner, subject to such restrictions as he in his discretion deems appropriate, may delegate to any appropriate staff member or other employee of the State Securities Department the exercise or discharge in the commissioner's name of any power, duty, or function, whether ministerial, discretionary, or of whatever character, vested by this chapter in the commissioner.~~

~~23-41-122. Suspension, revocation, or surrender of license.~~

~~(a) The Securities Commissioner may, upon fifteen (15) days' notice to the licensee, stating the contemplated action and in general the grounds therefor, hold a hearing at which the licensee shall have a reasonable opportunity to be heard for the~~

~~purpose of determining whether a license should be suspended or revoked for failure of the licensee to comply with the provisions of this chapter and the regulations hereunder.~~

~~(b) At the conclusion of the hearing, the commissioner shall enter an order either dismissing the charges or suspending or revoking the license. The suspension or revocation shall be effective from the date of entry of the order by the commissioner or such other time as set forth therein.~~

~~(c) The grounds for suspension or revocation of a license are:~~

~~(1) Any act or omission which would constitute grounds for denial of a license under § 23-41-112(b);~~

~~(2) Failure of the licensee to maintain in effect the required bond or securities;~~

~~(3) A finding that the licensee is conducting its business in an unsafe or unsound manner;~~

~~(4) A finding that the licensee is insolvent;~~

~~(5) Violation of any provision of this chapter, any rule promulgated hereunder, or any order issued by the commissioner pursuant to this chapter; or~~

~~(6) The existence of any fact or condition which, had it existed at the time of the original application for a license, would have constituted grounds for denying the application for a license.~~

~~(d)(1) If the commissioner finds that it is necessary for the protection of the interests of purchasers or holders of checks issued by the licensee or for the protection of the public interest that he immediately suspend or revoke the license of such licensee, then the commissioner may issue an order summarily suspending or revoking the license of the licensee.~~

~~(2) Within thirty (30) days after an order is issued pursuant to this subsection, any licensee to whom the order is issued may file a written request with the commissioner for a hearing on the order.~~

~~(3) The commissioner shall commence the hearing within fifteen (15) business days after the request is made.~~

~~(4) Within thirty (30) days after the hearing, the commissioner shall affirm, modify, or vacate the order.~~

~~(e) A licensee may surrender any license by delivering to the commissioner written notice that he surrenders the license, but the surrender shall not affect the licensee's civil or criminal liability or liability on any bond or entitle the licensee to a return of any part of any license fee.~~

~~(f) If a license is surrendered, suspended, or revoked, the licensee shall immediately deposit in an account in the name of the commissioner an amount which is sufficient to make the total funds in the account equal to all outstanding checks sold or issued in the State of Arkansas and money or credits received but not transmitted."~~

/s/ Will Bond

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. 2394** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2394

Amend **HOUSE BILL NO. 2394** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-15-501 is amended to read as follows:
6-15-501. Definition.

As used in this subchapter, ~~unless the context otherwise requires,~~ "home school" means a school primarily conducted provided by parents a parent or legal guardians guardian for ~~their~~ his or her own children child."

/s/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Key, **HOUSE BILL NO. 1365** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1365

Amend **HOUSE BILL NO. 1365** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 26-74-501 is amended to read as follows:

26-74-501. Levy of tax.

Any county which does not levy a tax under § 14-20-112, county gross receipts tax on hotels and restaurants, and in which there is not located a city which levies a tax under § 26-75-602 or § 26-75-701, may, by either an ordinance of the county quorum court under § 26-74-502(a) or through petition ~~pursuant to~~ under § 26-74-502(a)(b), levy a tax in the amount necessary for the payment of bonds issued or indebtedness incurred by the county public facilities board for the purposes prescribed in this subchapter, but in no event to exceed two percent (2%) upon the gross receipts or gross proceeds from either or both of the following:

(1) Gross receipts or gross proceeds from the renting, leasing, or otherwise furnishing of hotel, motel, or short term condominium rental accommodations for sleeping, meeting, or party room facilities for profit in such city, but such accommodations shall not include the rental or lease of such accommodations for periods of thirty (30) days or more;

(2) Portions of gross receipts or gross proceeds received by restaurants, cafes, cafeterias, delis, drive-in restaurants, carry-out restaurants, concession stands, convenience stores, grocery store-restaurants, and similar businesses as shall be defined in the levying ordinance, from the sale of prepared food and beverages for on-premises or off-premises consumption, but such tax shall not apply to such gross receipts or gross proceeds of fraternal organizations qualified under section 501(c)(3) of the federal Internal Revenue Code.

SECTION 2. Arkansas Code § 26-74-502 is amended to read as follows:

26-74-502. Petitions requesting an election.

(a)(1) If a county quorum court enacts an ordinance levying a tax under § 26-74-501, the quorum court shall submit the question of the levying of the tax to the electors.

(2) The election shall be held within one hundred twenty (120) days of the enacting of the ordinance.

(3) The tax shall be levied upon approval of a majority of the qualified

electors voting on the issue at the election.

~~(a)~~(b)(1) If petitions are filed requesting an election for an initiated ordinance levying the tax authorized under this subchapter or if a county quorum court enacts an ordinance levying a tax under § 26-74-501, the quorum court shall submit the question of the levying of the tax to the electors.

(2) The petitions must be signed by not less than five hundred (500) electors of the county.

(3) The election shall be held within one hundred twenty (120) days of the filing of the petitions.

(4) The tax shall be levied upon approval of a majority of the qualified electors voting on the issue at the election.

~~(b)~~(c)(1) If petitions requesting a referendum election are filed, the quorum court levying a tax under this subchapter shall submit the question of the levying of the tax to the electors.

(2) The petitions must be signed by not less than five hundred (500) electors of the county and must be filed with the quorum court within thirty (30) days after the adoption of the ordinance levying the tax.

SECTION 3. Arkansas Code § 26-75-602(a), concerning certain authorized gross receipts taxes, is amended to read as follows:

(a)(1) Any city of the first class, city of the second class, or incorporated town may, by ordinance of the governing body ~~thereof~~, levy a tax not to exceed three percent (3%) upon the gross receipts or gross proceeds identified in subsection (c) of this section.

(2)(A) If the governing body enacts an ordinance levying a tax under this section, the governing body shall submit the question of the levying of the tax to the electors.

(B) The election shall be held within one hundred twenty (120) days of the enacting of the ordinance.

(C) The tax shall be levied upon approval of a majority of the qualified electors voting on the issue at the election."

/s/ Johnny Key

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 Key, HOUSE BILL NO. 2718 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2718

Amend HOUSE BILL NO. 2718 as originally introduced:

"SECTION 1. Arkansas Code § 26-3-301, concerning property exempt from taxes, is amended to add an additional subdivision to read as follows:

(13) All property, whether real or personal, that is attached to property leased to a marina under a US Army Corps of Engineers lease agreement."

/s/ Johnny Key

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 Key, HOUSE CONCURRENT RESOLUTION NO. 1038 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE CONCURRENT RESOLUTION NO. 1038

Amend HOUSE CONCURRENT RESOLUTION NO. 1038 as originally introduced: Page 1, delete lines 20 through 22, and substitute the following:

"WHEREAS, Arkansas Poet Laureate Peggy Caudle Vining has a master's degree in early childhood education; taught kindergarten in a public school; served as a private school director for ten (10) years; and for twenty-one (21) years served as Director of The Children's Center, a lab school for the Department of Education at the University of Arkansas at Little Rock; and

WHEREAS, Ms. Vining is a published poet and author; for twelve (12) years she directed the Ozark Creative Writers Conference, and for two (2) years directed the fifty-six-year-old Arkansas Writers Conference and still serves on both boards; and served on the faculty of the first annual Christian Writers Conference in September 1998; and

WHEREAS, Ms. Vining is past president of the National League of American Penwomen in Arkansas, the Poets Roundtable of Arkansas, and the Arkansas Songwriters Association; was founder of the Central Arkansas Chapter of the National Association of Education for Young Children; received a Point of Light Award and letter from President Bush for her volunteer work with cancer research technology and her work with children's organizations; four (4) Arkansas governors have cited her for her volunteer work with the literary arts in Arkansas; and she served thirteen (13) years as Literary Arts Director of the State Festival of Arts; and

WHEREAS, Ms. Vining has been a member of American Mothers, Inc. (AMI), since 1981 when she was named Arkansas Mother of Merit; became Arkansas Mother of the Year in 1982, named by former Governor Clinton; and has been active in AMI since 1981 and has served on both local and national committees and currently serves on the AMI national board; and

WHEREAS, the Arkansas Association of AMI was kept alive by Ms. Vining, as she acted as president for many years, literary arts chairman, art and vocal chairman, search chairman, counselor, and is presently serving as treasurer; and on the national AMI board she serves as area director of five (5) states; and

WHEREAS, Ms. Vining is active in her church and has been teaching classes for four- and five-year-olds for many years and is presently a teacher in mission friends; and she face-paints for many fundraisers and uses her song-writing and story-telling skills with puppets to entertain children, both in her church and in the community; and

WHEREAS, Ms. Vining is the author of the poem "Arkansas, The Natural State" that reads as follows:

Arkansas, The Natural State

I stood today on top of Petit Jean
 And felt a kindredship to all I found,
 And I, intrigued by such a lovely scene,
 Was grateful for the beauties that abound.

The spirit of a mountain miss was host,
Her phantom figure hovered, light as wind,
And I became enchanted by her ghost,
As we stood on the ledge at river's bend.
I asked her of her legend and its truth;
Of how she stowed away to sail from France,
Of how she cropped her hair; became uncouth,
To give her love and lover one more chance.
"It is all truth; the future will proclaim
My spirit guards this mount which bears my name."
Then, as we talked, my personage subdued,
And I became, as Petit Jean, a ghost,
And with uncanny knowledge I reviewed
Historic deeds of others who could boast,
Of coming to this great green state to live;
To homestead and to plow their plots of land;
To mine the hills; to hunt the woods and give
Their very lives to make it far more grand.
I spoke to men who also came to look
For ways of life upon the river's road;
They pushed their crafts to every shallow nook
And rounded bends of hardship with each load.
The Indians told me their tales of woe,
Of how they battled as both friend and foe.
They told me how De Soto searched for gold
And, trudging through the swamps to look for it,
As upward, through the mountains and the cold,
He traded with the natives, matching wit.
La Salle then came to claim the Arkansas
But left to join another group of men,
De Tonty came to start, as did John Law,
A river post where trading could begin.
These men with whom I talked could really boast
Of being first to settle on this land,
Of fighting long and hard to save the Post
Where then was housed the laws and all command.

My spirit saw the past and lived it through,
A vision of the old when it was new.
As history passes, the seasons came in view,
And time and space and beauty knew no date.
I saw each month in its most brilliant hue
And gazed at it as if I tempted fate.
I looked at Spring and thought it surely best,
For everywhere the land was newly green,
The pristine white of dogwood seemed to test
The worthiness and beauty of each scene.
Then summer came with nesting meadowlarks,
And I beheld the golden days of fun,
As tourists came with camping gear to parks,
And found their pleasures under shade and sun.
I watched the summer visitors with awe,
They loved this state of mine . . .this Arkansas.
Perhaps they liked spelunking in a cave,
Or digging for a diamond at the mine,
Or floating trips that made of them a slave
To mountain streams, to setting out trotline.
Perhaps they liked the baths at old Hot Springs,
Or climbing under rushing waterfalls,
Or smelling the sweet air that summer brings,
Or listening to whippoorwills' faint calls.
I think they surely liked the little creeks,
That tumble down deep-set against tall bluffs.
I think they liked the deer and quail that seeks
New hideouts when invaders find their roughs.
The eager tourists came to see our state
Because the opportunities are great.
Then suddenly, as Autumn took her turn,
The Ozark Hills became a brilliant hue.
In blazing reds the forest seemed to burn
Across the valleys, up the mountains too.
In delta lands I saw vast cotton crops,
And harvest fields of rice, bowed down with grain.

The short-leaf pines were green with heavy tops,
And muscadines hung heavy down the lane.
Then winter came attired in snowfall white,
And lovely landscapes suddenly seemed bare.
The prairie sky was filled with ducks in flight,
And sounds of happy hunters filled the air.
O Arkansas, which season is your best?
Each one seems far more lovely than the rest.
What makes you great? I wondered as I looked.
Is it your timber, standing straight and tall?
Is it your rivers wide and roughly crooked?
Is it your lovely Ozarks in the fall?
Is it your heritage that makes you grand,
Your opportunities . . . yet still unknown?
Is it your rich oil fields, or delta land
That makes men proud to choose you for their own?
O Arkansas, I see your very breath,
In hazy clouds that skim your vast terrain.
I know about your struggling with death
And I have felt your birth with labored pain.
O land of mine, I find you truly great,
No wonder you are called "The Natural State",

AND

Page 1, line 32, delete "Caudle" and substitute "Vining"

/s/ Johnny Key

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Woods, **HOUSE BILL NO. 2416** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2416

Amend **HOUSE BILL NO. 2416** as originally introduced:

Page 3, line 32, delete "nine (9)" and substitute "eleven (11)"

AND

Page 4, line 13, delete "and" from the end of the line

AND

Page 4, delete line 21 and substitute the following:

"an ethicist background, or both;

(D) The Dean of the Fay W. Boozman College of Public Health or his or her designee; and

(E) The Director of the Division of Health of the Department of Health and Human Services or his or her designee."

/s/ Jon Woods

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Woods, **HOUSE BILL NO. 2416** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2416

Amend **HOUSE BILL NO. 2416** as originally introduced:

Add Representative Burris as a cosponsor of the bill

/s/ Jon Woods

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. 1142** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1142

Amend **HOUSE BILL NO. 1142** as originally introduced:

Page 2, line 19, delete "7" and substitute "8"

And

Page 2, line 20, delete "14" and substitute "13"

/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. 1254** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1254

Amend **HOUSE BILL NO. 1254** as originally introduced:

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

AND

Page 3, line 5, delete "12" and substitute "18"

AND

Page 3, line 12, delete "9" and substitute "10"

AND

Page 3, line 13, delete "31" and substitute "25"

AND

Page 3, line 14, delete "175" and substitute "176"

AND

Page 3, line 15, delete "13" and substitute "12"

AND

Page 3, line 21, delete "183" and substitute "190"

AND

Page 3, delete line 23 in its entirety

AND

Page 3, line 28, delete "86" and substitute "82"

AND

Page 3, line 30, delete "230" and substitute "229"

AND

Page 3 delete line 31 in its entirety

AND

Appropriately renumber the Item No's in SECTION 1.

/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. 1255 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1255

Amend HOUSE BILL NO. 1255 as engrossed,

H3/8/07 (version: 03-08-2007 16:28):

Page 2, line 30, delete "1" and substitute "3"

AND

Page 2, line 31, delete "3" and substitute "2"

AND

Page 2 delete line 36 in its entirety and substitute the following:

"(31) 162Z DFA PROCUREMENT MANAGER 2 GRADE 24

(32) 903Z TECHNICAL ASSISTANCE MANAGER 1 GRADE 24"

AND

Page 3, line 7, delete "6" and substitute "10"

AND

Page 3, line 10, delete "1" and substitute "2"

AND

Page 3 delete line 19 in its entirety

AND

Page 3, line 23, delete "6" and substitute "5"

AND

Page 3 delete line 30 in its entirety

AND

Page 4, line 7, delete "10" and substitute "8"

AND

Page 4, line 29, delete "7" and substitute "9"

AND

Page 5, line 1, delete "15" and substitute "16"

AND

Page 5 delete line 6 in its entirety

AND

Page 5, line 11, delete "2" and substitute "1"

AND

Page 5, line 13, delete "19" and substitute "18"

AND

Appropriately renumber all of the Item Numbers in SECTION 1.

/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. 1375** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1375

Amend **HOUSE BILL NO. 1375** as engrossed,

H3/8/07 (version: 03-08-2007 16:01):

Page 2, line 9 delete "4" and substitute "5"

AND

Page 2, line 14 delete in its entirety

AND

Appropriately number the Item No's

/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. 1395** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1395

Amend **HOUSE BILL NO. 1395** as originally introduced:

Delete SECTION 1 in its entirety and insert the following:

" SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Arkansas State Police for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	Title	Maximum Annual	
			Maximum No. of Employees	Salary Rate Fiscal Years
No.	Code		2007-2008	2008-2009
(1)	9758	DIRECTOR STATE POLICE	1	\$100,919 \$102,937
(2)	9515	ASP PROGRAM DIRECTOR	1	\$83,711 \$85,385
(3)	7312	PUBLIC INFORMATION OFFICER	1	\$60,008 \$61,200
(4)	617Z	STATE POLICE DEP DIR/LT COL	1	GRADE 26
(5)	637Z	STATE POLICE MAJOR	4	GRADE 25
(6)	645Z	ASP SPECIAL OPERATIONS ADMINISTRATOR	1	GRADE 25
(7)	916Z	ASP FISCAL OFFICER	1	GRADE 25
(8)	R100	ASP HIGHWAY SAFETY OFFICE ADMIN	1	GRADE 25
(9)	R170	ATTORNEY SPECIALIST	2	GRADE 25
(10)	R080	STATISTICAL ANALYSIS MANAGER	1	GRADE 24
(11)	T007	STATE POLICE CAPTAIN	20	GRADE 24
(12)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24
(13)	X363	ASP/CACD CHIEF ADMINISTRATOR	1	GRADE 24
(14)	X364	ASP COMPLIANCE ADMINISTRATOR	1	GRADE 23
(15)	M049	ASP HUMAN RESOURCES MANAGER	1	GRADE23

(16)	D100 DP SENIOR PROJECT LEADER	3	GRADE 23
(17)	A083 AGENCY CONTROLLER - SMALL AGENCY	1	GRADE 23
(18)	T011 STATE POLICE LIEUTENANT	30	GRADE 23
(19)	T077 FIRE MARSHAL/EXPLOSIVE TEAM COORDIN	1	GRADE 23
(20)	T051 STATE POLICE SERGEANT	83	GRADE 22
(21)	X327 ASP/CACD INVESTIGATOR ADMINISTRATOR	1	GRADE 22
(22)	X344 ASP/CACD HOTLINE ADMINISTRATOR	1	GRADE 22
(23)	D066 SYSTEMS COORDINATION ANALYST II	1	GRADE 22
(24)	A032 AGENCY FISCAL MANAGER	1	GRADE 22
(25)	909Z PROGRAM SUPPORT MANAGER	5	GRADE 22
(26)	D124 LEAD PROGRAMMER/ANALYST	2	GRADE 22
(27)	E051 TRAINING PROJECT MANAGER	1	GRADE 22
(28)	D036 SR PROGRAMMER/ANALYST	2	GRADE 21
(29)	D123 APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21
(30)	A008 ACCOUNTING SUPERVISOR II	4	GRADE 21
(31)	B027 FORENSIC SPECIALIST	2	GRADE 21
(32)	T033 STATE POLICE CORPORAL	494	GRADE 21
(33)	R298 AGENCY PROGRAM COORDINATOR	5	GRADE 21
(34)	X317 ASP DL/CDL COORDINATOR	2	GRADE 21
(35)	X320 ASP/CACD INVESTIGATOR SUPERVISOR	9	GRADE 21
(36)	T079 MGR DIVERSION INVESTIGATION UNIT	1	GRADE 21
(37)	V012 PURCHASING MANAGER	1	GRADE 21
(38)	R266 MANAGEMENT PROJECT ANALYST II	1	GRADE 20
(39)	X347 ASP/CACD SENIOR INVESTIGATOR	63	GRADE 20
(40)	N333 MEDIA SPECIALIST	1	GRADE 20
(41)	G120 PLANT MAINTENANCE COORDINATOR	1	GRADE 20
(42)	D132 SYSTEMS COORDINATION ANALYST I	3	GRADE 19
(43)	959Z AFIS ANALYST MANAGER	1	GRADE 19
(44)	R168 GRANTS COORDINATOR II	4	GRADE 19
(45)	R030 ASST PERSONNEL MANAGER	1	GRADE 19
(46)	X334 ASP/CACD HOTLINE SUPERVISOR	4	GRADE 19
(47)	Y015 AVIATION TECHNICIAN	1	GRADE 19
(48)	X401 ASP USED MOTOR VEHICLE INSPECTOR	10	GRADE 18
(49)	W030 RECORDS MANAGEMENT ANALYST II	5	GRADE 18
(50)	X296 INVESTIGATIVE/ANALYST	2	GRADE 18
(51)	T069 DRUG DIVERSION INVESTIGATOR	2	GRADE 18

(52) V034 PLANT WAREHOUSE FOREMAN	1	GRADE 18
(53) R264 MANAGEMENT PROJECT ANALYST I	2	GRADE 18
(54) A111 ACCOUNTANT	2	GRADE 18
(55) E072 TRAINING INSTRUCTOR	1	GRADE 18
(56) C037 TELECOMMUNICATIONS SUPERVISOR	12	GRADE 18
(57) G161 GENERAL MAINTENANCE REPAIRMAN	1	GRADE 17
(58) R430 ADMINISTRATIVE OFFICER	2	GRADE 17
(59) R190 PERSONNEL OFFICER II	1	GRADE 17
(60) N355 PHOTOGRAPHER	2	GRADE 17
(61) R010 ADMINISTRATIVE ASSISTANT II	5	GRADE 17
(62) W028 RECORDS MANAGEMENT ANALYST I	1	GRADE 17
(63) X343 ASP/CACD HOTLINE OPERATOR	28	GRADE 17
(64) Y003 AUTO/DIESEL MECHANIC	1	GRADE 17
(65) Y039 HEATING & A/C MECHANIC	1	GRADE 17
(66) Y049 INSTRUMENTATION TECHNICIAN II	1	GRADE 17
(67) Y053 JOURNEYMAN CARPENTER	1	GRADE 17
(68) W001 ASP AFIS TECHNICIAN	20	GRADE 16
(69) C008 COMMUNICATION TECH II	1	GRADE 16
(70) C035 ASP TELECOMMUNICATIONS OPERATOR	72	GRADE 16
(71) A063 PAYROLL OFFICER	2	GRADE 15
(72) A108 ACCOUNTING TECHNICIAN II	6	GRADE 15
(73) R009 ADMINISTRATIVE ASSISTANT I	1	GRADE 15
(74) T047 SECURITY OFFICER III	5	GRADE 15
(75) X382 ASP DRIVERS LICENSE EXAMINER	53	GRADE 15
(76) W005 FINGERPRINT TECH	7	GRADE 14
(77) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
(78) K042 ASP ADMINISTRATIVE SPECIALIST	25	GRADE 14
(79) K117 MEDICAL OR LEGAL SECRETARY	2	GRADE 14
(80) K153 SECRETARY II	21	GRADE 13
(81) K002 CASHIER III	3	GRADE 13
(82) K039 DOCUMENT EXAMINER II	20	GRADE 12
(83) K155 SECRETARY I	2	GRADE 11
(84) K103 REPROD EQUIPMENT OPERATOR	<u>1</u>	GRADE 10
MAX. NO. OF EMPLOYEES	1,092"	

AND

Page 4, line 30 delete "56,560 56,560" and insert the following:

"116,560 116,560"

AND

Page 4, line 34 delete "11,646,911 12,303,624" and insert the following:

"11,948,610 12,605,323"

AND

Page 5, line 1 delete "100,000 100,000" and insert the following:

"313,750 100,000"

AND

Page 5, line 4 delete "\$ 74,993,562 \$ 79,874,267" and insert the following: "\$ 75,569,011 \$ 80,235,966"

AND

Page 9, line 17 delete "\$ 2,454,000 \$ 2,063,500" and insert the following: "\$ 7,314,000 \$ 7,139,500"

AND

Page 9, line 21 delete "5,000,000 5,200,000" and insert the following: "140,000 124,000"

AND

Immediately following SECTION 12 insert the following:

"SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL RATES OF PAY. Due to the necessity of maintaining public safety and the highly competitive job market conditions for law enforcement personnel, the Arkansas State Police is authorized special rates of pay up to Pay Level IV of the respective grade for all current and new Commissioned employees holding the rank of:

<u>617Z</u>	<u>State Police Deputy Director/Lieutenant Colonel</u>	<u>Grade 26</u>
<u>637Z</u>	<u>State Police Major</u>	<u>Grade 25</u>
<u>T007</u>	<u>State Police Captain</u>	<u>Grade 24</u>
<u>T011</u>	<u>State Police Lieutenant</u>	<u>Grade 23</u>
<u>T051</u>	<u>State Police Sergeant</u>	<u>Grade 22</u>
<u>T033</u>	<u>State Police Corporal</u>	<u>Grade 21</u>
<u>T054</u>	<u>Trooper First Class</u>	<u>Grade 20</u>
<u>T039</u>	<u>State Police Trooper</u>	<u>Grade 19</u>

Current commissioned uniformed employees whose salaries are awarded a one time adjustment and whose salaries exceed Pay Level IV, shall not be considered as exceeding the line item maximum of the employee's assigned grade.

Additionally, the following positions shall be authorized special rates of pay up to Pay Level IV of the respective grade for all current and new employees holding the positions below:

<u>T079</u>	<u>Manager Diversion Investigation Unit</u>	<u>Grade 21</u>
<u>T069</u>	<u>Drug Diversion Investigator</u>	<u>Grade 18</u>
<u>C037</u>	<u>Telecommunications Supervisor</u>	<u>Grade 18</u>
<u>C035</u>	<u>ASP Telecommunications Operator</u>	<u>Grade 16</u>
<u>X382</u>	<u>ASP Driver's License Examiner</u>	<u>Grade 15</u>
<u>X317</u>	<u>ASP DL/CDL Coordinator</u>	<u>Grade 21</u>
<u>X363</u>	<u>ASP/CACD Chief Administrator</u>	<u>Grade 24</u>
<u>X327</u>	<u>ASP/CACD Investigator Administrator</u>	<u>Grade 22</u>
<u>X344</u>	<u>ASP/CACD Hotline Administrator</u>	<u>Grade 22</u>
<u>X343</u>	<u>ASP/CACD Hotline Operator</u>	<u>Grade 17</u>
<u>X334</u>	<u>ASP/CACD Hotline Supervisor</u>	<u>Grade 19</u>
<u>X321</u>	<u>ASP/CACD Investigator</u>	<u>Grade 19</u>
<u>X320</u>	<u>ASP/CACD Investigator Supervisor</u>	<u>Grade 21</u>
<u>X347</u>	<u>ASP/CACD Senior Investigator</u>	<u>Grade 20</u>

Current employees whose salaries are awarded a one time adjustment and whose salaries exceed Pay Level IV, shall be eligible to receive such adjustment, not to exceed six percent, in a lump sum payment and such payment shall not be construed as exceeding the maximum salary for the grade.

As a pre-requisite to implementation of the rates of pay authorized in this section, the Arkansas State Police shall submit a salary structure and administration plan that addresses the recruiting and retention needs of the Department for approval by the Chief Fiscal Officer of the State and approval by the Arkansas Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Arkansas State Police may operate more efficiently if some flexibility is provided to the Department of Arkansas State Police authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or

Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in full force and effect for the biennium beginning July 1, 2007 and ending June 30, 2009.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PROMOTIONAL ITEMS. The Department of Arkansas State Police is hereby authorized to purchase from Maintenance & General Operations Classifications in the Operations Appropriation provided by this Act, up to an amount not to exceed \$2,500 each fiscal year, promotional items, authorized by the Director of the Department to meet requirements of the Arkansas State Police Strategic Recruitment Plan.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

AND

Appropriately renumber the subsequent sections.

/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. 1424** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1424

Amend **HOUSE BILL NO. 1424** as engrossed,

H2/16/07 (version: 02-16-2007 11:16):

Page 2, delete line 12 in its entirety and substitute the following:

"(9) 9275 FEDERAL GRANTS/RESOURCE ADMINISTRAT	1	\$86,613	\$88,345
(10) 8037 ESD PROGRAM ADMINISTRATOR	1	\$81,368	\$82,995"

And

Appropriately renumber the Item Nos. in SECTION 1

And

Page 3, line 8, delete "36" and substitute "40"

And

Page 3, line 17, delete "3" and substitute "2"

And

Page 3, line 27, delete "11" and substitute "10"

And

Page 3, line 28, delete the single digit "8" and substitute "7"

And

Page 3, line 29, delete "50" and substitute "49"

And

Page 3, line 32, delete "281" and substitute "280"

/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. 1546** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1546

Amend **HOUSE BILL NO. 1546** as originally introduced:

Page 2, delete lines 3 through page 6, line 2 and insert therefor:

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

(1) President, Henderson State Univ.	1	\$154,978	\$158,078
(2) Vice-Pres. for Academic Affairs	1	\$127,787	\$130,343
(3) Vice-Pres. for Finance & Admin.	1	\$127,787	\$130,343
(4) Vice-Pres. for Inst. Advancement	1	\$125,845	\$128,362
(5) Vice-Pres. for Student Services	1	\$125,845	\$128,362
(6) Dean - Ellis College	1	\$124,838	\$127,335
(7) Dean of School	3	\$121,961	\$124,400
(8) Assoc. Vice-Pres. for Acad. Affairs	1	\$114,901	\$117,199
(9) Exec. Assistant to the President	1	\$111,586	\$113,818
(10) Dir. of Computer/Comms. Svcs.	1	\$107,105	\$109,247
(11) General Counsel	1	\$99,039	\$101,020
(12) Controller	1	\$98,649	\$100,622
(13) Associate Dean	3	\$97,979	\$99,939
(14) Director of Development	1	\$96,707	\$98,641
(15) Director of University Relations	1	\$94,700	\$96,594
(16) Director of Physical Plant	1	\$92,855	\$94,712
(17) Director of Counseling	1	\$91,663	\$93,496
(18) Director of Retention	1	\$90,331	\$92,138
(19) Registrar/Admissions Officer	1	\$90,331	\$92,138
(20) Asst. to the President for Diversity	1	\$89,930	\$91,729
(21) Dean of Student Services	1	\$83,200	\$84,864
(22) Director of Economic Development	1	\$82,214	\$83,858
(23) Associate Director of Comp/Comm Svc	1	\$82,009	\$83,649
(24) Director of Planning and Research	1	\$80,603	\$82,215
(25) Project/Program Administrator	8		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093

(26) Director of Grants & Sponsored Progs.	1	\$80,184	\$81,788
(27) Director of Public Relations	1	\$80,184	\$81,788
(28) Director of Student Aid	1	\$80,184	\$81,788
(29) Director of International Programs	1	\$80,184	\$81,788
(30) Counselors	3	\$75,486	\$76,996
(31) Business Manager	1	\$74,767	\$76,262
(32) Assoc. Dean of Student Services	4	\$74,767	\$76,262
(33) Director of Administrative Services	1	\$70,913	\$72,331
(34) Director of Testing	1	\$67,898	\$69,256
(35) Director of Alumni	1	\$64,473	\$65,762
(36) Dir. of Publications/Creative Svcs.	1	\$64,160	\$65,443
(37) Academic Computer Svcs. Coord.	1	\$63,193	\$64,457
(38) Admin. Computer Svcs. Coord.	1	\$63,193	\$64,457
(39) Director of Instructional Technology	1	\$63,193	\$64,457
(40) Assistant Dean of Student Services	5	\$61,333	\$62,560
(41) Major Gift Devel. Officer	1	\$61,333	\$62,560
(42) Director of Disability Services	1	\$60,472	\$61,681
(43) Aircraft Maintenance Coordinator	1	\$54,050	\$55,131
(44) Institutional Assistant	6	\$53,270	\$54,335

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(45) DP Network Manager III -Inst	1	GRADE 24
(46) Assistant Controller	1	GRADE 23
(47) HSU Director of Public Safety	1	GRADE 23
(48) Career Plng & Placement Coord	1	GRADE 22
(49) DP Network Technician III -Inst	1	GRADE 22
(50) Accounting Supervisor II	1	GRADE 21
(51) Development Specialist	1	GRADE 21
(52) HE Public Safety Commander I	1	GRADE 21
(53) HSU Asst Director Physical Plant	3	GRADE 21
(54) Assistant Dir Financial Aid	1	GRADE 20
(55) Computer Support Specialist II	1	GRADE 20
(56) DP Network Technician II -Inst	1	GRADE 20
(57) Internal Auditor	1	GRADE 20
(58) Program Coordinator	1	GRADE 20
(59) Accountant II	1	GRADE 19

(60) Aviation Technician	2	GRADE 19
(61) Career Plng & Placement Advisor	1	GRADE 19
(62) Applications Programmer II -Inst	2	GRADE 19
(63) Student Accounts Officer - HSU	1	GRADE 19
(64) Accountant	4	GRADE 18
(65) Assistant Registrar	1	GRADE 18
(66) Computer Supp Spec I -Inst	1	GRADE 18
(67) DP Network Technician I -Inst	3	GRADE 18
(68) Financial Aid Officer II	2	GRADE 18
(69) HE Public Safety Officer II	6	GRADE 18
(70) Payroll Services Specialist	2	GRADE 18
(71) Plant Maintenance Supervisor	1	GRADE 18
(72) Pub & Student Recruit Spec II	3	GRADE 18
(73) Purchasing Agent	1	GRADE 18
(74) Administrative Assistant II	5	GRADE 17
(75) Instrumentation Technician II	1	GRADE 17
(76) Inventory Control Manager	1	GRADE 17
(77) Landscape Supervisor II	2	GRADE 17
(78) Library Supervisor I	1	GRADE 17
(79) Publicity and Information Spec	1	GRADE 17
(80) Skilled Trades Worker	14	GRADE 17
(81) Computer Technician II -Inst	3	GRADE 16
(82) Financial Aid Officer I	1	GRADE 16
(83) Pub & Student Recruitment Spec I	1	GRADE 16
(84) Accounting Technician II	5	GRADE 15
(85) Administrative Assistant I	9	GRADE 15
(86) Administrative Office Supv	2	GRADE 15
(87) Computer Lab Technician II -Inst	3	GRADE 15
(88) Payroll Officer	1	GRADE 15
(89) Administrative Secretary	16	GRADE 14
(90) Library Academic Technician III	5	GRADE 14
(91) Personnel Assistant I - Inst	1	GRADE 14
(92) Boiler Operator	3	GRADE 13
(93) Head Cashier	2	GRADE 13
(94) Secretary II	19	GRADE 13
(95) Work Study Coordinator	1	GRADE 13

(96) Accounting Technician I	3	GRADE 12
(97) Cashier II	1	GRADE 12
(98) Computer Tech Trainee -Inst	1	GRADE 12
(99) Document Examiner II	2	GRADE 12
(100) Library Academic Technician II	6	GRADE 12
(101) Registrar's Assistant	2	GRADE 12
(102) Audiovisual Lab Assistant	1	GRADE 11
(103) Custodial Service Shift Supv	2	GRADE 11
(104) Secretary I	15	GRADE 11
(105) Clerical Assistant	1	GRADE 10
(106) Library Academic Technician I	2	GRADE 10
(107) Cashier I	1	GRADE 09
(108) Bldg/Equip Maint Repairman II	1	GRADE 08
(109) Custodial Supervisor II	2	GRADE 08
(110) Maintenance Worker Supervisor	2	GRADE 07
(111) Switchboard Operator I	1	GRADE 07
(112) Custodial Supervisor I	1	GRADE 06
(113) Maintenance Worker II	7	GRADE 05
(114) Custodial Worker II	20	GRADE 04
(115) Maintenance Worker I	6	GRADE 04
(116) Custodial Worker I	10	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(117) Department Chairperson	4	\$114,192	\$116,476
(118) Dir. Library & Learning Resources	1	\$108,689	\$110,863
(119) Director of Bands	1	\$82,436	\$84,085
(120) Asst. Dir. of Learning Resources	1	\$79,342	\$80,929
(121) Library Faculty	7		
Librarian (Assoc. Prof.)		\$78,489	\$80,059
Librarian (Asst. Prof.)		\$65,168	\$66,471
Librarian (Instructor)		\$60,374	\$61,581
(122) Chief Flight Instructor	1	\$64,934	\$66,233

NINE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(123) Faculty	178		
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
(124) Part-Time Faculty	85	\$33,180	\$33,844
(125) Graduate Assistant	60	\$19,931	\$20,330

TWELVE MONTH AUXILIARY ENTERPRISES

NON-CLASSIFIED POSITIONS

(126) Director of Athletics	1	\$94,632	\$96,525
(127) Coach	9	\$86,463	\$88,192
(128) Asst. Director of Athletics	1	\$72,648	\$74,101
(129) Assistant Coach	9	\$67,968	\$69,327
(130) Director of Operations & Hospitality	1	\$62,529	\$63,780
(131) Bookstore Manager	1	\$62,098	\$63,340

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(132) Student Health Services Nurse II	2	GRADE 20
(133) Sports Information Specialist	1	GRADE 17
(134) Resident Program Coordinator	5	GRADE 16
(135) Administrative Assistant I	1	GRADE 15
(136) Administrative Office Supervisor	1	GRADE 15
(137) Campus Postmaster	1	GRADE 15
(138) Administrative Secretary	2	GRADE 14
(139) Resident Hall Manager II	1	GRADE 14
(140) Secretary II	3	GRADE 13
(141) Student Union Section Manager	1	GRADE 13
(142) Purchasing Assistant	1	GRADE 11
(143) Secretary I	3	GRADE 11
(144) Shipping & Receiving Clerk	1	GRADE 11
(145) Clerical Assistant	1	GRADE 10
(146) Receptionist	3	GRADE 10
(147) Bed and Breakfast Desk Clerk	1	GRADE 09
(148) Cashier I	1	GRADE 09
(149) Mail Officer	1	GRADE 09
(150) Office Clerk	3	GRADE 07
(151) Custodial Supervisor I	1	GRADE 06

(152) Custodial Worker II	9	GRADE 04
(153) Custodial Worker I	12	GRADE 03

CONTINGENCY POSITIONS - FOOD SERVICE

NON-CLASSIFIED POSITIONS

(154) Director of Food Services	1	\$62,543	\$63,794
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CONTINGENCY POSITIONS - FOOD SERVICE

CLASSIFIED POSITIONS

(155) Food Production Supervisor	2	GRADE 16
(156) Butcher II	1	GRADE 11
(157) Cook II	5	GRADE 10
(158) Cook I	2	GRADE 08
(159) Food Service Worker II	6	GRADE 05
(160) Food Service Worker I	<u>9</u>	GRADE 03

MAX. NO. OF EMPLOYEES 741";

Page 6, line 21 replace "20,000 20,000" with "25,000 25,000";

Page 6, line 30 replace "\$ 19,667,644 \$ 19,919,688" with "\$ 19,672,644 \$ 19,924,688";

Page 7, line 6 replace "3,500,000 3,500,000" with "3,750,000 4,000,000";

Page 7, line 19 replace "\$ 244,820,000 \$ 246,421,400" with "\$ 245,070,000 \$ 246,921,400".

/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. 1547** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1547

Amend **HOUSE BILL NO. 1547** as originally introduced:

Page 2, delete lines 3 through page 5, line 4 and insert therefor:

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

(1) President, Southern Ark. University	1	\$149,569	\$152,560
(2) Vice-Pres for Acad Affairs & Provost	1	\$119,174	\$121,557
(3) Vice-Pres for Finance	1	\$115,041	\$117,342
(4) Vice-Pres for Student Affairs	1	\$111,586	\$113,818
(5) Vice-Pres for Administration	1	\$111,586	\$113,818
(6) Dean	7	\$102,961	\$105,020
(7) Associate Vice President	1	\$98,428	\$100,397
(8) Director of Counseling	1	\$91,646	\$93,479
(9) Business Manager	1	\$89,771	\$91,566
(10) Director of Physical Plant/Plant Eng	1	\$89,771	\$91,566
(11) Registrar	1	\$82,399	\$84,047
(12) Director of Continuing Education	1	\$80,846	\$82,463
(13) Project/Program Administrator	7		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(14) Director of Computer Services	1	\$86,181	\$87,905
(15) Director of Development	1	\$78,489	\$80,059
(16) Director of Institutional Research	1	\$78,488	\$80,058
(17) Director of Engineering Systems	1	\$76,240	\$77,765
(18) Controller	1	\$75,815	\$77,331
(19) Counselor	1	\$75,486	\$76,996
(20) Director of Academic Advising	1	\$74,727	\$76,222
(21) Dir of Enrollment Services	1	\$74,727	\$76,222
(22) Director of Admissions	1	\$74,727	\$76,222
(23) Director of International Programs	1	\$74,727	\$76,222
(24) Director of Student Aid	1	\$74,727	\$76,222
(25) Director of Media Services	1	\$73,898	\$75,376

(26) Dean of Students	1	\$70,969	\$72,388
(27) Associate Dean of Students	2	\$67,139	\$68,482
(28) Director of Instructional Technology	1	\$63,193	\$64,457
(29) Asst. Dean of Students	2	\$63,192	\$64,456
(30) Asst. Dir . of Computer Svcs	2	\$63,192	\$64,456
(31) Agri. Resident Director	1	\$62,529	\$63,780
(32) Development Officer	1	\$60,800	\$62,016
(33) Director of Disability Services	1	\$58,414	\$59,582

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(34) Assistant Controller	1	GRADE 23
(35) Asst Dir Computer Svcs I - Inst	2	GRADE 23
(36) SAU Director Public Safety	1	GRADE 23
(37) Career Plng & Placement Coord	1	GRADE 22
(38) DP Network Manager II - Inst	2	GRADE 22
(39) Systems Programmer II - Inst	1	GRADE 22
(40) Accounting Supervisor II	1	GRADE 21
(41) Database Coordinator I -Inst	1	GRADE 21
(42) SAU Asst Dir of Physical Plant	2	GRADE 21
(43) SAU Director of Information	1	GRADE 21
(44) SAU Director of Personnel	1	GRADE 21
(45) SAU Purchasing Agent	1	GRADE 21
(46) Assistant Dir of Financial Aid	1	GRADE 20
(47) Counselor II	2	GRADE 20
(48) DP Network Technician II - Inst	1	GRADE 20
(49) HE Public Safety Supervisor	1	GRADE 20
(50) Internal Auditor	1	GRADE 20
(51) SAU Coord of Deseg & Affr Act	1	GRADE 20
(52) SAU Director of Alumni Affairs	1	GRADE 20
(53) Accounting Supervisor I	1	GRADE 20
(54) Applications Programmer II - Inst	3	GRADE 19
(55) Accountant II	1	GRADE 19
(56) Buyer	1	GRADE 19
(57) SAU Director of Housekeeping	1	GRADE 19
(58) Student Accounts Officer - SAU	1	GRADE 19
(59) Budget Specialist	1	GRADE 19

(60) Accountant	3	GRADE 18
(61) Assistant Registrar	1	GRADE 18
(62) Counselor I	1	GRADE 18
(63) DP Network Technician I -Inst	3	GRADE 18
(64) Financial Aid Officer II	1	GRADE 18
(65) HE Public Safety Officer II	6	GRADE 18
(66) Personnel Assistant II	1	GRADE 18
(67) Purchasing Agent	1	GRADE 18
(68) Skilled Trades Supervisor	6	GRADE 18
(69) Administrative Assistant II	3	GRADE 17
(70) Applications Programmer I - Inst	4	GRADE 17
(71) Farm Foreman - Institution	2	GRADE 17
(72) Graphic Artist II	1	GRADE 17
(73) Instrumentation Technician II	2	GRADE 17
(74) Landscape Supervisor II	1	GRADE 17
(75) Skilled Trades Worker	12	GRADE 17
(76) Computer Technician II - Inst	1	GRADE 16
(77) Coordinator of Housekeeping	1	GRADE 16
(78) Financial Aid Officer I	1	GRADE 16
(79) Accounting Technician II	3	GRADE 15
(80) Accounts Supervisor	1	GRADE 15
(81) Administrative Assistant I	3	GRADE 15
(82) Administrative Office Supv	1	GRADE 15
(83) Assistant Purchasing Agent	1	GRADE 15
(84) Equipment Mechanic	1	GRADE 15
(85) Instrumentation Technician I	1	GRADE 15
(86) Landscape Supervisor I	1	GRADE 15
(87) Administrative Secretary	7	GRADE 14
(88) Computer Technician I - Inst	1	GRADE 14
(89) Institutional Bus Driver	1	GRADE 14
(90) Library Academic Technician III	3	GRADE 14
(91) Boiler Operator	1	GRADE 13
(92) Secretary II	13	GRADE 13
(93) Accounting Technician I	2	GRADE 12
(94) Library Academic Technician II	2	GRADE 12
(95) Mailroom Supervisor	1	GRADE 12

(96) Registrar's Assistant	3	GRADE 12
(97) Apprentice Tradesman	5	GRADE 11
(98) Heavy Equipment Operator	3	GRADE 11
(99) Secretary I	20	GRADE 11
(100) Shipping & Receiving Clerk	1	GRADE 11
(101) Switchboard Operator II	1	GRADE 09
(102) Custodial Supervisor II	1	GRADE 08
(103) Bldg/Equipment Maint. Repair II	2	GRADE 08
(104) Equipment Operator	4	GRADE 08
(105) Bldg/Equipment Maint. Repair I	2	GRADE 06
(106) Maintenance Worker II	8	GRADE 05
(107) Custodial Worker II	10	GRADE 04
(108) Maintenance Worker I	2	GRADE 04
(109) Custodial Worker I	7	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(110) Dir. of Nursing, SAU System	1	\$97,021	\$98,961
(111) Department Chairperson	23	\$94,802	\$96,698
(112) Director of Library	1	\$80,367	\$81,974
(113) Assoc. Librarian	1	\$65,168	\$66,471
(114) Lab Supervisor	1	\$61,296	\$62,522
(115) Asst. Librarian	6	\$57,274	\$58,419

NINE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(116) Faculty	151		
Distinguished Professor		\$93,928	\$95,807
Professor		\$88,618	\$90,390
Assoc. Professor		\$78,301	\$79,867
Asst. Professor		\$72,115	\$73,557
Instructor		\$59,739	\$60,934
(117) Part-Time Faculty	56	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(118) Dir. of Athletics	1	\$94,632	\$96,525
(119) Head Coach	3	\$86,463	\$88,192
(120) Coach	4	\$67,968	\$69,327

(121) Director of Food Service	1	\$62,543	\$63,794
(122) Bookstore Manager	1	\$62,098	\$63,340

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(123) SAU Director of Housing	1	GRADE 21
(124) SAU Director of Student Union	1	GRADE 20
(125) Student Health Services Nurse I	1	GRADE 18
(126) Food Production Supervisor	1	GRADE 16
(127) Resident Program Coordinator	2	GRADE 16
(128) Cook II	3	GRADE 10
(129) Food Service Worker II	3	GRADE 05
(130) Custodial Worker II	7	GRADE 04
(131) Custodial Worker I	<u>3</u>	GRADE 03

MAX. NO. OF EMPLOYEES 515";

Page 5, line 10 replace "four hundred seventy five (1,475)" with "eight hundred (1,800)";

Page 5, line 24 replace "23,000 23,000" with "25,000 25,000";

Page 5, line 33 replace "\$ 15,649,594 \$ 15,824,241" with "\$ 15,651,594 \$ 15,826,241";

Page 6, line 8 replace "2,825,000 2,825,000" with "3,800,000 3,800,000";

Page 6, line 20 replace "\$ 39,540,000 \$ 39,682,800" with "\$ 40,515,000 \$ 40,657,800".

/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. 1553** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1553

Amend **HOUSE BILL NO. 1553** as originally introduced:

Page 2, delete lines 4 through page 6, line 4 and insert therefor:

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

(1) Chancellor, UA Fort Smith	1	\$149,569	\$152,560
(2) Provost/Chief Academic Officer	1	\$119,174	\$121,557
(3) Vice Chan. for Univ Plans and Programs	1	\$119,174	\$121,557
(4) Vice Chan. For Finance & Admin.	1	\$115,041	\$117,342
(5) Executive Vice Chancellor	1	\$111,586	\$113,818
(6) Vice Chancellor for Student Services	1	\$111,586	\$113,818
(7) Vice Chan., Institutional Advancement	1	\$111,586	\$113,818
(8) Dean	6	\$102,961	\$105,020
(9) Vice Chan, Planning & Accountability	1	\$99,476	\$101,466
(10) Dean of Business & Professional Inst	1	\$93,999	\$95,879
(11) Dean of Work Force Development	1	\$93,999	\$95,879
(12) Dir. of Management Info. Systems	1	\$93,999	\$95,879
(13) Dean of Instructional Development	1	\$87,589	\$89,341
(14) Dir. of Community & Cont. Ed.	1	\$87,589	\$89,341
(15) Assistant to the Chancellor	1	\$84,065	\$85,746
(16) Dir. of Telecommunications	1	\$81,183	\$82,807
(17) Project/Program Administrators	15		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(18) Registrar	1	\$78,583	\$80,155
(19) Dir. of Institutional Research	1	\$78,489	\$80,059
(20) Director of Major Gifts	1	\$77,401	\$78,949
(21) Dir. of Physical Plant	1	\$76,036	\$77,557
(22) Dir. of Evening & Special Programs	1	\$75,911	\$77,429
(23) Controller	1	\$75,815	\$77,331
(24) Dir. of Instructional Technology	1	\$75,484	\$76,994
(25) Director of Admissions	1	\$74,727	\$76,222

(26) Director of Student Aid	1	\$74,727	\$76,222
(27) Director of Staff Development	1	\$67,578	\$68,930
(28) Dir. of Sys Prog & Data Base Svcs.	1	\$66,165	\$67,488
(29) Dir. of Budget	1	\$65,898	\$67,216
(30) Dir. of Placement/Career Services	1	\$63,745	\$65,020
(31) Dir. of Educational Assessment	1	\$63,192	\$64,456
(32) Administrator of Grants & Contracts	1	\$62,587	\$63,839
(33) Development Officer	3	\$60,800	\$62,016
(34) Instructional Designers	2	\$60,800	\$62,016
(35) Counselor	1	\$60,800	\$62,016
(36) Director of Student Activities & Org	1	\$59,737	\$60,932
(37) Dir. of Communications & Marketing	1	\$58,692	\$59,866
(38) Continuing Education Specialist	2	\$55,090	\$56,192
(39) Workforce Specialist	3	\$55,090	\$56,192
(40) Director of Disability Services	1	\$54,032	\$55,113
(41) Dir. of Admin. Support Services	1	\$48,233	\$49,198
(42) Dir. of Academic Support Services	1	\$48,233	\$49,198
(43) Academic Advisor	32	\$45,694	\$46,608

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(44) Systems Programmer III - Inst	2	GRADE 24
(45) Systems Analyst II - Inst	3	GRADE 22
(46) Accounting Supervisor II	4	GRADE 21
(47) UAFS Purchasing Agent	1	GRADE 21
(48) HE Public Safety Commander I	1	GRADE 21
(49) Accounting Supervisor I	1	GRADE 20
(50) DP Network Technician II - Inst	2	GRADE 20
(51) Editor	1	GRADE 20
(52) Occupational Safety Coordinator	1	GRADE 20
(53) Plant Maintenance Coordinator	1	GRADE 20
(54) Program Coordinator	5	GRADE 20
(55) Systems Analyst I - Inst	1	GRADE 20
(56) UAFS Director of Alumni	1	GRADE 20
(57) UAFS Director of Information	1	GRADE 20
(58) Website Coordinator II	1	GRADE 20
(59) Applications Programmer II - Inst	1	GRADE 19

(60) Buyer	3	GRADE 19
(61) Research Project Analyst	1	GRADE 19
(62) Accountant	5	GRADE 18
(63) Assistant Registrar	2	GRADE 18
(64) DP Network Technician I - Inst	1	GRADE 18
(65) HE Public Safety Officer II	4	GRADE 18
(66) Personnel Assistant II - Inst	2	GRADE 18
(67) Skilled Trades Supervisor	2	GRADE 18
(68) Administrative Assistant II	4	GRADE 17
(69) Audio Visual Aids Supervisor	1	GRADE 17
(70) DP Operations Supervisor I - Inst	1	GRADE 17
(71) Graphic Artist II	2	GRADE 17
(72) Instrumentation Technician II	1	GRADE 17
(73) Landscape Supervisor II	2	GRADE 17
(74) Multimedia Specialist	1	GRADE 17
(75) Skilled Trades Worker	11	GRADE 17
(76) Special Events Coordinator	1	GRADE 17
(77) Computer Technician II - Inst	1	GRADE 16
(78) Coordinator of Housekeeping	1	GRADE 16
(79) Financial Aid Officer I	1	GRADE 16
(80) Information Specialist	1	GRADE 16
(81) Multimedia Technical Controller II	1	GRADE 16
(82) HE Public Safety Officer I	3	GRADE 16
(83) Accounting Technician II	8	GRADE 15
(84) Administrative Assistant I	6	GRADE 15
(85) Administrative Office Supervisor	2	GRADE 15
(86) Instrumentation Technician I	1	GRADE 15
(87) Research Assistant	2	GRADE 15
(88) Laboratory Coordinator	1	GRADE 15
(89) Administrative Secretary	1	GRADE 14
(90) Computer Publishing Operator	2	GRADE 14
(91) Computer Technician I - Inst	1	GRADE 14
(92) Personnel Assistant I - Inst	4	GRADE 14
(93) Laboratory Assistant III	1	GRADE 13
(94) Secretary II	15	GRADE 13
(95) Accounting Technician I	1	GRADE 12

(96) Cashier II	1	GRADE 12
(97) Library Academic Technician II	3	GRADE 12
(98) Registrar's Assistant	4	GRADE 12
(99) Mailroom Supervisor	1	GRADE 12
(100) Apprentice Tradesman	4	GRADE 11
(101) Secretary I	19	GRADE 11
(102) Shipping & Receiving Clerk	1	GRADE 11
(103) Reproduction Equipment Operator	1	GRADE 10
(104) Clerical Assistant	1	GRADE 10
(105) Library Academic Technician I	1	GRADE 10
(106) Custodial Supervisor II	2	GRADE 08
(107) Skilled Trades Helper	1	GRADE 08
(108) Maintenance Worker Supervisor	2	GRADE 07
(109) Maintenance Worker II	8	GRADE 05
(110) Custodial Worker II	7	GRADE 04
(111) Custodial Worker I	22	GRADE 03

TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(112) Director of Library Services	1	\$80,367	\$81,974
(113) Assistant Dean	3	\$78,580	\$80,152
(114) Librarian	6	\$65,168	\$66,471

NINE-MONTH EDUCATIONAL & GENERAL
ACADEMIC POSITIONS

(115) Faculty	250		
Distinguished Professor		\$95,806	\$97,722
Professor		\$88,618	\$90,390
Associate Professor		\$78,301	\$79,867
Assistant Professor		\$72,115	\$73,557
Instructor		\$59,739	\$60,934
Lecturer		\$37,056	\$37,797
(116) Clinical Instructor	13	\$47,131	\$48,074
(117) Part-Time Faculty	270	\$33,180	\$33,844

TWELVE MONTH AUXILIARY ENTERPRISES
NON-CLASSIFIED POSITIONS

(118) Dir. of Auxiliary Enterprises	1	\$74,327	\$75,814
(119) Project/Program Manager	2	\$72,829	\$74,286

(120) Senior Women's Administrator	1	\$72,378	\$73,826
(121) Assistant Athletic Director	1	\$72,378	\$73,826
(122) Coach	4	\$67,997	\$69,357
(123) Director of Food Service	1	\$62,543	\$63,794
(124) Campus Store Manager	1	\$62,098	\$63,340
(125) Sports Information Director	1	\$45,694	\$46,608
(126) Compliance Officer	1	\$43,672	\$44,545

TWELVE MONTH AUXILIARY ENTERPRISES

CLASSIFIED POSITIONS

(127) Special Events Manager	1	GRADE 19
(128) UAFS Bookstore Manager	1	GRADE 19
(129) Food Production Manager	1	GRADE 18
(130) Student Union Night Manager	1	GRADE 17
(131) Assistant Bookstore Manager	1	GRADE 16
(132) Food Production Supervisor	1	GRADE 16
(133) Manager of Catering	1	GRADE 15
(134) Head Cashier	1	GRADE 13
(135) Supervisor of Cooking	1	GRADE 13
(136) Cashier II	2	GRADE 12
(137) Purchasing Assistant	1	GRADE 11
(138) Shipping & Receiving Clerk	1	GRADE 11
(139) Cook II	6	GRADE 10
(140) Cashier I	3	GRADE 09
(141) Food Service Worker II	5	GRADE 05
(142) Food Service Worker I	2	GRADE 03

WESTERN ARKANSAS AREA TECHNICAL CTR

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(143) Director, Western Ark Area Tech Ctr	1	\$80,225	\$81,830
(144) Asst. Dir., Western Ark Area Tech Ctr	1	\$70,991	\$72,411
(145) Workforce Specialist	2	\$55,090	\$56,192
(146) Academic Advisor	3	\$45,694	\$46,608

WESTERN ARKANSAS AREA TECHNICAL CTR

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(147) Secretary II	1	GRADE 13
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NINE-MONTH EDUCATIONAL & GENERAL
ACADEMIC POSITIONS

(148) Faculty	12	\$65,927	\$67,246
(149) Part-Time Faculty	<u>18</u>	\$33,180	\$33,844
MAX. NO. OF EMPLOYEES		924";	

Page 6, line 9 replace "two" with "nine";

Page 6, line 10 replace "fifty (250)" with "ten (910)";

Page 6, line 23 replace "450,000 450,000" with "675,000 695,250";

Page 6, line 32 replace "\$ 21,366,873 \$ 21,653,733" with "\$ 21,591,873 \$ 21,898,983";

Page 7, line 7 replace "742,846 742,846" with "1,475,468 1,490,222";

Page 7, line 20 replace "\$ 49,655,174 \$ 49,892,720" with "\$ 50,387,796 \$ 50,640,096".

/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. 1941** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1941

Amend **HOUSE BILL NO. 1941** as originally introduced:

Page 1, line 30, delete "fund deposited" and substitute "funds as defined by Arkansas Code 19-4-801,"

And

Page 1, delete line 31 in its entirety

/s/ Chris Thyer

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. 2016** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2016

Amend **HOUSE BILL NO. 2016** as originally introduced:

Page 1, line 11, delete "THE ARKANSAS COALITION FOR"

AND

Page 1, line 12, delete "EXCELLENCE PROGRAM" and substitute "A STATEWIDE MEMBERSHIP-BASED NONPROFIT ASSOCIATION"

AND

Page 1, line 18, delete "ARKANSAS COALITION FOR"

AND

Page 1, line 19, delete "EXCELLENCE PROGRAM" and substitute "STATEWIDE MEMBERSHIP-BASED NONPROFIT ASSOCIATION"

AND

Page 1, line 25, delete "ARKANSAS COALITION FOR EXCELLENCE PROGRAM" and substitute "STATEWIDE MEMBERSHIP-BASED NONPROFIT ASSOCIATION" AND

Page 1, line 29, delete "the Arkansas Coalition for Excellence Program" and substitute "a statewide membership-based nonprofit association dedicated to improving the performance and capacity of the Arkansan nonprofit sector".

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Medley unanimous leave to withdraw **HOUSE BILL NO. 2499**. Recommended Committee study by City, County and Local Affairs Committee - House.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2785**. Recommended Committee study by City, County and Local Affairs Committee - House.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2789**. Recommended Committee study by Public Health, Welfare and Labor Committee - House.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2650**. Recommended Committee study by Judiciary Committee - House.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 15, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1142	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1254	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1255	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1365	BY REPRESENTATIVE KEY
HOUSE BILL NO. 1375	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1395	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1424	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1546	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1547	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1553	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1636	BY REPRESENTATIVE BOND
HOUSE BILL NO. 1941	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 2016 - TITLE -	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2302	BY REPRESENTATIVE PACE
HOUSE BILL NO. 2353	BY REPRESENTATIVE GREENBERG, ET AL
HOUSE BILL NO. 2357	BY REPRESENTATIVE STEWART, ET AL
HOUSE BILL NO. 2371 - TITLE -	BY REPRESENTATIVE KING, ET AL
HOUSE BILL NO. 2394	BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 2416	BY REPRESENTATIVE WOODS, ET AL
HOUSE BILL NO. 2417	BY REPRESENTATIVE PATTERSON
HOUSE BILL NO. 2440	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2448 - TITLE -	BY REPRESENTATIVE HARRIS, ET AL
HOUSE BILL NO. 2478 - TITLE -	BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2486	BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2490	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2496	BY REPRESENTATIVE W. LEWELLEN
HOUSE BILL NO. 2516	BY REPRESENTATIVE BOND

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2518 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 2521 BY REPRESENTATIVE DUNN
 HOUSE BILL NO. 2713 - TITLE - BY REPRESENTATIVE BOND
 HOUSE BILL NO. 2716 BY REPRESENTATIVE KING
 HOUSE BILL NO. 2753 BY REPRESENTATIVE SUMPTER
 HOUSE BILL NO. 2763 BY REPRESENTATIVE SAUNDERS
 HOUSE CONCURRENT
 RESOLUTION NO. 1038 BY REPRESENTATIVE KEY
 SENATE BILL NO. 154 BY REPRESENTATIVE G. JEFFRESS

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 2016

BY: REPRESENTATIVE D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF VOLUNTEERISM FOR A *STATEWIDE MEMBERSHIP-BASED NONPROFIT ASSOCIATION*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
 HOUSE BILL NO. 2371

BY: REPRESENTATIVES KING, *E. BROWN*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE FIXING OF POLLING SITES BY THE COUNTY BOARD OF ELECTION COMMISSIONERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2448

BY: REPRESENTATIVES HARRIS, WOODS

BY: SENATOR B. PRITCHARD

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2478

BY: REPRESENTATIVE LAMOUREUX

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY VOTE OF THE QUALIFIED ELECTORS BEFORE A CITY MAY LEVY A TAX; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2713

BY: REPRESENTATIVES BOND, WELLS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE TRANSIENT MERCHANT LICENSING ACT OF 1983; AND FOR OTHER PURPOSES.

Upon motion of Representative E. Brown, **HOUSE BILL NO. 2353** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2353

Amend **HOUSE BILL NO. 2353** as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 7-7-205 is amended to read as follows:

7-7-205. Petition requirements for new political parties.

(a)(1) A group desiring to form a new political party shall do so by filing a petition with the Secretary of State.

(2) The petition shall contain at the time of filing the signatures of qualified electors of this state equal in number to ~~at least three percent (3%) of the total number of votes cast for the office of Governor or nominees for presidential electors, whichever is less, at the last preceding election~~ the signatures of at least ten thousand (10,000) registered voters in the state.

(3) The Secretary of State shall not accept for filing any new party petition that is not prima facie sufficient at the time of filing.

(4) The petitions shall be circulated during ~~the~~ any sixty (60) day period ~~beginning one hundred fifty (150) days prior to the deadline for filing the petitions with the Secretary of State.~~

(b) The petition shall declare the intent of organizing a political party, the name of which shall be stated in the declaration, and of participating in the next general election. No political party or group shall assume a name or designation which is so familiar, in the opinion of the Secretary of State, as to confuse or mislead the voters at an election.

~~(c) The petition shall contain the form of verification as set forth in § 7-9-109.~~

~~(d)~~(c) The Secretary of State shall determine the sufficiency of the signatures submitted within thirty (30) days of filing.

~~(e)~~(d) If the petition is determined to be insufficient, the Secretary of State shall forthwith notify the sponsors in writing, through their designated agent, and shall set forth his reasons for so finding. ~~When the notice is delivered, the sponsors shall have an additional fifteen (15) days in which to do any or all of the following:~~

~~(1) Solicit and obtain additional signatures;~~

~~(2) Submit proof to show that the rejected signatures, or some of them, are good and should be counted; or~~

~~(3) Make the petition more definite and certain.~~

~~(f) Any amendments and corrections shall not materially change the purpose and effect of the petition. No changes shall be made in the petition, except to correct apparent typographical errors or omissions.~~

~~(g)~~(e)(1) Upon certification of sufficiency by the Secretary of State, a new political party shall be declared by the Secretary of State.

(2) A new political party formed by the petition process may nominate candidates by convention for the first election after certification.

(3) Nominated candidates shall file a political practice pledge with the Secretary of State or county clerk, as the case may be, no later than sixty (60) days prior to the general election.

(4) If the new party maintains party status by obtaining three percent (3%) of the total vote cast for the office of Governor or nominees for presidential electors at the first election after certification, the new political party shall nominate candidates in the party primary as set forth in § 7-7-101 et seq.

~~(h)~~(f) Any challenges to the certification of the Secretary of State shall be filed with the Pulaski County Circuit Court.”

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Hyde, **HOUSE BILL NO. 2448** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2448

Amend **HOUSE BILL NO. 2448** as originally introduced:

Page 1, delete line 5 and substitute the following:

"By: Representative Harris, Woods

By: Senator Pritchard"

AND

Page 1, delete lines 9 through 11 and substitute the following:

"AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16 and substitute the following:

"AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE ATTENDANCE FACILITIES."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 3-9-202(8)(B)(iii) and (iv), concerning large attendance facilities permits, is amended to read as follows:

(iii) When a large attendance facilities permit has been issued to a government-owned facility located in a county which has a population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-five thousand (155,000) according to the ~~1990~~ 2000 Federal Decennial Census, Arkansas-licensed beer wholesalers shall be allowed to pay for advertising devices used at the government-owned facility. Such advertising devices shall include items such as inside or outside signs, scoreboards, programs, scorecards, and the like. Provided, if such advertising by the beer wholesaler results in the formation or existence of an exclusive buying arrangement by the large attendance facilities permittee and the wholesaler who furnishes such items, then such an exclusive buying arrangement will be a violation of the large attendance facilities permit and the wholesale beer permit involved even if the arrangements are caused by third parties. To the extent that § 3-5-214 or any other law could be interpreted to preclude such advertising arrangements allowed in this subdivision (8)(B)(iii), they are held inapplicable;

(iv)(a) When a large attendance facilities permit has been issued to a facility owned or operated by the owner of a professional sports

team franchised by the National Association of Professional Baseball Leagues and within a county that has a population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-five thousand (155,000) according to the 2000 Federal Decennial Census, the operator of the facility may accept sponsorship funds, advertising items, or promotional items from licensed beer wholesalers. Promotional items shall include items used by the facility to promote attendance.

(b) However, if the use of sponsorship funds, advertising items, or promotional items by the beer wholesaler results in the formation or existence of an exclusive buying arrangement by the large attendance facilities permittee and the wholesaler who furnishes the sponsorship funds, advertising items, or promotional items, then the exclusive buying arrangement will be a violation of the large attendance facilities permit and the wholesaler's wholesale beer permit even if the arrangements are caused by third parties.”

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Reep, **SENATE BILL NO. 154** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 154

Amend **SENATE BILL NO. 154** as originally introduced:

Page 1, line 28, delete "on a"

AND

Page 1, delete line 29, and substitute the following:

"within the State of Arkansas shall have a one-mile portion of a"

AND

Page 1, delete line 32, and substitute the following:

"designate a one-mile portion of a highway as the Trooper _____"

/s/ Gregg Reep

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE CONCURRENT RESOLUTION NO. 1032

BY: REPRESENTATIVE WOOD

AN ACT CONCERNING SUBSTITUTE TEACHER QUALIFICATIONS; AND FOR OTHER PURPOSES.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Morning Hour Expired.

HOUSE BILL NO. 2223

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cash, Cheatham, Cook, 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, 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, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE: Cooper.

Total1

ABSENT OR NOT VOTING: Berry, Chesterfield, Kenney, Walters, Mr. Speaker.

Total5

VOTING PRESENT: Burris.

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. 2222

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, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cash, Cheatham, 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, 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, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burris, Chesterfield, Pace, Walters, 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.

HOUSE BILL NO. 2731

BY: REPRESENTATIVE MEDLEY

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, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, 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, 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: Chesterfield, Davenport, Key, 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. 2733

BY: REPRESENTATIVE MEDLEY

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, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, 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, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total90

NEGATIVE: Lowery, Rainey.

Total2

ABSENT OR NOT VOTING: Blount, Chesterfield, Davenport, Hardy, S. Prater, Wood, Mr. Speaker.

Total7

VOTING PRESENT: W. Lewellen.

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. 2278

BY: REPRESENTATIVE MOORE

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, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Edwards, 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, Maxwell, Medley, 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.

Total90

NEGATIVE: Burkes.

Total1

ABSENT OR NOT VOTING: Adcock, Chesterfield, D. Creekmore, Dunn, D. Evans, Hardy, M. Martin, Moore, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2278**, 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, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Edwards, 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, Maxwell, Medley, 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.

Total90

NEGATIVE: Burkes.

Total1

ABSENT OR NOT VOTING: Adcock, Chesterfield, D. Creekmore, Dunn, D. Evans, Hardy, M. Martin, Moore, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative90

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2590

BY: REPRESENTATIVE WILLS

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, 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, 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, Mr. Speaker.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Chesterfield, Hoyt.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 2345

BY: REPRESENTATIVE WILLS

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, 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, 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.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2296

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, Allen, Anderson, T. Baker, 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, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, 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, 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: Adcock, Chesterfield, Hawkins, Pierce, Sample, 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. 2374

BY: REPRESENTATIVE ROGERS

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, 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, 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, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Davis, Hardy, Mr. Speaker.

Total4

VOTING PRESENT: Shelby.

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. 2463

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, 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, Medley, Moore, 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.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Norton, Sullivan, 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. 2701

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, 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, 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, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total95

NEGATIVE: Burkes, D. Hutchinson, Rainey, Woods.

Total4

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast99

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. 2628

BY: REPRESENTATIVE R. GREEN

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, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, 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, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hawkins, Maloch, Ragland, Webb, 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. 2628**, 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, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, 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, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hawkins, Maloch, Ragland, Webb, 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. 2702

BY: REPRESENTATIVE SAUNDERS

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, 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, 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, Sumpster, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Key, 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. 2697

BY: REPRESENTATIVE WYATT

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, 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: Adcock, Pace.

Total2

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....99

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2697**, 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, 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: Adcock, Pace.

Total2

ABSENT OR NOT VOTING: Mr. Speaker.

Total1

VOTING PRESENT:

Total0

Total number of votes cast.....99

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2545

BY: REPRESENTATIVE WOOD

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, 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, 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.

Total	95
NEGATIVE: Pace, Pate.	
Total	2
ABSENT OR NOT VOTING: Adcock, Edwards, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	95
Necessary to the passage of the bill	51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2545**, 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, 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, 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.

Total	95
NEGATIVE: Pace, Pate.	
Total	2
ABSENT OR NOT VOTING: Adcock, Edwards, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	95
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2492

BY: REPRESENTATIVE DUNN

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, 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, 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, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Glidewell, Kenney, Pace, Pickett, Schulte, 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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2492**, 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, 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, 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, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Glidewell, Kenney, Pace, Pickett, Schulte, 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. 2382

BY: REPRESENTATIVE REEP

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, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, 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, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total90

NEGATIVE: Kenney, Pace, Pyle.

Total3

ABSENT OR NOT VOTING: Dickinson, D. Hutchinson, S. Prater, Ragland, Wood, Mr. Speaker.

Total6

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast94

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. 2355

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, 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, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, 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, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total89

NEGATIVE: Cooper.

Total1

ABSENT OR NOT VOTING: Berry, Blount, Davis, Harris, D. Hutchinson, Kenney, Maxwell, Rosenbaum, Sullivan, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative.....89

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2625

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, 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, Harrelson, 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, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE: Cooper, Pyle.

Total2

ABSENT OR NOT VOTING: Davis, D. Evans, Harris, D. Hutchinson, Rosenbaum, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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.

SENATE BILL NO. 206

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, Adcock, Allen, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cornwell, L. Cowling, 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, 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, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Cooper, D. Creekmore, Davis, Maxwell, Reynolds, Wood, Mr. Speaker.

Total8

VOTING PRESENT: D. Evans.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

SENATE BILL NO. 680

BY: SENATOR STEELE

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, 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.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Pickett, 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.

There being an Emergency Clause attached to **SENATE BILL NO. 680**, 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, 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.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Pickett, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 765

BY: SENATOR SALMON

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, 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, 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.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

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. 765**, 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, 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.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 100

BY: SENATOR J. 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, 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, 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.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the passage of the bill51

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

SENATE BILL NO. 142

BY: SENATOR J. 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, Adcock, Allen, Anderson, Berry, Blount, 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, 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. Baker, Cash, Davis, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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. 149

BY: SENATOR FARIS

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, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Burris, Davenport, Davis, R. Green, 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. 149**, 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, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Burris, Davenport, Davis, R. Green, 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.

SENATE BILL NO. 404

BY: SENATOR BOOKOUT

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, 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, 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: Davenport, Davis, M. Martin, 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. 79

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, Anderson, T. Baker, 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, 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, Maloch, M. Martin, Maxwell, Medley, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE: Allen, Lowery.

Total2

ABSENT OR NOT VOTING: Berry, Hardy, Moore, Saunders, Mr. Speaker.

Total5

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast.....95

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. 368

BY: SENATOR WILKINSON

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, 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, 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, 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: Greenberg.

Total1

ABSENT OR NOT VOTING: Berry, Chesterfield, D. Hutchinson, Pierce, Pyle, 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 **SENATE BILL NO. 368**, 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, 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, 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, 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: Greenberg.

Total1

ABSENT OR NOT VOTING: Berry, Chesterfield, D. Hutchinson, Pierce, Pyle, 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. 1595

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, Cheatham, Chesterfield, 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, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Cook, Pace, S. Prater, Wood, 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. 1595**, 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, 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, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cash, Cook, Pace, S. Prater, Wood, 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. 265

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, Davis, Dickinson, S. Dobbins, Dunn, 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, 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, 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, Davenport, Edwards, King, Pate, 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. 265**, 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, Davis, Dickinson, S. Dobbins, Dunn, 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, 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, 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, Davenport, Edwards, King, Pate, 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.

SENATE BILL NO. 339

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, 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, 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, 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. Baker, Gaskill, Hyde, Pate, 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. 339**, 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, 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, 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, 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. Baker, Gaskill, Hyde, Pate, 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.

SENATE BILL NO. 340

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, 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, 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, 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, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Cash, Gaskill, Hardy, Webb, 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. 340**, 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, 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, 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, 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, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Cash, Gaskill, Hardy, Webb, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 341

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, 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, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Gaskill, D. Hutchinson, Webb, 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. 341**, 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, 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, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Gaskill, D. Hutchinson, Webb, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative95

Necessary to the passage of the bill67

So the Emergency Clause was adopted.

SENATE BILL NO. 342

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, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, 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, D. Johnson, J. Johnson, Kenney, 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, 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: Anderson, T. Baker, Dickinson, Gaskill, Jeffrey, Norton, 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. 342**, 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, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, 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, D. Johnson, J. Johnson, Kenney, 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, 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: Anderson, T. Baker, Dickinson, Gaskill, Jeffrey, Norton, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 343

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, Blount, Bond, T. Bradford, E. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Garner, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, 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, 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.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, T. Baker, Berry, Breedlove, J. Brown, Chesterfield, D. Evans, Flowers, Gaskill, J. Johnson, Pyle, Schulte, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast.....87

Total number voting in the affirmative87

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. 343**, 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, Blount, Bond, T. Bradford, E. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Garner, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, 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, 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.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, T. Baker, Berry, Breedlove, J. Brown, Chesterfield, D. Evans, Flowers, Gaskill, J. Johnson, Pyle, Schulte, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 344

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, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, E. Brown, Pickett, Stewart, 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. 344**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, E. Brown, Pickett, Stewart, 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.

SENATE BILL NO. 345

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, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, S. Dobbins, Jeffrey, Pyle, Stewart, 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 **SENATE BILL NO. 345**, 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, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, S. Dobbins, Jeffrey, Pyle, Stewart, 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.

SENATE BILL NO. 347

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, 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, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, Davis, Gaskill, Jeffrey, Stewart, 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 **SENATE BILL NO. 347**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, 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, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Anderson, Davis, Gaskill, Jeffrey, Stewart, 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. 348

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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Powers, Stewart, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

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. 348**, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Powers, Stewart, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 349

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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Davis, Pate, Pyle, Stewart, 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 **SENATE BILL NO. 349**, 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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Davis, Pate, Pyle, Stewart, 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.

SENATE BILL NO. 351

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, 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, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Gaskill, Jeffrey, Stewart, 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. 351**, 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, 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, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Gaskill, Jeffrey, Stewart, 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.

SENATE BILL NO. 352

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, L. Cowling, D. Creekmore, Davenport, 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, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Davis, Dickinson, Medley, Norton, Pyle, Stewart, 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 **SENATE BILL NO. 352**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, 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, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Davis, Dickinson, Medley, Norton, Pyle, Stewart, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 353

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, 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, 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, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, Lamoureux, Pyle, Stewart, Woods, 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. 353**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, 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, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, Lamoureux, Pyle, Stewart, Woods, 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. 1120

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, 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, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, D. Hutchinson, Kenney, Lamoureux, Pace, Stewart, Woods, 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 **HOUSE BILL NO. 1120**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, 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, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, D. Hutchinson, Kenney, Lamoureux, Pace, Stewart, Woods, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 1393

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, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, D. Hutchinson, Lamoureux, Stewart, Woods, 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. 1393**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, 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, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Burkes, Hardy, D. Hutchinson, Lamoureux, Stewart, Woods, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Representative Rainey moved that the House re-refer **HOUSE BILL NO. 1398** back to the Joint Budget Committee for purpose of Amendment. Motion carried.

HOUSE BILL NO. 1412

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, 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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Burkes, Gaskill, Lamoureux, Pate, Stewart, Woods, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

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. 1412**, 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, 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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Burkes, Gaskill, Lamoureux, Pate, Stewart, Woods, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 128

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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hardy, Pate, Stewart, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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. 128**, 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, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hardy, Pate, Stewart, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	96
Total number voting in the affirmative	96
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

SENATE BILL NO. 132

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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Stewart, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

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. 132**, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Stewart, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 197

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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, 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, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Norton, Stewart, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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. 197**, 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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, 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, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Norton, Stewart, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

SENATE BILL NO. 251

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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Stewart, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

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. 251**, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Stewart, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....98

Total number voting in the affirmative98

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 253

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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Powers, Stewart, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

Total number voting in the affirmative97

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. 253**, 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, 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, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	97
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Powers, Stewart, Mr. Speaker.	
Total	3
VOTING PRESENT:	
Total	0
Total number of votes cast.....	97
Total number voting in the affirmative	97
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

SENATE BILL NO. 381

BY: SENATOR BOOKOUT

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, 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, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Hyde, Stewart, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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. 381**, 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, 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, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hyde, Stewart, Sumpter, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast.....	96
Total number voting in the affirmative	96
Necessary to the adoption of the emergency clause.....	67

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1120 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1393 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1412 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1595 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 2222 BY REPRESENTATIVE HARDWICK
HOUSE BILL NO. 2223 BY REPRESENTATIVE HARDWICK
HOUSE BILL NO. 2278 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 2296 BY REPRESENTATIVE PATE
HOUSE BILL NO. 2345 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2355 BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2374 BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2382 BY REPRESENTATIVE REEP
HOUSE BILL NO. 2463 BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2492 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 2545 BY REPRESENTATIVE WOOD
HOUSE BILL NO. 2590 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2625 BY REPRESENTATIVE SUMPTER
HOUSE BILL NO. 2628 BY REPRESENTATIVE R. GREEN
HOUSE BILL NO. 2697 BY REPRESENTATIVE WYATT
HOUSE BILL NO. 2701 BY REPRESENTATIVE NORTON
HOUSE BILL NO. 2702 BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2731 BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 2733 BY REPRESENTATIVE MEDLEY

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO 79 BY SENATOR BISBEE
 SENATE BILL NO. 100 BY SENATOR J. JEFFRESS
 SENATE BILL NO. 128 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 132 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 142 BY SENATOR J. JEFFRESS
 SENATE BILL NO. 149 BY SENATOR FARIS
 SENATE BILL NO. 197 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 206 BY SENATOR G. JEFFRESS
 AS AMENDED #1
 SENATE BILL NO. 251 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 253 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 265 BY JOINT BUDGET COMMITTEE
 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. 368 BY SENATOR WILKINSON
 SEANTE BILL NO. 381 BY SENATOR BOOKOUT
 SENATE BILL NO. 404 BY SENATOR BOOKOUT
 SENATE BILL NO. 680 BY SENATOR STEELE
 SENATE BILL NO. 765 BY SENATOR SALMON

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT
RESOLUTION NO. 1032 BY REPRESENTATIVE WOOD

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1124 BY JOINT BUDGET COMMITTEE
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. 1180 BY REPRESENTATIVE T. BAKER
AS AMENDED #1
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. 1318 BY REPRESENTATIVE SULLIVAN
AS AMENDED # 1 & 2
HOUSE BILL NO. 1329 BY JOINT BUDGET COMMITTEE
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. 1397 BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1408 BY REPRESENTATIVE REEP
HOUSE BILL NO. 1453 BY REPRESENTATIVE KEY
HOUSE BILL NO. 1487 BY REPRESENTATIVE BLOUNT
HOUSE BILL NO. 1493 BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 1563 BY REPRESENTATIVE PICKETT

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED, CONTINUED

HOUSE BILL NO. 1567 BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 1570 BY REPRESENTATIVE HALL
AS AMENDED #1
HOUSE BILL NO. 1593 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1594 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1596 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 BILL NO. 1605 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1606 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1700 BY REPRESENTATIVE DUNN
AS AMENDED # 1
HOUSE BILL NO. 1715 BY REPRESENTATIVE PATE
HOUSE BILL NO. 1731 BY REPRESENTATIVE ABERNATHY
AS AMENDED # 1
HOUSE BILL NO. 1773 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1829 BY REPRESENTATIVE BOND
HOUSE BILL NO. 1909 BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2237 BY REPRESENTATIVE D. EVANS
HOUSE BILL NO. 2240 BY REPRESENTATIVE PIERCE
HOUSE BILL NO. 2276 BY REPRESENTATIVE J. BROWN
HOUSE BILL NO. 2286 BY REPRESENTATIVE PENNARTZ
HOUSE BILL NO. 2401 BY REPRESENTATIVE PENNARTZ

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 196	BY SENATOR J. JEFFRESS
SENATE BILL NO. 267	BY SENATOR BOOKOUT
SENATE BILL NO. 333	BY SENATOR MALONE
SENATE BILL NO. 791	BY SENATOR MILLER
SENATE BILL NO. 796	BY SENATOR LUKER
SENATE BILL NO. 810	BY SENATOR TRUSTY
SENATE BILL NO. 811	BY SENATOR TRUSTY
SENATE BILL NO. 822	BY SENATOR BAKER
SENATE BILL NO. 837	BY SENATOR ARGUE
SENATE BILL NO. 838	BY SENATOR ARGUE
SENATE BILL NO. 839	BY SENATOR ARGUE
SENATE BILL NO. 855	BY SENATOR GLOVER
SENATE BILL NO. 859	BY SENATOR LUKER
SENATE BILL NO. 909	BY SENATOR MALONE
SENATE BILL NO. 928	BY SENATOR BRYLES
SENATE BILL NO. 942	BY SENATOR CRITCHER
SENATE BILL NO. 963	BY SENATOR FARIS
SENATE BILL NO. 975	BY SENATOR CRITCHER

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT RESOLUTION NO. 1019	BY REPRESENTATIVE PICKETT
HOUSE CONCURRENT RESOLUTION NO. 1020	BY REPRESENTATIVE WALTERS
HOUSE CONCURRENT RESOLUTION NO. 1023	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT RESOLUTION NO. 1024	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT RESOLUTION NO. 1025	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT RESOLUTION NO. 1026	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT RESOLUTION NO. 1027	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT RESOLUTION NO. 1028	BY REPRESENTATIVE KENNEY

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 15, 2007

MR. SPEAKER:

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

HOUSE CONCURRENT

RESOLUTION NO. 1011 BY REPRESENTATIVE PACE
 HOUSE BILL NO. 1039 BY REPRESENTATIVES WELLS, & ABERNATHY
 HOUSE BILL NO. 1104 BY REPRESENTATIVE THYER, ET AL
 HOUSE BILL NO. 1144 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1321 BY REPRESENTATIVE HARDY, ET AL
 HOUSE BILL NO. 1322 BY REPRESENTATIVE HARDY, ET AL
 HOUSE BILL NO. 1410 BY REPRESENTATIVE PACE
 HOUSE BILL NO. 1426 BY REPRESENTATIVE WALTERS, ET AL
 HOUSE BILL NO. 1580 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 1670 BY REPRESENTATIVE MOORE
 HOUSE BILL NO. 1698 BY REPRESENTATIVE WILLS, ET AL
 HOUSE BILL NO. 1717 BY REPRESENTATIVES PATE & D. EVANS
 HOUSE BILL NO. 1789 BY REPRESENTATIVES EDWARDS & HOUSE
 HOUSE BILL NO. 2215 BY REPRESENTATIVE MALOCH, ET AL
 HOUSE BILL NO. 2238 BY REPRESENTATIVE PYLE
 HOUSE BILL NO. 2239 BY REPRESENTATIVE PENNARTZ, ET AL
 HOUSE BILL NO. 2243 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2264 BY REPRESENTATIVE FLOWERS

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 10:24 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. 1011 BY REPRESENTATIVE PACE
 HOUSE BILL NO. 1039 BY REPRESENTATIVES WELLS, & ABERNATHY
 HOUSE BILL NO. 1104 BY REPRESENTATIVE THYER, ET AL
 HOUSE BILL NO. 1144 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1321 BY REPRESENTATIVE HARDY, ET AL
 HOUSE BILL NO. 1322 BY REPRESENTATIVE HARDY, ET AL
 HOUSE BILL NO. 1410 BY REPRESENTATIVE PACE
 HOUSE BILL NO. 1426 BY REPRESENTATIVE WALTERS, ET AL
 HOUSE BILL NO. 1580 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 1670 BY REPRESENTATIVE MOORE
 HOUSE BILL NO. 1698 BY REPRESENTATIVE WILLS, ET AL
 HOUSE BILL NO. 1717 BY REPRESENTATIVES PATE & D. EVANS
 HOUSE BILL NO. 1789 BY REPRESENTATIVES EDWARDS & HOUSE
 HOUSE BILL NO. 2215 BY REPRESENTATIVE MALOCH, ET AL
 HOUSE BILL NO. 2238 BY REPRESENTATIVE PYLE
 HOUSE BILL NO. 2239 BY REPRESENTATIVE PENNARTZ, ET AL
 HOUSE BILL NO. 2243 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2264 BY REPRESENTATIVE FLOWERS

/s/ Mike Beebe - Governor

TIME: 10:24 a.m.

By: Sarah Agee

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 15, 2007

MR. SPEAKER:

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

HOUSE CONCURRENT	
RESOLUTION NO. 1019	BY REPRESENTATIVE PICKETT
HOUSE CONCURRENT	
RESOLUTION NO. 1020	BY REPRESENTATIVE WALTERS
HOUSE CONCURRENT	
RESOLUTION NO. 1023	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT	
RESOLUTION NO. 1024	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT	
RESOLUTION NO. 1025	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT	
RESOLUTION NO. 1026	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT	
RESOLUTION NO. 1027	BY REPRESENTATIVE KENNEY
HOUSE CONCURRENT	
RESOLUTION NO. 1028	BY REPRESENTATIVE KENNEY
HOUSE BILL NO. 1124	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. 1397	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1408	BY REPRESENTATIVE REEP
HOUSE BILL NO. 1453	BY REPRESENTATIVE KEY
HOUSE BILL NO. 1487	BY REPRESENTATIVE BLOUNT, ET AL
HOUSE BILL NO. 1493	BY REPRESENTATIVE MALOCH

ENROLLED AND DELIVERY TO GOVERNOR REPORTS, CONTINUED

HOUSE BILL NO. 1563 BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 1567 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 1715 BY REPRESENTATIVE PATE
 HOUSE BILL NO. 1829 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 1909 BY REPRESENTATIVE J. JOHNSON
 HOUSE BILL NO. 2237 BY REPRESENTATIVE D. EVANS
 HOUSE BILL NO. 2240 BY REPRESENTATIVE PIERCE, ET AL
 HOUSE BILL NO. 2276 BY REPRESENTATIVE J. BROWN
 HOUSE BILL NO. 2286 BY REPRESENTATIVE PENNARTZ, ET AL
 HOUSE BILL NO. 2401 BY REPRESENTATIVES PENNARTZ & STEWART

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 4:40 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE CONCURRENT
 RESOLUTION NO. 1019 BY REPRESENTATIVE PICKETT
 HOUSE CONCURRENT
 RESOLUTION NO. 1020 BY REPRESENTATIVE WALTERS
 HOUSE CONCURRENT
 RESOLUTION NO. 1023 BY REPRESENTATIVE KENNEY
 HOUSE CONCURRENT
 RESOLUTION NO. 1024 BY REPRESENTATIVE KENNEY

RECEIPT FROM THE GOVERNOR, CONTINUED

HOUSE CONCURRENT
 RESOLUTION NO. 1025 BY REPRESENTATIVE KENNEY
 HOUSE CONCURRENT
 RESOLUTION NO. 1026 BY REPRESENTATIVE KENNEY
 HOUSE CONCURRENT
 RESOLUTION NO. 1027 BY REPRESENTATIVE KENNEY
 HOUSE CONCURRENT
 RESOLUTION NO. 1028 BY REPRESENTATIVE KENNEY
 HOUSE BILL NO. 1124 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. 1397 BY REPRESENTATIVE HOYT
 HOUSE BILL NO. 1408 BY REPRESENTATIVE REEP
 HOUSE BILL NO. 1453 BY REPRESENTATIVE KEY
 HOUSE BILL NO. 1487 BY REPRESENTATIVE BLOUNT, ET AL
 HOUSE BILL NO. 1493 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 1563 BY REPRESENTATIVE PICKETT
 HOUSE BILL NO. 1567 BY REPRESENTATIVE S. PRATER
 HOUSE BILL NO. 1715 BY REPRESENTATIVE PATE
 HOUSE BILL NO. 1829 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 1909 BY REPRESENTATIVE J. JOHNSON
 HOUSE BILL NO. 2237 BY REPRESENTATIVE D. EVANS
 HOUSE BILL NO. 2240 BY REPRESENTATIVE PIERCE, ET AL
 HOUSE BILL NO. 2276 BY REPRESENTATIVE J. BROWN
 HOUSE BILL NO. 2286 BY REPRESENTATIVE PENNARTZ, ET AL
 HOUSE BILL NO. 2401 BY REPRESENTATIVES PENNARTZ & STEWART

/s/ Mike Beebe - Governor

TIME: 4:40 p.m.

By: Sarah Agee

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 15, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2763**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2763. In the Amendment, page 2, second section, the first line should read: "Page 9, delete lines 7 through 11 and substitute: "who presents himself or" (changed line "9" to line "11")

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2763.

/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. 2763

"AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE PERTAINING TO ELECTIONS."

Amendment No. 1 to House Bill No. 2763.

Amend House Bill No. 2763 as originally introduced:

Page 8, line 15, delete "[Effective" and substitute "[Effective"

AND

Page 8, line 16, delete "January 1, 2006.]" and substitute "January 1, 2006."

AND

Page 8, line 21, delete "election officials or county clerk" and substitute "election officials poll workers"

And

Page 8, delete lines 23 and 24 and substitute "unable to mark or cast the ballot because he or she cannot read or write or because of physical, sensory, or other disability or other legal cause without help and needs assistance in casting his or her ballot."

AND

Page 8, line 30, delete "election officials" and substitute "election officials poll workers"

AND

Page 8, line 32, delete "election officials" and substitute "election officials poll workers"

AND

Page 8, line 33, delete "election officials" and substitute "electionofficials poll workers"

AND

Page 9, line 3, delete "election officials" and substitute "election officials poll workers"

AND

Page 9, delete lines 7 through 9 (11)and substitute: "who presents himself or

herself for voting and who then informs an election official a poll worker at the polling site that he or she is unable to stand in line for extended periods of time shall be entitled to and assisted by an election official a poll worker to advance to the head of any line of voters then waiting in line to vote at the polling site."

AND

Page 11, delete lines 25 through 29 and substitute:

"(2)(A) The state board shall provide mail to the chair of each county board and the chair of each county political party a copy of this section and of Pub. L. No. 98-435.

(B) The state board shall send the copies by certified mail."

AND

Page 12, line 11, delete "ballots" and substitute "paper ballots"

AND

Page 12, line 12, delete "ballots" and substitute "paper ballots"

AND

P

Page 12, line 22, delete "written on" and substitute "written on handwritten on the ballot."

AND

Page 12, delete line 23

AND

Page 12, delete lines 31 through 34 and substitute:

"neither of them shall be counted. If a ballot shall be found to contain a greater number of names for any one (1) office than the number of persons required to fill the office, it shall be considered fraudulent as to the whole of the names designated to fill the office, but no further marks for more than the maximum allowable number of candidates in any one contest, the contest shall be considered overvoted, and it shall be the responsibility of the election officials to determine the voter's intent;"

AND

Page 14, line 28, delete SECTION 14 in its entirety and substitute:

"SECTION 14. Arkansas Code § 7-7-203 is amended to read as follows:
7-7-203. Dates.

(a) The general primary election shall be held on the second Tuesday

in June preceding the general election.

(b) The preferential primary election shall be held on the Tuesday three (3) weeks prior to the general primary election.

(c)(1) Party pledges, if any, shall be filed and any filing fees of a political party, if any, shall be paid during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(2) A party certificate and the political practice pledge for primary elections shall be filed with the county clerk or the Secretary of State, as the case may be, during regular office hours in the period beginning at 12:00 noon on the third Tuesday in March and ending at 12:00 noon on the fourteenth day thereafter before the preferential primary election.

(3) The name of a candidate who fails to file a party certificate by the filing deadline with the Secretary of State or county clerk, as the case may be, shall not appear on the ballot.

(4) Party pledges, if any, shall be filed, filing fees, if any, shall be paid, and party certificates and political practice pledges shall be filed for special primary elections on or before the deadline established by proclamation of the Governor.

(5) Pledges and filing fees of the political party for a new political party shall be filed and paid as provided in subsection (f) of this section.

(d) No later than forty (40) days before the preferential primary election, the chairman and secretary of the state committee of the political party shall certify the ballot to the various county committees and to the various county boards of election commissioners with the names of all candidates who have qualified with the state committee for election by filing the party pledge and paying the filing fees of the political party within the time required by law.

(e) Election officials of primary elections shall be selected by the county board of election commissioners in the same manner as in the general election.

(f)(e) Any group of voters desiring to form a new political party may do so by filing a petition with the Secretary of State in accordance with §

7-7-205.

(g)(1)(f)(1) The county board shall convene, at the time specified in the notice to the members given by the chair of the board, no later than the tenth day after each primary election for the purpose of canvassing the returns and certifying the election results.

(2) If no time is specified for the meeting of the county board, the meeting shall be at 5:00 p.m.

(h)(g) The county convention of a political party holding a primary election shall be held on the first Monday following the date of the general primary.

(i)(1)(h)(1) The county board of election commissioners shall certify to the county clerk and the county committee a list of all nominated candidates for county, township, and municipal offices, and the political parties' county committee members and delegates.

(2) At the same time, the county board of election commissioners shall certify to the Secretary of State and the secretary of the state committee the results of the contests for all United States, state, and district offices. Immediately after ascertaining the results for all United States, state, and district offices, the Secretary of State shall certify to the state committee a list of all nominated candidates for the offices.

(j)(1)(A)(i)(1)(A) The Secretary of State shall at least seventy (70) days prior to the date of the general election notify by registered mail the chairman and secretary of the state committee of the respective political parties that a certificate of nomination is due for all nominated candidates for United States, state, and district offices in order that the candidates' names be placed on the ballot of the general election.

(B)(i) The state committee shall issue certificates of nomination to all nominated candidates for United States, state, and district offices, who shall file the certificates with the Secretary of State at least sixty (60) days prior to the general election.

(ii) However, if the chairman and secretary of the state committee of the respective political parties are not properly notified as directed by subdivision (j)(1)(A)(i)(1)(A) of this section, the failure of a candidate to file a certificate of nomination shall not prevent that candidate's name from being placed on the ballot of the general election.

(2)(A) Each county clerk shall at least sixty (60) days prior to

the date of the general election notify by registered mail the chairmen and secretaries of the county committees of the respective political parties that a certified list of all nominated candidates for county, township, and municipal offices is due and shall be filed with the county board of election commissioners and the county clerk in order that the candidates' names be placed on the ballot for the general election.

(B)(i) Each county committee shall issue the certified list on behalf of those nominated candidates and submit the certified list to the county board of election commissioners and the county clerk at least forty-five (45) days but not more than fifty-five (55) days prior to the general election.

(ii) However, if the chairmen and secretaries of the county committees of the respective political parties are not properly notified as directed by subdivision (j)(2)(A)(i)(1)(A) of this section, the failure of a certified list to be filed shall not prevent any candidate's name from being placed on the ballot of the general election."

The Amendment was read

By: Representative Saunders

GLG/LEF - 03-14-2007 07:16 _____

GLG194

Chief Clerk

SENATE BILL NO. 196

BY: SENATOR J. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO IMPROVE THE SAFETY OF ROADS AND HIGHWAYS IN THE STATE BY ADDRESSING ISSUES RELATED TO THE LICENSING OF BEGINNING OR YOUTHFUL DRIVERS; TO AMEND THE LAW REGARDING RESTRICTED DRIVER'S LICENSES, LEARNER'S LICENSES, AND INTERMEDIATE LICENSES; 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. 267

BY: SENATOR BOOKOUT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE A FACT OF DEATH RECORD TO BE FILED WITH THE DIVISION OF VITAL RECORDS OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO ENSURE THE TIMELY RECEIPT OF DEATH INFORMATION; TO ALLOW FAMILY MEMBERS PROMPT ACCESS TO BENEFITS; TO ASSIST IN THE PREVENTION OF FRAUD AND IDENTITY THEFT INVOLVING SOCIAL SECURITY NUMBERS; 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.

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SENATE BILL NO. 333

BY: SENATOR MALONE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROTECT THE HEALTH AND SAFETY OF ARKANSANS; TO LIST TRAMADOL AS A SCHEDULE IV CONTROLLED SUBSTANCE; 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. 791

BY: SENATORS MILLER, J. JEFFRESS, G. JEFFRESS, T. SMITH, LAVERTY, BRYLES, HILL

BY: REPRESENTATIVE SAUNDERS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE FUNDING FORMULA MODEL FOR TWO-YEAR COLLEGES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 796

BY: SENATOR LUKER

BY: REPRESENTATIVE BOND

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING COMMUNITY CORRECTION TRANSFER ELIGIBILITY FOR OFFENDERS TRANSFERRED BACK TO THE DEPARTMENT OF CORRECTION FOR ADMINISTRATIVE REASONS; 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. 810

BY: SENATOR TRUSTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCLUDE EITHER PARENT'S ABILITY TO PROVIDE HEALTH INSURANCE AS A MATERIAL CHANGE OF CIRCUMSTANCES FOR CHILD SUPPORT MODIFICATION PURPOSES; TO REQUIRE THE PAYOR OF LUMP-SUM PAYMENTS OWED TO A PARENT WHO OWES PAST DUE CHILD SUPPORT TO DEDUCT AN AMOUNT TO BE APPLIED TO ACCRUED ARREARAGES; 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. 811

BY: SENATOR TRUSTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE REFERRALS FOR THE CRIMINAL PROSECUTION OF CERTAIN CASES OF NONPAYMENT OF CHILD SUPPORT; 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. 822

BY: SENATORS BAKER, ARGUE, BRYLES, *BROADWAY*

BY: REPRESENTATIVES KENNEY, KEY, EVERETT, NORTON, *ABERNATHY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE SECTION 529 PLAN REVIEW COMMITTEE TO CREATE A PILOT PROGRAM TO BE KNOWN AS THE "ASPIRING SCHOLARS MATCHING GRANT PROGRAM" TO MATCH THE CONTRIBUTION MADE INTO AN ACCOUNT FOR A DESIGNATED BENEFICIARY ESTABLISHED UNDER THE ARKANSAS TAX-DEFERRED TUITION SAVINGS PROGRAM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 837

BY: SENATORS ARGUE, BAKER

BY: REPRESENTATIVE KENNEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE UP TO TWO HUNDRED SEVENTY-FIVE (275) ARKANSAS GOVERNOR'S DISTINGUISHED SCHOLARSHIPS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 838

BY: SENATORS ARGUE, BAKER**BY: REPRESENTATIVE KENNEY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FREE TUITION AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR CHILDREN OF DISABLED VETERANS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 839

BY: SENATORS ARGUE, BAKER**BY: REPRESENTATIVE KENNEY**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE ELIGIBILITY REQUIREMENTS FOR THE ARKANSAS ACADEMIC CHALLENGE SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 855

BY: SENATOR GLOVER**BY: REPRESENTATIVES E. BROWN, HARRELSON**

A BILL FOR AN ACT TO BE ENTITLED AN ACT AMENDING ARKANSAS LAW CONCERNING PROCEDURES AND DEADLINES FOR ELECTIONS; 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. 859

BY: SENATOR LUKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING PROPERTY SUBJECT TO FORFEITURE UNDER THE UNIFORM CONTROLLED SUBSTANCES ACT; 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. 909

BY: SENATOR MALONE

BY: REPRESENTATIVE MALOCH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE NINTH JUDICIAL DISTRICT-EAST FROM A DIVISION A TO A DIVISION B JUDICIAL DISTRICT; 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. 928

BY: SENATOR BRYLES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXTEND THE TEMPORARY LICENSING OF ELECTRICIANS FOR WORK ON INDUSTRY PROJECTS; TO PROVIDE FOR THE REGISTRATION OF ELECTRICAL APPRENTICES FOLLOWING COMPLETION OF APPRENTICESHIP TRAINING; 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. 942

BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE TASK FORCE ON SUBSTANCE ABUSE TREATMENT SERVICES; 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. 963

BY: SENATOR FARIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE OFFICE OF PERSONNEL MANAGEMENT OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT A STUDY TO REVISE THE CLASSIFICATION AND COMPENSATION PLAN; 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. 975

BY: SENATOR CRITCHER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REALLOCATE A PORTION OF THE BAIL BOND FEES UNDER ARKANSAS CODE § 17-19-101 ET SEQ.; AND FOR OTHER PURPOSES.

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

Upon motion of Representative David Evans, the House adjourned at 3:09 p.m. until 10:00 a.m., Friday, March 16, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

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

Little Rock, Arkansas
March 16, 2007

The House was called to order at 10:07 a.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, 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, 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.

Total99

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

Total1

A quorum was present.

Unanimous leave was granted for Representative(s) Ragland.

The House stood and was led in prayer by Reverend Allen Blackford, Pastor, Central Missionary Baptist Church, Warren, 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 16, 2007
AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS	LINDA CHESTERFIELD CHAIRPERSON
HOUSE BILL NO. 2739 BY REPRESENTATIVE D. JOHNSON	DO PASS AS AMENDED #1
HOUSE CONCURRENT RESOLUTION NO. 1038 BY REPRESENTATIVE KEY	DO PASS

COMMITTEE REPORT

	March 16, 2007
AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT	TOMMY DICKINSON CHAIRPERSON
HOUSE BILL NO. 2390 BY REPRESENTATIVE HOYT	DO PASS
HOUSE BILL NO. 2434 BY REPRESENTATIVE MALOCH	DO PASS
HOUSE BILL NO. 2451 BY REPRESENTATIVE MALOCH	DO PASS
HOUSE BILL NO. 2788 BY REPRESENTATIVE SAUNDERS	DO PASS
HOUSE BILL NO. 2812 BY REPRESENTATIVE SULLIVAN	DO PASS
SENATE BILL NO. 440 BY SENATOR HILL	DO PASS
SENATE BILL NO. 768 BY SENATOR HORN	DO PASS

COMMITTEE REPORT

	March 16, 2007
CITY, COUNTY AND LOCAL AFFAIRS	STEPHANIE FLOWERS CHAIRPERSON
HOUSE BILL NO. 2692 BY REPRESENTATIVE OVERBEY	DO PASS
HOUSE RESOLUTION NO. 1022 BY REPRESENTATIVE STEWART	DO PASS
SENATE BILL. 637 BY SENATOR I. BROWN	DO PASS
SENATE BILL. 766 BY SENATOR SALMON	DO PASS

COMMITTEE REPORT

	March 16, 2007
INSURANCE AND COMMERCE	SID ROSENBAUM CHAIRPERSON
HOUSE BILL NO. 2392 BY REPRESENTATIVE D. JOHNSON	DO PASS
HOUSE BILL NO. 2407 BY REPRESENTATIVE BOND	DO PASS AS AMENDED #1 (DLP 437)
HOUSE BILL NO. 2543 BY REPRESENTATIVE WOOD	DO PASS
HOUSE BILL NO. 2691 BY REPRESENTATIVE MALOCH	DO PASS AS AMENDED #2 (DLP 436)
HOUSE BILL NO. 2693 BY REPRESENTATIVE BOND	DO PASS

COMMITTEE REPORT

INSURANCE AND COMMERCE	March 16, 2007
	DAVID WYATT
	VICE-CHAIRPERSON
HOUSE BILL NO. 2548	DO PASS
BY REPRESENTATIVE ROSENBAUM	

COMMITTEE REPORT

STATE AGENCIES AND	March 16, 2007
GOVERNMENTAL AFFAIRS	JEFF WOOD
	CHAIRPERSON
HOUSE BILL NO. 1439	DO PASS, TO CONCUR
BY REPRESENTATIVE W. LEWELLEN	IN SENATE AMENDMENTS #1 & 2
HOUSE BILL NO. 2367	DO PASS
BY REPRESENTATIVE GREENBERG	
HOUSE BILL NO. 2383	DO PASS
BY REPRESENTATIVE REEP	
HOUSE BILL NO. 2460	DO PASS
BY REPRESENTATIVE WEBB	

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2792** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2792

Amend **HOUSE BILL NO. 2792** as originally introduced:

Page 2, line 7, delete "uniform" and substitute "minimum"

AND

Page 2, line 9, delete "applying for initial licensure or relicensure" and substitute "applying for initial or additional licensure"

AND

Page 2, line 11, delete "uniform"

AND

Page 2, line 12, delete "applying for initial licensure or relicensure" and substitute "applying for initial or additional licensure"

AND

Page 2, line 13, delete "uniform and specific" and substitute "minimum"

AND

Page 2, delete lines 15 through 17 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 2, line 19, delete "practice" and substitute "student"

AND

Page 3, delete line 7 and substitute the following:

"pertaining to the specific requirements for initial or additional teacher licensure"

AND

Page 3, lines 10 through 12 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 3, line 14, delete "practice" and substitute "student"

AND

Page 3, line 17, delete "uniform"

AND

Page 3, line 23, delete "uniform"

AND

Page 3, delete lines 30 through 36

AND

Page 4, delete lines 1 through 6

AND

Page 4, line 7, delete "(f)(1)" and substitute "(e)(1)"

AND

Page 4, delete line 12 and substitute the following:

"(2) An applicant for the reciprocal administrator's license with less than five (5) years of experience"

AND

Page 8, line 3, delete "nineteen (19)" and substitute "seventeen (17)"

AND

Page 8, line 6, delete "Six (6)" and substitute "Four (4)"

AND

Page 8, line 9, delete "six (6)" and substitute "four (4)"

AND

Page 8, line 10, delete "and include:" and substitute "and include classroom teachers who are licensed and teach at:"

AND

Page 8, delete lines 17 and 18 and substitute the following:

"(iv) Any licensure level to serve in one (1) at-large position:"

AND

Page 8, line 25, delete "and"

AND

Page 8, line 26, delete "Three (3)" and substitute "Two (2)"

AND

Page 8, line 27, delete "teaching license" and substitute "teaching and administrator's license"

AND

Page 8, delete lines 28 and 29, and substitute the following:

"Arkansas Association of School Administrators; and

(D) One (1) public school administrator with a valid Arkansas"

AND

Page 8, delete line 32 and substitute the following:

"(4) One (1) nonvoting representative designated by the"

AND

Page 8, delete lines 35 and 36 and substitute the following:

"(5)(A) Three (3) deans of education from Arkansas institutions of higher education recommended by the Arkansas Association of Colleges for

Teacher Education.

AND

Page 9, delete lines 1 through 3 and substitute the following:

"(B)(i) One (1) dean shall be from a private institution of higher education;

(ii) One (1) dean shall be from a public institution of higher education; and

(iii) One (1) of whom shall have knowledge of licensure issues;"

AND

Page 9, line 4, delete "(7)" and substitute "(6)"

AND

Page 9, line 6, delete "(8)" and substitute "(7)"

AND

Page 10, line 11, delete "uniform" and substitute "minimum"

AND

Page 10, line 12, delete "or relicensure" and substitute "or additional licensure"

AND

Page 10, line 13, delete "uniform and specific" and substitute "minimum"

AND

Page 10, delete lines 15 through 17 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 10, line 28, delete "uniformity" and substitute "alignment with standards"

AND

Page 10, delete lines 31 through 33 and substitute the following:

"(b) The audits shall use state standards or national standards for licensure programs, or a combination of both."

AND

Page 11, delete lines 11 and 12 and substitute the following:

"(3)(A) Establish a code of ethics for administrators and teachers in educational environments for students in"

AND

Page 11, line 31, delete "complaints" and substitute "complaints referred by the Department of Education"

AND

Page 11, delete lines 34 through 36

AND

Page 12, delete line 1

/s/ Johnnie J. Roebuck

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. 2 TO HOUSE BILL NO. 2316

Amend **HOUSE BILL NO. 2316** as engrossed,

H3/13/07 (version: 03-13-2007 11:32):

Page 2, delete lines 21 through 24 and substitute:

"(2) If the General Assembly does not provide funding for the Arkansas Heavy Equipment Operator Training Academy, the University of Arkansas at Monticello may choose not to fund 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 Wells, **HOUSE BILL NO. 1830** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1830

Amend **HOUSE BILL NO. 1830** as originally introduced:

Page 1, line 33, strike "Fund," and substitute "Fund, to include any monies received from the General Improvement Fund, or its successor fund or fund accounts,"

AND

Delete Section 2 of the bill in its entirety

AND

Appropriately renumber the sections of the bill.

/s/ John Paul Wells

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. 2 TO HOUSE BILL NO. 2249

Amend **HOUSE BILL NO. 2249** as engrossed,

H3/13/07 (version: 03-13-2007 11:38):

Page 1, delete lines 26 through 36 entirely

AND

Page 2, delete lines 1 through 36 entirely

AND

Page 3, delete lines 1 through 3 entirely

AND

Page 3, line 4, delete "SECTION 2." and substitute "SECTION 1."

AND

Page 3, line 16, delete "SECTION 3." and substitute "SECTION 2."

AND

Page 3, line 28, delete "For" and substitute "Except as provided under subsection (d)"

of this section, for"

AND

Page 4, line 3, delete "two (2)" and substitute "four (4)"

AND

Page 4, line 8, delete "two (2)" and substitute "four (4)"

AND

Page 5, line 1, delete "two (2)" and substitute "~~two (2)~~ four (4)"

AND

Page 5, line 14, delete "two (2)" and substitute "four (4)"

AND

Page 5, delete line 24 and substitute:

"credited to the division as direct revenue.

(d)(1) In lieu of the photo identification card issued under this section, a person who holds a valid driver's license or identification card issued under the laws of this state may choose to have an endorsement on his or her driver's license or identification card that authorizes parking in areas designated as parking for a person with a disability.

(2) If a driver's license endorsement or identification card endorsement is chosen under this section, then the issuance and expiration of the driver's license shall correspond with the expiration date of the special person-with-a-disability certificate issued under this section.

AND

Page 5, line 26, delete "SECTION 4." and substitute "SECTION 3."

AND

Page 5, delete line 32 and substitute:

"(2)(A) ~~Vehicles~~ Except as provided under subdivision (a)(2)(B) of this section, a parking space reserved for a person with a"

AND

Page 6, delete line 3 and substitute:

~~"disabilities and designated "van-accessible".~~

(B) If the parking lot or parking facility has only one (1) parking space reserved for a person with a disability, then the limitation of use under subsection (a)(2)(A) shall not apply.

AND

Page 6, line 5, delete "SECTION 5." and substitute "SECTION 4."

AND

Page 6, delete line 23 and substitute:

"displayed on each parking space for persons with disabilities and visible to the

driver's eye level shall be"

AND

Page 7, line 5, delete "SECTION 6." and substitute "SECTION 5."

AND

Page 7, line 17, delete "SECTION 7." and substitute "SECTION 6."

AND

Page 7, line 32, delete "SECTION 8." and substitute "SECTION 7."

/s/ Sandra Prater

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. 2612** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2612

Amend **HOUSE BILL NO. 2612** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 17-95-101 is amended to read as follows:

17-95-101. "Good Samaritan" law.

(a) Any person licensed as a physician or surgeon under the laws of the State of Arkansas ~~or any other person~~, who, in good faith, lends emergency care or assistance without compensation at the place of an emergency or accident, ~~and who was acting as a reasonable and prudent person would have acted under the circumstances present at the scene at the time the services were rendered~~, shall not be liable for any civil damages for acts or omissions performed in good faith as long as any act or omission resulting from the rendering of emergency assistance or services was not grossly negligent or willful misconduct.

(b) Any person who is not a physician, surgeon, nurse, or other person trained or skilled in the treatment of medical emergencies who is present at an emergency or accident scene, and who:

(1) Believes that the life, health, and safety of an injured person or a person who is under imminent threat of danger could be aided by reasonable and

accessible emergency procedures under the circumstances existing at the scene thereof;

(2) Proceeds to lend emergency assistance or service in a manner ~~reasonably~~ calculated in good faith to lessen or remove the immediate threat to the life, health, or safety of such a person;

~~(3) Lends only such emergency care or assistance as a reasonable and prudent person concerned for the immediate protection of the life, health, and safety of the person for whom the services were rendered would lend under the circumstances,~~

shall not be held liable in civil damages in any action in this state for any ~~harm, injury, or death of any such person so long as the person rendering such services acted in good faith and was acting as a reasonable and prudent person would have acted under the circumstances present at the scene at the time the services were rendered~~ act or omission resulting from the rendering of emergency assistance or services unless the act or omission was not in good faith and was the result of gross negligence or willful misconduct.

(c) No physician or surgeon who in good faith and without compensation renders voluntary emergency medical assistance to a participant in a school athletic event or contest at the site thereof or during transportation to a health care facility for an injury suffered in the course of the event or contest shall be liable for any civil damages as a result of any acts or omissions by that physician or surgeon in rendering the emergency medical care. The immunity granted by this subsection shall not apply in the event of an act or omission constituting gross negligence.

(d) For the purposes of this section and any other law of this state which takes effect on or after January 1, 1994, the term "physician" shall mean a person licensed by the Arkansas State Medical Board, the Arkansas State Board of Chiropractic Examiners, or the State Podiatry Examining Board."

/s/ Daniel Greenberg

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pace, **HOUSE BILL NO. 2586** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2586

Amend **HOUSE BILL NO. 2586** as originally introduced:

Add Representatives Berry, Blount, Cook, Glidewell, Hardy, J. Johnson, Patterson, Rainey, and Schulte as cosponsors of the bill

AND

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 6-1-301(b)(8), concerning the composition of the Arkansas Commission for Coordination of Educational Efforts, is amended to read as follows:

(8) ~~The Executive Chief Information Officer~~ The Director of the Department of Finance and Administration or the director's designee;

SECTION 2. Arkansas Code § 6-21-112(e)(1), concerning the Division of Public School Academic Facilities and Transportation, is amended to read as follows:

(e)(1) ~~The Executive Chief Information Officer~~ Director of the Department of Finance and Administration shall assign one (1) individual ~~from the staff of the Office of Information Technology~~ to serve as a technology liaison to the division.

SECTION 3. Arkansas Code 6-47-305(d)(5), concerning the Distance Learning Coordinating Council, is amended to read as follows:

(5) Staff support shall be provided by appropriate personnel from the Department of Education, the Department of Workforce Education, the Department of Higher Education, the Division of Public School Academic Facilities and Transportation, the Division of Public School Accountability, and the state's public institutions of higher education, ~~and the Office of Information Technology~~ with the assistance of any appropriate staff of the other agencies whose directors serve on the commission.

SECTION 4. Arkansas Code § 6-47-502(b)(3), concerning distance learning grants, is amended to read as follows:

(3) The distance learning technical protocol or protocols shall be in alignment with technical standards set by the ~~office of the Executive Chief Information Officer~~ Director of the Department of Finance and Administration.

SECTION 5. Arkansas Code 10-3-1704(b)(1)(B)(iii), concerning the Joint Committee on Advanced Communications and Information Technology, is amended to read as follows:

(iii)(a) The committee shall review any plan developed or updated by a public instrumentality.

~~(b) The committee may seek the assistance of the Office of Information Technology of the Department of Information Systems in conducting this review.~~

SECTION 6. Arkansas Code 12-75-132, concerning the Arkansas Homeland Security Advisory Group, is amended to read as follows:

(b) The advisory group shall consist of representatives of federal, state, and local agencies and professional associations as determined by the Director of the Arkansas Department of Emergency Management. The advisory group shall include, at a minimum, representatives of the following:

- (1) Arkansas Department of Emergency Management;
- (2) Arkansas Ambulance Association;
- (3) Arkansas Association of Chiefs of Police;
- (4) Arkansas Association of Fire Chiefs;
- (5) Arkansas Citizen Corps Point of Contact;
- (6) Arkansas Department of Environmental Quality;
- (7) Department of Health;
- (8) Arkansas Emergency Management Association;
- (9) Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department;
- (10) Arkansas Livestock and Poultry Commission;
- (11) Arkansas Municipal League;
- (12) National Guard;
- (13) 61st Civil Support Team of the National Guard;
- (14) Arkansas Sheriffs' Association;
- (15) Department of Arkansas State Police;
- (16) State Plant Board;
- (17) County Judges Association of Arkansas;
- (18) Centers for Disease Control;
- (19) Department of Information Systems;
- (20) Federal Bureau of Investigation;
- (21) Health Resources and Services Administration of the United States Department of Health and Human Services;
- ~~(22) Office of Information Technology;~~
- ~~(23)~~(22) United States Secret Service;
- ~~(24)~~(23) United States Attorney for the Eastern District of Arkansas;

and

~~(25)~~(24) United States Attorney for the Western District of Arkansas.

SECTION 7. Arkansas Code § 15-21-503 is amended to read as follows:

15-21-503. Creation - Board.

(a) The Arkansas State Land Information Board is created.

(b)(1)(A) The board shall be composed of twelve (12) voting members appointed by the Governor for terms of four (4) years.

(B) At the time of appointment or reappointment, the appointing authority shall adjust the length of terms to ensure that the terms of members of the board are staggered so that, insofar as possible, an equal number of members shall rotate each year.

(2) The board shall be composed of the following members or their designees:

(A) Three (3) state entity representatives;

(B) Three (3) city, county, and local government representatives;

(C) Three (3) private sector representatives; and

(D) Three (3) representatives of institutions of higher education.

(3) All members of the board shall have knowledge of the use and usefulness of digital land and geographic information in the management of government and a general awareness of the role of mapping as related to that management.

(4) No person shall serve as a member of the board for more than two (2) full consecutive terms.

(5) Upon the death, disability, resignation, removal, or refusal to serve of any member, the Governor shall appoint a qualified person to complete board membership.

(c)(1)(A) A chair and a vice chair shall be elected by the board membership to oversee all board and committee meetings.

(B) Members of the board must elect a chair and vice chair every year.

(2)(A) The board will work with the State Geographic Information Coordinator assigned by the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems with approval from the board.

(B) The State Geographic Information Coordinator will:

(i) Assist the board in developing a comprehensive plan and evaluation procedures on how the state should implement tactical and strategic geographic information systems and land information systems planning;

(ii) Implement informational and educational programs;

and

(iii) Coordinate intrastate geographic information systems and land information systems efforts.

(C) The State Geographic Information Coordinator shall report directly to the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems.

(d)(1) The State Geographic Information Coordinator shall administer daily operations of the Arkansas Geographic Information Office with direction from the board.

(2) This may include liaison between the board and the Governor, the ~~Executive Chief Information Officer~~ Director of the Department of Information Systems, and public or private sector entities involved in spatial data and land records modernization, project management in the preparation of the strategic planning documents related to spatial data and land records modernization, developing policy and procedures for land records modernization, and developing policy and procedures for the activities of the board.

(3) Additional requirements are the implementation of educational programs, coordinating vendor exhibits, and facilitating technical assistance and consulting.

(e) The board may conduct meetings at such places and such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish its objectives and purposes.

(f) Members of the board shall receive no compensation for their services.

(g) The board will be provided administrative support through the ~~Office of Information Technology~~ Arkansas Geographic Information Office.

(h) The funds necessary to carry out the provisions of this subchapter shall come from the Geographic Information Systems Fund.

(i) The board shall seek the review and advice of the Joint Committee on Advanced Communications and Information Technology prior to issuing guidelines, proposed legislation, and strategic plans.

SECTION 8. Arkansas Code 19-5-1112(b), concerning the Geographic Information Systems Fund, is amended to read as follows:

(b)(1)(A) The ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration shall manage the fund, and the Governor shall oversee the expenditures from the fund.

(B) The Arkansas State Land Information Board shall establish standards and methodologies for evaluating the funding of enterprise-level geographic information systems projects.

(2)(A) The ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration, with advice from the board, shall evaluate, prioritize, and approve proposals for geographic information systems projects.

(B) Such proposals and requests for funding shall demonstrate any or all of the following:

- (i) Improvement in the quality of life for Arkansans;
- (ii) Elimination of redundant systems;
- (iii) Improved service for Arkansas citizens;
- (iv) Enhanced economic development opportunities in Arkansas;
- (v) Implementation of electronic government twenty-four (24) hours a day, seven (7) days a week;
- (vi) Substantial benefit to more than one (1) agency through lower operating costs; and
- (vii) Continued development of the Arkansas Spatial Data Infrastructure.

SECTION 9. Arkansas Code 19-11-1101(c), concerning state agency contracts, is amended to read as follows:

(c)(1) All contracts authorized by this subchapter shall be entered into pursuant to the requirements of the Arkansas Procurement Law, § 19-11-201 et seq., and amendments thereto.

(2) Prior to execution of the contract, the following process shall be followed:

(A) The requesting agency shall request approval from the Chief Fiscal Officer of the State to prepare a request for proposal for a project authorized under this subchapter;

(B) The request shall include the general nature of the project, the anticipated revenues that will be enhanced, and the forecasted revenues for the current biennium;

(C) Upon approval of the Chief Fiscal Officer of the State, the requesting agency shall prepare a request to the Department of Finance and Administration for approval to prepare a request for proposal for a technology project authorized under this subchapter;

(D) The request must include the revenue source or sources that will be increased as a result of the project and the projected revenues for the anticipated life of the project;

(E) The requesting agency shall prepare a request for proposal,

with advice and consultation from ~~the office of the Executive Chief Information Officer~~ and the department, for the purchase of technology systems on the basis of a portion of the increase in the agency's revenues produced by the technology system; and

(F)(i) The request for proposal may provide that the agency and the vendor may negotiate an amount or baseline upon which the increase in taxes or fees is measured.

(ii) Any contract other than a fixed fee contract shall include a factor in the baseline calculation to account for an increase in taxes or fees due solely to economic factors and not to the use of the technology.

(3) The agency procurement official or procurement agent and the vendor shall negotiate the contract, with the oversight of ~~the office of the Executive Chief Information Officer~~ and the department to assist in negotiating an advantageous contract.

(4)(A) The agency director shall submit the proposed contract and a request for new appropriation to the Governor or his or her designee.

(B) The accompanying information will include the methodology used to calculate the baseline amount proposed by the agency and other justifications and information that detail the program and the expected benefits of the agreement.

(C) The Governor or his or her designee shall study the request and determine whether the appropriation requested and the terms of the proposed contract are in strict compliance with this subchapter.

(D)(i) The Governor may approve or modify the request for new appropriation and the proposed contract.

(ii) Any modification of the proposed contract shall be submitted to the vendor for approval.

(5)(A) Upon approval of the shared benefit agreement and new appropriation request, the Governor shall seek the advice and recommendation of the Legislative Council.

(B) Upon review of the Legislative Council, the Governor shall forward a copy of his or her approvals to the agency director and the Chief Fiscal Officer of the State.

SECTION 10. Arkansas Code § 25-4-102(b)(4), concerning information resources, is amended to read as follows:

(4) Develop technical standards and provide technical leadership and guidance to support the state's shared technical architecture ~~as promulgated by the Executive Chief Information Officer~~.

SECTION 11. Arkansas Code § 25-4-103 is amended to read as follows:

25-4-103. Definitions.

As used in this chapter:

~~(1)~~ "Administrator" means the Administrator of the Office of Information Technology;

~~(2)~~(1) "Application" means a separately identifiable and interrelated set of information technology resources that allows information processing to support specifically defined objectives;

~~(3)~~(2) "Core information technology infrastructure" means the state data, state network and application interfaces, state security, and disaster recovery;

~~(4)~~(3) "Customer" means a state agency, other governmental entity, or nongovernmental first responder entity that purchases or uses services under this chapter;

~~(5)~~(4) "Department" means the Department of Information Systems;

~~(6)~~(5) "Director" means the Director of the Department of Information Systems;

~~(7)~~(6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related services;

~~(8)~~(7) "Information processing" means the electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

~~(9)~~(8) "Information technology" means any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;

~~(10)~~(9) "Information technology resources" means the procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and the associated personnel, including consultants and contractors;

~~(11)~~(10) "Network infrastructure" means the shared portions of the state's telecommunications transmission facilities, including all transmission lines and all associated equipment and software components necessary for the management and control of the state network;

~~(12)~~(11) "Nongovernmental first responder entity" means state and law enforcement personnel, fire department personnel, and emergency medical

personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and other emergencies;

~~(13)~~(12) "Other governmental entities" means state-elected constitutional officers and their staffs, the Supreme Court and the Administrative Office of the Courts, the General Assembly or its committees or staffs, the Arkansas State Highway and Transportation Department, the Arkansas State Game and Fish Commission, the federal government, cities, counties, municipalities, and public school districts;

~~(14)~~(13) "Project" means a program to apply information technology resources to functions within or among elements of a state agency that ideally is characterized by well-defined parameters, specific objectives, common benefits, planned activities, a scheduled completion date, and an established budget with a specified source of funding;

~~(15)~~(14) "Project management" means principles, practices, and techniques applied to lead projects and teams and the control of project schedules, costs, and performance risks with the goal of satisfying customers' requirements;

~~(16)~~(15) "Public instrumentality" means any statutorily created entity charged with the responsibility of providing information or services through the use of information technology;

~~(17)~~(16) "State agencies" means all state departments, boards, and commissions but shall not include the elected constitutional officers and their staffs, the General Assembly and its committees and staffs, or the Supreme Court and the Administrative Office of the Courts, and public institutions of higher education with respect to academic, research, healthcare, and existing information technology applications and underlying support therefor;

~~(18)~~(17) "State of Arkansas shared technical architecture" means the structure of program or system components, how these components relate to one another, and the principles that govern their design and evolution over time; and

~~(19)~~(18) "Telecommunications" means all forms of communications devices and transport media for the conveyance by electronic or electrical means of voice, words, data, signals, or images.

SECTION 12. Arkansas Code § 25-4-104 is amended to read as follows:

25-4-104. Department of Information Systems.

(a) There is established within the executive department of government a Department of Information Systems.

(b)(1) The department shall be headed by a director to be appointed by the Governor, subject to confirmation by the Senate in the manner provided by law, and shall serve at the pleasure of the Governor.

(2) The director shall be a person who, by education and training, has technical knowledge and management experience in information technology-related equipment, systems, and services.

(3) The director shall qualify by filing the oath of office required in the Constitution of this state with the Secretary of State.

~~(e) There is established an Office of Information Technology. The Administrator of the Office of Information Technology shall be appointed by the the Executive Chief Information Officer.~~

~~(d)~~(c) The director may establish divisions and the organizational structure deemed necessary and appropriate for the efficient performance of the duties imposed under the provisions of this chapter, provided the organizational structure of the department shall conform to the positions authorized and limitations provided therefor in the biennial appropriation of the department.

~~(e)~~(d) The director shall appoint the deputy and division directors and the professional, technical, and clerical assistants and employees as necessary to perform the duties imposed by this chapter. All employees of the department shall be employed by and serve at the pleasure of the director.

~~(f)~~(e) The director shall report to the Governor any matters relating to abuses of this chapter.

~~(g)~~(f) The director shall recommend statutory changes to the Governor.

SECTION 13. Arkansas Code § 25-4-105 is amended to read as follows:

25-4-105. Department of Information Systems - General powers and duties.

The Department of Information Systems shall be vested with all the powers and duties necessary to administer the department and to enable it to carry out fully and effectively the regulations and laws relating to the department. These powers and duties relate to information technology and include, but are not limited to:

(1) Conceptualizing, designing, developing, building, and maintaining common information technology infrastructure elements used by state agencies and governmental entities;

(2) Providing information technology services to state agencies, other governmental entities, and nongovernmental first responder entities;

(3) Entering into contracts with state agencies, other governmental entities, and nongovernmental first responder entities for the purpose of providing information technology services;

(4)(A) Establishing fair and reasonable schedules of rates or fees to be paid by customers that are provided service to enable the department to recover all allowable costs of providing the services as provided in this chapter.

(B) The same rate or fee structure will apply to all customers receiving services;

(5)(A) Establishing estimated billing rates to be developed for a two-year period to coincide with the budgeting process.

(B) The department shall have the authority to adjust billing as necessary to effect compliance with applicable state and federal statutory and regulatory provisions.

(C) Billing adjustments shall be subject to the approval of the Chief Fiscal Officer of the State and review by the Legislative Council;

(6) Acquiring information technology on behalf of state agencies, the cost of which shall be recovered through customer billings or through direct funding;

(7) Promulgating rules and regulations that are necessary for efficient administration and enforcement of the powers, functions, and duties of the department as provided in this chapter;

(8) Developing a departmental plan to support the goals and objectives set forth for it in the state information technology plans and strategies. ~~The department shall seek the advice of the Executive Chief Information Officer in the development of its plan;~~

(9) Implementing systems to ensure the security of state data and state data processing assets, to provide for disaster recovery and continuity of operations to the state agencies served, and to recover its costs from the customers benefited; ~~and~~

(10) Performing any additional powers, functions, and duties which are necessary and appropriate for the proper administration of the provisions of this chapter;

(11) Monitor information resource security issues, coordinate all security measures which could be used to protect resources by more than one (1) governmental entity, and act as an information technology resource to other state agencies; and

(12) Assist in the development of an information technology security policy for state agencies.

SECTION 14. Arkansas Code 25-4-106(a), concerning reporting requirements, is amended to read as follows:

(a)(1) The Director of the Department of Information Systems will report periodically to the Joint Committee on Advanced Communications and Information Technology ~~and the Executive Chief Information Officer~~ regarding the status of the Department of Information Systems' information technology responsibilities in state government.

SECTION 15. Arkansas Code § 25-4-107 is amended to read as follows:

~~25-4-107. Office of Information Technology~~ Department of Finance and Administration - General powers and duties.

The ~~Office of Information Technology~~ Department of Finance and Administration shall be vested with all the powers and duties necessary to carry out regulations and laws ~~relating to the Executive Chief Information Officer~~ and to oversee and administer information technology and shall:

(1) Assist the Department of Information Systems in performing its duties;

(2) Review agencies' information technology plans and requests;

~~(3) Provide leadership in coordinating information technology;~~

~~(4)~~(3) Advise agencies in acquiring information technology service;

~~(5)~~(4) Advise agencies regarding information technology contracts and agreements;

~~(6) Monitor national and international standards relating to information technology;~~

~~(7)~~(5) Develop and publish policies, procedures, and standards relating to information technology and ensure agencies' compliance with those policies, procedures, and standards;

~~(8)~~(6) Develop standards to promote and facilitate electronic access to government information and interoperability of information systems;

~~(9)~~(7) Develop a state information technology plan that shall establish a state-level mission, goals, and objectives for the use of information technology; and

~~(10)~~(8) Foster interagency use of information technologies that is consistent with the established strategic direction of information technology and avoids unnecessary duplication.

SECTION 16. Arkansas Code § 25-4-108 is repealed.

~~25-4-108. Office of Information Technology - Working groups.~~

~~(a) The Executive Chief Information Officer shall appoint working groups as necessary to provide the Office of Information Technology with expertise and advice on information technology.~~

~~(b) Working group members shall:~~

~~(1) Have knowledge and experience in information technology; and~~

~~(2) Annually elect a chair.~~

~~(c)(1) Working group members shall not receive compensation for service to the working groups.~~

~~(2) However, working group members may receive reimbursement for~~

~~actual and necessary expenses reasonably incurred in performing board service, subject to applicable limitations on reimbursement as provided by law.~~

~~(d) A working group may be convened by:~~

~~(1) A majority of the working group's members;~~

~~(2) The working group's chair; or~~

~~(3) The Administrator of the Office of Information Technology.~~

SECTION 17. Arkansas Code § 25-4-110 is amended to read as follows:

25-4-110. Information technology - Planning.

(a)(1) ~~The Office of Information Technology~~ Department of Finance and Administration shall develop the state information technology plan.

~~(2) The administrator under the direction of the Executive Chief Information Officer shall prepare the draft state information technology plan and periodic updates for the Governor and shall seek the advice of the working groups.~~

~~(3)~~⁽²⁾ ~~Before the administrator submits the plan to the Governor, he or she shall seek the advice of~~ The Department of Finance and Administration shall submit monthly status reports to the Joint Committee on Advanced Communications and Information Technology.

(b)~~(1)~~ ~~The Office of Information Technology~~ Department of Finance and Administration shall develop and maintain information technology standards.

~~(2) The administrator shall prepare the draft standards and periodic updates for the Governor and shall seek the advice of the working groups.~~

~~(3) Before the administrator submits the state standards to the Governor, he or she shall seek the advice of the steering committee and the advisory board.~~

(c)(1) Each state agency shall develop a biennial information technology plan that establishes state agency goals, objectives, and policies regarding the development and use of information technology.

(2)(A) Each state agency shall specifically include a policy regarding the use of the Internet.

(B) A statement of the agency's policy regarding the use of the Internet shall include:

(i) The penalties for violations of the agency's Internet policy;

(ii) The number of employees and computers which have access to the Internet and the percentage of those employees and computers to the total number of employees and computers;

(iii) The needs of the agency and how those needs relate to the use of the Internet; and

(iv) The responsibilities of the agency's employees as those responsibilities relate to the efficient and responsible use of the Internet.

(3) Plans may be updated by agencies in a timely manner to remain current and must accommodate changes in the evolving state information technology plan and standards.

(d) The ~~Office of Information Technology~~ Department of Finance and Administration shall distribute criteria, elements, form, and format for agency plans. Plans may include, but not be limited to, the following:

(1) A statement of the agency's mission, goals, and objectives for information technology;

(2) Goals and objectives for achieving electronic access to agency records, information, and services;

(3) Consideration of a variety of information technologies, including those that help transcend geographic locations, standard business hours, economic conditions of users, and disabilities;

(4) Compliance with the Freedom of Information Act of 1967, § 25-19-101 et seq.;

(5) An explanation of how the state agency's mission, goals, and objectives for information technology support and conform to the state information technology plan developed by the office;

(6) An implementation strategy to include:

(A) Annual implementation objectives of the plan;

(B) Methods to educate both state employees and the public in the effective use of access technologies; and

(C) Agency activities to increase electronic access to public records and information to be implemented within available resources and existing state agency planning processes;

(7) Projects and resources required to meet the objectives of the plan;

(8) Estimated schedules and funding required to implement identified projects;

(9) An evaluation of the agency's performance relating to information technology;

(10) An assessment of progress made toward implementing the agency information technology plan;

(11) A discussion of progress toward electronic access to public information and enabling citizens to have two-way interaction for obtaining information and services from state agencies; and

(12) An inventory of state agency information technology.

(e) Plans developed or updated shall be submitted to the ~~office~~ department. The ~~office~~ department may reject, require modification to, or approve plans as deemed appropriate. Plans shall be modified by the state agency as necessary.

(f) Plans developed or updated by public instrumentalities shall be submitted for review to the Joint Committee on Advanced Communications and Information Technology. The committee may seek the assistance of the ~~office~~ department in conducting this review. Plans shall be modified by the public instrumentality as necessary.

SECTION 18. Arkansas Code § 25-4-111 is amended to read as follows:

25-4-111. Information technology - Prerequisites.

(a) Unless the agency first receives approval for a plan or an updated plan as provided for under § 25-4-110, no state agency shall:

(1) Acquire by purchase or lease any new or additional information technology; or

(2) Enter into any contract for information technology.

(b) If an agency desires to acquire information technology not part of an information technology plan approved under § 25-4-110, the requesting agency shall submit a waiver request to the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration that includes:

(1) Identification of necessary additional services or improvements in information technology;

(2) Relationship of the information technology improvements or additions to the overall goals of the agency;

(3) Resources needed to provide the additional services or improvements; and

(4) Measurement and evaluation criteria.

(c)(1) Upon evaluation of the waiver request, the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration shall notify the agency in writing of his or her approval or rejection of the request and his or her reasons therefor.

(2) The ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration shall make his or her evaluation in a timely manner. If the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration requires more than thirty (30) days to complete the evaluation, he or she shall report in writing to the Governor his or her reasons for the delay in completion.

(3) If the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration rejects a request for a waiver, no state

agency shall make any expenditure of public funds for the acquisition or expansion of information technology equipment or services.

(4) If the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration determines that the agency needs additional information technology resources, he or she may:

(A) Authorize the agency to acquire the requested information technology;

(B) Authorize acquisition of a modified information technology configuration;

(C) Notify the agency of the availability of department facilities to provide the requested information technology; or

(D) Recommend that the information technology be provided through the facilities of some other designated state agency.

(d) All state agencies shall comply with the provisions of the Arkansas Procurement Law, § 19-11-201 et seq., and applicable provisions of the General Accounting and Budgetary Procedures Law, § 19-4-101 et seq., in the acquisition, purchase, contracting for the purchase of, and leasing of information technology.

SECTION 19. Arkansas Code § 25-4-114(a), concerning contracts and agreements for information technology, is amended to read as follows:

(a) In the event a state agency and the Department of Information Systems are unable to resolve a dispute, the matter shall jointly be referred to the ~~Executive Chief Information Officer~~ Director of the Department of Finance and Administration for resolution.

SECTION 20. Arkansas Code § 25-18-603 is amended to read as follows:

25-18-603. Definitions.

As used in this subchapter:

~~(1) "CIO Council" means the same as defined in § 25-33-102;~~

~~(2) "Executive Chief Information Officer" means the Executive Chief Information Officer of the state appointed under § 25-33-103;~~

~~(3)~~(1) "Public records" means the same as defined in § 25-19-103(5)(A); and

~~(4)~~(2)(A) "State agencies" means all state departments, boards, and commissions.

(B) "State agencies" does not include:

(i) The elected constitutional officers and their staffs;

(ii) The General Assembly and its committees and staffs;

(iii) The Supreme Court;

(iv) The Court of Appeals;

(v) The Administrative Office of the Courts; and

(vi) Public institutions of higher education with respect to academic, research, health care, and existing information and technology applications and underlying support.

SECTION 21. Arkansas Code 25-18-604 is amended to read as follows:

25-18-604. Retention requirement.

(a)(1) ~~The Executive Chief Information Officer~~ Department of Finance and Administration shall direct the development of rules and guidelines for the retention of public records commonly found in most state agencies.

~~(2) The CIO Council shall provide review and advice on the rules and guidelines developed pursuant to subdivision (a)(1) of this section.~~

(b)(1) ~~Before January 1, 2006, the Executive Chief Information Officer~~ The Department of Finance and Administration shall promulgate pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., rules and guidelines governing the retention and management of public records commonly found in most state agencies, including, but not limited to, electronic records.

(2) The Arkansas General Records Retention Schedule, previously promulgated and adopted as Agency Policy 200.000 of the Office of Information Technology, shall be an official regulation of the Department of Finance and Administration subject to revision under subsection (d) of this section.

(c) Each state agency shall comply with the rules and guidelines promulgated under this subchapter upon ~~the earlier of~~ the effective date of subsection (b)(2) of this section.

~~(1) July 1, 2007; or~~

~~(2) The line-item appropriation to the agency in question of funds to comply with this subchapter.~~

(d) ~~The Executive Chief Information Officer~~ Department of Finance and Administration shall make periodic updates to the rules governing the retention and management of public records commonly found in most state agencies pursuant to the provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

SECTION 22. Arkansas Code Title 25, Chapter 8, Subchapter 1 is amended to add an additional section to read as follows:

25-8-110. Additional duties.

The Department of Finance and Administration shall:

(1) Develop retention schedules for control, preservation, protection, and disposition of the electronic records of state agencies;

(2) Direct the development of policies and procedures which state agencies shall follow in developing information technology plans and technology-

related budgets and technology project justification:

(3) Review procurements to ensure conformity with information policies and standards and state-level plans and implementation strategies;

(4) Advise state agencies in acquiring information technology service, as well as advise state agencies on information technology contracts and agreements;

(5) Report to the Joint Committee on Advanced Communications and Technology as requested regarding the status of information technology deployment; and

(6) Develop and promulgate rules and guidelines governing the retention and management of public records commonly found in most state agencies.

SECTION 23, Arkansas Code 25-32-117 is amended to read as follows:

25-32-117. Creation and retention of electronic records and conversion of written records by governmental agencies.

(a) Each governmental agency of this State shall determine whether, and the extent to which, it will create and retain electronic records and convert written records to electronic records.

(b) Each state agency shall comply with applicable standards and policies adopted or established by the ~~Executive Chief Information Officer, in collaboration with the CIO Council~~ Department of Finance and Administration to determine whether and the extent to which it will retain and convert written records to electronic records.

SECTION 24. Arkansas Code 25-32-118(a), concerning acceptance and distribution of agency records by governmental agencies, is amended to read as follows:

(a)(1) Except as otherwise provided in § 25-32-112(f), each governmental agency of this State shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(2) For state agencies, the determinations shall be consistent with applicable standards and policies adopted or established by the ~~Executive Chief Information Officer, in collaboration with the CIO Council~~ Department of Finance and Administration.

SECTION 25. Arkansas Code 25-32-119 is amended to read as follows:

25-32-119. Interoperability.

With respect to standards adopted pursuant to § 25-32-118, the ~~Executive~~

Chief Information Officer Department of Finance and Administration may encourage and promote consistency and interoperability with similar requirements adopted by other governmental agencies of this and other States and the federal government and nongovernmental persons interacting with governmental agencies of this State. If appropriate, those standards may specify differing levels of standards from which governmental agencies of this State may choose in implementing the most appropriate standard for a particular application.

SECTION 26. Arkansas Code § 25-33-101 is repealed.

~~25-33-101. Finding.~~

~~The General Assembly finds and declares information and information resources to be strategic assets of the State of Arkansas and that procedures must be established to ensure that:~~

~~(1) Information technology resources are developed and implemented to provide electronic government services to the citizens of Arkansas twenty-four (24) hours a day, seven (7) days a week;~~

~~(2) Information resources are used in an efficient manner;~~

~~(3) Information is administered and shared consistent with requirements for security, privacy, and confidentiality;~~

~~(4) Information technology acquisitions meet state needs and are consistent with coordinated efforts to maximize standardization and cost effectiveness; and~~

~~(5) State officials have timely access to information in useful forms.~~

SECTION 27. Arkansas Code § 25-33-102 is repealed

~~25-33-102. Definitions.~~

~~For purposes of this chapter:~~

~~(1) "Agency CIO" means the chief information officer of a state agency whose charge is to apply technology to meet the agency's core business processes;~~

~~(2) "Executive CIO" means the Executive Chief Information Officer of the state appointed under this chapter;~~

~~(3) "CIO Council" means the CIO Council created by this chapter;~~

~~(4) "Core information technology infrastructure" means the state data, state network and application interfaces, and state security;~~

~~(5) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means;~~

~~(6) "Enterprise project" refers to an information technology project that:~~

~~(A) Applies to more than one (1) government entity; and~~

~~(B) Has implications for the development of the core~~

infrastructure in compliance with the state's shared technical architecture;

~~(7) "Information technology" means any component related to information processing and telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;~~

~~(8) "Information technology resources" means:~~

~~(A) The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information; and~~

~~(B) Associated personnel, including consultants and contractors;~~

~~(9) "Project" means a program to apply information technology resources to functions within or among elements of a state agency, that ideally is characterized by:~~

~~(A) Well-defined parameters;~~

~~(B) Specific objectives;~~

~~(C) Common benefits;~~

~~(D) Planned activities;~~

~~(E) A scheduled completion date; and~~

~~(F) An established budget with a specified source of funding;~~

~~(10) "State agencies" means all state departments, boards, and commissions, but shall not include the elected constitutional officers and their staffs, the General Assembly and its committees and staffs, the Supreme Court and the Administrative Office of the Courts, and public institutions of higher education with respect to academic, research, healthcare, and existing information technology applications and underlying support therefor; and~~

~~(11) "State of Arkansas shared technical architecture" means:~~

~~(A) The structure of program or system components of state government;~~

~~(B) How these components relate to one another;~~

~~(C) The means of communication among them; and~~

~~(D) The principles that govern their design and evolution over time.~~

SECTION 28. Arkansas Code § 25-33-103 is amended to read as follows:

~~25-33-103. Executive Chief Information Officer.~~

~~(a) There is hereby created the position of Executive Chief Information Officer, which shall be appointed by and serve at the will of the Governor.~~

~~(b) Minimum qualifications for the Executive Chief Information Officer,~~

~~including, but not limited to, education, background, and experience shall be promulgated by the Office of Personnel Management of the Division of Management Services of the Department of Finance and Administration to be reviewed by the Legislative Council and approved by the Governor.~~

~~(c)(1) The Office of Information Technology shall be under the direction of the Executive Chief Information Officer as soon as the Executive Chief Information Officer is appointed. Until that appointment, the office shall remain under the Department of Information Systems.~~

~~(2) The powers and duties of the Executive Chief Information Officer shall not become effective until the appointment of the Executive Chief Information Officer.~~

SECTION 29. Arkansas Code § 25-33-104 is repealed.

~~25-33-104. Executive Chief Information Officer - Duties.~~

~~(a) The Executive Chief Information Officer shall:~~

~~(1) Utilize any personnel and resources of the Department of Information Systems as deemed necessary with the consent of the Governor, including, but not limited to, the functions currently performed by the Office of Information Technology;~~

~~(2)(A) Direct the formulation of promulgation of policies, standards, specifications, and guidelines for information technology in the state, including, but not limited to, those required to support state and local government exchange in a secure environment for the acquisition, storage, use, sharing, and distribution of core infrastructure components as defined by the State of Arkansas shared technical architecture.~~

~~(B) The areas in which standards, policies, and guidelines shall be developed shall include, but are not limited to, retention schedules for control, preservation, protection, and disposition of the electronic records of agencies;~~

~~(3) Develop a process for how all state agencies shall have input into the formation of these policies, standards, specifications, and guidelines and present the plan to the Governor and the General Assembly;~~

~~(4) If deemed necessary and appropriate, establish working groups to assist in the formulation of policies, standards, specifications, and guidelines and assure that all agencies have the opportunity to review and comment;~~

~~(5) Oversee the development of legislation and rules and regulations affecting electronic records management and retention, privacy, security, and related issues;~~

~~(6) Create a state security office to monitor information resource security issues, coordinate all security measures which could be used to protect~~

~~resources by more than one (1) governmental entity, and act as an information technology resource to other state agencies;~~

~~(7) Oversee the development of information technology security policy for state agencies;~~

~~(8) In consultation with the CIO Council, direct the development of policies and procedures which state agencies shall follow in developing information technology plans and technology-related budgets and technology project justification;~~

~~(9) Establish criteria for enterprise projects and review enterprise project plans and budget requests and recommend priorities to the council;~~

~~(10)(A) Develop plans and implementation strategies to promulgate state-level missions, goals, and objectives for the use of information technology, with the review and advice of the council.~~

~~(B) These plans and strategies shall include, but not be limited to:~~

~~(i) Business case development for information technology applications;~~

~~(ii) Maximizing state purchasing power;~~

~~(iii) Increasing collaborative efforts for projects of mutual interest; and~~

~~(iv) Creating opportunities to develop public and private partnerships;~~

~~(11) Review procurements to ensure conformity with information policies and standards and state-level plans and implementation strategies;~~

~~(12) Advise state agencies in acquiring information technology service, as well as advise state agencies on information technology contracts and agreements;~~

~~(13) Make a quarterly report to the Joint Committee on Advanced Communications and Information Technology regarding the status of information technology deployment to meet the goals set forth in this enabling legislation;~~

~~(14) Solicit, receive, and administer funds from public and private entities to be used for the purchase of information technology resources;~~

~~(15) Report to the committee and the Governor the total business analysis prepared for information technology projects; and~~

~~(16) Develop and promulgate rules and guidelines governing the retention and management of public records commonly found in most state agencies.~~

~~(b) With respect to their technology functions and applications, all state~~

departments, boards, commissions, and public institutions of higher education shall:

~~(1) Advise the Executive Chief Information Officer in advance of their anticipated usage needs for the state core information technology infrastructure to facilitate network capacity planning; and~~

~~(2) Consult and cooperate with the Executive Chief Information Officer in the formation and implementation of security policies for the state core information technology infrastructure.~~

~~(c) Nothing in this chapter shall be construed to deprive, transfer, limit, or in any way alter or change any of the powers vested in the board of trustees of any institution of higher education under existing constitutional and statutory provisions.~~

~~(d) All state agencies shall adopt the policies, standards, specifications, and guidelines, if applicable, to implement subdivision (a)(4) of this section.~~

~~(e) As to electronic records, the authority and responsibility of the State Records Commission [repealed] under § 13-4-105 [repealed] are transferred to the Executive Chief Information Officer.~~

~~(f)(1) In the event a state agency proposes an information technology project which does not comply with the state information shared architecture or state information technology plan, the agency shall submit documentation to the Administrator of the Office of Information Technology explaining the reason for noncompliance.~~

~~(2) The administrator shall advance the agency's concerns to the Executive Chief Information Officer, who shall seek review and advice of the council.~~

~~(3) The Executive Chief Information Officer shall then approve or disapprove the proposed project plan.~~

~~(g) The information technology project justification process developed by the Executive Chief Information Officer in connection with the council shall be followed by all state agencies.~~

SECTION 30. Arkansas Code § 25-33-105 is repealed.

~~25-33-105. CIO Council.~~

~~(a)(1) There is hereby created the CIO Council to be appointed by the Governor with the advice of the Information Technology Oversight Committee.~~

~~(2) The council shall advise the Executive Chief Information Officer on information technology resource usage and prioritization.~~

~~(b)(1) The Executive Chief Information Officer shall present a recommendation of the membership of the council to the Governor within sixty (60) days after his or her appointment.~~

~~(2) The council shall have representatives from state government, public education, cities, and counties.~~

~~(3) The Executive Chief Information Officer shall implement a policy to ensure representation for every state agency on the council, although every state agency shall not have an individual representative on the council.~~

~~(c)(1) Specific state agency participation on the council shall be through the position of agency chief information officer.~~

~~(2) Minimum qualifications for the agency chief information officer, including, but not limited to, education, background, and experience shall be promulgated by the Office of Personnel Management of the Division of Management Services of the Department of Finance and Administration to be reviewed by the Legislative Council and approved by the Governor.~~

~~(3) The Executive Chief Information Officer shall have the authority to appoint representatives of other agencies to subcommittees.~~

~~(4) In addition, the chief executive employee of the network manager contracted pursuant to the Information Network of Arkansas Act, § 25-27-101 et seq., shall serve as an ex officio member of the council.~~

~~(d) The council shall:~~

~~(1) Provide leadership in coordinating information technology in the state;~~

~~(2) Assist in establishing a prioritization system for state investment in enterprise projects;~~

~~(3) Assist in the development of policies and procedures, in consultation with the Executive Chief Information Officer, which state agencies and institutions of higher learning shall follow in developing information technology plans and technology-related budget requests;~~

~~(4) Advise on the modification of the state information technology plan;~~

~~(5) Create the methodology to evaluate the applications for funding of information technology projects based on the return on investment of the project and the linkage of the project to the agency's business objectives; and~~

~~(6) Establish standards and methodologies to ensure that good business case analysis is required from state agencies prior to allocation of funds.~~

~~(e)(1) The business case analysis shall identify total costs from beginning to end of the project to include, but not be limited to, consultant needs, required hardware or software support, ongoing support and maintenance, education and training, network bandwidth capacity, etc.~~

~~(2) All information technology projects shall be evaluated on the basis of the return on investment of the project, the value-added services, and the compatibility with the state-shared architecture.~~

~~(3) The evaluation method shall verify the link between the agency's~~

business objectives and the agency's information technology strategy.

~~(4) The Executive Chief Information Officer shall report to the appropriate legislative committees and the Governor the total business analysis prepared for information technology projects.~~

~~(f)(1) To achieve the best return on investment for the citizens of Arkansas, a state agency shall seek an existing application or technology for its information technology projects before proposing the development of a new application to be created by either a private company or the Department of Information Systems.~~

~~(2) The business case analysis necessary to make the appropriate determination shall include line items to identify staff resources required for creating the interfaces to the state's core infrastructure so that interoperability of all newly acquired technologies can be accomplished within the life cycle of the project.~~

SECTION 31. Arkansas Code § 25-33-106 is repealed.

~~25-33-106. Information Technology Oversight Committee.~~

~~(a) There is created the Information Technology Oversight Committee, to be appointed by the Governor as follows:~~

~~(1) Three (3) members nominated by the Joint Committee on Advanced Communications and Information Technology;~~

~~(2) Four (4) members from the Arkansas private sector;~~

~~(3) Two (2) members who shall be elected officials from Arkansas local government;~~

~~(4) Two (2) members nominated by the Arkansas Higher Education Coordinating Board in consultation with the Executive Council; and~~

~~(5) One (1) member nominated by the State Board of Workforce Education and Career Opportunities.~~

~~(b) Members of the Information Technology Oversight Committee must have knowledge and experience in the management and implementation of information technology.~~

~~(c) The Information Technology Oversight Committee shall advise the Executive Chief Information Officer on the allocation of information technology resources in the state.~~

SECTION 32. Arkansas Code § 25-33-107 is repealed.

~~25-33-107. Appeal.~~

~~(a) With respect to any finding, ruling, or determination that the Administrator of the Office of Information Technology is authorized to make under the provisions of this chapter, any state agency aggrieved by any decision of the administrator, or undue delay by the administrator in reviewing agency requests or plans under the provisions of this chapter, may appeal therefrom in writing to the Executive Chief~~

Information Officer.

~~(b) The Executive Chief Information Officer shall secure review and advice of the CIO Council within thirty (30) days and immediately furnish a copy of the appeal, including a statement of the reasons for the appeal, and the Executive Chief Information Officer's recommendation to:~~

~~(1) The Governor;~~

~~(2) During the interim between sessions, the Joint Committee on Advanced Communications and Information Technology; and~~

~~(3) During a legislative session, the House Committee on Advanced Communications and Information Technology and the Senate Committee on Technology and Legislative Affairs.~~

~~(c) The Governor shall make any individual evaluation and study with respect to an appeal which he or she deems appropriate and, in connection with the evaluation and study, may enlist the cooperation or technical assistance of other state agencies.~~

~~(d) The Governor shall issue his or her ruling within thirty (30) days, which may be:~~

~~(1) To uphold the decision of the Executive Chief Information Officer;~~

~~(2) To reject the decision of the Executive Chief Information Officer and approve the action sought by the state agency; or~~

~~(3) To modify the decision of the Executive Chief Information Officer in any manner which the Governor deems appropriate.~~

~~(e) The Governor shall notify the following in writing of his or her decision:~~

~~(1) During the interim between sessions, the Joint Committee on Advanced Communications and Information Technology; and~~

~~(2) During a legislative session, the House Committee on Advanced Communications and Information Technology and the Senate Committee on Technology and Legislative Affairs.~~

~~(f) The review by the Executive Chief Information Officer, the council, and the committees identified in subsection (b) of this section is intended to be advisory to the Governor, with ultimate responsibility for the decision to rest with the Governor.~~

SECTION 33. Arkansas Code § 25-33-201 is repealed.

25-33-201. Findings and purpose.

(a) It is found and determined by the General Assembly that:

~~(1) There is a need to invest in technologies that will provide for both greater efficiencies and better responsiveness in order for Arkansas to take full advantage of technological applications in providing services and solving problems of its citizens;~~

~~(2) State government can save money by creating information technology solutions that can be used by more than one (1) state agency or institution of higher learning;~~

~~(3) Arkansas citizens desire state government services to be more accessible and less expensive; and~~

~~(4) These goals can be achieved through the careful selection of appropriate applications of technology, identified through a collaborative process and justified by using strong business case analysis to include performance outcomes.~~

~~(b) It is further found and determined by the General Assembly that:~~

~~(1) The creation of an Arkansas Technology Infrastructure Fund will make moneys available to state agencies and institutions of higher education for enterprise-level information technology projects;~~

~~(2) The fund is created to be an incentive to accelerate the implementation of electronic government and to encourage state agencies to pursue innovative and creative approaches using technology to provide needed citizens' services in a more cost-effective and efficient manner; and~~

~~(3) The fund allows agency technology innovators to compete for dollars on a year-round, ongoing basis.~~

SECTION 34. Arkansas Code § 25-33-202 is repealed.

25-33-202. Arkansas Technology Infrastructure Fund - Creation.

~~(a) There is created 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 "Arkansas Technology Infrastructure Fund".~~

~~(b) The following moneys shall be deposited or transferred into the State Treasury to the credit of the Arkansas Technology Infrastructure Fund:~~

~~(1)(A) Savings that accrue to state agencies from reductions in the cost of providing services to citizens as a result of employing technology.~~

~~(B)(i) If a state agency determines that there are reductions in the cost of providing services to citizens as a result of employing technology, then the savings which result may be transferred, upon written approval of the amount by the Chief Fiscal Officer of the State, from any appropriation and funds of the agency to the Arkansas Technology Infrastructure Fund.~~

~~(ii) Before approving any transfers to the Arkansas Technology Infrastructure Fund of moneys appropriated for a state agency, the Chief Fiscal Officer of the State shall obtain the review of the Legislative Council with respect to the transfer.~~

~~(iii) If approved by the Chief Fiscal Officer of the State~~

and reviewed by the Legislative Council, then the Chief Fiscal Officer of the State shall cause transfers to be made upon his or her books and those of the Treasurer of State and the Auditor of State;

~~(2) Any funds approved by the General Assembly by law;~~

~~(3) Grants, gifts, and donations received by this state for the purposes of this subchapter; and~~

~~(4) Agency investments toward enterprise projects.~~

~~(c) Any unused portion of the Arkansas Technology Infrastructure Fund shall remain in the Arkansas Technology Infrastructure Fund and will not revert to the General Revenue Fund Account of the State Apportionment Fund.~~

~~(d)(1) The Arkansas Technology Infrastructure Fund shall be managed by the Executive Chief Information Officer.~~

~~(2) The Governor shall oversee the expenditures from the Arkansas Technology Infrastructure Fund.~~

SECTION 35. Arkansas Code § 25-33-203 is repealed.

~~25-33-203. Project standards and methodologies.~~

~~Upon review by the CIO Council, the Executive Chief Information Officer shall establish standards and methodologies to:~~

~~(1)(A) Evaluate the funding of enterprise-level projects.~~

~~(B) The evaluation method shall:~~

~~(i) Verify the link between the agency's business objectives and the agency's information technology strategy; and~~

~~(ii) Identify the plan for interfacing with the state's core systems; and~~

~~(2)(A) Ensure that good business case analysis is required from the agencies prior to the allocation of funds.~~

~~(B) The business case analysis shall identify total costs from beginning to end of the project, to include, but not be limited to:~~

~~(i) Consultant needs;~~

~~(ii) Required hardware or software support;~~

~~(iii) Ongoing support and maintenance;~~

~~(iv) Education and training; and~~

~~(v) Network bandwidth capacity.~~

SECTION 36. Arkansas Code § 25-33-204 is repealed.

~~25-33-204. Project funding.~~

~~(a) Upon review by the CIO Council, the Executive Chief Information Officer shall evaluate, prioritize, and approve proposals for enterprise projects.~~

~~(b) Before funds are approved from the Arkansas Technology Infrastructure~~

Fund, the Executive Chief Information Officer shall report to the Legislative Council and the Governor the total business analysis prepared for the project.

(c) ~~Requests for funding from the fund shall demonstrate any of the following:~~

~~(1) Improvement in the quality of life for Arkansans;~~

~~(2) Elimination of redundant systems;~~

~~(3) Improved service for Arkansas citizens;~~

~~(4) Enhanced economic development opportunities in Arkansas;~~

~~(5) Implementation of electronic government twenty-four (24) hours a day, seven (7) days a week; or~~

~~(6) Substantial benefit to more than one (1) agency through lower operating costs.~~

SECTION 37. Arkansas Code 25-33-205 is repealed.

~~25-33-205. Applicability.~~

~~This subchapter shall not apply to the State Bank Department, State Insurance Department, or State Securities Department.~~

SECTION 38. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act dissolves and transfers the duties of the Executive Chief Information Officer, Chief Information Officer, and Office of Information Technology; and that dissolving the offices at the beginning of the state's fiscal year will result in a more efficient transfer of responsibilities and funds. 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/ Daryl Pace

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2487** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2487

Amend **HOUSE BILL NO. 2487** as originally introduced:

Page 2, delete lines 4 through 10 and substitute the following:

"(2) Any self-insurance fund, pooled liability fund, or similar fund maintained by a medical care provider for the payment or indemnification of the medical care provider's liabilities for medical injuries under § 16-114-201 et seq. shall be deemed to be liability insurance susceptible to direct action under this section."

/s/ Will Bond

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. 2 TO HOUSE BILL NO. 2665

Amend **HOUSE BILL NO. 2665** as engrossed,

H3/14/07 (version: 03-14-2007 11:14):

Page 2, delete line 4, and substitute the following:

"(\$4,7000,000,000), the income tax rates levied in §§ 26-51-201 and 26-51-202 shall be reduced by one-quarter of one"

AND

Page 2, delete line 6, and substitute the following:

"January 1, 2009 for income taxes due for taxable year 2008."

AND

Page 2, delete line 15, and substitute the following:

"(e) For fiscal year 2009 and following, should the net"

AND

Page 2, delete line 18, and substitute the following:

"inflation-adjusted margin of growth, the income tax rates levied in §§ 26-51-201 and

26-51-202 shall be reduced by"

AND

Page 2, delete line 20, and substitute the following:

"calendar year for income taxes due for the previous calendar year, until the"

/s/ Ed Garner

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. 2775** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2775

Amend **HOUSE BILL NO. 2775** as originally introduced:

Page 1, delete lines 22 through 24 in their entirety and substitute the following:

"SECTION 1. Arkansas Code § 15-4-311 is amended to read as follows:

15-4-311. Title.

This section and ~~§§ 15-4-312 - 15-4-319~~ §§15-4-312 - 15-4-320 shall be known and may be cited as the "Minority Business Economic Development Act".

SECTION 2. Arkansas Code § 15-4-313 is amended to read as follows:

15-4-313. Definitions.

As used in this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-319:

(1) "Advisory Council" or "council" means the Minority Business Advisory Council;

(2) "Director" means the Administrator of the Division of Minority Business Enterprise of the Department of Economic Development;

(3) "Division" means the Division of Minority Business Enterprise of the Department of Economic Development;

(4)(A) "Exempt" and "nonexempt" mean goods and services classified as either exempt or nonexempt for the purpose of administering this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-319.

(B) The classification shall be determined by the Office of State Procurement and the division and submitted to the council for its review and

consideration for the purposes of this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-319;

(5) "Minority" means a lawful permanent resident of this state who is:

(A) ~~A black citizen or black lawful permanent resident of the State of Arkansas;~~

~~(B)~~ An African American;

~~(C)~~(B) An Hispanic American;

~~(D)~~(C) An American Indian; or

~~(E)~~(D) An Asian ~~and~~ a Pacific Islander;

(6) "Minority business enterprise" means a business that is at least fifty-one percent (51%) owned by one (1) or more minority persons as defined in this section;

~~(6)~~(7) "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any goods or services;

~~(7)~~(8) "State agency" means all departments, offices, boards, commissions, and institutions of the state, including the state-supported institutions of higher education; and

~~(8)~~(9) "State contract" means all types of state agreements, regardless of what they may be called, for the purchase of commodities and services and for the disposal of surplus commodities and services not otherwise exempt."

/s/ David Rainey

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. 2442** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2442

Amend **HOUSE BILL NO. 2442** as originally introduced:

Add Senators Malone, G. Jeffress, and J. Jeffress as cosponsors

AND

Add Representatives Reep and Lowery as cosponsors

/s/ Bruce Maloch

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. 2334** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2334

Amend **HOUSE BILL NO. 2334** as originally introduced:

Page 2, line 17, delete "one megawatt (1 MW)" and substitute "three hundred kilowatts (300 kW)"

AND

Page 2, line 36, delete "rates" and substitute "rates"

/s/ Lindsley Smith

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. 2632** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2632

Amend **HOUSE BILL NO. 2632** as originally introduced:

Page 2, delete lines 11 through 19 and substitute the following:

"(d)(1) Recovery of less than the amount demanded by the person entitled to recover under the policy shall not defeat the right to the twelve percent (12%) damages and attorney's fees provided for in this section if the amount recovered for the loss is within twenty percent (20%) of the amount demanded or which is sought in the suit.

(2) Notwithstanding the provisions of subdivision (d)(1) of this section, in all cases involving a homeowner's policy the right to reasonable attorney's fees provided for in this section shall arise if the amount recovered for the loss is within thirty percent (30%) of the amount demanded or which is sought in the suit."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Patterson objected to the adoption of **Amendment #2** to **HOUSE BILL NO. 2620**. Objection sustained. In accordance with House Rule 45 (L), Mr. Clerk, move **HOUSE BILL NO. 2620** and **Amendment #2** to the Regular House Calendar at the bottom, under the heading "Motions to Amend."

Upon motion of Representative Sample, **HOUSE BILL NO. 2626** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2626

Amend **HOUSE BILL NO. 2626** as originally introduced:

Page 2, line 22, delete "eighteen"

AND

Page 2, line 23, delete "(18)" and substitute "twenty-four (24)"

AND

Page 3, delete line 15 and substitute the following:

"audit report to the plan sponsor after completion of any review process.

(e) This section does not apply to any investigative audit that involves fraud, willful misrepresentation, or abuse, including without limitation, Chapter 55 of Title 5 or any other statutory provision that authorizes investigations relating to Medicaid fraud or insurance fraud."

/s/ Bill Sample

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. 2 TO HOUSE BILL NO. 2658

Amend **HOUSE BILL NO. 2658** as engrossed,

H3/13/07 (version: 03-13-2007 10:09):

Add Representatives Allen, Chesterfield, Greenberg, Lewellen, Rosenbaum and Webb as cosponsors of the bill

AND

Page 1, delete lines 27 through 30, and substitute the following:

"(a)(1) Any municipality organized and operating under the city manager form of government may authorize the mayor of the municipality to have the following duties and powers if approved by the qualified electors of the municipality at an election called by the board of directors by referendum or by the qualified electors of the municipality by initiative:"

AND

Page 2, line 17, delete "approved" and substitute "authorized under subdivision (a)(1) of this section"

AND

Page 2, delete line 23, and substitute the following:

"courts shall be elected and appointed in the manner prescribed by law.

(4) A mayor who has the duties and powers authorized under subdivision (a)(1) of this section shall be compensated with salary and benefits comparable to the salary and benefits of an official or employee of the municipality with similar executive duties and powers."

AND

Page 2, delete line 24, and substitute the following:

"(b) If called by initiative of the qualified electors of the municipality, the special election under this section shall comply with the"

AND

Page 2, line 31, delete "filed;" and substitute "filed; and"

AND

Page 3, line 4, delete "signatures on" and substitute "signatures and the authenticity of the signatures on"

AND

Page 3, line 7, delete "petition;" and substitute "petition; and"

AND

Page 3, line 10, delete "signatures," and substitute "signatures and the authenticity

of the signatures."

AND

Page 3, line 11, delete "and"

AND

Page 3, delete line 12, and substitute the following:

"(c) The proclamation submitting the question under subsection (a) of this section to the qualified electors of the municipality shall be issued within three"

AND

Page 3, line 14, delete "petition;" and "petition or within three (3) working days of the date a referendum ordinance is passed by the board of directors;"

AND

Page 3, delete lines 15 through 24, and substitute the following:

"(d) The special election shall be held not less than thirty (30) days nor more than one hundred twenty (120) days after the proclamation.

(e)(1) If both a petition is filed by the qualified electors of the municipality and the number of signatures and the authenticity of the signatures are verified under subdivision (b)(4) of this section and a referendum ordinance is passed by the board of directors referring the question under subsection (a) of this section to the qualified electors of the municipality, the event that occurs last in time is moot and void.

(2) If two (2) or more groups file petitions seeking a special election under subsection (a) of this section and the petition filed first is declared insufficient, then the city clerk shall determine the sufficiency of the petition that was filed next in time."

AND

Page 3, line 25, delete "(B)" and substitute "(3)"

AND

Page 3, line 28, delete "(7)" and substitute "(f)"

AND

Page 3, line 32, delete "(8)" and substitute "(g)"

AND

Page 3, delete line 36

AND

Page 4, delete lines 1 through 3

AND

Page 4, line 4, delete "(10)" and substitute "(h)"

AND

Page 4, delete lines 7 through 9

AND

Page 4, line 10, delete "(12)" and substitute "(j)"

AND

Page 4, line 14, delete "(13)" and substitute "(j)"

AND

Page 4, line 16, delete "twenty (20)" and substitute "thirty (30)"

AND

Page 4, line 18, delete "(14)" and substitute "(k)"

AND

Page 4, line 21, delete "(15)" and substitute "(l)"

AND

Page 4, line 23, delete "(16)" and substitute "(m)"

/s/ David Johnson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Berry, **HOUSE BILL NO. 2456** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2456

Amend **HOUSE BILL NO. 2456** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 4, Chapter 107, Subchapter 3 is amended to add an additional section to read as follows:

4-107-304. Photographic identification required for credit card transactions.

(a) A person, a firm, a partnership, an association, or a corporation shall require as a condition to accepting a credit card as payment in full or in part for goods or services positive identification by a photograph of the credit cardholder, including without limitation, a driver's license, a photograph on the credit card, or another form of photo identification.

(b) A violation of subsection (a) of this section is a Class B misdemeanor for the first offense and a Class A misdemeanor for a subsequent offense."

/s/ Stan Berry

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Anderson, **HOUSE BILL NO. 2674** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2674

Amend **HOUSE BILL NO. 2674** as originally introduced:

Page 2, line 3, delete ", through December 31, 2007"

/s/ Keven Anderson

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. 2793** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2793

Amend **HOUSE BILL NO. 2793** as engrossed,

H3/12/07 (version: 03-12-2007 08:47):

Page 1, line 30, delete "(2) The" and substitute "(2) If an item is not disposed of under subsection (c) of this section, the"

AND

Page 1, line 32, delete "writing that" and substitute "writing and the governing body of the municipality approves that"

/s/ Earnest Brown

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Allen, **HOUSE BILL NO. 2309** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2309

Amend **HOUSE BILL NO. 2309** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 12, Chapter 12 is amended to add an additional subchapter to read as follows:

SUBCHAPTER 18 – METHAMPHETAMINE OFFENDER REGISTRATION ACT OF 2007

12-12-1801. Title.

This subchapter shall be known and may be cited as the "Methamphetamine Offender Registration Act of 2007".

12-12-1802. Legislative findings.

The General Assembly finds that:

(1) Methamphetamine offenders pose a high risk of exposing the citizens of this state to dangerous chemicals, fires, and explosions;

(2) Protecting the public from methamphetamine offenders is a

primary governmental interest;

(3) The privacy interest of methamphetamine offenders is less important than the government's interest in public safety; and

(4) The release of certain information about methamphetamine offenders to criminal justice agencies and the general public will assist in protecting the public safety.

12-12-1803. Definitions.

As used in this subchapter:

(1) "Adjudication of guilt" means a:

- (A) Plea of guilty;
- (B) Plea of nolo contendere;
- (C) Negotiated plea;
- (D) Finding of guilt by a judge; or
- (E) Finding of guilt by a jury;

(2)(A) "Administration of criminal justice" means performing functions of investigation, apprehension, detention, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

(B) "Administration of criminal justice" also includes criminal identification activities and the collection, maintenance, and dissemination of criminal justice information;

(3) "Change of address" means a change of residence or a change for more than thirty (30) days of temporary domicile, change of location of employment, education or training, or any other change that alters where a methamphetamine offender regularly spends a substantial amount of time;

(4) "Criminal justice agency" means a government agency or any subunit of a government agency that is authorized by law to perform the administration of criminal justice and which allocates more than one-half (1/2) of its annual budget to the administration of criminal justice;

(5) "Local law enforcement agency having jurisdiction" means the:

(A) Chief law enforcement officer of the municipality in which a methamphetamine offender:

- (i) Resides or expects to reside;
- (ii) Is employed; or
- (iii) Is attending an institution of training or education; or

(B) County sheriff, if:

(i) The municipality does not have a chief law enforcement officer; or

(ii) A methamphetamine offender resides or expects to

reside, is employed, or is attending an institution of training or education in an unincorporated area of a county;

(6) "Methamphetamine offender" means a person who is adjudicated guilty of a methamphetamine offense or acquitted on the grounds of mental disease or defect of a methamphetamine offense;

(7)(A) "Methamphetamine offense" includes without limitation:

(i) The following offenses:

(a) Manufacture of methamphetamine, § 5-64-401(a)(1); and

(b) Possession of drug paraphernalia with the intent to manufacture methamphetamine, § 5-64-403(c)(5);

(ii) An attempt, solicitation, or conspiracy to commit any of the offenses enumerated in subdivision (7)(A)(i) of this section; and

(iii) An adjudication of guilt for an offense of the law of another state, for a federal offense, for a tribal court offense, or for a military offense:

(a) Which is similar to any of the offenses enumerated in subdivision (7)(A)(i) of this section; or

(b) When that adjudication of guilt requires registration under another state's methamphetamine offender registration laws; and

(iv) A violation of any former law of this state that is substantially equivalent to any of the offenses enumerated in this subdivision (7)(A)(i) of this section.

(B)(i) The sentencing court has the authority to order the registration of any methamphetamine offender shown in court to have attempted to commit or to have committed a methamphetamine offense even though the offense is not enumerated in subdivision (7)(A)(i) of this section.

(ii) The authority in subdivision (7)(A)(i) of this section applies to methamphetamine offenses enacted, renamed, or amended at a later date by the General Assembly unless the General Assembly expresses its intent not to consider the offense to be a true methamphetamine offense for the purposes of this subchapter;

(8)(A) "Residency" means the place where a person lives notwithstanding that there may be an intent to move or return at some future date to another place.

(B) "Residency" also includes place of employment, training, or education; and

(9) "Sentencing court" means the judge of the court that sentenced the methamphetamine offender for the methamphetamine offense.

12-12-1804. Failure to comply with registration and reporting requirements - Refusal to cooperate with assessment process.

(a)(1)(A) Upon conviction, any person is guilty of a Class C felony who negligently:

(i) Fails to register or reregister as required under this subchapter; or

(ii) Fails to report a change of address, employment, education, or training as required under this subchapter.

(B)(i) Upon conviction, a methamphetamine offender who fails or refuses to provide any information necessary to update his or her registration file as required by § 12-12-1806 is guilty of a Class C felony.

(ii) If a methamphetamine offender fails or refuses to provide any information necessary to update his or her registration file as required by § 12-12-1806, as soon as administratively feasible the Department of Correction, the Department of Community Correction, the Arkansas State Hospital, or the Department of Health and Human Services shall contact the local law enforcement agency having jurisdiction to report the violation of subdivision (a)(1)(B)(i) of this section.

(2) It is an affirmative defense to prosecution under this subsection if the person:

(A) Delayed reporting a change in address because of:

(i) An eviction;

(ii) A natural disaster; or

(iii) Any other unforeseen circumstance; and

(B) Provided the new address to the Arkansas Crime Information Center in writing no later than five (5) business days after the person establishes residency.

(b) Upon conviction, any agency or official subject to reporting requirements under this subchapter that knowingly fails to comply with the reporting requirements under this subchapter is guilty of a Class B misdemeanor.

12-12-1805. Applicability.

(a) The registration requirements of this subchapter apply to a person who:

(1) Is adjudicated guilty on or after July 1, 2009, of a methamphetamine offense;

(2) Is serving a sentence of incarceration, probation, parole, or other form of community correction supervision as a result of an adjudication of guilt on or after July 1, 2009, for a methamphetamine offense;

(3) Is acquitted on or after July 1, 2009, on the grounds of mental

disease or defect for a methamphetamine offense; or

(4) Is serving a commitment as a result of an acquittal on or after July 1, 2009, on the grounds of mental disease or defect for a methamphetamine offense.

(b) A person who has been adjudicated guilty of a methamphetamine offense and whose record of conviction will be expunged under the provisions of §§ 16-93-301 - 16-93-303 is not relieved of the duty to register under this subchapter.

(c)(1) If the underlying conviction of a person required to register under this subchapter is reversed, vacated, or set aside, or if the person required to register under this subchapter is pardoned, the person is relieved from the duty to register under this subchapter.

(2) The duty to register under this subchapter shall cease upon the receipt and verification by the Arkansas Crime Information Center of documentation from the:

(A) Sentencing court verifying the fact that the conviction has been reversed, vacated, or set aside; or

(B) Office of the Governor that the Governor has pardoned the person required to register under this subchapter.

12-12-1806. Duty to register generally - Review of requirements with offenders.

(a)(1)(A)(i) At the time of adjudication of guilt, the sentencing court shall enter on the judgment and commitment or judgment and disposition form that the defendant is required to register as a methamphetamine offender.

(ii) If the sentencing court finds the defendant is required to register as a methamphetamine offender, then at the time of adjudication of guilt the sentencing court shall require the methamphetamine offender to complete the methamphetamine offender registration form prepared by the Director of the Arkansas Crime Information Center pursuant to § 12-12-1808 and shall forward the completed methamphetamine offender registration form to the Arkansas Crime Information Center.

(B)(i) The Department of Correction shall ensure that a methamphetamine offender received for incarceration has completed the methamphetamine offender registration form.

(ii) If the Department of Correction cannot confirm that the methamphetamine offender has completed the methamphetamine offender registration form, the Department of Correction shall require the methamphetamine offender to complete the methamphetamine offender registration form upon intake, release, or discharge.

(C)(i) The Department of Community Correction shall ensure that a methamphetamine offender placed on probation or another form of community correction supervision has completed the methamphetamine offender registration form.

(ii) If the Department of Community Correction cannot confirm that the methamphetamine offender has completed the methamphetamine offender registration form, the Department of Community Correction shall require the methamphetamine offender to complete the methamphetamine offender registration form upon intake, release, or discharge.

(D)(i) The Arkansas State Hospital shall ensure that the methamphetamine offender registration form has been completed for any methamphetamine offender found not guilty by reason of mental disease or defect.

(ii) If the Arkansas State Hospital cannot confirm that the methamphetamine offender has completed the methamphetamine offender registration form, the Arkansas State Hospital shall ensure that the methamphetamine offender registration form is completed for the methamphetamine offender upon intake, release, or discharge.

(2)(A) A methamphetamine offender moving to or returning to this state from another jurisdiction shall register with the local law enforcement agency having jurisdiction within ten (10) days after the methamphetamine offender establishes residency in a municipality or county of this state.

(B)(i) Any person living in this state who would be required to register as a methamphetamine offender in the jurisdiction in which he or she was adjudicated guilty of a methamphetamine offense shall register as a methamphetamine offender in this state whether living, working, or attending school or other training in Arkansas.

(ii) A nonresident worker or student who enters the state for sixty (60) or more consecutive days to work or study or who enters the state for an aggregate of ninety (90) days or more a year shall register with the local law enforcement agency having jurisdiction.

(C) A methamphetamine offender sentenced and required to register outside of Arkansas shall:

(i) Provide a deoxyribonucleic acid (DNA) sample, that is, a blood sample or saliva sample, if a sample is not already accessible to the State Crime Laboratory; and

(ii) Pay the mandatory fee of two hundred fifty dollars (\$250) to be deposited into the DNA Detection Fund established by § 12-12-1119.

(b)(1) The registration file of a methamphetamine offender who is confined in

a correctional facility or serving a commitment following acquittal on the grounds of mental disease or defect shall be inactive until the registration file is updated by the department responsible for supervision of the methamphetamine offender.

(2) Immediately prior to the release or discharge of a methamphetamine offender or immediately following a methamphetamine offender's escape or his or her absconding from supervision, the Department of Correction, the Department of Community Correction, the Arkansas State Hospital, or the Department of Health and Human Services shall update the registration file of the methamphetamine offender who is to be released or discharged or who has escaped or has absconded from supervision.

(c)(1)(A) When registering a methamphetamine offender as provided in subsection (a) of this section, the sentencing court, the Department of Correction, the Department of Community Correction, the Arkansas State Hospital, the Department of Health and Human Services, or the local law enforcement agency having jurisdiction shall:

(i) Inform the methamphetamine offender of the duty to register and obtain the information required for registration as described in § 12-12-1808;

(ii) Inform the methamphetamine offender that if the methamphetamine offender changes residency within the state, the methamphetamine offender shall give the new address, place of employment, education, higher education, or training to the Arkansas Crime Information Center in writing no later than ten (10) days before the methamphetamine offender establishes residency or is temporarily domiciled at the new address;

(iii) Inform the methamphetamine offender that if the methamphetamine offender changes residency to another state or enters another state to work or attend school, the methamphetamine offender shall register the new address, place of employment, education, higher education, or training with the center not later than five (5) business days after the methamphetamine offender establishes residence or is temporarily domiciled in the new state;

(iv) Obtain fingerprints and a photograph of the methamphetamine offender if these have not already been obtained in connection with the offense that triggered registration;

(v) Obtain a deoxyribonucleic acid (DNA) sample if one has not already been provided;

(vi) Require the methamphetamine offender to complete the entire registration process, including without limitation, requiring the methamphetamine offender to read and sign a form stating that the duty of the

methamphetamine offender to register under this subchapter has been explained;

(vii) Inform the methamphetamine offender that if the methamphetamine offender's address changes within the state or to another state due to an eviction, natural disaster, or any other unforeseen circumstance, the methamphetamine offender shall give the new address to the center in writing no later than five (5) business days after the methamphetamine offender establishes residency; and

(viii) Inform a methamphetamine offender who has been granted probation that failure to comply with the provisions of this subchapter may be grounds for revocation of the methamphetamine offender's probation.

(B)(i) Any person required to register as a methamphetamine offender shall provide a deoxyribonucleic acid (DNA) sample, that is, a blood sample or saliva sample, upon registering if a sample has not already been provided to the State Crime Laboratory.

(ii) Any person required to register as a methamphetamine offender who is entering the State of Arkansas shall provide a deoxyribonucleic acid (DNA) sample, that is, a blood sample or saliva sample, upon registration and shall pay the mandatory fee of two hundred fifty dollars (\$250) to be deposited into the DNA Detection Fund established by § 12-12-1119.

(2) When updating the registration file of a methamphetamine offender, the Department of Correction, the Department of Community Correction, the Arkansas State Hospital, or the Department of Health and Human Services shall:

(A) Review with the methamphetamine offender the duty to register and obtain current information required for registration as described in § 12-12-1808;

(B) Review with the methamphetamine offender the requirement that if the methamphetamine offender changes address within the state, the methamphetamine offender shall give the new address to the center in writing no later than ten (10) days before the methamphetamine offender establishes residency or is temporarily domiciled at the new address;

(C) Review with the methamphetamine offender the requirement that if the methamphetamine offender changes address to another state, the methamphetamine offender shall register the new address with the center not later than five (5) business days after the methamphetamine offender establishes residence or is temporarily domiciled in the new state;

(D) Require the methamphetamine offender to read and sign a form stating that the duty of the methamphetamine offender to register under this subchapter has been reviewed;

(E) Inform the methamphetamine offender that if the methamphetamine offender's address changes within the state or to another state due to an eviction, natural disaster, or any other unforeseen circumstance, the methamphetamine offender shall give the new address to the center in writing no later than five (5) business days after the methamphetamine offender establishes residency; and

(E) Review with the methamphetamine offender the consequences of failure to provide any information required by subdivision (b)(2) of this section.

(d) Any methamphetamine offender working, enrolled, or volunteering in a public or private elementary, secondary or postsecondary school, or institution of training shall notify the center of that status and shall register with the local law enforcement agency having jurisdiction over the campus of the school that the methamphetamine offender is working at, enrolled in, or volunteering in.

(e)(1) A person required to register pursuant to this subchapter shall not change his or her name unless the change is:

(A) Incident to a change in the marital status of the methamphetamine offender; or

(B) Necessary to effect the exercise of the religion of the methamphetamine offender.

(2) The change in the methamphetamine offender's name shall be reported to the Director of the Arkansas Crime Information Center within ten (10) calendar days after the change in name.

(3) A violation of this subsection is a Class C felony.

12-12-1807. Report to Arkansas Crime Information Center - Report to law enforcement agency.

(a)(1) Within three (3) days after registering or updating the registration file of a methamphetamine offender, the Department of Correction, the Department of Community Correction, the Department of Health and Human Services, the sentencing court, or the local law enforcement agency having jurisdiction shall report, by written or electronic means, all information obtained from the methamphetamine offender and regarding the methamphetamine offender to the Arkansas Crime Information Center.

(2) The center shall immediately enter the information into its record system for maintenance in a central registry and notify the local law enforcement agency having jurisdiction.

(b)(1)(A) No later than ten (10) days after release from incarceration or after the date of sentencing, a methamphetamine offender shall report to the local law

enforcement agency having jurisdiction and update the information in the registration file.

(B) If the methamphetamine offender is not already registered, the local law enforcement agency having jurisdiction shall register the methamphetamine offender in accordance with this subchapter.

(2) Within three (3) days after registering a methamphetamine offender or receiving updated registry information on a methamphetamine offender, the local law enforcement agency having jurisdiction shall report, by written or electronic means, all information obtained from the methamphetamine offender to the center.

12-12-1808. Registration format - Requirements.

(a) The Director of the Arkansas Crime Information Center shall prepare the format for registration as required in subsection (b) of this section and shall provide instructions for registration to each organized full-time municipal police department, county sheriff's office, the Department of Correction, the Department of Community Correction, the Department of Health and Human Services, and the Administrative Office of the Courts.

(b) The registration file required by this subchapter shall include:

(1) The methamphetamine offender's full name and all aliases that the methamphetamine offender has used or under which the offender has been known;

(2) Date of birth;

(3) Gender;

(4) Race;

(5) Height;

(6) Weight;

(7) Hair and eye color;

(8) Address of any temporary residence;

(9) Anticipated address of legal residence;

(10) Driver's license number or state identification number, if available;

(11) Social security number;

(12) Place of employment, education, or training;

(13) Photograph, if not already obtained;

(14) Fingerprints, if not already obtained;

(15) Date of arrest, arresting agency, offense for which convicted or acquitted, and arrest tracking number for each adjudication of guilt or acquittal on the grounds of mental disease or defect;

(16) A brief description of the crime or crimes for which registration is required;

(17) The registration status of the person as a methamphetamine offender;

(18) A statement in writing signed by the methamphetamine offender acknowledging that the methamphetamine offender has been advised of the duty to register imposed by this subchapter; and

(19) Any other information that the center deems necessary, including without limitation:

(A) Criminal and corrections records;

(B) Nonprivileged personnel records;

(C) Treatment and abuse registry records; and

(D) Evidentiary genetic markers.

(c) Certain information such as a social security number, a driver's license number, an employer, information that may lead to identification of the victim, and other similar information may be excluded from the information that is released during the course of notification.

12-12-1809. Verification form - Change of address.

(a)(1) For a person required to register as a methamphetamine offender, every six (6) months after the methamphetamine offender's initial registration date during the period in which the person is required to register, the following applies:

(A) The Arkansas Crime Information Center shall mail a nonforwardable verification form to the last reported address of the methamphetamine offender by certified mail;

(B)(i) The methamphetamine offender shall return the verification form in person to the local law enforcement agency having jurisdiction within ten (10) days after receipt of the form.

(ii) Within three (3) days after receipt of the form, the local law enforcement agency having jurisdiction shall forward the form to the center;

(C) The verification form shall be signed by the person and state that the methamphetamine offender still resides at the address last reported to the center; and

(D) If the methamphetamine offender fails to return the verification form to the local law enforcement agency having jurisdiction within ten (10) days after receipt of the form, the methamphetamine offender shall be in violation of this subchapter.

(2) If the methamphetamine offender changes address without notice or fails to return the verification of residence, notification will be sent to law enforcement and any supervising parole or probation authority, and notice may be posted on the Internet until proper reporting is again established or the

methamphetamine offender is incarcerated.

(b)(1) Before a change of address within the state, a methamphetamine offender shall report the change of address to the center no later than ten (10) days before the methamphetamine offender establishes residency or is temporarily domiciled at the new address.

(2) When a change of address within the state is reported to the center, the center shall immediately report the change of address to the local law enforcement agency having jurisdiction where the methamphetamine offender expects to reside.

(c)(1) Before a change of address to another state, a methamphetamine offender shall register the new address with the center and with a designated law enforcement agency in the state to which the methamphetamine offender moves not later than ten (10) days before the methamphetamine offender establishes residence or is temporarily domiciled in the new state if the new state has a registration requirement.

(2) When a change of address to another state is reported to the center, the center shall immediately notify the law enforcement agency with which the methamphetamine offender must register in the new state if the new state has a registration requirement.

(d) The center may require a methamphetamine offender to report a change of address through the local law enforcement agency having jurisdiction.

12-12-1810. Fine.

(a) Unless finding that undue hardship would result, the sentencing court shall assess at the time of sentencing a mandatory fine of two hundred fifty dollars (\$250) on any person who is required to register under this subchapter.

(b) The fine provided in subsection (a) of this section and collected in circuit court, district court, or city court, 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 as special revenues into the State Treasury to the credit of the Methamphetamine Offenders Registration Fund as established by § 12-12-1811.

12-12-1811. Methamphetamine Offenders Registration Fund.

(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 "Methamphetamine Offenders Registration Fund".

(b)(1) This fund shall consist of special revenues collected pursuant to § 12-12-1810, there to be used equally by the Arkansas Crime Information Center and the Department of Correction for the administration of this subchapter.

(2) Any unexpended balance of this fund shall be carried forward and made available for the same purpose.

12-12-1812. Arrests for violations.

(a) In order for a methamphetamine offender to be charged with the commission of a violation of this subchapter so that an arrest warrant shall be issued, the local law enforcement agency having jurisdiction shall notify the prosecutor when the local law enforcement agency having jurisdiction has reasonable grounds for believing that a methamphetamine offender is not registered, has not reported a change of address, or has not verified the methamphetamine offender's address in violation of this subchapter.

(b) The address of a methamphetamine offender as listed in the methamphetamine offender's registration file shall determine which local law enforcement agency has jurisdiction.

(c) A law enforcement officer shall arrest a methamphetamine offender when a warrant has been issued for the methamphetamine offender's arrest or the law enforcement officer has reasonable grounds for believing that a methamphetamine offender is not registered or has not reported a change of address in violation of this subchapter.

12-12-1813. Disclosure.

(a)(1) Registration records maintained pursuant to this subchapter shall be open to any criminal justice agency in this state, the United States, or any other state.

(2) Registration records may also be open to government agencies authorized by law to conduct confidential background checks.

(b) In accordance with rules promulgated by the Methamphetamine Offender Registration Committee, local law enforcement agencies having jurisdiction shall disclose relevant and necessary information regarding methamphetamine offenders to the public when the disclosure of such information is necessary for public protection.

(c)(1)(A) The Methamphetamine Offender Registration Committee shall promulgate rules to establish guidelines and procedures for the disclosure of relevant and necessary information regarding methamphetamine offenders to the public when the release of the information is necessary for public protection.

(B) In developing the guidelines and procedures, the Methamphetamine Offender Registration Committee shall consult with persons who, by experience or training, have a personal interest or professional expertise in law enforcement, crime prevention, victim advocacy, criminology, psychology, parole, public education, and community relations.

(2)(A) The guidelines and procedures shall identify factors relevant to a methamphetamine offender's future dangerousness and likelihood of reoffense or threat to the community.

(B) The guidelines and procedures shall also address the extent of the information to be disclosed and the scope of the community to whom disclosure shall be made as these factors relate to the:

(i) Level of the methamphetamine offender's dangerousness;

(ii) Methamphetamine offender's pattern of offending behavior; and

(iii) Need of community members for information to enhance their individual and collective safety.

(3) The Methamphetamine Offender Registration Committee shall submit the proposed guidelines and procedures to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor for their review and shall report to the House Committee on Public Health, Welfare, and Labor and the Senate Committee on Public Health, Welfare, and Labor every six (6) months on the implementation of this section.

(d)(1) A local law enforcement agency having jurisdiction that decides to disclose information pursuant to this section shall make a good faith effort to notify the public and residents in its jurisdiction at least fourteen (14) days before a methamphetamine offender is released or placed into its jurisdiction.

(2) If a change occurs in a methamphetamine offender's release plan, this notification provision shall not require an extension of the release date.

(3) In conjunction with the notice provided under § 12-12-1814, the Department of Correction and the Department of Health and Human Services shall make available to a local law enforcement agency having jurisdiction all information that the Department of Correction and the Department of Health and Human Services have concerning the methamphetamine offender, including information on risk factors in the methamphetamine offender's history.

(e) A local law enforcement agency having jurisdiction may continue to disclose information on a methamphetamine offender under this section for as long as the methamphetamine offender is required to be registered under this subchapter.

(f)(1) The State Board of Education, the Arkansas Higher Education Coordinating Board, and the State Board of Workforce Education and Career Opportunities shall promulgate rules for the disclosure to students and parents of information regarding a methamphetamine offender when such information is

released to a local school district or institution of higher education or vocational training by a local law enforcement agency having jurisdiction.

(2) In accordance with rules promulgated by the State Board of Education, the board of directors of a local school district or institution of higher education or vocational training shall adopt a written policy regarding the distribution to students and parents of information regarding a methamphetamine offender.

(g) Nothing in this section shall prevent a law enforcement officer from notifying members of the public about a person who may pose a danger to the public for a reason that is not enumerated in this subchapter.

(h) The medical records or treatment evaluations of a methamphetamine offender are not subject to disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.

(i)(1)(A) The following information concerning a methamphetamine offender shall be made public:

(i) The methamphetamine offender's complete name, as well as any aliases;

(ii) The methamphetamine offender's date of birth;

(iii) Any methamphetamine offense to which the methamphetamine offender has pleaded guilty or nolo contendere to or of which the methamphetamine offender has been found guilty by a court of competent jurisdiction;

(iv) The street name and block number, county, city, and zip code where the methamphetamine offender resides;

(v) The methamphetamine offender's race and gender;

(vi) The date of the last address verification of the methamphetamine offender provided to the Arkansas Crime Information Center;

(vii) The most recent photograph of the methamphetamine offender that has been submitted to the center; and

(viii) The methamphetamine offender's parole or probation office.

(B) The center shall prepare and place the information in subdivision (i)(1)(A) of this section on the Internet home page of the State of Arkansas.

(2) The center may promulgate any rules necessary to implement and administer this subsection.

(j) Nothing in this subchapter shall be interpreted to prohibit the posting on the Internet or by other appropriate means of offender fact sheets for those methamphetamine offenders who are determined to be in noncompliance with the

requirements of registration under rules and regulations promulgated by the Methamphetamine Offender Registration Committee.

12-12-1814. Notice of release.

(a)(1) The Department of Correction shall provide notice by written or electronic means to the Arkansas Crime Information Center of the anticipated release from incarceration in a county or state correctional institution of a person serving a sentence for a methamphetamine offense.

(2) The Department of Health and Human Services shall provide notice by written or electronic means to the center of the anticipated release from incarceration of a person committed following an acquittal on the grounds of mental disease or defect for a methamphetamine offense.

(b)(1)(A) If available, the notice required in subsection (a) of this section shall be provided to the center ninety (90) days before the methamphetamine offender's anticipated release.

(B) However, a good faith effort shall be made to provide the notice at least thirty (30) days before release.

(2) The notice shall include the methamphetamine offender's name, identifying factors, offense history, and anticipated future residence.

(c) Upon receipt of notice, the center shall provide notice by written or electronic means to:

(1) The local law enforcement agency having jurisdiction; and

(2) Other state and local law enforcement agencies as appropriate for public safety.

12-12-1815. Authority - Rules.

The Department of Correction, the Department of Community Correction, the Department of Health and Human Services, the Administrative Office of the Courts, and the Arkansas Crime Information Center shall promulgate rules to establish procedures for:

(1) Notifying a methamphetamine offender of the obligation to register pursuant to this subchapter; and

(2) Registering a methamphetamine offender.

12-12-1816. Publication and notice of obligation to register.

The Office of Driver Services shall provide notice of the obligation to register pursuant to this subchapter in connection with each driver's license issued pursuant to § 27-16-801 and each identification card issued pursuant to § 27-16-805.

12-12-1817. Termination of obligation to register.

(a)(1)(A) A methamphetamine offender required to register under this subchapter may make application for an order terminating the obligation to register

to the sentencing court fifteen (15) years after release from incarceration or other institution or fifteen (15) years after having been placed on probation or any other form of community correction supervision by the sentencing court.

(B) A methamphetamine offender sentenced in another state but desiring to permanently reside in Arkansas may make an application under subdivision (a)(1)(A) of this section for an order terminating the obligation to register to the court of the county in which the methamphetamine offender resides.

(2)(A) The court shall hold a hearing on the application at which the applicant and any interested persons may present witnesses and other evidence.

(B) No less than twenty (20) days prior to the date of the hearing on the application, a copy of the application for termination of the obligation to register shall be served on the prosecutor of the county in which the adjudication of guilt triggering registration was obtained.

(b) The court shall grant an order terminating the obligation to register upon proof by a preponderance of the evidence that:

(1) The applicant released or placed on parole, supervised release, or probation has not been adjudicated guilty of a methamphetamine offense for a period of fifteen (15) years after the applicant was released from prison or other institution; and

(2) The applicant is not likely to pose a threat to the safety of others.

12-12-1818. Immunity from civil liability.

(a) A public official, public employee, or public agency is immune from civil liability for good faith conduct under this subchapter.

(b) This subchapter does not impose any liability upon or to give rise to a cause of action against any public official, public employee, or public agency for any discretionary decision to release relevant and necessary information, unless it is shown that the public official, public employee, or public agency acted with gross negligence or in bad faith.

(c) This section also applies to a person or organization assisting a public official, public employee, or public agency in performing official duties upon a written request to assist by the public official, public employee, or public agency.

12-12-1819. Methamphetamine Offender Registration Committee.

(a) The Methamphetamine Offender Registration Committee shall consist of eight (8) members as follows:

(1) The Governor shall appoint, subject to confirmation by the Senate:

(A) One (1) member who is a criminal defense attorney;

(B) One (1) member who is a prosecuting attorney;

(C) One (1) member who is a licensed mental health

professional and has demonstrated expertise in the treatment of methamphetamine offenders;

(D) One (1) member who is a law enforcement officer; and

(E) One (1) member with expertise in juvenile justice or

treatment;

(2) The Director of the Department of Correction or the director's

designee;

(3) The Director of the Department of Community Correction or the director's designee; and

(4) The Director of the Arkansas Crime Information Center or the director's designee.

(b)(1) Members appointed by the Governor shall be for four-year staggered terms to be assigned by lot at the first meeting.

(2) If a vacancy of one (1) of the members appointed by the Governor occurs for any reason other than expiration of a regular term, the vacancy shall be filled for the unexpired portion of the term by appointment of the Governor.

(3) A member of the committee appointed by the Governor may be removed by the Governor for neglect of duty or malfeasance in office.

(4) A member shall be considered active unless his or her resignation has been submitted or requested by the Governor or he or she has more than two (2) unexcused absences from meetings in a twelve-month period and this fact has been reported to the Governor.

(c) The members of the committee shall elect annually a chair and a vice chair from their membership.

(d) The Director of the Department of Correction or the director's designee shall serve as the executive secretary.

(e)(1) A majority of the members of the committee shall constitute a quorum for the transaction of business.

(2) The committee shall meet at least quarterly.

(3) A special meeting may be called by the chair or as provided by the rules adopted by the committee.

(f) The executive secretary of the committee shall keep full and true records of all committee proceedings and preserve all books, documents, and papers relating to the business of the committee.

(g) The meetings of the committee shall be open to the public except when the committee is discussing, deliberating, or voting on an individual methamphetamine offender case.

(h)(1) The committee shall report in writing to the Governor and to the

Legislative Council by July 31 of each year.

(2) The report shall contain:

(A) A summary of the proceedings of the committee during the preceding fiscal year;

(B) A detailed and itemized statement of all revenue and of all expenditures made by or on behalf of the committee;

(C) Other information deemed necessary or useful; and

(D) Any additional information that may be requested by the Governor and the Legislative Council.

SECTION 2. Effective date. This act is effective on July 1, 2009."

/s/ Fred Allen

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. 1422** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1422

Amend **HOUSE BILL NO. 1422** as originally introduced:

Page 2, delete line 32, and substitute the following:

"possessing, storing, or transferring a controlled substance.

(e) A veterinarian is exempt from the excise tax imposed by this subchapter when he or she is lawfully using, possessing, storing, or transferring a controlled substance."

AND

Page 4, delete line 31, and substitute the following:

"(a)(1) Twenty-five percent (25%) of any tax, interest, penalty, or cost received by the Director of"

AND

Page 4, delete lines 35 and 36, and substitute the following:

"(2) The Treasurer of State shall allocate and transfer any tax, interest, penalty, or cost received under subdivision (a)(1) of this section to the various State

Treasury funds participating"

AND

Page 5, delete line 4, and substitute the following:

"Stabilization Law of Arkansas, § 19-5-101 et seq.

(b)(1) Seventy-five percent (75%) of any tax, interest, penalty, or cost received by the director under this subchapter shall be classified as special revenues and shall be deposited into the State Treasury.

(2) After deducting the amount to be credited to the Constitutional Officers Fund and the State Central Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et seq., the Treasurer of State shall transfer on the last business day of each month the balance of the amount received under subdivision (b)(1) of this section to the Excise Tax on Controlled Substances Fund.

SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 8 is amended to add an additional section to read as follows:

19-6-805. Excise Tax on Controlled Substances Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a special revenue fund to be known as the "Excise Tax on Controlled Substances Fund".

(b)(1) All moneys collected under § 26-57-1411(b) shall be deposited into the State Treasury to the credit of the fund as special revenues.

(2) The fund shall also consist of any other revenues as may be authorized by law.

(c) The fund shall be used by the Director of the Department of Finance and Administration to:

(1) Pay the costs of storing and disposing of any assets seized in payment of an assessment under the Excise Tax on Controlled Substances Act, § 26-57-1401 et seq.; and

(2)(A) Remit the balance of proceeds collected by an assessment under the Excise Tax on Controlled Substances Act, § 26-57-1401 et seq. to the state or local law enforcement agency that conducted the investigation of the person liable to pay the excise tax that led to the assessment.

(B) The proceeds described in subdivision (c)(2)(A) of this section are to be used by the law enforcement agency solely for the purpose of investigating, combating, preventing, and reducing drug crimes.

(C)(i) If more than one (1) state or local law enforcement agency conducted the investigation described in subdivision (c)(2)(A) of this section, the director shall determine the equitable share for each law enforcement agency based on the contribution each law enforcement agency made to the investigation.

(ii) The director's determination under subdivision (c)(2)(C)(i) of this section is final and is not subject to review in an administrative or judicial proceeding."

/s/ Denny Sumpter

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. 2255** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2255

Amend **HOUSE BILL NO. 2255** as originally introduced:

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-20-2305(b)(1), concerning funding for additional categories, is amended to read as follows:

(b)(1) In addition to state foundation funding aid, each school district shall receive funding for additional education categories as provided in subdivisions (b)(2)-~~(6)~~(5) of this section.

SECTION 2. Arkansas Code § 6-20-2305(b)(4)(C), concerning the use of national school lunch student funding, is amended to read as follows:

(C)(i)(a) The State Board of Education shall establish by rule a list of approved programs and purposes for which funds allocated under this subdivision (b)(4) may be expended.

~~(b) Through June 30, 2007, the State Board of Education shall approve the use of funds by a school district to supplement salaries for classroom teachers only under the following conditions:~~

~~(1) The school district meets the minimum teacher salary schedule in § 6-17-2403 without using funds provided under this subdivision (b)(4); and~~

~~(2) The school district is permitted to use funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers only to the extent the school district was using funds provided under this subdivision (b)(4) to supplement salaries for classroom teachers as of January 1, 2006.~~

~~(e)~~(b) School districts shall expend funds

allocated under this subdivision (b)(4) only on the programs or purposes on the State Board of Education's list of approved programs and purposes for which funds allocated under this subdivision (b)(4) may be expended, which shall include, but are not limited to:

(1) Classroom teachers, provided that the school district meets the minimum salary schedule in § 6-17-2403 without using funds provided under this subdivision (b)(4) and that those teachers are used for the purposes delineated in this subdivision (b)(4) ~~and as allowed through June 30, 2007, under subdivision (b)(4)(C)(ii) of this section to supplement salaries of classroom teachers;~~

(2) Before-school academic programs and after-school academic programs, including transportation to and from the programs;

(3) Prekindergarten programs coordinated by the Department of Health and Human Services;

(4) Tutors, teachers' aides, counselors, social workers, nurses, and curriculum specialists;

(5) Parent education;

(6) Summer programs;

(7) Early intervention programs; and

(8) Materials, supplies, and equipment, including technology used in approved programs or for approved purposes.

(ii) School districts that have met the needs of students for whom the funding is provided for additional educational categories under subsection (b) of this section and that have excess national school lunch student categorical funds provided under this subdivision (b)(4) may use the excess national school lunch student categorical funds to supplement all classroom teacher salaries under the following conditions:

(a) The school district shall not use any portion of the national school lunch student categorical funds that are carry forward or reserve funds to supplement classroom teacher salaries;

(b) The school district shall meet the minimum teacher salary schedule under § 6-17-2403 without using national school lunch student categorical funds;

(c) The school district shall comply with the Standards for Accreditation of Arkansas Public Schools established under The Quality Education Act of 2003, § 6-15-201 et seq. and the Arkansas Fiscal Assessment and Accountability Program under § 6-20-1901 et seq. without using national school lunch student categorical funds; and

(d) The school district shall agree that it shall not allocate or use any excess national school lunch student categorical funds in any manner except as a bonus to the salary of classroom teachers.

(iii) The school district shall include with its comprehensive school improvement plan a written detailed statement concerning how the school district will use its excess national school lunch categorical funds each school year and explaining in detail the amount of funds and percent of total funds to be used to supplement all classroom teacher salaries as allowed in subdivision (b)(4)(C)(ii) of this section.

(iv)(a) Upon review of the school district's comprehensive school improvement plan, if the Commissioner of Education determines that the school district has met the needs of students in the school district for whom the funding for additional educational categories under subsection (b) of this section is provided, has met the requirements of subdivisions (b)(4)(C)(ii) and (iii) of this section, and has prudently managed its resources, the commissioner shall give written approval of the detailed planned flexible use of excess national school lunch student categorical funds provided to the school district.

(b) The school district shall not use its excess national school lunch categorical funds for classroom teacher salaries as provided in subdivision (b)(4)(C)(ii) of this section unless:

(1) The commissioner provides the written approval required under subdivision (b)(4)(C)(iv)(a) of this section; and

(2) Funds allocated under this subdivision (b)(4) are available.

(v)(a) The excess national school lunch student categorical funds used to supplement the salary of a classroom teacher shall only be used as a nonrecurring bonus to a classroom teacher's salary for any given school year and shall not be considered a permanent obligation under the school district's teacher salary schedule or as contract obligations of any classroom teacher or employee of the school district.

(b) Each teacher contract with the school district shall contain a statement that recites subdivision (b)(4)(C)(v)(a).

(ii)(vi) However, notwithstanding Notwithstanding any other provision of law, if the Department of Education determines that a school district's expenditure of funds allocated under this subdivision (b)(4) would result in the school district's losing funding under any federal law, then the funds allocated to a school district under this subdivision (b)(4) may be expended for other academic programs or salaries.

~~(iii)~~(vii) The Department of Education may direct that a school district expend available funds on specified programs under subdivision (b)(4)(C)(i) of this section.

(viii)(a) By the end of each school year, each school district shall submit to the Department of Education a report listing each program upon which funds allocated under this subdivision (b)(4) were expended, the amount expended, and any other information required by the Department of Education on the use of funds allocated under this subdivision (b)(4).

(b) The Department of Education shall develop appropriate reporting forms for use by school districts to comply with subdivision (b)(4)(C)(viii) of this section."

/s/ David Cook

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. 1324** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1324

Amend **HOUSE BILL NO. 1324** as engrossed,

H3/9/07 (version: 03-09-2007 11:02):

Page 2, delete lines 20 through 27 and substitute the following:

~~"(3) "Rural community" means a community within a health professions shortage area, as determined by the board, or a community having a population of no more than fifteen thousand (15,000) persons according to the most recent federal census taken prior to the execution of the loan contract or the most recent federal census taken prior to the time the recipient of the loan or loans shall be required to practice full time in such rural community as provided in § 6-81-708.~~

(5) "Designated specialty" means a medical practice, other than"

AND

Page 3, delete lines 11 and 12 and substitute the following"

"member appointed by the Arkansas Medical Association Society, giving preference to physicians who have received rural medical practice loans or community match

loans;

AND

Page 3, delete line 23 and substitute the following:

“(A) For a health professions shortage area; ~~and~~”

AND

Page 3, delete line 27 and substitute the following:

“Recruitment Program; and

(C) For a procedure to resolve disputes arising out of or relating to a rural practice or community match loan contract.”

AND

Page 4, delete lines 5 and 6 and substitute the following:

“(8) Sue, and be sued as the board; and”

AND

Page 6, delete line 17 and substitute the following:

“determine payable under § 6-81-716.”

AND

Page 7, delete line 16 and substitute the following:

“medical practice loan, the board may approve the recipient’s request to”

AND

Page 7, delete line 20 and substitute the following”

“cannot sustain a full time medical practice or other compelling circumstances exist.”

AND

Page 7, delete lines 35 and 36

AND

Page 8, delete lines 1 through 7 and substitute the following:

“practice medicine in this state.

(B) For any contract entered into after August 1, 2007, the recipient’s medical license may not be suspended unless the recipient’s contract contained a specific term that loss of license was a consequence of breach and the recipient signed a written acknowledgment of understanding that the suspension of license was explained to him or her orally as a potential consequence of breach of the contractual provisions.”

AND

Page 8, delete line 13 and substitute the following:

“each full year of medical practice according to the terms of the loan contract, is paid in full.”

AND

Page 8, delete line 18 and substitute the following:

"rural community and that breach of that contract ~~will result in automatic~~ may"

AND

Page 9, delete lines 14 and 15 and substitute the following:

"(D) In the event of the death of the recipient, all loans unpaid the entire loan amount that has not been converted to a scholarship grant pursuant to the terms of the loan contract shall be due and payable."

AND

Page 9, delete lines 17 through 19 and substitute the following:

"College of Medicine of the University of Arkansas for Medical Sciences enters into a rural medical practice program contract conditioned only upon the applicant's being accepted for admission to the College and otherwise meets the requirements of § 6-81-706 and if the applicant is moved to the top of the waiting list under § 6-81-718, the alternate's contract shall contain an"

AND

Page 9, delete line 25 and substitute the following:

"suspension, the amount of the civil money penalty, and the terms of repayment of the loans."

AND

Page 10, delete lines 24 through 34 and substitute the following:

"Funds collected as a result of a recipient's breach of a rural practice loan contract or community match loan contract shall be held in trust for the use of the Arkansas Rural Medical Practice Student Loan and Scholarship Program and the Community Match Loan and ~~Scholarship~~ Rural Physician Recruitment Program, or as otherwise deemed appropriate by the board in its discretion, and disbursed by the fiscal officer of the University of Arkansas for Medical Sciences pursuant to under this subchapter."

AND

Delete page 11 through 13

AND

Page 14, delete lines 1 and 2 and substitute the following:

"(a) Any applicant for a loan issued by the Arkansas Rural Medical Practice Student Loan and Scholarship Board, and any person who has been granted a loan by the board, or any party to a rural medical practice or community match loan may appeal any decision or action by the board relating to the application for a loan or relating to a loan granted by the board pursuant to the dispute resolution procedure established under this subchapter. An appeal from any decision or action of the board or of the Director of Student Aid of the University of Arkansas for Medical Sciences may be made at any time to the President of the University of Arkansas,

except that the president may designate the General Counsel for the University of Arkansas to serve as the officer to hear such appeals.

(b)(1) The board, under § 6-81-702(b)(1), shall promulgate rules establishing a procedure that may be used by a loan recipient, the board, or a qualified rural community to resolve any dispute arising out of or relating to a rural practice or community match loan contract, including the validity or interpretation of a contract term, contract enforcement or defenses, the occurrence of an event of default or breach, loan repayment, the assessment or imposition of contract damages or civil money penalties, or other related disputes.

(2) The rules may provide for alternative dispute resolution, such as mediation, as appropriate.

(3) The dispute resolution procedure established by the board shall be followed before the initiation of any litigation related to a rural practice or community match loan contract.

(c) Nothing in this subchapter shall prohibit informal disposition by stipulation, settlement, or consent.”

AND

Page 15, delete lines 31 through 34 and substitute the following”

“community and a recipient regarding the loan contract, including establishing a medical practice in the community, shall be in writing and included as an addendum to the loan contract.

(2) The form of the community match loan contract shall be approved by the”

AND

Page 16, delete line 25 and substitute the following

“medical practice by the recipient, according to the terms of the loan contract, the board and the qualified rural”

AND

Page 21, delete line 15 and substitute:

“to add three additional sections to read as follows:”

AND

Page 22, delete lines 6 and 7 and substitute the following:

“The General Assembly expressly intends that § 6-81-701(2) shall apply retroactively to loan”

AND

Page 22, delete line 9 and substitute the following:

“residencies or approved fellowship training on or before August 1, 2007.

6-81-722. Sunset Clause.

(a) Loan recipients enrolled in the community match program on or before the day before the effective date of this act shall not have their loan contracts impaired by the amendments to the community match program.

(b)(1) Subject to the availability of funds, the loan for the academic year shall be renewable annually for the number of years required to complete studies leading to the Doctor of Medicine degree or for additional amounts, not to exceed sixteen thousand five hundred dollars (\$16,500).

(2) However, all subsequent loans shall be granted only upon application by the recipient and a finding by the board that the applicant:

(A) Has completed successfully the medical studies of the preceding academic year and remains in good standing as an enrolled student in the college;

(B) Is enrolled or participating in a medically underserved and rural practice curriculum; and

(C) Continues to be a resident of Arkansas.

(c) This section expires on August 31, 2014."

AND

Page 22, delete lines 13 through 20 and substitute the following:

"(b)(1)(A)(i) The board shall suspend an existing license in the event the holder breached a contract to practice medicine in a rural community that was entered into under the provisions of §6-81-701 et seq. Upon receipt of a final order from another agency of the State of Arkansas or a final order from a court of this state after all appeal rights have been exhausted, that finds a physician licensed to practice medicine in this state has breached the loan contract entered into by the physician under §§ 6-81-701 et seq., the board may suspend the license of that physician.

(ii) However no license may be suspended unless the physician was given notice and there is evidence that the suspension of his or her medical license was a potential consequence of breach of the loan contract, or both."

AND

Page 22, delete line 26 and substitute the following:

"year of medical practice according to the terms of the loan contract, is paid in full."

AND

Page 23, delete lines 5 through 8 and substitute the following:

“remedy contractual obligations, and for attempts at resolution to occur; and that it is imperative that changes be made in”

/s/ David Johnson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 2645** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2645

Amend **HOUSE BILL NO. 2645** as engrossed,

H3/9/07 (version: 03-09-2007 11:11):

Page 1, line 28, delete "fourteen (14)" and substitute "sixteen (16)"

AND

Page 2, line 5, delete "and" entirely

AND

Page 2, delete line 7 and substitute:

"the Senate; and

(8) Two (2) members appointed by the Speaker of the House of Representatives."

/s/ Pam Adcock

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. 2364** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2364

Amend **HOUSE BILL NO. 2364** as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 23-112-106, concerning enforcement of the Arkansas Motor Vehicle Commission Act, is amended to add an additional subsection to read as follows:

(c) Local law enforcement may utilize the provisions of this act when it deems necessary in order to protect consumers."

/s/ Daniel Greenberg

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. 2295** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2295

Amend **HOUSE BILL NO. 2295** as originally introduced:

Page 1, delete lines 29 through 31 and substitute the following:

"SECTION 2. Arkansas Code § 21-15-102(a) and (b) are amended to read as follows:"

AND

Page 3, delete lines 21 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 36

AND

Page 6, delete lines 1 through 26

AND

Page 6, delete lines 28 through 30, delete and substitute the following:

“SECTION 3. Arkansas Code § 21-15-103(a) is amended to read as follows:”

AND

Page 7, delete lines 27 through 36

AND

Page 8, delete lines 1 through 36

AND

Page 9, delete lines 1 through 36

AND

Page 10, delete lines 1 through 36

AND

Page 11, delete lines 1 through 7

AND

Page 12, delete lines 26 through 28 and substitute the following:

“SECTION 7. Arkansas Code § 21-15-111(a) and (b) are amended to read as follows:”

AND

Page 13, delete lines 35 and 36

AND

Page 14, delete lines 1 through 36

AND

Page 15, delete lines 1 through 36

AND

Page 16, delete lines 1 through 29

AND

Page 16, delete lines 31 through 33 and substitute the following:

“SECTION 8. Arkansas Code § 21-15-112(a) is amended to read as follows:”

AND

Page 17, delete lines 15 through 36

AND

Page 18, delete lines 1 through 36

AND

Page 19, delete lines 1 through 36

AND

Page 20, delete lines 1 through 19

/s/ Ed Garner

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Key, **HOUSE BILL NO. 2719** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2719

Amend **HOUSE BILL NO. 2719** as originally introduced:

Page 1, delete lines 20 through 21, and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 3 is amended to add an additional section to read as follows:

26-52-321. Fishing guide services.

(a) The excise tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., is levied on the gross receipts or gross proceeds derived from a fishing guide service provided as a part of a guided fishing trip if the fishing guide service is purchased in conjunction with the sale or lease of taxable tangible personal property by the person providing the fishing guide service, including without limitation:

- (1) Boat or a boat motor;
- (2) Fish bait; or
- (3) Meals.

(b) The Director of the Department of Finance and Administration shall promulgate rules to implement this section."

/s/ Johnnie Key

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Chesterfield, **HOUSE BILL NO. 2559** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2559

Amend **HOUSE BILL NO. 2559** as originally introduced:

Page 4, line 8, delete "Department of Health and Human Services" and substitute "Arkansas Child Abuse/Rape/Domestic Violence Commission"

AND

Page 4, line 16, delete "Department of Health and Human Services" and substitute "Arkansas Child Abuse/Rape/Domestic Violence Commission"

AND

Page 4, line 20, delete "Department of Health and Human Services" and substitute "Arkansas Child Abuse/Rape/Domestic Violence Commission"

/s/ Linda Chesterfield

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Pyle, **HOUSE BILL NO. 2288** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2288

Amend **HOUSE BILL NO. 2288** as originally introduced:

Page 2, delete line 18, and substitute the following:

"Chief Fiscal Officer of the State."

AND

Page 2, delete lines 23 through 24, and substitute the following:

"(5) The funds collected under subdivision (d)(4) shall be distributed to the taxing units in the county in the manner prescribed by law.

(6) The Chief Fiscal Officer of the State shall certify any amount certified by the county under subdivision (d)(3)(B) of this section to the Treasurer of State."

/s/ Beverly Pyle

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 1097** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1097

Amend **HOUSE BILL NO. 1097** as engrossed,

H3/5/07 (version: 03-05-2007 09:14):

Delete SECTION 1 of the bill in its entirety

AND

Delete SECTION 4 of the bill in its entirety

AND

Page 4, line 10, delete "SECTION 2" and substitute "SECTION 1"

AND

Page 5, line 7, delete "SECTION 3" and substitute "SECTION 2"

AND

Page 7, delete lines 9 through 26, and substitute the following:

"SECTION 3. Arkansas Code § 24-10-411 is repealed.

~~24-10-411. Transfer of subsidy account funds.~~

~~Any city or town whose local police pension and relief fund or firemen's relief and pension fund has a balance, no participants, and an excess in its local Arkansas Local Police and Fire Retirement System subsidy account can transfer money left in the subsidy account to the city or town general fund for capital improvements.~~

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the current laws applicable to the local police and fire pension and relief funds regarding retirement funding allocations require revision; and that revisions are necessary to ensure the effective and efficient operation of the system. Therefore, an immediate 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/ Eric Harris

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. 1210** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1210

Amend **HOUSE BILL NO. 1210** as engrossed,

H1/24/07 (version: 01-24-2007 14:47):

Page 2, line 34, delete the single digit "3" and substitute "4"

And

Page 3, line 10, delete "2" and substitute "1"

And

Page 3, line 24, delete the single digit "1" and substitute "2"

And

Page 3, line delete line 26 in its entirety

And

Appropriately renumber the Item Nos. in SECTION 1

/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. 1292** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1292

Amend **HOUSE BILL NO. 1292** as engrossed,
H2/16/07 (version: 02-16-2007 11:20):

Delete SECTION 17 of the bill in its entirety and substitute the following:

" SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER AUTHORITY. The Director of the Department of Health and Human Services shall have transfer authority provided by the following:

(a) DEPARTMENT OF HUMAN SERVICES RENOVATION FUND. The Director of the Department of Health and Human Services is authorized to request fund transfers according to the provisions established by Arkansas Code Ann. 19-5-1020, Department of Human Services Renovation Fund, as amended herein; and

(b) MATCH TRANSFER. The Director of the Department of Health and Human Services, with the approval of the Chief Fiscal Officer of the State, is authorized to effect inter-agency and inter-divisional fund transfers for the purpose of providing the State's matching share for payments made to that Division or Office or its service providers for services eligible for federal reimbursement under programs administered by the Department of Health and Human Services. The Department of Health and Human Services shall report to the Legislative Council or Joint Budget Committee on a quarterly basis all fund transfers made in accordance with the

authority granted by this section; and

(c) YOUTH SERVICES - HOUSING AND SEPARATION APPROPRIATION PROVISIONS. The Division of Youth Services (DYS) is authorized to fulfill its responsibility to house offenders between the ages of 18 and 21 and to separate juvenile offenders by age and seriousness of offense by either employing additional state employees and providing the corresponding operating expenses or entering into professional services contracts. If the Division of Youth Services determines that the Division needs to employ state employees to fulfill the housing and separation requirements, they may transfer up to the total amount appropriated for the DYS - Residential Services Program appropriation to the appropriate DYS appropriation and line items, upon approval of the Chief Fiscal Officer of the State, and prior review by the Legislative Council; and

(d) REALLOCATION OF RESOURCES: (1) The Department of Health and Human Services (DHHS) provides hundreds of different services to over 1 million Arkansans. The specific mix of service needs and the funding and staffing required to provide them can vary significantly based on many factors, including natural disasters, changing federal mandates and funding sources, demographic shifts, fluctuating court-ordered services, social trends, and job market variations such as nursing shortages. The impact of these factors through the course of a biennium make it very difficult for the Department to accurately predict the exact needs for funding, appropriation and positions in each of its over 100 different appropriations. To ensure that it can respond quickly to changing client needs and make the most effective use of the resources allocated to it, the Department of Health and Human Services shall be authorized to utilize the reallocation of resource authority to make the proper adjustments to the budgets within the Department. Therefore, upon ~~Upon~~ determination by the Director of the Department of Health and Human Services that a reallocation of resources within the department is necessary for the efficient and effective operation of the department, the director, with approval of the Governor, shall have the authority to request, from the Chief Fiscal Officer of the State, a transfer of positions, appropriations, line item appropriations, and funds within or between existing and newly created divisions, offices, sections, or units of the department. Provided, however, that no transfer of funds or appropriation that provides direct support or matching support for the Arkansas Medicaid Program shall be made to any other fund account or appropriation that does not directly support the Arkansas Medicaid Program. Further, no positions, funds, or appropriation authorized during the ~~2005-2007~~ 2007-2009 biennial budget process for the Division of Children and Family Services compliance with initiatives established under the Angela R. consent decree shall be transferred to any other

division. Nothing in this provision is intended to prevent the one-time transfers of savings in any other program to the Arkansas Medicaid Program, with the exception of the provisions previously cited for the Division of Children and Family Services – Angela R. consent decree. The Division of Developmental Disabilities – Grants to Community Providers line item of the Developmental Disabilities Services - Grants-in-Aid appropriation may not be decreased. The appropriation, funding, and positions provided for the six Human Development Centers shall remain at a level sufficient to ensure quality care for the Centers' residents.—~~If requested by the Division of Child Care and Early Childhood Education (DCCECE), the Division of County Operations shall transfer sufficient general revenue to allow the State to access the full allocation of Federal Funds available through the Matching Category of the Child Care Development Fund. General Revenue Dollars transferred to DCCECE must be used as matching funds to support the Transitional Employment Assistance (TEA) Program and must be eligible to be counted toward the State's Maintenance-of-Effort requirement for the Temporary Assistance for Needy Families (TANF) Block Grant.~~ The exemptions provided in this subsection whereby certain ~~DHS~~ DHHS Programs and Divisions are protected from appropriation, fund, or position transfers are applicable only to the reallocation or transfer authority granted herein, and not by any reductions which are applicable to all state programs.

The Director of the Department of Health and Human Services shall submit any requests for transfers to and must receive approval of the requests for transfers from the Chief Fiscal Officer of the State, the Governor, and the Arkansas Legislative Council prior to the effective date of the transfers. Provided, however, that the Department of Health and Human Services shall be limited to submitting no more than four requests for reallocation of resources transfers during any fiscal year. In each Departmental request no single division will request reallocation for more than one purpose as listed in this section. Transfer authority for unforeseen purposes shall further be limited to no more than 5% of the total appropriation, funding, and positions authorized for the Department. Reallocation of resources transfers may include multiple items but shall be limited to the following purposes:

- i). Medicaid Program
- ii). Facilities and institutions costs, including operational expenses and Construction/Renovation/Equipping expenses
- iii). Departmental grants and contracts
- iv). Court ordered settlements and payments
- v). Payment of administrative expenses, including but not limited to, overtime and other costs of personnel for critical services or functions necessary to carry out the mission of the agency

vi). Restructuring efforts as deemed necessary to comply Compliance with new and/or unanticipated federal or state mandates

vii). Redirecting internal resources, both direct and/or indirect, to meet client needs and services

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Health and Human Services may operate more efficiently if some flexibility is provided to the Department of Health and Human Services authorizing broad powers under the Reallocation of Resources provisions herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

(2) If it is determined that the requested reallocation of resources transfers should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the Treasurer of State, the Auditor of State, the Chief Fiscal Officer of the State, and the Department of Health and Human Services. In addition, the Chief Fiscal Officer of the State, together with the Co-Chairpersons of the Legislative Council or Joint Budget Committee, may approve, on an emergency basis, requests for utilization of this Section without prior approval of the Arkansas Legislative Council, with any such actions reported at the next meeting of the Arkansas Legislative Council.

The provisions of this section shall be in effect only from July 1, ~~2005-2007~~ through June 30, ~~2007-2009~~."

AND

Insert additional sections immediately following SECTION 19 to read as follows:

" SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SELL, LEASE, RENT, CONVEY OR ENCUMBER RAY WINDER FIELD. In no event shall the Department of Health and Human Services, or any of its governing boards, sell, lease, rent, convey or encumber the land and facilities of Ray Winder Field in Little Rock, Arkansas without the prior review and

approval of the Arkansas Legislative Council or Joint Budget Committee.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NURSING/ DIRECT CARE RECRUITMENT/ RETENTION BONUSES. Special provision to provide Nursing/Direct Care Recruitment and Retention Bonuses for the Department of Health and Human Services is hereby authorized to pay from State and Federal funds appropriated for each respective division. Nursing/direct care service recruitment/retention bonuses are in addition to the maximum annual amounts provided in the Regular Salaries Section of the respective Division Act for Registered Nurse, Licensed Practical Nurse, Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker. New hire nurses must be licensed by the Arkansas State Board of Nursing. The total recruitment/retention bonus payment commitment for eligible nurses shall not exceed \$4,000 per Registered Nurse and \$2,000 per Licensed Practical Nurse and \$1,000 per Certified Nursing Assistant, Life Skills Trainer and Mental Health Worker. The lump sum bonus payments and employment commitment to the State will be made in partial payments as follows:

Registered Nurse Classifications

\$1,000 after completing 6 months probationary employment

\$1,000 after completing 1 year employment

\$1,000 after completing 2nd year employment

\$1,000 after completing 3rd year employment

Licensed Practical Nurse Classifications

\$ 500 after completing 6 months probationary employment

\$ 500 after completing 1 year employment

\$1,000 after completing 2nd year employment

Certified Nursing Assistant/Life Skills Trainer/Mental Health Worker

Classifications

\$ 500 after completing 6 month probationary employment

\$ 500 after completing 1 year employment

Any qualified person hired and offered bonus payment described herein will forfeit the balance of the payments if he/she voluntarily resigns or is terminated for cause from employment from the Department of Health and Human Services prior to completing the required employment commitment time periods outlined above.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

AND

Appropriately renumber all SECTION numbers of the bill.

/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. 1313** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1313

Amend **HOUSE BILL NO. 1313** as engrossed,
H2/23/07 (version: 02-23-2007 10:17):

Page 2, line 22, delete "29" and substitute "30"

And

Page 3, line 3, delete "108" and substitute "109"

And

Page 3, line 23, delete "\$ 2,495,272 \$ 2,545,652" and substitute
"\$ 2,541,135 \$ 2,592,433"

And

Page 3, line 25, delete "761,936 773,010" and substitute "776,066 787,339"

And

Page 3, line 27, delete "532,893 532,893" and substitute "579,400 578,283"

And

Page 3, line 28, delete "22,751 22,751" and substitute "28,751 28,751"

And

Page 3, line 29, delete "0 0" and substitute "35,000 35,000"

And

Page 3, delete line 32 in its entirety and substitute the following:

"(05) APPRENTICESHIP PROGRAM 1,950,000 1,950,000

(06) MOTOR VEHICLE EDUCATION PROGRAM 2,500 2,500"

And

Page 3, line 33, delete "\$ 5,886,789 \$ 5,948,243" and substitute

"\$ 6,036,789 \$ 6,098,243"

/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. 1375** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1375

Amend **HOUSE BILL NO. 1375** as engrossed,
H3/15/07 (version: 03-15-2007 09:57):

Delete SECTION 12 in its entirety and substitute the following:

" SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections that a reallocation of resources within the Department of Community Correction and Department of Correction is necessary for the efficient and effective operation of the departments, the Board, with approval of the Governor and approval by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to instruct the department directors, to request from the Chief Fiscal Officer of the State, a transfer of positions, programs, funds, appropriations, and line-item appropriations within or between existing and newly created divisions, offices, sections, or units of the departments. If it is determined that the requested transfer should be made, the Chief Fiscal Officer of the State shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the Departments of Correction and Community Correction. Provided, however, that the Board shall be limited to submitting no more than ~~Four individual transaction transfer~~ four requests, encompassing a single purpose listed in this section, for Reallocation of Resources Transfer requests during any fiscal year per department. Transfer authority ~~for unforeseen purposes~~ shall further be limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency. However, there shall

be no transfers to or from the County Jail Reimbursement Fund. ~~Other than for unforeseen purposes, transfers~~ A Reallocation of Resources Transfer shall be limited to the following specific purposes:

- a) Costs to open and operate temporary beds;
- b) Payment of Debt Service;
- c) Payment of Overtime Expenses;
- d) Unanticipated increases for medical or private prison contracts;
- e) Construction/renovation/equipping of new beds;
- f) Deficits in Farm or Industry Program;
- g) Losses not covered by insurance proceeds;
- h) Costs of personnel for critical services or necessary to carry out the mission of the agency.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSITIONAL HOUSING PROGRAM FUNDING REQUIREMENTS. A minimum of one million five hundred thousand (\$1,500,000) dollars each fiscal year shall be expended for Transitional Housing costs associated with inmate and/or parolee placement. In the event that a minimum of one million five hundred thousand (\$1,500,000) dollars can not be expended each fiscal year for Transitional Housing Program costs, the Director of the Department of Community Correction shall notify and seek approval by the Arkansas Legislative Council or

Joint Budget Committee."

AND

Renumber the subsequent sections of the bill.

/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. 1440** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1440

Amend **HOUSE BILL NO. 1440** as engrossed,

H3/5/07 (version: 03-05-2007 14:48):

Delete SECTION 18 in its entirety and substitute the following:

" SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REGULAR SALARIES - CONTINGENT POSITIONS. There is hereby established for the Department of Correction - Contingent Positions for the ~~2005-2007~~ 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code 21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code 21-5-101), or its successor.

CONTINGENT POSITIONS - MEDICAL SERVICES

ITEM NO.	CLASS CODE	TITLE	MAXIMUM NO. OF EMPLOYEES	MAXIMUM ANNUAL SALARY RATE	FISCAL YEARS
					2005-06 2006-07

		<u>2007-08</u>	<u>2008-09</u>
GEN ADMIN – NON-CLASSIFIED POSITIONS			
<u>(01)</u>	<u>CORR PSYCHIATRIST</u>	<u>6</u>	<u>180,000 183,600</u>
(01)	COR CHIEF OF MED SVCS	1	455,304 458,544
<u>(02)</u>			<u>161,714 164,949</u>
(02)	COR CHIEF OF DENTAL SVCS	1	442,296 445,341
<u>(03)</u>			<u>148,247 151,212</u>
(03)	COR CHIEF OF PHARM SVCS	1	400,444 402,864
<u>(04)</u>			<u>104,918 107,016</u>
(04)	COR HEALTH SVCS ADM	1	97,947 100,327
<u>(05)</u>			<u>102,333 104,380</u>
<u>(06)</u>	<u>PHYSICIAN SPECIALIST</u>	<u>5</u>	<u>133,966 136,676</u>
(05)	COR ASST HEALTH SVCS ADM	3	85,024 87,190
<u>(07)</u>			<u>88,933 90,712</u>
(06)	COR CHIEF OF NURSING SVCS	1	88,365 90,594
<u>(08)</u>			<u>92,773 94,628</u>
(07)	COR DIR OF MED RECORDS	1	85,430 87,603
<u>(09)</u>			<u>89,355 91,142</u>
(08)	COR UNIT/FACILITY MED MGR	11	71,282 73,186
<u>(10)</u>			<u>74,649 76,142</u>
(09)	COR UNIT/FACILITY MED SUPV	7	54,308 55,889
<u>(11)</u>			<u>57,006 58,146</u>
(10)	COR MED SVC SPEC	8	72,742 74,674
<u>(12)</u>			<u>76,167 77,690</u>

PATIENT CARE – NON-CLASSIFIED POSITIONS

(11)	6603 COR STAFF PHYSICIAN	17	442,296 445,340
<u>(13)</u>			<u>148,246 151,211</u>
(12)	6601 COR STAFF DENTIST	15	412,446 415,042
<u>(14)</u>			<u>117,342 119,689</u>
(13)	COR STAFF PHARM	3	98,390 100,776
<u>(15)</u>			<u>102,791 104,847</u>
(14)	COR NURSE PRAC/PHYS. ASST	13	72,742 74,674
<u>(16)</u>			<u>76,167 77,690</u>
(15)	COR HEAD NURSE- HOSPITAL	1	78,548 80,590
<u>(17)</u>			<u>82,201 83,845</u>
(16)	COR REGISTERED NURSE SUPV	40	74,711 76,684
<u>(18)</u>		<u>41</u>	<u>78,214 79,778</u>

(17) COR LICENSED PRAC NURSE	172	48,641 50,100
<u>(19)</u>		<u>51,102 52,124</u>
(18) COR LABORATORY SPECIALIST	5	41,841 43,096
<u>(20)</u>		<u>43,957 44,837</u>
(19) COR RADIOLOGY SPECIALIST	5	41,254 42,492
<u>(21)</u>		<u>43,341 44,208</u>

PATIENT CARE - CLASSIFIED POSITIONS

(20) L124 PSYCHOLOGIST	2	GRADE 25
<u>(22)</u>	<u>10</u>	
(23) <u>904Z REHABILITATION PROG.ADMIN.</u>	<u>7</u>	<u>GRADE 22</u>
(24) L122 PSYCH. EXAMINER II	2	GRADE 21
<u>(24)</u>	<u>12</u>	
(22) M088 SOCIAL WORKER II	3	GRADE 20
<u>(25)</u>	<u>10</u>	
(26) <u>M045 COR.REHAB FACILITY SUPER</u>	<u>2</u>	<u>GRADE 20</u>
(27) <u>M086 SOCIAL WORKER I</u>	<u>4</u>	<u>GRADE 19</u>
(23) M107 COR COUNSELOR PRO LDR	7	GRADE 19
<u>(28)</u>	<u>15</u>	
(29) <u>M105 COR COUNSELOR</u>	<u>28</u>	<u>GRADE 18</u>
(24) R010 ADMINISTRATIVE ASST II	4	GRADE 17
<u>(30)</u>		
(25) L026 DENTAL HYGIENIST	8	GRADE 16
<u>(31)</u>		
(26) W015 MEDICAL RECORDS TECH	24	GRADE 15
<u>(32)</u>		
(27) K041 EXECUTIVE SECRETARY	4	GRADE 14
<u>(33)</u>		
(28) K117 MEDICAL SECRETARY	15	GRADE 14
<u>(34)</u>		
(35) <u>K153 SECRETARY II</u>	<u>2</u>	<u>GRADE 13</u>
(29) K155 SECRETARY I	40	GRADE 11
<u>(36)</u>	<u>8</u>	
(30) L025 DENTAL ASST	12	GRADE 11
<u>(37)</u>		

CLASSIFIED NON-PATIENT CARE

(31) ACCTG TECHS	3	GRADE 15
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(32)	PAYROLL OFFICER	2	GRADE 15
(33)	BUYERS	2	GRADE 18
<u>(38)</u>			
(34)	PURCHASING ASSISTANT	1	GRADE 15
<u>(39)</u>			
(35)	ACCOUNTING TECH	4	GRADE 15
<u>(40)</u>		<u>4</u>	
(36)	ACCOUNTANT	1	GRADE 18
<u>(41)</u>			
(37)	PERS TRNG OFF	1	GRADE 18
<u>(42)</u>			
(38)	PERS OFFICER II	1	GRADE 17
<u>(43)</u>			
(39)	PAYROLL OFFICER	4	GRADE 15
<u>(44)</u>	<u>3</u>		
(40)	PC SUPPORT	1	GRADE 18
<u>(45)</u>			
	GRAND TOTAL CONTINGENT EMPLOYEES		414
		<u>497</u>	

If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request.

The provisions of this section shall be in effect only from July 1, ~~2005~~2007 through June 30, ~~2007~~2009."

AND

Delete SECTION 25 in its entirety and substitute the following:

" SECTION 25. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REALLOCATION OF RESOURCES. Upon determination by the Board of Corrections that a reallocation of resources within the Department of Community Correction and Department of Correction is necessary for the efficient and effective operation of the departments, the Board, with approval of the Governor and approval by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to instruct the department directors, to request from the Chief Fiscal Officer of the State, a transfer of positions, programs, funds, appropriations, and line-item appropriations within or between existing and newly created divisions, offices, sections, or units of the departments. If it is determined that the requested transfer should be made, the Chief Fiscal Officer of the State

shall then initiate the necessary transfer documents to reflect the transfers upon the fiscal records of the State Treasurer, the State Auditor, the Chief Fiscal Officer of the State, and the Departments of Correction and Community Correction. Provided, however, that the Board shall be limited to submitting no more than ~~Four individual transaction transfer~~ four requests, encompassing a single purpose listed in this section, for Reallocation of Resources Transfer requests during any fiscal year per department. Transfer authority ~~for unforeseen purposes~~ shall further be limited to no more than five percent (5%) of the total General Revenue and Special Revenue appropriation, funding, and positions specific to each agency. However, there shall be no transfers to or from the County Jail Reimbursement Fund. ~~Other than for unforeseen purposes, transfers~~ A Reallocation of Resources Transfer shall be limited to the following specific purposes:

- a) Costs to open and operate temporary beds;
- b) Payment of Debt Service;
- c) Payment of Overtime Expenses;
- d) Unanticipated increases for medical or private prison contracts;
- e) Construction/renovation/equipping of new beds;
- f) Deficits in Farm or Industry Program;
- g) Losses not covered by insurance proceeds;
- h) Costs of personnel for critical services or necessary to carry out the mission of the agency.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Correction and the Department of Community Correction may operate more efficiently if some flexibility is provided to the Board of Corrections authorizing broad powers under the Reallocation of Resources provisions herein. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009."

AND

Add a new section immediately following SECTION 43 to read as follows:

" SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NEW OR ADDITIONAL POSITIONS FUNDING RESTRICTION. The Chief Fiscal Officer of the State shall determine the amount of general revenue authorized by the 86th General Assembly to be distributed to the Department of Correction Inmate Care and Custody Fund Account to fund additional Regular Salary positions and Personal Services Matching costs each fiscal year of the 2007-09 biennium over and above the amount of general revenue the Department of Correction budgeted for Regular Salaries and Personal Services Matching costs during the fiscal year ending June 30, 2006. The Chief Fiscal Officer of the State shall cause the amount of general revenue so determined each fiscal year to be set aside within the Department of Correction Inmate Care and Custody Fund Account, and that the amount determined, or any portion thereof, shall not be budgeted or committed for expenditure by the Department of Correction without prior approval from the Arkansas Legislative Council or Joint Budget Committee. From time to time, the Department of Correction may request approval of the Chief Fiscal Officer of the State and the Legislative Council or Joint Budget Committee for release of the amount set aside, or a portion thereof, in the Inmate Care and Custody Fund Account for purposes of budgeting and expenditure. On July 1, of each fiscal year or as soon thereafter as is practical, the Chief Fiscal Officer of the State shall report the amount of general revenue set-aside for funding the additional Regular Salary positions and Personal Services Matching costs within the Inmate Care and Custody Fund Account due to the provisions of this section to the Arkansas Legislative Council or Joint Budget Committee.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, then the amount determined to be set aside within the Department of Correction Inmate

Care and Custody Fund Account by the Chief Fiscal Officer of the State each fiscal year due to the provisions of this section shall not be budgeted or committed for expenditure in either fiscal year of the 2007-09 biennium.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

AND

Renumber each subsequent section accordingly.

/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. 1840** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1840

Amend **HOUSE BILL NO. 1840** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

“ SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas Crime Information Center - Arkansas Real-Time Electronic Logbook for the 2007-2009 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item Class	Maximum Annual	
	Maximum	Salary Rate
No. Code Title	No. of	Fiscal Years
	Employees	2007-2008 2008-2009
(1) R298 AGENCY PROGRAM COORDINATOR	<u> 1 </u>	GRADE 21

MAX. NO. OF EMPLOYEES 1

SECTION 2. APPROPRIATION - ARKANSAS REAL-TIME ELECTRONIC LOGBOOK. There is hereby appropriated, to the Arkansas Crime Information Center, to be payable from the Crime Information System Fund, for operating expenses of the Arkansas Crime Information Center - Arkansas Real-Time Electronic Logbook for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 31,966	\$ 32,605
(02) PERSONAL SERVICES MATCHING	9,589	9,782
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	50,000	50,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	500,000	300,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 591,555</u>	<u>\$ 392,387</u>

AND

Appropriately renumber the subsequent sections

AND

Page 2, line 9 delete "Five Hundred Thousand Dollars (\$500,000)" and substitute "Nine Hundred Thousand Dollars (\$900,000)"

AND

Page 2, line 11 strike "initial"

/s/ Chris Thyer

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. 1901** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1901

Amend **HOUSE BILL NO. 1901** as originally introduced:

Page 1, line 11, delete "AND"

AND

Page 1, delete line 12 in its entirety and substitute the following:

"COMPLIANCE AND FINANCING THE SUPPORT AND EXPANSION OF PSYCHIATRIC HEALTH CARE STATEWIDE; AND FOR OTHER PURPOSES."

AND

Page 1 delete line 19 in its entirety and substitute the following:

"PSYCHIATRIC HEALTH CARE SUPPORT"

AND

Page 1, line 25, delete "PROTOCOLS, REPORTS, AND COMPLIANCE." and substitute

"PSYCHIATRIC HEALTH CARE SUPPORT AND EXPANSION."

AND

Page 1, line 27, delete "General Improvement" and substitute "Healthy Century Trust Fund from two million dollars (\$2,000,000) in investment earnings each fiscal year"

AND

Page 1, line 28, delete "Fund or its successor fund or fund accounts"

AND

Page 1, line 31, insert a new subsection to read as follows:

" (B) For the payment of expenses related to constructing, equipping and renovating facilities to support and expand the number of psychiatric beds in health care facilities statewide, the sum of.....\$4,000,000."

AND

Insert an additional SECTION immediately following SECTION 1 to read as follows:

" SECTION 2. Arkansas Code § 19-12-107(e)(1), resulting from Initiated Act 1 of 2000, concerning the purposes for use of moneys in the Arkansas Healthy Century Trust Fund, is amended to read as follows:

(e) The Arkansas Healthy Century Trust Fund shall be held in trust and used for the following purposes, and no other purposes:

(1) investment earnings on the Arkansas Healthy Century Trust Fund ~~may~~ shall be used for:

(A) the payment of expenses related to the responsibilities of the State Board of Finance as set forth in § 19-12-103; and

(B) ~~such programs, and other projects related to health care services, health education, and health-related research as shall, from time to time, be designated in legislation adopted by the General Assembly~~ the payment of up to two million dollars (\$2,000,000) each fiscal year for expenses related to constructing, equipping and renovating facilities to support and expand the number of psychiatric beds in health care facilities statewide."

AND

Appropriately renumber the subsequent SECTIONS of the bill.

/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. 1902** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1902

Amend **HOUSE BILL NO. 1902** as engrossed,

H3/12/07 (version: 03-12-2007 10:34):

Page 1, line 10 strike "FOR"

AND

Page 1, line 11 strike "GRANTS"

AND

Page 1, line 17 strike "GRANTS"

AND

Page 1, line 22 strike " - GRANTS - ARKANSAS JUDICIAL COUNCIL"

AND

Page 1, line 26 strike "grants for" and substitute "costs associated with"

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Wood unanimous leave to withdraw **HOUSE BILL NO. 1950**.

The House gave Representative Wood unanimous leave to withdraw **HOUSE BILL NO. 1646**.

The House gave Representative Wood unanimous leave to withdraw **HOUSE BILL NO. 2541**. Recommended Committee study by the Education Committee - House.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 16, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1097	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 1292	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1313	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1324	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 1375	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1422	BY REPRESENTATIVE SUMPTER
HOUSE BILL NO. 1440	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1517	BY REPRESENTATIVE COOK, ET AL
HOUSE BILL NO. 1830	BY REPRESENTATIVE WELLS, ET AL
HOUSE BILL NO. 1840	BY REPRESENTATIVE THYER
HOUSE BILL NO. 1901 - TITLE -	BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 1902 - TITLE -	BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 2249	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2255	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2288	BY REPRESENTATIVE PYLE, ET AL
HOUSE BILL NO. 2295	BY REPRESENTATIVE GARNER
HOUSE BILL NO. 2309	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2316	BY REPRESENTATIVE REEP
HOUSE BILL NO. 2334	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2364	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2426	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2442 - TITLE -	BY REPRESENTATIVE MALOCH, ET AL
HOUSE BILL NO. 2456	BY REPRESENTATIVE BERRY
HOUSE BILL NO. 2487	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2559	BY REPRESENTATIVE CHESTERFIELD
HOUSE BILL NO. 2586 - TITLE -	BY REPRESENTATIVE PACE, ET AL
HOUSE BILL NO. 2612	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2626	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 2632	BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2645	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2658 - TITLE -	BY REPRESENTATIVE D. JOHNSON, ET AL
HOUSE BILL NO. 2665	BY REPRESENTATIVE GARNER, ET AL
HOUSE BILL NO. 2674	BY REPRESENTATIVE ANDERSON

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2718 - TITLE - BY REPRESENTATIVE KEY
HOUSE BILL NO. 2719 BY REPRESENTATIVE KEY
HOUSE BILL NO. 2775 BY REPRESENTATIVE RAINEY
HOUSE BILL NO. 2792 BY REPRESENTATIVE J. ROEBUCK, ET AL
HOUSE BILL NO. 2793 BY REPRESENTATIVE E. BROWN
SENATE BILL NO. 89 BY SENATOR J. TAYLOR
SENATE BILL NO. 805 - TITLE - BY SENATOR T. SMITH

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1901

BY: REPRESENTATIVE MEDLEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF BEHAVIORAL HEALTH FOR PROTOCOLS, REPORTS, COMPLIANCE AND FINANCING THE SUPPORT AND EXPANSION OF PSYCHIATRIC HEALTH CARE STATEWIDE; 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 LAW ENFORCEMENT TRAINING; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2442

BY: REPRESENTATIVES MALOCH, *REEP*, *LOWERY*

BY: *SENATORS MALONE, G. JEFFRESS, J. JEFFRESS*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO DEVELOP AN ENERGY UTILIZATION STRATEGY FOR LIGNITE PRODUCTION AND USE; TO CREATE THE ARKANSAS LIGNITE RESOURCES PILOT PROGRAM; TO REDUCE OUR DEPENDENCY ON FOREIGN OIL FOR THE CREATION OF ELECTRICITY AND OTHER ENERGY SOURCES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2586

BY: REPRESENTATIVES *PACE, BERRY, BLOUNT, COOK, GLIDEWELL, HARDY, J. JOHNSON, PATTERSON, RAINEY, SCHULTE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO DISSOLVE AND TRANSFER THE DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE CHIEF INFORMATION OFFICER, CHIEF INFORMATION OFFICER, AND OFFICE OF INFORMATION TECHNOLOGY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2658

BY: REPRESENTATIVES *D. JOHNSON, ALLEN, CHESTERFIELD, GREENBERG, W. LEWELLEN, ROSENBAUM, WEBB*

BY: *SENATOR STEELE*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE AN ELECTION IN A MUNICIPALITY WITH A CITY MANAGER FORM OF GOVERNMENT TO INCREASE THE AUTHORITY OF THE MAYOR; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2718

BY: REPRESENTATIVE KEY

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CONCERNING PROPERTY TAXES ON PROPERTY OWNED BY A MARINA AND OPERATED UNDER A LEASE AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS; AND FOR OTHER PURPOSES.*

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 805

BY: SENATOR T. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES CONCERNING THE NONCONSENSUAL TOWING OF A VEHICLE; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION NO. 1029

BY: REPRESENTATIVE STEWART

COMMENDING TROY BUCK ON HIS INDUCTION INTO THE ARKANSAS AGRICULTURAL HALL OF FAME.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1002

BY: REPRESENTATIVE OVERBEY

IN RESPECTFUL MEMORY OF MR. JACK DOLAN CECIL AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 4

BY: SENATOR BISBEE

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.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1

BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED IN RESPECTFUL MEMORY OF DR. JERRY DONAL JEWELL AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

SENATE CONCURRENT RESOLUTION NO. 13

BY: SENATOR WILKINSON

A BILL FOR AN ACT TO BE ENTITLED COMMENDING THE CHARLES E. OSBORN AGENCY, INC., OF GREENWOOD, ARKANSAS, ON CELEBRATING ONE HUNDRED (100) YEARS IN THE INSURANCE BUSINESS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Upon motion of Representative Harrelson, **SENATE BILL NO. 89** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 89

Amend **SENATE BILL NO. 89** as engrossed,

S2/13/07 (version: 02-13-2007 09:17):

Page 4, delete line 22, and substitute the following:

"enforcement officer.

(e)(1) Subject to the certification requirements of the Arkansas Commission on Law Enforcement Standards and Training, the officers of the Supreme Court Police may offer and provide training for court security officers as required by this section.

(2) In addition to the general powers of a specialized law enforcement officer, Supreme Court Police officers may, in the course of their official duties, provide security for members of the Supreme Court or the Court of Appeals when either court shall convene for the purpose of considering oral arguments or conferencing in any location within the State of Arkansas, including the authority to act as a peace officer to arrest, with or without warrant, any person within the boundaries of the State of Arkansas who is or is reasonably believed to be committing an offense against any laws of the State of Arkansas or against the ordinances of the city in which the Supreme Court or Court of Appeals is convened,

and to deliver the person before any court of competent jurisdiction to be dealt with according to law."

/s/ Steve Harrelson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **SENATE BILL NO. 805** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 805

Amend **SENATE BILL NO. 805** as originally introduced:

Delete the subtitle in its entirety and substitute:

"TO CLARIFY THE PROCEDURES CONCERNING THE
NONCONSENSUAL TOWING OF A VEHICLE."

AND

Page 6, line 22, delete "accessed" and substitute "assessed"

AND

Page 6, delete line 28 through 36.

AND

Page 7, delete lines 1 through 6.

AND

Page 7, line 8, delete "SECTION 8." and substitute "SECTION 7."

AND

Page 7, line 23, delete "SECTION 9." and substitute "SECTION 8."

AND

Page 8, line 9, delete "SECTION 10." and substitute "SECTION 9."

/s/ Rick Saunders

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. 1517** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1517

Amend **HOUSE BILL NO. 1517** as engrossed,

H3/2/07 (version: 03-02-2007 09:39):

Page 2, line 1, delete "benchmark tests" and substitute "tests assessments"

AND

Page 2, line 2, delete "include"

AND

Page 2, delete lines 6 through 36 and substitute the following:

"(1) Be based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance and any academic achievement gap evidenced in the Arkansas Comprehensive Testing, Assessment, and Accountability Program; and

(2) Include the public school or school district's use of categorical funding for:

(A) Alternative learning environments;

(B) Professional development;

(C) English-language learners; and

(D) National school lunch students, as defined by § 6-20-

2303(12)(A).

(g) Any public school or school district classified as in school improvement under § 6-15-425 shall develop and file with the department a revised comprehensive school improvement plan meeting the requirements of this section and containing any additional requirements determined necessary by the department to ensure that all students in the public school or school district have an opportunity to demonstrate proficiency on all portions of the state-mandated assessments.

(h)(1) At the end of each school year, the school district shall assess the effectiveness of an intervention or other action included in the comprehensive school improvement plan in improving student performance and include the assessment in the comprehensive school improvement plan for the following school year.

(i)(1) The department shall monitor each public school's and school district's compliance regarding its comprehensive school improvement plan, including without limitation:

(A) The use of public school funding under the Public School Funding Act of 2003, § 6-20-2301 et seq. for the following:

(i) Instructional facilitators, as that term is defined by the State Board of Education;

(ii) Alternative learning environments, professional development, English-language learners, and national school lunch students identifying specific:

(a) Educational strategies;

(b) Resources used, including tutors, teachers' aides, counselors, social workers, and nurses; and

(c) Expenditures made from categorical funds provided under § 6-20-2305(b); and

(B) The implementation of programs for students whose academic achievement is below proficient; and

(2) As part of the monitoring process under this subsection (i), the department shall evaluate the research cited by the public school or school district in its comprehensive school improvement plan in support of the proposed interventions and actions to assess its independence and empirical support for the effectiveness of the program.

(3) The department shall use the information obtained through monitoring comprehensive school improvement plans under this section to:

(A) Determine the compliance of the public school or school district with the provisions of this subchapter; and

(B) Evaluate whether the assessment conducted by the public school or school district under subsection (h) of this section was conducted properly, and assess the areas in which the public school or school district needs to revise its plan."

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 6

AND

Delete SECTION 3 in its entirety

AND

Appropriately renumber the remaining sections of the bill

/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. 2426** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2426

Amend **HOUSE BILL NO. 2426** as engrossed,

H3/14/07 (version: 03-14-2007 09:20):

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, which shall include an implementation timeframe.

(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 within the timeframe specified in the agreement.

~~(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~~ commission to be in facilities distress, the division may with the approval of the commission:

(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~~ Commissioner of Education, or his designee.

(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 any or 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) Require the school district to operate without a local school board under the supervision of an individual or panel appointed by the commissioner.

~~(6)(7)~~ 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)(8)~~ Require school district staff and employees to attend training in areas of concern for the public school or school district;

~~(8)(A)(9)(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)(10)~~ 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)~~(11)(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

(12) 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;

(13)(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 assign the public school district's territory, property, and debt;
and

~~(14)~~(14) 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.

(l) The commission in conjunction with the Academic Facilities Oversight Committee is requested to:

(1) Reexamine the role and function of the State Facility Assessment of 2004;

(2) Assess the progress made by the state in the mandates of the Arkansas Supreme Court in Lake View School District No. 25 v. Huckabee, No. 01-836; and

(3) Make needed changes in the implementation of the academic facilities distress program by modifying the commission's rules.

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."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Representative Walters moved to re-refer **HOUSE BILL NO. 2620** back to the Committee on Insurance and Commerce. Motion carried.

Morning Hour Expired.

Representative Thyer moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1061

Amend HOUSE BILL NO. 1061 as originally introduced:

Add a new section immediately following Section 1 to read as follows:

“SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LIMITATIONS AND REPORTING. Disbursement of funds authorized by this act shall be subject to the following limitations:

- (1) No part of these funds shall be used to coerce, influence, or provide incentive to local school districts to select or deselect a Medicaid provider;
- (2) The Department of Education shall report annually to the House and Senate Public Health, Welfare and Labor Committees that the funds are not being used in a manner prohibited by this act and how they are being expended;
- (3) If any part of this section requires the state plan for the Arkansas Medicaid Administrative Claiming Program to be renegotiated with the federal Centers for Medicare and Medicaid Services or would cause in any way the loss of federal funds, this section shall be declared void and be severed from this Act.”

And

Appropriately renumber subsequent sections of the bill.

/s/ Shawn Womack

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burkes, Burris, Cheatham, Chesterfield, Cook, Cooper, L. Cowling, D. Creekmore, 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, 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, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, E. Brown, Cornwell, Davenport, Hardy, Pickett, Ragland, Walters, Mr. Speaker.

Total9

VOTING PRESENT: Cash.

Total1

Total number of votes cast.....91

Total number voting in the affirmative90

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1599

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, D. Hutchinson, 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, 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: Adcock, Kenney, Pace, Ragland, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

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. 1599**, 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, D. Hutchinson, 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, 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.

Total	95
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Adcock, Kenney, Pace, Ragland, Mr. Speaker.	
Total	5
VOTING PRESENT:	
Total	0
Total number of votes cast.....	95
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. 1866

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, 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, 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, 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: L. Cowling.

Total1

ABSENT OR NOT VOTING: Adcock, Hardy, Ragland, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

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. 1866**, 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, 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, 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, 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: L. Cowling.

Total1

ABSENT OR NOT VOTING: Adcock, Hardy, Ragland, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Representative Thyer moved to re-refer **SENATE BILL NO. 255** back to the Joint Budget Committee. Motion carried.

Representative Lowery moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 2218

Amend **HOUSE BILL NO. 2218** as originally introduced:

Page 1, delete lines 29 and 30, and substitute the following:

“SECTION 1. Arkansas Code § 26-51-409 (a) and (b), concerning Subchapter S of the Internal Revenue Code of 1986, is amended to read as follows:”

AND

Page 2, delete lines 7 through 19 and substitute the following:

“(3) When filing an Arkansas Subchapter S income tax return, a corporation shall attach to its Arkansas Subchapter S income tax return a complete copy of the corporations’ federal Subchapter S income tax return filed with the federal Internal Revenue Service for that taxable year.”

/s/ John Paul Capps

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, 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, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: D. Hutchinson, Lamoureux, Ragland, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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 T. Baker moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1180

Amend HOUSE BILL NO. 1180 as originally introduced:

Add Representatives Adcock, Allen, Blount, E. Brown, Chesterfield, Dobbins, Greenberg, Hall, D. Johnson, Reep, Reynolds, and Webb as cosponsors of the bill
AND

Add Senator Trusty as cosponsor of the bill

/s/ Sharon Trusty

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, 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, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: Davis, D. Hutchinson, Lamoureux, Ragland, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 2320

BY: REPRESENTATIVE MOORE

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, 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, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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, Burkes, Ragland, 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.

HOUSE BILL NO. 2417

BY: REPRESENTATIVE PATTERSON

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, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total89

NEGATIVE: Cooper, Key, Pyle.

Total3

ABSENT OR NOT VOTING: D. Creekmore, Everett, Garner, Maloch, Maxwell, Ragland, Reynolds, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....89

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2302

BY: REPRESENTATIVE PACE

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, Burkes, Burris, Cash, Chesterfield, Cook, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, L. Evans, Flowers, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Harris, Hawkins, House, D. Hutchinson, Jeffrey, D. Johnson, Kenney, Key, King, Lamoureux, W. Lewellen, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Schulte, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Walters, Wells, Woods, Wyatt.

Total67

NEGATIVE: Bond, Edwards, D. Evans, Everett, Hall, Hoyt, Hyde, J. Johnson, Kidd, Lovell, Patterson, Pennartz, Pickett, Pierce, Powers, Sample, Saunders, Shelby, Webb, Wills.

Total20

ABSENT OR NOT VOTING: J. Brown, Cheatham, Cooper, D. Creekmore, Garner, Hardy, Harrelson, Maloch, S. Prater, Ragland, Wood, Mr. Speaker.

Total12

VOTING PRESENT: Wagner.

Total1

Total number of votes cast88

Total number voting in the affirmative67

Necessary to the passage of the bill.....51

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

Upon motion of Representative Pace the Clincher motion prevailed.

HOUSE BILL NO. 2371

BY: REPRESENTATIVE KING

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, E. Brown, Burkes, Cash, Cheatham, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harris, House, D. Hutchinson, Hyde, Jeffrey, Kenney, Key, King, Lamoureux, Lovell, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Pennartz, Powers, S. Prater, Pyle, Reynolds, J. Roebuck, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total69

NEGATIVE: Adcock, Breedlove, J. Brown, Burris, L. Cowling, Hardy, Harrelson, D. Johnson, J. Johnson, Kidd, Patterson, Pickett, Reep, L. Smith, Sumpter, Thyer.

Total16

ABSENT OR NOT VOTING: L. Evans, Garner, Hawkins, Hoyt, W. Lewellen, Lowery, Maloch, Pierce, Ragland, Rogers, Webb, Mr. Speaker.

Total12

VOTING PRESENT: Chesterfield, Flowers, Rainey.

Total3

Total number of votes cast88

Total number voting in the affirmative.....69

Necessary to the passage of the bill.....51

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

Upon motion of Representative King the Clincher motion prevailed.

HOUSE BILL NO. 2490

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, 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, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Edwards, Hardy, Pyle, Ragland, Saunders, 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.

HOUSE BILL NO. 2763

BY: REPRESENTATIVE SAUNDERS

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, 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, 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, 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: Adcock, Hall, Pyle, Ragland, 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. 1636

BY: REPRESENTATIVE BOND

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, Burris, Cash, Cook, D. Creekmore, Davis, Dickinson, S. Dobbins, Edwards, D. Evans, L. Evans, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Shelby, L. Smith, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total71

NEGATIVE: T. Baker, E. Brown, Cooper, Cornwell, Davenport, Dunn, Everett, Flowers, Gaskill, Hardy, King, W. Lewellen, Pate, Rainey, Sullivan.

Total15

ABSENT OR NOT VOTING: T. Bradford, J. Brown, Burkes, Cheatham, Chesterfield, L. Cowling, Garner, Kenney, Ragland, Sample, Schulte, Stewart, Mr. Speaker.

Total13

VOTING PRESENT: Sumpter.

Total1

Total number of votes cast87

Total number voting in the affirmative71

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2416

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, 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, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: Hardy.

Total1

ABSENT OR NOT VOTING: Chesterfield, Kenney, Lowery, Ragland, Mr. Speaker.

Total5

VOTING PRESENT: T. Baker.

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.

Representative Rogers moved for immediate consideration of **HOUSE BILL NO. 2353**. Motion failed.

HOUSE BILL NO. 2353

BY: REPRESENTATIVE GREENBERG

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, E. Brown, Burkes, Cash, Cheatham, Chesterfield, Cook, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harris, Hawkins, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, Key, King, Lamoureux, W. Lewellen, Lovell, M. Martin, Maxwell, Moore, Overbey, Pace, Pate, S. Prater, Pyle, Rainey, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total66

NEGATIVE: Adcock, Breedlove, J. Brown, Burris, Cooper, L. Cowling, D. Creekmore, S. Dobbins, Flowers, Harrelson, Hyde, J. Johnson, Kidd, Lowery, Maloch, Pickett, Pierce, Powers, Reep, J. Roebuck, L. Smith, Sumpter, Webb.

Total23

ABSENT OR NOT VOTING: Cornwell, Davenport, Garner, George, Kenney, Norton, Patterson, Pennartz, Ragland, Mr. Speaker.

Total10

VOTING PRESENT: Medley.

Total1

Total number of votes cast90

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 E. Brown the Clincher motion prevailed.

HOUSE BILL NO. 2448

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, Davis, Dickinson, S. Dobbins, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, D. Hutchinson, Hyde, Jeffrey, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davenport, Edwards, D. Evans, Glidewell, Hoyt, D. Johnson, Kenney, King, Norton, Ragland, Reep, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

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. 2562

BY: REPRESENTATIVE KEY

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, 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, Key, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Chesterfield, Kenney, Kidd, King, Ragland, Sample, 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.

HOUSE BILL NO. 1531

BY: REPRESENTATIVE HARRELSON

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, 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, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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:

Total0

ABSENT OR NOT VOTING: Adcock, E. Brown, Chesterfield, D. Hutchinson, Kenney, Kidd, King, Ragland, 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. 2621

BY: REPRESENTATIVE ROGERS

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, T. Bradford, Breedlove, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, 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, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Bond, E. Brown, Burkes, Garner, King, Ragland, Stewart, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

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. 2742

BY: REPRESENTATIVE BREEDLOVE

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

Total90

NEGATIVE: Flowers, Maxwell.

Total2

ABSENT OR NOT VOTING: Adcock, Anderson, Hyde, Jeffrey, King, Ragland, Stewart, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....90

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2420

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, E. Brown, Burris, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Gaskill, Glidewell, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kidd, King, Lamoureux, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Patterson, Pennartz, Pierce, S. Prater, Pyle, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total76

NEGATIVE: Berry, Cash, Davenport, R. Green, House, Powers, Rainey, Sample.

Total8

ABSENT OR NOT VOTING: Breedlove, J. Brown, Burkes, D. Evans, Garner, George, Hardy, D. Hutchinson, Kenney, W. Lewellen, Pace, Pate, Pickett, Ragland, Mr. Speaker.

Total15

VOTING PRESENT: Key.

Total1

Total number of votes cast85

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.

Upon motion of Representative Lovell the Clincher motion prevailed.

HOUSE BILL NO. 1828

BY: REPRESENTATIVE HARRELSON

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, 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, 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.

Total	98
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Ragland, Mr. Speaker.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast	98
Total number voting in the affirmative.....	98
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 1746

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, Berry, Blount, Bond, 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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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. Baker, T. Bradford, Kenney, Maloch, Pace, Ragland, 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.

HOUSE BILL NO. 2361

BY: REPRESENTATIVE REYNOLDS

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, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Rainey, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total84

NEGATIVE: Jeffrey, Pace, Reep, L. Smith.

Total4

ABSENT OR NOT VOTING: Burkes, S. Dobbins, Hall, Hardy, D. Johnson, Kenney, Maloch, Pate, Pickett, Ragland, Sumpter, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

Total number voting in the affirmative.....84

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1163

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, 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, 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, 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: Blount, Hardy, Kenney, Maloch, Ragland, 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. 1631

BY: REPRESENTATIVE WILLS

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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: Kenney, Lowery, Maloch, Ragland, Sumpter, 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. 2551

BY: REPRESENTATIVE D. 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, 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, 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, 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: Kenney, Maloch, Ragland, 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.

HOUSE BILL NO. 2657

BY: REPRESENTATIVE D. 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, Anderson, T. Baker, Blount, Bond, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, 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, Harrelson, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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.

Total90

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: Allen, Berry, T. Bradford, Burkes, Cooper, Kenney, Pate, Ragland, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative.....90

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2705

BY: REPRESENTATIVE SAUNDERS

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, 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, 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, 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, Kenney, Ragland, 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 Key moved that the record by which **AMENDMENT #1** to **HOUSE BILL NO. 2718** be expunged from the record, which motion prevailed by more than 67 votes.

Upon motion of Representative Key, **HOUSE BILL NO. 2718** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2718

Amend **HOUSE BILL NO. 2718** as originally introduced:

Page 1, lines 9 through 12, delete the TITLE in its entirety and substitute the following:

“AN ACT CONCERNING PROPERTY TAXES ON PROPERTY OWNED BY A MARINA AND OPERATED UNDER A LEASE AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS; AND FOR OTHER PURPOSES.”

AND

Page 2, lines 15 through 18, delete the SUBTITLE in its entirety and substitute the following:

“AN ACT CONCERNING PROPERTY TAXES ON PROPERTY OWNED BY A MARINA AND OPERATED UNDER A LEASE AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS.”

AND

Page 1, delete SECTION 1, and substitute the following:

"SECTION 1. Arkansas Code § 26-3-301, concerning property exempt from taxes, is amended to add an additional subdivision to read as follows:

(13) All property owned by a marina, whether real or personal, attached to or located on property owned by the United States Army Corps of Engineers that is operated under a lease agreement with the United States Army Corps of Engineers."

/s/ Johnny Key

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 1751

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

Total87

NEGATIVE: George, Wells.

Total2

ABSENT OR NOT VOTING: Abernathy, J. Brown, Chesterfield, Cook, D. Evans, Garner, Kenney, Kidd, Ragland, Saunders, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative.....87

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2269

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: 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, Dunn, Edwards, Everett, Garner, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Overbey, Pace, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total78

NEGATIVE: Adcock, Allen, Chesterfield, Flowers, Hall, Pickett, Sample, Schulte.

Total8

ABSENT OR NOT VOTING: Abernathy, T. Baker, S. Dobbins, D. Evans, L. Evans, Gaskill, Kenney, Kidd, Medley, Norton, Pate, Ragland, Sumpter, Walters.

Total14

VOTING PRESENT:

Total0

Total number of votes cast86

Total number voting in the affirmative78

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2272

BY: REPRESENTATIVE COOK

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: Anderson, T. Baker, 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, 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, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total89

NEGATIVE: Adcock, Allen, Chesterfield, Flowers, Sample.

Total5

ABSENT OR NOT VOTING: Abernathy, Kenney, Maloch, Pace, Ragland, Reep.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2272**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Anderson, T. Baker, 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, 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, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total89

NEGATIVE: Adcock, Allen, Chesterfield, Flowers, Sample.

Total5

ABSENT OR NOT VOTING: Abernathy, Kenney, Maloch, Pace, Ragland, Reep.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative89

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2425

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: Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, Pyle, 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.

Total89

NEGATIVE: Adcock.

Total1

ABSENT OR NOT VOTING: Abernathy, Hall, Kenney, M. Martin, Maxwell, Pickett, Ragland, Mr. Speaker.

Total8

VOTING PRESENT: Flowers, S. Prater.

Total2

Total number of votes cast92

Total number voting in the affirmative.....89

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2555

BY: REPRESENTATIVE D. 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, 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, 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, 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: Kenney, Ragland, 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. 2619

BY: REPRESENTATIVE WALTERS

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, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Flowers, Garner, Gaskill, George, 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, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: Cooper, Edwards, Everett, Glidewell, Hall, Pace, Ragland, 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. 2646

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, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, 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, 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: Hyde.

Total1

ABSENT OR NOT VOTING: Hardwick, Kenney, Ragland, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

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 BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1163 BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 1531 BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1599 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1631 BY REPRESENTATIVE WILLS
HOUSE BILL NO. 1636 BY REPRESENTATIVE BOND
HOUSE BILL NO. 1746 BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 1751 BY REPRESENTATIVE PICKETT
HOUSE BILL NO. 1828 BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 1866 BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 2269 BY REPRESENTATIVE COOK
HOUSE BILL NO. 2272 BY REPRESENTATIVE COOK
HOUSE BILL NO. 2302 BY REPRESENTATIVE PACE
HOUSE BILL NO. 2320 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 2353 BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2361 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2371 BY REPRESENTATIVE KING
HOUSE BILL NO. 2416 BY REPRESENTATIVE WOODS
HOUSE BILL NO. 2417 BY REPRESENTATIVE PATTERSON
HOUSE BILL NO. 2420 BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 2425 BY REPRESENTATIVE COOK
HOUSE BILL NO. 2448 BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 2490 BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2551 BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2555 BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2562 BY REPRESENTATIVE KEY
HOUSE BILL NO. 2619 BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2621 BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2646 BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2657 BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2705 BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2742 BY REPRESENTATIVE BREEDLOVE
HOUSE BILL NO. 2763 BY REPRESENTATIVE SAUNDERS

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT
MEMORIAL RESOLUTION NO. 1002 BY REPRESENTATIVE OVERBEY

SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT
RESOLUTION NO. 13 BY SENATOR WILKINSON

SENATE CONCURRENT MEMORIAL RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT
MEMORIAL RESOLUTION NO. 1 BY SENATOR STEELE
SENATE CONCURRENT
MEMORIAL RESOLUTION NO. 4 BY SENATOR BISBEE

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 16, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1152 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. 1348 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1390 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1391 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1593 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1594 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1596 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 BILL NO. 1605 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1606 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1773 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 9:40 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. 1152 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. 1348 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1390 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1391 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1593 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1594 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1596 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 BILL NO. 1605 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1606 BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1773 BY JOINT BUDGET COMMITTEE

/s/ Mike Beebe - Governor

TIME: 9:40 a.m.

By: Angela Tollette

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 16, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1061 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1180 BY REPRESENTATIVES T. BAKER, OVERBEY

HOUSE BILL NO. 2218 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 2:15 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. 1061 BY JOINT BUDGET COMMITTEE

HOUSE BILL NO. 1180 BY REPRESENTATIVES T. BAKER, OVERBEY

HOUSE BILL NO. 2218 BY REPRESENTATIVE LOWERY

/s/ Mike Beebe - Governor

TIME: 2:15 p.m.

By: Marc Harrison

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

March 16, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 16, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

HOUSE BILL NO. 1023 - ACT 290	HOUSE BILL NO. 1345 - ACT 301
HOUSE BILL NO. 1031 - ACT 291	HOUSE BILL NO. 1452 - ACT 302
HOUSE BILL NO. 1070 - ACT 292	HOUSE BILL NO. 1454 - ACT 303
HOUSE BILL NO. 1085 - ACT 293	HOUSE BILL NO. 1455 - ACT 304
HOUSE BILL NO. 1159 - ACT 294	HOUSE BILL NO. 1462 - ACT 305
HOUSE BILL NO. 1185 - ACT 295	HOUSE BILL NO. 1479 - ACT 306
HOUSE BILL NO. 1188 - ACT 296	HOUSE BILL NO. 1521 - ACT 307
HOUSE BILL NO. 1189 - ACT 297	HOUSE BILL NO. 1683 - ACT 308
HOUSE BILL NO. 1191 - ACT 298	HOUSE BILL NO. 1772 - ACT 309
HOUSE BILL NO. 1242 - ACT 299	
HOUSE BILL NO. 1341 - ACT 300	

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS

House of Representatives

March 16, 2007

To Whom It May Concern:

I am writing this letter in regards to my non-vote on **HOUSE BILL NO. 2763**. It was my intention to vote YES on this Bill and it is my recollection that I pressed the appropriate button. It is my impression that a mechanical failure with my voting button resulted in my vote not being recorded.

Sincerely,

Clark Hall
State Representative

BP:jb

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 16, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2792**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2792. In the Amendment, page 2, the second section should read: "Page 3, delete lines 10 through 12 and substitute the following:" (added the word "delete" before lines)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2792.

/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. 2792

"AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS."

Amendment No. 1 to House Bill No. 2792.

Amend House Bill No. 2792 as originally introduced:

Page 2, line 7, delete "uniform" and substitute "minimum"

AND

Page 2, line 9, delete "applying for initial licensure or relicensure" and substitute "applying for initial or additional licensure"

AND

Page 2, line 11, delete "uniform"

AND

Page 2, line 12, delete "applying for initial licensure or relicensure" and substitute "applying for initial or additional licensure"

AND

Page 2, line 13, delete "uniform and specific" and substitute "minimum"

AND

Page 2, delete lines 15 through 17 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 2, line 19, delete "practice" and substitute "student"

AND

Page 3, delete line 7 and substitute the following:

"pertaining to the specific requirements for initial or additional teacher licensure"

AND

Page 3, (delete) lines 10 through 12 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 3, line 14, delete "practice" and substitute "student"

AND

Page 3, line 17, delete "uniform"

AND

Page 3, line 23, delete "uniform"

AND

Page 3, delete lines 30 through 36

AND

Page 4, delete lines 1 through 6

AND

Page 4, line 7, delete "(f)(1)" and substitute "(e)(1)"

AND

Page 4, delete line 12 and substitute the following:

"(2) An applicant for the reciprocal administrator's license with less than five (5) years of experience"

AND

Page 8, line 3, delete "nineteen (19)" and substitute "seventeen (17)"

AND

Page 8, line 6, delete "Six (6)" and substitute "Four (4)"

AND

Page 8, line 9, delete "

six (6)" and substitute "four (4)"

AND

Page 8, line 10, delete "and include:" and substitute "and include classroom teachers who are licensed and teach at:"

AND

Page 8, delete lines 17 and 18 and substitute the following:

"(iv) Any licensure level to serve in one (1) atlarge position;"

AND

Page 8, line 25, delete "and"

AND

Page 8, line 26, delete "Three (3)" and substitute "Two (2)"

AND

Page 8, line 27, delete "teaching license" and substitute "teaching and administrator's license"

AND

Page 8, delete lines 28 and 29, and substitute the following:

"Arkansas Association of School Administrators; and

(D) One (1) public school administrator with a valid Arkansas"

AND

Page 8, delete line 32 and substitute the following:

"(4) One (1) nonvoting representative designated by the"

AND

Page 8, delete lines 35 and 36 and substitute the following:

"(5)(A) Three (3) deans of education from Arkansas institutions of higher education recommended by the Arkansas Association of Colleges for Teacher Education.

AND

Page 9, delete lines 1 through 3 and substitute the following:

"(B)(i) One (1) dean shall be from a private institution of higher education;

(ii) One (1) dean shall be from a public institution of higher education; and

(iii) One (1) of whom shall have knowledge of licensure issues;"

AND

Page 9, line 4, delete "(7)" and substitute "(6)"

AND

Page 9, line 6, delete "(8)" and substitute "(7)"

AND

Page 10, line 11, delete "uniform" and substitute "minimum"

AND

Page 10, line 12, delete "or relicensure" and substitute "or additional licensure"

AND

Page 10, line 13, delete "uniform and specific" and substitute "minimum"

AND

Page 10, delete lines 15 through 17 and substitute the following:

"(B) Program approval;

(C) Range of approved hours;"

AND

Page 10, line 28, delete "uniformity" and substitute "alignment with standards"

AND

Page 10, delete lines 31 through 33 and substitute the following:

"(b) The audits shall use state standards or national standards for licensure programs, or a combination of both."

AND

Page 11, delete lines 11 and 12 and substitute the following:

"(3)(A) Establish a code of ethics for administrators and teachers in educational environments for students in"

AND

Page 11, line 31, delete "complaints" and substitute "complaints referred by the Department of Education"

AND

Page 11, delete lines 34 through 36

AND

Page 12, delete line 1

The Amendment was read

By: Representative J. Roebuck

CLR/CLR - 03-12-2007 17:42

CLR304

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 16, 2007
SUBJECT: Amendment #2 to **HOUSE BILL NO. 2665**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #2 to HB 2665. In the Amendment, page 1, first section, the amount in the second line should read: "\$4,700,000,000" (deleted one zero)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2665.

/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. 2665

"THE INCOME TAX PLEDGE ACT OF 2007."

Amendment No. 2 to House Bill No. 2665.

Amend House Bill No. 2665 as engrossed, H3/14/07 (version: 03-14-2007 11:14):

Page 2, delete line 4, and substitute the following:

"(\$4,7000,000,000), the income tax rates levied in §§ 26-51-201 and 26-51-202

(delete 1 zero)

shall be reduced by one-quarter of one"

AND

Page 2, delete line 6, and substitute the following:

"January 1, 2009 for income taxes due for taxable year 2008."

AND

Page 2, delete line 15, and substitute the following:

"(e) For fiscal year 2009 and following, should the net"

AND

Page 2, delete line 18, and substitute the following:

"inflation-adjusted margin of growth, the income tax rates levied in §§ 26-

51-201 and 26-51-202 shall be reduced by"

AND

Page 2, delete line 20, and substitute the following:

"calendar year for income taxes due for the previous calendar year, until

the"

Upon motion of Representative David Evans, the House adjourned at 12:13 p.m. until 1:30 p.m., Monday, March 19, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

**SEVENTY-FIRST DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

March 19, 2007

The House was called to order at 1:31 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 Bryan Tuggle, Director, John 3:16 Ministeries, Charlotte, 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 19, 2007
JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	ERIC HARRIS CHAIRPERSON
HOUSE BILL NO. 1097 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE BILL NO. 1172 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE BILL NO. 1187 BY REPRESENTATIVE EDWARDS	DO PASS
HOUSE BILL NO. 1277 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1021 BY REPRESENTATIVE SAUNDERS	DO PASS

COMMITTEE REPORT

	March 19, 2007
JOINT BUDGET	CHRIS THYER CHAIRPERSON
HOUSE BILL NO. 2520 BY REPRESENTATIVE WILLS	DO PASS
SENATE BILL NO. 801 BY SENATOR HILL, ET AL	DO PASS

Upon motion of Representative Cook, **HOUSE BILL NO. 1517** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1517

Amend **HOUSE BILL NO. 1517** as engrossed,

H3/2/07 (version: 03-02-2007 09:39):

Page 2, line 1, delete "benchmark tests" and substitute "tests assessments"

AND

Page 2, line 2, delete "include"

AND

Page 2, delete lines 6 through 36 and substitute the following:

"(1) Be based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance and any academic achievement gap evidenced in the Arkansas Comprehensive Testing, Assessment, and Accountability Program; and

(2) Include the public school or school district's use of categorical funding for:

(A) Alternative learning environments;

(B) Professional development;

(C) English-language learners; and

(D) National school lunch students, as defined by § 6-20-2303(12)(A).

(g) Any public school or school district classified as in school improvement under § 6-15-425 shall develop and file with the department a revised comprehensive school improvement plan meeting the requirements of this section and containing any additional requirements determined necessary by the department to ensure that all students in the public school or school district have an opportunity to demonstrate proficiency on all portions of the state-mandated assessments.

(h)(1) At the end of each school year, the school district shall assess the effectiveness of an intervention or other action included in the comprehensive school improvement plan in improving student performance and include the assessment in the comprehensive school improvement plan for the following school year.

(i)(1) The department shall monitor each public school's and school district's compliance regarding its comprehensive school improvement plan, including without limitation:

(A) The use of public school funding under the Public School Funding Act of 2003, § 6-20-2301 et seq. for the following:

(i) Instructional facilitators, as that term is defined by the State Board of Education;

(ii) Alternative learning environments, professional development, English-language learners, and national school lunch students identifying specific:

(a) Educational strategies;

(b) Resources used, including tutors, teachers' aides, counselors, social workers, and nurses; and

(c) Expenditures made from categorical funds provided under § 6-20-2305(b); and

(B) The implementation of programs for students whose academic achievement is below proficient.

(2) As part of the monitoring process under this subsection (i), the department shall evaluate the research cited by the public school or school district in its comprehensive school improvement plan in support of the proposed interventions and actions to assess its independence and empirical support for the effectiveness of the program.

(3) The department shall use the information obtained through monitoring comprehensive school improvement plans under this section to:

(A) Determine the compliance of the public school or school district with the provisions of this subchapter; and

(B) Evaluate whether the assessment conducted by the public school or school district under subsection (h) of this section was conducted properly, and assess the areas in which the public school or school district needs to revise its plan.

(i) The State Board of Education shall incorporate the provisions of subsections (f) through (i) of this section into its rules for comprehensive school improvement plans and may amend those rules in the same manner as provided by law for other rules established by the state board.

~~(f) Professional development activities of a public school or public"~~

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 7

AND

Delete SECTION 3 in its entirety

AND

Appropriately renumber the remaining sections of the bill

/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. 2268** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2268

Amend **HOUSE BILL NO. 2268** as originally introduced:

Page 1, line 11, delete "OR"

AND

Page 1, line 12, delete "A FILE ABSTRACT"

AND

Page 1, line 18, delete "OR A FILE ABSTRACT"

AND

Page 1, delete lines 28 through 35 and substitute the following:

"Legislative Research with direct read and report only access to the department's data warehouse concerning school districts and related records.

(2) In providing the bureau with the direct read and report only access required under subdivision (a)(1) of this section, the department"

AND

Page 2, delete lines 9 through 11 and substitute the following:

"(3)(A) The department shall make its staff reasonably accessible for consultation with bureau staff in developing and responding appropriately to bureau requests under this section.

(B) The bureau staff shall inform the department of any warehouse data used in the preparation of reports and provide the department at least one (1) working day to review any student-related warehouse data used in preparation of reports prior to publicly releasing that student-related data without individually identifiable information."

/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. 2342** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2342

Amend **HOUSE BILL NO. 2342** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-11-129(a)(1)(F), concerning school district data available on the Department of Education website and public school district websites, is amended to read as follows:

(F)(i) Teacher salary expenditures;

(ii) School districts shall be required to report expenditures for licensed personnel salaries through the Arkansas Public School Computer Network as the following separately coded items:

(a) Teacher salaries;

(b) School nurse salaries; and

(c) All other non-administrator licensed personnel salaries;"

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Johnson, **HOUSE BILL NO. 2759** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2759

Amend **HOUSE BILL NO. 2759** as originally introduced:

Page 1, delete lines 31 through 33, and substitute the following:

"unless the changes or additions are:-

(A) The changes or additions to personnel policies made and established in compliance with § 6-17-201 et seq.:"

AND

Page 3, line 18, delete "Presented to" and substitute "Received by"

/s/ Janet Johnson

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. 2682** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2682

Amend **HOUSE BILL NO. 2682** as originally introduced:

Page 1, delete line 5 and substitute the following:

"By: Representatives Hoyt, Hawkins, Breedlove"

AND

Page 1, delete lines 9 through 12 and substitute the following:

"AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2008; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 15 through 18 and substitute the following:

"AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 6-17-402 is amended to read as follows:

6-17-402. Rules and regulations.

(a) For purposes of this section:

(1) "Certified teaching license" includes that license of a licensed classroom teacher, administrator, counselor, or librarian; and

(2) "Levels of licensure" means the grade levels listed on a teaching license of persons who are required to teach students in those grade levels.

~~(a)(1)~~(b)(1) The State Board of Education shall promulgate rules ~~and regulations~~ for the issuance, licensure, relicensure, and continuance of licensure of teachers in the public schools of this state.

(2) The State Board of Education shall prescribe uniform college level preparatory and grade point average requirements for all teachers applying for initial licensure or relicensure after July 1, 2008, including uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade level certification; and

(D) In-class teaching internships or practice teaching hours.

~~(2)~~(3)(A) In addition to the requirements under subdivision (b)(2) of this section and other requirements, any person applying for initial licensure as a teacher in the public schools or a licensed teacher applying for a license in an additional area shall take and complete a test recognized by the National Council for Accreditation of Teacher Education and approved by the state board under § 6-17-601 et seq., and submit the scores to the Department of Education.

~~(b)~~(B) No applicant for initial licensure or licensure in an additional area shall receive a license unless the applicant scores at or above the minimum level set by the state board obtains the minimum grade point average set by the state board for any college level course work requirements established by the state board.

~~(e)~~(C) All colleges and universities in this state shall report the results of the examinations to the department upon request.

~~(d)(c)(1)~~ The state board shall not delegate to any college or university any of the state board's powers or duties pertaining to the issuance, licensure, relicensure, and continuance of licensure of teachers in public schools in this state.

(2) The state board shall not delegate to any college or university any of the state board's powers or duties pertaining to the uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade-level certification; and

(D) In-class teaching internships or practice teaching hours.

~~(e)(d)(1)(A)~~ The state board shall waive the examination requirements and the uniform college level preparatory and grade point average requirements under subsection (a) of this section for individuals applying for licensure in Arkansas who have a valid out-of-state teaching and administrative license and three (3) years' documented teaching experience as required by the rules and regulations promulgated by the state board.

(B) No additional reciprocity requirements that conflict with this subdivision (d)(1) shall be established by rules promulgated by the state board after the effective date of this act.

(C) Except for existing state board rules in effect as of July 1, 2007, this subdivision shall be the only requirement for licensure reciprocity.

(2) The state board shall waive the uniform college level preparatory and grade point average requirement under subsection (a) of this section for a student enrolled as a junior or senior in a teacher education program before July 1, 2008.

~~(f) For purposes of this section, "certified teaching license" includes that license of a licensed classroom teacher, administrator, counselor, or librarian.~~

(e)(1) By July 1, 2008, the levels of licensure for Arkansas shall be for:

(A) Grades prekindergarten through six (PreK-6);

(B) Grades seven through twelve (7-12);

(C) Grades four through eight (4-8); and

(D) Specialty content areas prekindergarten through twelve (PreK-12).

(2)(A) Institutions of higher education that have approved programs of study for grades prekindergarten through four (preK-4) in place shall be approved by the Department of Higher Education to offer a grades prekindergarten through six (preK-6) licensure program by adding appropriate middle-level course work as currently outlined by the Department of Education for an endorsement in grades five through six (5-6).

(B) Institutions of higher education currently offering prekindergarten through grade four (preK-4) early childhood licensure programs approved by the Department of Education shall not be required to resubmit these programs for approval when the licensure levels change from prekindergarten through grade four (preK-4) to prekindergarten through grade six (preK-6).

(f) The uniform college level preparatory and grade point average requirements prescribed by the state board as provided under subdivision (a)(2) of this section shall not be required for any teacher who has been issued a teacher certification or licensure before July 1, 2008.

(g)(1)(A) The state board shall waive the requirement for professional development for a retired teacher who:

(i) Maintains a valid license; and

(ii) Reenters the educational setting prior to sixty-five (65) years of age due to a teacher shortage.

(B) "Educational setting" means the employment setting where the certified employee works, including without limitation:

(i) A public or private school;

(ii) An institution of higher education;

(iii) An education service cooperative;

(iv) The Department of Education;

(v) An adult education setting; or

(vi) Another agency or organization that employs licensed teachers for educational purposes.

(2) A retired teacher who receives a waiver under subdivision (g)(1) of this section shall participate in the staff development programs required by the school district where he or she is employed.

SECTION 2. Arkansas Code Title 6, Chapter 17, Subchapter 4 is amended to add an additional section to read as follows:

6-17-422. Professional Licensure Standards Board -- Creation -- Membership.

(a) The "Professional Licensure Standards Board" is created.

(b) The Professional Licensure Standards Board shall consist of fifteen (15) members as follows:

(1) Twelve (12) members appointed by the State Board of Education as follows:

(A) Three (3) public school teachers with an Arkansas teaching license selected from a list of no fewer than six (6) different teachers with an Arkansas teaching license submitted by the Arkansas Education Association;

(B) One (1) person with an Arkansas teaching license selected from a list of no fewer than three (3) different people with an Arkansas teaching license submitted by the Arkansas Association of Middle Level Education;

(C) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of School Administrators;

(D) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of School Personnel Administrators;

(E) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of Secondary Principals;

(F) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of Elementary School Principals;

(G) Two (2) deans of a public institution of higher education school of education, college of education, or department of a education from a list of no fewer than five (5) different administrators submitted by the Executive Council of the Arkansas Higher Education Coordinating Board; and

(H) Two (2) representatives of an independent higher education institution from a list of no fewer than five (5) different representatives submitted by the American Association of Colleges for Teacher Education;

(2) The Coordinator for the Office of Professional Quality Enhancement of the Department of Education in a nonvoting, ex officio capacity;

(3) The Coordinator for the Office of Professional Licensure

of the Department of Education in a nonvoting, ex officio capacity; and

(4) The Non-traditional Licensure Program Advisor of the Department of Education in a nonvoting, ex officio capacity.

(c)(1) Any list to be submitted under subsection (b) of this section shall be submitted to the secretary of the State Board of Education by June 30, 2007.

(2) If a list for the respective position is not submitted by the deadline, the State Board of Education may appoint any qualified person to fill the position.

(d)(1) The appointed Professional Licensure Standards Board members shall be residents of the State of Arkansas at the time of appointment and throughout their terms.

(2) The Commissioner of Education shall call an organizational meeting within twenty (20) calendar days after the State Board of Education has made all necessary appointments.

(3) The commissioner shall serve as chair at the organizational meeting until the Professional Licensure Standards Board elects a chair from among its members during the first organizational meeting.

(e)(1) The Professional Licensure Standards Board shall meet at times and places the chair deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) A majority of the members of the Professional Licensure Standards Board shall constitute a quorum for transacting business.

(3) All action of the Professional Licensure Standards Board shall be by a majority vote of the full membership of the Professional Licensure Standards Board.

(f) The Professional Licensure Standards Board shall:

(1) Develop and recommend for adoption to the State Board of Education uniform college level preparatory and grade point average requirements for all teachers applying for initial licensure or relicensure after July 1, 2008, that shall include uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade-level certification; and

(D) In-class teaching internships or practice teaching hours.

(2) With the assistance of the Department of Education and the Department of Higher Education, review the teacher education programs offered by all institutions' of higher education in the state to determine if the institutions teacher

education programs and courses of study are aligned as necessary to allow graduates of the teacher education program to become licensed under this act and the rules set by the State Board of Education.

(g)(1) The Department of Education shall provide staff and office space to the Professional Licensure Standards Board.

(2)(A) Members of the Professional Licensure Standards Board shall serve without pay.

(B) Members of the Professional Licensure Standards Board may receive expense reimbursement in accordance with § 25-16-902, to be paid by the Department of Education to the extent money is available for that purpose."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 1650** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1650

Amend **HOUSE BILL NO. 1650** as originally introduced:

Page 1, delete lines 25 and 26, and substitute the following:

"machinery or equipment on a mixer truck used directly in the production of concrete is exempt from the"

/s/ John Lowery

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 2329** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2329

Amend **HOUSE BILL NO. 2329** as originally introduced:

Page 1, delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended to add a new section to read as follows:

26-52-441. Tax credit for the purchase of natural gas used to generate electricity.

(a) As used in this section, "state sales and use tax" means the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(b) The state sales and use tax levied on natural gas purchases by all taxpayers used to generate electricity at generating facilities in this state for sale at retail or wholesale shall be imposed up to a maximum aggregate amount of twenty-seven million dollars (\$27,000,000) per year.

(c)(1) If the aggregate amount of state sales and use tax paid on purchases of natural gas that is used to generate electricity at generating facilities in this state for sale at retail or wholesale exceeds twenty-seven million dollars (\$27,000,000) during a calendar year, each taxpayer that paid the sales and use tax is entitled to receive a sales and use tax credit in the amount calculated as provided in subsection (d) of this section.

(2) Natural gas sold to taxpayers for any other purpose shall not be included when calculating the aggregate amount of state sales and use tax paid by purchasers as provided in subdivision (c)(1) of this section or for purposes of calculating the credit.

(d) The state sales and use tax credit provided in subsection (c) of this section shall be issued to each taxpayer as provided in subdivision (c)(1) of this section and shall be calculated as follows:

(1) The annual amount of credit issued to each taxpayer shall be a percentage of the aggregate amount of tax in excess of twenty-seven million dollars (\$27,000,000) paid on natural gas purchases during the calendar year; and

(2) For purposes of the calculation, the percentage for each taxpayer entitled to the credit shall be a fraction whose numerator is the tax paid by the taxpayer during the calendar year on natural gas purchases and whose denominator is the aggregate amount of tax paid by all taxpayers entitled to the credit on natural gas purchases during the calendar year.

(e)(1) The state sales and use tax credit issued under subsection (d) of this section shall be applied to any state sales and use tax owed by the taxpayer on a direct pay sales and use tax report filed by the taxpayer receiving the state sales and use tax credit in the calendar year following the calendar year in which the excess state sales and use tax is paid.

(2) The state sales and use tax credit issued in subsection (d) of this section shall not be applied to any local sales and use tax or other special tax owed by the taxpayer.

(f) The amount of the sales and use tax credit issued in subsection (d) of this section that may be claimed in a direct pay sales and use tax report shall not exceed the amount of state sales and use tax due by the taxpayer.

(g) Any unused sales and use tax credit issued under subsection (d) of this section may be carried forward for a period of up to three (3) consecutive tax years following the year in which the state sales and use tax credit was first available for use.

(h) To qualify for the state sales and use tax credit provided in subsection (c) of this section, the generating facility shall have a separate natural gas meter for the natural gas used to generate electricity or otherwise establish qualifying use in accordance with the rules issued under subsection (i) of this section and shall file a report with the Department of Finance and Administration no later than January 31 following the end of the calendar year that reports the amount of tax paid on purchases of natural gas in the previous calendar year on forms to be provided by the department.

(i) The Director of the Department of Finance and Administration shall promulgate rules for the proper administration of this section."

/s/ John Lowery

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Schulte, **HOUSE BILL NO. 1640** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1640

Amend **HOUSE BILL NO. 1640** as originally introduced:

Page 2, line 2, delete "ten-point" and substitute "eight-point"

AND

Page 2, delete line 9 and substitute the following:

"contract is terminated.

(3) Equipment rentals or lease purchase payments charged by a person or entity that offers a credit card processing service shall not be considered to be fees for the purposes of this chapter."

AND

Page 2, delete line 22 and substitute the following:

"the obligations imposed under any other state or federal law.

(d) The foregoing provisions of this section shall not apply to a state or national bank that offers a credit card processing service.

4-112-103. Exclusions.

(a) Nothing contained in this chapter shall affect the jurisdiction of state or federal bank regulators over regulations of credit card processing services provided by state or national banks.

(b) The provisions of this chapter shall only apply to new contracts entered into after the effective date of this act."

/s/ Susan Schulte

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2407** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2407

Amend **HOUSE BILL NO. 2407** as originally introduced:

Page 12, line 18, delete "principals" and substitute "principles"

AND

Page 23, delete lines 8 and 9 and substitute the following:

"(D) Shall not be available for examination except by the affected applicant for licensure or his or her authorized representative, or by the person whose license is subject to sanctions or his or her authorized representative.

(6) No record, file, or document shall be removed from the custody of the Identification Bureau of the Department of Arkansas State Police.

(7) Any information made available to the affected applicant for licensure or to the person whose license is subject to sanctions shall be information pertaining to that person only.

(8) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the background check.

(9) The commissioner may adopt rules and regulations to fully implement the provisions of this section."

/s/ Will Bond

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. 2 TO HOUSE BILL NO. 2691

Amend **HOUSE BILL NO. 2691** as engrossed,

H3/13/07 (version: 03-13-2007 09:05):

Page 2, delete lines 4 through 6 and substitute the following:

"(4) A person or entity or the affiliate of a person or entity licensed or certificated by the Arkansas Public Service Commission or the Federal Communications Commission with respect to warranties, service contracts, or maintenance agreements covering wiring, transmission devices, equipment, or services offered or provided by the person, entity, or affiliate to their customers."

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 2638** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2638

Amend **HOUSE BILL NO. 2638** as originally introduced:

Page 1, delete the TITLE in its entirety and substitute the following:

"AN ACT TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS; TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND FOR OTHER PURPOSES."

AND

Page 1, delete the SUBTITLE in its entirety and substitute the following:

"TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS AND TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT."

AND

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

"SECTION 1. Arkansas Code § 8-1-106(b), concerning the requirement of a disclosure statement for the transfer of a permit is amended to read as follows:

(b)(1) Except as provided in subdivision (b)(4) of this section, all applicants for the issuance or transfer of any permit, license, certification, or operational authority issued by the Arkansas Department of Environmental Quality shall file a disclosure statement with their applications. Deliberate falsification or omission of relevant information from disclosure statements shall be grounds for civil or criminal enforcement action or administrative denial of a permit, license, certification, or operational authorization.

(2) The following persons or entities are not required to file a disclosure statement pursuant to this section:

(A)(i) Governmental entities, consisting only of subdivisions or agencies of the federal government, agencies of the state government, counties, municipalities, or duly authorized regional solid waste authorities as defined by § 8-6-707.

(ii) This exemption shall not extend to improvement districts or any other subdivision of government which is not specifically instituted by an act of the General Assembly; and

(B) Applicants for a general permit to be issued by the department pursuant to its authority to implement the National Pollutant Discharge Elimination System for storm water discharge or applicants for a permit-by-rule issued by the department under § 8-4-201 et seq. or § 8-4-301 et seq.

SECTION 2. Arkansas Code § 8-4-203, concerning the authority of the Arkansas Department of Environmental Quality to issue permits, is amended to add an additional subsection to read as follows:

(i) The Pollution Control and Ecology Commission may promulgate rules to establish a permit-by-rule. A permit-by-rule is subject to the public notice requirements and procedural provisions under § 8-4-202 et seq., but is not subject to the public notice requirements and procedural provisions under §§ 8-4-203 - 8-4-205."

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Cooper, **HOUSE BILL NO. 2494** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2494

Amend **HOUSE BILL NO. 2494** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 20-48-101 is amended to read as follows:

20-48-101. Definitions.

As used in this chapter, ~~unless the context otherwise requires:~~

(1)(A) "Accredited nonprofit entity" means a nonprofit entity that:

(i) Has successfully completed an ongoing accreditation process that is related to the delivery of services to persons with developmental disabilities and is offered by a national accrediting organization;

(ii) Satisfies the appropriate licensure criteria established by Division of Developmental Disabilities of the Department of Health and Human Services; and

(iii) Is positioned to provide nonresidential services to persons with developmental disabilities upon licensure by the division because no existing nonprofit community provider is interested in providing the specific category of nonresidential services to persons with developmental disabilities that has been identified by the division as underserved.

(B) As used in subdivision (1)(A)(i), "national accrediting organization" includes without limitation:

(i) The Commission for the Accreditation of Rehabilitation Facilities; or

(ii) Any other similar national accrediting organization recognized by the division;

(4)(2) "Developmental disability" means a disability of a person which that:

(A)(i) Is attributable to mental retardation, cerebral palsy, epilepsy, or autism;

(ii) Is attributable to any other condition of a person found to be closely related to mental retardation because ~~it~~ the condition results in an impairment of general intellectual functioning or adaptive behavior similar to ~~those of mentally retarded persons that of a person with mental retardation~~ or requires treatment and services similar to ~~those required for such persons that required for a person with mental retardation~~; or

(iii) Is attributable to dyslexia resulting from a disability described in ~~subdivision (1)(A)~~ subdivision (2)(A)(i) of this section or subdivision (2)(A)(ii) of this section;

(B) Originates before the person attains the age of twenty-two (22) years;

(C) Has continued or can be expected to continue indefinitely; and

(D) Constitutes a substantial handicap to the person's ability to function without appropriate support services, including, but not limited to, planned recreational activities, medical services such as physical therapy and speech therapy, and possibilities for sheltered employment or job training;

~~(2) "Developmentally disabled person" means a person with a developmental disability; and~~

(3) "Existing operations" means the provision by a qualified nonprofit community provider of one (1) or more of the following services without regard to order:

(A) A developmental day treatment clinic services preschool program or adult development program;

(B) A licensed developmental disability services group home in operation and recognized by the division on or before July 1, 1995; or

(C) An intermediate care facility for the mentally retarded program with fifteen (15) beds or less; or

(D) An apartment complex in operation and serving individuals with developmental disabilities on or before January 1, 2008;

~~(3)~~(4) "Human development center" means an institution maintained for the care and training of persons with developmental disabilities;

(5)(A) "Nonprofit community program" means a program that provides nonresidential services to persons with developmental disabilities or nonresidential and residential services to persons with developmental disabilities and is licensed by the division.

(B) A nonprofit community program serves as a quasi-governmental instrumentality of the state by providing support and services to persons who have a developmental disability or delay and would otherwise require support and services through state-operated programs and facilities; and

(6)(A) "Qualified nonprofit community program" means a nonprofit community program that holds a valid nonprofit community program license issued by the division.

(B) "Qualified nonprofit community program" includes:

(i) A nonprofit community program that holds a license that was issued by the division on or before February 1, 2007; and

(ii) An accredited nonprofit entity that is awarded a license as a nonprofit community program by the division after February 1, 2007.

SECTION 2. Arkansas Code § 20-48-103 is amended to read as follows:

20-48-103. Purpose — Use of certain funds.

It is the specific recommendation of the General Assembly that the Division of Developmental Disabilities Services utilize Title XIX, social services block grant, and state grants-in-aid funds available to ~~community programs~~ nonprofit community programs to seek to achieve the following goals:

(1) Providing for operation of ~~community-based residential programs~~ nonprofit community programs which the state agency encouraged the ~~community programs~~ nonprofit community programs to build with nonstate funds;

(2) Determination by the division of reasonable costs for the services provided by ~~community-based programs~~ nonprofit community programs with consideration of regional expense variations and funding so that the state shall provide a minimum of ninety percent (90%) of the reasonable costs, with the ~~community based program~~ responsible for no more than ten percent (10%) of the costs; and

(3) That the state not reduce reasonable cost funding of ~~community-based programs~~ nonprofit community programs or require reimbursement from ~~community based programs~~ if the program matches at a rate of at least ten percent (10%) of the funding provided by the division.

SECTION 3. Arkansas Code § 20-48-105 is amended to read as follows:

~~20-48-105. Community-based service providers~~ Nonprofit community programs — Extension or expansion of services.

~~(a)(1) In the event that existing services now funded from state or federal funds are extended to unserved or underserved areas of the state or in the event that new services are made available to be funded from state or federal funds, the existing nonprofit community programs licensed by the Division of Developmental Disabilities Services shall be granted an opportunity to make application to expand their service base to unserved or underserved areas or shall be granted an opportunity to make application to offer new services in their existing service area.~~

~~(2) In areas in which the division determines that state or federal funding for new or expanded services is to be available, it shall provide notice of its intent to provide the services to existing providers in the area and to the general public.~~

~~(3) Before licensing new service providers in an area, the division shall determine in writing that existing service providers are not qualified or are unable or unwilling to extend services to unserved or underserved areas or to provide new or expanded services.~~

~~(4) Nothing in this section shall restrict the division's discretion to award new or expanded services to the existing community-based service providers making application pursuant to this section.~~

~~(b) The intent of this section is to avoid unnecessary duplication of costs and services in the extension or expansion of services.~~

~~(c) Nonprofit community programs licensed by the division are quasi governmental instrumentalities of the state which provide support and services to individuals who have a developmental disability or delay who would otherwise require support and services in facilities owned and operated by the State of Arkansas.~~

(a)(1) The intent of this section is to avoid unnecessary duplication of costs and services in the extension or expansion of nonresidential services to persons with developmental disabilities.

(2) A designation by the Division of Developmental Disabilities of the Department of Health and Human Services that a county is underserved with regard to a specific category of nonresidential services to persons with developmental disabilities establishes that an extension or expansion of nonresidential services to persons with developmental disabilities in the underserved county is necessary.

(b)(1)(A) The division shall not issue a new license for operation of a nonprofit community program or approve an application from a nonprofit community program to implement additional nonresidential services to persons with developmental disabilities that are not currently offered by the nonprofit community program unless the division has determined that:

(B)(i) A county of the state is underserved with regard to a specific category of nonresidential services currently offered to persons with developmental disabilities and currently funded from available state or federal funds; or

(ii)(a) A county of the state is underserved with regard to new services not currently available to persons with developmental disabilities and new services should be made available to persons with developmental disabilities; and

(b) State or federal funds are available in amounts necessary to support the delivery of new services not currently available to persons with developmental disabilities.

(2)(A) The division shall provide written notice by certified mail of its designation under subdivision (b)(1) of this section to all nonprofit community programs with existing operations in the county designated by the division as underserved.

(B) If nonprofit community programs with existing operations in the county that do not currently offer the specific category of nonresidential services identified by the division as underserved determine not to extend or expand the identified nonresidential service to persons with developmental disabilities in the underserved county, the division shall provide written notice by certified mail of its designation under subdivision (b)(1) of this section to all nonprofit community programs in the remainder of the state.

(C) If all nonprofit community programs in the remainder of the state determine not to extend or expand the identified nonresidential service to persons with developmental disabilities in the underserved county, the division shall provide notice to the general public in a newspaper of statewide general circulation.

(c) In granting an approval under this section, the division shall give approval in the following order of preference:

(1) A qualified nonprofit community program with existing operations in the county that does not currently offer the specific category of nonresidential services to persons with developmental disabilities identified by the division as underserved;

(2) A qualified nonprofit community program from another county in the state;

(3) An accredited nonprofit entity in the underserved county;

(4) An accredited nonprofit entity from another county in the state; and

(5) An accredited nonprofit entity from outside the state.

(d)(1)(A) A license from the division is required for operation of a nonprofit community program.

(B) A qualified nonprofit community program is required to apply to and obtain the approval of the division to implement additional nonresidential services to persons with developmental disabilities that are not currently offered by the qualified nonprofit community program.

(2)(A) If an application is approved, the division shall issue a new license or service expansion approval if it finds that the proposed nonresidential service expansion meets the criteria for approval established by the division.

(B) If the application is denied, the division shall send written notice of the denial to the applicant that sets forth the criteria that the proposed nonresidential service expansion failed to meet.

SECTION 2. Arkansas Code 20-48-701 is amended to read as follows:

20-48-701. Finding.

The General Assembly finds that the State of Arkansas contracts with nonprofit community-based programs serving individuals with developmental disabilities as quasi-governmental instrumentalities of the state in order to provide a service that the state would otherwise provide for this population through state-operated programs and facilities.”

/s/ Eddie Cooper

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. 2301** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2301

Amend **HOUSE BILL NO. 2301** as originally introduced:

Page 1, delete line 12 of the TITLE and substitute the following:

"AND FOR"

AND

Page 1, delete lines 24 through 36

AND

Page 2, delete lines 1 through 36

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 36

AND

Page 6, delete lines 1 through 36 and substitute the following:

"SECTION 1. Arkansas Code § 12-15-201 is amended to read as follows:

12-15-201. Definitions.

For purposes of this subchapter:

(1) "Certified law enforcement officer" means any appointed or elected law enforcement officer or sheriff employed by a public law enforcement department, office, or agency who:

~~(A) Works forty (40) or more hours per week;~~

~~(B)(A)~~ Is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state; and

~~(C)(B)~~ Has met the selection and training requirements for certification set by the Arkansas Commission on Law Enforcement Standards and Training; and

(2) "Public law enforcement department, office, or agency" means any public police department, sheriff's office, or other public agency, force, or organization whose primary responsibility as established by law, statute, or ordinance is the enforcement of the criminal, traffic, or highway laws of this state.

SECTION 2. Arkansas Code § 12-15-202(b), concerning a concealed"

/s/ Daniel Greenberg

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2703** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2703

Amend **HOUSE BILL NO. 1** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 21-5-401 is amended to read as follows:
21-5-401. Legislative intent.

It is the purpose of this subchapter to:

~~(1) Create a single board to set policy and select plans and coverages for the state employee and public school personnel health and life insurance and self-funded medical programs, so as to enhance the ability to control premiums, expand health care options, and utilize managed care capabilities where feasible and in the best interest of state employees and public school personnel, and study~~

~~alternate funding arrangements which minimize or eliminate problems associated with selection among multiple methods of funding plans when more than one (1) program is utilized;~~

~~(2) Propose future goals and measures to address the common objectives of both groups, including improving quality of health care services under the program, increasing participants' understanding of the program features, and slowing the rate of growth in health care expenses under the program; and~~

~~(3) Enable a single board to set and manage policies for the programs in a concerted effort and to work toward a common goal that multiple benefit options be made available to participants under both public school and state employee current programs.~~

(1) Create a single board to select health insurance and life insurance plan coverages for state and public school employees and retirees;

(2) Develop self-funded health programs to enhance the ability to control premiums and utilize managed care capabilities if feasible and in the best interest of plan members; and

(3) Enable a single board to:

(A) Set and manage policies for the health insurance and life insurance programs of state and public school employees;

(B) Work in a concerted effort toward a common goal of parity between public school and state employee insurance programs;

(C) Improve the quality of health care services under the programs;

(D) Increase participants' understanding of program features;
and

(E) Slow the rate of growth in health care expenses under the programs.

SECTION 2. Arkansas Code § 21-5-402 is amended to read as follows:

21-5-402. Members.

(a)(1) There is created the State and Public School Life and Health Insurance Board, composed of the following twelve (12) voting members:

(A) A state employee who is eligible to participate in the insurance program under this subchapter to be appointed by the Governor;

(B) A certified classroom teacher to be appointed by the Governor;

(C) The Insurance Commissioner or his or her designee;

(D) The Director of the Department of Education or his or her designee;

(E) The Director of the Department of Finance and Administration or his or her designee;

(F) ~~Two (2) members~~ One (1) member who ~~are~~ is engaged in employee benefits management or risk management in private industry to be appointed by the Governor;

(G) ~~One (1)~~ Two (2) additional member ~~position~~ positions which shall be filled ~~alternately~~ by a retired teacher and by a retired state employee appointed by the Governor. ~~This position shall first be filled by a retired teacher serve for a term of four (4) years, then by a retired state employee for a term of four (4) years, and four-year terms thereafter shall be alternated between a retired teacher and a retired state employee;~~

(H) One (1) public school administrator to be appointed by the Governor;

(I) The Executive Director of the Arkansas State Board of Pharmacy or his or her state employee pharmacist designee;

(J) The Director of Health Facility Services of the Department of Health and Human Services or his or her designee; and

(K) One (1) member who is a licensed health care provider appointed by the Governor.

(2) However, any appointee who has a conflict of interest shall be disqualified to serve.

~~(b)(1)(A) Except for retiree positions, the members initially appointed by the Governor shall draw lots for terms so that two (2) serve for a term of four (4) years each, two (2) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year.~~

~~(B) All successor members appointed by the Governor shall be appointed for terms of four (4) years but may be reappointed for additional terms.~~

(2)(A) Vacancies in the Governor appointed positions shall be filled by appointment of the Governor for the unexpired term.

(B) Members appointed by the Governor shall serve at the will of the Governor.

(c) A chair and vice chair of the board shall be selected annually by and from the membership of the board and shall serve no more than two (2) years.

SECTION 3. Arkansas Code § 21-5-403 is amended as follows:

21-5-403. Policy-making body only - Reports.

(a) The State and Public School Life and Health Insurance Board shall be a policy-making body only.

(b) The executive director shall report upon request to the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce regarding the state ~~employees~~ and public school ~~personnel~~ employees and retirees insurance program.

SECTION 4. Arkansas Code § 21-5-404 is amended to read as follows:

21-5-404. Powers - Functions - Duties.

The State and Public School Life and Health Insurance Board shall have the following powers, functions, and duties:

(1) To explore various cost-containment measures and funding options;

(2) To promote competition among vendors by requiring transparent contracts and create a systematic formula for measuring competitiveness of programs, quality-of-care delivery, portability, and accessibility to and affordability of health care;

(3) To prepare a comprehensive analysis of the various health benefit plan options approved by the board to provide coverage to state and public school employees and retirees, including cost, quality, and access differentials among the various plans as well as any other comparisons of the plans ~~as will enable the state and school employees to make a well-informed choice of plans~~;

(4) To undertake studies and to take any appropriate action that the board determines will promote the financial soundness and overall well-being of the ~~state employee and public school personnel~~ members' health insurance programs;

(5) To establish and set penalties as allowed under § 21-5-415;

~~(5)(6)(A)~~ To develop, with the assistance of the Office of State Procurement of the Department of Finance and Administration, bid specifications and requests for proposals and to evaluate bids and proposals.

(B) However, the board shall allow the office to execute all other actions relating to the purchasing procedures in contracting for consultants, third party administrators, providers, or insurance companies on behalf of the programs;

~~(6)(7)~~ To evaluate responses to requests for proposals, select contractors for all services, and approve the award of contracts resulting from bids for all health and life insurance offerings for participants ~~of the various plans~~;

~~(7)(8)~~ To perform plan design, summarize plan document approval, including, but not limited to, lifetime limitations, copayments, deductibles, and eligibility rules;

~~(8) To promote increased access to various health plan options and models;~~

(9)(A) To direct the office to contract with all qualified vendors, as defined by the board, offering the health benefit plans prescribed by the board without regard to § 19-11-228 or other statutes requiring competitive bidding.

(B) Each contract shall be for a ~~uniform~~ term of at least one (1) year but may be made automatically renewable from term to term in the absence of notice of termination by either party;

(10)(A) To obtain quality-of-care information from systems, networks, hospitals, and clinical providers to inform plan design, plan management, and consumer decisions.

(B) The board shall:

(i) Use accepted national standards for assessment of quality-of-care information provided by systems, networks, hospitals, and clinical providers;

(ii) Be empowered to determine the appropriate use of quality-of-care information and scope of system, network, hospital, and clinical provider accountability;

(iii) Be empowered to request aggregate performance information for patients; and

(iv) Be empowered to publicly report conclusions of quality-of-care assessment; and

(11) To appoint three (3) subcommittees of the board to study and research health and life plan option benefits, formulary management, quality of care provided, and the financial impact of implementing the recommendations made to the board as follows:

(A)(i) The Benefits Subcommittee shall consist of:

(a) Three (3) board members;

(b) Two (2) state employees; and

(c) Two (2) school district employees.

(ii) The Benefits Subcommittee shall review, evaluate, and investigate benefits, new benefit offerings, and annual insurance rates;

(B)(i) The Drug Utilization and Evaluation Subcommittee shall consist of:

(a) Three (3) pharmacists as follows:

(1) The Executive Director of the Arkansas State Board of Pharmacy or his or her pharmacist designee;

(2) The Dean of the University of Arkansas for Medical Sciences College of Pharmacy or his or her pharmacist designee; and

(3) A pharmacist selected by the Arkansas Pharmacists Association;

(b) Four (4) physicians as follows:

(1) The Dean of the University of Arkansas for Medical Sciences College of Medicine or his or her physician designee;

(2) The Associate Medical Director of the University Hospital at the University of Arkansas for Medical Sciences or his or her physician designee;

(3) The Medical Director of the Arkansas Poison Control and Drug Information Center or his or her physician designee; and

(4) A physician selected by the Arkansas Medical Society;

(c) One (1) registered nurse who is the Dean of the University of Arkansas for Medical Sciences College of Nursing or his or her registered nurse designee; and

(d) One (1) state employee and one (1) public school employee appointed by the board, each of whom shall have expertise in accounting, finance, auditing, or insurance.

(ii) The Drug Utilization and Evaluation Subcommittee shall review drugs for formulary management and evaluate the financial impact of its recommendations; and

(C)(i) The Quality of Care Subcommittee shall consist of:

(a) Three (3) board members;

(b) Two (2) ~~State~~ state employees;

(c) Two (2) school district employees;

(d) One (1) representative from the Arkansas Foundation for Medical Care;

(e) One (1) representative from the Arkansas Pharmacy Association;

(f) One (1) representative from the Arkansas Center for Health Improvement;

(g) One (1) representative from the Arkansas Medical Association;

(h) One (1) representative from the Arkansas Osteopathic Medical Association; and

(i) One (1) representative from the Arkansas Hospital Association.

(ii) The Quality of Care Subcommittee may review and recommend quality performance indicators for use, recommend baseline performance goals, recommend alignment of financial incentives to improve performance, and track improvements in delivery of care.

SECTION 5. Arkansas Code § 21-5-405 is amended to read as follows:

21-5-405. Additional duties.

(a) The State and Public School Life and Health Insurance Board and the executive director shall take a risk management approach in designing the state ~~employee and public school personnel health~~ employees and retirees benefit programs. The board shall ensure that the state ~~employee and public school personnel health~~ employees and retirees benefit programs are maintained on an actuarially sound basis as determined by actuarial standards established by the board.

(b) In addition to the objectives stated in § 21-5-404, the board shall:

(1) Develop uniform standards of vendor plan funding ~~so as to avoid windfall profits resulting from fully insured nondividend-paying funding arrangements;~~

~~(2) Promote increased access to various plan options and health care models;~~

~~(3)(2) Promote access to managed care by giving preferential treatment, if required, to those vendors who will enhance plan options availability in rural Arkansas and in bordering states;~~

~~(4)(A) Utilize the combined purchasing power of the state employee and public school personnel programs to foster competition among vendors and providers for the programs.~~

~~(B)(3) Any state agency or school district that accepts state funds intended to partially defray the cost of health and life insurance for the employees of the state and public schools shall:~~

~~(A) use Use those funds only for the state employee and public school personnel employees health benefit plans sponsored by the board; and~~

(B) ~~agrees~~ Agree to rules of participation as stated in the policies adopted by the board and as defined in the regulations and procedures issued by the Executive Director of the Employee Benefits Division, including, but not limited to, timely eligibility reporting, prepayment of insurance premiums, ~~timely payment of premiums, or contributions~~, actuarial adjustment for new ~~entrants~~ enrollees, and any other ~~information~~ requirements deemed necessary by the board;

~~(5)(4)~~ Assure guaranteed issue ~~of all plans~~; and

~~(6)(5)~~ Ensure an annual enrollment period ~~under all plans~~.

(c) Benefit plan vendors are required to provide detailed information in order to justify rate increases or inadequate performance reporting as defined by the board.

SECTION 6. Arkansas Code § 21-5-406 is amended to read as follows:

21-5-406. Executive director — Staff.

(a)(1) The State and Public School Life and Health Insurance Board shall choose an executive director with the approval of the Director of the Department of Finance and Administration.

(2) The executive director shall be employed by and serve at the pleasure of the Director of the Department of Finance and Administration. However, the board may recommend the removal of the executive director, but removal shall be subject to the approval of the Director of the Department of Finance and Administration.

(3) The executive director shall employ staff adequate to manage the program within the funds appropriated therefor within the Department of Finance and Administration.

(b) The executive director shall establish internal controls for the fiscal management of the health and life insurance plans.

~~(b)(1)(c)(1)~~ The executive director and his or her staff shall be located in the Employee Benefits Division of the Department of Finance and Administration.

(2) Premiums collected from employers, participating employees, and retirees for health and life insurance plans shall be collected one (1) month in advance and shall be used solely to pay medical claims, premiums, and direct administrative expenses of the health and life insurance programs.

~~(e)(1)(d)~~ The executive director shall be charged with the duty of administering the provisions of this subchapter and the rules, regulations, and orders of the division and the board.

(e)(1) The executive director may require all participating entities to appoint health insurance representatives, who will be required to adhere to the policies adopted by the board and the regulations and procedures issued by the Executive Director of the Employee Benefits Division in managing the enrollment and premium payment processes of the agency or school district.

(2) The executive director may request the removal of a representative to ensure necessary internal controls.

(2)(A)(3)(A) The executive director shall have the authority to supervise the implementation and day-to-day management of the health insurance programs and other employee benefit programs, plans, and individual and group policies made available to public school employees and state employees state and public school employees, if applicable.

(B) This may include, but not be limited to:

(i) Life insurance ~~coverages~~ coverage;

(ii) Accident ~~coverages~~ coverage;

(iii) Dental ~~coverages~~ coverage;

(iv) Disability benefit programs;

(v) Optional retirement programs;

(vi) Deferred compensation;

(vii) Cafeteria plans; and

(viii) Such other benefit plans, benefit programs, and individual and group benefit coverages that are offered from time to time to ~~public school employees and state employees~~ members.

(C) This authority shall not include the State Employee Benefit Corporation benefit plan which is in effect on July 1, 1995.

(d) In addition, the executive director and the board may utilize the services of health care consultants and actuaries if necessary as provided for through the appropriation of the division.

(e) The executive director may direct all aspects of medical management.

~~(e)(f)~~ The Arkansas State Police Employee Health Plan shall be exempt from any mandatory participation required by this section.

SECTION 7. Arkansas Code § 21-5-407 is amended as follows:

21-5-407. Definitions.

As used in this subchapter:

(1) "Aggregate performance information" means a report or other means of communication about the measurement of accomplishment of the execution of certain tasks, achievement of certain results, or occurrence of certain events related to all patients or to a class or group of patients identifiable by certain criteria;

(2) "Alternate retirement plan retiree" means a retiree of certain institutions whose employer does not contribute to the State or Public School Health Insurance Plan during their active employment as defined in § 24-7-801. Further, an "alternate retirement plan", for the purposes of this section, is a defined contribution plan allowed under the Internal Revenue Service regulations and allowed, but not created by Arkansas state law;

~~(2)~~(3) "Dependent" means any member of an employee's or retiree's family who meets the eligibility for coverage under the health benefit plans approved by the State and Public School Life and Health Insurance Board;

(4) "Dual eligibility" means simultaneous participation as an employee, dependent, or retiree in the multiple programs offered by the Employee Benefits Division;

(5) "Eligible inactive retiree" means a former member of the General Assembly or a state elected constitutional officer who has served a sufficient number of years of credited service to be eligible for retirement benefits, but who has not yet reached retirement age. Eligible inactive retirees who enroll in the plan must pay the entire premium cost as set by the board;

~~(3)~~(6) "Employee" means a state employee or a public school district employee;

(7) "Health insurance representative" means an individual appointed by a participating entity to act as an agent for the Employee Benefits Division;

(8) "Ineligible inactive retiree" means a terminated employee who has worked a sufficient number of years to be considered vested, but who has not yet reached the age to qualify to receive a retirement benefit;

(9) "Internal Revenue Service" means the United States government agency responsible for tax collection and tax law enforcement;

(10) "Medical management" includes, but is not limited to, case management, disease management, utilization review, claims appeals, and predictive modeling;

~~(4)~~(11) "Public school district employee" "Member" means all public school district salaried employees; any enrolled state or public school employee, retiree, or covered dependent;

(12) "Participating entity" means an organization authorized to participate in a plan offered under this subchapter;

(13) "Participating institution" means any two-year or four-year college which is participating in a plan offered under this subchapter;

(14) "Prepayment" means collection of medical or life insurance premiums or both medical and life insurance premiums from the employee and employer one (1) month in advance;

(15) "Qualifying event" means a change in an employee's personal life that may impact their eligibility or a dependent's eligibility for benefits, as defined by Internal Revenue Service guidelines;

~~(5)~~(16) "Quality-of-care information" means the contents of medical records, member claims, patient surveys, pharmacy data, lab data, and other records of or reports about systems, networks, hospitals, and clinical providers to be gathered for assessment of the quality and costs of health care provided by systems, networks, hospitals, and clinical providers;

~~(6)~~(17) "Quality performance indicator" means a specific inquiry or standard that, when applied to quality-of-care information, reveals a quantifiable measure of success or failure in system, network, hospital, or clinical provider care;

~~(7)~~(18) "Retiree" means a retired employee who is eligible under the provisions of § 21-5-411;

~~(8)~~(19) "State" means the State of Arkansas; and

(20) "Transparent contract" means a contract in which information specific to vendor contracts and payments with providers or subcontractors, including proprietary and confidential information, is provided to the Employee Benefits Division upon request; and

~~(9)~~(21) "Vendor" means:

(A) A corporation, partnership, or other organization licensed to do business in and in good standing with the State of Arkansas; and

(B) A corporation, partnership, or other organization licensed to do business in and in good standing with the State of Arkansas that is lawfully engaged in administering employer or employee funded ~~health~~ benefit plans for employer groups in consideration of an administration fee payable to the vendor.

SECTION 8. Arkansas Code § 21-5-410 is amended to read as follows:

21-5-410. Employees - Eligibility.

(a) Eligible employees shall include:

(1) All actively employed ~~permanent~~ eligible employees of ~~eligible~~ participating agencies, ~~boards, commissions, institutions, and constitutional offices;~~ public entities;

(2) Members of the General Assembly;

(3) Elected constitutional officers;

(4) Appointed or elected board and commission members who are on a full-time salaried basis; and

(5)(A) Those state contract employees hired by the Arkansas National Guard on a full-time basis in accordance with the provisions of 10 U.S.C. § 2304.

~~(b)~~(B) Membership of the contract employees of the Arkansas National Guard is conditioned upon the United States Government contributing the employer's share to the ~~State Employees Insurance Section~~ Employee Benefits Division of the Department of Finance and Administration.

~~(c)~~(b) Membership of state employees is conditioned upon the employee being in a budgeted state employee position or a position authorized by the General Assembly.

~~(d)~~(c) ~~Permanent employees are those whose employment is not seasonal or temporary and~~ Employees whose actual performance of duty requires one thousand (1,000) or more working hours per year.

~~(e)~~(d) If a participating institution discontinues its participation in the group health and life insurance program instituted pursuant to the provisions of this subchapter, then the institution may not re-participate in the program for ~~one (1) year~~ two (2) years after the institution's final date of participation in the program unless the executive director of the Employee Benefits Division of the Department of Finance and Administration gives his or her consent to an earlier date.

(e) Members are not allowed dual eligibility in either the state insurance plan or the public school insurance plan.

(f) The Arkansas State Police Employee Health Plan shall be exempt from any mandatory participation required by this section.

SECTION 9. Arkansas Code § 21-5-411 is amended to read as follows:

21-5-411. Eligibility of certain retired employees.

(a)(1) Effective at the end of the enrollment period 2007 through 2011, terminating State state and public school employees who are vested under one (1) of the plans listed in subdivision (a)(2)(A) of this section to receive a retirement benefit shall be eligible allowed to continue coverage under the retiree insurance benefit in the State and Public School Health and Life and, if qualified, to participate in the group health Insurance Program instituted pursuant to the provisions of this subchapter and other laws, enacted to implement the program who are:

(2) Effective at the beginning of the enrollment period 2012, terminating state and public school employees who were participating in the plan for the last two (2) years for which they were eligible immediately before becoming eligible to receive a retirement benefit shall be qualified to continue coverage in the State And Public School Health And Life Insurance Program and who are:

(A) Participating Members members of:

(i) The Arkansas Public Employees' Retirement System, including the members of the legislative division and the contract personnel of the Arkansas National Guard;

(ii) The Arkansas Teacher Retirement System;

(iii) The Arkansas State Highway Employees' Retirement System;

(iv) The Arkansas Judicial Retirement System; or

(v) An alternate retirement plan of a qualifying institution under § 24-7-801; and

(B) Retired and drawing benefits under the systems, ~~or retire and receive benefits under the systems.~~

~~(2)(A)(i)(3)(A)(i)~~ If members of these retirement systems receive retirement benefits, thereby becoming active retirees, the active retirees shall elect to enroll in a the health benefit program sponsored by the State and Public School Life and Health Insurance Board.

(ii) The election to enroll in the retiree insurance program shall be made within thirty-one (31) days of the member's becoming an active retiree and shall be made in writing ~~to the executive director of the State and Public School Life and Health Insurance Board~~ to the Employee Benefits Division on forms ~~prescribed by the board~~ required by the Employee Benefits Division.

(B)(i) To be eligible to continue coverage or to qualify for coverage after electing to decline participation, the member must have been covered ~~or been eligible for coverage~~ on the last day of the member's employment.

(ii) If a retiree declines coverage at the time of retirement due to other employer-sponsored group health insurance coverage, the retiree may make a one-time election to return to the retiree insurance program with proof of continued insurance coverage if the retiree experiences a qualifying event.

(C)(i) Except as provided in subdivision ~~(a)(2)(C)(ii)~~ (a)(3)(C)(ii) of this section, an active retiree's failure to make an election during the thirty-one-day election period or an active retiree's election to decline participation in the health program is final.

(ii) If an active retiree declining coverage specifies in writing and provides a letter of creditable employer group coverage to show that the reason for the declination is because the active retiree has coverage through another ~~insurance program or~~ employer group health plan and the active retiree's coverage is subsequently terminated because of a loss of eligibility, as defined by Internal Revenue Service regulations, and provides information from the former insurance company of the loss of eligibility, then the active retiree and any dependents shall qualify for coverage in a the health benefit program under this subsection upon payment of the appropriate premium as established by the board, provided the active retiree applies for coverage within ~~thirty-one (31)~~ (30) days of the loss of eligibility. Loss of coverage is defined by Internal Revenue Service and Health Insurance Portability and Accountability Act (HIPPA) guidelines for special enrollment periods. ~~Any subsequent termination of health benefits by the retiree is final.~~

~~(3)(A)(4)(A)~~ (4)(A) Notwithstanding any other provision to the contrary in this section, an employee with ten (10) or more years of creditable service under the terms of a retirement plan listed in this section shall qualify for continuation of health insurance coverage offered by the board if that employee is separated from employment because of the expiration of a fixed period of employment.

(B)(i) An employee qualifying for continuation of coverage under this subsection shall be considered an "inactive retiree" and shall have thirty-one (31) days from the effective date of termination to elect to continue health insurance coverage under this section by notifying the ~~executive director~~ Employee Benefits Division.

(ii) The election shall be made in writing on forms required by the Employee Benefits Division, ~~upon forms prescribed by the board.~~

~~(ii) The agency or school district from which the employee was terminated must certify the applicant's qualifications to the Employee Benefits Division of the Department of Finance and Administration.~~

(C)(i) Except as provided in subdivision ~~(a)(3)(C)(ii)~~ (a)(4)(C)(ii) of this section, an inactive retiree's failure to make an election during the thirty-one-day election period or an inactive retiree's election to decline participation in the health program is final.

(ii) If an inactive retiree as defined in § 21-5-407 declining coverage specifies in writing that the reason for the declination is because the inactive retiree has coverage through another ~~insurance program~~ or group health plan and the inactive retiree's coverage is subsequently terminated because of a loss of eligibility, then the inactive retiree and any dependents shall qualify for coverage in a board-sponsored health benefit program upon payment of the appropriate premium as established by the board, provided the inactive retiree applies for coverage within thirty-one (31) days of the loss of eligibility.

~~(D) An inactive retiree shall be charged a premium determined by the board to be actuarially sound, along with administrative fees deemed appropriate.~~

~~(E) An inactive retiree shall not be eligible to return to the board-sponsored health program if for any reason the inactive retiree ceases coverage at any time after election under this subsection.~~

~~(F)~~(D) An eligible inactive retiree shall be reclassified as an "active retiree" upon electing to receive a retirement benefit by a retirement system listed within this section and shall be charged the premium rate appropriate for his or her rating category as an active retiree.

~~(4)(A)~~(5)(A) As used in this subsection, "loss of eligibility" means a loss of coverage as a result of a legal separation, divorce, death of the insured, termination of employment, or a reduction in the number of hours of employment.

(B) "Loss of eligibility" shall not include a loss of coverage from a failure to pay premiums, ~~a failure to pay premiums~~ on a timely basis, voluntary termination of coverage, or a termination of coverage for cause, such as making a fraudulent claim.

(b)(1) Persons who draw retirement benefits under the Arkansas Public Employees' Retirement System, the Arkansas Teacher Retirement System, or the Arkansas State Highway Employees' Retirement System, and retired contract employees of the Arkansas National Guard who wish to participate in the group insurance program provided for in this subchapter shall pay the retiree amount of the premium or the cost of the policy issued to the retired participant.

(2) The retiree portion of the premium or cost shall be deducted from the retirement benefit checks of the retired participants. If the retirement benefit is not large enough for the premium deduction, the premium shall be paid by monthly bank draft on a designated date prescribed by the Employee Benefits Division.

~~(c)(1) Eligible employees of institutions of higher education, technical institutes, the Department of Higher Education, the Department of Workforce Education, and the Arkansas Rehabilitation Services of the Department of Workforce Education who are retired with at least five (5) years of creditable service after July 1, 1983, shall be allowed to participate in the group insurance program provided for in this subchapter but shall pay the full amount of the premium or cost of the policy issued to the retired participant.~~

~~(2) All eligible participants must make an option selection of coverage within thirty one (31) days subsequent to the date of their notification of termination or retirement.~~

~~(d)(c)~~ Members of the Arkansas Public Employees' Retirement System and the Arkansas State Highway Employees' Retirement System who retire before January 2, 1988, under the provisions of the Incentives for Early Retirement Act, §§ 24-4-732, 24-5-122, and 24-6-102, shall not have to pay the full amount of the premium and shall pay a portion of the cost of the policy as set forth by the Incentives for Early Retirement Act, §§ 24-4-732, 24-5-122, and 24-6-102.

~~(e)(d)~~ Any future change in coverage other than cancellation shall be extended only to newly acquired dependents, except that if an active or inactive retiree declined dependent coverage at the time of election to be an active or inactive retiree and specified in writing that the reason for the declination was that the dependent had other coverage, and if subsequently the dependent involuntarily loses such coverage, except for fraud or voluntary cessation of premium payment while the active or inactive retiree is covered by the plan, then the dependent may be added within thirty-one (31) days of the involuntary termination to the active or inactive retiree's health insurance coverage for payment of the appropriate premium as established by the board.

(e) If a retiree dies and has covered dependents at the time of death, the dependents have the right to continue coverage under the plan. Dependent children may be covered until marriage or until the maximum age limit for a dependent child has been reached. A surviving spouse may continue coverage under the plan. If a surviving spouse or dependent declines coverage or cancels existing coverage, then the surviving spouse or dependent have no further privileges under the plan.

SECTION 10. Arkansas Code § 21-5-412 is amended to read as follows:

21-5-412. Eligibility of certain elected officers.

(a) Members of the General Assembly and the State ~~state~~ elected constitutional officers who have served a sufficient number of years of credited service to be eligible for retirement benefits upon attainment of retirement age, but who have not yet reached retirement age, shall be eligible to continue to participate in State employees life and ~~disability~~ health programs upon leaving elective service.

~~(b) Upon ending his or her service in the House of Representatives or Senate, or as a state elected constitutional officer, a person shall have a period of six (6) months to elect whether or not to continue participation in the state employees life and disability programs in accordance with the programs as currently in effect.~~

~~(c)(1)(b)(1) Any person who is leaving the General Assembly or any state elected constitutional officer who wishes to participate in the state employee's life and disability program provided for in this subchapter shall be offered continuation of coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). ~~pay the full amount of the premium or cost of the policy issued to the participant, including the amount which the state is otherwise authorized to pay.~~~~

~~(2) The payments shall be made on a semimonthly, monthly, or quarterly basis as determined by the State and Public School Life and Health Insurance Board and shall be remitted through the state agency or office from which the person last received his or her salary as a member of the General Assembly or as a state elected constitutional officer.~~

(2)(A) An employee with ten (10) or more years of creditable service under the terms of a retirement plan listed in this section shall qualify for continuation of health insurance coverage offered by the board if that employee is separated from employment because of the expiration of a fixed period of employment.

(B)(i) An elected officer qualifying for continuation of coverage under this subsection shall be considered an "eligible inactive retiree" and shall have thirty-one (31) days from the effective date of termination to elect to continue health insurance coverage under this section by notifying the Employee Benefits Division in writing on forms required by the Employee Benefits Division.

(ii) The eligible inactive retiree shall pay the full amount of the insurance premium.

(C)(i) Except as provided in subdivision (b)(3)(C)(ii) of this section, an eligible inactive retiree's failure to make an election during the thirty-one day election period, or an eligible inactive retiree's election to decline participation in the health program is final.

(ii) An eligible inactive retiree who declined coverage and any dependents of the eligible inactive retiree shall qualify for coverage in the board-sponsored health benefit program upon payment of the appropriate premium as established by the board, provided the eligible inactive retiree applied for coverage within thirty-one (31) days of the loss of eligibility if:

(a) The eligible inactive retiree who declined coverage specifies in writing that the reason for the declination is because the eligible inactive retiree has coverage through another group health plan;

(b) The eligible inactive retiree's coverage is subsequently terminated because of a loss of eligibility; and

(c) The eligible inactive retiree provides information from the former insurance company confirming the loss of coverage.

(D)(i) An inactive retiree shall be charged the Consolidated Omnibus Budget Reconciliation Act (COBRA) premium determined by the board to be actuarially sound, along with administrative fees deemed appropriate.

(ii) An eligible inactive retiree shall be reclassified as an active retiree upon electing to receive a retirement benefit by a retirement system listed within this section and shall be charged the premium rate appropriate for his or her rating category as an active retiree.

SECTION 11. Arkansas Code § 21-5-413 is repealed.

~~21-5-413. Employer contributions.~~

~~The percentage of the premiums or costs to be paid by the participating employer shall be authorized by the General Assembly.~~

SECTION 12. Arkansas Code § 21-5-414 is amended to read as follows:

21-5-414. State contributions generally - Partial State contribution of employees' premiums.

(a) The Department of Finance and Administration shall seek the advice of the Legislative Council and the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce before additional contributions can be made.

(b)(1) The State of Arkansas, on behalf of agencies participating in the plans adopted by the state, is authorized to make a monthly contribution equal to the number of budgeted state employee positions multiplied by the monthly contribution authorized by the Chief Fiscal Officer of the State, not to exceed ~~three hundred fifty dollars (\$350)~~ four hundred twenty-five dollars (\$425) monthly for each ~~State~~ state employee budgeted position into a fund designated for ~~State~~ state employee health benefits, to partially defray the cost of life and health insurance for employees of the

State participating in the plan sponsored by the State and Public School Life and Health Insurance Board.

(2) The department may make a monthly contribution to partially defray the cost of health insurance for State employee retirees, utilizing funds made available for that purpose, not to exceed the amount authorized by the Chief Fiscal Officer of the State.

SECTION 13. Arkansas Code § 21-5-415 is amended to read as follows:

21-5-415. Nonpayment of premiums and failure to file reports by agency or school district.

(a)(1) If any participating agency or school district does not remit insurance premiums and required monthly reports to the Employee Benefits Division of the Department of Finance and Administration by ~~twenty (20) calendar days after the pay period ending date, the division shall have the right to impose interest of ten percent (10%) per annum on the moneys due~~ the last calendar day of each billing month, the division shall impose a penalty of two dollars (\$2.00) per insured member or one hundred dollars (\$100), whichever is greater.

~~(2) Interest will be computed on the actual days of delinquency, with a minimum charge being billed when appropriate.~~

~~(3) Interest payable will be determined using the date the delinquent funds are received, and an invoice for the interest shall be sent to the agency or school district.~~

(2) Penalties will be assessed and invoiced based on the actual number of members included on the monthly billing report that is past due. Invoices will be processed at the beginning of the month following the infraction.

~~(b)(1)(3) Payment Penalties~~ shall be payable to the ~~group insurance trust funds~~ Employee Benefits Division and must be received by the division no later than the last calendar day of the month following billing invoicing.

~~(2)(4)~~ If payment is not received by the division by the ~~last calendar day of the month following billing~~ due date the following collection methods may be used:

(A)(i) The Chief Fiscal Officer of the State may cause the ~~interest payable~~ amount sought to be transferred to the division from:

(a) Funds the agency or school district has on deposit with the Treasurer of State; or

(b) Any funds the agency or school district is due from the State.

(ii) If a transfer must be made, a transfer penalty of twenty dollars (\$20.00) per transfer ~~may~~ shall be assessed each agency or school district fund and included in the transfer;

(B) The agency director or school district superintendent may be required to appear before the State and Public School Life and Health Insurance Board to report the reasons for nonpayment or incorrect reporting; and

(C) The Chief Fiscal Officer of the State may use his or her powers outlined in § 19-4-301 et seq. to aid in collection.

~~(e)(5)~~ Nonpayment of premiums could also result in a lapse of health and life insurance coverage for employees of the school district, agency, or the agency assuming responsibility for paying health and life claims for its employees.

~~(d)(1)~~ In the event any participating agency or school district fails to file the necessary reports with the division by twenty (20) calendar days after the due date, the division shall have the right to impose a penalty of fifty dollars (\$50.00) per insured.

~~(2)~~ An additional penalty of fifty dollars (\$50.00) per insured will be assessed for each subsequent reporting period the overdue report remains in arrears.

~~(e)(1)~~ An invoice for this penalty will be sent to the agency or school district, and payment shall be payable to the group insurance trust funds and must be received by the division no later than the last calendar day of the month following billing.

~~(2)~~ If payment is not received by the division by the last calendar day of the month following billing, the following collection methods may be used:

~~(A)(i)~~ The Chief Fiscal Officer of the State may cause the interest payable to be transferred to the division from:

~~(a)~~ Funds the agency has on deposit with the Treasurer of State; _____ or

~~(b)~~ Any funds the school district is due from the state.

~~(ii)~~ If a transfer must be made, a transfer penalty of twenty dollars (\$20.00) per transfer may be assessed each agency fund and included in the transfer;

~~(B)~~ The agency director or school district superintendent may be required to appear before the board to report the reasons for nonpayment; and

~~(C)~~ The Chief Fiscal Officer of the State may use his or her powers as outlined in § 19-4-301 et seq. to aid in collection.

~~(f)(1)~~(b)(1) If any participating agency or school district fails to follow established policy and procedures set by the executive director, including but not limited to notify notifying the division of an insured's leave without pay, family medical leave, or military leave status, or if any participating agency or school district provides incorrect benefit information, or processes unauthorized benefit changes, including system entries that result in un-reimbursed expenses to the State Employees Benefits Trust Fund or Public School Employees Insurance Trust Fund, of the State and Public School Employees Insurance Fund, the division shall have the right to:

(A) Require the agency to pay the total amount of the insured's premium; and

(B) Impose a penalty of fifty dollars (\$50.00) per insured.

(2) Penalties will be assessed and invoiced based on the actual number of violations. Invoices will be processed at the beginning of the month following discovery of the infraction.

(3) Penalties shall be payable to the Employee Benefits Division and must be received by the last calendar day of the month following invoicing.

~~(2)(A)~~(4) The Chief Fiscal Officer of the State may cause the amount sought to be transferred from:

~~(i)~~(A) Funds the agency or school district has on deposit with the Treasurer of State; or

~~(ii)~~(B) Any funds the agency or school district is due from the state.

~~(B)~~(5) If a transfer is made, a transfer penalty of twenty dollars (\$20.00) per transfer ~~may~~ shall be assessed each agency or school district fund and included in the transfer.

~~(g)~~(c) The division may correct any error regarding an ~~insured benefit insured's benefits~~ according to existing documentation without authorization or prior notification to the agency or school district.

SECTION 14. Arkansas Code § 21-5-417 is amended to read as follows:

21-5-417. State contribution for employee receiving workers' compensation.

Notwithstanding any other provisions of the law, a state agency ~~may~~ shall remit the employer's contribution to ~~a health insurance program~~ the Employee Benefits Division for state employees when the employee is in a leave without pay status, ~~provided that the employee is in a leave without pay status~~ because of a work-related injury and is receiving benefits from workers' compensation.

SECTION 15. Arkansas Code § 21-5-504 is amended as follows:

21-5-504. Authority of State or political subdivision.

(a) The state or any county, city, town, or other political subdivision may agree, by contract, with any employee to defer, in whole or in part, any portion of that employee's future compensation to a deferred compensation program.

(b)(1) The administrator of the deferred compensation program may:

(A) Contract for, purchase, or otherwise procure annuity contracts for the deferred compensation program; and

(B) Through a trust or custodian, contract for, purchase, or otherwise procure fixed or variable life insurance contracts, mutual funds, pooled investment funds, or such other investment vehicles that comply with State and federal laws and which permit the deferral of compensation for income tax and retirement savings purposes.

(2) If an annuity or life insurance contract is purchased, then it must be purchased from an insurance company licensed to contract business in this state, and any insurance agent selling such contracts must be licensed by this state.

SECTION 16. Arkansas Code § 21-5-507 is amended as follows:

21-5-507. Payments by administrator.

(a) Notwithstanding any other provision of law to the contrary, the Executive Director of the Employee Benefits Division of the Department of Finance and Administration or the appropriate officer of the county, city, town, or other political subdivision designated to administer the deferred compensation program is authorized:

(1) To make payments of premiums for the purchase of annuity contracts under the deferred compensation program; and

(2) To make ~~payments~~ deferrals to a trustee or custodian holding fixed or variable life insurance contracts, annuity contracts, mutual funds, pooled investment funds, or other investment vehicles under the deferred compensation program.

(b) The payments and deferrals shall not be construed to be a prohibited use of the general assets of the state, county, city, town, or other political subdivision.

SECTION 17. Arkansas Code § 21-5-508 is amended to read as follows:

21-5-508. Taxation of deferred income.

Any sum deferred under the deferred compensation program shall not be subject to income taxation until distribution is actually made to the employee or beneficiary.

SECTION 18. Arkansas Code § 6-17-1117 is amended to read as follows:
6-17-1117. Health insurance.

(a) Beginning on October 1, 2004, local school districts shall pay the health insurance contribution rate of one hundred thirty-one dollars (\$131) per month for each eligible employee electing to participate in the public school employees' health insurance program.

(b)(1) The Department of Education shall pay the Employee Benefits Division of the Department of Finance and Administration sixty-one dollars (\$61.00) per month for each eligible employee of a public school district electing to participate in the public school employees' health insurance program administered by the State and Public School Life and Health Insurance Board.

(2) The funds provided to the division under this subsection shall be administered by the board for the benefit of the employee participants of the public school employees' health insurance program.

(3)(A)(i) In the event that appropriation or funding is not provided, the department shall not be responsible for the increased payments for the public school employee health insurance program as established by this section.

(ii)(B) If funding and appropriation are provided but are inadequate for the total number of employees electing to participate in the public school employees' health insurance program, the department shall pay a proportional share on behalf of each participant.

~~(B) Notwithstanding the special language provision in the department's appropriation act granting transfer authority or any other law to the contrary, appropriation and funding provided for the purposes of this section shall not be transferred by the department for any other purpose.~~

(c)(1) A school district shall:

(A) Provide the same employer-provided health insurance benefits for all full-time school district employees; and

(B) Pay the same employer contribution rate for each eligible employee electing to participate in the public school employees' health insurance program.

(2) If a school district entered into a contract with a superintendent, teacher, or other personnel prior to April 11, 2006, and the contract provides for a higher employer contribution rate than is paid for a majority of the certified personnel in the district, then the district may continue to pay the higher contribution rate as provided under the existing contract but not under extensions, addendums, or new contracts created after April 11, 2006, without increasing all other employees to the same rate.”

/s/ Rick Saunders

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. 1339** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1339

Amend **HOUSE BILL NO. 1339** as originally introduced:

Delete the title and substitute the following:

"AN ACT TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER; TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER AND TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948."

AND

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 11-9-508(a), concerning medical treatment for injured workers, is amended to read as follows:

(a)(1) The employer shall promptly provide for an injured employee such medical, surgical, hospital, chiropractic, optometric, podiatric, and nursing services and medicine, crutches, ambulatory devices, artificial limbs, eyeglasses, contact lenses, hearing aids, and other apparatus as may be reasonably necessary in connection with the injury received by the employee.

(2) If the employer sends the injured employee to obtain medical treatment under subdivision (a)(1) of this section and the medical care provider confirms authorization for treatment, the employer shall remain liable for the reasonably necessary medical treatment provided to the employee until the employer notifies the medical care provider, in writing, that the employer is controverting the future medical treatment or the compensability of the injured employee's claim."

/s/ David Evans

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Allen, **HOUSE BILL NO. 2676** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2676

Amend **HOUSE BILL NO. 2676** as originally introduced:

Page 1, deletes lines 19 and 20 and substitute the following:

"SECTION 1. Arkansas Code § 13-3-201 is amended to read as follows:
13-3-201. Purpose.

The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas is created and established at the seat of government of this state for the purpose of:

(1) Advising the Arkansas History Commission with respect to gathering, developing, and keeping the history of a segment of Arkansas society whose history has been overlooked and forgotten and has been simply neglected because of a lack of concern;

(2) Collecting materials bearing on the history of black Arkansans from the earliest times;

(3) Encouraging historical work and research in the background of black Arkansans to help the young citizens of the state to appreciate their heritage; and

(4) Performing work in relation to the history of black Arkansans.

SECTION 2. Arkansas Code § 13-3-202 is amended to read as follows:

13-3-202. Members.

(a) The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas shall consist of seven (7) members who shall be residents and electors of this state. The members shall be appointed by the Governor, by and with the advice and consent of the Senate.

(b) The term of office of each member of the ~~committee~~ commission shall commence on January 15 following the expiration date of his predecessor's term and shall end on January 14 of the seventh year following the year in which the term commenced.

(c) The membership of the ~~committee~~ commission shall be made up of persons who are citizens of the state at large and who have demonstrated an interest in the collection, recordation, preservation, and development of the history of black Arkansans.

(d) Any vacancies arising in the membership of the ~~committee~~ commission for any reason other than expiration of the regular terms for which the members were appointed shall be filled by appointment by the Governor, and to be thereafter effective until the expiration of the regular terms, subject, however, to the confirmation of the Senate when it is next in session.

(e) The ~~committee~~ commission shall select from its membership a chair and a vicechair.

(f) Members of the ~~committee~~ commission may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

SECTION 3. Arkansas Code § 13-3-203 is amended to read as follows:

13-3-203. Meetings - Rules and bylaws - Secretary.

(a) The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas shall meet at such times and places as in each instance may suit the ~~committee's~~ commission's convenience and its purposes, and all meetings shall be open to the public.

(b)(1) The ~~committee~~ commission shall adopt and may modify rules and bylaws for the conduct of its business, subject to the approval of the Arkansas History Commission.

(2) The ~~committee~~ commission shall keep a record of its transactions, findings, and determinations, which record shall be public.

(c) The rules shall provide for regular meetings and for special meetings at the call of the chair or, in his or her absence or incapacity, the vicechair, or upon written request of at least four (4) members.

(d) The State Historian shall be ex officio secretary of the ~~committee~~ commission, but shall have no vote on matters coming before it.

(e) A quorum of the ~~committee~~ commission shall consist of not less than four (4) members present at any regular or special meeting. The affirmative vote of that number shall be necessary for the disposition of any business.

SECTION 4. Arkansas Code § 13-3-204(a), concerning the committee's duties, is amended to read as follows:

(a) It shall be the function, power, and duty of the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas to assist the Arkansas History Commission to:

SECTION 5. Arkansas Code § 13-3-205 is amended to read as follows:

13-3-205. State Historian's duties - Location of ~~committee~~ commission.

(a)(1) The State Historian shall assist the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas in the performance of its duties and shall be the custodian of all property and reference and source materials of the ~~committee~~ commission.

(2) The State Historian shall be charged with the duty of administering this subchapter.

(b) The offices of the ~~committee~~ commission and the archives of its records shall be located with those of the Arkansas History Commission.

SECTION 5. Arkansas Code § 13-3-205 is amended to read as follows:

13-3-205. State Historian's duties - Location of committee.

(a)(1) The State Historian shall assist the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas in the performance of its duties and shall be the custodian of all property and reference and source materials of the committee.

(2) The State Historian shall be charged with the duty of administering this subchapter.

(b) The offices of the ~~committee~~ commission and the archives of its records shall be located with those of the Arkansas History Commission.

SECTION 6. Arkansas Code § 13-3-206(a), concerning cooperation in developing Arkansas history courses, is amended to read as follows:

(a) ~~The Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas and the ~~Director of General Education~~ the Commissioner of Education or his or her designee shall cooperate with each other to develop the materials for a program of historical contributions by the black race in Arkansas for inclusion in the curriculum segment of the Arkansas history required to be instructed in § 6-16-124."

/s/ Fred Allen

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2313** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2313

Amend **HOUSE BILL NO. 2313** as originally introduced:

Page 4, line 16, delete "Arkansas Development Finance Authority" and substitute "Treasurer of State"

AND

Page 4, delete lines 31 and 32 and substitute the following:

"(1) One (1) member to be the Treasurer of State or his or her designee;"

AND

Page 5, delete lines 18 and 19 and substitute the following:

"(1) Review the annual reports presented by the Treasurer of State at least annually;"

AND

Page 5, line 28, delete "and" and substitute "or"

/s/ Rick Saunders

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. 2786** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2786

Amend **HOUSE BILL NO. 2786** as originally introduced:

Page 1, delete lines 29 and 30 and substitute the following:

"completed a knowledge and skills course in operating an automated external defibrillator and in cardiopulmonary resuscitation ~~as required under § 17-95-604 [repealed]~~ is assigned to be"

AND

Page 1, line 33, delete "and"

AND

Page 1, delete line 36 and substitute the following:

"the health spa member's health and safety; and

(5) In plain view:

(A) A sign indicating the location of the automated external defibrillator; and

(B) A sign providing instruction in the use of the automated external defibrillator and in cardiopulmonary resuscitation."

/s/ Gene Shelby

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 1630** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1630

Amend **HOUSE BILL NO. 1630** as engrossed,

H3/9/07 (version: 03-09-2007 11:07):

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 16-7-203 is amended to read as follows:

16-7-203. Duty and authority of state and local officers and agencies and governments.

(a) It is the duty of all the elements of government expressed or implied by § 16-7-201(3), and they are hereby authorized, to use dispute resolution processes in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government.

(b) The elements of government expressed or implied by § 16-7-201 are authorized to use arbitration, private judging, med-arb, fact finding, mini-trials, and summary jury trials in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public, or their employees or bona fide employee organizations, or corporations, or nonprofit organizations, or any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government, as long as the parties have agreed to participate. This subsection (b) is permissive and not mandatory."

/s/ Pam Adcock

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. 2739** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2739

Amend **HOUSE BILL NO. 2739** as originally introduced:

Page 1, delete lines 21 through 27 and substitute the following:

"SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as the "Arkansas Legislative Task Force on Autism".

SECTION 2. DO NOT CODIFY. Arkansas Legislative Task Force on Autism — Creation."

AND

Page 2, delete lines 1 through 7 and substitute the following:

"(4) The Director of the Division of Disability Services of the Department of Health and Human Services;

(5) The Behavior Intervention Coordinator of the Department of Education;

(6) One (1) member to represent Arkansas Blue Cross and Blue Shield;

(7) One (1) member who is a pediatric physician who regularly works with autistic patients appointed by the Dennis Developmental Center of the Department of Pediatrics of the University of Arkansas for Medical Sciences."

AND

Page 2, line 8, delete "(7)" and substitute "(8)"

AND

Page 2, delete line 9 and substitute the following:

"University of Arkansas for Medical Sciences;

(9) One (1) member to represent Partners for Inclusive Communities of the University Centers of Excellence in Developmental Disabilities of the University of Arkansas for Medical Sciences;"

AND

Page 2, line 10, delete "(8)" and substitute "(10)"

AND

Page 2, delete lines 12 through 15 and substitute the following:

"(11) One (1) member who is an attorney who regularly works with"

AND

Page 2, line 18, delete "(11)" and substitute "(12)"

AND

Page 2, line 20, delete "(12)" and substitute "(13)"

AND

Page 3, delete line 5 and substitute the following:

"SECTION 3. DO NOT CODIFY. Arkansas Legislative Task Force on Autism — Duties."

AND

Page 3, delete line 22 and substitute the following:

"changes.

SECTION 4. DO NOT CODIFY. The Arkansas Legislative Task Force on Autism shall be abolished effective October 1, 2008."

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2698** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2698

Amend **HOUSE BILL NO. 2698** as originally introduced:

Page 2, delete lines 13 through 36, and substitute the following:

"(1) "Disclosure" means written communication to the Arkansas Department of Environmental Quality by a person or an entity subject to the compliance requirements of state environmental laws or regulations that conveys information concerning a potential environmental violation;

(2) "Environmental audit" means the same as defined in § 8-1302(3);

(3) "Environmental management system" means a voluntarily adopted documented system of procedures or practices through which a person or an entity monitors its environmental performance, including preventing, detecting, and correcting violations, that is not otherwise required by established environmental laws or regulations; and

(4) "Penalty" means a monetary assessment for an environmental violation authorized by any law administered by the department except any penalty assessed under § 15-57-201 et seq., The Arkansas Open Cut Land Reclamation Act, § 15-57-301 et seq., the Arkansas Quarry Operation, Reclamation and Safe Closure Act, § 15-57-401 et seq., and the Arkansas Surface Coal Mining and Reclamation Act of 1975, § 15-58-101 et seq., and any regulations promulgated thereunder.

8-1-404. Incentives for self-disclosure.

(a) Except in the case of habitual noncompliance or as provided otherwise in this subchapter, the Arkansas Department of Environmental Quality shall mitigate a penalty in an administrative enforcement action or a civil enforcement action against a person or an entity for an alleged violation that is either discovered by the person or entity through an environmental audit or under the person or entity's environmental management system if the person or entity voluntarily and timely:

(1) Disclosed the violation to the department within twenty-one (21) calendar days of discovery of the violation;

(2) Upon discovery of the violation takes immediate and reasonable action to correct the violation; and

(3) Within ninety (90) calendar days from the date of discovery of the violation, submits documentation acceptable to the department showing correction of the violation and measures taken to prevent future noncompliance.

(b) Penalty mitigation under this section shall not be allowed if:

(1) The violation creates an imminent and substantial endangerment to human health or the environment;

(2) The violation creates harm to human health or the environment;

(3) The same type or similar type of violation has occurred within the last three (3) years;

(4) The violation was discovered after the department learns of it or is likely to learn of it imminently;

(5) The violation was deliberate or intentional;

(6) The violation is not corrected within ninety (90) calendar days from the date of discovery, unless a longer period of time is requested and granted by the department within ninety (90) calendar days from the date of discovery;

(7) The violation is prohibited by a judicial order or an administrative order;

(8) The violation is required to be reported by state law, regulation, or permit condition;

(9) The violation does not indicate a lack or reasonable question of the basic good faith attempt to understand and comply with applicable state environmental laws or regulations through environmental management systems appropriate to the size and nature of the activities of the regulated community;

(10) The regulated entity has not realized and will not realize a demonstrable and significant economic or competitive advantage as a result of noncompliance; and

(11) The regulated entity fails to cooperate with the department as the department performs its duties and provides such information as the department reasonably requests to confirm the entity's compliance with these conditions.

(c) Notwithstanding the failure of a regulated entity to meet all of the conditions in subsection (b) of this section, the department will consider the nature and extent of such actions of the regulated entity in mitigation of any administrative penalty or a civil penalty otherwise appropriate. If the regulated entity meets all conditions in subsection (b) of this section except item ten (10) relating to significant economic or competitive advantage, the department may seek an administrative penalty or a civil penalty only to the extent of the economic or competitive advantage gained.

(d) In the event of any conflict, the elimination or mitigation of penalties under subsections (a) and (c) of this section is subject to agreements between the department and the United States Environmental Protection Agency relating to regulatory program delegation or authorization from the United States Environmental Protection Agency to the department."

AND

Page 3, delete lines 1 through 21

/s/ Rick Saunders

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. 2534** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2534

Amend **HOUSE BILL NO. 2534** as originally introduced:

Page 1, delete lines 26 through 30 and substitute the following:

"domestic abuse contained in an order of a court of competent jurisdiction;"

AND

Page 2, delete lines 4 through 7

AND

Page 2, line 8, delete "(5)" and substitute "(4)"

AND

Page 3, delete lines 27 through 30

AND

Page 3, line 31, delete "(7)" and substitute "(5)"

AND

Page 3, line 34, delete "(8)" and substitute "(6)"

AND

Page 4, delete line 8 and substitute the following:

"(1) With respect to the victim of domestic abuse, a landlord shall not terminate or fail to renew a"

AND

Page 4, delete lines 20 through 23 and substitute the following:

"offender's residential tenancy agreement, if a domestic abuse offender is under a court order to stay away from a co-tenant residing in the domestic abuser's offender's residence or the co-tenant's residence:

(1) The domestic abuse offender under the court order"

AND

Page 5, delete lines 9 and 10 and substitute the following:

"(d) A landlord is immune from civil liability if the landlord in good faith:

(1) Changes the locks under subdivision (b)(2) of this section; or
(2) Acts in accordance with a court order under subsection (c) of this
section."

/s/ Lindsley Smith

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. 1324** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1324

Amend **HOUSE BILL NO. 1324** as engrossed,
H3/16/07 (version: 03-16-2007 11:12):

Page 19, delete lines 32 through 36 and substitute the following:

"6-81-721. Non-interference with pending litigation.

Nothing in this subchapter is intended to affect pending litigation existing as of the effective date of this act."

AND

Page 20, line 22, delete "(b)(1)(A)(i)" and substitute "(b)(1)(A)"

AND

Page 20, delete lines 30 through 33.

/s/ David Johnson

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. 2542** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2542

Amend **HOUSE BILL NO. 2542** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 15, Chapter 11, Subchapter 2 is amended to add an additional section to read as follows:

15-11-211. At-will campsites.

(a) As used in this section, "at-will campsite" means a campsite that is available on a first-come first serve basis with no advance reservation required.

(b) The State Parks, Recreation, and Travel Commission shall promulgate rules to ensure that at least twenty percent (20%) of all campsites at state parks and recreational facilities are at-will campsites."

/s/ Mike Burris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2704** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2704

Amend **HOUSE BILL NO. 2704** as originally introduced:

Page 1, delete lines 31 through 33 and substitute the following:

"(B) Has a minimum of three (3) years of successful experience as a full-time classroom teacher in a public school, a charter school, an accredited private school, an entity with an education component approved by the Department of Education, or a nonprofit community provider licensed by the Division of Developmental Disabilities Services of the Department of Health and Human Services that offers developmental day treatment clinic services with a preschool program;"

AND

Page 2, delete lines 13 through 15 and substitute the following:

“(3) Education service cooperatives, charter schools, accredited private schools, entities with an education component approved by the Department of Education, and nonprofit community providers licensed by the Division of Developmental Disabilities Services of the Department of Health and Human Services that offer developmental day treatment clinic services with preschool programs are encouraged to establish teacher mentoring programs in accordance with this section.

(d)(1) An education service cooperative, a charter school, an accredited private school, an entity with an education component approved by the Department of Education, or a nonprofit community provider licensed by the division of Developmental Disabilities Services of the Department of Health and Human Services that offers developmental day treatment clinic services with a preschool program that wishes to establish a teacher mentoring program shall submit a mentoring plan to the Department of Education for approval.

(2) A mentoring plan shall:

(A) Identify the person who will serve as the teacher mentoring program director;

(B) Provide that new teachers will be assigned to a mentor teacher within fifteen (15) business days of the hire date of the new teacher;

(C) Provide for registration of all mentor teachers and new teachers with the Department of Education;

(D)(i) Identify categories of appropriate professional development activities and expenditures for mentor teachers and new teachers.

(ii) Appropriate professional development activities shall be designed to adequately prepare the new teacher for successful completion of the state-mandated performance assessment;

(E) Comply with all rules promulgated by the state board with regard to the assignment, support, and monitoring of mentor teachers and new teachers;

(E) Provide that mentor teachers and new teachers will be released to attend any mandatory statewide orientation or informational meetings held by the Department of Education;

(F) Provide that new teachers will be released to participate in the state-mandated performance assessment;

(G) Provide for notification of the Department of Education within fifteen (15) business days of any personnel changes that might impact the teacher mentoring program; and

(H) Provide for the submission of an annual report detailing teacher mentoring program activities and expenditures no later than June 30 of each year.

(e)(1) A teacher mentoring program director shall be qualified under subsection (b) of this section to serve as a mentor.

(2) A teacher mentoring program director shall:

(A) Serve as the teacher mentoring program's liaison to the Department of Education;

(B) Coordinate mentoring assignments;

(C) Provide oversight of teacher mentoring program activities and expenditures; and

(D) Be responsible for submission of all reports and other communications to the Department of Education."

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2792** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2792

Amend **HOUSE BILL NO. 2792** as engrossed,

H3/16/07 (version: 03-16-2007 10:30):

Add Representative Blount as a co-sponsor of the bill

AND

Page 7, line 22, delete "seventeen (17)" and substitute "fifteen (15)"

AND

Page 7, line 23, delete "Commissioner of Education" and substitute "Commissioner of Education, or his or her designee."

AND

Page 11, delete lines 16 and 19 and substitute the following:

"(D) The Professional Licensure Standards Board may:

(i) Establish procedures for receiving, considering, and investigating complaints referred by the Department of Education, a public school district, or a public school superintendent regarding the unethical behavior of licensed school personnel;

(ii) Make recommendations for enforcement; and

(iii) Establish an ethics subcommittee of the Professional Licensure Standards Board with equal representation of public school teachers and administrators as well as one member from any other category of representation on the Professional Licensure Standards Board."

/s/ Johnnie Roebuck

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. 2 TO HOUSE BILL NO. 2540

Amend **HOUSE BILL NO. 2540** as engrossed,

H3/12/07 (version: 03-12-2007 10:07):

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 18 is amended to add an additional chapter to read as follows:

SUBCHAPTER 1 — SHORT TITLE, CONSTRUCTION, APPLICATION, AND SUBJECT MATTER OF CHAPTER

18-17-101. Short title.

This chapter shall be known and may be cited as the "Arkansas Residential Landlord - Tenant Act of 2007".

18-17-102. Purposes; Rules of construction.

(a) This chapter shall be liberally construed and applied to promote its underlying purposes and policies.

(b) Underlying purposes and policies of this chapter are:

(1) To simplify, clarify, modernize, and revise the law governing rental of dwelling units and the rights and obligations of landlords and tenants; and

(2) To encourage landlords and tenants to maintain and improve the quality of housing.

18-17-103. Administration of remedies; enforcement.

(a) The remedies provided by this chapter shall be administered that an aggrieved party may recover appropriate damages.

(b) Any right or obligation declared by this chapter is enforceable by action unless the provision declaring it specifies a different and limited effect.

18-17-104. Settlement of disputed claim or right.

A claim or right arising under this chapter or on a rental agreement, if disputed in good faith, may be settled by agreement.

SUBCHAPTER 2 — SCOPE AND JURISDICTION

18-17-201. Territorial application.

This chapter applies to, regulates, and determines rights, obligations, and remedies under a rental agreement, wherever made, for a dwelling unit located within this State.

18-17-202. Exclusions from application of chapter.

The following arrangements are not governed by this chapter:

(1) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious, or similar service;

(2) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his or her interest;

(3) Occupancy by a member or a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(4) Transient occupancy in a hotel, motel, or other accommodations subject to any sales tax on lodging;

(5) Occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;

(6) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;

(7) Occupancy under a rental agreement covering the premises used by the occupant primarily for agricultural purposes; and

(8) Residence, whether temporary or not, at a public or private charitable or emergency protective shelter.

18-17-203. Jurisdiction and service of process.

The district court or appropriate court of this State shall exercise jurisdiction over any landlord with respect to any conduct in this State governed by this chapter or with respect to any claim arising from a transaction subject to this chapter.

SUBCHAPTER 3 — GENERAL DEFINITIONS AND PRINCIPLES INTERPRETATION

NOTICE

18-17-301. General definitions.

As used in this chapter:

(1) "Action" means a recoupment, counterclaim, suit in equity, and any other proceeding in which rights are determined, including without limitation an action for possession;

(2) "Building and housing codes" means any law, ordinance, or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy, use, or appearance of any premise, or dwelling unit;

(3)(A) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two (2) or more persons who maintain a common household and includes landlord-owned mobile homes.

(B) Property that is leased for the exclusive purpose of being renovated by the lessee is not considered a dwelling unit within the meaning of this chapter;

(4) "Good faith" means honesty in fact in the conduct of the transaction concerned;

(5) "Landlord" means the owner, lessor, or sublessor of the premises, and it also means a manager of the premises who fails to disclose as required by this subchapter;

(6) "Organization" means a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal or commercial entity;

(7)(A) "Owner" means one or more persons, jointly or severally, in whom is vested all or part of:

(i) The legal title to property; or

(ii) All or part of the beneficial ownership and a right to present use and enjoyment of the premises.

(B) "Owner" includes, but is not limited to, a mortgagee in possession;

(8) "Person" means an individual or organization;

(9) "Premises" means a dwelling unit and the structure of which it is a part and facilities and appurtenances therein and grounds, areas, and facilities held out for the use of tenants generally or whose use is promised to the tenant;

(10) "Rent" means the consideration payable for use of the premises including late charges whether payable in lump sum or periodic payments, excluding security deposits or other charges;

(11) "Rental agreement" means all agreements, written or oral, and valid rules adopted under this subchapter embodying the terms and conditions concerning the use and occupancy of a dwelling unit and premises;

(12) "Roomer" means a person occupying a dwelling unit that does not include a toilet and either a bathtub or a shower and a refrigerator, stove, and kitchen sink, all provided by the landlord, and where one or more of these facilities are used in common by occupants in the structure;

(13) "Security deposit" means a monetary deposit from the tenant to the landlord to secure the full and faithful performance of the terms and conditions of the lease agreement as provided in this subchapter;

(14)(A) "Single family residence" means a structure maintained and used as a single dwelling unit.

(B) Notwithstanding that a dwelling unit shares one (1) or more walls with another dwelling unit, it is a single family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit;

(15) "Tenant" means a person entitled under a rental agreement to occupy a dwelling unit to the exclusion of others; and

(16) "Willful" means an attempt to intentionally avoid obligations under the rental agreement or the provisions of this chapter.

18-17-302. Obligation of good faith.

Every duty under this chapter and every act which shall be performed as a condition precedent to the exercise of a right or remedy under this chapter imposes an obligation of good faith in its performances or enforcement.

18-17-303. Notice.

(a)(1) A person has notice of a fact if:

(A) The person has actual knowledge of it;

(B) The person has received a notice or notification of it; or

(C) From all the facts and circumstances known to him or her at the time in question he or she has reason to know that it exists.

(2) A person "knows" or "has knowledge" of a fact if he or she has actual knowledge of it.

(b)(1) A person "notifies" or "gives" a notice or notification to another person by taking steps reasonably calculated to inform the other in ordinary course whether or not the other actually comes to know of it.

(2) A person receives a notice or notification when:

(A) It comes to his or her attention; or

(B) In the case of the landlord, it is delivered at the place of business of the landlord through which the rental agreement was made or at any place held out by the landlord as the place for receipt of the communication; or

(C)(i) In the case of the tenant, it is delivered in hand to the tenant or mailed by registered or certified mail to the tenant at the place held out by him or her as the place for receipt of the communication, or in the absence of the designation, to the tenant's last known place of residence.

(ii) Proof of mailing pursuant to this subsection constitutes notice without proof of receipt.

(c) "Notice", knowledge, or a notice or notification received by an organization is effective for a particular transaction from the time it is brought to the attention of the individual conducting that transaction, and in any event from the time it would have been brought to the individual's attention if the organization had exercised reasonable diligence.

(d) The time within which an act is to be done shall be computed by reference to the Arkansas Rules of Civil Procedure.

SUBCHAPTER 4 — GENERAL PROVISIONS

18-17-401. Terms and conditions of rental agreement.

(a) A landlord and a tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including, but not limited to, rent, term of the agreement, and other provisions governing the rights and obligations of the parties.

(b)(1) Rent is payable without demand or notice at the time and place agreed upon by the parties.

(2) Unless the tenant is otherwise notified in writing, rent is payable at the dwelling unit and periodic rent is payable at the beginning of any term of one (1) month or less and otherwise in equal monthly installments at the beginning of each month.

(c) Unless the rental agreement fixes a definite term, the tenancy is week to week in case of a roomer who pays weekly rent and in all other cases month to month.

SUBCHAPTER 5 — LANDLORD OBLIGATIONS

18-17-501. Security deposits — Prepaid rent.

(a)(1) Upon termination of the tenancy property or money held by the landlord as security must be returned less amounts withheld by the landlord for accrued rent and damages which the landlord has suffered by reason of the tenant's noncompliance with this subchapter.

(2) The tenant shall provide the landlord in writing with a forwarding address or new address to which the written notice and amount due from the landlord may be sent.

(3) If the tenant fails to provide the landlord with the forwarding or new address, the tenant is not entitled to damages under this subsection provided the landlord:

(A) Had no notice of the tenant's whereabouts; and

(B) Mailed the written notice and amount due, if any, to the tenant's last known address.

(b) This section does not preclude the landlord or tenant from recovering other damages to which he or she may be entitled under this chapter or otherwise.

(c) Subject to the provisions of this subchapter, the holder of the landlord's interest in the premises at the time of the termination of the tenancy is bound by this section.

SUBCHAPTER 6 — TENANT OBLIGATIONS

18-17-601. Tenant to maintain dwelling unit.

A tenant shall:

(1) Comply with all obligations primarily imposed upon tenants by applicable provisions of building and housing codes materially affecting health and safety;

(2) Keep the dwelling unit and that part of the premises that he or she uses reasonably safe and reasonably clean;

(3) Dispose from his or her dwelling unit all ashes, garbage, rubbish, and other waste in a reasonably clean and safe manner;

(4) Keep all plumbing fixtures in the dwelling unit or used by the tenant reasonably clean;

(5) Use in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air-conditioning, and other facilities and appliances including elevators in the premises;

(6) Not deliberately or negligently destroy, deface, damage, impair, or remove any part of the premises or knowingly permit any person to do so who is on the premises with the tenant's permission or who is allowed access to the premises by the tenant;

(7) Conduct himself or herself and require other persons on the premises with the tenant's permission or who are allowed access to the premises by the tenant to conduct themselves in a manner that will not disturb other tenant's peaceful enjoyment of the premises; and

(8) Comply with the lease and rules which are enforceable pursuant to this subchapter.

18-17-602. Access.

(a) A tenant shall not unreasonably withhold consent to the landlord to enter into the dwelling unit in order to inspect the premises, make necessary or agreed repairs, decorations, alterations, or improvements, supply necessary or agreed services, investigate possible rule or lease violations, investigate possible criminal activity, or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workmen, or contractors.

(b) A tenant shall not change locks on the dwelling unit without the permission of the landlord.

18-17-604. Tenant to use and occupy.

Unless otherwise agreed, a tenant shall occupy his or her dwelling unit only as a dwelling unit and shall not conduct or permit any illegal activities thereon.

SUBCHAPTER 7 — LANDLORD REMEDIES

18-17-701 Noncompliance with rental agreement — Failure to pay rent — Removal of evicted tenant's personal property.

(a) Except as provided in this chapter, if there is a noncompliance by the tenant with the rental agreement the landlord may deliver a written notice to the tenant specifying the acts and omissions constituting the breach and that the rental agreement will terminate upon a date not less than fourteen (14) days after receipt of the notice, if the breach is not remedied in fourteen (14) days. The rental agreement terminates as provided in the notice except that if the breach is remediable by repairs or otherwise and the tenant adequately remedies the breach before the date specified in the notice.

(b) If rent is unpaid when due and the tenant fails to pay rent within five (5) days from the date due, the landlord may terminate the rental agreement.

(c)(1) Except as provided in this chapter, the landlord may recover actual damages and obtain injunctive relief, judgments, or evictions in circuit court or district court without posting bond for any noncompliance by the tenant with the rental agreement.

(2) If the tenant's noncompliance is willful other than nonpayment of rent, the landlord may recover reasonable attorney's fees, provided the landlord is represented by an attorney.

(3) If the tenant's nonpayment of rent is not in good faith, the landlord is entitled to reasonable attorney's fees, provided the landlord is represented by an attorney.

18-17-702. Noncompliance affecting health and safety.

(a) If there is noncompliance by the tenant with § 18-17-601 materially affecting health and safety that may be remedied by repair, replacement of a damaged item, or cleaning, and the tenant fails to comply as promptly as conditions require in case of emergency or within fourteen (14) days after written notice by the landlord specifying the breach and requesting that the tenant remedy it within that period of time, the landlord may enter the dwelling unit and cause the work to be done in a workmanlike manner and the tenant shall reimburse the landlord for the cost and, in addition, the landlord shall have the remedies available under this chapter.

(b) If there is noncompliance by the tenant with this subchapter materially affecting health and safety other than as stated in subsection (a), and the tenant fails to comply as promptly as conditions require in case of emergency, or within fourteen (14) days after written notice by the landlord if it is not an emergency, specifying the breach and requesting that the tenant remedy within that period of time, the landlord may terminate the rental agreement.

18-17-703. Remedy after termination.

If the rental agreement is terminated, the landlord has a right to possession and for rent and a separate claim for actual damages for breach of the rental agreement and reasonable attorney's fees.

18-17-704. Periodic tenancy — Holdover remedies.

(a) The landlord or the tenant may terminate a week-to-week tenancy by a written notice given to the other at least seven (7) days before the termination date specified in the notice.

(b) The landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other at least thirty (30) days before the termination date specified in the notice.

(c)(1) If the tenant remains in possession without the landlord's consent after expiration of the term of the rental agreement or its termination, the landlord may bring an action for possession.

(2) If the holdover is not in good faith, the landlord may recover reasonable attorney's fees.

(3) If the tenant's holdover is a willful violation of the provisions of this chapter or the rental agreement, the landlord may also recover an amount not more than three (3) months periodic rent or twice the actual damages sustained by him or her, whichever is greater and reasonable attorney's fees.

(4) If the landlord consents to the tenant's continued occupancy, § 18-17-401(d) applies.

18-17-705. Landlord and tenant remedies for abuse of access.

(a) If the tenant refuses to allow lawful access, the landlord may obtain injunctive relief in district court without posting bond to compel access, or terminate the rental agreement.

(b) In either case the landlord may recover actual damages and reasonable attorney's fees.

18-17-706. Payment of rent into court.

In any action where the landlord sues for possession and the tenant raises defenses or counterclaims pursuant to this chapter or the rental agreement:

(1)(A) The tenant shall pay the landlord all rent which becomes due after the issuance of a written rule requiring the tenant to vacate or show cause as rent becomes due and the landlord shall provide the tenant with a written receipt for each payment except when the tenant pays by check.

(B) Rent must not be abated for a condition caused by the deliberate or negligent act or omission of the tenant, a member of his or her family, or other person on the premises with his or her permission or who is allowed access to the premises by the tenant.

(2) The tenant shall pay the landlord all rent allegedly owed before the issuance of the rule, provided that in lieu of the payment the tenant may be allowed to submit to the court a receipt and cancelled check, or both, indicating that payment has been made to the landlord.

(3)(A) Should the tenant not appear and show cause within ten (10) days, the court shall issue a warrant of ejectment pursuant to this subchapter.

(B)(i) Should the tenant appear in response to the rule and allege that rent due under subsections (1) or (2) has been paid, the court shall determine the issue.

(ii) If the tenant has failed to comply with subsections (1) or (2), the court shall issue a warrant of ejectment and the landlord shall be placed in full possession of the premises by the sheriff, deputy, or constable.

(4) If the amount of rent due is determined at final adjudication to be less than alleged by the landlord, judgment shall be entered for the tenant if he or she has complied fully with the provisions of this section.

18-17-707. Undertaking on appeal and order staying execution.

(a) Upon appeal to the circuit court, the case shall be heard in a manner consistent with other appeals from the circuit court as soon as is feasible after the appeal is docketed.

(b)(1) It is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he or she will pay to the landlord the amount of rent, determined by the court in accordance with § 18-17-808, as it becomes due periodically after the judgment was entered.

(2) Any clerk or circuit judge shall order a stay of execution upon the undertaking.

(c) The undertaking by the tenant and the order staying execution may be substantially in the following form:

State of Arkansas County of _____

Landlord

vs.

Tenant

Bond to Stay

Execution on Appeal to Circuit Court

Now comes the tenant in the above entitled action and respectfully shows the court that a writ of eviction was issued against the tenant and for the landlord on the _____ day of _____, 20____, by the circuit court. Tenant has appealed the judgment.

Pursuant to the findings of the circuit court, the tenant is obligated to pay rent in the amount of \$ _____ per _____, due on the _____ day of each _____.

Tenant undertakes to pay the periodic rent hereinafter due according to the findings of the court and moves the circuit court to stay execution on the writ of eviction until this matter is heard on appeal and decided by the circuit court.

This the _____ day of _____, 20____

Tenant

Upon execution of the bond, execution on the judgment of eviction is stayed until the action is heard on appeal and decided by the circuit court. If tenant fails to make any rental payment within five (5) days of the due date, upon application of the landlord, the stay of execution shall dissolve, the appeal by the tenant to the circuit court on issues dealing with possession must be dismissed and the sheriff may dispossess the tenant.

This the _____ day of _____, 20____

Judge

(d) If the tenant fails to make a payment within five (5) days of the due date according to the undertaking and order staying execution, the clerk, upon application of the landlord, shall issue a writ of eviction to be executed pursuant to § 18-17-904.

(e)(1)(A) Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a writ of eviction that the tenant sign an undertaking that he or she will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered.

(B) The judge of the court having jurisdiction shall order stay of execution upon the undertaking.

(2) The tenant's failure to comply with the terms of the undertaking entitles the landlord to execution of the judgment for possession in accordance with the provisions of subsection (e) of this section.

SUBCHAPTER 8 — MISCELLANEOUS

18-17-801. Severability.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of this chapter which may be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

18-17-802. Prior transactions.

Transactions entered into before the effective date of this chapter, and not extended or renewed on or after that date, and the rights, duties, and interests flowing from them remain valid and may be terminated, completed, consummated, or enforced as required or permitted by any statute or other law amended or repealed by this chapter as though the repeal or amendment had not occurred.

SUBCHAPTER 9 — EVICTION PROCEEDINGS

18-17-901. Grounds for eviction of tenant.

(a) A landlord or his or her agent may begin eviction proceedings against a tenant when:

(1) The tenant fails or refuses to pay the rent when due or when demanded;

(2) The term of tenancy or occupancy has ended, or

(3) The terms or conditions of the lease have been violated.

(b) For residential rental agreements, nonpayment of rent within five days of the date due constitutes legal notice to the tenant that the landlord has the right to begin eviction proceedings under this chapter.

18-17-902. Eviction proceeding.

(a)(1) Upon the occurrence of the grounds for eviction of a tenant under this subchapter, a landlord or his or her agent may file with a court having jurisdiction an affidavit of eviction which specifies the grounds for the eviction.

(2) The fee for filing an affidavit of eviction shall be twenty-five dollars (\$25.00).

(b) Upon the filing by the landlord or his or her agent or attorney of an affidavit of eviction, the court shall issue an order requiring the tenant to vacate the occupied premises or to show cause why he or she should not be evicted before the court within ten (10) days after service of a copy of the order upon the tenant.

18-17-903. Service of rule — Posting and mailing requirements.

(a) The copy of the order under § 18-17-902 may be served in the manner as is provided by law for the service of the summons in actions pending in the circuit court of this State.

(b)(1) When no person is found in possession of the premises, the copy of the notice may be served by leaving it affixed to the most conspicuous part of the premises; and

(2)(A) When service as provided in subdivision (b)(1) has been attempted unsuccessfully, a copy of the order may be served by affixing it to the most conspicuous part of the premises and mailing a copy of the notice.

(B) On the first unsuccessful attempt to serve the order, a copy of the notice shall be affixed to the most conspicuous part of the premises.

18-17-904. Tenant ejected on failure to show cause.

If the tenant fails to appear and show cause within the ten (10) days, the court shall issue an writ of eviction and the tenant shall be evicted by the sheriff of the county.

18-17-905. Trial of issue.

If the tenant appears and contests eviction, the court shall hear and determine the case as any other civil case.

18-17-906. Designation of parties in eviction.

In any trial before the circuit in an eviction case the landlord may be designated as plaintiff and the tenant as defendant.

18-17-907. Effect of verdict for plaintiff.

If the verdict is for the plaintiff the court shall within three (3) days issue a writ of eviction and the tenant shall be evicted by the sheriff of the county.

18-17-908. Effect of verdict for defendant.

If the verdict is for the defendant then the tenant shall remain in possession until:

(1) The termination of his or her tenancy by agreement or operation of law;

(2) Failure or neglect to pay rent; or

(3) Eviction in another proceeding under this chapter or by the judgment of a court of competent jurisdiction.

18-17-909. Appeal.

Either party may appeal in an eviction case and the appeal shall be heard and determined as other appeals in civil cases.

18-17-910. Bond required to stay eviction on appeal.

(a) An appeal in an eviction case will not stay eviction unless at the time of appealing the tenant shall give an appeal bond as in other civil cases for an amount to be fixed by the court and conditioned for the payment of all costs and damages which the landlord may sustain.

(b) If the tenant fails to file the bond within five (5) days after service of the notice of appeal the appeal shall be dismissed.

18-17-911. Accrual of rent after institution of proceedings.

(a) After the commencement of eviction proceedings by the issuance of a rule to vacate or to show cause as provided, the rental for the use and occupancy of the premises involved shall continue to accrue so long as the tenant remains in possession of the premises, at the rate as prevailed immediately before the issuance of the rule, and the tenant shall be liable for the payment of the rental, the collection of which may be enforced by distress as provided with respect to other rents.

(b) The acceptance by the landlord of any rent, whether it shall have accrued at the time of issuing the rule or shall subsequently accrue, shall not operate as a waiver of the landlord's right to insist upon eviction, nor as a renewal or extension of the tenancy, but the rights of the parties as they existed at the time of the issuance of the rule shall control.

18-17-912. Commercial leases.

(a) In any action involving a commercial lease where the landlord sues for possession and the tenant raises defenses or counterclaims pursuant to this chapter or the lease agreement:

(1) The tenant shall pay the landlord all rent which becomes due after the issuance of a written rule requiring the tenant to vacate or show cause as rent becomes due and the landlord shall provide the tenant with a written receipt for each payment except when the tenant pays by check; and

(2)(A) The tenant shall pay the landlord all rent allegedly owed before the issuance of the rule.

(B) However, in lieu of the payment the tenant may be allowed to submit to the court a receipt and cancelled check, or both, indicating that payment has been made to the landlord.

(b)(1) If a jury trial is requested and upon motion of either party or upon his or her own motion, the circuit judge may order that the commercial lease eviction case be heard at the next term of court following the tenant's appearance.

(2) If the amount of rent is in controversy, the court shall preliminarily determine the amount of rent to be paid to the landlord.

(3)(A) If the tenant appears in response to the rule and alleges that rent due as provided by § 18-17-911 and this section has been paid, the court shall determine the issue.

(B) If the tenant has failed to comply with § 18-17-911 and this section, the court shall issue a writ of eviction and the landlord must be placed in full possession of the premises by the sheriff, deputy, or constable.

(4) If the amount of rent due is determined at final adjudication to be less than alleged by the landlord, judgment shall be entered for the tenant if the court determines that the tenant has complied fully with the provisions of § 18-17-911, this section, and the lease agreement.

(5) If the court orders that the tenant pay all rent due and accruing as of and during the pendency of the action as provided by this subchapter, the writ may require the payments to be made:

(A) Directly to the commercial landlord or to the clerk of court, to be held until final disposition of the case; or

(B)(i) Through the circuit judge's office.

(ii) If payments are to be made through the circuit judge's office, a fee of three percent (3%) of the rental payment shall be added to the amount paid through the office and the fee of three percent (3%) shall be retained in the circuit judge's office to defray the costs of collection.

(c) If the tenant fails to make a payment as provided in § 18-17-911 and this section, the tenant's failure to comply entitles the landlord to execution of the judgment for possession and, upon application of the landlord, the circuit judge shall issue a writ of eviction and the landlord shall be placed in full possession of the premises by the sheriff, deputy, or constable.

18-17-913. Execution of writ of eviction.

(a) In executing a writ of eviction, the sheriff shall proceed to the premises, present to the occupants a copy of the writ and give the occupants twenty-four (24) hours to vacate voluntarily.

(b) If the occupants refuse to vacate within twenty-four (24) hours or the premises appear unoccupied, the sheriff shall announce his or her identity and purpose.

(c) If necessary, the sheriff may then enter the premises by force, using the least destructive means possible, in order to effectuate the eviction.

(d) If the premises appear to be occupied and the occupant does not respond, the sheriff shall leave a copy of the writ taped or stapled at each corner and attached at the top of either the front or back door or in the most conspicuous place.

(e) Twenty-four (24) hours following the posting of the writ, if the occupants have not vacated the premises voluntarily, the sheriff may then enter the premises by force, using the least destructive means possible, in order to effectuate the eviction.

SECTION 2. Arkansas Code § 18-16-102 is repealed.

~~18-16-102. Lessee unlawfully collecting from subtenant -- Penalty.~~

~~(a)(1) It shall not be lawful for anyone who has leased any lands from one (1) or more persons and sublet any portion thereof to others to take or collect any rent from the subtenant before final settlement with the landlord without first having obtained from the landlord or his or her agent and delivered to the subtenant a written direction stating the amount of rent authorized to be collected from the subtenant.~~

~~(2) If, afterward, the principal tenant shall fail to pay to the landlord his or her rent due, the amount paid by the subtenant upon the written direction shall be deducted from the pro rata amount of rent for which the land cultivated by the subtenant would otherwise be liable to the landlord under existing laws.~~

~~(b)(1) Every principal tenant or his or her agent who without first having paid or settled with the landlord or produced and delivered the written directions as stated in subsection (a) of this section, shall collect or attempt to collect any rent from any subtenant shall be deemed guilty of a misdemeanor.~~

~~(2) Upon conviction, he or she shall be punished by fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500) or by imprisonment not exceeding six (6) months, or by both fine and imprisonment.~~

SECTION 3. Arkansas Code § 18-16-103 is repealed.

~~18-16-103. Rent collection by personal representative of life tenant.~~

~~The executor or administrator of any tenant for life who shall have demised any lands or tenements so held and shall die on or before the day when any rent on the demise shall become payable may recover:~~

~~(1) If the tenant for life dies on the day the rent becomes due, the whole rent; or~~

~~(2) If he or she dies before the day on which the rent becomes due, the proportion of the rent as shall have accrued before his or her death.~~

SECTION 4. Arkansas Code § 18-16-105 is repealed.

~~18-16-105. Termination of oral lease of farmlands.~~

~~The owner of farmlands which are leased under an oral agreement may elect not to renew the oral rental or lease agreement for the following calendar year by giving written notice by certified registered mail to the renter or lessee, on or before June 30, that the lease or rental agreement will not be renewed for the following calendar year.~~

SECTION 5. Arkansas Code § 18-16-106 is repealed.

~~18-16-106. Holding over after termination of term.~~

~~(a) If any tenant for life or years, or if any other person who may have come into possession of any lands and tenements under, or by, collusion with the tenant, shall willfully hold over after the termination of the term and thirty (30) days' previous notice in writing given, requiring the possession thereof by the person entitled thereto, the person so holding over shall pay to the person so kept out of possession double the yearly rent of the lands or tenements so detained for all the time he or she shall keep the person entitled thereto out of possession.~~

~~(b) There shall be no relief in equity against any recovery had at law under subsection (a) of this section.~~

SECTION 6. Arkansas Code § 18-16-107 is repealed.

~~18-16-107. Failure to quit after notice of intention.~~

~~(a) If any tenant shall give notice in writing of his or her intention to quit the premises held by him or her at a time specified in the notice and shall not deliver up the possession thereof at such time, the tenant, his or her executor or administrator, shall henceforth pay to the landlord, his or her heirs or assigns, double the rent reserved during all the time the tenant shall so continue in possession of the premises.~~

~~(b) The double rent may be recovered by a civil action in any court having jurisdiction thereof.~~

SECTION 7. Arkansas Code § 18-16-111 is repealed.

~~18-16-111. Manufactured homes and mobile homes on leased land.~~

~~(a) As used in this section:~~

~~(1) "Lessee" means the person or persons leasing the property, site, or lot where a manufactured home or mobile home is located;~~

~~(2) "Lessor" means the owner or manager of the property, site, or lot where a manufactured home or mobile home is located; and~~

~~(3) "Unoccupied" means that a manufactured home or mobile home has ceased to be a customary place of habitation or abode and no person is living or residing in it.~~

~~(b)(1) When a manufactured home or mobile home on a leased site is unoccupied and the lease or rental payment for the leased site where the mobile home or manufactured home is located is sixty (60) days or more past due, the lessor shall notify the lessee and the lienholder, if the lienholder is not the lessee or occupant of the manufactured home or mobile home, that the manufactured home or mobile home is unoccupied and that the lease or rental payment is past due.~~

~~(2) The notice shall be in writing and delivered by certified mail and shall include the following information if known or readily available to the lessor:~~

~~(A) The lessor's name and mailing address;~~

~~(B) The lessee's name and last known mailing address;~~

~~(C) The lienholder's name and mailing address;~~

~~(D) The street address or physical location of the manufactured home or mobile home;~~

~~(E) The monthly lease payment amount;~~

~~(F) The serial number of the manufactured home or mobile home; and~~

~~(G) A description of the manufactured home or mobile home, including the make, model, year, dimensions, and any identification numbers or marks.~~

~~(3) In the notice required in subdivision (b)(1) of this section, the lessor shall notify the lienholder that unless the manufactured home or mobile home is removed from the leased site within thirty (30) days from the date the lienholder receives the notice, the manufactured home or mobile home shall be subject to a lien in favor of the lessor for the payment of all lease or rental payments accruing from the date the lienholder received the notice.~~

~~(c)(1) Unless the lienholder is prevented by law from removing the manufactured home or mobile home, the lienholder has thirty (30) days to remove the manufactured home or mobile home before the lienholder shall be held responsible for lease or rental payments accruing from the date the lienholder received the notice.~~

~~(2) If the lienholder fails to remove the manufactured home or mobile home within thirty (30) days, the manufactured home or mobile home shall be subject to a lien in favor of the lessor for the payment of all lease or rental payments beginning on the date that the notice is received by the lienholder in an amount equal to the monthly lease or rental payments contained in the notice.~~

~~(d) Nothing in this section shall obligate the lienholder for any lease or rental payments owed while the lessee occupied the manufactured home or mobile home or any other lease or rental payments due prior to the notification of the lienholder, as required by subsection (b) of this section.~~

~~(e) Nothing in this section shall prevent the lessor from holding the lessee responsible for any unpaid lease or rental payments.~~

SECTION 8. Arkansas Code § 18-16-201 is repealed.

~~18-16-201. Ejectment for nonpayment of rent.~~

~~(a) Whenever a half-year's rent or more is in arrears from a tenant, the landlord, if he or she has a subsisting right by law to reenter for the nonpayment of the rent, may bring an action of ejectment to recover the possession of the demised premises.~~

~~(b) If a summons in the action cannot be served in the ordinary mode provided by law, it may be served by affixing a copy thereof on a conspicuous part of the demised premises, where it may be conveniently read.~~

~~(c) The service of the summons in such an action of ejectment shall be deemed and stand instead of a demand of the rent in arrears and of a reentry on the demised premises.~~

~~(d) If on the trial of the action it is proved or upon judgment by default it appears to the court by affidavit that the plaintiff had a right to commence the action according to the provisions of this section, then he or she shall have judgment to recover the possession of the demised premises and costs of suit.~~

~~(e) If the defendant, before judgment is given in the action, either tenders to the landlord or brings into court where the suit is pending all the rent then in arrears and all costs, all further proceedings in the action shall cease.~~

~~(f) If the rent and costs remain unpaid for six (6) months after execution upon such a judgment in ejectment is executed and no complaint for relief in equity is filed within that time, then the lessee and his or her assigns, and all other persons deriving title under the lease from the lessee, shall be barred from all relief in law or equity, except for error in the record or proceedings, and the landlords shall henceforth hold the demised premises discharged from the lease.~~

~~(g) A mortgagee of the lease not in possession of the demised premises who, within six (6) months after execution of any judgment in ejectment is executed, shall pay all rent in arrears, pay all costs and charges incurred by the landlord, and perform all the agreements which ought to be performed by the first lessee shall not be affected by the recovery in ejectment.~~

SECTION 9. Arkansas Code § 18-16-202 is repealed.

~~18-16-202. Duty of tenant to notify landlord.~~

~~Every tenant on whom a summons in ejectment to recover the tenements by him or her held shall be served shall forthwith give notice thereof to the person, or the agent of the person, of whom the tenant holds.~~

SECTION 10. Arkansas Code § 18-16-203 is repealed.

~~18-16-203. Actions for use and occupation.~~

~~(a) A landlord may recover in a civil action a reasonable satisfaction for the use and occupation of any lands and tenements held by any person under an agreement not made by deed.~~

~~(b) If a parol demise or other agreement not by deed, by which a certain rent is reserved, appears in evidence on the trial of the action, the plaintiff shall not on that account be barred from a recovery but may make use thereof as evidence of the amount of damages to be recovered.~~

~~(c) When lands or tenements are held and occupied by any person without any special agreement for rent, the owner of the lands or tenements, or his or her executor or administrator, may sue for and recover a fair and reasonable compensation for the use and occupation by a civil action in any court having jurisdiction thereof.~~

SECTION 11. Arkansas Code § 18-16-204 is repealed.

~~18-16-204. Remedy when lease for life.~~

~~Any person having any rent due upon any lease for life may have the same remedy by action for the recovery thereof as if the lease was for years.~~

SECTION 12. Arkansas Code § 18-16-205 is repealed.

~~18-16-205. Recovery of rent in arrears due decedent.~~

~~(a) Every person entitled to any rent dependent upon the life of any other may notwithstanding the death of the other person have the same remedy by action for the recovery of all arrears of the rent that may be due and unpaid at the death of the person as he or she might have if the person were still living.~~

~~(b) Every person having in right of his wife any freehold estate in any rents may, if the rent is due and unpaid at the time of his wife's death, have the same remedy by action for the recovery of the arrears as he might have if the wife were still living.~~

~~(c) The executor or administrator of any person to whom any rent shall have been due and unpaid at the time of the death of the person may have the same remedy, by action against the tenant, or his or her executor or administrator, for the recovery thereof that the testator or intestate might have had.~~

SECTION 13. Arkansas Code Title 18, Chapter 16, Subchapter 5 is repealed.

~~18-16-501. Common nuisance - Criminal offense.~~

~~Any tenant who uses or allows another person to use the tenant's leased premises as a common nuisance as defined by § 5-74-109(b) or § 16-105-402 or for a criminal offense as identified in § 18-16-502 may be evicted by the prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner pursuant to the provisions of this subchapter.~~

~~18-16-502. Gambling - Prostitution - Alcohol.~~

~~For purposes of this subchapter, any tenant who engages in or allows another person to engage in gambling, as defined by § 5-66-107, in prostitution, as defined by § 5-70-102, or in the unlawful sale of alcohol, as defined by § 3-3-205, on the tenant's leased premises shall be subject to the eviction procedures established by this subchapter.~~

~~18-16-503. Complaint.~~

~~The prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner may file a complaint in the office of the clerk of the circuit court for the eviction of any tenant who has used or has allowed another person to use the tenant's leased premises for use as a common nuisance, as defined by § 5-74-109(b) or § 16-105-402, or for a criminal offense, as identified in § 18-16-502.~~

~~18-16-504. Form of complaint.~~

~~The complaint shall state the name of the tenant or tenants to be evicted, the location of the leased premises, and the basis for which eviction is authorized under this subchapter.~~

~~18-16-505. Summons - Notice.~~

~~Upon the filing of a complaint under this subchapter, the clerk of the court shall issue a summons upon the complaint. The summons shall be in customary form directed to the sheriff of the county in which the cause of action is filed, with direction for service thereof on the named defendants. In addition, the court shall issue and direct the sheriff to serve upon the named defendants a notice in the following form:~~

~~"NOTICE OF INTENTION TO EVICT FOR CRIMINAL ACTIVITY~~

~~You are hereby notified that the attached complaint in the above-styled cause claims that you have engaged in or have allowed the property described in the above-mentioned complaint to be used for criminal activity and that the plaintiff is entitled to have you evicted pursuant to state law. If, within five (5) days, excluding Sundays and legal holidays, after the date of service of this notice, you have not filed in the office of the circuit clerk of this county a written objection to the claims made against you by the plaintiff in his or her complaint for eviction, then a writ of ejectment shall forthwith issue from this office directed to the sheriff of this county or to the police chief of the city and ordering him or her to remove you from possession of the property described in the complaint. If you should file a written objection to the complaint of the plaintiff and the allegations for immediate possession of the property described in the complaint within five (5) days, excluding Sundays and legal holidays, after the date of service of this notice, a hearing will be scheduled by the circuit court of this county after you have timely answered to determine whether or not the writ of ejectment should issue as sought by the plaintiff.~~

~~.....~~
Circuit Clerk of County"

~~18-16-506. Written objection.~~

~~(a) If, within five (5) days, excluding Sundays and legal holidays, following service of this summons, complaint, and notice seeking a writ of ejectment against the defendants named therein, the defendant or defendants have not filed a written objection to the claim for a writ of ejectment made by the plaintiff in his or her complaint, the clerk of the circuit court shall immediately issue a writ of ejectment directed to the sheriff of the county or the police chief of the city commanding him or her to cause the defendant or defendants to vacate the property described in the complaint without delay, which the sheriff or police chief shall thereupon execute in the manner described in § 18-16-507.~~

~~(b)(1) If a written objection to the claim of the plaintiff for a writ of ejectment shall be filed by the defendant or defendants within five (5) days after the date of service of the notice, summons, and complaint as provided for in this section, the plaintiff shall obtain a date for the hearing of the plaintiff's demand for a writ of ejectment of the property described in the complaint after the defendants have timely answered the complaint.~~

~~(2)(A) If such a hearing is required, at the hearing the plaintiff shall present evidence sufficient to make a prima facie case of the criminal activity that has been facilitated at the property described in the complaint.~~

~~(B) The defendant or defendants shall be entitled to present evidence in rebuttal thereof.~~

~~(3) If the court decides upon all the evidence that the plaintiff is entitled to a writ of ejectment under state law, then the court shall order the clerk forthwith to issue a writ of ejectment to the sheriff or the police chief of the city to evict the defendant or defendants, as provided for in § 18-16-507.~~

~~18-16-507. Writ of ejectment.~~

~~(a) Upon receipt of a writ of ejectment from the clerk of the circuit court, the sheriff or police chief shall immediately proceed to execute the writ in the specific manner described in this section and, if necessary, ultimately by ejecting from the property described in the writ the defendant or defendants and any other person or persons who shall have unlawfully received or entered into the possession of the property after the issuance of the writ, and thereupon notify the plaintiff that the property has been vacated by the defendant or defendants.~~

~~(b)(1) Upon receipt of the writ, the sheriff or police chief shall notify the defendant of the issuance of the writ by delivering a copy thereof to the defendant or to any person authorized to receive summons in civil cases and in like manner.~~

~~(2) If, within eight (8) hours after receipt of the writ of possession, the sheriff or police chief shall not find any such person at his or her normal place of residence, he or she may serve the writ of possession by placing a copy conspicuously upon the front door or other structure of the property described in the complaint, which shall have like effect as if delivered in person pursuant to the terms hereof.~~

~~(c)(1)(A) If, at the expiration of twenty-four (24) hours after the service of the writ of ejectment in the manner indicated, the defendants or any or either of them shall be and remain in possession of the property, the sheriff or police chief shall notify the plaintiff or his attorney of that fact and shall be provided with all labor and assistance required by him or her in removing the possessions and belongings of the defendants from the affected property to a place of storage in a public warehouse or in some other reasonable safe place of storage under the control of the plaintiff until the defendant or defendants may recover the property within seven (7) business days.~~

~~(B) Before recovering the property, the defendant or defendants shall pay for the reasonable cost of storage.~~

~~(2) If the defendant or defendants shall never recover the property as provided in subdivision (c)(1) of this section, then the court shall order the possessions and belongings of the defendant sold by the plaintiff in a commercially reasonable manner with the proceeds of the sale applied first to the cost of storage, second to any monetary judgment in favor of the plaintiff, and third, to the defendant any excess.~~

~~(d) In executing the writ of ejectment, the sheriff or police chief shall have the right forcibly to remove all locks or other barriers erected to prevent entry upon the premises in any manner which he or she deems appropriate or convenient and, if necessary, physically to restrain the defendants from interfering with the removal of the defendants' property and possessions from the property described in the writ of ejectment.~~

~~(e) If the plaintiff is the city attorney or prosecuting attorney, no bond shall be required. If the plaintiff is the landlord, no bond shall be required, unless ordered to do so by the court, as a condition to the execution of a writ granted prior to the date that an answer is to be filed by the defendant or defendants.~~

~~(f) The sheriff or police chief shall return the writ at or before the return date of the writ and shall state in his or her return the manner in which he or she executed the writ and whether or not the defendant or defendants have been ejected from the property described and, if not, the reason for his or her failure to do so.~~

~~18-16-508. Costs and attorney's fees -- Damages.~~

~~(a)(1) A court granting relief under this subchapter may order, in addition to any other costs provided by law, the payment by the defendant or defendants to the plaintiff reasonable attorney's fees and the costs of the action. In such cases, multiple defendants are jointly and severally liable for any payment so ordered.~~

~~(2) Any costs of attorney's fees collected from the defendants shall be remitted to the plaintiff. If the plaintiff is the city attorney, the costs shall be remitted to the general fund of the city. If the plaintiff is the prosecuting attorney, the costs shall be remitted to the general fund of the county.~~

~~(b) A proceeding brought under this subchapter for eviction of the defendant or defendants of the premises does not preclude the owner or landlord from recovering monetary damages for rent, repairs, or any other incidental damages up to the date of eviction from the tenants or occupants of such premises in a civil action."~~

/s/ Robbie Wills

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. 1114** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1114

Amend **HOUSE BILL NO. 1114** as originally introduced:

Page 2, delete lines 3, 4 and 5 in their entirety and substitute the following:

"(1)	9854	DIRECTOR OF PHARMACY	1	\$128,249	\$130,814
(2)	7170	ASSISTANT PHARMACY DIRECTOR	1	\$113,333	\$115,600
(3)	9853	PHARMACIST II	3	\$107,234	\$109,378"

/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. 1551** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1551

Amend **HOUSE BILL NO. 1551** as engrossed,

H3/9/07 (version: 03-09-2007 10:59):

Page 2, delete lines 5 through 31 and insert therefor:

" ARKANSAS BIOSCIENCES INSTITUTE

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(1) Exec Director, Biosciences Institute	1	\$153,323	\$156,389
(2) Director, Research & Tech Transfer	1	\$143,738	\$146,613
(3) Asst Director, Biosciences Institute	1	\$80,900	\$82,518
(4) Project/Program Administrator	6		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(5) Research Assistant	6	\$52,133	\$53,176

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(6) Accounting Supervisor I	1	GRADE 20	
(7) Plant Maintenance Coordinator	1	GRADE 20	
(8) Accountant	2	GRADE 18	
(9) Administrative Assistant II	1	GRADE 17	
(10) Skilled Trades Worker	2	GRADE 17	
(11) Accounting Tech II	1	GRADE 15	
(12) Laboratory Coordinator	1	GRADE 15	
(13) Administrative Secretary	3	GRADE 14	
(14) Greenhouse Technician	1	GRADE 14	
(15) Custodial Worker II	2	GRADE 04	

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(16) Faculty	14		
Research Professor		\$140,799	\$143,615
Research Associate Professor		\$133,037	\$135,698
Research Assistant Professor		\$125,612	\$128,124
Research Instructor		\$86,428	\$88,157

(17) Research Associate	6	\$87,080	\$88,822
(18) Research Graduate Assistant	<u>6</u>	\$33,970	\$34,649
MAX. NO. OF EMPLOYEES	56";		

Page 3, line 1 replace "twenty (20)" with "fifty (50)";

Page 3, line 15 replace "1,000 1,000" with "51,000 51,000";

Page 3, line 23 replace "\$ 2,898,281 \$ 2,940,525" with "\$ 2,948,281 \$ 2,990,525".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wells, **HOUSE BILL NO. 1801** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1801

Amend **HOUSE BILL NO. 1801** as originally introduced:

Add Senators Lavery and Womack as cosponsors of the bill

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 12 is amended to add an additional chapter to read as follows:

12-17-101. Definitions.

As used in this chapter:

(1) "Drug crime" means a misdemeanor or felony criminal offense prosecuted in district court or circuit court that violates:

(A) Any provision of the Uniform Controlled Substances Act, § 5-64-401 et seq., or any solicitation, attempt, or conspiracy to violate the Uniform Controlled Substances Act;

(B) Any criminal violation of state law, or any solicitation, attempt, or conspiracy to violate state law, committed for the purpose of unlawfully acquiring, obtaining, manufacturing, purchasing, procuring, possessing, distributing, delivering, shipping, or transporting controlled substances, prescription drugs, drug paraphernalia, or precursor chemicals or components used to manufacture controlled substances;

(C) Any criminal violation of state or federal law, or any solicitation, attempt, or conspiracy to violate state or federal law involving the use or possession of any fraudulent, falsified, forged, or altered identification card or document evidencing the identity of an individual, issued or purportedly issued by any state, federal, or foreign government, for the purpose of unlawfully acquiring, obtaining, manufacturing, purchasing, procuring, possessing, distributing, delivering, shipping or transporting controlled substances, prescription drugs, drug paraphernalia, precursor chemicals or components used to manufacture controlled substances;

(D) Any criminal violation of state or federal law, or any solicitation, attempt, or conspiracy to violate state or federal law, for the purpose of committing any act which constitutes money laundering, as defined by § 5-42-204, of proceeds and profits related to violations of the Uniform Controlled Substances Act, § 5-64-401 et seq.; or

(E) Any criminal violation of state or federal law or any solicitation, attempt, or conspiracy thereof, involving any firearm, deadly weapon, or explosive device used, or possessed with intent to use:

(i) To enforce or facilitate any criminal act defined under the Uniform Controlled Substances Act, § 5-64-401 et seq.; or

(ii) To commit a criminal offense defined by Arkansas law which intimidates, threatens, injures, maims, or kills any law enforcement officer, prosecutor, judicial officer, or any other court official, witness, informant, or juror, involved in the investigation or prosecution of any violation of the Uniform Controlled Substances Act, § 5-64-401 et seq.;

(2) "Investigate" means any law enforcement activities directed toward drug crimes, including without limitation prevention, eradication, investigation, and interdiction;

(3) "Law enforcement agency" means:

(A) Any sheriff's office of any county in this state;

(B) Any municipal police department of an organized city or town within this state; and

(C) The Department of the Arkansas State Police:

(4) "Multi-jurisdictional drug crime task force" means an association consisting of a minimum of two (2) law enforcement agencies and one (1) prosecuting attorney acting by agreement to jointly investigate and prosecute drug crimes in a defined geographic area or judicial district; and

(5) "Prosecuting attorney" means the elected prosecuting attorney for any judicial district, including without limitation appointed deputies and investigators.

12-17-102. State Drug Crime Enforcement and Prosecution Grant Fund established.

(a) There is hereby established and created on the books of the Chief Fiscal Officer of the State, Treasurer of State, and Auditor of State a special revenue fund to be known as the State Drug Crime Enforcement and Prosecution Grant Fund for the purpose of funding state grant awards for multi-jurisdictional drug crime task forces to investigate and prosecute drug crimes within the State of Arkansas.

(b) The fund shall consist of:

(1) Revenues generated under § 12-17-106; and

(2) Any moneys authorized by the General Assembly.

12-17-103. Grant application and administration process.

(a) The Department of Finance and Administration shall develop and promulgate grant applications under this chapter and upon the recommendations of the Arkansas Alcohol and Drug Abuse Coordinating Council.

(b) The department shall administer all grant awards and expenditures under this chapter by the multi-jurisdictional drug crime task forces under applicable state and federal law.

12-17-104. Determination of grant awards.

The Arkansas Alcohol and Drug Abuse Coordinating Council shall:

(1) Develop and promulgate by rule criteria for the grant applications and awards process under this chapter;

(2) Review all grant applications under this chapter;

(3) Determine which applicant or applicants should receive grant awards under this chapter; and

(4) Retain oversight of all grant expenditures under this chapter.

12-17-105. Matching funds.

(a) Any multi-jurisdictional drug crime task force receiving a grant award under this chapter shall contribute local matching funds in an amount not less than twenty percent (20%) of the total grant award.

(b) The source of local matching funds shall be from county or municipal general revenue appropriations or authorized drug control fund disbursements of any participating multi-jurisdictional drug crime task force member agency.

(c) The Department of Finance and Administration shall restrict distribution of any grant award to a drug crime task force if it is determined that local matching funds are not appropriated or available.

12-17-106. Drug crime special assessment.

(a) There is hereby established a drug crime special assessment to be levied by the district court or circuit courts of this State in the sum of one hundred twenty-five dollars (\$125) against any person who is convicted of, or enters a plea of guilty or nolo contendere to, any felony or misdemeanor offense the court determines to be a drug crime.

(b) The special assessment shall be collected by the entity or office designated to collect fines and costs within the jurisdiction.

(c) All special assessments collected shall be paid to the treasurer of the applicable city or county and transmitted to the Department of Finance and Administration for deposit into the State Drug Crime Enforcement and Prosecution Grant Fund.

12-17-107. Specific use of grant awards.

(a) Grant awards under this chapter shall be used specifically for:

- (1) Salaries;
- (2) Personal services matching;
- (3) Overtime;
- (4) Maintenance and general operations;
- (5) Evidentiary purchases of controlled substances or information;
- (6) Informant and witness compensation;
- (7) Rent;
- (8) Utilities;
- (9) Telecommunications;
- (10) Fuel;
- (11) Vehicle maintenance and repair;
- (12) In-state training; and
- (13) Travel expenses.

(b) Each grant award shall specifically provide for accounting and fiscal officer services.

(c) No grant awards shall be used for capital outlay or equipment purchases that exceed a cost of one thousand five hundred dollars (\$1,500) per item.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

General Assembly of the State of Arkansas that law enforcement officials throughout the state require increased resources to combat drug crimes; that this act provides needed financial relief and will escalate efforts throughout the state to prevent the use and spread of drugs; and that this act should become effective as soon as possible to effectuate its intent. 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/ John Paul Wells

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. 1833** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1833

Amend **HOUSE BILL NO. 1833** as engrossed,

H3/1/07 (version: 03-01-2007 10:20):

Page 2, line 2 delete "\$3,000,000" and substitute "\$5,000,000";

AND

Page 2, line 8 following "Development" insert "and such grants shall be equally distributed to Senior Citizens Centers".

/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. 1845** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1845

Amend **HOUSE BILL NO. 1845** as engrossed,

H3/14/07 (version: 03-14-2007 10:08):

Page 1, line 26, delete "Arkansas Alternative Fuels Development Fund" and substitute "Department of Agriculture Fund Account"

And

Page 2, line 3, delete "twenty two million dollars (\$22,000,000)" and substitute "eleven million dollars (\$11,000,000)"

And

Page 2, insert an additional SECTION immediately following SECTION 2 to read as follows:

" SECTION 3. APPROPRIATION. ALTERNATIVE FUELS DEVELOPMENT GRANTS. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the Alternative Fuels Development Fund, for Alternative Fuels Development Program Grants and Aid for the biennial period ending June 30, 2009, the sum of\$11,000,000."

And

Appropriately renumber the subsequent SECTIONS of the bill.

/s/ Benny C. Petrus

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. 1957** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1957

Amend **HOUSE BILL NO. 1957** as originally introduced:

By adding Senators Wilkins and Glover as Co-sponsors to the bill.

/s/ Robert Moore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cash, **HOUSE BILL NO. 2005** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2005

Amend **HOUSE BILL NO. 2005** as originally introduced:

By adding Representatives Petrus, Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burriss, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, D. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, J. Johnson, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt as Co-sponsors to the bill;

AND

By adding a new section immediately after Section 1 to read as follows:

“SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS. The grants authorized in Section 1 of this act shall

be equally distributed to domestic violence shelters as determined by the Arkansas Child Abuse/Rape/Domestic Violence Commission. The Arkansas Child Abuse/Rape/Domestic Violence Commission may adopt rules and regulations to carry out the intent of the General Assembly regarding the grant appropriations authorized in Section 1 of this Act.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.”;

AND

Renumber the sections of the bill accordingly.

/s/ Joan Cash

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

/s/ Ms. Jo Renshaw

Chief Clerk

The House gave Representative Hyde unanimous leave to withdraw **HOUSE BILL NO. 1418**. Recommended Committee study by Revenue and Taxation - House.

The House gave Representative Overbey unanimous leave to withdraw **HOUSE BILL NO. 2725**. Recommended Committee study by City, County and Local Affairs Committee - House.

The House gave Representative L. Smith unanimous leave to withdraw **HOUSE BILL NO. 1530**.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 19, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1114	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1324	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 1339 - TITLE -	BY REPRESENTATIVE D. EVANS
HOUSE BILL NO. 1517	BY REPRESENTATIVE COOK, ET AL
HOUSE BILL NO. 1551	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1630	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 1640	BY REPRESENTATIVE SCHULTE
HOUSE BILL NO. 1650	BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 1801 - TITLE -	BY REPRESENTATIVE WELLS, ET AL
HOUSE BILL NO. 1833	BY REPRESENTATIVE THYER, ET AL
HOUSE BILL NO. 1845	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1957 - TITLE -	BY REPRESENTATIVE MOORE, ET AL
HOUSE BILL NO. 2005 - TITLE -	BY REPRESENTATIVE CASH, ET AL
HOUSE BILL NO. 2268 - TITLE -	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2301 - TITLE -	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2313	BY REPRESENTATIVE SAUNDERS, ET AL
HOUSE BILL NO. 2329	BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2342	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2407	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2494	BY REPRESENTATIVE COOPER
HOUSE BILL NO. 2534	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2540	BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2542	BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2638 - TITLE -	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 2656	BY REPRESENTATIVE WALTERS, ET AL
HOUSE BILL NO. 2676	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2682 - TITLE -	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 2691	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2698	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2703	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2704	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2739	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2759	BY REPRESENTATIVE D. JOHNSON

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2786 BY REPRESENTATIVE SHELBY
HOUSE BILL NO. 2792 - TITLE - BY REPRESENTATIVE J. ROEBUCK, ET AL
SENATE BILL NO. 840 - TITLE - BY SENATOR GLOVER, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1339

BY: REPRESENTATIVE D. EVANS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER; TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1801

BY: REPRESENTATIVES WELLS, L. EVANS, ROGERS, LOVELL, LAMOUREUX, GEORGE, PATTERSON, GASKILL, BURRIS, OVERBEY, KEY, WOODS, PIERCE
BY: *SENATORS LAVERTY, WOMACK*

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CREATING THE STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND FOR THE PURPOSE OF CREATING AND FUNDING MULTI-JURISDICTIONAL DRUG CRIME TASK FORCES; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1957

BY: REPRESENTATIVES MOORE, E. BROWN, CHEATHAM, FLOWERS,
MAXWELL, REEP

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

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR AQUACULTURE FISHERIES LAB UPGRADES AND EXPENSES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2005

BY: REPRESENTATIVES CASH, *PETRUS, 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, L. EVANS, D. EVANS, EVERETT, FLOWERS, GARNER, GASKILL, GEORGE, GLIDEWELL, R. GREEN, GREENBERG, HALL, HARDWICK, HARDY, HARRELSON, HARRIS, HAWKINS, HOUSE, HOYT, D. HUTCHINSON, HYDE, JEFFREY, J. JOHNSON, 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, ROGERS, ROSENBAUM, SAMPLE, SAUNDERS, SCHULTE, SHELBY, L. SMITH, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WALTERS, WEBB, WELLS, WILLS, WOOD, WOODS, WYATT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION FOR STATEWIDE GRANTS TO DOMESTIC VIOLENCE SHELTERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2268

BY: REPRESENTATIVE COOK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE BUREAU OF LEGISLATIVE RESEARCH WITH DIRECT ACCESS TO CERTAIN ELECTRONIC DATABASES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2301

BY: REPRESENTATIVE GREENBERG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO CLARIFY POSSESSION OF HANDGUNS AND CONCEALED HANDGUNS BY LAW ENFORCEMENT OFFICERS; *AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2638

BY: REPRESENTATIVE HARRIS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS; TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2682

BY: REPRESENTATIVES HOYT, HAWKINS, BREEDLOVE

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2008; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2792

BY: REPRESENTATIVES J. ROEBUCK, COOK, BLOUNT

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2007; TO REPEAL THE PROFESSIONAL EDUCATION, DEVELOPMENT, LICENSURE, AND ASSESSMENT BOARD; TO CREATE THE PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER PURPOSES.*

SENATE BILL ENGROSSED AS TITLE AMENDED
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

BY: REPRESENTATIVES ROSENBAUM, 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 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.

Upon motion of Representative Wills, **SENATE BILL NO. 840** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 840

Amend **SENATE BILL NO. 840** as engrossed,

S3/8/07 (version: 03-08-2007 09:36):

Add Representatives Rosenbaum, Wills, 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

HOUSE CONCURRENT RESOLUTION NO. 1036

BY: REPRESENTATIVE BLOUNT

CONGRATULATING THE FORREST CITY MUSTANGS ON WINNING THE 6A EAST CONFERENCE BASKETBALL CHAMPIONSHIP.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

HOUSE RESOLUTION NO. 1024

BY: REPRESENTATIVE SHELBY

PROCLAIMING ORAL AND HEAD AND NECK CANCER AWARENESS
DAY.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51
VOTES.

Morning Hour Expired.

Representative Abernathy moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1731

Amend HOUSE BILL NO. 1731 as originally introduced:

Add Senator Faris as a cosponsor of the bill

/s/ Steve Farris

The Amendment was read and the vote was as follows.

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cash, Cheatham, 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, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, 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, Woods, Wyatt.

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Burris, Chesterfield, L. Evans, Hall, Kenney, King, Pace, Pate, Wood, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative D. Creekmore moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1564

Amend HOUSE BILL NO. 1564 as originally introduced:

Page 4, line 10, delete "§ 5-16-101; and" and substitute "§ 5-16-101, if a felony level offense; and"

AND

Page 4, line 11, delete "§ 5-16-102;" and substitute "§ 5-16-102, if a felony level offense;"

AND

Page 13, delete line 9, and substitute the following:

"(L) Vehicle make, model, color, and license tag number that the sex offender owns, operates, or to which he or she has access;"

AND

Page 14, delete line 34, and substitute the following:

"(L) Vehicle make, model, color, and license tag number that the sexually violent predator owns, operates, or to which he or she has access;"

AND

Page 20, delete line 15, and substitute the following:

"classified as a level 2 offender by the Sex Offender Screening and"

/s/ Mary Anne Salmon

The Amendment was read and 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, 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, 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, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Lamoureux, Pate, Walters, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to concur in the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative W. Lewellen moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1439

Amend HOUSE BILL NO. 1439 as engrossed,

H2/15/07 (version: 02-15-2007 08:56):

Page 1, line 21, delete "sixteen (16)" and substitute "twenty-four (24)"

AND

Page 2, line 9, delete lines 9 through 11 and substitute the following:

"Health and Human Services or his or her designee;

(12) The Director of the Department of Veterans' Affairs or his or her designee;

(13) One (1) member shall be appointed by the Arkansas Chapter of the National Association for Housing and Redevelopment Officials;

(14) One (1) member shall be appointed by the Arkansas Home Builders Association; and

(15) One (1) member shall be appointed from each of the six (6) Continuum of Care organizations serving the homeless in Arkansas.

(c) The task force membership shall consist of at least one (1) representative from each of the four (4) congressional districts in Arkansas."

AND

Page 2, line 12, delete "(c)" and substitute "(d)"

AND

Page 2, line 14, delete "(d)" and substitute "(e)"

AND

Page 2, delete line 16 and substitute the following:

"(f)(1) The members of the taskforce shall select a chair.

(2) The chair shall not be an elected state official or the head of a state agency."

AND

Page 2, line 17, delete "(f)" and substitute "(g)"

AND

Page 2, line 19, delete "(g)" and substitute "(h)"

AND

Page 2, line 21, delete "(h)" and substitute "(i)"

AND

Page 2, line 23, delete "(i)" and substitute "(j)"

/s/ Paul Miller

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, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, 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, 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: Gaskill, Glidewell, Pate, 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 W. Lewellen moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1439

Amend **HOUSE BILL NO. 1439** as engrossed,

S3/5/07 (version: 03-05-2007 14:51):

Delete everything following the enacting clause and substitute the following:

“SECTION 1. NOT TO BE CODIFIED. (a) There is created the Taskforce for the Study of the Homeless.

(b) The taskforce shall be composed of sixteen (16) members as follows:

(1)(A) Three (3) members shall be appointed by the Governor.

(B) One (1) of the members appointed by the Governor shall be a member of the faith community;

(2) Two (2) members shall be appointed by the President Pro Tempore of the Senate;

(3) Two (2) members shall be appointed by the Speaker of the House of Representatives;

(4) One (1) member shall be appointed by the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor;

(5) One (1) member shall be appointed by the Chair of the House Interim Committee on Public Health, Welfare, and Labor;

(6) One (1) member shall be appointed by the Chair of the Senate Interim Committee on City, County, and Local Affairs;

(7) One (1) member shall be appointed by the Chair of the House Interim Committee on City, County, and Local Affairs;

(8) The Director of the Department of Health and Human Services or his or her designee;

(9) The Director of the Division of Aging and Adult Services of the Department of Health and Human Services or his or her designee;

(10) The Director of the Division of Behavioral Health of the Department of Health and Human Services or his or her designee;

(11) The Director of the Division of Health of the Department of Health and Human Services or his or her designee; and

(12) The Director of the Department of Veterans' Affairs or his or her designee.

(c) The terms of the members of the taskforce shall expire on December 31, 2008.

(d) If a vacancy occurs on the taskforce, a successor shall be appointed in the same manner as provided in the initial appointment.

(e) A chair shall be selected by the members of the taskforce.

(f) The chair shall call the first meeting, which shall be held no later than sixty (60) days after the effective date of this act.

(g) The taskforce shall meet no less than quarterly at dates to be determined by the chair.

(h) The members of the taskforce shall serve without compensation and shall not receive per diem, mileage, or stipends.

(i) The taskforce shall receive staff support from the Bureau of Legislative Research.

SECTION 2. NOT TO BE CODIFIED. (a) The taskforce shall:

(1) Collect data to determine the approximate number of homeless persons within the state;

(2) Collect information to ascertain the reasons for becoming homeless;

(3) Assess the needs of the homeless within the state;

(4) Survey the current resources for services for the homeless;

(5) Evaluate the current and future needs for these services;

(6) Determine the programs and services needed to find jobs and homes for the homeless, to provide health care and mental health care to the homeless, to provide rehabilitation services to the homeless who suffer from substance abuse, and to provide the education needed to reduce the number of homeless persons; and

(7) Pursue both public and private funding to further the intent of this act.

(b)(1) The findings and recommendations of the taskforce shall be submitted to the Legislative Council, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

(2) The taskforce shall make its final report along with any recommendations for proposed legislation to the Legislative Council no later than October 1, 2008."

/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, 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, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Medley, Moore, Norton, Overbey, Pace, 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: Adcock, T. Baker, Burkes, Lamoureux, Maxwell, Pate, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1703

BY: REPRESENTATIVE DAVENPORT

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Blount, T. Bradford, E. Brown, J. Brown, Burris, Cheatham, Cook, Cooper, Cornwell, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, George, Hall, Hardwick, Hardy, House, Hyde, J. Johnson, W. Lewellen, Lovell, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Reep, Reynolds, J. Roebuck, Rogers, Saunders, Shelby, L. Smith, Wagner, Webb, Wells, Wood, Wyatt.

Total45

NEGATIVE: Abernathy, Allen, Anderson, Berry, Bond, Breedlove, Burkes, Cash, Chesterfield, D. Creekmore, Dickinson, S. Dobbins, L. Evans, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Harrelson, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, Kenney, Key, Kidd, King, Lamoureux, Lowery, Maloch, M. Martin, Maxwell, Medley, Norton, Pace, Pyle, Ragland, Rainey, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Sumpter, Thyer, Walters, Wills, Woods.

Total51

ABSENT OR NOT VOTING: Adcock, T. Baker, L. Cowling, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative45

Necessary to the passage of the bill.....51

So the Bill failed.

HOUSE BILL NO. 2357

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, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, 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, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: George, Hall, Lowery, Sumpter, 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.

Representative Rogers moved for immediate consideration of **HOUSE BILL NO. 1730**. Motion carried.

HOUSE BILL NO. 1730

BY: REPRESENTATIVE ABERNATHY

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, E. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, Davenport, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Gaskill, George, Glidewell, Hall, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Powers, Ragland, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Thyer, Walters, Wells, Wood, Woods, Wyatt, Mr. Speaker.

Total57

NEGATIVE: Adcock, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Cheatham, Chesterfield, D. Creekmore, Edwards, Garner, R. Green, Greenberg, Hardwick, Hardy, Harrelson, House, Hyde, D. Johnson, J. Johnson, W. Lewellen, Medley, Patterson, Pennartz, Pickett, S. Prater, Pyle, Rainey, Reep, J. Roebuck, L. Smith, Sumpter, Wagner, Webb, Wills.

Total36

ABSENT OR NOT VOTING: T. Baker, Davis, Flowers, Lowery, Pate, Pierce, Schulte.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative57

Necessary to the passage of the bill51

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

Upon motion of Representative Abernathy the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1730**, 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, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Gaskill, George, Glidewell, Hall, Harrelson, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, Powers, Pyle, Ragland, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Stewart, Sullivan, Thyer, Walters, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total67

NEGATIVE: Blount, Cheatham, Chesterfield, Edwards, Flowers, Garner, R. Green, Greenberg, Hardwick, Hardy, House, Hyde, D. Johnson, J. Johnson, W. Lewellen, Medley, Pennartz, Pickett, Pierce, S. Prater, Rainey, Reep, J. Roebuck, Shelby, L. Smith, Wagner, Webb.

Total27

ABSENT OR NOT VOTING: Berry, Bond, D. Creekmore, Lowery, Pate, Sumpter.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative67

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Upon motion of Representative Abernathy the Clincher motion prevailed.

HOUSE BILL NO. 2340

BY: REPRESENTATIVE LAMOUREUX

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, Davis, Dickinson, S. Dobbins, Dunn, Edwards, 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, Patterson, Pennartz, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total88

NEGATIVE: Cornwell, L. Cowling, D. Creekmore, Davenport, Pyle, Thyer.

Total6

ABSENT OR NOT VOTING: D. Evans, Hardwick, Pate, Pickett, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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. 2441

BY: REPRESENTATIVE MALOCH

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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, 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, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Key, Pace, Pickett, Sumpter, 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. 2249

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, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burris, Cash, Cheatham, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Overbey, Pate, Patterson, 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, Wyatt.

Total81

NEGATIVE: E. Brown, Flowers, R. Green, D. Hutchinson, Kenney.

Total5

ABSENT OR NOT VOTING: Anderson, Burkes, Cooper, Lamoureux, M. Martin, Medley, Norton, Pace, Pennartz, Pickett, Sumpter, Woods, Mr. Speaker.

Total13

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast87

Total number voting in the affirmative81

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2612

BY: REPRESENTATIVE GREENBERG

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total81

NEGATIVE: Flowers, Hardy, Rainey.

Total3

ABSENT OR NOT VOTING: Berry, T. Bradford, Cheatham, Chesterfield, Davenport, Davis, Everett, Jeffrey, Kenney, Maxwell, Norton, Pace, Pickett, J. Roebuck, Sumpter, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative.....81

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2586

BY: REPRESENTATIVE PACE

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, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Greenberg, Sumpter, 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 **HOUSE BILL NO. 2586**, 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, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Greenberg, Sumpter, 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.

HOUSE BILL NO. 2487

BY: REPRESENTATIVE BOND

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, 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, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Kenney, Sumpter, 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.

HOUSE BILL NO. 2665

BY: REPRESENTATIVE GARNER

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, Burkes, Chesterfield, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, S. Prater, Pyle, Ragland, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Sumpter, Thyer, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total66

NEGATIVE: Bond, Breedlove, J. Brown, Burris, Cheatham, Cook, Edwards, Everett, Flowers, Hardy, Harrelson, D. Johnson, J. Johnson, W. Lewellen, Lovell, Maloch, Pate, Pickett, Pierce, Powers, Rainey, Reep, Saunders, Shelby, L. Smith, Wagner, Webb.

Total27

ABSENT OR NOT VOTING: Adcock, T. Bradford, E. Brown, Cash, L. Evans, George, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative.....66

Necessary to the passage of the bill.....51

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

Upon motion of Representative Garner the Clincher motion prevailed.

HOUSE BILL NO. 2442

BY: REPRESENTATIVE MALOCH

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, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, George, Glidewell, R. Green, Hall, Hardwick, Harrelson, Harris, 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, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total86

NEGATIVE: Burkes, Gaskill, Greenberg, Woods.

Total4

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Hardy, Hawkins, Medley, Overbey, Ragland, Sumpter, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative86

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2334

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: 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, L. Evans, Everett, Garner, Glidewell, R. Green, Greenberg, Hall, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total83

NEGATIVE: Gaskill, Ragland.

Total2

ABSENT OR NOT VOTING: Davis, D. Evans, Flowers, George, Hardwick, Hardy, Harris, Hyde, Kenney, Norton, Pace, Rosenbaum, Sumpter, Wells, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative.....83

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2632

BY: REPRESENTATIVE WALTERS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Gaskill, George, R. Green, Hall, Hardwick, Harrelson, Harris, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total75

NEGATIVE: L. Evans, Garner, Hawkins, Hyde, Lowery, Ragland, Sample, Sullivan.

Total8

ABSENT OR NOT VOTING: Abernathy, Anderson, Burkes, L. Cowling, Davis, Flowers, Glidewell, Greenberg, Hardy, Kenney, Medley, Pace, Reynolds, Stewart, Sumpter, Wells, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Total number voting in the affirmative75

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2626

BY: REPRESENTATIVE SAMPLE

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, 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, 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: Davis, Flowers, Pace, Pate, Sumpter, 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. 2658

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, 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, Garner, 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, 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: T. Baker, Gaskill, Pate.

Total3

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Pace, Sumpster, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative91

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. 2658**, 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, 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, Garner, 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, 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: T. Baker, Gaskill, Pate.

Total3

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Pace, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative91

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2793

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, 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, 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, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE: Cheatham.

Total1

ABSENT OR NOT VOTING: Davis, Flowers, Hardwick, M. Martin, Pace, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

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. 2645

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, 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, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, 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, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Berry, Davis, Flowers, Hardwick, J. Johnson, Sullivan, Sumpter, Mr. Speaker.

Total9

VOTING PRESENT: Hyde.

Total1

Total number of votes cast91

Total number voting in the affirmative.....90

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2364

BY: REPRESENTATIVE GREENBERG

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, Cornwell, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, 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, Maloch, 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, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total89

NEGATIVE: Cooper, Kenney, M. Martin.

Total3

ABSENT OR NOT VOTING: Berry, Davis, Everett, Flowers, Medley, Pace, Sumpter, Mr. Speaker.

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.

HOUSE BILL NO. 2426

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, 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, 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, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Burkes, Davis, Flowers, Lamoureux, Sumpster, Woods, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....92

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2684

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, Berry, Blount, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, 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, Sample, Saunders, Shelby, Stewart, Sullivan, Thyer, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total82

NEGATIVE: Bond, Davenport, Edwards, D. Johnson, Pate, Schulte, L. Smith.

Total7

ABSENT OR NOT VOTING: Anderson, T. Baker, Cheatham, D. Creekmore, Davis, Flowers, D. Hutchinson, Jeffrey, Sumpter, Wagner, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative82

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2271

BY: REPRESENTATIVE KING

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, 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.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Davis, Flowers, Sumpter, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast	96
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. 2553

BY: REPRESENTATIVE D. 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, 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, 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: Cook, Davis, Flowers, D. Hutchinson, Sumpter, 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. 2266

BY: REPRESENTATIVE KEY

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, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, 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, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Flowers, D. Johnson, Lovell, Pyle, Sumpter, 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. 1471

BY: REPRESENTATIVE MOORE

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, Everett, 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, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Flowers, Kenney, M. Martin, Rosenbaum, Sumpter, 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.

HOUSE BILL NO. 1753

BY: REPRESENTATIVE HOUSE

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, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Cooper, Cornwell, L. Cowling, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, J. Roebuck, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total70

NEGATIVE: Burkes, Cook, D. Creekmore, Jeffrey, Kenney, M. Martin, Norton, Pace, Pyle, Ragland, Reynolds, Woods.

Total12

ABSENT OR NOT VOTING: Adcock, Anderson, T. Baker, Davis, Dickinson, Gaskill, Glidewell, Hardwick, Harris, D. Hutchinson, King, Maxwell, Rogers, Rosenbaum, Schulte, Sumpter, Mr. Speaker.

Total17

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast83

Total number voting in the affirmative.....70

Necessary to the passage of the bill.....51

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

Upon motion of Representative House the Clincher motion prevailed.

HOUSE BILL NO. 2347

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, 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, 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, Sumpster, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Schulte, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2811

BY: REPRESENTATIVE HARRELSON

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, Davis, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Moore, Overbey, Pace, Patterson, Pennartz, Pickett, Powers, Ragland, Reep, Reynolds, J. Roebuck, Sample, Saunders, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total73

NEGATIVE: Anderson, Berry, Chesterfield, D. Creekmore, Davenport, Edwards, Glidewell, R. Green, D. Hutchinson, Kenney, King, Maxwell, Medley, Pierce, Pyle, Sullivan.

Total16

ABSENT OR NOT VOTING: L. Cowling, Dickinson, Harris, Norton, Pate, S. Prater, Rogers, Rosenbaum, Schulte, Mr. Speaker.

Total10

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....90

Total number voting in the affirmative73

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2693

BY: REPRESENTATIVE BOND

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, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, 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, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: J. Brown, Dickinson, Gaskill, Harrelson, Pate, S. Prater, Wood, 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. 2548

BY: REPRESENTATIVE ROSENBAUM

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, 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, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total	94
NEGATIVE: R. Green, Pennartz, Wagner.	
Total	3
ABSENT OR NOT VOTING: Flowers, Mr. Speaker.	
Total	2
VOTING PRESENT: Rainey.	
Total	1
Total number of votes cast	98
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. 2543

BY: REPRESENTATIVE WOOD

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, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, 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, 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: T. Baker.

Total1

ABSENT OR NOT VOTING: Adcock, Davenport, Kidd, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

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. 2543**, 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, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, 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, 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: T. Baker.

Total1

ABSENT OR NOT VOTING: Adcock, Davenport, Kidd, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2392

BY: REPRESENTATIVE D. 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, 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, 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, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Kenney, Sumpter, 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.

HOUSE BILL NO. 2812

BY: REPRESENTATIVE SULLIVAN

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, 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, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total94

NEGATIVE: Burkes, Woods.

Total2

ABSENT OR NOT VOTING: Hardwick, Sample, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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. 2434

BY: REPRESENTATIVE MALOCH

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, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, Glidewell, R. Green, 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, Mr. Speaker.

Total97

NEGATIVE: Cook, Gaskill.

Total2

ABSENT OR NOT VOTING:

Total0

VOTING PRESENT: Greenberg.

Total1

Total number of votes cast100

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. 2390

BY: REPRESENTATIVE HOYT

Was read the third time and placed on final passage, the question being shall the Bill pass and shall the Emergency Clause be adopted. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, 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, R. Green, 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, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total91

NEGATIVE: Burkes, Greenberg, Woods.

Total3

ABSENT OR NOT VOTING: Anderson, Glidewell, D. Hutchinson, Pickett, Mr. Speaker.

Total5

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....95

Total number voting in the affirmative91

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. 2390**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, 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, R. Green, 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, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total91

NEGATIVE: Burkes, Greenberg, Woods.

Total3

ABSENT OR NOT VOTING: Anderson, Glidewell, D. Hutchinson, Pickett, Mr. Speaker.

Total5

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....95

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. 1471	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1730	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 1753	BY REPRESENTATIVE HOUSE
HOUSE BILL NO. 2249	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2266	BY REPRESENTATIVE KEY
HOUSE BILL NO. 2271	BY REPRESENTATIVE KING
HOUSE BILL NO. 2334	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2340	BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2347	BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 2357	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2364	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2390	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 2392	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2426	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2434	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2441	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2442	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2487	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2543	BY REPRESENTATIVE WOOD
HOUSE BILL NO. 2548	BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 2553	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2586	BY REPRESENTATIVE PACE
HOUSE BILL NO. 2612	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2626	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 2632	BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2645	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2658	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2665	BY REPRESENTATIVE GARNER
HOUSE BILL NO. 2684	BY REPRESENTATIVE T. BRADFORD
HOUSE BILL NO. 2693	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2793	BY REPRESENTATIVE E. BROWN
HOUSE BILL NO. 2811	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 2812	BY REPRESENTATIVE SULLIVAN

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT
RESOLUTION NO. 1036 BY REPRESENTATIVE BLOUNT

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1367 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1446 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 1456 BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1485 BY REPRESENTATIVE KEY
AS AMENDED #1
HOUSE BILL NO. 1581 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1586 BY REPRESENTATIVE KING
HOUSE BILL NO. 1657 BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 1671 BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1759 BY REPRESENTATIVE WYATT
HOUSE BILL NO. 1782 BY REPRESENTATIVE KING
HOUSE BILL NO. 2221 BY REPRESENTATIVE CORNWELL
HOUSE BILL NO. 2245 BY REPRESENTATIVE FLOWERS
HOUSE BILL NO. 2283 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2333 BY REPRESENTATIVE ALLEN
AS AMENDED #1
HOUSE BILL NO. 2398 BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2583 BY REPRESENTATIVE SAMPLE
AS AMENDED #1
HOUSE BILL NO. 2585 BY REPRESENTATIVE HARDWICK

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 18 BY SENATOR PRITCHARD
 SENATE BILL NO. 182 BY SENATOR ALTES
 SENATE BILL NO. 369 BY SENATOR MADISON
 SENATE BILL NO. 370 BY SENATOR MADISON
 SENATE BILL NO. 781 BY SENATOR WILKINS
 SENATE BILL NO. 789 BY SENATOR G. JEFFRESS
 SENATE BILL NO. 812 BY SENATOR HORN
 SENATE BILL NO. 823 BY SENATOR BROADWAY
 SENATE BILL NO. 827 BY SENATOR HILL
 SENATE BILL NO. 872 BY SENATOR MILLER
 SENATE BILL NO. 924 BY SENATOR CAPPS
 SENATE BILL NO. 944 BY SENATOR WOMACK
 SENATE BILL NO. 996 BY SENATOR STEELE

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT
 RESOLUTION NO. 22 BY SENATOR WILKINS
 SENATE CONCURRENT
 RESOLUTION NO. 26 BY SENATOR BROADWAY

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 19, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1439 BY REPRESENTATIVE W. LEWELLEN

HOUSE BILL NO. 1564 BY REPRESENTATIVE D. CREEKMORE, ET AL

HOUSE BILL NO. 1731 BY REPRESENTATIVE ABERNATHY

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 4:30 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. 1439 BY REPRESENTATIVE W. LEWELLEN

HOUSE BILL NO. 1564 BY REPRESENTATIVE D. CREEKMORE, ET AL

HOUSE BILL NO. 1731 BY REPRESENTATIVE ABERNATHY

/s/ Mike Beebe - Governor

TIME: 4:30 p.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

March 19, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 19, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

HOUSE CONCURRENT RESOLUTION NO. 1010
HOUSE CONCURRENT RESOLUTION NO. 1011
HOUSE CONCURRENT RESOLUTION NO. 1013
HOUSE CONCURRENT RESOLUTION NO. 1016
HOUSE CONCURRENT RESOLUTION NO. 1019
HOUSE CONCURRENT RESOLUTION NO. 1020
HOUSE CONCURRENT RESOLUTION NO. 1023
HOUSE CONCURRENT RESOLUTION NO. 1024
HOUSE CONCURRENT RESOLUTION NO. 1025
HOUSE CONCURRENT RESOLUTION NO. 1026
HOUSE CONCURRENT RESOLUTION NO. 1027
HOUSE CONCURRENT RESOLUTION NO. 1028

HOUSE BILL NO. 1039 - ACT 317
HOUSE BILL NO. 1104 - ACT 319
HOUSE BILL NO. 1144 - ACT 321
HOUSE BILL NO. 1166 - ACT 323
HOUSE BILL NO. 1169 - ACT 325
HOUSE BILL NO. 1171 - ACT 327
HOUSE BILL NO. 1193 - ACT 329
HOUSE BILL NO. 1322 - ACT 331
HOUSE BILL NO. 1329 - ACT 333
HOUSE BILL NO. 1390 - ACT 335

HOUSE BILL NO. 1061 - ACT 318
HOUSE BILL NO. 1124 - ACT 320
HOUSE BILL NO. 1152 - ACT 322
HOUSE BILL NO. 1167 - ACT 324
HOUSE BILL NO. 1170 - ACT 326
HOUSE BILL NO. 1192 - ACT 328
HOUSE BILL NO. 1321 - ACT 330
HOUSE BILL NO. 1326 - ACT 332
HOUSE BILL NO. 1348 - ACT 334
HOUSE BILL NO. 1391 - ACT 336

HOUSE BILL NO. 1397 - ACT 337
HOUSE BILL NO. 1410 - ACT 339
HOUSE BILL NO. 1487 - ACT 341
HOUSE BILL NO. 1525 - ACT 343
HOUSE BILL NO. 1567 - ACT 345
HOUSE BILL NO. 1576 - ACT 347
HOUSE BILL NO. 1580 - ACT 349
HOUSE BILL NO. 1594 - ACT 351
HOUSE BILL NO. 1598 - ACT 353
HOUSE BILL NO. 1601 - ACT 355
HOUSE BILL NO. 1603 - ACT 357
HOUSE BILL NO. 1606 - ACT 359
HOUSE BILL NO. 1622 - ACT 361
HOUSE BILL NO. 1692 - ACT 363
HOUSE BILL NO. 1717 - ACT 365
HOUSE BILL NO. 1773 - ACT 367
HOUSE BILL NO. 2220 - ACT 369
HOUSE BILL NO. 2238 - ACT 371
HOUSE BILL NO. 2243 - ACT 373
HOUSE BILL NO. 2273 - ACT 375
HOUSE BILL NO. 1180 - ACT 377
HOUSE BILL NO. 1909 - ACT 379
HOUSE BILL NO. 2237 - ACT 381
HOUSE BILL NO. 1408 - ACT 338
HOUSE BILL NO. 1453 - ACT 340
HOUSE BILL NO. 1493 - ACT 342
HOUSE BILL NO. 1563 - ACT 344
HOUSE BILL NO. 1569 - ACT 346
HOUSE BILL NO. 1578 - ACT 348
HOUSE BILL NO. 1593 - ACT 350
HOUSE BILL NO. 1596 - ACT 352
HOUSE BILL NO. 1600 - ACT 354
HOUSE BILL NO. 1602 - ACT 356
HOUSE BILL NO. 1605 - ACT 358
HOUSE BILL NO. 1607 - ACT 360
HOUSE BILL NO. 1670 - ACT 362
HOUSE BILL NO. 1716 - ACT 364
HOUSE BILL NO. 1718 - ACT 366
HOUSE BILL NO. 1810 - ACT 368
HOUSE BILL NO. 2227 - ACT 370
HOUSE BILL NO. 2239 - ACT 372
HOUSE BILL NO. 2264 - ACT 374
HOUSE BILL NO. 2274 - ACT 376
HOUSE BILL NO. 1715 - ACT 378
HOUSE BILL NO. 2218 - ACT 380
HOUSE BILL NO. 2240 - ACT 382
HOUSE BILL NO. 2276 - ACT 383
HOUSE BILL NO. 1536 - ACT 387

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

March 19, 2007

To Whom It May Concern:

I am writing this letter in regards to my vote on **HOUSE BILL NO. 2434**. It was my intention to vote YES on this Bill and it is my recollection that I pressed the appropriate button.

Sincerely,

/s/ David Cook
State Representative

DC: nah

HOUSE RESOLUTION NO. 1030

BY: REPRESENTATIVES DUNN, PETRUS

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND RULE (36)(m) OF THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO FILE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1041

BY: REPRESENTATIVES DUNN, PETRUS

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND JOINT RULE (16)(A) OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

SENATE BILL NO. 18

BY: SENATORS B. PRITCHARD, LAVERTY, ALTES, MADISON, T. SMITH, R. THOMPSON, TRUSTY, WHITAKER, WILKINSON

BY: REPRESENTATIVES KEY, BERRY, BURKES CORNWELL, EDWARDS, GASKILL, GLIDEWELL, R. GREEN, HARDWICK, HARRIS, MEDLEY, NORTON, PATTERSON, RAGLAND, ROSENBAUM, L. SMITH, WELLS, WOODS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE ADMINISTRATIVE OFFICE OF THE COURTS; TO CREATE THE DRUG COURT ADVISORY COMMITTEE; 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. 182

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE MATERIAL HARMFUL TO MINORS TO BE KEPT BEHIND BLINDER RACKS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 369

BY: SENATOR MADISON

BY: SENATOR WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CHILD MALTREATMENT ACT; 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. 370

BY: SENATOR MADISON**BY: REPRESENTATIVE WEBB**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE JUVENILE CODE INCLUDING THE RIGHT OF A FOSTER CHILD TO CONTINUITY OF EDUCATIONAL SERVICES, DEFINITIONS IN THE JUVENILE CODE, AND PROCEDURAL ISSUES RELATED TO JURISDICTION, VENUE, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO DEPENDENCY-NEGLECT PROCEEDINGS REGARDING CONFIDENTIALITY, DISPOSITIONS, TERMINATION OF PARENTAL RIGHTS, EMERGENCY ORDERS, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO JUVENILE DELINQUENCY PROCEEDINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO FAMILIES IN NEED OF SERVICES; TO CLARIFY THE PAYMENT PROCEDURE FOR ATTORNEYS WHO REPRESENT INDIGENT PARENTS OR GUARDIANS IN DEPENDENCY-NEGLECT CASES; 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. 781

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE CONSISTENCY IN THE STATUTORY LANGUAGE REGARDING PRIOR ALCOHOL-RELATED OFFENSES TO CONSIDER WHEN SUSPENDING OR REVOKING DRIVING PRIVILEGES; TO TREAT CONVICTIONS FOR ALCOHOL-RELATED OFFENSES IN OTHER STATES THAT ARE REPORTED UNDER THE RECIPROCAL SYSTEM AS IF THE OFFENSE HAD HAPPENED IN ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 789

BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 TO DISTINGUISH PROFESSIONAL FIREFIGHTERS WITH A DISTINCTIVE SPECIAL LICENSE PLATE; 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. 812

BY: SENATOR HORN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND § 14-233-108 TO INCREASE THE PER DIEM ALLOWANCE FOR A DIRECTOR OF THE BOARD OF A SANITATION AUTHORITY; 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. 823

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE MAILING PROCEDURES FOR CERTAIN NOTICES FROM SUBURBAN IMPROVEMENT DISTRICTS; 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. 827

BY: SENATOR HILL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT; 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. 872

BY: SENATOR MILLER**BY: REPRESENTATIVE COOPER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ADMINISTRATION OF AN ALDERMAN'S OATH OF OFFICE BY A MAYOR; 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. 924

BY: SENATOR CAPP

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION AND OPERATION OF THE CONNECT ARKANSAS NONPROFIT ORGANIZATION TO PROMOTE BROADBAND EDUCATION AND DEPLOYMENT IN ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 944

BY: SENATORS WOMACK, CRITCHER, CRUMBLY, HORM , WILKINS, ALTES
BY: REPRESENTATIVES GREEN, KEY, LAMOUREUX, RAGLAND, COOPER,
DAVIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE QUALIFICATIONS AND REIMBURSEMENT OF PROVIDERS OF MENTAL HEALTH CARE ASSISTANCE TO INDIGENT PERSONS; TO ESTABLISH CRITERIA FOR THE ADMISSION OF INDIGENT PERSONS TO MENTAL HEALTH CARE PROGRAMS; TO ENSURE NONDISCRIMINATION AND CHOICE; 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. 996

BY: SENATOR STEELE

BY: REPRESENTATIVE S. PRATER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES OVERSIGHT BOARD; TO AMEND THE LAW REGARDING PUBLIC ASSISTANCE; 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 RESOLUTION NO. 22

BY: SENATOR WILKINS

BY: REPRESENTATIVE PACE

A BILL FOR AN ACT TO BE ENTITLED TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO ADD CRITICAL PRIVACY AND CIVIL LIBERTY SAFEGUARDS TO THE REAL ID ACT OF 2005 AND TO FULLY FUND OR SUSPEND IMPLEMENTATION OF THE REAL ID ACT.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE CONCURRENT RESOLUTION NO. 26

BY: REPRESENTATIVE BROADWAY

BY: REPRESENTATIVES DUNN, PETRUS

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

Upon motion of Representative David Evans, the House adjourned at 4:17 p.m. until 1:30 p.m., Tuesday, March 20, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

**SEVENTY-SECOND DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas
March 20, 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 Stan Taylor, Pastor, Lurton Assembly of God, Jasper, 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 20, 2007
EDUCATION	MIKE KENNEY
	CHAIRPERSON
HOUSE BILL NO. 1517	DO PASS
BY REPRESENTATIVE COOK	AS AMENDED #4
HOUSE BILL NO. 2029	DO PASS
BY REPRESENTATIVE JEFFREY	
HOUSE BILL NO. 2255	DO PASS
BY REPRESENTATIVE COOK	AS AMENDED #2
HOUSE BILL NO. 2268	DO PASS
BY REPRESENTATIVE COOK	
HOUSE BILL NO. 2335	DO PASS
BY REPRESENTATIVE STEWART	
HOUSE BILL NO. 2380	DO PASS
BY REPRESENTATIVE RAINEY	
HOUSE BILL NO. 2388	DO PASS
BY REPRESENTATIVE PYLE	
HOUSE BILL NO. 2429	DO PASS
BY REPRESENTATIVE ABERNATHY	AS AMENDED #1
HOUSE BILL NO. 2656	DO PASS
BY REPRESENTATIVE WALTERS	AS AMENDED #2
HOUSE BILL NO. 2688	DO PASS
BY REPRESENTATIVE KENNEY	
HOUSE BILL NO. 2734	DO PASS
BY REPRESENTATIVE HAWKINS	AS AMENDED #1

COMMITTEE REPORT

	March 20, 2007
EDUCATION	BILL ABERNATHY VICE-CHAIRPERSON
HOUSE BILL NO. 2210	DO PASS
BY REPRESENTATIVE PICKETT	
HOUSE BILL NO. 2660	DO PASS
BY REPRESENTATIVE PICKETT	
SENATE BILL NO. 822	DO PASS
BY SENATOR BAKER	
SENATE BILL NO. 838	DO PASS
BY SENATOR ARGUE	AS AMENDED #1
SENATE BILL NO. 839	DO PASS
BY SENATOR ARGUE	AS AMENDED #1
SENATE CONCURRENT RESOLUTION NO. 12	DO PASS
BY SENATOR BAKER	

COMMITTEE REPORT

	March 20, 2007
JUDICIARY	ROBERT N. JEFFREY CHAIRPERSON
HOUSE BILL NO. 1384	DO PASS, TO CONCUR
BY REPRESENTATIVE LAMOUREUX	IN SENATE AMENDMENT #1
HOUSE BILL NO. 1472	DO PASS, TO CONCUR
BY REPRESENTATIVE DAVENPORT	IN SENATE AMENDMENTS #1 & 2
HOUSE BILL NO. 1624	DO PASS
BY REPRESENTATIVE D. JOHNSON	AS AMENDED #3
HOUSE BILL NO. 1747	DO PASS
BY REPRESENTATIVE WILLS	
HOUSE BILL NO. 1748	DO PASS
BY REPRESENTATIVE WILLS	

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 2262	DO PASS
BY REPRESENTATIVE PATE	
HOUSE BILL NO. 2295	DO PASS
BY REPRESENTATIVE GARNER	
HOUSE BILL NO. 2297	DO PASS
BY REPRESENTATIVE PATE	
HOUSE BILL NO. 2337	DO PASS
BY REPRESENTATIVE LOWERY	
HOUSE BILL NO. 2559	DO PASS
BY REPRESENTATIVE CHESTERFIELD	
SENATE BILL NO. 241	DO PASS
BY SENATOR LUKER	AS AMENDED #1
SENATE BILL NO. 796	DO PASS
BY SENATOR LUKER	
SENATE BILL NO. 859	DO PASS
BY SENATOR LUKER	
SENATE BILL NO. 909	DO PASS
BY SENATOR MALONE	

COMMITTEE REPORT

	March 20, 2007
PUBLIC HEALTH, WELFARE AND LABOR	EDDIE COOPER CHAIRPERSON
HOUSE BILL NO. 1324	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 1409	DO PASS
BY REPRESENTATIVE REEP	
HOUSE BILL NO. 1630	DO PASS
BY REPRESENTATIVE ADCOCK	
HOUSE BILL NO. 2494	DO PASS
BY REPRESENTATIVE COOPER	
HOUSE BILL NO. 2540	DO PASS
BY REPRESENTATIVE WILLS	
HOUSE BILL NO. 2582	DO PASS
BY REPRESENTATIVE S. DOBBINS	AS AMENDED #2

COMMITTEE REPORT, CONTINUED

HOUSE BILL NO. 2602	DO PASS
BY REPRESENTATIVE S. PRATER	AS AMENDED #1
HOUSE BILL NO. 2615	DO PASS
BY REPRESENTATIVE HARDY	
HOUSE BILL NO. 2627	DO PASS
BY REPRESENTATIVE WILLS	AS AMENDED #2
HOUSE BILL NO. 2638	DO PASS
BY REPRESENTATIVE HARRIS	AS AMENDED #2
HOUSE BILL NO. 2640	DO PASS
BY REPRESENTATIVE SHELBY	
HOUSE BILL NO. 2678	DO PASS
BY REPRESENTATIVE REEP	
HOUSE BILL NO. 2707	DO PASS
BY REPRESENTATIVE SAUNDERS	AS AMENDED #1 & 2
HOUSE BILL NO. 2713	DO PASS
BY REPRESENTATIVE BOND	
HOUSE BILL NO. 2721	DO PASS
BY REPRESENTATIVE MEDLEY	AS AMENDED #1
HOUSE BILL NO. 2768	DO PASS
BY REPRESENTATIVE ROSENBAUM	
SENATE BILL NO. 333	DO PASS
BY SENATOR MALONE	
SENATE BILL NO. 334	DO PASS
BY SENATOR STEELE	
SENATE BILL NO. 704	DO PASS
BY SENATOR STEELE	
SENATE BILL NO. 773	DO PASS
BY SENATOR HORN	
SENATE BILL NO. 928	DO PASS
BY SENATOR BRYLES	

COMMITTEE REPORT

	March 20, 2007
PUBLIC TRANSPORTATION	ROBBIE WILLS
	CHAIRPERSON
HOUSE BILL NO. 2391	DO PASS
BY REPRESENTATIVE S. PRATER	AS AMENDED #1 (JSE 438)

COMMITTEE REPORT

	March 20, 2007
PUBLIC TRANSPORTATION	FRANK GLIDEWELL
	VICE-CHAIRPERSON
SENATE BILL NO. 154	DO PASS
BY SENATOR G. JEFFRESS	
SENATE BILL NO. 856	DO PASS
BY SENATOR BOOKOUT	
SENATE BILL NO. 373	DO PASS
BY SENATOR BROWN	AS AMENDED #1

COMMITTEE REPORT

	March 20, 2007
RULES	DAVID DUNN
	CHAIRPERSON
HOUSE BILL NO. 1315	DO PASS
BY REPRESENTATIVE PICKETT	
HOUSE BILL NO. 1518	DO PASS
BY REPRESENTATIVE D. EVANS	
HOUSE BILL NO. 2236	DO PASS
BY REPRESENTATIVE D. EVANS	
SENATE BILL NO. 588	DO PASS
BY SENATOR T. SMITH	AS AMENDED #1
SENATE BILL NO. 816	DO PASS
BY SENATOR CAPPS	
SENATE BILL NO. 817	DO PASS
BY SENATOR CAPPS	

COMMITTEE REPORT

	March 20, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1081	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1107	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1109	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1115	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1126	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 1604	DO PASS
BY JOINT BUDGET COMMITTEE	
SENATE BILL NO. 91	DO PASS
BY SENATOR G. JEFFRESS	

COMMITTEE REPORT

JOINT COMMITTEE ON ENERGY	March 20, 2007
	SHIRLEY WALTERS
	CHAIRPERSON
HOUSE BILL NO. 2715	DO PASS
BY REPRESENTATIVE HARRIS	AS AMENDED #1 (GLG 228)

Upon motion of Representative Dunn, **HOUSE BILL NO. 2510** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2510

Amend **HOUSE BILL NO. 2510** as originally introduced:

Add the following Senators as a cosponsor of the bill:

"Bryles, Steele"

AND

Add the following Representatives as cosponsors of the bill:

"Abernathy, Allen, T. Baker, Blount, E. Brown, Burkes, Burris, Cheatham, Davis, Everett, Greenberg, Harrelson, Harris, J. Johnson, Kidd, Lamoureux, Maxwell, Pierce, Reep, Reynolds, L. Smith, Walters, Woods, Wyatt"

AND

Page 9, delete lines 4 through 36 and substitute the following:

"bidding shall not be used for the procurement of the professional services of legal, architectural, engineering, construction management, and land surveying ~~professional consultant services~~ if:

(1) State agencies not exempt from review and approval of the Arkansas Building Authority shall follow procedures established by the authority for the procurement of the professional services of architectural, engineering, land surveying, and construction management services; and

(2) Institutions of higher education exempt from review and approval of the authority shall follow procedures established by their governing boards for the procurement of architectural, engineering, land surveying, and construction management ~~professional consultant services~~.

(b) It is the policy of the State of Arkansas and its political subdivisions that political subdivisions shall follow the procedures stated in this section, except that competitive bidding shall not be used for the procurement of the professional services of legal, financial advisory, architectural, engineering, construction management, and land surveying ~~professional consultant services~~.

(c) For purposes of this subchapter, a political subdivision of the state may elect to not use competitive bidding for other professional services not listed in subsection (b) of this section with a two-thirds (2/3) vote of the political subdivision's governing body.

(d)(1) As used in this section, "construction management" means a project delivery method based on an agreement in which a state agency, political subdivision, public school district, or institution of higher education acquires from a construction entity a series of services that include, but are not limited to, design

review, scheduling, cost control, value engineering, constructability evaluation, preparation and coordination of bid packages, and construction administration.

(2) "Construction management" includes, but is not limited to:

(A)(i) ~~"Agency "~~agency construction management", in which a public school district selects a construction manager to serve as an agent for the purpose of providing administration and management services.

~~(ii)~~(3) The construction manager shall not hold subcontracts for the project or provide project bonding for the project, unless publicly advertised and bid.

/s/ David Dunn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2349** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2349

Amend **HOUSE BILL NO. 2349** as originally introduced:

Page 1, delete lines 30 through 32 and substitute the following:

"(2) Health care insurers shall make a decision within ~~one hundred eighty (180)~~ ninety (90) days of submission of a completed application, as defined by rule of the Insurance Commissioner, for participation or a request for renewal by a physician and within one hundred eighty (180) days of a completed application for participation or a request for renewal by any other medical provider."

AND

Page 1, delete lines 33 through 36

AND

Page 2, delete lines 1 through 8

/s/ Will Bond

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2735** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2735

Amend **HOUSE BILL NO. 2735** as originally introduced:

Add Representative Pennartz as a co-sponsor of the bill

AND

Page 1, delete line 9 and substitute the following:

“AN ACT TO CREATE THE HEALTH FACILITY INFECTION”

AND

Page 1, delete lines 13 and 14 and substitute the following:

“THE HEALTH FACILITY INFECTION DISCLOSURE ACT OF 2007”

AND

Page 1, delete lines 22 and 23 and substitute the following:

“This subchapter shall be known and may be cited as the “Health Facility Infection Disclosure Act of 2007”.”

AND

Page 1, delete lines 27 through 35 and substitute the following:

“(1)(A) “Health facility” means any of the following facilities:

(i) A hospital, outpatient surgery center, public health center or recuperation center, as those facilities are defined in § 20-9-201; and

(ii) Any other facility determined to be a source of healthcare associated infections and designated as such by the Division of Health of the Department of Health and Human Services.

(B) “Health facility” does not include:

(i) A physician’s office unless the office is otherwise licensed as an outpatient surgery center; or”

AND

Page 2, delete line 2 and substitute the following:

“(2) “Healthcare associated infection” means a localized or systemic condition”

AND

Page 2, line 5 , delete “and”

AND

Page 2, delete lines 7 through 22 and substitute the following:

“time of admission to the health facility; and

(3) “Division” means the Division of Health of the Department of Health and Human Services.”

20-9-1203. Health facility reports.

(a) A health facility shall collect data on healthcare associated infection rates for the following:

- (1) Coronary artery bypass surgical site infections;
- (2) Total hip or knee arthroplasty surgical site infections;
- (3) Knee arthroscopy surgical site infections;
- (4) Hernia repair surgical site infections;
- (5) Central line-associated bloodstream infection in an intensive care

unit; and

- (6) Other categories as provided under § 20-9-1204(e).

(b)(1)(A) A health facility may voluntarily submit quarterly reports to the division on the facility’s healthcare associated infection rates.

(B)(i) If a health care facility elects to submit quarterly reports, the reports shall be submitted to the”

AND

Page 2, line 28, delete “(II)” and substitute “(ii)”

AND

Page 2, delete lines 32 through 36.

AND

Page 3, delete line 1 and substitute the following:

“(2) If the health facility is a division or subsidiary of another entity that owns or operates other health facilities, the”

AND

Page 3, line 5, delete “Hospital-Acquired” and substitute “Healthcare Associated”

AND

Page 3, line 6, delete “(1)”

AND

Page 3, delete lines 7 through 9 and substitute the following:

“Health and Human Services shall appoint an Advisory Committee on Healthcare Acquired Infections, including without limitation representatives of:

- (1) Public and private hospitals, including representatives of hospitals with fewer than fifty (50) beds and representatives of hospitals with more than fifty (50) beds;

- (2) Outpatient surgery centers;”

AND

Page 3, line 10, delete “(B)” and substitute “(3)”

AND

Page 3, line 11, delete “(C)” and substitute “(4)”

AND

Page 3, delete lines 12 through 21 and substitute the following:

“(5) Infection control professionals with expertise in healthcare associated infections;

(6) Academic researchers; and

(7) At least one (1) representative of a consumer organization.”

AND

Page 3, delete lines 32 through 35 and substitute the following:

“existing methodologies and systems for data collection.

(2) Any data collection and analytical methodologies used shall be:

(A) Capable of being validated; and

(B) Based upon nationally recognized and recommended standards, that may include those developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality or the National Quality Forum.”

AND

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

“be disclosed for public comment before any public disclosure of healthcare associated infection rates in an annual report under § 20-9-1205.”

AND

Page 4, line 3, delete “(4)” and substitute “(4)(A)”

AND

Page 4, delete line 4 and substitute the following:

“presented to all health facilities in this state on or before September 1, 2008.

(B) The methodology may be amended based upon input from the health facilities.”

AND

Page 4, delete lines 5 and 6 and substitute the following:

“(5)(A) The first voluntary quarterly report under § 20-9-1203(b) shall be presented to the division on or before January 31, 2009.

(B) Health facilities may begin voluntarily reporting data on January 31, 2009 or at any time thereafter.”

AND

Page 4, line 8, delete “hospital” and substitute “health facility”

AND

Page 4, delete lines 11 through 13 and substitute the following:

“(e) After release of the second annual report published under § 20-9-1205, and upon consultation with the advisory committee and with other technical advisors who are recognized experts in the prevention, identification, and control of

healthcare associated infections and the reporting of performance data, the division may add categories of infections to those set forth in § 20-9-1203(a).

AND

Page 4, delete lines 15 through 21 and substitute the following:

“20-9-1205. Reports regarding healthcare associated infections.

(a)(1)(A) In consultation with the Advisory Committee on Healthcare Associated Infections, the Division of Health of the Department of Health and Human Services shall submit annually a report summarizing the health facility quarterly reports required under this subchapter to the Chair of the House Interim Committee on Public Health, Welfare, and Labor and the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor.

(B) No health facility-identifiable data shall be included in the annual report, but aggregate statistical data may be included.”

AND

Page 4, delete lines 25 through 36 and substitute the following:

“or before January 1, 2010.

(b) The annual report prepared by the division under this subchapter regarding healthcare associated infections shall be appropriately risk-adjusted.”

AND

Page 5, delete line 1

AND

Page 5, line 2, delete “(3)” and substitute “(c)(1)”

AND

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

“(2) A discussion of findings, conclusions, and trends concerning the overall status of healthcare associated infections in the state.”

AND

Page 5, line 7, delete “(B)” and substitute “(3)”

AND

Page 5, delete lines 9 through 20.

AND

Page 5, line 21, delete “(2)” and substitute “(d)”

AND

Page 5, delete lines 23 through 25, and substitute the following:

“(e) No health facility report or division disclosure shall contain information identifying a patient, employee, or healthcare professional in connection with a specific infection incident.

(f) No annual report or other division disclosure shall contain information that

identifies or could be used to identify a specific health facility.

(g)(1) As part of the process of preparing the annual report, effective safeguards to protect against the dissemination of inconsistent, incomplete, invalid, inaccurate, or subjective health facility data shall be developed and implemented.

(2) These safeguards may include the exclusion of certain data or data from facilities with a low volume of patients or procedures if the use of the data would skew the results reported.

(h) The division shall develop, with the assistance of the advisory committee, a process of regular and confidential feedback for health facilities regarding the data collected so that each health facility's data will be available to that facility for its quality improvement efforts."

AND

Page 5, delete line 27 and substitute the following:

"20-9-1206. Privacy and confidentiality."

AND

Page 5, delete line 32 and substitute the following:

"subchapter.

(c) Except for the annual report that shall be a public document available to any person upon request, any data and materials collected or compiled by a health facility or obtained by the division under this subchapter:

(1) Shall be exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.; and

(2) Shall not be subject to discovery under the Arkansas Rules of Civil Procedure or admissible in any legal proceeding.

(d) Data collected and reported under this subchapter shall not be deemed to have established a standard of care for any purposes in a private civil litigation."

AND

Page 5, delete lines 34 through 36.

AND

Page 6, delete lines 1 through 7 and substitute the following:

"20-9-1207. Rules."

AND

Page 6, delete line 9 and substitute the following:

"subchapter.

20-9-1208 Funding.

This subchapter is contingent upon the appropriation and availability of funding necessary for the Division of Health of the Department of Health and Human Services to implement its provisions, and any requirements that actions be

accomplished by a specific date shall be extended until the necessary funding is available."

/s/ Johnnie J. Roebuck

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2771** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2771

Amend **HOUSE BILL NO. 2771** as originally introduced:

Page 1 delete line 5 and substitute the following:

"By: Representatives J. Roebuck, Cook, Webb, Stewart, D. Johnson, D. Evans, Powers, L. Smith, House, Hardwick, Blount, Brown, Cash, Cheatham, Edwards, Hardy, J. Johnson, Lamoureux, Pennartz, Rainey, Wagner, Woods, Gaskill, Prater
By: Senators Madison, Trusty"

AND

Page 7, delete lines 9 through 11 and substitute the following:

"deposited into the Beverage Container Litter Reduction Grant Fund.

8-9-712. Violations.

(a)(1) Any dealer, distributor, or manufacturer who violates this act is subject to a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) and is liable for the costs of prosecution.

(2) Each day a violation occurs, a separate offense is committed.

(b) A person shall not return or attempt to return to a redemption center a beverage container that the person knows or should know was not purchased in this state.

(c) A person who violates this subsection is subject to the following penalties:

(1) If the person returns twenty-five (25) or more but not more than one hundred (100) nonreturnable containers, the person is guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100).

(2) If the person returns more than one hundred (100) nonreturnable

containers or violates subdivision (a) for a second or subsequent time, the person is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than five hundred dollars (\$500), or both.

8-9-713. Rules and regulations."

/s/ Johnnie J. Roebuck

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. 2538** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2538

Amend **HOUSE BILL NO. 2538** as originally introduced:

Page 1, delete lines 28 through 33 and substitute the following:

"compensation in excess of five thousand dollars (\$5,000) unless the contract is subject to and conditional on the Commissioner of Education ~~issues~~ issuing a letter of exemption and ~~approves~~ approving the employment contract ~~based on unusual and limited circumstances.~~

(b) The district shall notify the Commissioner of Education within thirty (30) calendar days of the employment. "

AND

Page 2, delete line 26 and substitute the following:

"status are effective, valid, or enforceable.

SECTION 2. Arkansas Code § 6-4-105(c)(1)(A) and (B), concerning exceptions requiring board approval, are amended to read as follows:

(c) Exceptions.

(1) Board Approval.

(A)(i) In unusual and limited circumstances, a public educational entity's board may approve a contract, but not an employment contract, between the public educational entity and the board member or the member's family if the board determines that the contract is in the best interest of the public educational entity.

(ii) ~~In unusual and limited circumstances, a~~ A public educational entity's board may approve an employment contract as provided in this section.

(B) The approval by the public educational entity's board shall be documented by written resolution after fully disclosing the reasons justifying the contract or employment contract in an open meeting. ~~The resolution shall state the unusual and limited circumstances necessitating the contract or employment contract and shall document the restrictions and limitations of the contract or employment contract."~~

/s/ Steve Breedlove

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Hardy, **HOUSE BILL NO. 2615** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2615

Amend **HOUSE BILL NO. 2615** as originally introduced:

Add Representatives Allen, Baker, Blount, E. Brown, Chesterfield, Davis, Dobbins, Garner, Green, Hawkins, Jeffrey, Kidd, Lewellen, Lowery, Prater, Rainey, Reep, Saunders, and Sumpter as co-sponsors of the bill

AND

Add Senator Steele as a cosponsor of the bill

/s/ Willie Hardy

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. 2768** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2768

Amend **HOUSE BILL NO. 2768** as originally introduced:

Page 3, line 24, delete "and" and substitute "~~and~~"

AND

Page 3, delete line 32 and substitute the following:

"to term; and

(D) That a spouse, boyfriend, parent, friend, or other person can not force her to have an abortion."

/s/ Sid Rosenbaum

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. 2620** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 2620

Amend **HOUSE BILL NO. 2620** as engrossed,

H3/9/07 (version: 03-09-2007 09:02):

Add Representatives Abernathy, Creekmore, Hoyt, J. Johnson, Kidd, Lovell, Martin, Maxwell, Patterson, Pierce, Reep, Reynolds, Wagner, Wells, and Wyatt as cosponsors of the bill

AND

Add Senator Thompson as a cosponsor of the bill

AND

Page 2, line 19, delete "of eight (8) hours" and substitute "number of hours"

AND

Page 2, delete line 20 and substitute "for a title insurance license as established by rule of the Insurance Commissioner."

AND

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

"(9) "Qualified financial institution" means a bank, credit union, or

savings and loan association regulated, supervised, or examined by federal or state authorities having regulatory authority over banks and trust companies;"

AND

Page 5, delete lines 31 through 36 and substitute the following:

"title insurer and to its title insurance agent as consideration for the amount of liability assumed by a title insurer under a title insurance policy including all amounts retained by the title insurance agent pursuant to the title insurance agent's contract with the title insurer."

AND

Page 6, delete line 1

AND

Page 6, delete lines 20 through 36

AND

Page 7, delete lines 1 through 3

AND

Page 7, line 4, delete "(16)" and substitute "(15)"

AND

Page 7, line 9, delete "(17)" and substitute "(16)"

AND

Page 7, line 11, delete "(18)" and substitute "(17)"

AND

Page 10, line 28, delete "forty-five (45) years." and substitute "thirty (30) years."

AND

Page 12, delete line 33 and substitute the following:

"encumbrances affecting title to the land that are filed of record.

No title insurance agent or any other person other than a licensed Arkansas attorney may provide legal advice concerning the status of title to the property described in the title commitment."

AND

Page 13, delete lines 19 through 21

AND

Delete SECTION 5 in its entirety and appropriately renumber the sections of the bill

/s/ Shirley Walters

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. 2620** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 4 TO HOUSE BILL NO. 2620

Amend **HOUSE BILL NO. 2620** as engrossed,

H3/9/07 (version: 03-09-2007 09:02):

Page 1, line 27, delete "under § 25-2-106." and substitute "under § 25-2-106. The transfer shall include the authorized positions of the board but shall not include the personnel of the board."

/s/ Shirley Walters

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Kenney, **HOUSE BILL NO. 2614** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2614

Amend **HOUSE BILL NO. 2614** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 15 is amended to add an additional subchapter to read as follows:

Subchapter 26 -- The Rewarding Excellence in Achievement Program

6-15-2601. Title.

This act shall be known and may be cited as the "Rewarding Excellence in Achievement Program Act of 2007".

6-15-2602. Legislative intent.

It is the intent of the General Assembly to provide a pilot program affording public school districts and public charter schools the opportunity to develop teacher compensation plans tailored to the public school district's or public charter school's needs to accomplish the following:

(1) Provide incentives that will encourage teachers to improve their knowledge and instructional skills in order to improve student learning;

(2) Recruit and retain highly qualified teachers;

(3) Encourage highly qualified teachers to undertake challenging assignments;

(4) Support teachers' roles in improving students' educational achievements; and

(5) Inform policymakers regarding the potential of a restructured teacher professional pay system to improve student achievement across the state.

6-15-2603. Definitions.

(1)(A) "Knowledge and skill base portion of compensation" means that portion of a teacher's compensation under a Rewarding Excellence in Achievement plan that considers, but is not limited to, input factors such as years of experience and degree levels, as set forth in a Rewarding Excellence in Achievement plan.

(B) This portion shall represent forty percent to sixty percent (40%-60%) of the teacher's total compensation;

(2) "Local board" means a board of directors exercising the control and management of a public school district;

(3)(A) "Performance portion of compensation" means that portion of a teacher's compensation under a Rewarding Excellence in Achievement plan that considers, without limitation, output factors such as teacher evaluations and student performance in the teacher's class or in the teacher's school, as set forth in a Rewarding Excellence in Achievement plan.

(B) This portion shall represent forty percent to sixty percent (40%-60%) of the teacher total compensation; and

(4) "Rewarding Excellence in Achievement plan" means an alternative plan for teacher compensation developed by a public school, public school district, or public charter school and selected by the State Board of Education to participate in the Rewarding Excellence in Achievement Program pursuant to this subchapter.

6-15-2604. Rules.

The State Board of Education is authorized and directed to establish rules for the Rewarding Excellence in Achievement Program consistent with this subchapter.

6-15-2605. Application forms and procedures for the Rewarding Excellence in Achievement Program.

(a)(1)(A) A public school district or public charter school desiring to participate in the Rewarding Excellence in Achievement Program shall submit an application to the State Board of Education.

(B) A public school district may apply on behalf of a single school within the public school district that desires to participate in alternative pay.

(2)(A) The public school district or public charter school shall be

selected through a competitive process.

(B) In selecting participants, the Department of Education shall consider qualified applicants from various locations and of various sizes and demographics.

(3) The State Board of Education may approve up to twelve (12) applications.

(b) The State Board of Education shall adopt:

(1) An application form, a schedule, and a procedure that must be used to apply for the Rewarding Excellence in Achievement Program; and

(2) Criteria to use in selecting public school districts and public charter schools to participate in the Rewarding Excellence in Achievement Program.

(c) The application form must provide space for including all information required under this subchapter to be contained in a Rewarding Excellence in Achievement plan.

(d) The application procedure shall provide for a phase-in process, beginning with a planning phase for a twelve-month minimum period, to allow applicants access to resources that would allow sufficient research of best practices and garner community and staff support in submitting a Rewarding Excellence in Achievement plan.

(e)(1) In order to participate in the Rewarding Excellence in Achievement Program, a public school district or public charter school must have an approved comprehensive school improvement plan, as defined in § 6-15-419(9).

(2) Prior to full implementation of a Rewarding Excellence in Achievement plan, the comprehensive school improvement plan of the public school, public school district, or public charter school shall include:

(A) Assessment and evaluation tools to measure student performance and progress based on an achievement gains model;

(B) Performance goals and benchmarks for improvement;

(C) Measures of student attendance and completion rates;

(D) A rigorous professional development system consistent with the comprehensive school improvement plan defined in § 6-15-419(9) and student academic improvement plans as defined in § 6-15-419(2);

(E) Measures of student, family, and community involvement and satisfaction;

(F) A data reporting system about students and their academic progress that provides parents and the public with understandable information;

(G) A teacher induction and mentoring program for probationary teachers that provides continuous learning and sustained teacher

support; and

(H) Substantial participation by teachers in developing the Rewarding Excellence in Achievement plan.

(f)(1) As part of the application process, participant schools shall conduct a vote of the teachers, with the threshold for acceptance being seventy percent (70%) or another percent established by a majority vote of the teachers and approved by the local board.

(2)(A)(i) A teacher in the participating school or school district may elect not to participate in the Rewarding Excellence in Achievement plan.

(ii) If fifty-one percent (51%) or more of a participant school's teachers elect not to participate, the Rewarding Excellence in Achievement plan shall not be implemented.

(g)(1) All recipients of funds provided by the Rewarding Excellence in Achievement Program shall cooperate and share all school demographic and student achievement data with any state-sponsored evaluation of this program.

(2)(A)(i) A public school district or public charter school applicant shall form a committee to consist of public school administrators and teachers, the majority of whom shall be public school teachers.

(ii) The classroom teacher members of the committee shall be elected by a majority of the classroom teachers voting by secret ballot.

(iii) The election shall be solely and exclusively conducted by the classroom teachers, including the distribution of ballots to all classroom teachers.

(B) The committee shall be responsible for:

(i) Creating the school's Rewarding Excellence in Achievement plan; and

(ii)(a) Evaluating the school's Rewarding Excellence in Achievement plan.

(b) The committee shall report to its local board on the evaluation of the school's Rewarding Excellence in Achievement plan.

6-15-2606. Contents of Rewarding Excellence in Achievement plans.

(a) A Rewarding Excellence in Achievement plan approved for participation in the Rewarding Excellence in Achievement Program shall:

(1) Describe how teachers can achieve career advancement and additional compensation;

(2) Describe how the public school district or public charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitates site-focused professional

development that helps other teachers improve their skills:

(3) Describe how the public school district or public charter school will prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of initial implementation of the Rewarding Excellence in Achievement plan;

(4) Describe how the forty percent to sixty percent (40%-60%) performance portion of compensation will be determined;

(5) Describe how the forty percent to sixty percent (40%-60%) knowledge and skill base portion of compensation will be determined;

(6) Describe how the plan will reform the "steps and lanes" salary schedule;

(7) Describe how the public school district or public charter school will encourage a collaborative relationship among teachers; and

(8) Describe how, after full plan implementation, the alternative compensation system will be:

(A) Sustained; or

(B) Phased out if the Rewarding Excellence in Achievement plan evaluation reveals that the plan does not work for the school.

(b) Rewarding Excellence in Achievement plans approved for participation in the Rewarding Excellence in Achievement Program may include provisions regarding the compensation for administrators and other staff members.

(c) Compensation increases for the performance portion of compensation, forty percent to sixty percent (40%-60%) of the teacher's total compensation, under the Rewarding Excellence in Achievement plan shall include:

(1)(A) Achievement gains of students in each teacher's class on student scores under the statewide assessment program described in § 6-15-433.

(B) Locally selected and Department of Education-approved standardized assessment outcomes for students in each teacher's class may also be included;

(2) Achievement gains of students on a school-wide basis under the statewide assessment program described in § 6-15-433. Locally selected and Department of Education-approved standardized assessment outcomes may also be included; and

(3) The remaining percentage of the performance portion of compensation of the teacher's total compensation shall be based on an objective teacher evaluation program that includes:

(A) An individual objective teacher evaluation conducted by the school principal that is aligned with the comprehensive school improvement plan and

professional development plan described in § 6-15-2607; and

(B) Peer objective evaluations using multiple criteria conducted by locally selected and periodically trained evaluators that understand teaching and learning and that include provisions for integrated ongoing site-based professional development activities to improve instructional skills and learning that are aligned with student needs under § 6-15-2009.

6-15-2607. Staff development.

(a) Staff development activities for a public school district or public charter school participating in the Rewarding Excellence in Achievement Program shall:

(1) Focus on the school classroom and research-based strategies that improve student learning;

(2) Provide opportunities for teachers to practice and improve their instructional skills over time;

(3) Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;

(4) Enhance teacher content knowledge and instructional skills;

(5) Align with state academic standards;

(6) Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and

(7) Align with the Rewarding Excellence in Achievement plan of the public school district or public charter school.

(b) Staff development activities for school districts and public charter schools participating in the Rewarding Excellence in Achievement Program may include:

(1) Curriculum development and curriculum training programs; and

(2) Activities that provide teachers and other staff members training to enhance teacher and team and school performance.

(c) The public school district or public charter school may implement other staff development activities associated with professional teacher compensation models.

6-15-2608. Evaluation of participants.

(a) The Department of Education shall commission an annual evaluation of the Rewarding Excellence in Achievement plan of each public school district and public charter school participating in the Rewarding Excellence in Achievement Program.

(b) An annual evaluation shall include, without limitation, consideration of:

(1) Student scores under the statewide assessment program described in § 6-15-433;

(2) Student attendance;

(3) Student grades;

(4) Incidents involving student discipline;

(5) Socioeconomic data on students' families;

(6) Parental satisfaction with the schools;

(7) Student satisfaction with the schools; and

(8) Correlations between student assessment gains and teacher degree levels, years of experience, staff development, and a school's status for having a qualified teacher in every public school classroom under § 6-15-1004.

6-15-2609. Reporting and continued funding.

(a)(1) In addition to the program evaluation required by § 6-15-2608, each participating school district or public charter school shall report on the implementation and effectiveness of its Rewarding Excellence in Achievement plan and make recommendations by August 15 each year to its local board.

(2) The local board shall transmit a copy of the report with a summary of the findings and recommendations of the public school district or public charter school to the Commissioner of Education.

(b)(1) If the commissioner determines that a public school district or public charter school that receives funding under the Rewarding Excellence in Achievement Program is not complying with the requirements of the program, the commissioner shall withhold further funding from that participant.

(2) Such withheld funds may be reallocated to other existing or new participants.

(3) Before making the determination to withhold funds, the commissioner shall notify the participant of any deficiencies and provide the participant an opportunity to comply with the requirements of the Rewarding Excellence in Achievement Program.

(c) At the end of the Rewarding Excellence in Achievement plan period, the commissioner shall present evaluation findings and recommendations to the State Board of Education, the House Education Committee, and the Senate Education Committee.

6-15-2610. Construction with other state law.

To the extent that the provisions of this subchapter or the terms of an approved Rewarding Excellence in Achievement plan directly conflict with any provision of § 6-17-201 et seq., the Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., or the provisions of any other state law relating to the compensation of

public school teachers, the provisions of this subchapter and the approved Rewarding Excellence in Achievement plan shall control."

/s/ Mike Kenney

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative R. Green, **HOUSE BILL NO. 2630** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2630

Amend **HOUSE BILL NO. 2630** as originally introduced:

Page 2, delete lines 14 through 19

AND

Page 2, line 20, delete "(3)" and substitute "(2)"

AND

Page 2, delete lines 30 through 34

AND

Page 2, line 35, delete "(c)" and substitute "(b)"

/s/ Rick Green

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. 2476** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2476

Amend **HOUSE BILL NO. 2476** as originally introduced:

Page 2, delete lines 12 through 25 and substitute the following:

"informational pamphlet, entitled "Information to Strengthen your Marriage" that shall be made available to any couple in Arkansas when they receives a marriage license.

(c)(1) The Administrative Office of the Courts shall have authority to receive private funds and any other private assistance necessary to design, print, and distribute the information pamphlets to the County Clerks.

(2) No public funds shall be used for designing, printing, or distribution of the information pamphlets to the County Clerks.

(d) The pamphlet shall include the following:

Creating a strong marriage demands dedication, commitment, and learning how to handle conflict and disagreements effectively. Research on marriage shows three factors predict success in marriage: (1) Communication skills, (2) Dealing with conflict, (3) Understanding expectations.

BUILDING COMMUNICATION SKILLS

Good communication means saying what needs to be said, and listening with understanding. Speaking directly takes practice and skill. Spouses often assume their spouses know what they think or feel. Communication is a two-way street. Don't lecture or talk too much. Many of us do not listen well when we hear another person speak. As the other talks, we are often judging what is said and thinking what to say next. The most important thing to do when talking with your spouse is to really try to understand what he or she is saying. Agreement is less important than understanding. When you do understand, it is helpful to show your spouse that you do. A great way to show you understand your spouse is to try to put your spouse's views into your own words. This does several things: (1) It shows that you are really paying attention; (2) It allows you to check out possible misunderstandings; (3) For the speaker, it feels great to know that the listener is hearing what you have to say; and (4) It helps keep conflict from getting out of hand. It is hard to stay angry with someone who is sincerely trying to understand what you are saying. When your spouse knows that you understand his or her point of view, it is much more likely that you will be able to deal with the situation in a way that is good for both of you.

DEALING CONSTRUCTIVELY WITH DISAGREEMENTS AND CONFLICT

Every couple faces problems in their marriage that need to be resolved. Problems themselves do not cause distress in marriage. It is how couples handle

problems that matter. Early in marriage, spouses often avoid discussing "hot-button" issues because they do not want to upset their newly formed union. Soon after marriage, many couples become busy with work, parenting, or other obligations. The demands of the moment may seem more important than issues in the marriage. Yet, building a marriage requires making many decisions and planning for the future. Having good communication skills, being able to discuss and work out plans together, helps planning go more smoothly. Discussing, negotiating, and arriving at agreements that are satisfying to both spouses are crucial to keeping your marriage on the right track.

DANGER SIGNALS: SIGNS OF TROUBLE AHEAD

Couples risk big future problems when (1) They are not able to handle conflicts constructively; (2) Little disagreements quickly become big "blow-ups"; (3) Arguments, once started, are hard to stop; (4) Spouses often experience emotional conflicts; (5) Over the long term, spouses avoid dealing with significant issues; (6) Spouses often put down or insult one another; and (7) During conflicts, one spouse withdraws or avoids dealing with the issue. When people withdraw or avoid dealing with disagreements, they usually are trying to avoid conflict, not their spouses. Also, when people keep bringing up issues, they usually are not trying to nag or pick a fight. They are trying to find a way to connect with their spouses. If you notice some of these danger signs in your own relationship, you should work on communication with your spouse. To have good communication, both spouses must feel emotionally safe, not vulnerable or on the defensive. A first step is to listen to your spouse. By listening carefully, you will go a long way toward improving your couple communication. Be polite in talks with your spouse. Treat your spouse as you would a very valued friend. When you have something negative or critical to say, find the most polite way to say it. When you express your criticism politely, you increase the chances that your spouse will actually hear what you have to say.

UNDERSTANDING EXPECTATIONS

In the early years of marriage, it is important to recognize what really matters to you and your spouse. Talking with one another about your values, beliefs, and voices" or "don't argue in front of the kids"); (3) Who has more "say" or whether there should be "equal say" in the marriage; (4) Expectations about sex; (5) Who should do what around the house; and (6) How finances should be handled. Many spouses think their spouses' expectations are similar to their own. Actually, it is more likely that you have different expectations. Remember, it is how you handle your differences that count. Working through disagreements creates intimacy and trust in your marriage. Handling conflict lays the groundwork for satisfying and fulfilling marriages.

DEVELOPING TEAMWORK AND FRIENDSHIP IN MARRIAGE

Spouses often say they want their spouse to be their best friend. Friendship is part of your marriage relationship. Friends listen to each other, show respect for each other's opinions, and are truly interested in each other's lives. Friends talk about their interests, dreams, and plans, and discuss what is important to them. Life after marriage makes it harder to keep time for friendship. As life gets expectations builds your relationship. Expectations play a big role in determining how satisfied we are in life and with our relationships. Expectations include feelings, desires, anticipations about life, relationships, "how the world works," and what is likely to happen in the future. Our expectations shape the meanings we give to our spouse's words and actions, and how we react to our spouse's behavior. When we are happy in our relationship, we tend to see only the positive. When we are unhappy, we tend to see only the negative, and it becomes difficult to see our spouse's good aspects. It is important to understand and talk about expectations. Expectations include: (1) How communication should take place in relationships; (2) How husbands and wives should handle conflicts and disagreements (such as "never raise busier, and issues come up, friendship may suffer. However, keeping friendship alive is one of the best tools for a successful marriage. Friends work as a team, making life easier and more fun. Make time for "friendship talk" with your spouse, focusing on each other's work, dreams, and interests.

MARRIAGE AS A BALANCING ACT

Individuals have many different roles in their married lives. These roles include work and family, being a spouse and a parent, and keeping a sense of self while also being part of a couple. It is important to keep a balance between these sometimes-competing roles. Doing too much of one often comes at the expense of another.

RECOGNIZING WHEN YOU NEED HELP

What are signs of marital distress? If you often have communication problems, if your arguments are more destructive than constructive, and especially if your disagreements lead to pushing or shoving or other kinds of "physical" behavior, it may be helpful to get assistance.

WHERE TO LOOK FOR HELP

If you or your spouse ever need help of any kind, knowing where to look is important. Family and friends can provide support. Often, though, expert help is useful. There are many highly qualified professionals to help you decide if you need assistance, and what kind of assistance might be most helpful. There are many resources to help develop skills and improve your marriage. Investigate programs and counseling offered by: (1) Community mental health centers, (2) Religious

organizations and spiritual leaders, (3) Relationship enhancement programs (4) Marriage and family therapists. Many of these resources are available free of charge or on a sliding fee scale. All couples have the potential to succeed in making a wonderful marriage. It does not happen naturally. It takes a lot of effort. The most successful relationships are ones that spouses continually work to improve."

/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. 2479** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2479

Amend **HOUSE BILL NO. 2479** as originally introduced:

Page 2, line 1, delete "designated by the court" and substitute "with standing, including the ward."

/s/ Michael Lamoureux

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. 1201** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1201

Amend **HOUSE BILL NO. 1201** as originally introduced:

Add Representatives Stewart, Blount, T. Bradford, Breedlove, Burris, Cash, Cheatham, Cook, Cornwell, L. Cowling, D. Creekmore, Dunn, George, Glidewell, R. Green, Greenburg, Hawkins, Hoyt, D. Hutchinson, J. Johnson, Key, King, Maxwell, Overbey, Pierce, Powers, S. Prater, Ragland, J. Roebuck, Rosenbaum, Shelby, L. Smith, Wells, Wood, and Woods as cosponsors of the bill

AND

Page 2, delete line 1 and substitute the following:

"the group insurance program ~~instituted~~ administered by the Employee Benefits Division of the Department of Finance and Administration pursuant to the provisions of this"

AND

Page 2, delete lines 5 through 19 and substitute the following:

"(b)(1) In addition, upon the death of an active member ~~or a retired member~~ of the Arkansas Teacher Retirement System, the survivors of such member who are eligible for or are receiving an annuity under the system and who were covered on the active member's health insurance policy at the time of death shall have the option of continuing to be a member of such insurance group at the prevailing rates established for members of the Arkansas Teacher Retirement System, upon application for such coverage.

(2) Upon the death of a retired member of the Arkansas Teacher Retirement System, a survivor of a member who was receiving an annuity under the system and who was covered on the member's health insurance policy at the time of the member's death shall have the option of continuing to be a member of the insurance group at the prevailing rates established for the members of the Arkansas Teacher Retirement System upon application for the coverage.

~~(c)(1) However, persons~~ A person drawing retirement benefits under the Arkansas Teacher Retirement System and the Arkansas Public Employees' Retirement System who ~~wish~~ elects to participate or continue to participate in the group insurance program provided ~~for herein~~ by the Employee Benefits Division of the Department of Finance and Administration shall pay the ~~full amount~~ retiree portion of the premium or cost of the policy, ~~and such~~

(2) The retiree portion of the premium or cost shall be deducted from the retirement benefit checks check of such participants the participant."

AND

Page 2, delete lines 24 through 32 and substitute the following:

"(e)(1) The state may make a monthly contribution on behalf of the members who participate in the Arkansas Teacher Retirement System and the Arkansas Public Employees' Retirement System group insurance program provided by the Employee Benefits Division of the Management Services Division of the Department of Finance and Administration multiplied by the amount necessary to meet the requirement of subsection (d) of this section.

(2) The state contribution amount shall not exceed the state contribution amount permitted by law for state contributions for members and retirees of the Arkansas Teacher Retirement System and the Arkansas Public Employees' Retirement System to the Employee Benefits Division of the Department of Finance and Administration for the benefit of state employees as provided in § 21-5-414."

/s/ Steve Harrelson

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. 2644** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2644

Amend **HOUSE BILL NO. 2644** as originally introduced:

Immediately following the Enacting Clause, add an additional section to read as follows:

"SECTION 1. The General Assembly has determined that:

(a) Prior to the enactment of Act 785 of 1993 a taxpayer could claim a refund of any overpayment of state tax within a specified number of years or "as long as the statute of limitations for assessment is still open to the director";

(b) Section 1 of Act 785 of 1993 inadvertently deleted the language that arguably allowed a taxpayer that filed a return the same statute of limitations as the state and thereby gave the state an unfair advantage over a taxpayer that filed a return by permitting the state to retain an overpayment of tax that should have been refunded to the taxpayer that filed the return;

(c) Section 1 of Act 785 of 1993 was intended to apply only to a taxpayer that had not filed a return or that had underreported the taxpayer's income by twenty-five percent (25%) or more;

(d) Fundamental fairness dictates that the statute of limitations should be the same for the state and the taxpayer that filed a return;

(e) While the state law should be designed to fairly collect taxes it should not give the state the upper hand to retain an overpayment from a taxpayer that filed a return; and

(f) This act will clarify the intent of the General Assembly to provide equal treatment between taxpayers that filed a return and the state."

AND

Immediately following SECTION 4, add an additional section to read as follows:

"SECTION 6. Sections 1 - 5 of this act shall be effective retroactive to tax year 1993 and all succeeding tax years."

AND

Appropriately renumber the sections of the bill.

/s/ David Dunn

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Woods, **HOUSE BILL NO. 2664** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2664

Amend **HOUSE BILL NO. 2664** as originally introduced:

Page 1, delete lines 22 and 23 and substitute the following:

"shall be granted an annual vacation of not less than ~~fifteen (15) days~~ the following with full pay:

(1) For an employee who works a forty-hour work week, fifteen (15) days; and

(2) For an employee who works more than forty (40) scheduled hours per week, the equivalent of seven (7) twenty-four-hour shifts."

/s/ Jon Woods

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Woods, **HOUSE BILL NO. 1617** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1617

Amend **HOUSE BILL NO. 1617** as engrossed,
H3/1/07 (version: 03-01-2007 09:14):

Page 1, delete the TITLE in its entirety and substitute the following:

"AN ACT TO ABOLISH A LOCAL GOVERNMENT'S RIGHT OF EMINENT DOMAIN TO CONDEMN PRIVATE PROPERTY FOR ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES."

AND

Page 1, delete the SUBTITLE in its entirety and substitute the following:

"TO ABOLISH A LOCAL GOVERNMENT'S RIGHT OF EMINENT DOMAIN TO CONDEMN PRIVATE PROPERTY FOR ECONOMIC DEVELOPMENT."

AND

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

"SECTION 1. Arkansas Code § 14-168-304(7), concerning a local government's right of eminent domain to condemn private property for economic redevelopment, is repealed.

~~(7)(A) Exercise the right of eminent domain to condemn property for the purposes of implementing the project plan.~~

~~(B) The rules and procedures set forth in §§ 18-15-301 - 18-15-307 shall govern all condemnation proceedings authorized in this subchapter;~~

SECTION 2. NOT TO BE CODIFIED. Nothing in this act shall expand or limit a municipal corporation's power of eminent domain under §§ 18-15-301 - 18-15-309."

/s/ Jon Woods

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. 1540** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1540

Amend **HOUSE BILL NO. 1540** as originally introduced:

Page 2, delete lines 13 through page 4, line 6 and insert therefor:

" UAMS DONALD W. REYNOLDS CTR ON AGING
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(1) Project/Program Manager	1	\$72,828	\$74,285
(2) Project/Program Specialist	4	\$62,836	\$64,093

TWELVE MONTH EDUCATIONAL AND GENERAL
CLASSIFIED POSITIONS

(3) Administrative Assistant II	1	GRADE 17	
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TWELVE MONTH EDUCATIONAL AND GENERAL
ACADEMIC POSITIONS

(4) Faculty Pool	19		
Professor		\$144,168	\$147,051
Associate Professor		\$133,038	\$135,699
Assistant Professor		\$125,612	\$128,124
Instructor		\$100,933	\$102,952
(5) Education Coordinator	1	\$103,750	\$105,825
(6) Research Assistant	1	\$68,253	\$69,618

UAMS ARK COLLEGE OF PUBLIC HEALTH
TWELVE MONTH EDUCATIONAL AND GENERAL
ADMINISTRATIVE POSITIONS

(7) Project/Program Director	1	\$80,367	\$81,974
(8) Project/Program Specialist	1	\$62,836	\$64,093

TWELVE MONTH EDUCATIONAL AND GENERAL CLASSIFIED POSITIONS

(9) Systems Analyst II-Inst	1	GRADE 22
(10) Research Technologist II	1	GRADE 20
(11) Administrative Assistant II	6	GRADE 17
(12) Secretary II	1	GRADE 13

TWELVE MONTH EDUCATIONAL AND GENERAL ACADEMIC POSITIONS

(13) Dean	1	\$214,293	\$218,579
(14) Department Chairperson	5	\$151,599	\$154,631
(15) Associate Dean	1	\$145,026	\$147,927
(16) Faculty Pool	6		
Professor		\$144,168	\$147,051
Associate Professor		\$133,038	\$135,699
Assistant Professor		\$125,612	\$128,124

ARKANSAS BIOSCIENCES INSTITUTE

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(17) Director of Biosciences Institute	1	\$225,379	\$229,887
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TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(18) Research Technologist I	12	GRADE 18
(19) Research Technician II	12	GRADE 13

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(20) Faculty Pool	24		
Research Professor		\$140,799	\$143,615
Research Associate Professor		\$133,037	\$135,698
Research Assistant Professor		\$125,612	\$128,124
Research Instructor		\$86,428	\$88,157
(21) Post Doctoral Fellow	6	\$87,080	\$88,822
(22) Graduate Assistant	4	\$33,970	\$34,649

UAMS AREA HEALTH ED CTR IN HELENA

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(23) Administrative Support Pool	17		
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Page 1, line 19, delete "DISTRICT"

And

Page 1, line 25, delete "FORT SMITH SCHOOL DISTRICT" and substitute "ALTERNATIVE SCHOOL PARENT TEACHER ASSOCIATIONS AND ADULT EDUCATION SCHOOLS STATEWIDE"

And

Page 1, delete lines 28 through 36 in their entirety and substitute the following:

" (A) For support to all Alternative School Parent Teacher Associations, the sum of\$100.000.

(B) For support to all Adult Education Schools to be used exclusively for student and teacher supplies, the sum of\$100.000."

And

Page 2, delete lines 1 through 13 in their entirety

/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. 2069** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2069

Amend **HOUSE BILL NO. 2069** as originally introduced:

Page 1, line 28, delete "the American Red Cross" and substitute "all American Red Cross Programs"

And

Page 1, line 28, delete "\$10,000" and substitute "\$25,000"

And

Page 1, delete line 29 in its entirety

And

Page 1, line 30, delete "Gateway House" and substitute "all men's and women's alcohol abuse treatment houses"

And

Page 1, line 30, delete "\$10,000" and substitute "\$25,000"

And

Page 1, delete lines 31 through 35 in their entirety

And

Page 1, line 36, delete "the Crisis Center" and substitute "all Crisis Centers"

And

Page 1, line 36, delete "\$10,000" and substitute "\$25,000"

And

Page 2, line 1, delete "the Community Rescue Mission" and substitute "all Community Rescue Missions"

And

Page 2, line 1, delete "\$10,000" and substitute "\$25,000"

And

Page 2, delete lines 2 through 6 in their entirety

And

Page 2, line 7, delete "the Adult Day Care Center" and substitute "all Adult Day Care Centers"

And

Page 2, line 7, delete "\$10,000" and substitute "\$25,000"

And

Page 2, delete line 8 in its entirety

And

Page 2, line 9, delete "the Alzheimer Association" and substitute "all Alzheimer Associations"

And

Page 2, line 9, delete "\$10,000" and substitute "\$25,000"

And

Appropriately reorder the subsection Letters in SECTION 1

/s/ Jim Medley

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Medley unanimous leave to withdraw **HOUSE BILL NO. 2732**. Recommended Committee study by State Agencies and Governmental Affairs Committee - House.

The House gave Representative Norton unanimous leave to withdraw **HOUSE BILL NO. 1147**.

The House gave Representative Rosenbaum unanimous leave to withdraw **HOUSE BILL NO. 1380**. Recommended Committee study by State Agencies and Governmental Affairs Committee - House.

The House gave Representative Wagner unanimous leave to withdraw **HOUSE BILL NO. 1743**. Recommended Committee study by State Agencies and Governmental Affairs Committee - House.

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 1082**. Recommended study by Public Retirement and Social Security Programs - Joint.

The House gave Representative Ragland unanimous leave to withdraw **HOUSE BILL NO. 2497**. Recommended Committee study by State Agencies and Governmental Affairs Committee - House.

The House gave Representative Burris unanimous leave to withdraw **HOUSE BILL NO. 1195**. Recommended Committee study by Public Retirement and Social Security Programs - Joint.

The House gave Representative Webb unanimous leave to withdraw **HOUSE BILL NO. 2661**.

The House gave Representative Harrelson unanimous leave to withdraw
HOUSE BILL NO. 1532.

The House gave Representative Maloch unanimous leave to withdraw
HOUSE BILL NO. 1067.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 20, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1201 - TITLE - BY REPRESENTATIVE HARRELSON, ET AL
 HOUSE BILL NO. 1617 - TITLE - BY REPRESENTATIVE WOODS
 HOUSE BILL NO. 1979 - TITLE - BY REPRESENTATIVE MEDLEY
 HOUSE BILL NO. 2069 BY REPRESENTATIVE MEDLEY
 HOUSE BILL NO. 1540 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 2349 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 2476 BY REPRESENTATIVE LAMOUREUX
 HOUSE BILL NO. 2479 BY REPRESENTATIVE LAMOUREUX
 HOUSE BILL NO. 2510 - TITLE - BY REPRESENTATIVE DUNN, ET AL
 HOUSE BILL NO. 2538 BY REPRESENTATIVE BREEDLOVE
 HOUSE BILL NO. 2614 BY REPRESENTATIVE KENNEY
 HOUSE BILL NO. 2615 - TITLE - BY REPRESENTATIVE HARDY, ET AL
 HOUSE BILL NO. 2620 - TITLE - BY REPRESENTATIVE WALTERS, ET AL
 HOUSE BILL NO. 2630 BY REPRESENTATIVE R. GREEN
 HOUSE BILL NO. 2644 BY REPRESENTATIVE DUNN, ET AL
 HOUSE BILL NO. 2664 BY REPRESENTATIVE WOODS, ET AL
 HOUSE BILL NO. 2735 - TITLE - BY REPRESENTATIVE J. ROEBUCK, ET AL
 HOUSE BILL NO. 2768 BY REPRESENTATIVE ROSENBAUM
 HOUSE BILL NO. 2771 - TITLE - BY REPRESENTATIVE J. ROEBUCK, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1201

BY: REPRESENTATIVES HARRELSON, STEWART, BLOUNT, T. BRADFORD, BREEDLOVE, BURRIS, CASH, CHEATHAM, COOK, CORNWELL, L. COWLING, D. CREEKMORE, DUNN, GEORGE, GLIDEWELL, R. GREEN, GREENBERG, HAWKINS, HOYT, D. HUTCHINSON, J. JOHNSON, KEY, KING, MAXWELL, OVERBEY, PIERCE, POWERS, S. PRATER, RAGLAND, J. ROEBUCK, ROSENBAUM, SHELBY, L. SMITH, WELLS, WOOD, WOODS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EQUALIZE RETIREE GROUP HEALTH INSURANCE PREMIUM COSTS UNDER THE ARKANSAS TEACHER RETIREMENT SYSTEM FOR RETIRED STATE EMPLOYEES AND RETIRED PUBLIC SCHOOL EMPLOYEES; TO PERMIT STATE CONTRIBUTIONS TO GROUP HEALTH INSURANCE PREMIUM COSTS FOR PARTICIPANTS IN THE ARKANSAS TEACHER RETIREMENT SYSTEM WHO ARE NOT STATE EMPLOYEES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1617

BY: REPRESENTATIVE WOODS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ABOLISH A LOCAL GOVERNMENT'S RIGHT OF EMINENT DOMAIN TO CONDEMN PRIVATE PROPERTY FOR ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1979

BY: REPRESENTATIVE MEDLEY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR SUPPORT OF ALL ALTERNATIVE SCHOOL PARENT TEACHER ASSOCIATIONS AND ALL ADULT EDUCATION SCHOOLS STATEWIDE; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2510

BY: REPRESENTATIVES DUNN, ABERNATHY, ALLEN, T. BAKER, BLOUNT, E. BROWN, BURKES, BURRIS, CHEATHAM, DAVIS, EVERETT, GREENBERG, HARRELSON, HARRIS, J. JOHNSON, KIDD, LAMOUREUX, MAXWELL, PIERCE, REEP, REYNOLDS, L. SMITH, WALTERS, WOODS, WYATT
BY: SENATORS BRYLES, STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REESTABLISH FAIRNESS, TRANSPARENCY, AND COMPETITION IN THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED BUILDINGS, INFRASTRUCTURE, AND FACILITIES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2615

BY: REPRESENTATIVES HARDY, ALLEN, T. BAKER, BLOUNT, E. BROWN, CHESTERFIELD, DAVIS, S. DOBBINS, GARNER, R. GREEN, HAWKINS, JEFFREY, KIDD, W. LEWELLEN, LOWERY, S. PRATER, RAINEY, REEP, SAUNDERS, SUMPTER
BY: SENATOR STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE AN ARKANSAS HIV-AIDS MINORITY TASKFORCE; TO COORDINATE STATEWIDE EFFORTS TO COMBAT THE DEBILITATING EFFECTS OF HIV-AIDS ON MINORITY ARKANSANS; TO IMPROVE HIV-AIDS PREVENTION, INTERVENTION, AND TREATMENT PROGRAMS IN THE MINORITY COMMUNITY; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2620

BY: REPRESENTATIVES WALTERS, *ABERNATHY, D. CREEKMORE, HOYT, J. JOHNSON, KIDD, LOVELL, M. MARTIN, MAXWELL, PATTERSON, PIERCE, REEP, REYNOLDS, WAGNER, WELLS, WYATT*

BY: *SENATOR R. THOMPSON*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO TRANSFER THE REGULATION OF TITLE INSURANCE TO THE STATE INSURANCE DEPARTMENT; TO ENACT THE ARKANSAS TITLE INSURANCE ACT; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2735

BY: REPRESENTATIVES J. ROEBUCK, *PENNARTZ*

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO CREATE THE HEALTH FACILITY INFECTION DISCLOSURE ACT OF 2007*; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2771

BY: REPRESENTATIVES J. ROEBUCK, COOK, WEBB, STEWART, D. JOHNSON, D. EVANS, POWERS, L. SMITH, HOUSE, HARDWICK, BLOUNT, E. BROWN, CASH, CHEATHAM, EDWARDS, HARDY, J. JOHNSON, LAMOUREUX, PENNARTZ, RAINEY, WAGNER, WOODS, GASKILL, S. PRATER

BY: SENATORS MADISON, TRUSTY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE BEVERAGE CONTAINER LITTER REDUCTION FEE PROGRAM; TO REDUCE LITTER, FACILITATE BEVERAGE CONTAINER RECYCLING AND REQUIRE LABELING OF BEVERAGE CONTAINERS; TO PERMIT REDEMPTION CENTERS AND ADOPT REGULATIONS; AND FOR OTHER PURPOSES.

HOUSE RESOLUTION NO. 1018

BY: REPRESENTATIVE NORTON

COMMENDING THE ALPENA HIGH SCHOOL SCIENCE AND AGRISCIENCE PROGRAMS FOR EXCELLENCE.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

HOUSE CONCURRENT RESOLUTION NO. 1021

BY: REPRESENTATIVE SAUNDERS

REQUESTING THAT IN CONCORDANCE WITH THE 2006 ACT 57 ADEQUACY STUDY, THE JOINT INTERIM COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS STUDY THE POSSIBILITY OF REQUIRING FURTHER REVIEW BY THE GENERAL ASSEMBLY BEFORE ANY FUTURE INCREASES TO THE EMPLOYER CONTRIBUTION RATE OR GRANTS OF ADDITIONAL AUTHORITY TO THE ARKANSAS TEACHER RETIREMENT SYSTEM.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

HOUSE RESOLUTION NO. 1030

BY: REPRESENTATIVE DUNN

HOUSE RESOLUTION

TO SUSPEND RULE (36)(m) OF THE HOUSE OF
REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS
THYER TO FILE A BILL CONCERNING SCHOOL ACADEMIC
FACILITIES BONDS.

Subtitle

TO SUSPEND THE RULES OF THE HOUSE OF
REPRESENTATIVES TO ALLOW REPRESENTATIVE
CHRIS THYER TO FILE A BILL CONCERNING
SCHOOL ACADEMIC FACILITIES BONDS.

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

THAT Rule 36(m) of the House of Representatives is suspended to allow
Representative Chris Thyer to file a bill concerning school academic
facilities bonds.

The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Bond, T. Bradford, Breedlove, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, 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, 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, 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, Mr. Speaker.

Total	94
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Berry, Blount, Hoyt, Medley.	
Total	4
VOTING PRESENT: E. Brown, Cornwell.	
Total	2
Total number of votes cast	96
Total number voting in the affirmative.....	94
Necessary to the adoption of the resolution	67

So the Resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 26

BY: SENATOR BROADWAY

SENATE CONCURRENT RESOLUTION

TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND
THE HOUSE OF REPRESENTATIVES TO ALLOW
REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL
CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Subtitle

TO SUSPEND THE JOINT RULES OF THE SENATE 16
AND THE HOUSE OF REPRESENTATIVES TO 17
ALLOW REPRESENTATIVE CHRIS THYER TO 18
INTRODUCE A BILL CONCERNING SCHOOL 19
ACADEMIC FACILITIES BONDS. 20

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-SIXTH GENERAL
ASSEMBLY, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That Joint Rule (16)(A) of the Senate and the House of Representatives
is hereby suspended to allow Representative Chris Thyer to introduce a bill
concerning school academic facilities bonds.

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, 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, 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, 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, Mr. Speaker.

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Hardwick, Medley.	
Total	2
VOTING PRESENT: E. Brown, Cornwell.	
Total	2
Total number of votes cast	98
Total number voting in the affirmative.....	96
Necessary to the adoption of the resolution	67

So the Resolution was adopted.

Morning Hour Expired.

Representative Sample moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 2583

Amend HOUSE BILL NO. 2583 as originally introduced:

Add Senator Horn as a cosponsor of the bill

/s/ Barbara Horn

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, 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, 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: Chesterfield, M. Martin, Mr. Speaker.

Total3

VOTING PRESENT: E. Brown, Cornwell.

Total2

Total number of votes cast97

Total number voting in the affirmative95

Necessary to concur in the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 2451

BY: REPRESENTATIVE MALOCH

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, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, King, Lamoureux, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Overbey, Patterson, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Thyer, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total77

NEGATIVE: Bond, Chesterfield, R. Green, Kidd, W. Lewellen, Pate, Pennartz, Pyle, Sumpster, Wagner.

Total10

ABSENT OR NOT VOTING: T. Baker, D. Creekmore, Dickinson, S. Dobbins, L. Evans, Hardy, D. Hutchinson, M. Martin, Norton, Pace, Pickett, Sullivan, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative.....77

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2788

BY: REPRESENTATIVE SAUNDERS

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Allen, Berry, Blount, T. Bradford, Breedlove, E. Brown, Burkes, Burris, Cash, Cheatham, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Flowers, Gaskill, George, R. Green, Greenberg, Hall, Hawkins, D. Hutchinson, Hyde, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Moore, Overbey, Pate, Patterson, Pickett, Powers, Rainey, Reep, J. Roebuck, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Wells, Wills, Woods.

Total57

NEGATIVE: Adcock, Bond, J. Brown, Cook, Cooper, Everett, Garner, Harrelson, Harris, House, Hoyt, Jeffrey, D. Johnson, J. Johnson, Key, M. Martin, Pennartz, Pierce, S. Prater, Pyle, Reynolds, Rosenbaum, L. Smith, Webb, Wood, Wyatt.

Total26

ABSENT OR NOT VOTING: Abernathy, Anderson, T. Baker, Chesterfield, S. Dobbins, Glidewell, Hardwick, Hardy, Kenney, Maxwell, Medley, Norton, Pace, Ragland, Rogers, Walters, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Total number voting in the affirmative57

Necessary to the passage of the bill.....51

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

Upon motion of Representative Saunders the Clincher motion prevailed.

HOUSE BILL NO. 2383

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, 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, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Hardwick, Rogers, 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 **HOUSE BILL NO. 2383**, 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, 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, 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.

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Hardwick, Rogers, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2460

BY: REPRESENTATIVE WEBB

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, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, Maxwell, Moore, Norton, Overbey, Pate, 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.

Total83

NEGATIVE: Burkes, Kenney, Key, Pace.

Total4

ABSENT OR NOT VOTING: Berry, Dickinson, Glidewell, Harris, Jeffrey, King, Lowery, Medley, Patterson, Ragland, Rogers, Mr. Speaker.

Total12

VOTING PRESENT: M. Martin.

Total1

Total number of votes cast88

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 2460**, 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, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, Maxwell, Moore, Norton, Overbey, Pate, 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.

Total83

NEGATIVE: Burkes, Kenney, Key, Pace.

Total4

ABSENT OR NOT VOTING: Berry, Dickinson, Glidewell, Harris, Jeffrey, King, Lowery, Medley, Patterson, Ragland, Rogers, Mr. Speaker.

Total12

VOTING PRESENT: M. Martin.

Total1

Total number of votes cast88

Total number voting in the affirmative83

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2367

BY: REPRESENTATIVE GREENBERG

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Dunn, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Moore, Overbey, Pate, Patterson, Pierce, S. Prater, Pyle, Ragland, Rainey, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total72

NEGATIVE: Flowers, Powers, Reep, L. Smith.

Total4

ABSENT OR NOT VOTING: Adcock, T. Baker, Berry, J. Brown, Davis, Dickinson, S. Dobbins, Edwards, Hoyt, Jeffrey, Kenney, King, W. Lewellen, Lowery, Medley, Norton, Pace, Pennartz, Pickett, Reynolds, J. Roebuck, Rogers, Webb, Mr. Speaker.

Total24

VOTING PRESENT:

Total0

Total number of votes cast76

Total number voting in the affirmative.....72

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2692

BY: REPRESENTATIVE OVERBEY

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, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Flowers, 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, 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, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total91

NEGATIVE: Garner, D. Hutchinson, M. Martin, Sullivan.

Total4

ABSENT OR NOT VOTING: Adcock, D. Creekmore, L. Evans, Rogers, 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. 2407

BY: REPRESENTATIVE BOND

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, 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, Harrelson, Harris, Hawkins, House, Hoyt, 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, 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: Adcock, L. Evans, D. Hutchinson, Jeffrey, Pickett, 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. 2691

BY: REPRESENTATIVE MALOCH

Was read the third time and placed on final passage, the question being shall the Bill pass. 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, Davis, 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, 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, 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: Abernathy, Adcock, Ragland, Mr. Speaker.

Total4

VOTING PRESENT: Glidewell.

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. 2739

BY: REPRESENTATIVE D. 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, Allen, 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, D. Hutchinson, Hyde, 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, 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.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Maxwell, Powers, Schulte, Mr. Speaker.

Total6

VOTING PRESENT: Anderson, Jeffrey.

Total2

Total number of votes cast94

Total number voting in the affirmative.....92

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2534

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: Abernathy, Allen, 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, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, D. Johnson, J. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, 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.

Total88

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Anderson, Burkes, Dickinson, Garner, Glidewell, Hyde, Jeffrey, Kenney, Lamoureux, Medley, Mr. Speaker.

Total12

VOTING PRESENT:

Total0

Total number of votes cast88

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.

Representative Bond moved for re-consideration of HOUSE BILL NO. 1703.

The vote was as follows:

AFFIRMATIVE: Abernathy, Allen, Berry, Bond, E. Brown, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Flowers, George, R. Green, Hall, Hardwick, Harrelson, House, Hoyt, D. Johnson, J. Johnson, W. Lewellen, Lovell, Maloch, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, Rogers, Saunders, Shelby, L. Smith, Wagner, Wells, Wood.

Total51

NEGATIVE: Anderson, T. Baker, Blount, Breedlove, J. Brown, Burkes, Chesterfield, D. Creekmore, Dickinson, L. Evans, Garner, Gaskill, Glidewell, Greenberg, Harris, D. Hutchinson, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lowery, M. Martin, Maxwell, Medley, Norton, Pace, Pyle, Ragland, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Thyer, Walters, Wills, Woods, Wyatt.

Total40

ABSENT OR NOT VOTING: Adcock, T. Bradford, Hardy, Hawkins, Hyde, J. Roebuck, Sumpter, Webb, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative.....51

Necessary to the adoption of the motion51

So the Motion was adopted.

HOUSE BILL NO. 1703

BY: REPRESENTATIVE DAVENPORT

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, E. Brown, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, Flowers, George, Hall, Hardwick, Hardy, Harrelson, House, Hoyt, J. Johnson, Kidd, W. Lewellen, Lovell, Maloch, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Shelby, L. Smith, Wagner, Wells, Wood.

Total54

NEGATIVE: Anderson, Breedlove, J. Brown, Burkes, Chesterfield, D. Creekmore, Dickinson, L. Evans, Garner, Gaskill, Glidewell, R. Green, Greenberg, Harris, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Kenney, Key, King, Lamoureux, Lowery, M. Martin, Maxwell, Medley, Norton, Pace, Pyle, Ragland, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Thyer, Walters, Webb, Wills, Woods, Wyatt.

Total41

ABSENT OR NOT VOTING: S. Dobbins, Hawkins, Saunders, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative52

Necessary to the passage of the bill.....51

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

Representative Ragland requested the Sounding of the Ballot on **HOUSE BILL NO. 1703** and the call was sustained. The following members votes were successfully challenged:

AYE: ADCOCK, HALL

Total.....	02
Total Number of votes cast.....	93
Necessary to the passage of the bill.....	51
Total number voting in the affirmative.....	52
Total number voting in the negative.....	41
Total number absent or not voting.....	07
Total number voting present.....	0

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

HOUSE BILL NO. 1703

BY: REPRESENTATIVE DAVENPORT

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. Baker, Berry, Blount, Bond, T. Bradford, E. Brown, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, Flowers, George, Hardwick, Hardy, Harrelson, House, Hoyt, J. Johnson, Kidd, W. Lewellen, Lovell, Maloch, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Shelby, L. Smith, Wagner, Wells, Wood.

Total52

NEGATIVE: Anderson, Breedlove, J. Brown, Burkes, Chesterfield, D. Creekmore, Dickinson, L. Evans, Garner, Gaskill, Glidewell, R. Green, Greenberg, Harris, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Kenney, Key, King, Lamoureux, Lowery, M. Martin, Maxwell, Medley, Norton, Pace, Pyle, Ragland, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Thyer, Walters, Webb, Wills, Woods, Wyatt.

Total41

ABSENT OR NOT VOTING: Adcock, S. Dobbins, Hall, Hawkins, Saunders, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative52

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1187

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, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Chesterfield, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, Everett, Flowers, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, D. Johnson, J. Johnson, W. Lewellen, Lovell, M. Martin, Maxwell, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Ragland, Rainey, Reep, J. Roebuck, Rogers, Shelby, L. Smith, Stewart, Wagner, Webb, Wells, Wills, Wood.

Total64

NEGATIVE: Allen, Anderson, Burkes, Cooper, Garner, Harris, Key, Kidd, Lamoureux, Lowery, Maloch, Pace, Rosenbaum, Sample, Sullivan, Thyer, Woods, Wyatt.

Total18

ABSENT OR NOT VOTING: Berry, Cheatham, S. Dobbins, L. Evans, Glidewell, D. Hutchinson, Jeffrey, Kenney, King, Norton, S. Prater, Pyle, Reynolds, Saunders, Schulte, Sumpter, Walters, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative.....64

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 1277

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, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, Everett, Flowers, Garner, Gaskill, George, 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, 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: Bond, S. Dobbins, L. Evans, Glidewell, Lowery, Maloch, 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. 1277**, 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, D. Creekmore, Davenport, Davis, Dickinson, Dunn, Edwards, D. Evans, Everett, Flowers, Garner, Gaskill, George, 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, 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: Bond, S. Dobbins, L. Evans, Glidewell, Lowery, Maloch, 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. 1172

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Chesterfield, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Flowers, Garner, Gaskill, George, 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, 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: Berry, Cheatham, Cooper, Everett, Glidewell, Maloch, 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.

HOUSE BILL NO. 1097

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, 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, 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.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Evans, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 1097**, 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, 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.

Total97

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, D. Evans, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

The Speaker requested that **SENATE BILL NO. 924** be transferred from the Education Committee to the Committee on Advanced Communications and Information Technology - House.

SENATE BILL NO. 296

BY: SENATOR WILKINS

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, 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, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wyatt.

Total87

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Burkes, Davis, Jeffrey, Lamoureux, Moore, Norton, S. Prater, Pyle, Sumpter, Wood, Woods, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative87

Necessary to the passage of the bill.....51

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

SENATE BILL NO. 849

BY: SENATOR TRUSTY

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, 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, 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, Pierce, Powers, Pyle, Ragland, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, Gaskill, Lamoureux, Pickett, S. Prater, Reynolds, Wood, 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.

SENATE BILL NO. 439

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, 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, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total90

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: T. Bradford, Cornwell, Davis, Dickinson, D. Hutchinson, Medley, S. Prater, Wood, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

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.

There being an Emergency Clause attached to **SENATE BILL NO. 439**, 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, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, 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, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Woods, Wyatt.

Total90

NEGATIVE: Flowers.

Total1

ABSENT OR NOT VOTING: T. Bradford, Cornwell, Davis, Dickinson, D. Hutchinson, Medley, S. Prater, Wood, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast91

Total number voting in the affirmative90

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 821

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, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, S. Dobbins, Dunn, Edwards, D. 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, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pierce, Powers, 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.

Total89

NEGATIVE: King.

Total1

ABSENT OR NOT VOTING: T. Bradford, Davis, Dickinson, L. Evans, Kenney, Maxwell, Medley, Pickett, S. Prater, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast.....90

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. 858

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, Anderson, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cornwell, L. Cowling, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers, Gaskill, George, Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kidd, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods.

Total79

NEGATIVE: Adcock, Allen, D. Creekmore, R. Green, Greenberg, Kenney, King, Pace.

Total8

ABSENT OR NOT VOTING: Berry, Cooper, Davis, D. Evans, Garner, Harris, Key, Lowery, Medley, Pyle, Rosenbaum, Wyatt, Mr. Speaker.

Total13

VOTING PRESENT:

Total0

Total number of votes cast87

Total number voting in the affirmative79

Necessary to the passage of the bill51

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

SENATE BILL NO. 904

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, 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, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, 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: D. Creekmore, Davis, Hall, Lowery, S. Prater, 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. 89

BY: SENATOR J. TAYLOR

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, D. Creekmore, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Medley, Moore, 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:

Total0

ABSENT OR NOT VOTING: L. Cowling, Davis, Dickinson, Greenberg, Lowery, Norton, Pace, Mr. Speaker.

Total8

VOTING PRESENT: Pickett.

Total1

Total number of votes cast92

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

SENATE BILL NO. 357

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, Berry, Blount, Bond, T. Bradford, Breedlove, E. 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, 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, 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: J. Brown, L. Cowling, Davis, 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 bill51

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

SENATE BILL NO. 948

BY: SENATOR GLOVER

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, Burkes, Burris, Cash, Cheatham, Chesterfield, Cooper, Cornwell, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. 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, Pierce, Powers, S. Prater, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total90

NEGATIVE: Pyle, L. Smith.

Total2

ABSENT OR NOT VOTING: Adcock, Cook, L. Cowling, Davis, L. Evans, Pickett, Ragland, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

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.

Representative Bond moved to take **SENATE BILL NO. 858** out of proper order and hold in the House for one day. Motion carried.

SENATE BILL NO. 308

BY: SENATOR CRITCHER

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, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardy, Harrelson, Harris, Hawkins, House, 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, 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: Flowers, D. Hutchinson.

Total2

ABSENT OR NOT VOTING: Berry, Davis, Hardwick, Hoyt, Ragland, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

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. 379

BY: SENATOR MILLER

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, Pate, Patterson, Pennartz, Pickett, 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: Berry, Davis, D. Hutchinson, Pierce, 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 **SENATE BILL NO. 379**, 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, Pate, Patterson, Pennartz, Pickett, 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: Berry, Davis, D. Hutchinson, Pierce, 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.

SENATE BILL NO. 800

BY: SENATOR WOMACK

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, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, 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, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, 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: Berry, E. Brown, Davis, Dickinson, Pate, Ragland, 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. 768

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, Allen, T. Baker, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, Dickinson, S. Dobbins, Edwards, D. Evans, L. Evans, Everett, Flowers, Gaskill, Glidewell, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, D. Johnson, J. Johnson, Kidd, W. Lewellen, Lovell, Lowery, M. Martin, Maxwell, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Sample, Saunders, Schulte, Shelby, Sullivan, Thyer, Wagner, Webb, Wood, Wyatt.

Total65

NEGATIVE: Adcock, Blount, Burkes, Davenport, Dunn, R. Green, Kenney, Key, King, Lamoureux, Medley, Pace, Pyle, L. Smith, Stewart, Walters, Woods.

Total17

ABSENT OR NOT VOTING: Anderson, Berry, L. Cowling, D. Creekmore, Davis, Garner, George, Hardy, D. Hutchinson, Jeffrey, Maloch, Norton, Rogers, Rosenbaum, Sumpter, Wells, Wills, Mr. Speaker.

Total18

VOTING PRESENT:

Total0

Total number of votes cast82

Total number voting in the affirmative65

Necessary to the passage of the bill51

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

SENATE BILL NO. 637

BY: SENATOR BROWN

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, Kenney, 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: Davis, D. Hutchinson, Rogers, Mr. Speaker.

Total4

VOTING PRESENT: Key.

Total1

Total number of votes cast.....96

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 **SENATE BILL NO. 637**, 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, Kenney, 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: Davis, D. Hutchinson, Rogers, Mr. Speaker.

Total4

VOTING PRESENT: Key.

Total1

Total number of votes cast96

Total number voting in the affirmative95

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 910

BY: SENATOR WILKINS

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, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Medley, Moore, 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: Davis, Kenney, Maxwell, Norton, 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.

SENATE BILL NO. 840

BY: SENATOR GLOVER

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, 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: Adcock, Davis, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast97

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.

There being an Emergency Clause attached to **SENATE BILL NO. 840**, 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, 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: Adcock, Davis, Mr. Speaker.

Total3

VOTING PRESENT:

Total0

Total number of votes cast.....97

Total number voting in the affirmative97

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 398

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, 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, 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, Mr. Speaker.

Total	100
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT:	
Total	0
Total number of votes cast	100
Total number voting in the affirmative.....	100
Necessary to the passage of the bill.....	51

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

SENATE BILL NO. 440

BY: SENATOR HILL

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, 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, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, 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, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wyatt, Mr. Speaker.

Total91

NEGATIVE: Burkes, Greenberg, King, Woods.

Total4

ABSENT OR NOT VOTING: Adcock, Cash, Davis, S. Prater, Wood.

Total5

VOTING PRESENT:

Total0

Total number of votes cast.....95

Total number voting in the affirmative91

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. 440**, 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, 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, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, 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, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wyatt, Mr. Speaker.

Total91

NEGATIVE: Burkes, Greenberg, King, Woods.

Total4

ABSENT OR NOT VOTING: Adcock, Cash, Davis, S. Prater, Wood.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative91

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 766

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, Allen, Anderson, Berry, Blount, Bond, T. Bradford, Breedlove, E. 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, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, 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.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, J. Brown, Davis, Maxwell, Pickett, 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. 52

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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, 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, 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, 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, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Berry, Burkes, Davis, Hardwick, Pickett, Woods, 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. 52**, 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, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, 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, 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, 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, Wyatt.

Total91

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Berry, Burkes, Davis, Hardwick, Pickett, Woods, Mr. Speaker.

Total9

VOTING PRESENT:

Total0

Total number of votes cast.....91

Total number voting in the affirmative91

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 65

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, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, 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, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Berry, Davis, J. Johnson, Maxwell, Pace, Webb, 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 **SENATE BILL NO. 65**, 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, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, 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, Wells, Wills, Wood, Woods, Wyatt.

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Berry, Davis, J. Johnson, Maxwell, Pace, Webb, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast.....92

Total number voting in the affirmative92

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

SENATE BILL NO. 127

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, 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, 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, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, L. Cowling, Davis, Harris, Rogers, Sullivan, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

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. 127**, 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, 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, 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, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, L. Cowling, Davis, Harris, Rogers, Sullivan, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast.....93

Total number voting in the affirmative93

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

Representative Saunders moved for immediate consideration of **SENATE BILL NO. 257**. Motion carried.

SENATE BILL NO. 257

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, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, Gaskill, Hardwick, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

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. 257**, 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, 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.

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, Gaskill, Hardwick, 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.

SENATE BILL NO. 252

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, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, Gaskill, Kenney, Pace, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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 **SENATE BILL NO. 252**, 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, 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, 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.

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Davis, Gaskill, Kenney, Pace, 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 BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1097 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 1172 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 1187 BY REPRESENTATIVE EDWARDS
 HOUSE BILL NO. 1277 BY REPRESENTATIVE HARRIS
 HOUSE BILL NO. 1703 BY REPRESENTATIVE DAVENPORT
 HOUSE BILL NO. 2367 BY REPRESENTATIVE GREENBERG
 HOUSE BILL NO. 2383 BY REPRESENTATIVE REEP
 HOUSE BILL NO. 2407 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 2451 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2460 BY REPRESENTATIVE WEBB
 HOUSE BILL NO. 2534 BY REPRESENTATIVE L. SMITH
 HOUSE BILL NO. 2691 BY REPRESENTATIVE MALOCH
 HOUSE BILL NO. 2692 BY REPRESENTATIVE OVERBEY
 HOUSE BILL NO. 2739 BY REPRESENTATIVE D. JOHNSON
 HOUSE BILL NO. 2788 BY REPRESENTATIVE SAUNDERS

 SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED

SENATE BILL NO. 52 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 65 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 89 BY SENATOR J. TAYLOR
 AS AMENDED # 1
 SENATE BILL NO. 127 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 252 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 257 BY JOINT BUDGET COMMITTEE
 SENATE BILL NO. 296 BY SENATOR WILKINS
 SENATE BILL NO. 308 BY SENATOR CRITCHER
 SENATE BILL NO. 357 BY SENATOR HORN
 SENATE BILL NO. 379 BY SENATOR MILLER
 AS AMENDED # 1
 SENATE BILL NO. 398 BY SENATOR SALMON
 SENATE BILL NO. 439 BY SENATOR HORN
 SENATE BILL NO. 440 BY SENATOR HILL
 SENATE BILL NO. 637 BY SENATOR BROWN
 SENATE BILL NO. 766 BY SENATOR SALMON

SENATE BILLS ORDERED RETURNED TO THE SENATE AS PASSED,
CONTINUED

SENATE BILL NO. 768 BY SENATOR HORN
 SENATE BILL NO. 800 BY SENATOR WOMACK
 SENATE BILL NO. 821 BY SENATOR MADISON
 SENATE BILL NO. 840 BY SENATOR GLOVER
 AS AMENDED # 1
 SENATE BILL NO. 849 BY SENATOR TRUSTY
 SENATE BILL NO. 904 BY SENATOR R. THOMPSON
 SENATE BILL NO. 910 BY SENATOR WILKINS
 SENATE BILL NO. 948 BY SENATOR GLOVER

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT
 RESOLUTION NO. 1021 BY REPRESENTATIVE SAUNDERS

SENATE CONCURRENT RESOLUTIONS CONCURRED IN
AND ORDERED RETURNED TO THE SENATE

SENATE CONCURRENT
 RESOLUTION NO. 26 BY SENATOR BROADWAY

ARKANSAS SENATE
 HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1120 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1250 BY REPRESENTATIVE MEDLEY
 HOUSE BILL NO. 1299 BY REPRESENTATIVE HARRELSON
 AS AMENDED # 1, 2
 HOUSE BILL NO. 1373 BY REPRESENTATIVE BOND
 HOUSE BILL NO. 1393 BY JOINT BUDGET COMMITTEE
 HOUSE BILL NO. 1412 BY JOINT BUDGET COMMITTEE

ARKANSAS SENATE

HOUSE BILLS RETURNED FROM THE SENATE AS PASSED, CONTINUED

HOUSE BILL NO. 1577	BY REPRESENTATIVE HAWKINS
HOUSE BILL NO. 1595	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1599	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1866	BY REPRESENTATIVE RAGLAND
HOUSE BILL NO. 1890	BY REPRESENTATIVE MEDLEY
HOUSE BILL NO. 2225	BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2281	BY REPRESENTATIVE PYLE
HOUSE BILL NO. 2305	BY REPRESENTATIVE PACE
HOUSE BILL NO. 2351	BY REPRESENTATIVE WYATT
HOUSE BILL NO. 2374	BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2397	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 2463	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2604	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 2701	BY REPRESENTATIVE NORTON

ARKANSAS SENATE

SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 28	BY SENATOR MADISON
SENATE BILL NO. 29	BY SENATOR MADISON
SENATE BILL NO. 91	BY SENATOR G. JEFFRESS
SENATE BILL NO. 777	BY SENATOR MADISON
SENATE BILL NO. 798	BY SENATOR HORN
SENATE BILL NO. 819	BY SENATOR CRITCHER
SENATE BILL NO. 957	BY SENATOR MADISON

ARKANSAS SENATE
HOUSE CONCURRENT RESOLUTIONS CONCURRED IN
AND RETURNED TO THE HOUSE

HOUSE CONCURRENT
RESOLUTION NO. 1030 BY REPRESENTATIVE RAINEY

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT
RESOLUTION NO. 21 BY SENATOR MADISON
SENATE CONCURRENT
RESOLUTION NO. 24 BY SENATOR LAVERTY

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 20, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1367 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1446 BY REPRESENTATIVE REYNOLDS, ET AL
HOUSE BILL NO. 1456 BY REPRESENTATIVE HOYT, ET AL
HOUSE BILL NO. 1581 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1586 BY REPRESENTATIVE KING
HOUSE BILL NO. 1657 BY REPRESENTATIVES ROSENBAUM & ANDERSON
HOUSE BILL NO. 1671 BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1759 BY REPRESENTATIVE WYATT
HOUSE BILL NO. 1782 BY REPRESENTATIVE KING
HOUSE BILL NO. 2221 BY REPRESENTATIVE CORNWELL, ET AL
HOUSE BILL NO. 2245 BY REPRESENTATIVES FLOWERS & E. BROWN
HOUSE BILL NO. 2283 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2398 BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2585 BY REPRESENTATIVE HARDWICK

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 11:10 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. 1367 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1446 BY REPRESENTATIVE REYNOLDS, ET AL
HOUSE BILL NO. 1456 BY REPRESENTATIVE HOYT, ET AL
HOUSE BILL NO. 1581 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1586 BY REPRESENTATIVE KING
HOUSE BILL NO. 1657 BY REPRESENTATIVES ROSENBAUM & ANDERSON
HOUSE BILL NO. 1671 BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1759 BY REPRESENTATIVE WYATT
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HOUSE BILL NO. 2221 BY REPRESENTATIVE CORNWELL, ET AL
HOUSE BILL NO. 2245 BY REPRESENTATIVES FLOWERS & E. BROWN
HOUSE BILL NO. 2283 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2398 BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2585 BY REPRESENTATIVE HARDWICK

/s/ Mike Beebe - Governor

TIME: 11:10 a.m.

By: Marc Harrison

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 20, 2007

MR. SPEAKER:

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

HOUSE CONCURRENT

RESOLUTION NO. 1030 BY REPRESENTATIVE RAINEY, ET AL

HOUSE BILL NO. 1250 BY REPRESENTATIVE MEDLEY, ET AL

HOUSE BILL NO. 2583 BY REPRESENTATIVE SAMPLE

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 3:52 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE CONCURRENT

RESOLUTION NO. 1030 BY REPRESENTATIVE RAINEY, ET AL

HOUSE BILL NO. 1250 BY REPRESENTATIVE MEDLEY, ET AL

HOUSE BILL NO. 2583 BY REPRESENTATIVE SAMPLE

/s/ Mike Beebe - Governor

TIME: 3:52 p.m.

By: Angela Tollette

STATE OF ARKANSAS

MIKE BEEBE

GOVERNOR

March 20, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 20, 2007, I approved the following measure from the Regular Session of the Eighty-sixth General Assembly:

HOUSE BILL NO. 1426 - ACT 388

HOUSE BILL NO. 1698 - ACT 389

HOUSE BILL NO. 1789 - ACT 390

HOUSE BILL NO. 2215 - ACT 391

HOUSE BILL NO. 2286 - ACT 392

HOUSE BILL NO. 2401 - ACT 393

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

March 20, 2007

To Whom It May Concern:

I am writing this letter in regards to my nay - vote on **HOUSE BILL NO. 1277**. 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/mlj

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

March 20, 2007

To Whom It May Concern:

I am writing this letter in regards to my vote on **HOUSE BILL NO. 1277**. It was my intention to vote YES on this Bill and it is my recollection that I pressed the appropriate button. It is my impression that a mechanical failure with my voting button resulted in my vote not being recorded.

Sincerely,

/s/ Sharon Dobbins
State Representative

SD:jb

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 20, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2615**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2615. In the Amendment, page 1, the first section should read: "Add Representatives Allen, Baker, Blount, E. Brown, Chesterfield, Davis, S. Dobbins, Garner, R. Green, Hawkins, Jeffrey, Kidd, W. Lewellen, Lowery, S. Prater, Rainey, Reep, Saunders, and Sumpter as cosponsors of the bill" (added "S." before Dobbins, "R." in front of Green, "W." in front of Lewellen and "S." in front of Prater.)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2615.

/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. 2615

"AN ACT TO CREATE AN ARKANSAS HIV-AIDS MINORITY TASKFORCE AND TO
COORDINATE STATEWIDE EFFORTS TO COMBAT THE DEBILITATING EFFECTS OF
HIV-AIDS ON MINORITY ARKANSANS."

Amendment No. 1 to House Bill No. 2615.

Amend House Bill No. 2615 as originally introduced:

Add Representatives Allen, Baker, Blount, E. Brown, Chesterfield, Davis,
(S.)Dobbins, Garner, (R.)Green, Hawkins, Jeffrey, Kidd, (W.)Lewellen, Lowery,
(S.)Prater,

Rainey, Reep, Saunders, and Sumpter as co-sponsors of the bill

AND

Add Senator Steele as a cosponsor of the bill

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 20, 2007
SUBJECT: Amendment #3 to **HOUSE BILL NO. 2620**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #3 to HB 2620. In the Amendment, page 1, the first section should read: "Add Representatives Abernathy, D. Creekmore, Hoyt, J. Johnson, Kidd, Lovell, M. Martin, Maxwell, Patterson, Pierce, Reep, Reynolds, Wagner, Wells, and Wyatt as cosponsors of the bill" (added "D." in front of Creekmore, and "M." in front of Martin.)

Also, the second section should read, "Add Senator R. Thompson as a cosponsor of the bill" (Added "R." in front of Thompson)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2620.

/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. 2620

"TO TRANSFER THE REGULATION OF TITLE INSURANCE TO THE STATE INSURANCE DEPARTMENT AND TO ENACT THE ARKANSAS TITLE INSURANCE ACT."

Amendment No. 3 to House Bill No. 2620.

Amend House Bill No. 2620 as engrossed, H3/9/07 (version: 03-09-2007 09:02):
Add Representatives Abernathy, (D.)Creekmore, Hoyt, J. Johnson, Kidd, Lovell, (M.)Martin, Maxwell, Patterson, Pierce, Reep, Reynolds, Wagner, Wells, and Wyatt as cosponsors of the bill

AND

Add Senator (R.)Thompson as a cosponsor of the bill

AND

Page 2, line 19, delete "of eight (8) hours" and substitute "number of hours"

AND

Page 2, delete line 20 and substitute "for a title insurance license as established by rule of the Insurance Commissioner."

AND

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

"(9) "Qualified financial institution" means a bank, credit union, or savings and loan association regulated, supervised, or examined by federal or state authorities having regulatory authority over banks and trust companies;"

AND

Page 5, delete lines 31 through 36 and substitute the following:

"title insurer and to its title insurance agent as consideration for the amount of liability assumed by a title insurer under a title insurance policy including all amounts retained by the title insurance agent pursuant to the title insurance agent's contract with the title insurer."

AND

Page 6, delete line 1

AND

Page 6, delete lines 20 through 36

AND

Page 7, delete lines 1 through 3

AND

Page 7, line 4, delete "(16)" and substitute "(15)"

AND

Page 7, line 9, delete "(17)" and substitute "(16)"

AND

Page 7, line 11, delete "(18)" and substitute "(17)"

AND

Page 10, line 28, delete "forty-five (45) years." and substitute "thirty (30) years."

AND

Page 12, delete line 33 and substitute the following:

"encumbrances affecting title to the land that are filed of record.

No title insurance agent or any other person other than a licensed Arkansas attorney may provide legal advice concerning the status of title to the property described in the title commitment."

AND

Page 13, delete lines 19 through 21

AND

Delete SECTION 5 in its entirety and appropriately renumber the sections of the bill

The Amendment was read

By: Representative Walters

DLP/SML - 03-19-2007 08:23

DLP445

Chief Clerk

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2771

"TO CREATE THE BEVERAGE CONTAINER LITTER REDUCTION FEE PROGRAM AND TO REDUCE LITTER, FACILITATE BEVERAGE CONTAINER RECYCLING, AND REQUIRE LABELING OF BEVERAGE CONTAINERS."

Amendment No. 1 to House Bill No. 2771.

Amend House Bill No. 2771 as originally introduced:

Page 1 delete line(s) 5 (and 6) and substitute the following:

"By: Representatives J. Roebuck, Cook, Webb, Stewart, D. Johnson, D. Evans, Powers, L. Smith, House, Hardwick, Blount, (E.)Brown, Cash, Cheatham, Edwards, Hardy, J. Johnson, Lamoureux, Pennartz, Rainey, Wagner, Woods, Gaskill, (S.) Prater

By: Senators Madison, Trusty"

AND

Page 7, delete lines 9 through 11 and substitute the following:

"deposited into the Beverage Container Litter Reduction Grant Fund. 8-9-712. Violations.

(a)(1) Any dealer, distributor, or manufacturer who violates this act is subject to a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000) and is liable for the costs of prosecution.

(2) Each day a violation occurs, a separate offense is committed.

(b) A person shall not return or attempt to return to a redemption center a beverage container that the person knows or should know was not purchased in this state.

(c) A person who violates this subsection is subject to the following penalties:

(1) If the person returns twenty-five (25) or more but not more than one hundred (100) nonreturnable containers, the person is guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100).

(2) If the person returns more than one hundred (100) nonreturnable containers or violates subdivision (a) for a second or subsequent time, the person is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than

five hundred dollars (\$500), or both.

8-9-713. Rules and regulations."

The Amendment was read

By: Representative J. Roebuck

MGF/CDS - 03-16-2007 15:51

MGF570

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 20, 2007
SUBJECT: Amendment #1 to **HOUSE BILL NO. 2735**

The House Committee on the Journal; Engrossed and Enrolled Bills, by this letter, approves the correction of an error in Amendment #1 to HB 2735. In the Amendment, page 2, lines two and three should read: ""(2) "Healthcare associated infection" means a localized or systemic "" (Deleted the word "condition" at the end of line three.)

The Committee authorizes the Chief Clerk to carry out the intent of the amendment by correctly engrossing HB 2735.

/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. 2735

"THE HOSPITAL INFECTION DISCLOSURE ACT OF 2007."

Amendment No. 1 to House Bill No. 2735.

Amend House Bill No. 2735 as originally introduced:

Add Representative Pennartz as a co-sponsor of the bill

AND

Page 1, delete line 9 and substitute the following:

"AN ACT TO CREATE THE HEALTH FACILITY INFECTION"

AND

Page 1, delete lines 13 and 14 and substitute the following:

"THE HEALTH FACILITY INFECTION DISCLOSURE ACT OF 2007"

AND

Page 1, delete lines 22 and 23 and substitute the following:

"This subchapter shall be known and may be cited as the "Health Facility Infection Disclosure Act of 2007"."

AND

Page 1, delete lines 27 through 35 and substitute the following:

"(1)(A) "Health facility" means any of the following facilities:

(i) A hospital, outpatient surgery center, public

health center or recuperation center, as those facilities are defined in § 20-9-201; and

(ii) Any other facility determined to be a source of

healthcare associated infections and designated as such by the Division of Health of the Department of Health and Human Services.

(B) "Health facility" does not include:

(i) A physician's office unless the office is

otherwise licensed as an outpatient surgery center; or"

AND

Page 2, delete line 2 and substitute the following:

"(2) "Healthcare associated infection" means a localized or systemic ~~condition~~" (Should not have been in amendment)

AND

Page 2, line 5 , delete "and"

AND

Page 2, delete lines 7 through 22 and substitute the following:

“time of admission to the health facility; and

(3) “Division” means the Division of Health of the Department of Health and Human Services.”

20-9-1203. Health facility reports.

(a) A health facility shall collect data on healthcare associated infection rates for the following:

(1) Coronary artery bypass surgical site infections;

(2) Total hip or knee arthroplasty surgical site infections;

(3) Knee arthroscopy surgical site infections;

(4) Hernia repair surgical site infections;

(5) Central line-associated bloodstream infection in an intensive care unit; and

(6) Other categories as provided under § 20-9-1204(e).

(b)(1)(A) A health facility may voluntarily submit quarterly reports to the division on the facility’s healthcare associated infection rates.

(B)(i) If a health care facility elects to submit quarterly reports, the reports shall be submitted to the”

AND

Page 2, line 28, delete “(II)” and substitute “(ii)”

AND

Page 2, delete lines 32 through 36.

AND

Page 3, delete line 1 and substitute the following:

“(2) If the health facility is a division or subsidiary of another entity that owns or operates other health facilities, the”

AND

Page 3, line 5, delete “Hospital-Acquired” and substitute “Healthcare Associated”

AND

Page 3, line 6, delete “(1)”

AND

Page 3, delete lines 7 through 9 and substitute the following:

“Health and Human Services shall appoint an Advisory Committee on Healthcare Acquired Infections, including without limitation representatives of:

(1) Public and private hospitals, including representatives of

hospitals with fewer than fifty (50) beds and representatives of hospitals with more than fifty (50) beds;

(2) Outpatient surgery centers;"

AND

Page 3, line 10, delete "(B)" and substitute "(3)"

AND

Page 3, line 11, delete "(C)" and substitute "(4)"

AND

Page 3, delete lines 12 through 21 and substitute the following:

"(5) Infection control professionals with expertise in healthcare associated infections;

(6) Academic researchers; and

(7) At least one (1) representative of a consumer organization."

AND

Page 3, delete lines 32 through 35 and substitute the following:

"existing methodologies and systems for data collection.

(2) Any data collection and analytical methodologies used shall be:

(A) Capable of being validated; and

(B) Based upon nationally recognized and recommended standards, that may include those developed by the Centers for Disease Control and Prevention, the Centers for Medicare and Medicaid Services, the Agency for Healthcare Research and Quality or the National Quality Forum."

AND

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

"be disclosed for public comment before any public disclosure of healthcare associated infection rates in an annual report under § 20-9-1205."

AND

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

AND

Page 4, delete line 4 and substitute the following:

"presented to all health facilities in this state on or before September 1, 2008.

(B) The methodology may be amended based upon input from the health facilities."

AND

Page 4, delete lines 5 and 6 and substitute the following:

"(5)(A) The first voluntary quarterly report under § 20-9-

1203(b) shall be presented to the division on or before January 31, 2009.

(B) Health facilities may begin voluntarily reporting data on January 31, 2009 or at any time thereafter.”

AND

Page 4, line 8, delete “hospital” and substitute “health facility”

AND

Page 4, delete lines 11 through 13 and substitute the following:

“(e) After release of the second annual report published under § 20-9-1205, and upon consultation with the advisory committee and with other technical advisors who are recognized experts in the prevention, identification, and control of healthcare associated infections and the reporting of performance data, the division may add categories of infections to those set forth in § 20-9-1203(a).”

AND

Page 4, delete lines 15 through 21 and substitute the following:

“20-9-1205. Reports regarding healthcare associated infections.

(a)(1)(A) In consultation with the Advisory Committee on Healthcare Associated Infections, the Division of Health of the Department of Health and Human Services shall submit annually a report summarizing the health facility quarterly reports required under this subchapter to the Chair of the House Interim Committee on Public Health, Welfare, and Labor and the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor.

(B) No health facility-identifiable data shall be included in the annual report, but aggregate statistical data may be included.”

AND

Page 4, delete lines 25 through 36 and substitute the following:

“or before January 1, 2010.

(b) The annual report prepared by the division under this subchapter regarding healthcare associated infections shall be appropriately riskadjusted.”

AND

Page 5, delete line 1

AND

Page 5, line 2, delete “(3)” and substitute “(c)(1)”

AND

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

“(2) A discussion of findings, conclusions, and trends concerning the overall status of healthcare associated infections in the state,”

AND

Page 5, line 7, delete "(B)" and substitute "(3)"

AND

Page 5, delete lines 9 through 20.

AND

Page 5, line 21, delete "(2)" and substitute "(d)"

AND

Page 5, delete lines 23 through 25, and substitute the following:

"(e) No health facility report or division disclosure shall contain information identifying a patient, employee, or healthcare professional in connection with a specific infection incident.

(f) No annual report or other division disclosure shall contain information that identifies or could be used to identify a specific health facility.

(g)(1) As part of the process of preparing the annual report, effective safeguards to protect against the dissemination of inconsistent, incomplete, invalid, inaccurate, or subjective health facility data shall be developed and implemented.

(2) These safeguards may include the exclusion of certain data or data from facilities with a low volume of patients or procedures if the use of the data would skew the results reported.

(h) The division shall develop, with the assistance of the advisory committee, a process of regular and confidential feedback for health facilities regarding the data collected so that each health facility's data will be available to that facility for its quality improvement efforts."

AND

Page 5, delete line 27 and substitute the following:

"20-9-1206. Privacy and confidentiality."

AND

Page 5, delete line 32 and substitute the following:

"subchapter.

(c) Except for the annual report that shall be a public document available to any person upon request, any data and materials collected or compiled by a health facility or obtained by the division under this subchapter:

(1) Shall be exempt from disclosure under the Freedom of Information Act of 1967, § 25-19-101 et seq.; and

(2) Shall not be subject to discovery under the Arkansas Rules of Civil Procedure or admissible in any legal proceeding.

(d) Data collected and reported under this subchapter shall not be deemed to have established a standard of care for any purposes in a private civil litigation.”

AND

Page 5, delete lines 34 through 36.

AND

Page 6, delete lines 1 through 7 and substitute the following:

“20-9-1207. Rules.”

AND

Page 6, delete line 9 and substitute the following:

"subchapter.

20-9-1208 Funding.

This subchapter is contingent upon the appropriation and availability of funding necessary for the Division of Health of the Department of Health and Human Services to implement its provisions, and any requirements that actions be accomplished by a specific date shall be extended until the necessary funding is available.”

The Amendment was read

By: Representative J. Roebuck

MGF/CDS - 03-16-2007 15:46

MGF569

Chief Clerk

HOUSE BILL NO. 2813

BY: REPRESENTATIVE THYER

A BILL FOR AN ACT TO BE ENTITLED AN ACT AUTHORIZING THE COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION TO ISSUE GENERAL OBLIGATION BONDS TO FINANCE PUBLIC SCHOOL ACADEMIC FACILITIES IN TOTAL PRINCIPAL AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY MILLION DOLLARS (\$750,000,000), IN SERIES FROM TIME TO TIME IN PRINCIPAL AMOUNTS NOT TO EXCEED, WITHOUT PRIOR APPROVAL OF THE GENERAL ASSEMBLY, ONE HUNDRED FIFTY MILLION DOLLARS (\$150,000,000) IN ANY FISCAL BIENNIUM; AUTHORIZING THE GOVERNOR TO SUBMIT THE QUESTION OF ISSUANCE OF BONDS AT ANY GENERAL ELECTION OR A SPECIAL ELECTION CALLED FOR THAT PURPOSE ON OR BEFORE JUNE 30, 2011; PRESCRIBING OTHER MATTERS RELATING THERETO; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 28

BY: SENATORS MADISON, SALMON

BY: REPRESENTATIVES HARRELSON, BURRIS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION TEXTBOOK SALES; TO REQUIRE COURSE SUPPLEMENTS BE SOLD TO COMPETING BOOKSTORES AT COST; 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. 29

BY: SENATORS MADISON, CAPPs, SALMON

BY: REPRESENTATIVES HARRELSON, GREENBERG, BURRIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE STATE-SUPPORTED INSTITUTIONS OF *HIGHER EDUCATION TO PERMIT LOCAL PRIVATE RETAILERS* ACCESS TO STUDENT SALES; 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. 91

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 MEDICAL BOARD FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2007; 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. 777

BY: SENATORS MADISON, J. JEFFRESS, SALMON, WHITAKER, R. THOMPSON, *ARGUE*

BY: REPRESENTATIVES ADCOCK, WEBB, SAUNDERS, WALTERS, BOND, L. SMITH, *D. JOHNSON, ROSENBAUM*

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING AGGRAVATED CRUELTY TO DOGS, CATS, AND HORSES; 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. 798

BY: SENATOR HORN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE REVISED *ARKANSAS ANATOMICAL GIFT ACT* TO PROVIDE A PROGRAM FOR POST-MORTEM DONATIONS OF ALL OR PART OF A HUMAN BODY; 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. 819

BY: SENATOR CRITCHER**BY: REPRESENTATIVE COOPER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE *MEDICAID FAIRNESS ACT* TO CLARIFY CERTAIN PROVISIONS; 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. 957

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH THE POWER TO OBTAIN INFORMATION FOR ADMINISTRATIVE PURPOSES; 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 RESOLUTION NO. 21

BY: SENATOR MADISON

A BILL FOR AN ACT TO BE ENTITLED REQUESTING THE DIVISION OF HEALTH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE FOR THE CONTINUATION OF THE UNWED BIRTH PREVENTION STEERING COMMITTEE AND THE STEERING COMMITTEE ON ABSTINENCE EDUCATION.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE CONCURRENT RESOLUTION NO. 24

BY: SENATOR LAVERTY

A BILL FOR AN ACT TO BE ENTITLED COMMENDING MR. CHARLES L. ROBINSON AND IN RECOGNITION OF HIS CONTRIBUTIONS TO THE STATE OF ARKANSAS AND THE DIVISION OF LEGISLATIVE AUDIT.

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 3:22 p.m. until 1:30 p.m., Wednesday, March 21, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk