

**SIXTIETH DAY'S PROCEEDINGS  
HALL OF THE HOUSE OF REPRESENTATIVES**

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Little Rock, Arkansas  
March 8, 2007

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

Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, 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.

Total .....99

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

Total .....1

A quorum was present.

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

The House stood and was led in prayer by Pastor Drew Tucker, Church at Pinnacle Hills, Rogers, 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 8, 2007
EDUCATION	MIKE KENNEY
	CHAIRPERSON
HOUSE BILL NO. 1562	DO PASS
BY REPRESENTATIVE CHESTERFIELD	
HOUSE BILL NO. 1632	DO PASS, TO CONCUR
BY REPRESENTATIVE KENNEY	IN SENATE AMENDMENTS #1, 2, 3
HOUSE BILL NO. 1633	DO PASS, TO CONCUR
BY REPRESENTATIVE KENNEY	IN SENATE AMENDMENTS #1 & 2
HOUSE BILL NO. 1829	DO PASS
BY REPRESENTATIVE BOND	
HOUSE BILL NO. 1909	DO PASS
BY REPRESENTATIVE J. JOHNSON	

COMMITTEE REPORT

	March 8, 2007
JUDICIARY	ROBERT N. JEFFREY
	CHAIRPERSON
HOUSE BILL NO. 1311	DO PASS
BY REPRESENTATIVE COOK	AS AMENDED #3
HOUSE BILL NO. 1714	DO PASS
BY REPRESENTATIVE PATE	
HOUSE BILL NO. 2231	DO PASS
BY REPRESENTATIVE MALOCH	
HOUSE BILL NO. 2257	DO PASS
BY REPRESENTATIVE E. BROWN	
HOUSE BILL NO. 2319	DO PASS
BY REPRESENTATIVE PATE	AS AMENDED #1
HOUSE BILL NO. 2443	DO PASS
BY REPRESENTATIVE MALOCH	
HOUSE BILL NO. 2554	DO PASS
BY REPRESENTATIVE D. JOHNSON	
HOUSE BILL NO. 2756	DO PASS
BY REPRESENTATIVE E. BROWN	
SENATE BILL NO. 239	DO PASS
BY SENATOR LUKER	AS AMENDED #1
SENATE BILL NO. 300	DO PASS
BY SENATOR SALMON	

COMMITTEE REPORT

	March 8, 2007
PUBLIC HEALTH, WELFARE AND LABOR	EDDIE COOPER
	CHAIRPERSON
HOUSE BILL NO. 1250	DO PASS
BY REPRESENTATIVE MEDLEY	
HOUSE BILL NO. 1284	DO PASS, TO CONCUR
BY REPRESENTATIVE WILLS	IN SENATE AMENDMENT #1

COMMITTEE REPORT

	March 8, 2007
PUBLIC TRANSPORTATION	ROBBIE WILLS
	CHAIRPERSON
HOUSE BILL NO. 1453	DO PASS
BY REPRESENTATIVE KEY	
HOUSE BILL NO. 1461	DO PASS
BY REPRESENTATIVE HOUSE	
HOUSE BILL NO. 2281	DO PASS
BY REPRESENTATIVE PYLE	
HOUSE BILL NO. 2284	DO PASS
BY REPRESENTATIVE S. DOBBINS	
HOUSE BILL NO. 2351	DO PASS
BY REPRESENTATIVE WYATT	
HOUSE BILL NO. 2401	DO PASS
BY REPRESENTATIVE PENNARTZ	
HOUSE BILL NO. 2439	DO PASS
BY REPRESENTATIVE KIDD	
SENATE BILL NO. 295	DO PASS
BY SENATOR MILLER	AS AMENDED #2
SENATE BILL NO. 805	DO PASS
BY SENATOR T. SMITH	
SENATE CONCURRENT	
RESOLUTION NO. 5	DO PASS
BY SENATOR MADISON	

COMMITTEE REPORT

	March 8, 2007
REVENUE AND TAXATION	KEVEN ANDERSON
	CHAIRPERSON
HOUSE BILL NO. 1360	DO PASS, TO CONCUR
BY REPRESENTATIVE WILLS	IN SENATE AMENDMENT #1
HOUSE BILL NO. 1506	DO PASS
BY REPRESENTATIVE JEFFREY	
SENATE BILL NO. 31	DO PASS
BY SENATOR MADISON	

COMMITTEE REPORT

	March 8, 2007
JOINT BUDGET	CHRIS THYER
	CHAIRPERSON
HOUSE BILL NO. 1772	DO PASS
BY REPRESENTATIVE GLIDEWELL	
HOUSE BILL NO. 2273	DO PASS
BY JOINT BUDGET COMMITTEE	
HOUSE BILL NO. 2274	DO PASS
BY JOINT BUDGET COMMITTEE	

Upon motion of Representative S. Prater, **HOUSE BILL NO. 2267** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2267

Amend **HOUSE BILL NO. 2267** as originally introduced:

Add Representatives Cornwell, Edwards, D. Johnson, J. Johnson, Wood as cosponsors of the bill

*/s/ Sandra Prater*

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

*/s/ Ms. Jo Renshaw*  
Chief Clerk

Upon motion of Representative Rogers, **HOUSE BILL NO. 2374** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2374

Amend **HOUSE BILL NO. 2374** as originally introduced:

Page 2, delete lines 1 through 9 and substitute the following:

"(2)(A) If an individual is discharged for testing positive for an illegal drug pursuant to a United States Department of Transportation-qualified drug screen conducted in accordance with the employer's bona fide written drug policy, the individual is disqualified:

(i) From the date of filing the claim until he or she shall have ten (10) weeks of employment in each of which he or she shall have earned wages equal to at least his or her weekly benefit amount; and

(ii) Until he or she passes a United States Department of Transportation-qualified drug screen by testing negative for illegal drugs.

(B) If an individual is disqualified under subdivision"

/s/ J R Rogers

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Dickinson, **HOUSE BILL NO. 2706** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2706**

Amend **HOUSE BILL NO. 2706** as originally introduced:

Page 2 delete lines 31 through 33 and substitute the following:

"purchased from retail outlets; or

(b) Used cooking oil recycled and gathered from restaurants and commercial food processors;"

/s/ Tommy Dickinson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Hardwick, **HOUSE BILL NO. 1228** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 4 TO HOUSE BILL NO. 1228**

Amend **HOUSE BILL NO. 1228** as engrossed,

H2/20/07 (version: 02-20-2007 08:43):

Page 2, delete lines 18 and 19 and substitute "municipality's health care plan, receiving the same medical benefits ~~and paying the same premium as active employees~~ as long as the retired official"

/s/ Horace Hardwick

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. 1531** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1531**

Amend **HOUSE BILL NO. 1531** as originally introduced:

Page 4, delete lines 30 through 32, and substitute the following:

"The Arkansas Retirement Community Program Fund Account is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State and shall be funded by the fees collected under § 15-13-104. All moneys collected under the fund account shall be deposited into the State Treasury to the credit of the fund account as special revenues. Moneys in"

/s/ Steve Harrelson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Dickinson, **HOUSE BILL NO. 2611** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2611**

Amend **HOUSE BILL NO. 2611** as originally introduced:

Page 1, delete line 6 and substitute the following:

"George, Jeffrey, Kenney, Medley, Norton, Reep, Rosenbaum, Sample, L. Smith, Wills"

/s/ Tommy Dickinson

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. 2672** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2672**

Amend **HOUSE BILL NO. 2672** as originally introduced:

Page 1, line 24, delete "five and one-half (51/2) and substitute "~~five and one-half (51/2)~~ six (6)"

/s/ David Cook

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Wood, **HOUSE CONCURRENT RESOLUTION NO. 1032** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE CONCURRENT RESOLUTION NO. 1032**

Amend **HOUSE CONCURRENT RESOLUTION NO. 1032**

as originally introduced:

Page 2, line 7, delete "United Way of" and substitute "Heart of Arkansas United Way,"

AND

Page 2, line 8, delete "Pulaski County,"

AND

Page 2, delete line 20 and substitute:

"Heart of Arkansas United Way"

/s/ Jeff Wood

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. 1500 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1500

Amend HOUSE BILL NO. 1500 as engrossed,

H3/1/07 (version: 03-01-2007 08:57):

Page 2, line 36, delete "or property owner"

AND

Page 4, line 27, delete "or property owner"

/s/ Wilhelmina Lewellen

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative S. Dobbins, HOUSE BILL NO. 2212 was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2212

Amend HOUSE BILL NO. 2212 as originally introduced:

Page 4, delete line 6 and substitute the following:

"Needy Families (TANF) block grant.

(7) The subsidy provided under this subsection (e) shall be limited to total expenditures of five million, two hundred sixty-five thousand, six hundred dollars (\$5,265,600) during the 2007-2009 biennium based on the availability of federal Temporary Assistance to Needy Families (TANF) funds."

/s/ Sharon Dobbins

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. 2251** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2251**

Amend **HOUSE BILL NO. 2251** as originally introduced:

Page 2, delete lines 33 through 35 and substitute the following:

"(iv)(a) Any student who accepts a school choice transfer may return to his or her resident district during the course of the school year.

(b) If a transferred student returns to his or her resident district during the school year, the student's transfer is voided and the student shall reapply for any future transfer."

/s/ Janet Johnson

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. 2355** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2355**

Amend **HOUSE BILL NO. 2355** as originally introduced:

Page 2, line 15, delete "football games." and substitute "athletic events."

/s/ Janet Johnson

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Blount, **HOUSE BILL NO. 1808** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1808**

Amend **HOUSE BILL NO. 1808** as originally introduced:

Add the following House members as co-sponsors to the bill:

T. Baker, E. Brown, Chesterfield, O. Davis, Dobbins, Flowers, Hardy, Lewellen

/s/ Nancy Blount

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. 2246** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2246**

Amend **HOUSE BILL NO. 2246** as originally introduced:

Add Senator Baker as a cosponsor of the bill

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Blount, **HOUSE BILL NO. 2327** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 2327**

Amend **HOUSE BILL NO. 2327** as originally introduced:

Page 1, line 28, delete "(b)" and substitute "(b)(1)"

AND

Page 1, delete lines 30 through 32 and substitute the following:

"school district shall complete within the school year of the return to employment the professional development required for the year in which the person returns to certified employment.

(2) The person shall complete all professional development required during his or her certified employment.

(c) A retired teacher whose license has expired:

(1) More than one (1) year prior to the effective date of this act may renew his or her license upon completion of sixty (60) hours of professional development; and

(2) Less than one (1) year prior to this act shall be under subdivisions (a) and (b) of this section."

/s/ Nancy Blount

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. 2560** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2560

Amend **HOUSE BILL NO. 2560** as originally introduced:

Page 1, delete line 35 and substitute the following:

"sexually transmitted diseases.

(3) The provisions of this subsection (a) regarding immunizations against sexually transmitted diseases do not apply to immunization requirements in effect as of January 1, 2007."

AND

Page 2, delete line 15 and substitute the following:

"elect for the student to be immunized against sexually transmitted diseases.

(c) The provisions of this section regarding immunizations against sexually transmitted diseases do not apply to immunization requirements in effect as of January 1, 2007."

AND

Page 2, line 20, delete "(2)(A)(i)" and substitute "(2)(A)(i)(a)"

AND

Page 2, delete line 25 and substitute the following:

"admission.

(b) The provisions of this subdivision (2)(A)(i) regarding immunizations against sexually transmitted diseases do not apply to immunization requirements in effect as of January 1, 2007."

/s/ Johnny Key

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. 2384** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 3 TO HOUSE BILL NO. 2384**

Amend **HOUSE BILL NO. 2384** as engrossed,

H3/6/07 (version: 03-06-2007 09:36):

Delete everything following the enacting clause and substitute the following:

“SECTION 1. NOT TO BE CODIFIED. This act shall be known and may be cited as the “Sunshine in Government Act”.”

SECTION 2. Arkansas Code § 7-6-203(a) and (b), concerning campaign contribution limitations and created by Initiated Act 1 of 1990 and Initiated Act 1 of 1996, is amended to read as follows:

7-6-203. Contributions - Limitations - Acceptance or solicitation - Use as personal income - Disposition.

(a)(1)(A) It shall be unlawful for any candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(2)(A) It shall be unlawful for any candidate for the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or for any person acting on the candidate's behalf to accept campaign contributions in excess of ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election from any person.

(B) A candidate may accept a campaign contribution or contributions up to the maximum amount from any prospective contributor for each election, whether opposed or unopposed.

(b)(1)(A) It shall be unlawful for any person to make a contribution to a candidate for any public office, except the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the

maximum amount to a candidate for each election, whether opposed or unopposed.

(2)(A) It shall be unlawful for any person to make a contribution to a candidate for the office of Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, and Commissioner of State Lands, or to any person acting on the candidate's behalf, which in the aggregate exceeds ~~two thousand dollars (\$2,000)~~ one thousand dollars (\$1,000) per election.

(B) A person may make a contribution or contributions up to the maximum amount to a candidate for each election, whether opposed or unopposed.

SECTION 3. Arkansas Code § 7-6-203(g), concerning the use of campaign funds as personal income and created by Initiated Act 1 of 1996, is amended to read as follows:

(g)(1) A candidate shall not take any campaign funds as personal income. This subdivision (g)(1) shall not apply to campaign funds that were:

(A) Accumulated prior to the passage of Initiated Act 1 of 1990;

or

(B) Disposed of prior to July 28, 1995.

(2) A candidate shall not take any campaign funds as income for his or her spouse or dependent children, except that:

(A) This subsection shall not prohibit a candidate who has an opponent from employing his or her spouse or dependent children as campaign workers; and except that

(B) Any candidate who has an opponent and who, during the campaign and before the election, takes a leave of absence without pay from his or her primary place of employment shall be authorized to take campaign funds during the campaign and before the election as personal income up to the amount of employment income lost as a result of such leave of absence.

(3) A candidate who takes campaign funds during the campaign and before the election under a leave of absence pursuant to the provisions of subdivision (g)(2) of this section may elect to treat the campaign funds as a loan from the campaign fund to the candidate to be paid back to the campaign fund by the candidate.

(4)(A) For purposes of this subsection, a candidate who uses campaign funds to fulfill any commitment, obligation, or expense that would exist regardless of the candidate's campaign shall be deemed to have taken campaign funds as personal income.

(B) The use of campaign funds to purchase a cake or other perishable item of food at a fund-raising event held by a volunteer agency, as

defined in § 16-6-103, shall not be considered a taking of campaign funds as personal income.

(C)(i) The use of campaign funds by a candidate to make a contribution to another candidate's campaign shall not be considered a taking of campaign funds as personal income.

(ii) A contribution made under subdivision (g)(4)(C)(i) of this section shall not exceed two hundred fifty dollars (\$250) per election.

(iii) A contribution under subdivision (g)(4)(C)(i) of this section shall not count toward the campaign contribution limitations established under subsections (a) and (b) of this section.

SECTION 4. Arkansas Code Title 7, Chapter 6, Subchapter 2 is amended to add an additional section to read as follows:

7-6-227. Contributions by business entities sharing the same majority owner.

(a) As used in this section, "business entities" means proprietorships, firms, partnerships, joint ventures, syndicates, labor unions, business trusts, companies, corporations, associations, committees, or any other organization or group of persons acting in concert.

(b) Two (2) or more business entities sharing the same majority owner shall be considered a single person for the purpose of making a contribution or contributions to a candidate for each election, whether opposed or unopposed.

(c)(1) A candidate shall not knowingly accept campaign contributions from two (2) or more business entities sharing the same majority owner which, in the aggregate, exceed the campaign contribution limit under § 7-6-203(a) and (b).

(2) If a candidate determines that he or she unknowingly accepted a contribution or contributions that violates subsection (c)(1) of this section, the candidate shall return the contribution or contributions to the business entity within five (5) days of the determination.

SECTION 5. Arkansas Code § 19-11-705 is amended to read as follows:

19-11-705. Employee conflict of interest.

~~(a)(4)~~ Conflict of Interest.

(1)(A) It shall be a breach of ethical standards for any employee or a member of the employee's immediate family to have a financial interest in a contract with the state agency employing the employee or a nonprofit organization created for the specific benefit of the state agency employing the employee, unless the contract:

(i) Is approved as provided in § 19-11-717 or § 19-11-718; or

(ii) Obtained under competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(B) An employee awarded a contract pursuant to competitive sealed bids or competitive sealed proposals pertaining to contracts entered into during the previous calendar year shall report the contract to the Director of the Arkansas Ethics Commission by January 31 of each year.

(2) It shall be a breach of ethical standards for any employee to participate directly or indirectly in any proceeding or application, in any request for ruling or other determination, in any claim or controversy, or in any other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefor with a state agency, in which to the employee's knowledge:

(A) The employee or any member of the employee's immediate family has a financial interest;

(B) A business or organization has a financial interest, in which business or organization the employee, or any member of the employee's immediate family, has a financial interest; or

(C) Any other person, business, or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is a party.

~~(2)~~(3) "Direct or indirect participation" shall include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

(b) Financial Interest in a Blind Trust. Where an employee or any member of the employee's immediate family holds a financial interest in a blind trust, the employee shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest if disclosure of the existence of the blind trust has been made to the ~~Director of the Department of Finance and Administration~~ director.

(c) Discovery of Conflict of Interest, Disqualification, and Waiver. Upon discovery of a possible conflict of interest, an employee shall promptly file a written statement of disqualification with the ~~Director of the Department of Finance and Administration~~ director and shall withdraw from further participation in the transaction involved. The employee may, at the same time, apply to the director in accordance with § 19-11-715(b) for an advisory opinion as to what further application, if any, the employee may have in the transaction, or for a waiver in accordance with § 19-11-715(c).

SECTION 6. Arkansas Code § 19-11-706 is amended to read as follows:

19-11-706. Employee disclosure requirements.

(a) Disclosure of Benefit Received from Contract. Any employee who has or

obtains any benefit from any state contract with a business in which the employee has a financial interest shall report such benefit to the ~~Director of the Department of Finance and Administration~~ Director of the Arkansas Ethics Commission by January 31 for transactions occurring in or contracts entered into during the previous calendar year. However, this section shall not apply to a contract with a business where the employee's interest in the business has been placed in a disclosed blind trust.

(b) Failure to Disclosure Benefit Received. Any employee who knows or should have known of such benefit and fails to report the benefit to the ~~director~~ Arkansas Ethics Commission is in breach of the ethical standards of this section.

SECTION 7. Arkansas Code § 19-11-712(b), pertaining to the civil and administrative remedies against employees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to existing remedies for breach of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Forfeiture of pay without suspension;
- (3) Suspension with or without pay for specified periods of time; and
- (4) Termination of employment.

SECTION 8. Arkansas Code § 19-11-713(b), pertaining to the civil and administrative remedies against nonemployees who breach ethical standards, is amended to read as follows:

(b) Supplemental Remedies. In addition to the existing remedies for breach of the ethical standards of this subchapter, or ~~regulations~~ rules promulgated thereunder, the ~~Director of the Department of Finance and Administration~~ Arkansas Ethics Commission may ~~impose~~ recommend any one (1) or more of the following:

- (1) Oral or written warnings or reprimands;
- (2) Termination of transactions; and
- (3) Suspension or debarment from being a contractor or subcontractor under state contracts.

SECTION 9. Arkansas Code § 19-11-715 is amended to read as follows:

19-11-715. ~~Duties of Director of Department of Finance and Administration~~ Rules and advisory opinion by the Arkansas Ethics Commission.

(a) ~~Regulations~~ Rules. The ~~Director of the Department of Finance and~~

Administration Arkansas Ethics Commission shall promulgate ~~regulations~~ rules to implement this subchapter and shall do so in accordance with this subchapter and the applicable provisions of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(b) Advisory Opinions. On written request of state agencies, employees, or contractors and in consultation with the Attorney General, the ~~director~~ Arkansas Ethics Commission may render written advisory opinions regarding the appropriateness of the course of conduct to be followed in proposed transactions. Such requests and advisory opinions may be duly published in the manner in which ~~regulations~~ rules of this state are published. ~~Compliance with the requirements of a duly promulgated advisory opinion of the director shall be deemed to constitute compliance with the ethical standards of this subchapter.~~

~~(c) Waiver. On written request of an employee, the director may grant an employee a written waiver from the application of § 19-11-705, which refers to employee conflict of interest, and grant permission to proceed with the transaction to such extent and upon such terms and conditions as may be specified. Such waiver and permission may be granted when the interests of the state so require or when the ethical conflict is insubstantial or remote.~~

SECTION 10. Arkansas Code § 19-11-716 is amended to read as follows:

19-11-716. Participation in business incubators — ~~Regulations~~ Rules and guidelines.

(a) The provisions of this subchapter shall not be applicable to faculty or staff of state-supported institutions of higher education participating in business incubators within this state if the faculty or staff have followed the rules promulgated by the governing board of the institution of higher education.

~~(b)(1) The Director of the Department of Finance and Administration~~ Arkansas Ethics Commission shall promulgate rules ~~and regulations~~ pursuant to the procedure for adoption as provided under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., and under § 10-3-309 to implement a program allowing admittance to business incubators by faculty or staff of state-supported institutions of higher education or admittance by companies in which faculty or staff may hold an ownership interest.

(2) The program may include guidelines setting forth full disclosure requirements, any limitations on ownership interests, maximum income amounts to be received, annual reporting to the General Assembly, mandatory levels of student participation and such other reasonable restrictions as are necessary to maintain the public trust while encouraging the facilitation of commercialization of university-generated technology or discovery.

(c) The institution of higher education shall provide information regarding the transactions described in subdivision (b)(1) of this section and ownership interests of employees or board members in business incubators pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(d) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 11. Arkansas Code § 19-11-717 is amended to read as follows:

19-11-717. ~~Institutions of higher education~~ Transactions with institutions of higher education involving patents, copyrights, or other proprietary information.

~~(a) Notwithstanding anything in this subchapter to the contrary, if, in either of the events in subdivisions (a)(1) and (2) of this section, the contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an employee or former employee of the institution have rights or interests, provided that any contract or subcontract shall be approved by the governing board of the institution in a public meeting, it shall not be a violation of § 19-11-709, a conflict of interest, or a breach of ethical standards for:~~

~~(1) The institution to contract with a person or firm in which an employee or former employee of the institution has a financial interest; or~~

~~(2) The employee or former employee of the institution to participate directly or indirectly in any matter pertaining to any contract or subcontract or any solicitation or proposal for any contract or subcontract between the institution and a person or firm in which the employee or former employee has a financial interest. If a contract or subcontract, solicitation, or proposal involves patents, copyrights, or other proprietary information in which an institution of higher education and an employee or former employee have direct or indirect rights or interests, an institution may enter the contract, except that any contract or subcontract shall be approved by the governing board of the institution in a public meeting.~~

(b)(1) Nothing in the Arkansas Procurement Law, § 19-11-201 et seq., or in § 19-11-1001 et seq., shall prevent a state agency from contracting for goods or services, including professional or consultant services, with an organization that employs or contracts with a regular, full-time, or part-time employee of a public institution of higher education in situations in which the employee of the public institution of higher education will provide some or all of the goods or services under the contract.

(2) Any organization or state agency entering into a contract described under this subsection shall comply with the provisions of the Arkansas Procurement

Law, § 19-11-201 et seq., and § 19-11-1001 et seq., to the extent that the provisions do not conflict with this section.

(3) An employee of a public institution of higher education who provides goods or services to a state agency through his or her association with an organization that has a contract with the state agency to provide goods or services shall obtain the requisite approvals under the policies of the public institution of higher education by which he or she is employed and comply with all provisions of this subchapter.

(c) The Arkansas Ethics Commission may promulgate rules regarding contracts as allowed in this section.

(d) The institution of higher education shall provide information regarding these transactions pertaining to the prior fiscal year by August 1 of each year to the Arkansas Ethics Commission, the Legislative Council, and the Legislative Joint Auditing Committee.

(e) Failure to follow the provisions of this section shall be a violation of the provisions of this chapter.

SECTION 12. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Issuance of waivers by the Arkansas Ethics Commission.

(a) A state agency or a nonprofit organization created for the specific benefit of a state agency may file a request with the Director of the Arkansas Ethics Commission to review a contract between the state agency or nonprofit organization and an employee of that state agency or nonprofit organization or a member of the employee's immediate family and to request a waiver for the contract from the provisions of this subchapter.

(b) The request shall fully disclose all pertinent terms and conditions of the contract and shall state the unusual circumstances necessitating and justifying the contract.

(c)(1) The Director of the Arkansas Ethics Commission shall in writing approve, disapprove, or request additional information necessary to make a proper determination pertaining to the request within ten (10) working days of receipt of the request.

(2)(A) If additional information is requested, the director shall have an additional ten (10) working days from receipt of the information to approve or disapprove the contract.

(B) If the director fails to approve or disapprove the contract within the ten (10) working day periods provided in this subdivision (c)(2), the contract shall be deemed approved.

(3) No contract subject to review by the director shall be valid or enforceable until an approval letter has been issued by the director or if the director fails to respond within the time periods specified in this section.

(d) After examining the submitted information and additional requested testimony or data, the director may approve the waiver of the contract if in the opinion of the director:

(1) The circumstances are such that fair competitive access to governmental procurement has been obtained;

(2) The contract is in the best interest of the state;

(3) The state agency has followed proper procedures in bidding or awarding the contract; and

(4) It appears that an employee has not used his or her position to obtain the contract.

(e)(1) All decisions of the director may be appealed to the Arkansas Ethics Commission for review. All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(2) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the person making the appeal.

(f) All decisions of the director or the Arkansas Ethics Commission regarding the approval, denial, or denial under subdivision (d)(2)(B) of this section shall be reported to the state agency or nonprofit organization, the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee on a quarterly basis.

(g) No contract subject to review and approval by the director or the Arkansas Ethics Commission shall be valid or enforceable until an approval letter has been issued by the director or the Arkansas Ethics Commission.

(h) The Arkansas Ethics Commission shall adopt appropriate rules regarding the administration of the procedures contained in this subsection.

(i) Any person knowingly providing or furnishing false information or knowingly not fully disclosing relevant information necessary for a proper determination by the director or the Arkansas Ethics Commission is guilty of violating the provisions of this subchapter.

SECTION 13. Arkansas Code § 19-11-1004(c), pertaining to restrictions on contracts, is amended to read as follows:

(c)(1) Except as provided in this subsection, no state agency shall engage in a professional services or consultant services contract with a part-time or full-time employee who occupies a position authorized to be paid from extra help or regular

salaries for a state agency, except as provided in § 21-1-403.

(2) However, this subsection does not prohibit an institution of higher education from executing a contract with a state agency under which professional or consulting services will be performed by employees of the institution of higher education.

(3) An employee of an institution of higher education performing professional or consulting services to a state agency may receive additional compensation if:

(A) The institution of higher education requests and receives written approval from the Office of Personnel Management of the Department of Finance and Administration concerning the amount of additional compensation to be paid to any employee; and

(B) The total salary payments received from the employee's regular salaried position and amounts received for services performed under a professional services contract do not exceed one hundred twenty-five percent (125%) of the maximum annual salary authorized by law for the employee's position with the institution of higher education.

(4) Any state agency engaging in a professional services or consultant services contract as provided in subdivisions (c)(2) or (c)(3) of this section shall provide a listing of such contracts for the previous year, including, but not limited to, the amounts paid and the person or persons performing the services, to the Legislative Council and the Legislative Joint Auditing Committee by January 31 of each year.

SECTION 14. Arkansas Code Title 19, Chapter 11, Subchapter 7 is amended to add an additional section to read as follows:

19-11-718. Enforcement.

The Arkansas Ethics Commission shall have the authority to:

(1) Issue advisory opinions and guidelines on the requirements of § 19-11-701 et seq.;

(2) Investigate potential violations of § 19-11-701 et seq.;

(3) Impose civil and administrative remedies as provided in §§ 19-11-712 and 19-11-713 upon the finding of one (1) or more violations of § 19-11-701 et seq; and

(4) Promulgate reasonable rules to implement and administer the requirements of § 19-11-701 et seq.

SECTION 15. Arkansas Code § 21-8-402(5)(B)(xii), concerning certain exceptions to the definition of "gift" and resulting from Initiated Act 1 of 1988, is

amended to read as follows:

(xii) An item which appointed or elected members of a specific governmental body or employees of an appointed or elected governmental official purchase with their own personal funds and present to a fellow member of that governmental body or official in recognition of public service;

SECTION 16. Arkansas Code § 21-8-603 is amended to read as follows:

21-8-603. Activity reports - Inspection.

(a)(1) Within fifteen (15) days after the end of each calendar quarter, each registered lobbyist shall file a complete and detailed statement, signed and sworn to, concerning his or her lobbying activities during the previous calendar quarter.

(2)(A) A registered lobbyist who lobbies members of the General Assembly shall file a monthly lobbyist activity report, signed and sworn to, for any month in which the General Assembly is in session. A quarterly report is not required if the registered lobbyist has filed monthly lobbyist activity reports for each month of the calendar quarter.

(B) The monthly lobbyist activity report shall be filed within ten (10) days after the end of each month.

(b) Lobbyist activity reports shall be open to public inspection.

(c) When filing any report required by this section, a lobbyist shall send a copy of the report to any public servant named in the report as receiving:

(1) Anything of pecuniary value given to the public servant or on behalf of the public servant;

(2) Payment for food, lodging, or travel; or

(3) Any other item paid or given to a public servant or on behalf of the public servant, except for campaign contributions, unless consideration of equal or greater value has been given.

SECTION 17. Arkansas Code § 21-8-604 is amended to read as follows:

21-8-604. Activity reports - Required contents.

(a) The lobbyist activity reports shall be signed and sworn to by the registered lobbyist.

(b) The reports shall contain:

(1)(A) The total of all expenditures made or incurred by the registered lobbyist or on behalf of the registered lobbyist by his or her employer or any officer, employee, or agent during the preceding period.

(B) These totals shall be itemized according to financial category and employers and clients, including food and refreshments, entertainment, living accommodations, advertising, printing, postage, travel, telephone, and other expenses or services.

(C) Registered lobbyists shall not be required to report office expenses other than office expenses specifically required to be reported under this section.

(D) Registered lobbyists are not required to report unreimbursed personal living and travel expenses not incurred directly for lobbying;

(2)(A) An itemized listing of each:

(i) ~~Gift~~ Anything of pecuniary value given to a public servant or on behalf of the public servant;

(ii) Payment for food, lodging, or travel ~~in excess of forty dollars (\$40.00)~~ on behalf of a public servant; and

(iii) Any other item paid or given to a public servant or on behalf of the public servant, except for campaign contributions, ~~having a value in excess of forty dollars (\$40.00)~~ unless consideration of equal or greater value has been given therefor. If the person receiving or to be benefiting by the item is a public employee, the person's governmental body shall be identified.

(B) Each item shall be identified by date, amount paid or value, and the name of the individual receiving or to be benefited by the item, and a description of the item.

(C) In the case of special events, including parties, dinners, athletic events, entertainment, and other functions, expenses need not be allocated by individuals. The information reported for a special event shall include:

(i) The date of the event;

(ii) The name of the event;

(iii) The location of the event;

(iv) The name of the governmental body or group of public servants invited;

(v) The exact amount paid by the lobbyist toward the total expenditure; and

(vi) The name of the lobbyist's employer or client making the expenditure and the names of all other lobbyists sharing in the cost of the payment;

(3) A detailed statement of any money loaned or promised or line of credit established to a public servant or to anyone on behalf of the public servant ~~in excess of twenty five dollars (\$25.00) per individual~~. Money loaned or a line of credit established that is issued in the ordinary course of business by a financial institution or a person who regularly and customarily extends credit shall not be required to be disclosed; and

(4) A statement detailing the direct business association or partnership

with any public servant before whom the lobbyist may engage in lobbying.

(c) Whenever the name of a public servant will appear in an activity report of a lobbyist, the lobbyist shall notify the public servant and provide him or her the information being reported. The lobbyist shall mail or deliver the notification to the public servant not later than seven (7) working days prior to the date for filing the activity report.

SECTION 18. Arkansas Code § 21-8-801(a)(1), concerning prohibited act of public servants, is amended to read as follows:

(1) Receive a gift or compensation as defined in § 21-8-401 et seq., other than income and benefits from the governmental body to which he or she is duly entitled, ~~for the performance of the duties and responsibilities of his or her office or position~~ when the gift or compensation is given as a result of:

(A) The public servant's office or position; or

(B) A business relationship developed as a result of the public servant's office or position; or

SECTION 19. Arkansas Code § 21-8-1001 is amended to read as follows:

21-8-1001. Conflicts of interest.

(a)(1) No member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency shall participate in, vote on, influence, or attempt to influence an official decision if the member has a pecuniary interest in the matter under consideration by the board, commission, or entity.

(2) A member of a state board or commission or board member of an entity receiving state funds or receiving other funds through a state agency may participate in, vote on, influence, or attempt to influence an official decision if the only pecuniary interest that may accrue to the member is incidental to his or her position or accrues to him or her as a member of a profession, occupation, or large class to no greater extent than the pecuniary interest could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

(b) No member of a state board or commission or board member of an entity receiving state funds shall participate in any discussion or vote on a rule or regulation that exclusively benefits the member.

(c)(1) Nothing in this chapter shall prohibit a board or commission member from contracting with the board or commission on which he or she serves if the contracts are obtained through competitive sealed bids under § 19-11-229 or competitive sealed proposals under § 19-11-230.

(2) A board or commission member awarded a contract pursuant to competitive sealed bids or competitive sealed proposals shall report the contact to

the Director of the Arkansas Ethics Commission by January 31 of each year pertaining to contracts entered into during the previous calendar year.

(d)(1) Except for contracts covered under subdivision (c)(1) of this section, before a contract or transaction with a member having a pecuniary interest as allowed in this section is deemed valid and enforceable, the state entity shall disclose to the director the nature and amount of the contract or transaction.

(2)(A) Upon receipt of the disclosure, the director has ten (10) working days to notify the state entity that additional information is needed, or to inform the state entity that the contract or transaction is disapproved.

(B) If additional information is requested, the director has ten (10) additional working days from the receipt of the information to inform the state entity that the contract or transactions are disapproved.

(C) If the director does not send the state entity written notice of the disapproval of the contract or transaction within ten (10) working days, the contract or transaction is deemed approved by the director.

(3) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(4) The director may disapprove the contract or transaction if it appears that:

(A) The circumstances are such that fair competitive access to governmental procurement has not been obtained;

(B) There is no rational basis for the award of the contract to the member;

(C) The state entity has not followed proper procedures in bidding or awarding the contract; or

(D) It appears that a board or commission member has used his or her position to obtain the contract.

(5)(A) If the director disapproves the contract or transaction, the state entity may appeal the decision to the Arkansas Ethics Commission.

(B) All appeals shall be made in writing to the Arkansas Ethics Commission within thirty (30) days of disapproval by the director.

(C) Upon receipt of an appeal, the Arkansas Ethics Commission shall decide the appeal at its next commission meeting unless additional information or witnesses are required or a delay is agreed upon by the state agency making the appeal.

(e) On a quarterly basis, the director shall notify the Chief Fiscal Officer of the State, the Legislative Council, and the Legislative Joint Auditing Committee of all contracts or transactions disclosed to the director for review pursuant to the terms of

this section.

SECTION 20. Arkansas Code 21-8-1004 is amended to read as follows:

§ 21-8-1004. Penalties — Investigation by Arkansas Ethics Commission.

(a) In addition to any penalty contained in any other provision of law, including without limitation § 19-11-702, any member of a state board or commission or board member of an entity receiving state funds who knowingly and intentionally violates any of the provisions of this subchapter may be removed from office by the appointing authority.

(b) The Arkansas Ethics Commission may investigate complaints alleging a violation of this subchapter and may make recommendations to the appointing authority.

SECTION 21. Arkansas Code Title 21, Chapter 8 is amended to add an additional subchapter to read as follows:

21-8-1101. Definitions.

As used in this subchapter:

(1) “Board member” means a member of any state board, bureau, commission, or institution of the State of Arkansas;

(2) “Directly or indirectly interested” means the receipt of compensation or other benefits by a:

(A) Board member;

(B) Family member; or

(C) Business or other entity in which the board member or family member has a financial interest;

(3) “Family” or “family member” means:

(A) An individual’s spouse;

(B) Children of the individual or children of the individual’s spouse;

(C) The spouse of a child of the individual or the spouse of a child or the individual’s spouse;

(D) Parents of the individual or parents of the individual’s spouse;

(E) Brothers and sisters of the individual or brothers and sisters of the individual’s spouse;

(F) Anyone living or residing in the same residence or household with the individual or in the same residence or household with the individual’s spouse; or

(G) Anyone acting or serving as an agent of the individual or as an agent of the individual’s spouse;

(4) "Financial interest" means:

(A) Ownership of more than a five percent (5%) interest in a business or other entity;

(B) Holding a position as an officer, director, trustee, partner, or other top level management of a business or other entity; or

(C) Classification as an employee, agent, independent contractor, or any position where the individual's compensation is based, in whole or in part, on transactions with the public educational entity;

(5) "Institution" means any state-supported institution of higher education of the State of Arkansas or its related foundations or other related entities;

(6) "Other related entity" means:

(A) Any foundation or other entity established for the sole benefit of the public agency or institution;

(B) An entity owned by the public agency or institution or one of its foundations; or

(C) An entity receiving grants or aid from or through the public agency or institution;

(7) "Public agency" means any state agency, bureau, commission, institution, board, or constitutional agency of the State of Arkansas; and

(8) "Transaction" means a contract, exchange, promise, financial relationship, or any other agreement.

21-8-1102. Filing of disclosure of related party transactions.

(a) Between January 1 and January 31 of each year, a board member shall file a disclosure of related party transactions with the Secretary of State.

(b) A board member shall disclose any transaction with another board member, the public agency, other related entity, or an entity served by the public agency if the board member directly or indirectly receives a benefit in the amount of five thousand dollars (\$5,000) or more:

(1) In any calendar year;

(2) In a twelve (12) month period; or

(3) At a predetermined point in the future.

(c) Upon the initial filing of the disclosure of related party transactions, a board member shall disclose any transactions with another board member or the public agency or other related entity where the board member is directly or indirectly receiving a benefit in the amount of five thousand dollars (\$5,000) in any of the three (3) previous calendar years.

(d) Nothing in this section shall require board members to disclose the

amount of donations to public agencies or their related entities.

(e)(1) The Secretary of State shall develop forms to assure compliance with this subchapter.

(2) The content of the forms shall include without limitation the nature and amount of the transactions and the names of the parties to the transactions.

(f) The filing of disclosure of related party transactions shall also include transactions by board members with public agencies or other related entity involving patents, copyrights, or other proprietary information belonging in whole or in part to:

(1) The public agency;

(2) An entity served by the public agency; or

(3) An entity with which the public agency or an entity served by the public agency is actively involved in research.”

/s/ Benny Petrus

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative L. Smith, **HOUSE BILL NO. 2549** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2549

Amend **HOUSE BILL NO. 2549** as engrossed,

H3/7/07 (version: 03-07-2007 09:04):

Page 3, line 9, delete "State Board of Education" and substitute "Arkansas Higher Education Coordinating Board"

/s/ Lindsley Smith

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. 1657** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1657

Amend **HOUSE BILL NO. 1657** as engrossed,

H3/6/07 (version: 03-06-2007 08:51):

Page 2, line 10, delete "other than a" and substitute "including a telephone company providing services other than basic local exchange service"

AND

Page 2, line 11, delete "telephone company"

AND

Page 2, line 15, delete "company" and substitute "company providing basic local exchange service"

/s/ Sid Rosenbaum

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

/s/ Ms. Jo Renshaw

Chief Clerk

ENGROSSED BILL REPORTS

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BENNY C. PETRUS, CHAIRMAN

March 8, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1080	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1138	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1211	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1221	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1228	BY REPRESENTATIVE HARDWICK
HOUSE BILL NO. 1255	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1375	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1500	BY REPRESENTATIVE W. LEWELLEN
HOUSE BILL NO. 1531	BY REPRESENTATIVE HARRELSON, ET AL
HOUSE BILL NO. 1657	BY REPRESENTATIVE ROSENBAUM, ET AL
HOUSE BILL NO. 1808 - TITLE -	BY REPRESENTATIVE BLOUNT, ET AL
HOUSE BILL NO. 2212 - TITLE -	BY REPRESENTATIVE S. DOBBINS, ET AL
HOUSE BILL NO. 2246 - TITLE -	BY REPRESENTATIVE L. SMITH, ET AL
HOUSE BILL NO. 2251	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2267 - TITLE -	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2327	BY REPRESENTATIVE BLOUNT
HOUSE BILL NO. 2355	BY REPRESENTATIVE J. JOHNSON
HOUSE BILL NO. 2374	BY REPRESENTATIVE ROGERS
HOUSE BILL NO. 2384	BY REPRESENTATIVE PETRUS, ET AL
HOUSE BILL NO. 2549	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2560	BY REPRESENTATIVE KEY, ET AL
HOUSE BILL NO. 2611 - TITLE -	BY REPRESENTATIVE DICKINSON, ET AL
HOUSE BILL NO. 2672	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2706	BY REPRESENTATIVE DICKINSON
HOUSE CONCURRENT RESOLUTION NO. 1032	BY REPRESENTATIVE WOOD

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 1808

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BY: REPRESENTATIVES BLOUNT, T. BAKER, E. BROWN, CHESTERFIELD,  
DAVIS, S. DOBBINS, FLOWERS, HARDY, W. LEWELLEN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR THE SMALL CONTRACTORS SURETY BONDING AND MENTOR PROTEGEE TRAINING PILOT PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2212

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BY: REPRESENTATIVES S. DOBBINS, ALLEN, T. BAKER, BLOUNT, E. BROWN,  
CHESTERFIELD, DAVIS, FLOWERS, HARDY, W. LEWELLEN, RAINEY  
BY: SENATORS WILKINS, BROWN, CRUMBLY, STEELE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A GRANDPARENT PREVENTIVE CARE SUBSIDY PROGRAM IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE INCREASED MONTHLY ASSISTANCE AND SERVICES TO FAMILIES IN WHICH A GRANDPARENT CAREGIVER HAS LEGAL CUSTODY OR GUARDIANSHIP OF A GRANDCHILD UNDER THE TRANSITIONAL EMPLOYMENT ASSISTANCE PROGRAM; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2246

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BY: REPRESENTATIVES L. SMITH, PENNARTZ  
BY: SENATOR BAKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING CENTRAL BUSINESS IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2267

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BY: REPRESENTATIVES S. PRATER, *CORNWELL, EDWARDS, D. JOHNSON, J. JOHNSON, WOOD*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 26-36-303 CONCERNING COUNTY TAX COLLECTORS OR TREASURERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED  
HOUSE BILL NO. 2611

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

BY: SENATOR B. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT FOR THE PURPOSE OF ECONOMIC DEVELOPMENT AND CREATING HIGH-PAYING JOBS; TO AUTHORIZE THE CREATION OF THE ARKANSAS RISK CAPITAL MATCHING FUND TO ASSIST IN THE DEVELOPMENT AND RETENTION OF TECHNOLOGY-BASED ENTERPRISES IN ARKANSAS; TO PROVIDE FOR THE MANAGEMENT AND OVERSIGHT OF THE ARKANSAS RISK CAPITAL MATCHING FUND; TO PROVIDE FOR THE ARKANSAS RISK CAPITAL MATCHING FUND TO BE HELD IN THE ARKANSAS VENTURE CAPITAL INVESTMENT TRUST; AND FOR OTHER PURPOSES.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 1207**. Recommended Committee study by Judiciary- House.

The House gave Representative E. Brown unanimous leave to withdraw **HOUSE BILL NO. 2758**.

The House gave Representative Patterson unanimous leave to withdraw **HOUSE BILL NO. 2418**. Recommended Committee Study by Public Health, Welfare, Labor-House.

The House gave Representative Woods unanimous leave to withdraw **HOUSE BILL NO. 2315**. Recommended Committee Study by City, County, and Local Affairs- House.

**HOUSE CONCURRENT MEMORIAL RESOLUTION NO. 1003**

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**BY: REPRESENTATIVE MEDLEY**

IN RESPECTFUL MEMORY OF MS. POLLY ANN WOOD CREWS AND IN RECOGNITION OF HER MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HER LOCAL COMMUNITY.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

**HOUSE RESOLUTION NO. 1027**

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**BY: REPRESENTATIVE REEP**

DESIGNATING "STARS OF LIFE DAY" AND RECOGNIZING THE ACCOMPLISHMENTS OF CERTAIN EMS PROFESSIONALS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

**HOUSE CONCURRENT RESOLUTION NO. 1022**

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**BY: REPRESENTATIVE WOOD**

RESOLUTION URGING THE ARKANSAS STATE GAME AND FISH COMMISSION TO CONSIDER ALLOWING OUT-OF-STATE MEMBERS OF THE NATIONAL GUARD AND ANY OTHER UNIT OF A RESERVE COMPONENT OF THE ARMED FORCES TO QUALIFY FOR RESIDENT HUNTING AND FISHING LICENSES WHILE SERVING IN ARKANSAS IF THE STATE WHICH THE MEMBER IS A RESIDENT RECIPROCATES FOR ARKANSAS GUARDSMEN AND RESERVISTS.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

**HOUSE CONCURRENT RESOLUTION NO. 1031**

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**BY: REPRESENTATIVE WOOD**

TO ENCOURAGE EACH AND EVERY CITIZEN OF THE STATE WHO HAS NOT YET FILED HIS OR HER STATE INCOME TAX FORMS TO PARTICIPATE IN THE MILITARY FAMILY RELIEF CHECK-OFF PROGRAM TO ASSIST THE FAMILIES OF MOBILIZED AND DEPLOYED MEMBERS OF THE ARKANSAS NATIONAL GUARD AND RESERVES.

THE RESOLUTION WAS READ AND ADOPTED BY MORE THAN 51 VOTES.

Morning Hour Expired.

Representative Hoyt moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1413

Amend HOUSE BILL NO. 1413 as originally introduced:

Add Senator Bisbee as a cosponsor of the bill

AND

Page 1, line 28, delete "Remove" and substitute "Remove Abate, remove, or eliminate"

AND

Page 1, line 31, delete "Eliminate or remove" and substitute "~~Eliminate~~ Abate, eliminate, or remove"

/s/ David Bisbee

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, 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, Dickinson, 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, 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 .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Adcock, T. Bradford, E. Brown, Davenport, L. Evans, Hall, L. Smith, Mr. Speaker.

Total .....8

VOTING PRESENT: Greenberg.

Total .....1

Total number of votes cast.....93

Total number voting in the affirmative .....93

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative Sumpter moved that the house concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1442

Amend HOUSE BILL NO. 1442 as engrossed,  
H2/15/07 (version: 02-15-2007 08:49):

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 3-5-227 is amended to read as follows:

3-5-227. Registration of beer kegs for off-premises consumption.

(a) As used in this section:

(1) "Beer" means any fermented liquor made from malt or any substitute therefor and having an alcoholic content not in excess of five percent (5%) by weight;

(2) "Keg" means a vessel which has a liquid capacity of ~~four~~ more than five gallons ~~(4 gals.)~~ (5 gals.) or more;

(3) "Malt beverage" means any liquor brewed from the fermented juices of grain and having an alcoholic content of no less than five percent (5%) nor more than twenty-one percent (21%) by weight; and

(4) "Off-premises" means a place other than the licensed retailer's place of business.

(b) All retail dealers that sell a keg of beer or malt beverage for off-premises consumption are required to attach an identification label or tag approved by the Alcoholic Beverage Control Division to the keg prior to the sale.

(c)(1) The identification label or tag approved by the Alcoholic Beverage Control Division shall consist of paper within a clear protective coating made of plastic, metal, or another durable material that is not easily damaged or destroyed.

(2) The paper shall be of a kind to allow the required information to be ~~automatically produced in triplicate~~ copied and retained by the retail dealer.

(3) Identification labels used may contain a nonpermanent adhesive material in order to apply the label directly to an outside surface of a keg at the time of sale.

(4) Identification tags shall be attached to the kegs at the time of sale with nylon ties or cording, wire ties or other metal attachment devices, or another durable means of tying or attaching the tag to the keg.

(5) The identification label or tag shall be designed so that when affixed to a keg, the label or tag will not mar or otherwise physically damage the keg.

(6) The identification label or tag shall include:

(A) The name and address of the retail dealer;  
 (B) The name of the purchaser; and  
 (C) An individual identification number assigned by the retail dealer that uniquely identifies the keg.

(7) Each identification label or tag shall be perforated and of a composition that consistently allows for the full removal of the tag when common external keg cleaning procedures are performed at retail.

(d)(1) Prior to the retail sale of a keg of beer or malt beverage for off-premises consumption, the retail dealer shall require the purchaser to sign a statement promulgated by the Director of the Alcoholic Beverage Control Division attesting under the penalty of perjury:

(A) To the accuracy of the purchaser's name as shown on the identification label or tag; and

(B)(i) That the purchaser is aware that giving, procuring, or otherwise furnishing any alcoholic beverage to any person under twenty-one (21) years of age is a misdemeanor as provided in §§ 3-3-201 and 3-3-202; and

(ii) That the purchaser will not allow any person under twenty-one (21) years of age to consume any of the beer or malt beverage in the keg.

(2) The retail dealer shall also record the following:

(A) The name and address of the purchaser;

(B) The identification card or driver's license number from the purchaser's acceptable documentation of age;

(C) The amount of the container deposit ~~and registration deposit of not less than seventy-five dollars (\$75.00)~~;

(D) The date and time of the purchase; and

(E) The keg identification number required under subsection (c) of this section.

(e)(1) All records and statements required under this section shall be maintained by the retail dealer for a period of ninety (90) days from the date of the return of the keg.

(2) The records and statements shall remain open to inspection by authorized agents of the Alcoholic Beverage Control Enforcement Division and law enforcement officers during the retail dealer's normal business hours.

~~(f)(1) When a keg of beer or malt beverage is purchased for off-premises consumption, the retail dealer shall collect a seventy-five dollar (\$75.00) registration deposit on each keg of beer or malt beverage purchased.~~

~~(2) The registration deposit shall be collected in addition to the~~

~~purchase price of the keg of beer or malt beverage, taxes, and any other deposit collected by the retail dealer.~~

~~(3) When the keg is returned within ninety (90) days of the date of purchase to the retail dealer with the identification label or tag intact, the retail dealer shall:~~

~~(A) Return the registration deposit to the purchaser; and~~

~~(B) Remove the identification label or tag from the keg.~~

~~(4) The registration deposit on each keg returned without the identification label or tag or with an identification label or tag so damaged that the information contained on the label or tag could not be verified shall be forfeited as follows:~~

~~(A) Twenty-five dollars (\$25.00) shall be paid to the Alcoholic Beverage Control Division; and~~

~~(B) Fifty dollars (\$50.00) shall be retained by the retail dealer.~~

~~(5) Except as provided in subdivision (f)(6) of this section, the registration deposit on any keg not returned to the retail dealer within ninety (90) days of the date of purchase shall be forfeited as follows:~~

~~(A) Twenty-five dollars (\$25.00) shall be paid to the Alcoholic Beverage Control Division; and~~

~~(B) Fifty dollars (\$50.00) shall be retained by the retail dealer.~~

~~(6)(A) If the purchaser has not finished consuming all of the beer or malt beverage in the keg, prior to the expiration of the ninety-day period in subsection (f) of this section, the purchaser may request a thirty-day extension for the return of the keg before the registration deposit shall be forfeited pursuant to subsection (f) of this section.~~

~~(B) In order to receive a thirty-day extension, the purchaser must sign a statement promulgated by the Director of the Alcoholic Beverage Control Division attesting under the penalty of perjury that:~~

~~(i) The keg is still in the purchaser's possession;~~

~~(ii) The purchaser is aware of the restrictions provided in subsection (d) of this section; and~~

~~(iii) The purchaser shall forfeit the registration deposit pursuant to subsection (f) of this subsection if the keg is not returned with its identification label or tag within thirty (30) days.~~

~~(7) The Alcoholic Beverage Control Division shall remit its portion of the forfeited registration to the Treasurer of State for credit to the Miscellaneous Agencies Fund Account.~~

~~(g)(1)(f)(1) The retail dealer shall notify the Director of the Alcoholic Beverage~~

Control Enforcement Division and remit the Alcoholic Beverage Control Division's portion of the registration deposit on forms promulgated by the Alcoholic Beverage Control Division within ten (10) days of the forfeiture of a registration container deposit by a purchaser ~~under subsection (f) of this section.~~

(2) The notification form shall consist of:

- (A) The name and address of the retail dealer;
- (B) The name and address of the purchaser;
- (C) The retail dealer's beer permit or license number;
- (D) ~~The amount of the deposit being~~ A fee of twenty-five dollars (\$25.00) remitted to the Alcoholic Beverage Control Division; and

(E) A statement indicating the reason for forfeiture of the registration container deposit by the purchaser, including but not limited to the following reasons:

- (i) The keg was not returned;
- (ii) The keg was returned more than ~~ninety (90)~~ one hundred twenty (120) days after purchase;
- (iii) The identification label or tag was removed; or
- (iv) The identification label or tag was damaged.

(3) Any retail dealer that fails to notify the Director of the Alcoholic Beverage Control Enforcement Division within ten (10) days of the forfeiture of a registration container deposit by a purchaser is guilty of:

- (A) A violation of this subchapter; and
- (B) A Class B violation, as provided in § 3-4-402, against the

retailer's permit.

~~(h)(1)(g)(1)~~ No person other than the retail dealer, a licensed wholesaler, or an agent of the Alcoholic Beverage Control Enforcement Division may knowingly remove an identification label or tag placed on a keg.

(2) Any person other than the retail dealer, licensed wholesaler, or an agent of the Alcoholic Beverage Control Enforcement Division that is knowingly in possession of a keg without an identification label or tag or knowingly removes or damages an identification label or tag is guilty of a violation of this subchapter.

~~(i)(1)(h)(1)~~ The Director of the Alcoholic Beverage Control Division may promulgate rules and prescribe forms for the proper enforcement of this section, including an approved identification label or tag for use under this section.

(2) ~~Arkansas licensed beer wholesalers shall maintain and offer for sale to retail dealers any keg identification labels or tags required by this section at a price of the cost of manufacturing and maintaining the tags or labels~~ The Alcoholic

Beverage Control Division shall seek the input of licensed brewers and licensed beer importers in developing the label or tag."

/s/ Steve Faris

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, 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, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....93

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, E. Brown, Glidewell, Medley, Pace, L. Smith, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast.....93

Total number voting in the affirmative .....93

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw  
Chief Clerk

Representative Allen moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1414

Amend **HOUSE BILL NO. 1414** as originally introduced:

Page 1, delete line 10 and substitute the following:

"PERSONS CONVICTED OF DRIVING WHILE INTOXICATED; AMENDING ARKANSAS CODE § 20-64-601 CONCERNING THE NAME OF THE BUREAU OF ALCOHOL AND DRUG ABUSE PREVENTION;"

AND

Page 1, delete line 16 and substitute the following:

"DRIVING WHILE INTOXICATED AND CHANGING THE NAME OF THE BUREAU OF ALCOHOL AND DRUG ABUSE PREVENTION."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 5-65-109(a), concerning presentence screenings and assessment reports, is amended to read as follows:

(a) The court shall immediately request and the ~~Highway Safety Program Office of Alcohol and Drug Abuse Prevention~~ or its designee shall provide a presentence screening and assessment report of the defendant upon a plea of guilty or nolo contendere to or a finding of guilt of violating § 5-65-103 or § 5-65-303.

SECTION 2. Arkansas Code § 5-65-115(a), concerning alcohol treatment or education programs, is amended to read as follows:

(a)(1) Any person whose driving privileges are suspended or revoked for violating § 5-65-103, § 5-65-303, § 5-65-310, or § 3-3-203 is required to complete an alcohol education program ~~or an alcoholism treatment program as approved by the Bureau of~~ provided by a contractor with the Office of Alcohol and Drug Abuse Prevention of the Department of Health and Human Services or ~~a program required under § 5-65-104(b)(1), in addition to any other penalty provided by law~~ an alcoholism treatment program licensed by the Office of Alcohol and Drug Abuse Prevention.

(2)(A) The alcohol education program may collect a program fee of up to one hundred twenty-five dollars (\$125) per enrollee to offset program costs.

(B)(i) A person ordered to complete an alcohol education program ~~or alcoholism treatment program~~ under this section may be required to pay, in addition to the costs collected for education or treatment, a fee of up to twenty-five dollars (\$25.00) to offset the additional costs associated with reporting requirements

under this subchapter.

(ii) The alcohol education program shall report ~~semiannually~~ monthly to the ~~bureau~~ office all revenue derived from this fee.

SECTION 3. Arkansas Code § 5-65-307 is amended to read as follows:

5-65-307. Alcohol and driving education program.

(a)(1)(A) Any ~~underage~~ person who has his or her driving privileges suspended, revoked, or denied for violating ~~§ 3-3-203, § 5-65-310, or § 5-65-303~~ is required to complete an alcohol and driving education program for underage drivers as prescribed and approved by the ~~Bureau~~ Office of Alcohol and Drug Abuse Prevention of the Division of Behavioral Health Services of the Department of Health and Human Services or an alcoholism treatment program licensed by the Office of Alcohol and Drug Abuse Prevention, or both, in addition to any other penalty provided in this ~~subchapter~~ chapter.

(B) If during the period of suspension or revocation in subdivision (a)(1)(A) of this section the underage person commits an additional violation of ~~§~~ §§ 3-3-203 or 5-65-303, the underage person is also required to complete an approved alcohol and driving education program or alcoholism treatment program for each additional violation.

(2) The ~~bureau~~ Office of Alcohol and Drug Abuse Prevention shall approve only those programs in alcohol and driving education that are targeted at the underage driving group and are intended to intervene and prevent repeat occurrences of driving under the influence or driving while intoxicated.

(3)(A)(i) The alcohol and driving education program may collect a program fee of up to one hundred twenty-five dollars (\$125) per enrollee to offset program costs.

(ii) An underage person ordered to complete an alcohol and driving education program or an alcoholism treatment program under this section may be required to pay, in addition to the costs collected for the program, a fee of up to twenty-five dollars (\$25.00) to offset the additional costs associated with reporting requirements under this subchapter.

(B) An approved alcohol and driving education program shall report ~~semiannually~~ monthly to the ~~bureau~~ Office of Alcohol and Drug Abuse Prevention all revenue derived from these fees.

(b) Prior to reinstatement of a driver's license suspended or revoked under this subchapter, the driver shall furnish proof of attendance at and completion of the alcohol and driving education program or alcoholism treatment program required under subdivision (a)(1) of this section.

(c) The ~~bureau~~ Office of Alcohol and Drug Abuse Prevention may promulgate

rules and regulations reasonably necessary to carry out the purposes of this section regarding the approval and monitoring of the alcohol and driving education programs.

(d)(1)(A) A person whose license is suspended or revoked for violating § 5-65-303 or § 5-65-310 shall:

(i) Both:

(a) Furnish proof of attendance at and completion of the alcohol and driving education program or alcoholism treatment program required under subdivision (a)(1) of this section before reinstatement of his or her suspended or revoked driver's license; and

(b) Pay any fee for reinstatement required under § 5-65-119 or § 5-65-304; or

(ii) Furnish proof of dismissal or acquittal of the charge on which the suspension or revocation is based.

(B) An application for reinstatement shall be made to the Office of Driver Services.

(2) Even if a person has filed a de novo petition for review pursuant to § 5-65-402, the person is entitled to reinstatement of driving privileges upon complying with this subsection and is not required to postpone reinstatement until the disposition of the de novo review in circuit court has occurred.

(3)(A) A person suspended under this subchapter may enroll in an alcohol education program prior to disposition of the offense by the circuit court, district court, or city court, but is not entitled to any refund of fees paid if the charges are dismissed or if the person is acquitted of the charges.

(B) A person who enrolls in an alcohol education program is not entitled to any refund of fees paid if the person is subsequently acquitted.

(e) Any alcohol and driving education program or ~~alcoholism treatment program~~ shall remit the fees imposed under this section to the ~~bureau~~ Office of Alcohol and Drug Abuse Prevention.

SECTION 4. Arkansas Code § 20-64-601 is amended to read as follows:

20-64-601. ~~Bureau~~ Office of Alcohol and Drug Abuse Prevention - Creation.

(a) There is established within the ~~Department of Health~~ Division of Behavioral Health Services of the Department of Health and Human Services a ~~Bureau~~ an Office of Alcohol and Drug Abuse Prevention to be located under the Office of the Director of the Department of Health and Human Services.

(b) The head of the office shall be appointed by the Director of the Department of Health and Human Services.

(c) Such personnel as are necessary shall be appointed by the office head to

carry out the powers, duties, functions, and responsibilities of the bureau, in accordance with the requirements of law within the limits of available appropriations.

SECTION 5. NOT TO BE CODIFIED. The Arkansas Code Revision Commission shall make appropriate name changes in the Arkansas Code to implement the name change under Section 4 of this act.”

/s/ Shawn Womack

The Amendment was read and the vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, 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, 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, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....94

NEGATIVE: L. Smith.

Total .....1

ABSENT OR NOT VOTING: T. Bradford, E. Brown, D. Hutchinson, Jeffrey, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

Total number voting in the affirmative .....94

Necessary to concur in the amendment.....51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE BILL NO. 2398

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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, Berry, Blount, Bond, Breedlove, J. Brown, Burkes, Burris, 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, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, King, W. Lewellen, Lovell, Lowery, Maloch, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, Stewart, Sullivan, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood.

Total .....79

NEGATIVE: Anderson, Cash, Hall, Key, Kidd, Lamoureux, M. Martin, Maxwell, Thyer, Woods.

Total .....10

ABSENT OR NOT VOTING: T. Baker, T. Bradford, E. Brown, L. Evans, D. Hutchinson, Kenney, Pace, Sample, L. Smith, Wyatt, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative .....79

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2722

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, T. Baker, Blount, Bond, Breedlove, J. Brown, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, Greenberg, Hall, Harrelson, Harris, House, Jeffrey, D. Johnson, Kenney, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Moore, Overbey, Patterson, Pierce, Powers, Ragland, Reep, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt, Mr. Speaker.

Total .....68

NEGATIVE: Berry, Burkes, Burris, D. Evans, Glidewell, R. Green, Hardwick, Hoyt, Hyde, Lowery, Medley, Norton, Pace, Pate, Pennartz, S. Prater, Pyle, Rainey, Reynolds, Sumpter, Woods.

Total .....21

ABSENT OR NOT VOTING: Anderson, T. Bradford, E. Brown, D. Creekmore, Edwards, Hardy, Hawkins, D. Hutchinson, J. Johnson, Pickett, Sample.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

Total number voting in the affirmative.....68

Necessary to the passage of the bill.....51

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

Upon motion of Representative Sullivan the Clincher motion prevailed.

The House stood in recess at 2:00 p.m. until 2:15 p.m.

HOUSE BILL NO. 2339

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BY: REPRESENTATIVE THYER

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, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, L. Cowling, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Hall, Hardwick, Hardy, Harrelson, Hawkins, Jeffrey, Kenney, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Ragland, Rainey, Reep, Rogers, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Thyer, Wagner, Walters, Wells, Wood, Wyatt.

Total .....67

NEGATIVE: E. Brown, Burkes, Cornwell, Edwards, R. Green, Greenberg, House, Hoyt, Hyde, D. Johnson, J. Johnson, Key, King, M. Martin, Pennartz, Pickett, Pierce, Powers, Pyle, Reynolds, J. Roebuck, L. Smith, Sumpter, Webb, Wills, Woods.

Total .....26

ABSENT OR NOT VOTING: T. Bradford, Davis, Harris, D. Hutchinson, S. Prater, Rosenbaum, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

Total number voting in the affirmative .....67

Necessary to the passage of the bill.....51

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

Upon motion of Representative Thyer the Clincher motion prevailed.

HOUSE BILL NO. 1782

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, 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, 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, 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.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, Chesterfield, Cooper, Jeffrey, Maloch, S. Prater, Walters, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

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. 2323

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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, 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, 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, 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, Woods, Wyatt.

Total .....91

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Allen, T. Bradford, Hall, Kenney, King, Pace, Walters, Wood, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

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. 2285

BY: REPRESENTATIVE HYDE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, 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, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....87

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, Cash, Chesterfield, Hall, D. Hutchinson, Kenney, Key, Pace, Pyle, Sample, Sullivan, Walters, Mr. Speaker.

Total .....13

VOTING PRESENT:

Total .....0

Total number of votes cast .....87

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. 2276

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BY: REPRESENTATIVE J. BROWN

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, 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, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wood, Woods, Wyatt.

Total .....95

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, M. Martin, Sullivan, Wills, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

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. 1881

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, 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, 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, Maxwell, Medley, Moore, Norton, Overbey, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total .....	91
NEGATIVE: Burkes, D. Hutchinson, Lamoureux, M. Martin, Woods.	
Total .....	5
ABSENT OR NOT VOTING: T. Bradford, L. Evans, Pyle, Mr. Speaker.	
Total .....	4
VOTING PRESENT:	
Total .....	0
Total number of votes cast .....	96
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. 1670

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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, Allen, Anderson, T. Baker, Berry, Blount, Bond, Breedlove, 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, 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, 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 .....92

NEGATIVE: Jeffrey.

Total .....1

ABSENT OR NOT VOTING: Adcock, T. Bradford, E. Brown, Davenport, Hall, Pickett, Mr. Speaker.

Total .....7

VOTING PRESENT:

Total .....0

Total number of votes cast .....93

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. 1186

BY: REPRESENTATIVE SHELBY

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, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hardwick, Hardy, Harrelson, Hawkins, House, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, 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, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Webb, Wells, Wills, Wyatt.

Total .....84

NEGATIVE: Hall, Harris, Hoyt, Kenney, King, Pace, Sample.

Total .....7

ABSENT OR NOT VOTING: Berry, T. Bradford, D. Creekmore, D. Hutchinson, Lamoureux, Walters, Wood, Woods, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

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. 2583

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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, Allen, T. Baker, Blount, Bond, 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, 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, L. Smith, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total .....90

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: Adcock, Anderson, Berry, T. Bradford, Burkes, Lamoureux, Shelby, Woods, Mr. Speaker.

Total .....9

VOTING PRESENT: Flowers.

Total .....1

Total number of votes cast .....91

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. 2369

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, 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, 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.

Total .....	97
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: T. Bradford, Lamoureux, 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. 2264

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BY: REPRESENTATIVE FLOWERS

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, L. Cowling, D. Creekmore, 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, 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.

Total .....93

NEGATIVE: Glidewell.

Total .....1

ABSENT OR NOT VOTING: T. Bradford, Cornwell, Davenport, Davis, Maloch, Mr. Speaker.

Total .....6

VOTING PRESENT:

Total .....0

Total number of votes cast .....94

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. 2239

BY: REPRESENTATIVE PENNARTZ

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, 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, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....89

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Baker, Berry, T. Bradford, Davenport, Davis, S. Dobbins, Gaskill, Glidewell, Hardy, Sullivan, Mr. Speaker.

Total .....11

VOTING PRESENT:

Total .....0

Total number of votes cast .....89

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. 2237

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BY: REPRESENTATIVE D. EVANS

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, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, 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, 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, Woods, Wyatt.

Total .....92

NEGATIVE:

Total .....0

ABSENT OR NOT VOTING: T. Bradford, J. Brown, Cooper, Cornwell, Davis, W. Lewellen, Wood, Mr. Speaker.

Total .....8

VOTING PRESENT:

Total .....0

Total number of votes cast .....92

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. 2304

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cornwell, D. Creekmore, Davenport, Dickinson, 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 .....91

NEGATIVE: S. Dobbins, Flowers, Sumpter.

Total .....3

ABSENT OR NOT VOTING: T. Bradford, Cooper, L. Cowling, Davis, Mr. Speaker.

Total .....5

VOTING PRESENT: Chesterfield.

Total .....1

Total number of votes cast .....95

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. 2662

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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, 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, 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, Mr. Speaker.

Total .....	97
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: T. Bradford, M. Martin, Pate.	
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.

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

HOUSE BILL NO. 2448

BY: REPRESENTATIVE HYDE

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Anderson, Cash, Cheatham, L. Cowling, Flowers, Garner, Hardwick, Harris, Hyde, Kenney, King, M. Martin, Ragland, Reynolds, J. Roebuck, Rosenbaum, Shelby.

Total .....17

NEGATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, Breedlove, J. Brown, Burris, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Dickinson, Edwards, D. Evans, Everett, Gaskill, Glidewell, R. Green, Hardy, Harrelson, Hawkins, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Maxwell, Medley, Moore, Norton, Pace, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, Sample, Saunders, L. Smith, Sullivan, Thyer, Wagner, Webb, Wyatt.

Total .....59

ABSENT OR NOT VOTING: T. Bradford, E. Brown, Burkes, Davis, S. Dobbins, Dunn, L. Evans, George, Greenberg, Hall, Lowery, Maloch, Overbey, Rogers, Schulte, Stewart, Sumpter, Walters, Wells, Wills, Wood, Woods, Mr. Speaker.

Total .....23

VOTING PRESENT: Chesterfield.

Total .....1

Total number of votes cast .....77

Total number voting in the affirmative.....17

Necessary to the passage of the bill.....51

So the Bill failed.

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

HOUSE BILL NO. 2397

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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, Allen, Blount, Bond, E. Brown, J. Brown, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, Davis, Dunn, Edwards, L. Evans, Everett, Flowers, Garner, Gaskill, Glidewell, Hall, Hardwick, Hardy, Harrelson, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, King, W. Lewellen, Lovell, M. Martin, Medley, Moore, Overbey, Pace, Pennartz, Pierce, S. Prater, Ragland, Rainey, Reep, J. Roebuck, Rogers, Sample, Saunders, Shelby, L. Smith, Stewart, Thyer, Wagner, Webb, Wills, Wood, Wyatt.

Total .....59

NEGATIVE: Breedlove, Burkes, D. Creekmore, Davenport, D. Evans, R. Green, D. Hutchinson, Kidd, Lowery, Pate, Patterson, Powers, Pyle, Sullivan, Walters, Woods.

Total .....16

ABSENT OR NOT VOTING: Adcock, Anderson, Berry, T. Bradford, Burris, L. Cowling, Dickinson, S. Dobbins, George, Greenberg, Harris, Key, Lamoureux, Maloch, Maxwell, Norton, Pickett, Reynolds, Rosenbaum, Schulte, Sumpter, Wells, Mr. Speaker.

Total .....23

VOTING PRESENT: T. Baker, Hawkins.

Total .....2

Total number of votes cast .....77

Total number voting in the affirmative .....59

Necessary to the passage of the bill.....51

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

Upon motion of Representative Moore the Clincher motion prevailed.

HOUSE BILL NO. 2225

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, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Davis, Dickinson, S. Dobbins, Dunn, L. Evans, Everett, Flowers, Garner, Gaskill, George, Glidewell, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, Kenney, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, Maxwell, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, Pickett, Pierce, Powers, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, Stewart, Sullivan, Thyer, Wagner, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total .....81

NEGATIVE: Bond, D. Creekmore, Edwards, D. Evans, R. Green, D. Johnson, J. Johnson, Pate, L. Smith, Sumpter.

Total .....10

ABSENT OR NOT VOTING: T. Bradford, Davenport, Greenberg, Key, Lowery, M. Martin, S. Prater, Webb, Mr. Speaker.

Total .....9

VOTING PRESENT:

Total .....0

Total number of votes cast .....91

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. 2604

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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, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, R. Green, Hall, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Kenney, Key, Kidd, King, W. Lewellen, 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, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....85

NEGATIVE: Sullivan.

Total .....1

ABSENT OR NOT VOTING: T. Bradford, Chesterfield, Cooper, Glidewell, Greenberg, Hardwick, D. Hutchinson, Lamoureux, Lovell, Lowery, Maloch, Pate, Pyle, Mr. Speaker.

Total .....14

VOTING PRESENT:

Total .....0

Total number of votes cast .....86

Total number voting in the affirmative .....85

Necessary to the passage of the bill.....51

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

HOUSE BILL NO. 2601

BY: REPRESENTATIVE S. PRATER

Was read the third time and placed on final passage, the question being shall the Bill pass. The vote was as follows:

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, 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, Gaskill, George, Glidewell, Greenberg, Hall, 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, 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.

Total .....93

NEGATIVE: Garner, R. Green.

Total .....2

ABSENT OR NOT VOTING: T. Bradford, Hardwick, Lowery, Moore, Mr. Speaker.

Total .....5

VOTING PRESENT:

Total .....0

Total number of votes cast .....95

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.

There being an Emergency Clause attached to **HOUSE BILL NO. 1796**, 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, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, L. Cowling, Dickinson, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Greenberg, Hardy, Harrelson, Hawkins, House, Hoyt, Jeffrey, D. Johnson, J. Johnson, Kenney, Kidd, King, W. Lewellen, Lowery, Maloch, Maxwell, Moore, Overbey, Pate, Patterson, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Saunders, Shelby, L. Smith, Stewart, Sumpter, Wagner, Walters, Webb, Wells, Wills, Wood.

Total .....69

NEGATIVE: Anderson, Burkes, Flowers, Glidewell, R. Green, Hall, Harris, D. Hutchinson, Hyde, Key, Lamoureux, Lovell, M. Martin, Pace, Pennartz, Pyle, Sample, Schulte, Sullivan, Thyer, Woods, Wyatt.

Total .....22

ABSENT OR NOT VOTING: T. Bradford, D. Creekmore, Davenport, S. Dobbins, Hardwick, Medley, Norton, Mr. Speaker.

Total .....8

VOTING PRESENT: Davis.

Total .....1

Total number of votes cast.....92

Total number voting in the affirmative .....69

Necessary to the adoption of the emergency clause.....67

So the Emergency Clause was adopted.

HOUSE BILL NO. 2215

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, 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, Stewart, Sullivan, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total .....	97
NEGATIVE:	
Total .....	0
ABSENT OR NOT VOTING: T. Bradford, Hyde, 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.

Upon motion of Representative Maloch, **HOUSE BILL NO. 1080** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1080**

Amend **HOUSE BILL NO. 1080** as originally introduced:  
Page 4, line 1, delete "\$ 225,000,000 \$ 225,000,000" and substitute "\$ 250,000,000 \$ 250,000,000"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw  
Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 1138** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1138**

Amend **HOUSE BILL NO. 1138** as originally introduced:

"SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL PROVISIONS FOR SHIFT DIFFERENTIAL AND WEEKEND PAY FOR PERSONNEL AT THE HOT SPRINGS REHABILITATION CENTER. Personnel employed in areas providing critical support and care to Patient Units at the Hot Springs Rehabilitation Center during evening and night shifts shall be eligible to receive up to twenty percent (20%) of the hourly rate paid as a shift differential. Personnel required to provide critical and support care to client units during weekend hours shall be eligible to receive up to twenty percent (20%) of the hourly rate paid as a weekend differential. When facilities use shifts other than traditional eight-hour shifts, shift differential may be paid for those shifts exceeding the normal day shift of the facility. When shift and weekend differentials are provided to employees as herein described, the total compensation may exceed the maximum annual rate for the assigned pay grade for those positions included in this Act.

The Agency shall identify the shift(s) and job classifications applicable for the

differential, and the shift differential percentage for which each classification is eligible within each shift. The shift schedule, job classification listing and the percentage of shift differential for which the job titles will be eligible shall be submitted to the Office of Personnel Management (OPM) for approval by the Chief Fiscal Officer of the State after review of the Personnel Committee of the Legislative Council or Joint Budget Committee. Subsequent changes to the shift schedule, job classifications and shift differential percentages on file with OPM must receive prior approval by the Chief Fiscal Officer of the State after review of the Personnel Committee of the Legislative Council or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009."

And

Appropriately renumber 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. 1211** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1211**

Amend **HOUSE BILL NO. 1211** as originally introduced:

Page 6, insert additional sections immediately following section 6 to read as follows:

" SECTION 7. REGULAR SALARIES - GEOGRAPHIC INFORMATION SYSTEM. There is hereby established for the Department of Information Systems - Geographic Information System 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	No. of Employees	Maximum Annual Salary Rate	
		2007-2008	2008-2009
(1) 9434 DIS GIS INFORMATION COORDINATOR	1	\$ 90,752	\$ 92,567
(2) D150 SENIOR TECHNOLOGY ANALYST	1	GRADE 25	
(3) D157 SENIOR GIS ANALYST	2	GRADE 24	
(4) D170 GIS ANALYST	<u>1</u>	GRADE 22	
MAX. NO. OF EMPLOYEES		5	

SECTION 8. EXTRA HELP. There is hereby authorized, for the Department of Information Systems - Geographic Information System for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: two (2) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 9. APPROPRIATION - GEOGRAPHIC INFORMATION SYSTEM. There is hereby appropriated, to the Department of Information Systems, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Information Systems - Geographic Information System for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 326,772	\$ 333,306
(02) EXTRA HELP	6,000	6,000
(03) PERSONAL SERVICES MATCHING	89,098	90,451
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	21,491	21,491
(B) CONF. & TRAVEL	10,000	10,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	120,000	120,000
(E) DATA PROC.	<u>115,000</u>	<u>115,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 688,361</u>	<u>\$ 696,248</u>

SECTION 10. APPROPRIATION – FLOOD MAP - FEDERAL. There is

hereby appropriated, to the Department of Information Systems, to be payable from federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Department of Information Systems for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 4,300	\$ 4,300
(B) CONF. & TRAVEL	10,200	10,200
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	6,000	6,000
(E) DATA PROC.	<u>102,000</u>	<u>102,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 122,500</u>	<u>\$ 122,500</u>

SECTION 11. APPROPRIATION – GEOSTOR AND FRAMEWORK. There is hereby appropriated, to the Department of Information Systems, to be payable from the Geographic Information Systems Fund, to carry out the duties, responsibilities and authority of the Arkansas State Land Information Board as described by Arkansas Code §15-21-504; to create, operate, and maintain Geostor, the Arkansas Spatial Data Infrastructure and to create, update, maintain and disseminate framework spatial data as defined by Arkansas Code §15-21-502 for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) GEOSTOR & FRAMEWORK		<u>\$ 250,000</u>
	<u>250,000</u>	<u>\$</u>

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD – Arkansas Geographic Information Office – Operations. At the close of the fiscal year ending June 30, 2008, the Arkansas Geographic Information Office may certify to the Chief Fiscal Officer of the State an unexpended amount of appropriation which shall then be transferred forward for the fiscal year ending June 30, 2009, for the sole purpose of providing payments for geographic information technology.

Any carry forward of unexpended balance of appropriation and/or funding as authorized herein, may be carried forward under the following conditions: (1) Prior to June 30, 2008 the Agency shall by written statement set forth its reason(s) for the need to carry forward said appropriation and/or funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward from the first year of the biennium to the second fiscal year of the biennium by the September Arkansas Legislative Council or Joint Budget Committee meeting in the second fiscal year of the biennial period which report shall include the name of the Agency, Board, Commission or Institution and the amount of appropriation and/or funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose, etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the biennial budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

The provisions of this section shall be in effect only from July 1, 2007 through June 30, 2009.

SECTION 13. REGULAR SALARIES – SECURITY AND COMPLIANCE MONITORING. There is hereby established for the Department of Information Systems – Security and Compliance Monitoring 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	No. Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
					Fiscal Years 2007-2008	2008-2009
(1)	9322		DIS SECURITY DIRECTOR	1	\$103,989	\$ 106,068
(2)	D150		SENIOR TECHNOLOGY ANALYST	1	GRADE 25	

- (3) A032 AGENCY FISCAL MANAGER 1 GRADE 22
- (4) 909Z PROGRAM SUPPORT MANAGER 1 GRADE 22
- MAX. NO. OF EMPLOYEES 4

SECTION 14. APPROPRIATION – SECURITY AND COMPLIANCE MONITORING – GENERAL REVENUE. There is hereby appropriated, to the Department of Information Systems, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Department of Information Systems – Security and Compliance Monitoring for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 305,955	\$ 312,072
(02) PERSONAL SERVICES MATCHING	<u>79,981</u>	<u>81,368</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 385,936</u>	<u>\$ 393,440</u> “

AND

Renumber the remaining sections of the bill appropriately.

/s/ Chris Thyer

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. 1221** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1221**

Amend **HOUSE BILL NO. 1221** as originally introduced:

Page 2, line 7, delete "\$84,070 \$85,751" and substitute "\$90,664 \$92,477"

/s/ Chris Thyer

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. 1255** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1255**

Amend **HOUSE BILL NO. 1255** as originally introduced:

Page 2, delete line 9 in its entirety and substitute the following:

"(04)	9437	DFA BUSINESS ANALYST	1	\$ 96,313	\$ 98,239
(05)	9604	DFA STATE PURCHASING ADMR	1	\$ 94,188	\$ 96,071"

AND

Page 2, delete line 24 in its entirety and substitute the following:

"(19)	037Z	INFORMATION SYSTEMS MANAGER	1	GRADE 25
(20)	D150	SENIOR TECHNOLOGY ANALYST	4	GRADE 25"

AND

Page 5, line 13, delete "362" and substitute "367"

AND

Renumber the item No.s appropriately

AND

Page 6, insert an additional section immediately following section 4 to read as follows:

" SECTION 5. APPROPRIATION - INFORMATION TECHNOLOGY PLANNING. There is hereby appropriated, to the Department of Finance and Administration - Management Services Division, to be payable from the Miscellaneous Agencies Fund Account, for personal services of the Department of

Finance and Administration - Management Services Division for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 407,521	\$ 415,669
(02) PERSONAL SERVICES MATCHING	<u>\$ 105,316</u>	<u>\$ 107,002</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 512,837</u>	<u>\$ 522,671"</u>

AND

Appropriately renumber the remaining 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 House, **HOUSE BILL NO. 1375** was placed back on second reading for the purpose of amendment.

**AMENDMENT NO. 1 TO HOUSE BILL NO. 1375**

Amend **HOUSE BILL NO. 1375** as originally introduced:

Page 2, line 9 delete "3" and substitute "4"

AND

Page 2, line 30 delete "379" and substitute "439"

AND

Page 3, line 34 delete "1,332" and substitute "1,393"

AND

Page 4, lines 17-27 delete in their entirety and substitute:

" (01) REGULAR SALARIES	\$37,188,943	\$ 38,004,254
(02) EXTRA HELP	25,000	25,000
(03) PERSONAL SERVICES MATCHING	12,894,650	
13,059,798		
(04) OVERTIME	150,000	150,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	10,871,481	

10,841,264		
(B) CONF. & TRAVEL	81,321	60,721
(C) PROF. FEES	10,255,770	
10,766,587		
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 71,467,165</u>	<u>\$</u>
<u>72,907,624"</u>		

AND

Page 5, line 11 delete "3,977,469 3,977,469" and substitute  
"4,977,469 4,977,469"

AND

Page 5, line 12 delete "\$ 9,629,687 \$ 9,470,791" and substitute  
"\$ 10,629,687 \$ 10,470,791"

AND

Page 6, line 23 delete "\$ 2,000,000 \$ 2,000,000" and substitute  
"\$ 3,872,335 \$ 4,059,568"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw  
Chief Clerk

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

---

HOUSE BILL NO. 1186 BY REPRESENTATIVE SHELBY  
 HOUSE BILL NO. 1670 BY REPRESENTATIVE MOORE  
 HOUSE BILL NO. 1782 BY REPRESENTATIVE KING  
 HOUSE BILL NO. 1796 BY REPRESENTATIVE HAWKINS  
 HOUSE BILL NO. 1881 BY REPRESENTATIVE REEP  
 HOUSE BILL NO. 2215 BY REPRESENTATIVE MALOCH  
 HOUSE BILL NO. 2225 BY REPRESENTATIVE ROGERS  
 HOUSE BILL NO. 2237 BY REPRESENTATIVE D. EVANS  
 HOUSE BILL NO. 2239 BY REPRESENTATIVE PENNARTZ  
 HOUSE BILL NO. 2264 BY REPRESENTATIVE FLOWERS  
 HOUSE BILL NO. 2276 BY REPRESENTATIVE J. BROWN  
 HOUSE BILL NO. 2285 BY REPRESENTATIVE HYDE  
 HOUSE BILL NO. 2304 BY REPRESENTATIVE WALTERS  
 HOUSE BILL NO. 2323 BY REPRESENTATIVE EDWARDS  
 HOUSE BILL NO. 2339 BY REPRESENTATIVE THYER  
 HOUSE BILL NO. 2369 BY REPRESENTATIVE WILLS  
 HOUSE BILL NO. 2397 BY REPRESENTATIVE MOORE  
 HOUSE BILL NO. 2398 BY REPRESENTATIVE BURRIS  
 HOUSE BILL NO. 2583 BY REPRESENTATIVE SAMPLE  
 HOUSE BILL NO. 2601 BY REPRESENTATIVE S. PRATER  
 HOUSE BILL NO. 2604 BY REPRESENTATIVE MOORE  
 HOUSE BILL NO. 2662 BY REPRESENTATIVE ROSENBAUM  
 HOUSE BILL NO. 2722 BY REPRESENTATIVE SULLIVAN

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND  
 ORDERED TRANSMITTED TO THE SENATE

---

HOUSE CONCURRENT  
 RESOLUTION NO. 1022 BY REPRESENTATIVE WOOD  
 HOUSE CONCURRENT  
 RESOLUTION NO. 1031 BY REPRESENTATIVE WOOD

HOUSE CONCURRENT MEMORIAL RESOLUTIONS ADOPTED AND  
ORDERED TRANSMITTED TO THE SENATE

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HOUSE CONCURRENT MEMORIAL  
RESOLUTION NO. 1003 BY REPRESENTATIVE MEDLEY

ARKANSAS SENATE  
SENATE BILLS RECEIVED FROM SENATE

---

SENATE BILL NO. 8	BY SENATOR HENDREN
SENATE BILL NO. 20	BY SENATOR ALTES
SENATE BILL NO. 373	BY SENATOR BROWN
SENATE BILL NO. 376	BY SENATOR BROWN
SENATE BILL NO. 377	BY SENATOR BROWN
SENATE BILL NO. 381	BY SENATOR BOOKOUT
SENATE BILL NO. 404	BY SENATOR BOOKOUT
SENATE BILL NO. 439	BY SENATOR HORN
SENATE BILL NO. 580	BY SENATOR FARIS
SENATE BILL NO. 652	BY SENATOR BISBEE
SENATE BILL NO. 655	BY SENATOR BISBEE
SENATE BILL NO. 659	BY SENATOR BISBEE
SENATE BILL NO. 683	BY SENATOR HORN
SENATE BILL NO. 786	BY SENATOR G. JEFFRESS
SENATE BILL NO. 857	BY SENATOR LUKER
SENATE BILL NO. 858	BY SENATOR LUKER
SENATE BILL NO. 904	BY SENATOR R. THOMPSON
SENATE BILL NO. 905	BY SENATOR R. THOMPSON
SENATE BILL NO. 906	BY SENATOR R. THOMPSON
SENATE BILL NO. 910	BY SENATOR WILKINS
SENATE BILL NO. 948	BY SENATOR GLOVER
SENATE BILL NO. 967	BY SENATOR ALTES

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

March 8, 2007

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1342 BY REPRESENTATIVE SULLIVAN  
HOUSE BILL NO. 1374 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1392 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1407 BY REPRESENTATIVE REEP  
HOUSE BILL NO. 1433 BY REPRESENTATIVE WILLS  
HOUSE BILL NO. 1509 BY REPRESENTATIVE HARDWICK  
HOUSE BILL NO. 1527 BY REPRESENTATIVE JEFFREY  
HOUSE BILL NO. 1707 BY REPRESENTATIVE GREENBERG  
HOUSE BILL NO. 1732 BY REPRESENTATIVES L. EVANS, WOOD  
HOUSE BILL NO. 1869 BY REPRESENTATIVE MALOCH

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

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## RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1342 BY REPRESENTATIVE SULLIVAN  
HOUSE BILL NO. 1374 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1392 BY JOINT BUDGET COMMITTEE  
HOUSE BILL NO. 1407 BY REPRESENTATIVE REEP  
HOUSE BILL NO. 1433 BY REPRESENTATIVE WILLS  
HOUSE BILL NO. 1509 BY REPRESENTATIVE HARDWICK  
HOUSE BILL NO. 1527 BY REPRESENTATIVE JEFFREY  
HOUSE BILL NO. 1707 BY REPRESENTATIVE GREENBERG  
HOUSE BILL NO. 1732 BY REPRESENTATIVES L. EVANS, WOOD  
HOUSE BILL NO. 1869 BY REPRESENTATIVE MALOCH

/s/ Mike Beebe - Governor

TIME: 9:40 a.m.

By: Marc Harrison

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

---

Little Rock, Arkansas

March 8, 2007

MR. SPEAKER:

We, your committee on Enrolled Bills, to whom was referred the following:

HOUSE BILL NO. 1413 BY REPRESENTATIVE HOYT, ET AL

HOUSE BILL NO. 1414 BY REPRESENTATIVE ALLEN

HOUSE BILL NO. 1442 BY REPRESENTATIVE SUMPTER

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 3:18 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. 1413 BY REPRESENTATIVE HOYT, ET AL

HOUSE BILL NO. 1414 BY REPRESENTATIVE ALLEN

HOUSE BILL NO. 1442 BY REPRESENTATIVE SUMPTER

/s/ Mike Beebe - Governor

TIME: 3:18 p.m.

By: Angela Tollette



# Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

## Amendment Form

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### Subtitle of House Bill No. 1808

"AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION -  
DISBURSING OFFICER - SMALL CONTRACTORS SURETY BONDING AND MENTOR  
PROTEGEE TRAINING PILOT PROGRAM GENERAL IMPROVEMENT  
APPROPRIATION."

\*\*\*\*\*

### Amendment No. 1 to House Bill No. 1808.

Amend House Bill No. 1808 as originally introduced:

Add the following House members as co-sponsors to the bill:

T. Baker, E. Brown, Chesterfield, ~~O.~~Davis, (S.) Dobbins, Flowers, Hardy, (W.)  
Lewellen

## STATE OF ARKANSAS

*House of Representatives*

March 8, 2007

To Whom It May Concern:

I was called away from my seat during the vote on **HOUSE BILL NO. 2264**. My voting machine was inadvertently voted "no." Had I been in my seat, I would have voted "yes."

Sincerely,

Frank Glidewell  
State Representative  
District 63

FG/jwa

SENATE BILL NO. 8

---

BY: SENATOR HENDREN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE LOADS CARRYING GRAVEL OR ROCKS TO BE COVERED; 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. 20

---

BY: SENATOR ALTES

BY: REPRESENTATIVES MEDLEY, WALTERS, WELLS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO ESTABLISH A PRESCRIPTION DRUG MONITORING PROGRAM; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE AND LABOR.

SENATE BILL NO. 373

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BY: SENATORS BROWN, STEELE, MADISON, WILKINS, CRUMBLY, BAKER

BY: REPRESENTATIVES D. JOHNSON, ADCOCK, WEBB, ALLEN, T. BAKER, CHESTERFIELD, DAVIS, J. JOHNSON, RAINEY, OVERBEY, DUNN, SAUNDERS, WILLS, BLOUNT, CORNWELL, S. DOBBINS, HARRELSON, HALL, W. LEWELLEN, HARDY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS STATUTES PERTAINING TO TAX DELINQUENT PROPERTY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

## SENATE BILL NO. 376

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BY: SENATORS BROWN, STEELE, MADISON, WILKINS, *CRUMBLY, BAKER*  
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, WEBB, ALLEN, T. BAKER,  
CHESTERFIELD, DAVIS, J. JOHNSON, RAINEY, OVERBEY, *DUNN, SAUNDERS,*  
*WILLS, BLOUNT, CORNWELL, S. DOBBINS, HARRELSON, HALL, W.*  
*LEWELLEN, HARDY*

A BILL FOR AN ACT TO BE ENTITLED THE ARKANSAS LAND BANK ACT.

Was read the first time, rules suspended, read the second time and referred to the Committee on INSURANCE AND COMMERCE.

## SENATE BILL NO. 377

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BY: SENATORS BROWN, STEELE, MADISON, WILKINS, *CRUMBLY, BAKER*  
BY: REPRESENTATIVES D. JOHNSON, ADCOCK, WEBB, ALLEN, T. BAKER,  
CHESTERFIELD, DAVIS, J. JOHNSON, RAINEY, OVERBEY, *DUNN, SAUNDERS,*  
*WILLS, BLOUNT, CORNWELL, S. DOBBINS, HARRELSON, HALL, W.*  
*LEWELLEN, HARDY*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS QUIET TITLE STATUTES; 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. 381

BY: SENATORS BOOKOUT, BROWN, B. JOHNSON, ALTES, ARGUE, BAKER, BISBEE, BROADWAY, BRYLES, CAPPS, CRITCHER, CRUMBLY, FARIS, GLOVER, HENDREN, HILL, HORN, G. JEFFRESS, J. JEFFRESS, LAVERTY, LUKER, MADISON, MALONE, MILLER, B. PRITCHARD, SALMON, T. SMITH, STEELE, J. TAYLOR, R. THOMPSON, TRUSTY, WHITAKER, WILKINS, WILKINSON, WOMACK

BY: REPRESENTATIVES COOPER, 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, 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, PETRUS, 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 CREATE THE UAMS CANCER RESEARCH CENTER MATCHING FUND; 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. 404**

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**BY: SENATOR BOOKOUT****BY: REPRESENTATIVE HARDWICK**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY THE LICENSURE AND INTERNSHIP PROCESS FOR THE ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS; TO INCREASE FEES FOR HEARING INSTRUMENT DISPENSER LICENSES; 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. 439**

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**BY: SENATOR HORN**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PERMIT WAIVERS OF THE THREE-YEARS' PRIOR SUCCESSFUL OPERATIONS IN THE DOMICILE STATE OR PORT OF ENTRY ("SEASONING") ADMISSION REQUIREMENT FOR FOREIGN INSURERS SEEKING TO DO BUSINESS IN ARKANSAS; TO APPLY THE CHANGE OF DOMICILE STATUTE TO HEALTH MAINTENANCE ORGANIZATIONS; TO ALLOW HEALTH MAINTENANCE ORGANIZATIONS DOMICILED IN THIS STATE TO ELECT TO BE COVERED BY THE INSURANCE HOLDING COMPANY REGULATORY ACT; 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. 580**

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**BY: SENATOR FARIS**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXEMPT MID-AMERICA SCIENCE MUSEUM FROM SALES AND USE TAX; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE AND TAXATION.

SENATE BILL NO. 652

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BY: SENATORS BISBEE, HENDREN

BY: REPRESENTATIVES KENNEY, ANDERSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 6-17-104 CONCERNING TEACHER RECORDS AND REPORTS; 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. 655

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BY: SENATORS BISBEE, HENDREN

BY: REPRESENTATIVES KENNEY, ANDERSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 6-17-208 CONCERNING PUBLIC SCHOOL DISTRICT GRIEVANCE PROCEDURES; 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. 659

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BY: SENATORS BISBEE, HENDREN

BY: REPRESENTATIVES KENNEY, ANDERSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 6-17-101 CONCERNING HEALTH CERTIFICATES OF PUBLIC SCHOOL EMPLOYEES; 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. 683

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BY: SENATORS HORN, T. SMITH, FARIS, MALONE, HILL

BY: REPRESENTATIVE DAVENPORT

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE INSURANCE COMMISSIONER TO ASSESS RURAL RISK *UNDERWRITING ASSOCIATION MEMBERS* A FEE FOR THE EXPENSE OF MAILING FIRE DEPARTMENT RENEWAL SUBSCRIPTION NOTICES; 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. 786

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BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REMOVE THE LICENSURE REQUIREMENT FOR FLIGHT INSTRUCTORS AND FLIGHT SCHOOLS LICENSED UNDER APPROPRIATE FEDERAL AVIATION AUTHORITY REGULATIONS; 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. 857

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BY: SENATOR LUKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE OF CERTAIN INFORMATION IN A PETITION FOR AN ORDER OF PROTECTION; 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. 858

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BY: SENATOR LUKER

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING DISCRETIONARY TRANSFER TO THE DEPARTMENT OF COMMUNITY CORRECTION BY THE PAROLE BOARD; 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. 904

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BY: SENATOR R. THOMPSON

BY: REPRESENTATIVE D. JOHNSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 28-48-102 TO CLARIFY THE EFFECT OF A PROBATE ORDER AND THE PURPOSE OF LETTERS OF ADMINISTRATION; 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. 905

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BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO AMEND ARKANSAS CODE § 16-116-102 TO CLARIFY THE SCOPE OF ARKANSAS' PRODUCT LIABILITY LAW; 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. 906

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BY: SENATOR R. THOMPSON

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND ARKANSAS CODE § 4-86-102 TO CLARIFY THE LIABILITY OF SUPPLIERS; 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. 910

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BY: SENATORS WILKINS, BROWN, CRUMBLY, STEELE

BY: REPRESENTATIVES SUMPTER, KEY, COOPER, BURRIS, RAGLAND, L. SMITH

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROTECT COMSUMERS BY PROHIBITING THE AUTOMATIC RENEWAL OF PROFESSIONAL HOME SECURITY SERVICES CONTRACTS; TO PROVIDE THE CONSUMER WITH THE OPTION OF MONTHLY RENEWALS TERMINABLE AT WILL WITHOUT PENALTY; TO PROVIDE THE CONSUMER WITH CONSPICUOUS NOTICE OF THE RIGHT OF TERMINATION; 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. 948

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BY: SENATOR GLOVER

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE A FUNDING MECHANISM TO SUPPORT A COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING PROGRAM; TO EXTEND THE DATE FOR BANNING THE DISPOSAL OF SUCH EQUIPMENT IN A LANDFILL; 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. 967

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BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CLARIFY WHEN TOWING VEHICLES LICENSED IN OTHER STATES ARE AUTHORIZED TO TOW VEHICLES IN ARKANSAS; TO AUTHORIZE THE ARKANSAS TOWING AND RECOVERY BOARD TO MAKE RULES FOR THE ENFORCEMENT OF § 27-35-112; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC TRANSPORTATION.

Upon motion of Representative David Evans, the House adjourned at 3:27 p.m. until 10:00 a.m., Friday, March 9, 2007.

ATTEST:

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Benny C. Petrus  
Speaker of the House of Representatives

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Jo Renshaw  
Chief Clerk