

**SEVENTY-FIRST DAY'S PROCEEDINGS
HALL OF THE HOUSE OF REPRESENTATIVES**

Little Rock, Arkansas

March 19, 2007

The House was called to order at 1:31 p.m. by Mr. Petrus, the Speaker. The following members answered to the roll call:

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

Total100

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

Total0

A quorum was present.

The House stood and was led in prayer by Bryan Tuggle, Director, John 3:16 Ministeries, Charlotte, Arkansas.

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

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

COMMITTEE REPORT

	March 19, 2007
JOINT COMMITTEE ON PUBLIC RETIREMENT AND SOCIAL SECURITY PROGRAMS	ERIC HARRIS CHAIRPERSON
HOUSE BILL NO. 1097 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE BILL NO. 1172 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE BILL NO. 1187 BY REPRESENTATIVE EDWARDS	DO PASS
HOUSE BILL NO. 1277 BY REPRESENTATIVE HARRIS	DO PASS
HOUSE CONCURRENT RESOLUTION NO. 1021 BY REPRESENTATIVE SAUNDERS	DO PASS

COMMITTEE REPORT

	March 19, 2007
JOINT BUDGET	CHRIS THYER CHAIRPERSON
HOUSE BILL NO. 2520 BY REPRESENTATIVE WILLS	DO PASS
SENATE BILL NO. 801 BY SENATOR HILL, ET AL	DO PASS

Upon motion of Representative Cook, **HOUSE BILL NO. 1517** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1517

Amend **HOUSE BILL NO. 1517** as engrossed,

H3/2/07 (version: 03-02-2007 09:39):

Page 2, line 1, delete "benchmark tests" and substitute "tests assessments"

AND

Page 2, line 2, delete "include"

AND

Page 2, delete lines 6 through 36 and substitute the following:

"(1) Be based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance and any academic achievement gap evidenced in the Arkansas Comprehensive Testing, Assessment, and Accountability Program; and

(2) Include the public school or school district's use of categorical funding for:

(A) Alternative learning environments;

(B) Professional development;

(C) English-language learners; and

(D) National school lunch students, as defined by § 6-20-2303(12)(A).

(g) Any public school or school district classified as in school improvement under § 6-15-425 shall develop and file with the department a revised comprehensive school improvement plan meeting the requirements of this section and containing any additional requirements determined necessary by the department to ensure that all students in the public school or school district have an opportunity to demonstrate proficiency on all portions of the state-mandated assessments.

(h)(1) At the end of each school year, the school district shall assess the effectiveness of an intervention or other action included in the comprehensive school improvement plan in improving student performance and include the assessment in the comprehensive school improvement plan for the following school year.

(i)(1) The department shall monitor each public school's and school district's compliance regarding its comprehensive school improvement plan, including without limitation:

(A) The use of public school funding under the Public School Funding Act of 2003, § 6-20-2301 et seq. for the following:

(i) Instructional facilitators, as that term is defined by the State Board of Education;

(ii) Alternative learning environments, professional development, English-language learners, and national school lunch students identifying specific:

(a) Educational strategies;

(b) Resources used, including tutors, teachers' aides, counselors, social workers, and nurses; and

(c) Expenditures made from categorical funds provided under § 6-20-2305(b); and

(B) The implementation of programs for students whose academic achievement is below proficient.

(2) As part of the monitoring process under this subsection (i), the department shall evaluate the research cited by the public school or school district in its comprehensive school improvement plan in support of the proposed interventions and actions to assess its independence and empirical support for the effectiveness of the program.

(3) The department shall use the information obtained through monitoring comprehensive school improvement plans under this section to:

(A) Determine the compliance of the public school or school district with the provisions of this subchapter; and

(B) Evaluate whether the assessment conducted by the public school or school district under subsection (h) of this section was conducted properly, and assess the areas in which the public school or school district needs to revise its plan.

(i) The State Board of Education shall incorporate the provisions of subsections (f) through (i) of this section into its rules for comprehensive school improvement plans and may amend those rules in the same manner as provided by law for other rules established by the state board.

~~(f) Professional development activities of a public school or public"~~

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 7

AND

Delete SECTION 3 in its entirety

AND

Appropriately renumber the remaining sections of the bill

/s/ David Cook

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2268** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2268

Amend **HOUSE BILL NO. 2268** as originally introduced:

Page 1, line 11, delete "OR"

AND

Page 1, line 12, delete "A FILE ABSTRACT"

AND

Page 1, line 18, delete "OR A FILE ABSTRACT"

AND

Page 1, delete lines 28 through 35 and substitute the following:

"Legislative Research with direct read and report only access to the department's data warehouse concerning school districts and related records.

(2) In providing the bureau with the direct read and report only access required under subdivision (a)(1) of this section, the department"

AND

Page 2, delete lines 9 through 11 and substitute the following:

"(3)(A) The department shall make its staff reasonably accessible for consultation with bureau staff in developing and responding appropriately to bureau requests under this section.

(B) The bureau staff shall inform the department of any warehouse data used in the preparation of reports and provide the department at least one (1) working day to review any student-related warehouse data used in preparation of reports prior to publicly releasing that student-related data without individually identifiable information."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative S. Prater, **HOUSE BILL NO. 2342** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2342

Amend **HOUSE BILL NO. 2342** as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 6-11-129(a)(1)(F), concerning school district data available on the Department of Education website and public school district websites, is amended to read as follows:

(F)(i) Teacher salary expenditures;

(ii) School districts shall be required to report expenditures for licensed personnel salaries through the Arkansas Public School Computer Network as the following separately coded items:

(a) Teacher salaries;

(b) School nurse salaries; and

(c) All other non-administrator licensed personnel salaries;"

/s/ Sandra Prater

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Johnson, **HOUSE BILL NO. 2759** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2759

Amend **HOUSE BILL NO. 2759** as originally introduced:

Page 1, delete lines 31 through 33, and substitute the following:

"unless the changes or additions are:-

(A) The changes or additions to personnel policies made and established in compliance with § 6-17-201 et seq.:"

AND

Page 3, line 18, delete "Presented to" and substitute "Received by"

/s/ Janet Johnson

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cook, **HOUSE BILL NO. 2682** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2682

Amend **HOUSE BILL NO. 2682** as originally introduced:

Page 1, delete line 5 and substitute the following:

"By: Representatives Hoyt, Hawkins, Breedlove"

AND

Page 1, delete lines 9 through 12 and substitute the following:

"AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2008; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 15 through 18 and substitute the following:

"AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS."

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 6-17-402 is amended to read as follows:

6-17-402. Rules and regulations.

(a) For purposes of this section:

(1) "Certified teaching license" includes that license of a licensed classroom teacher, administrator, counselor, or librarian; and

(2) "Levels of licensure" means the grade levels listed on a teaching license of persons who are required to teach students in those grade levels.

~~(a)(1)~~(b)(1) The State Board of Education shall promulgate rules ~~and regulations~~ for the issuance, licensure, relicensure, and continuance of licensure of teachers in the public schools of this state.

(2) The State Board of Education shall prescribe uniform college level preparatory and grade point average requirements for all teachers applying for initial licensure or relicensure after July 1, 2008, including uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade level certification; and

(D) In-class teaching internships or practice teaching hours.

~~(2)~~(3)(A) In addition to the requirements under subdivision (b)(2) of this section and other requirements, any person applying for initial licensure as a teacher in the public schools or a licensed teacher applying for a license in an additional area shall take and complete a test recognized by the National Council for Accreditation of Teacher Education and approved by the state board under § 6-17-601 et seq., and submit the scores to the Department of Education.

~~(b)~~(B) No applicant for initial licensure or licensure in an additional area shall receive a license unless the applicant scores at or above the minimum level set by the state board obtains the minimum grade point average set by the state board for any college level course work requirements established by the state board.

~~(e)~~(C) All colleges and universities in this state shall report the results of the examinations to the department upon request.

~~(d)(c)(1)~~ The state board shall not delegate to any college or university any of the state board's powers or duties pertaining to the issuance, licensure, relicensure, and continuance of licensure of teachers in public schools in this state.

(2) The state board shall not delegate to any college or university any of the state board's powers or duties pertaining to the uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade-level certification; and

(D) In-class teaching internships or practice teaching hours.

~~(e)(d)(1)(A)~~ The state board shall waive the examination requirements and the uniform college level preparatory and grade point average requirements under subsection (a) of this section for individuals applying for licensure in Arkansas who have a valid out-of-state teaching and administrative license and three (3) years' documented teaching experience as required by the rules and regulations promulgated by the state board.

(B) No additional reciprocity requirements that conflict with this subdivision (d)(1) shall be established by rules promulgated by the state board after the effective date of this act.

(C) Except for existing state board rules in effect as of July 1, 2007, this subdivision shall be the only requirement for licensure reciprocity.

(2) The state board shall waive the uniform college level preparatory and grade point average requirement under subsection (a) of this section for a student enrolled as a junior or senior in a teacher education program before July 1, 2008.

~~(f) For purposes of this section, "certified teaching license" includes that license of a licensed classroom teacher, administrator, counselor, or librarian.~~

(e)(1) By July 1, 2008, the levels of licensure for Arkansas shall be for:

(A) Grades prekindergarten through six (PreK-6);

(B) Grades seven through twelve (7-12);

(C) Grades four through eight (4-8); and

(D) Specialty content areas prekindergarten through twelve (PreK-12).

(2)(A) Institutions of higher education that have approved programs of study for grades prekindergarten through four (preK-4) in place shall be approved by the Department of Higher Education to offer a grades prekindergarten through six (preK-6) licensure program by adding appropriate middle-level course work as currently outlined by the Department of Education for an endorsement in grades five through six (5-6).

(B) Institutions of higher education currently offering prekindergarten through grade four (preK-4) early childhood licensure programs approved by the Department of Education shall not be required to resubmit these programs for approval when the licensure levels change from prekindergarten through grade four (preK-4) to prekindergarten through grade six (preK-6).

(f) The uniform college level preparatory and grade point average requirements prescribed by the state board as provided under subdivision (a)(2) of this section shall not be required for any teacher who has been issued a teacher certification or licensure before July 1, 2008.

(g)(1)(A) The state board shall waive the requirement for professional development for a retired teacher who:

(i) Maintains a valid license; and

(ii) Reenters the educational setting prior to sixty-five (65) years of age due to a teacher shortage.

(B) "Educational setting" means the employment setting where the certified employee works, including without limitation:

(i) A public or private school;

(ii) An institution of higher education;

(iii) An education service cooperative;

(iv) The Department of Education;

(v) An adult education setting; or

(vi) Another agency or organization that employs licensed teachers for educational purposes.

(2) A retired teacher who receives a waiver under subdivision (g)(1) of this section shall participate in the staff development programs required by the school district where he or she is employed.

SECTION 2. Arkansas Code Title 6, Chapter 17, Subchapter 4 is amended to add an additional section to read as follows:

6-17-422. Professional Licensure Standards Board -- Creation -- Membership.

(a) The "Professional Licensure Standards Board" is created.

(b) The Professional Licensure Standards Board shall consist of fifteen (15) members as follows:

(1) Twelve (12) members appointed by the State Board of Education as follows:

(A) Three (3) public school teachers with an Arkansas teaching license selected from a list of no fewer than six (6) different teachers with an Arkansas teaching license submitted by the Arkansas Education Association;

(B) One (1) person with an Arkansas teaching license selected from a list of no fewer than three (3) different people with an Arkansas teaching license submitted by the Arkansas Association of Middle Level Education;

(C) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of School Administrators;

(D) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of School Personnel Administrators;

(E) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of Secondary Principals;

(F) One (1) public school administrator with an Arkansas teaching license selected from a list of no fewer than three (3) different administrators with an Arkansas teaching license submitted by the Arkansas Association of Elementary School Principals;

(G) Two (2) deans of a public institution of higher education school of education, college of education, or department of a education from a list of no fewer than five (5) different administrators submitted by the Executive Council of the Arkansas Higher Education Coordinating Board; and

(H) Two (2) representatives of an independent higher education institution from a list of no fewer than five (5) different representatives submitted by the American Association of Colleges for Teacher Education;

(2) The Coordinator for the Office of Professional Quality Enhancement of the Department of Education in a nonvoting, ex officio capacity;

(3) The Coordinator for the Office of Professional Licensure

of the Department of Education in a nonvoting, ex officio capacity; and

(4) The Non-traditional Licensure Program Advisor of the Department of Education in a nonvoting, ex officio capacity.

(c)(1) Any list to be submitted under subsection (b) of this section shall be submitted to the secretary of the State Board of Education by June 30, 2007.

(2) If a list for the respective position is not submitted by the deadline, the State Board of Education may appoint any qualified person to fill the position.

(d)(1) The appointed Professional Licensure Standards Board members shall be residents of the State of Arkansas at the time of appointment and throughout their terms.

(2) The Commissioner of Education shall call an organizational meeting within twenty (20) calendar days after the State Board of Education has made all necessary appointments.

(3) The commissioner shall serve as chair at the organizational meeting until the Professional Licensure Standards Board elects a chair from among its members during the first organizational meeting.

(e)(1) The Professional Licensure Standards Board shall meet at times and places the chair deems necessary, but no meetings shall be held outside of the State of Arkansas.

(2) A majority of the members of the Professional Licensure Standards Board shall constitute a quorum for transacting business.

(3) All action of the Professional Licensure Standards Board shall be by a majority vote of the full membership of the Professional Licensure Standards Board.

(f) The Professional Licensure Standards Board shall:

(1) Develop and recommend for adoption to the State Board of Education uniform college level preparatory and grade point average requirements for all teachers applying for initial licensure or relicensure after July 1, 2008, that shall include uniform and specific requirements for:

(A) Course of study;

(B) College level teacher education classes;

(C) Subject-matter specific course work certification or licensure in a particular subject area rather than grade-level certification; and

(D) In-class teaching internships or practice teaching hours.

(2) With the assistance of the Department of Education and the Department of Higher Education, review the teacher education programs offered by all institutions' of higher education in the state to determine if the institutions teacher

education programs and courses of study are aligned as necessary to allow graduates of the teacher education program to become licensed under this act and the rules set by the State Board of Education.

(g)(1) The Department of Education shall provide staff and office space to the Professional Licensure Standards Board.

(2)(A) Members of the Professional Licensure Standards Board shall serve without pay.

(B) Members of the Professional Licensure Standards Board may receive expense reimbursement in accordance with § 25-16-902, to be paid by the Department of Education to the extent money is available for that purpose."

/s/ David Cook

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 1650** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1650

Amend **HOUSE BILL NO. 1650** as originally introduced:

Page 1, delete lines 25 and 26, and substitute the following:

"machinery or equipment on a mixer truck used directly in the production of concrete is exempt from the"

/s/ John Lowery

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Lowery, **HOUSE BILL NO. 2329** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2329

Amend **HOUSE BILL NO. 2329** as originally introduced:

Page 1, delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended to add a new section to read as follows:

26-52-441. Tax credit for the purchase of natural gas used to generate electricity.

(a) As used in this section, "state sales and use tax" means the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(b) The state sales and use tax levied on natural gas purchases by all taxpayers used to generate electricity at generating facilities in this state for sale at retail or wholesale shall be imposed up to a maximum aggregate amount of twenty-seven million dollars (\$27,000,000) per year.

(c)(1) If the aggregate amount of state sales and use tax paid on purchases of natural gas that is used to generate electricity at generating facilities in this state for sale at retail or wholesale exceeds twenty-seven million dollars (\$27,000,000) during a calendar year, each taxpayer that paid the sales and use tax is entitled to receive a sales and use tax credit in the amount calculated as provided in subsection (d) of this section.

(2) Natural gas sold to taxpayers for any other purpose shall not be included when calculating the aggregate amount of state sales and use tax paid by purchasers as provided in subdivision (c)(1) of this section or for purposes of calculating the credit.

(d) The state sales and use tax credit provided in subsection (c) of this section shall be issued to each taxpayer as provided in subdivision (c)(1) of this section and shall be calculated as follows:

(1) The annual amount of credit issued to each taxpayer shall be a percentage of the aggregate amount of tax in excess of twenty-seven million dollars (\$27,000,000) paid on natural gas purchases during the calendar year; and

(2) For purposes of the calculation, the percentage for each taxpayer entitled to the credit shall be a fraction whose numerator is the tax paid by the taxpayer during the calendar year on natural gas purchases and whose denominator is the aggregate amount of tax paid by all taxpayers entitled to the credit on natural gas purchases during the calendar year.

(e)(1) The state sales and use tax credit issued under subsection (d) of this section shall be applied to any state sales and use tax owed by the taxpayer on a direct pay sales and use tax report filed by the taxpayer receiving the state sales and use tax credit in the calendar year following the calendar year in which the excess state sales and use tax is paid.

(2) The state sales and use tax credit issued in subsection (d) of this section shall not be applied to any local sales and use tax or other special tax owed by the taxpayer.

(f) The amount of the sales and use tax credit issued in subsection (d) of this section that may be claimed in a direct pay sales and use tax report shall not exceed the amount of state sales and use tax due by the taxpayer.

(g) Any unused sales and use tax credit issued under subsection (d) of this section may be carried forward for a period of up to three (3) consecutive tax years following the year in which the state sales and use tax credit was first available for use.

(h) To qualify for the state sales and use tax credit provided in subsection (c) of this section, the generating facility shall have a separate natural gas meter for the natural gas used to generate electricity or otherwise establish qualifying use in accordance with the rules issued under subsection (i) of this section and shall file a report with the Department of Finance and Administration no later than January 31 following the end of the calendar year that reports the amount of tax paid on purchases of natural gas in the previous calendar year on forms to be provided by the department.

(i) The Director of the Department of Finance and Administration shall promulgate rules for the proper administration of this section."

/s/ John Lowery

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Schulte, **HOUSE BILL NO. 1640** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1640

Amend **HOUSE BILL NO. 1640** as originally introduced:

Page 2, line 2, delete "ten-point" and substitute "eight-point"

AND

Page 2, delete line 9 and substitute the following:

"contract is terminated.

(3) Equipment rentals or lease purchase payments charged by a person or entity that offers a credit card processing service shall not be considered to be fees for the purposes of this chapter."

AND

Page 2, delete line 22 and substitute the following:

"the obligations imposed under any other state or federal law.

(d) The foregoing provisions of this section shall not apply to a state or national bank that offers a credit card processing service.

4-112-103. Exclusions.

(a) Nothing contained in this chapter shall affect the jurisdiction of state or federal bank regulators over regulations of credit card processing services provided by state or national banks.

(b) The provisions of this chapter shall only apply to new contracts entered into after the effective date of this act."

/s/ Susan Schulte

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Bond, **HOUSE BILL NO. 2407** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2407

Amend **HOUSE BILL NO. 2407** as originally introduced:

Page 12, line 18, delete "principals" and substitute "principles"

AND

Page 23, delete lines 8 and 9 and substitute the following:

"(D) Shall not be available for examination except by the affected applicant for licensure or his or her authorized representative, or by the person whose license is subject to sanctions or his or her authorized representative.

(6) No record, file, or document shall be removed from the custody of the Identification Bureau of the Department of Arkansas State Police.

(7) Any information made available to the affected applicant for licensure or to the person whose license is subject to sanctions shall be information pertaining to that person only.

(8) Rights of privilege and confidentiality established in this section shall not extend to any document created for purposes other than the background check.

(9) The commissioner may adopt rules and regulations to fully implement the provisions of this section."

/s/ Will Bond

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Maloch, **HOUSE BILL NO. 2691** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2691

Amend **HOUSE BILL NO. 2691** as engrossed,

H3/13/07 (version: 03-13-2007 09:05):

Page 2, delete lines 4 through 6 and substitute the following:

"(4) A person or entity or the affiliate of a person or entity licensed or certificated by the Arkansas Public Service Commission or the Federal Communications Commission with respect to warranties, service contracts, or maintenance agreements covering wiring, transmission devices, equipment, or services offered or provided by the person, entity, or affiliate to their customers."

/s/ Bruce Maloch

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Harris, **HOUSE BILL NO. 2638** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2638

Amend **HOUSE BILL NO. 2638** as originally introduced:

Page 1, delete the TITLE in its entirety and substitute the following:

"AN ACT TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS; TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND FOR OTHER PURPOSES."

AND

Page 1, delete the SUBTITLE in its entirety and substitute the following:

"TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS AND TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT."

AND

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

"SECTION 1. Arkansas Code § 8-1-106(b), concerning the requirement of a disclosure statement for the transfer of a permit is amended to read as follows:

(b)(1) Except as provided in subdivision (b)(4) of this section, all applicants for the issuance or transfer of any permit, license, certification, or operational authority issued by the Arkansas Department of Environmental Quality shall file a disclosure statement with their applications. Deliberate falsification or omission of relevant information from disclosure statements shall be grounds for civil or criminal enforcement action or administrative denial of a permit, license, certification, or operational authorization.

(2) The following persons or entities are not required to file a disclosure statement pursuant to this section:

(A)(i) Governmental entities, consisting only of subdivisions or agencies of the federal government, agencies of the state government, counties, municipalities, or duly authorized regional solid waste authorities as defined by § 8-6-707.

(ii) This exemption shall not extend to improvement districts or any other subdivision of government which is not specifically instituted by an act of the General Assembly; and

(B) Applicants for a general permit to be issued by the department pursuant to its authority to implement the National Pollutant Discharge Elimination System for storm water discharge or applicants for a permit-by-rule issued by the department under § 8-4-201 et seq. or § 8-4-301 et seq.

SECTION 2. Arkansas Code § 8-4-203, concerning the authority of the Arkansas Department of Environmental Quality to issue permits, is amended to add an additional subsection to read as follows:

(i) The Pollution Control and Ecology Commission may promulgate rules to establish a permit-by-rule. A permit-by-rule is subject to the public notice requirements and procedural provisions under § 8-4-202 et seq., but is not subject to the public notice requirements and procedural provisions under §§ 8-4-203 - 8-4-205."

/s/ Eric Harris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Cooper, **HOUSE BILL NO. 2494** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2494

Amend **HOUSE BILL NO. 2494** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code § 20-48-101 is amended to read as follows:

20-48-101. Definitions.

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

(1)(A) "Accredited nonprofit entity" means a nonprofit entity that:

(i) Has successfully completed an ongoing accreditation process that is related to the delivery of services to persons with developmental disabilities and is offered by a national accrediting organization;

(ii) Satisfies the appropriate licensure criteria established by Division of Developmental Disabilities of the Department of Health and Human Services; and

(iii) Is positioned to provide nonresidential services to persons with developmental disabilities upon licensure by the division because no existing nonprofit community provider is interested in providing the specific category of nonresidential services to persons with developmental disabilities that has been identified by the division as underserved.

(B) As used in subdivision (1)(A)(i), "national accrediting organization" includes without limitation:

(i) The Commission for the Accreditation of Rehabilitation Facilities; or

(ii) Any other similar national accrediting organization recognized by the division;

(4)(2) "Developmental disability" means a disability of a person which that:

(A)(i) Is attributable to mental retardation, cerebral palsy, epilepsy, or autism;

(ii) Is attributable to any other condition of a person found to be closely related to mental retardation because ~~it~~ the condition results in an impairment of general intellectual functioning or adaptive behavior similar to ~~those of mentally retarded persons that of a person with mental retardation~~ or requires treatment and services similar to ~~those required for such persons that required for a person with mental retardation~~; or

(iii) Is attributable to dyslexia resulting from a disability described in ~~subdivision (1)(A)~~ subdivision (2)(A)(i) of this section or subdivision (2)(A)(ii) of this section;

(B) Originates before the person attains the age of twenty-two (22) years;

(C) Has continued or can be expected to continue indefinitely; and

(D) Constitutes a substantial handicap to the person's ability to function without appropriate support services, including, but not limited to, planned recreational activities, medical services such as physical therapy and speech therapy, and possibilities for sheltered employment or job training;

~~(2) "Developmentally disabled person" means a person with a developmental disability; and~~

(3) "Existing operations" means the provision by a qualified nonprofit community provider of one (1) or more of the following services without regard to order:

(A) A developmental day treatment clinic services preschool program or adult development program;

(B) A licensed developmental disability services group home in operation and recognized by the division on or before July 1, 1995; or

(C) An intermediate care facility for the mentally retarded program with fifteen (15) beds or less; or

(D) An apartment complex in operation and serving individuals with developmental disabilities on or before January 1, 2008;

~~(3)~~(4) "Human development center" means an institution maintained for the care and training of persons with developmental disabilities;

(5)(A) "Nonprofit community program" means a program that provides nonresidential services to persons with developmental disabilities or nonresidential and residential services to persons with developmental disabilities and is licensed by the division.

(B) A nonprofit community program serves as a quasi-governmental instrumentality of the state by providing support and services to persons who have a developmental disability or delay and would otherwise require support and services through state-operated programs and facilities; and

(6)(A) "Qualified nonprofit community program" means a nonprofit community program that holds a valid nonprofit community program license issued by the division.

(B) "Qualified nonprofit community program" includes:

(i) A nonprofit community program that holds a license that was issued by the division on or before February 1, 2007; and

(ii) An accredited nonprofit entity that is awarded a license as a nonprofit community program by the division after February 1, 2007.

SECTION 2. Arkansas Code § 20-48-103 is amended to read as follows:

20-48-103. Purpose — Use of certain funds.

It is the specific recommendation of the General Assembly that the Division of Developmental Disabilities Services utilize Title XIX, social services block grant, and state grants-in-aid funds available to ~~community programs~~ nonprofit community programs to seek to achieve the following goals:

(1) Providing for operation of ~~community-based residential programs~~ nonprofit community programs which the state agency encouraged the ~~community programs~~ nonprofit community programs to build with nonstate funds;

(2) Determination by the division of reasonable costs for the services provided by ~~community-based programs~~ nonprofit community programs with consideration of regional expense variations and funding so that the state shall provide a minimum of ninety percent (90%) of the reasonable costs, with the ~~community based program~~ responsible for no more than ten percent (10%) of the costs; and

(3) That the state not reduce reasonable cost funding of ~~community-based programs~~ nonprofit community programs or require reimbursement from ~~community based programs~~ if the program matches at a rate of at least ten percent (10%) of the funding provided by the division.

SECTION 3. Arkansas Code § 20-48-105 is amended to read as follows:

~~20-48-105. Community-based service providers~~ Nonprofit community programs — Extension or expansion of services.

~~(a)(1) In the event that existing services now funded from state or federal funds are extended to unserved or underserved areas of the state or in the event that new services are made available to be funded from state or federal funds, the existing nonprofit community programs licensed by the Division of Developmental Disabilities Services shall be granted an opportunity to make application to expand their service base to unserved or underserved areas or shall be granted an opportunity to make application to offer new services in their existing service area.~~

~~(2) In areas in which the division determines that state or federal funding for new or expanded services is to be available, it shall provide notice of its intent to provide the services to existing providers in the area and to the general public.~~

~~(3) Before licensing new service providers in an area, the division shall determine in writing that existing service providers are not qualified or are unable or unwilling to extend services to unserved or underserved areas or to provide new or expanded services.~~

~~(4) Nothing in this section shall restrict the division's discretion to award new or expanded services to the existing community-based service providers making application pursuant to this section.~~

~~(b) The intent of this section is to avoid unnecessary duplication of costs and services in the extension or expansion of services.~~

~~(c) Nonprofit community programs licensed by the division are quasi governmental instrumentalities of the state which provide support and services to individuals who have a developmental disability or delay who would otherwise require support and services in facilities owned and operated by the State of Arkansas.~~

(a)(1) The intent of this section is to avoid unnecessary duplication of costs and services in the extension or expansion of nonresidential services to persons with developmental disabilities.

(2) A designation by the Division of Developmental Disabilities of the Department of Health and Human Services that a county is underserved with regard to a specific category of nonresidential services to persons with developmental disabilities establishes that an extension or expansion of nonresidential services to persons with developmental disabilities in the underserved county is necessary.

(b)(1)(A) The division shall not issue a new license for operation of a nonprofit community program or approve an application from a nonprofit community program to implement additional nonresidential services to persons with developmental disabilities that are not currently offered by the nonprofit community program unless the division has determined that:

(B)(i) A county of the state is underserved with regard to a specific category of nonresidential services currently offered to persons with developmental disabilities and currently funded from available state or federal funds; or

(ii)(a) A county of the state is underserved with regard to new services not currently available to persons with developmental disabilities and new services should be made available to persons with developmental disabilities; and

(b) State or federal funds are available in amounts necessary to support the delivery of new services not currently available to persons with developmental disabilities.

(2)(A) The division shall provide written notice by certified mail of its designation under subdivision (b)(1) of this section to all nonprofit community programs with existing operations in the county designated by the division as underserved.

(B) If nonprofit community programs with existing operations in the county that do not currently offer the specific category of nonresidential services identified by the division as underserved determine not to extend or expand the identified nonresidential service to persons with developmental disabilities in the underserved county, the division shall provide written notice by certified mail of its designation under subdivision (b)(1) of this section to all nonprofit community programs in the remainder of the state.

(C) If all nonprofit community programs in the remainder of the state determine not to extend or expand the identified nonresidential service to persons with developmental disabilities in the underserved county, the division shall provide notice to the general public in a newspaper of statewide general circulation.

(c) In granting an approval under this section, the division shall give approval in the following order of preference:

(1) A qualified nonprofit community program with existing operations in the county that does not currently offer the specific category of nonresidential services to persons with developmental disabilities identified by the division as underserved;

(2) A qualified nonprofit community program from another county in the state;

(3) An accredited nonprofit entity in the underserved county;

(4) An accredited nonprofit entity from another county in the state; and

(5) An accredited nonprofit entity from outside the state.

(d)(1)(A) A license from the division is required for operation of a nonprofit community program.

(B) A qualified nonprofit community program is required to apply to and obtain the approval of the division to implement additional nonresidential services to persons with developmental disabilities that are not currently offered by the qualified nonprofit community program.

(2)(A) If an application is approved, the division shall issue a new license or service expansion approval if it finds that the proposed nonresidential service expansion meets the criteria for approval established by the division.

(B) If the application is denied, the division shall send written notice of the denial to the applicant that sets forth the criteria that the proposed nonresidential service expansion failed to meet.

SECTION 2. Arkansas Code 20-48-701 is amended to read as follows:

20-48-701. Finding.

The General Assembly finds that the State of Arkansas contracts with nonprofit ~~community-based~~ programs serving individuals with developmental disabilities as quasi-governmental instrumentalities of the state in order to provide a service that the state would otherwise provide for this population through state-operated programs and facilities.”

/s/ Eddie Cooper

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Greenberg, **HOUSE BILL NO. 2301** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2301

Amend **HOUSE BILL NO. 2301** as originally introduced:

Page 1, delete line 12 of the TITLE and substitute the following:

"AND FOR"

AND

Page 1, delete lines 24 through 36

AND

Page 2, delete lines 1 through 36

AND

Page 3, delete lines 1 through 36

AND

Page 4, delete lines 1 through 36

AND

Page 5, delete lines 1 through 36

AND

Page 6, delete lines 1 through 36 and substitute the following:

"SECTION 1. Arkansas Code § 12-15-201 is amended to read as follows:

12-15-201. Definitions.

For purposes of this subchapter:

(1) "Certified law enforcement officer" means any appointed or elected law enforcement officer or sheriff employed by a public law enforcement department, office, or agency who:

~~(A) Works forty (40) or more hours per week;~~

~~(B)(A)~~ Is responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state; and

~~(C)(B)~~ Has met the selection and training requirements for certification set by the Arkansas Commission on Law Enforcement Standards and Training; and

(2) "Public law enforcement department, office, or agency" means any public police department, sheriff's office, or other public agency, force, or organization whose primary responsibility as established by law, statute, or ordinance is the enforcement of the criminal, traffic, or highway laws of this state.

SECTION 2. Arkansas Code § 12-15-202(b), concerning a concealed"

/s/ Daniel Greenberg

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2703** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2703

Amend **HOUSE BILL NO. 1** as originally introduced:

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 21-5-401 is amended to read as follows:
21-5-401. Legislative intent.

It is the purpose of this subchapter to:

~~(1) Create a single board to set policy and select plans and coverages for the state employee and public school personnel health and life insurance and self-funded medical programs, so as to enhance the ability to control premiums, expand health care options, and utilize managed care capabilities where feasible and in the best interest of state employees and public school personnel, and study~~

~~alternate funding arrangements which minimize or eliminate problems associated with selection among multiple methods of funding plans when more than one (1) program is utilized;~~

~~(2) Propose future goals and measures to address the common objectives of both groups, including improving quality of health care services under the program, increasing participants' understanding of the program features, and slowing the rate of growth in health care expenses under the program; and~~

~~(3) Enable a single board to set and manage policies for the programs in a concerted effort and to work toward a common goal that multiple benefit options be made available to participants under both public school and state employee current programs.~~

(1) Create a single board to select health insurance and life insurance plan coverages for state and public school employees and retirees;

(2) Develop self-funded health programs to enhance the ability to control premiums and utilize managed care capabilities if feasible and in the best interest of plan members; and

(3) Enable a single board to:

(A) Set and manage policies for the health insurance and life insurance programs of state and public school employees;

(B) Work in a concerted effort toward a common goal of parity between public school and state employee insurance programs;

(C) Improve the quality of health care services under the programs;

(D) Increase participants' understanding of program features;
and

(E) Slow the rate of growth in health care expenses under the programs.

SECTION 2. Arkansas Code § 21-5-402 is amended to read as follows:

21-5-402. Members.

(a)(1) There is created the State and Public School Life and Health Insurance Board, composed of the following twelve (12) voting members:

(A) A state employee who is eligible to participate in the insurance program under this subchapter to be appointed by the Governor;

(B) A certified classroom teacher to be appointed by the Governor;

(C) The Insurance Commissioner or his or her designee;

(D) The Director of the Department of Education or his or her designee;

(E) The Director of the Department of Finance and Administration or his or her designee;

(F) ~~Two (2) members~~ One (1) member who ~~are~~ is engaged in employee benefits management or risk management in private industry to be appointed by the Governor;

(G) ~~One (1)~~ Two (2) additional member ~~position~~ positions which shall be filled ~~alternately~~ by a retired teacher and by a retired state employee appointed by the Governor. ~~This position shall first be filled by a retired teacher serve for a term of four (4) years, then by a retired state employee for a term of four (4) years, and four-year terms thereafter shall be alternated between a retired teacher and a retired state employee;~~

(H) One (1) public school administrator to be appointed by the Governor;

(I) The Executive Director of the Arkansas State Board of Pharmacy or his or her state employee pharmacist designee;

(J) The Director of Health Facility Services of the Department of Health and Human Services or his or her designee; and

(K) One (1) member who is a licensed health care provider appointed by the Governor.

(2) However, any appointee who has a conflict of interest shall be disqualified to serve.

~~(b)(1)(A) Except for retiree positions, the members initially appointed by the Governor shall draw lots for terms so that two (2) serve for a term of four (4) years each, two (2) for a term of three (3) years, one (1) for a term of two (2) years, and one (1) for a term of one (1) year.~~

~~(B) All successor members appointed by the Governor shall be appointed for terms of four (4) years but may be reappointed for additional terms.~~

(2)(A) Vacancies in the Governor appointed positions shall be filled by appointment of the Governor for the unexpired term.

(B) Members appointed by the Governor shall serve at the will of the Governor.

(c) A chair and vice chair of the board shall be selected annually by and from the membership of the board and shall serve no more than two (2) years.

SECTION 3. Arkansas Code § 21-5-403 is amended as follows:

21-5-403. Policy-making body only - Reports.

(a) The State and Public School Life and Health Insurance Board shall be a policy-making body only.

(b) The executive director shall report upon request to the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce regarding the state ~~employees~~ and public school ~~personnel~~ employees and retirees insurance program.

SECTION 4. Arkansas Code § 21-5-404 is amended to read as follows:

21-5-404. Powers - Functions - Duties.

The State and Public School Life and Health Insurance Board shall have the following powers, functions, and duties:

(1) To explore various cost-containment measures and funding options;

(2) To promote competition among vendors by requiring transparent contracts and create a systematic formula for measuring competitiveness of programs, quality-of-care delivery, portability, and accessibility to and affordability of health care;

(3) To prepare a comprehensive analysis of the various health benefit plan options approved by the board to provide coverage to state and public school employees and retirees, including cost, quality, and access differentials among the various plans as well as any other comparisons of the plans ~~as will enable the state and school employees to make a well-informed choice of plans~~;

(4) To undertake studies and to take any appropriate action that the board determines will promote the financial soundness and overall well-being of the ~~state employee and public school personnel~~ members' health insurance programs;

(5) To establish and set penalties as allowed under § 21-5-415;

~~(5)(6)(A)~~ To develop, with the assistance of the Office of State Procurement of the Department of Finance and Administration, bid specifications and requests for proposals and to evaluate bids and proposals.

(B) However, the board shall allow the office to execute all other actions relating to the purchasing procedures in contracting for consultants, third party administrators, providers, or insurance companies on behalf of the programs;

~~(6)(7)~~ To evaluate responses to requests for proposals, select contractors for all services, and approve the award of contracts resulting from bids for all health and life insurance offerings for participants ~~of the various plans~~;

~~(7)(8)~~ To perform plan design, summarize plan document approval, including, but not limited to, lifetime limitations, copayments, deductibles, and eligibility rules;

~~(8) To promote increased access to various health plan options and models;~~

(9)(A) To direct the office to contract with all qualified vendors, as defined by the board, offering the health benefit plans prescribed by the board without regard to § 19-11-228 or other statutes requiring competitive bidding.

(B) Each contract shall be for a ~~uniform~~ term of at least one (1) year but may be made automatically renewable from term to term in the absence of notice of termination by either party;

(10)(A) To obtain quality-of-care information from systems, networks, hospitals, and clinical providers to inform plan design, plan management, and consumer decisions.

(B) The board shall:

(i) Use accepted national standards for assessment of quality-of-care information provided by systems, networks, hospitals, and clinical providers;

(ii) Be empowered to determine the appropriate use of quality-of-care information and scope of system, network, hospital, and clinical provider accountability;

(iii) Be empowered to request aggregate performance information for patients; and

(iv) Be empowered to publicly report conclusions of quality-of-care assessment; and

(11) To appoint three (3) subcommittees of the board to study and research health and life plan option benefits, formulary management, quality of care provided, and the financial impact of implementing the recommendations made to the board as follows:

(A)(i) The Benefits Subcommittee shall consist of:

(a) Three (3) board members;

(b) Two (2) state employees; and

(c) Two (2) school district employees.

(ii) The Benefits Subcommittee shall review, evaluate, and investigate benefits, new benefit offerings, and annual insurance rates;

(B)(i) The Drug Utilization and Evaluation Subcommittee shall consist of:

(a) Three (3) pharmacists as follows:

(1) The Executive Director of the Arkansas State Board of Pharmacy or his or her pharmacist designee;

(2) The Dean of the University of Arkansas for Medical Sciences College of Pharmacy or his or her pharmacist designee; and

(3) A pharmacist selected by the Arkansas Pharmacists Association;

(b) Four (4) physicians as follows:

(1) The Dean of the University of Arkansas for Medical Sciences College of Medicine or his or her physician designee;

(2) The Associate Medical Director of the University Hospital at the University of Arkansas for Medical Sciences or his or her physician designee;

(3) The Medical Director of the Arkansas Poison Control and Drug Information Center or his or her physician designee; and

(4) A physician selected by the Arkansas Medical Society;

(c) One (1) registered nurse who is the Dean of the University of Arkansas for Medical Sciences College of Nursing or his or her registered nurse designee; and

(d) One (1) state employee and one (1) public school employee appointed by the board, each of whom shall have expertise in accounting, finance, auditing, or insurance.

(ii) The Drug Utilization and Evaluation Subcommittee shall review drugs for formulary management and evaluate the financial impact of its recommendations; and

(C)(i) The Quality of Care Subcommittee shall consist of:

(a) Three (3) board members;

(b) Two (2) ~~State~~ state employees;

(c) Two (2) school district employees;

(d) One (1) representative from the Arkansas Foundation for Medical Care;

(e) One (1) representative from the Arkansas Pharmacy Association;

(f) One (1) representative from the Arkansas Center for Health Improvement;

(g) One (1) representative from the Arkansas Medical Association;

(h) One (1) representative from the Arkansas Osteopathic Medical Association; and

(i) One (1) representative from the Arkansas Hospital Association.

(ii) The Quality of Care Subcommittee may review and recommend quality performance indicators for use, recommend baseline performance goals, recommend alignment of financial incentives to improve performance, and track improvements in delivery of care.

SECTION 5. Arkansas Code § 21-5-405 is amended to read as follows:

21-5-405. Additional duties.

(a) The State and Public School Life and Health Insurance Board and the executive director shall take a risk management approach in designing the state ~~employee and public school personnel health~~ employees and retirees benefit programs. The board shall ensure that the state ~~employee and public school personnel health~~ employees and retirees benefit programs are maintained on an actuarially sound basis as determined by actuarial standards established by the board.

(b) In addition to the objectives stated in § 21-5-404, the board shall:

(1) Develop uniform standards of vendor plan funding ~~so as to avoid windfall profits resulting from fully insured nondividend-paying funding arrangements;~~

~~(2) Promote increased access to various plan options and health care models;~~

~~(3)(2) Promote access to managed care by giving preferential treatment, if required, to those vendors who will enhance plan options availability in rural Arkansas and in bordering states;~~

~~(4)(A) Utilize the combined purchasing power of the state employee and public school personnel programs to foster competition among vendors and providers for the programs.~~

~~(B)(3) Any state agency or school district that accepts state funds intended to partially defray the cost of health and life insurance for the employees of the state and public schools shall:~~

~~(A) use Use those funds only for the state employee and public school personnel employees health benefit plans sponsored by the board; and~~

(B) agrees Agree to rules of participation as stated in the policies adopted by the board and as defined in the regulations and procedures issued by the Executive Director of the Employee Benefits Division, including, but not limited to, timely eligibility reporting, prepayment of insurance premiums, timely payment of premiums, or contributions, actuarial adjustment for new entrants enrollees, and any other information requirements deemed necessary by the board;

~~(5)(4)~~ Assure guaranteed issue of all plans; and

~~(6)(5)~~ Ensure an annual enrollment period under all plans.

(c) Benefit plan vendors are required to provide detailed information in order to justify rate increases or inadequate performance reporting as defined by the board.

SECTION 6. Arkansas Code § 21-5-406 is amended to read as follows:

21-5-406. Executive director — Staff.

(a)(1) The State and Public School Life and Health Insurance Board shall choose an executive director with the approval of the Director of the Department of Finance and Administration.

(2) The executive director shall be employed by and serve at the pleasure of the Director of the Department of Finance and Administration. However, the board may recommend the removal of the executive director, but removal shall be subject to the approval of the Director of the Department of Finance and Administration.

(3) The executive director shall employ staff adequate to manage the program within the funds appropriated therefor within the Department of Finance and Administration.

(b) The executive director shall establish internal controls for the fiscal management of the health and life insurance plans.

~~(b)(1)(c)(1)~~ The executive director and his or her staff shall be located in the Employee Benefits Division of the Department of Finance and Administration.

(2) Premiums collected from employers, participating employees, and retirees for health and life insurance plans shall be collected one (1) month in advance and shall be used solely to pay medical claims, premiums, and direct administrative expenses of the health and life insurance programs.

~~(e)(1)(d)~~ The executive director shall be charged with the duty of administering the provisions of this subchapter and the rules, regulations, and orders of the division and the board.

(e)(1) The executive director may require all participating entities to appoint health insurance representatives, who will be required to adhere to the policies adopted by the board and the regulations and procedures issued by the Executive Director of the Employee Benefits Division in managing the enrollment and premium payment processes of the agency or school district.

(2) The executive director may request the removal of a representative to ensure necessary internal controls.

(2)(A)(3)(A) The executive director shall have the authority to supervise the implementation and day-to-day management of the health insurance programs and other employee benefit programs, plans, and individual and group policies made available to public school employees and state employees state and public school employees, if applicable.

(B) This may include, but not be limited to:

- (i) Life insurance ~~coverages~~ coverage;
- (ii) Accident ~~coverages~~ coverage;
- (iii) Dental ~~coverages~~ coverage;
- (iv) Disability benefit programs;
- (v) Optional retirement programs;
- (vi) Deferred compensation;
- (vii) Cafeteria plans; and
- (viii) Such other benefit plans, benefit programs, and

individual and group benefit coverages that are offered from time to time to ~~public school employees and state employees~~ members.

(C) This authority shall not include the State Employee Benefit Corporation benefit plan which is in effect on July 1, 1995.

(d) In addition, the executive director and the board may utilize the services of health care consultants and actuaries if necessary as provided for through the appropriation of the division.

(e) The executive director may direct all aspects of medical management.

~~(e)(f)~~ The Arkansas State Police Employee Health Plan shall be exempt from any mandatory participation required by this section.

SECTION 7. Arkansas Code § 21-5-407 is amended as follows:

21-5-407. Definitions.

As used in this subchapter:

(1) "Aggregate performance information" means a report or other means of communication about the measurement of accomplishment of the execution of certain tasks, achievement of certain results, or occurrence of certain events related to all patients or to a class or group of patients identifiable by certain criteria;

(2) "Alternate retirement plan retiree" means a retiree of certain institutions whose employer does not contribute to the State or Public School Health Insurance Plan during their active employment as defined in § 24-7-801. Further, an "alternate retirement plan", for the purposes of this section, is a defined contribution plan allowed under the Internal Revenue Service regulations and allowed, but not created by Arkansas state law;

~~(2)~~(3) "Dependent" means any member of an employee's or retiree's family who meets the eligibility for coverage under the health benefit plans approved by the State and Public School Life and Health Insurance Board;

(4) "Dual eligibility" means simultaneous participation as an employee, dependent, or retiree in the multiple programs offered by the Employee Benefits Division;

(5) "Eligible inactive retiree" means a former member of the General Assembly or a state elected constitutional officer who has served a sufficient number of years of credited service to be eligible for retirement benefits, but who has not yet reached retirement age. Eligible inactive retirees who enroll in the plan must pay the entire premium cost as set by the board;

~~(3)~~(6) "Employee" means a state employee or a public school district employee;

(7) "Health insurance representative" means an individual appointed by a participating entity to act as an agent for the Employee Benefits Division;

(8) "Ineligible inactive retiree" means a terminated employee who has worked a sufficient number of years to be considered vested, but who has not yet reached the age to qualify to receive a retirement benefit;

(9) "Internal Revenue Service" means the United States government agency responsible for tax collection and tax law enforcement;

(10) "Medical management" includes, but is not limited to, case management, disease management, utilization review, claims appeals, and predictive modeling;

~~(4)~~(11) "Public school district employee" "Member" means all public school district salaried employees; any enrolled state or public school employee, retiree, or covered dependent;

(12) "Participating entity" means an organization authorized to participate in a plan offered under this subchapter;

(13) "Participating institution" means any two-year or four-year college which is participating in a plan offered under this subchapter;

(14) "Prepayment" means collection of medical or life insurance premiums or both medical and life insurance premiums from the employee and employer one (1) month in advance;

(15) "Qualifying event" means a change in an employee's personal life that may impact their eligibility or a dependent's eligibility for benefits, as defined by Internal Revenue Service guidelines;

~~(5)~~(16) "Quality-of-care information" means the contents of medical records, member claims, patient surveys, pharmacy data, lab data, and other records of or reports about systems, networks, hospitals, and clinical providers to be gathered for assessment of the quality and costs of health care provided by systems, networks, hospitals, and clinical providers;

~~(6)~~(17) "Quality performance indicator" means a specific inquiry or standard that, when applied to quality-of-care information, reveals a quantifiable measure of success or failure in system, network, hospital, or clinical provider care;

~~(7)~~(18) "Retiree" means a retired employee who is eligible under the provisions of § 21-5-411;

~~(8)~~(19) "State" means the State of Arkansas; and

(20) "Transparent contract" means a contract in which information specific to vendor contracts and payments with providers or subcontractors, including proprietary and confidential information, is provided to the Employee Benefits Division upon request; and

~~(9)~~(21) "Vendor" means:

(A) A corporation, partnership, or other organization licensed to do business in and in good standing with the State of Arkansas; and

(B) A corporation, partnership, or other organization licensed to do business in and in good standing with the State of Arkansas that is lawfully engaged in administering employer or employee funded ~~health~~ benefit plans for employer groups in consideration of an administration fee payable to the vendor.

SECTION 8. Arkansas Code § 21-5-410 is amended to read as follows:

21-5-410. Employees - Eligibility.

(a) Eligible employees shall include:

(1) All actively employed ~~permanent~~ eligible employees of ~~eligible~~ participating agencies, ~~boards, commissions, institutions, and constitutional offices;~~ public entities;

(2) Members of the General Assembly;

(3) Elected constitutional officers;

(4) Appointed or elected board and commission members who are on a full-time salaried basis; and

(5)(A) Those state contract employees hired by the Arkansas National Guard on a full-time basis in accordance with the provisions of 10 U.S.C. § 2304.

~~(b)~~(B) Membership of the contract employees of the Arkansas National Guard is conditioned upon the United States Government contributing the employer's share to the ~~State Employees Insurance Section~~ Employee Benefits Division of the Department of Finance and Administration.

~~(c)~~(b) Membership of state employees is conditioned upon the employee being in a budgeted state employee position or a position authorized by the General Assembly.

~~(d)~~(c) ~~Permanent employees are those whose employment is not seasonal or temporary and~~ Employees whose actual performance of duty requires one thousand (1,000) or more working hours per year.

~~(e)~~(d) If a participating institution discontinues its participation in the group health and life insurance program instituted pursuant to the provisions of this subchapter, then the institution may not re-participate in the program for ~~one (1) year~~ two (2) years after the institution's final date of participation in the program unless the executive director of the Employee Benefits Division of the Department of Finance and Administration gives his or her consent to an earlier date.

(e) Members are not allowed dual eligibility in either the state insurance plan or the public school insurance plan.

(f) The Arkansas State Police Employee Health Plan shall be exempt from any mandatory participation required by this section.

SECTION 9. Arkansas Code § 21-5-411 is amended to read as follows:

21-5-411. Eligibility of certain retired employees.

(a)(1) Effective at the end of the enrollment period 2007 through 2011, terminating State state and public school employees who are vested under one (1) of the plans listed in subdivision (a)(2)(A) of this section to receive a retirement benefit shall be eligible allowed to continue coverage under the retiree insurance benefit in the State and Public School Health and Life and, if qualified, to participate in the group health Insurance Program instituted pursuant to the provisions of this subchapter and other laws, enacted to implement the program who are:

(2) Effective at the beginning of the enrollment period 2012, terminating state and public school employees who were participating in the plan for the last two (2) years for which they were eligible immediately before becoming eligible to receive a retirement benefit shall be qualified to continue coverage in the State And Public School Health And Life Insurance Program and who are:

(A) Participating Members members of:

(i) The Arkansas Public Employees' Retirement System, including the members of the legislative division and the contract personnel of the Arkansas National Guard;

(ii) The Arkansas Teacher Retirement System;

(iii) The Arkansas State Highway Employees' Retirement System;

(iv) The Arkansas Judicial Retirement System; or

(v) An alternate retirement plan of a qualifying institution under § 24-7-801; and

(B) Retired and drawing benefits under the systems, ~~or retire and receive benefits under the systems.~~

~~(2)(A)(i)(3)(A)(i)~~ If members of these retirement systems receive retirement benefits, thereby becoming active retirees, the active retirees shall elect to enroll in a the health benefit program sponsored by the State and Public School Life and Health Insurance Board.

(ii) The election to enroll in the retiree insurance program shall be made within thirty-one (31) days of the member's becoming an active retiree and shall be made in writing ~~to the executive director of the State and Public School Life and Health Insurance Board~~ to the Employee Benefits Division on forms ~~prescribed by the board~~ required by the Employee Benefits Division.

(B)(i) To be eligible to continue coverage or to qualify for coverage after electing to decline participation, the member must have been covered ~~or been eligible for coverage~~ on the last day of the member's employment.

(ii) If a retiree declines coverage at the time of retirement due to other employer-sponsored group health insurance coverage, the retiree may make a one-time election to return to the retiree insurance program with proof of continued insurance coverage if the retiree experiences a qualifying event.

(C)(i) Except as provided in subdivision ~~(a)(2)(C)(ii)~~ (a)(3)(C)(ii) of this section, an active retiree's failure to make an election during the thirty-one-day election period or an active retiree's election to decline participation in the health program is final.

(ii) If an active retiree declining coverage specifies in writing and provides a letter of creditable employer group coverage to show that the reason for the declination is because the active retiree has coverage through another ~~insurance program or~~ employer group health plan and the active retiree's coverage is subsequently terminated because of a loss of eligibility, as defined by Internal Revenue Service regulations, and provides information from the former insurance company of the loss of eligibility, then the active retiree and any dependents shall qualify for coverage in a the health benefit program under this subsection upon payment of the appropriate premium as established by the board, provided the active retiree applies for coverage within ~~thirty-one (31)~~ (30) days of the loss of eligibility. Loss of coverage is defined by Internal Revenue Service and Health Insurance Portability and Accountability Act (HIPPA) guidelines for special enrollment periods. ~~Any subsequent termination of health benefits by the retiree is final.~~

~~(3)(A)(4)(A)~~ (4)(A) Notwithstanding any other provision to the contrary in this section, an employee with ten (10) or more years of creditable service under the terms of a retirement plan listed in this section shall qualify for continuation of health insurance coverage offered by the board if that employee is separated from employment because of the expiration of a fixed period of employment.

(B)(i) An employee qualifying for continuation of coverage under this subsection shall be considered an "inactive retiree" and shall have thirty-one (31) days from the effective date of termination to elect to continue health insurance coverage under this section by notifying the ~~executive director~~ Employee Benefits Division.

(ii) The election shall be made in writing on forms required by the Employee Benefits Division, ~~upon forms prescribed by the board.~~

~~(ii) The agency or school district from which the employee was terminated must certify the applicant's qualifications to the Employee Benefits Division of the Department of Finance and Administration.~~

(C)(i) Except as provided in subdivision ~~(a)(3)(C)(ii)~~ (a)(4)(C)(ii) of this section, an inactive retiree's failure to make an election during the thirty-one-day election period or an inactive retiree's election to decline participation in the health program is final.

(ii) If an inactive retiree as defined in § 21-5-407 declining coverage specifies in writing that the reason for the declination is because the inactive retiree has coverage through another ~~insurance program~~ or group health plan and the inactive retiree's coverage is subsequently terminated because of a loss of eligibility, then the inactive retiree and any dependents shall qualify for coverage in a board-sponsored health benefit program upon payment of the appropriate premium as established by the board, provided the inactive retiree applies for coverage within thirty-one (31) days of the loss of eligibility.

~~(D) An inactive retiree shall be charged a premium determined by the board to be actuarially sound, along with administrative fees deemed appropriate.~~

~~(E) An inactive retiree shall not be eligible to return to the board-sponsored health program if for any reason the inactive retiree ceases coverage at any time after election under this subsection.~~

~~(F)~~(D) An eligible inactive retiree shall be reclassified as an "active retiree" upon electing to receive a retirement benefit by a retirement system listed within this section and shall be charged the premium rate appropriate for his or her rating category as an active retiree.

~~(4)(A)~~(5)(A) As used in this subsection, "loss of eligibility" means a loss of coverage as a result of a legal separation, divorce, death of the insured, termination of employment, or a reduction in the number of hours of employment.

(B) "Loss of eligibility" shall not include a loss of coverage from a failure to pay premiums, ~~a failure to pay premiums~~ on a timely basis, voluntary termination of coverage, or a termination of coverage for cause, such as making a fraudulent claim.

(b)(1) Persons who draw retirement benefits under the Arkansas Public Employees' Retirement System, the Arkansas Teacher Retirement System, or the Arkansas State Highway Employees' Retirement System, and retired contract employees of the Arkansas National Guard who wish to participate in the group insurance program provided for in this subchapter shall pay the retiree amount of the premium or the cost of the policy issued to the retired participant.

(2) The retiree portion of the premium or cost shall be deducted from the retirement benefit checks of the retired participants. If the retirement benefit is not large enough for the premium deduction, the premium shall be paid by monthly bank draft on a designated date prescribed by the Employee Benefits Division.

~~(c)(1) Eligible employees of institutions of higher education, technical institutes, the Department of Higher Education, the Department of Workforce Education, and the Arkansas Rehabilitation Services of the Department of Workforce Education who are retired with at least five (5) years of creditable service after July 1, 1983, shall be allowed to participate in the group insurance program provided for in this subchapter but shall pay the full amount of the premium or cost of the policy issued to the retired participant.~~

~~(2) All eligible participants must make an option selection of coverage within thirty one (31) days subsequent to the date of their notification of termination or retirement.~~

~~(d)(c)~~ Members of the Arkansas Public Employees' Retirement System and the Arkansas State Highway Employees' Retirement System who retire before January 2, 1988, under the provisions of the Incentives for Early Retirement Act, §§ 24-4-732, 24-5-122, and 24-6-102, shall not have to pay the full amount of the premium and shall pay a portion of the cost of the policy as set forth by the Incentives for Early Retirement Act, §§ 24-4-732, 24-5-122, and 24-6-102.

~~(e)(d)~~ Any future change in coverage other than cancellation shall be extended only to newly acquired dependents, except that if an active or inactive retiree declined dependent coverage at the time of election to be an active or inactive retiree and specified in writing that the reason for the declination was that the dependent had other coverage, and if subsequently the dependent involuntarily loses such coverage, except for fraud or voluntary cessation of premium payment while the active or inactive retiree is covered by the plan, then the dependent may be added within thirty-one (31) days of the involuntary termination to the active or inactive retiree's health insurance coverage for payment of the appropriate premium as established by the board.

(e) If a retiree dies and has covered dependents at the time of death, the dependents have the right to continue coverage under the plan. Dependent children may be covered until marriage or until the maximum age limit for a dependent child has been reached. A surviving spouse may continue coverage under the plan. If a surviving spouse or dependent declines coverage or cancels existing coverage, then the surviving spouse or dependent have no further privileges under the plan.

SECTION 10. Arkansas Code § 21-5-412 is amended to read as follows:

21-5-412. Eligibility of certain elected officers.

(a) Members of the General Assembly and the State ~~state~~ elected constitutional officers who have served a sufficient number of years of credited service to be eligible for retirement benefits upon attainment of retirement age, but who have not yet reached retirement age, shall be eligible to continue to participate in State employees life and ~~disability~~ health programs upon leaving elective service.

~~(b) Upon ending his or her service in the House of Representatives or Senate, or as a state elected constitutional officer, a person shall have a period of six (6) months to elect whether or not to continue participation in the state employees life and disability programs in accordance with the programs as currently in effect.~~

~~(c)(1)(b)(1) Any person who is leaving the General Assembly or any state elected constitutional officer who wishes to participate in the state employee's life and disability program provided for in this subchapter shall be offered continuation of coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). pay the full amount of the premium or cost of the policy issued to the participant, including the amount which the state is otherwise authorized to pay.~~

~~(2) The payments shall be made on a semimonthly, monthly, or quarterly basis as determined by the State and Public School Life and Health Insurance Board and shall be remitted through the state agency or office from which the person last received his or her salary as a member of the General Assembly or as a state elected constitutional officer.~~

(2)(A) An employee with ten (10) or more years of creditable service under the terms of a retirement plan listed in this section shall qualify for continuation of health insurance coverage offered by the board if that employee is separated from employment because of the expiration of a fixed period of employment.

(B)(i) An elected officer qualifying for continuation of coverage under this subsection shall be considered an "eligible inactive retiree" and shall have thirty-one (31) days from the effective date of termination to elect to continue health insurance coverage under this section by notifying the Employee Benefits Division in writing on forms required by the Employee Benefits Division.

(ii) The eligible inactive retiree shall pay the full amount of the insurance premium.

(C)(i) Except as provided in subdivision (b)(3)(C)(ii) of this section, an eligible inactive retiree's failure to make an election during the thirty-one day election period, or an eligible inactive retiree's election to decline participation in the health program is final.

(ii) An eligible inactive retiree who declined coverage and any dependents of the eligible inactive retiree shall qualify for coverage in the board-sponsored health benefit program upon payment of the appropriate premium as established by the board, provided the eligible inactive retiree applied for coverage within thirty-one (31) days of the loss of eligibility if:

(a) The eligible inactive retiree who declined coverage specifies in writing that the reason for the declination is because the eligible inactive retiree has coverage through another group health plan;

(b) The eligible inactive retiree's coverage is subsequently terminated because of a loss of eligibility; and

(c) The eligible inactive retiree provides information from the former insurance company confirming the loss of coverage.

(D)(i) An inactive retiree shall be charged the Consolidated Omnibus Budget Reconciliation Act (COBRA) premium determined by the board to be actuarially sound, along with administrative fees deemed appropriate.

(ii) An eligible inactive retiree shall be reclassified as an active retiree upon electing to receive a retirement benefit by a retirement system listed within this section and shall be charged the premium rate appropriate for his or her rating category as an active retiree.

SECTION 11. Arkansas Code § 21-5-413 is repealed.

~~21-5-413. Employer contributions.~~

~~The percentage of the premiums or costs to be paid by the participating employer shall be authorized by the General Assembly.~~

SECTION 12. Arkansas Code § 21-5-414 is amended to read as follows:

21-5-414. State contributions generally - Partial State contribution of employees' premiums.

(a) The Department of Finance and Administration shall seek the advice of the Legislative Council and the House Interim Committee on Insurance and Commerce and the Senate Interim Committee on Insurance and Commerce before additional contributions can be made.

(b)(1) The State of Arkansas, on behalf of agencies participating in the plans adopted by the state, is authorized to make a monthly contribution equal to the number of budgeted state employee positions multiplied by the monthly contribution authorized by the Chief Fiscal Officer of the State, not to exceed ~~three hundred fifty dollars (\$350)~~ four hundred twenty-five dollars (\$425) monthly for each ~~State~~ state employee budgeted position into a fund designated for ~~State~~ state employee health benefits, to partially defray the cost of life and health insurance for employees of the

State participating in the plan sponsored by the State and Public School Life and Health Insurance Board.

(2) The department may make a monthly contribution to partially defray the cost of health insurance for State employee retirees, utilizing funds made available for that purpose, not to exceed the amount authorized by the Chief Fiscal Officer of the State.

SECTION 13. Arkansas Code § 21-5-415 is amended to read as follows:

21-5-415. Nonpayment of premiums and failure to file reports by agency or school district.

(a)(1) If any participating agency or school district does not remit insurance premiums and required monthly reports to the Employee Benefits Division of the Department of Finance and Administration by ~~twenty (20) calendar days after the pay period ending date, the division shall have the right to impose interest of ten percent (10%) per annum on the moneys due~~ the last calendar day of each billing month, the division shall impose a penalty of two dollars (\$2.00) per insured member or one hundred dollars (\$100), whichever is greater.

~~(2) Interest will be computed on the actual days of delinquency, with a minimum charge being billed when appropriate.~~

~~(3) Interest payable will be determined using the date the delinquent funds are received, and an invoice for the interest shall be sent to the agency or school district.~~

(2) Penalties will be assessed and invoiced based on the actual number of members included on the monthly billing report that is past due. Invoices will be processed at the beginning of the month following the infraction.

~~(b)(1)(3) Payment Penalties~~ shall be payable to the ~~group insurance trust funds~~ Employee Benefits Division and must be received by the division no later than the last calendar day of the month following ~~billing~~ invoicing.

~~(2)(4)~~ If payment is not received by the division by the ~~last calendar day of the month following billing~~ due date the following collection methods may be used:

(A)(i) The Chief Fiscal Officer of the State may cause the ~~interest payable~~ amount sought to be transferred to the division from:

(a) Funds the agency or school district has on deposit with the Treasurer of State; or

(b) Any funds the agency or school district is due from the State.

(ii) If a transfer must be made, a transfer penalty of twenty dollars (\$20.00) per transfer ~~may~~ shall be assessed each agency or school district fund and included in the transfer;

(B) The agency director or school district superintendent may be required to appear before the State and Public School Life and Health Insurance Board to report the reasons for nonpayment or incorrect reporting; and

(C) The Chief Fiscal Officer of the State may use his or her powers outlined in § 19-4-301 et seq. to aid in collection.

~~(e)(5)~~ Nonpayment of premiums could also result in a lapse of health and life insurance coverage for employees of the school district, agency, or the agency assuming responsibility for paying health and life claims for its employees.

~~(d)(1) In the event any participating agency or school district fails to file the necessary reports with the division by twenty (20) calendar days after the due date, the division shall have the right to impose a penalty of fifty dollars (\$50.00) per insured.~~

~~(2) An additional penalty of fifty dollars (\$50.00) per insured will be assessed for each subsequent reporting period the overdue report remains in arrears.~~

~~(e)(1) An invoice for this penalty will be sent to the agency or school district, and payment shall be payable to the group insurance trust funds and must be received by the division no later than the last calendar day of the month following billing.~~

~~(2) If payment is not received by the division by the last calendar day of the month following billing, the following collection methods may be used:~~

~~(A)(i) The Chief Fiscal Officer of the State may cause the interest payable to be transferred to the division from:~~

~~(a) Funds the agency has on deposit with the Treasurer of State; _____ or~~

~~(b) Any funds the school district is due from the state.~~

~~(ii) If a transfer must be made, a transfer penalty of twenty dollars (\$20.00) per transfer may be assessed each agency fund and included in the transfer;~~

~~(B) The agency director or school district superintendent may be required to appear before the board to report the reasons for nonpayment; and~~

~~(C) The Chief Fiscal Officer of the State may use his or her powers as outlined in § 19-4-301 et seq. to aid in collection.~~

~~(f)(1)(b)(1)~~ If any participating agency or school district fails to follow established policy and procedures set by the executive director, including but not limited to notify notifying the division of an insured's leave without pay, family medical leave, or military leave status, or if any participating agency or school district provides incorrect benefit information, or processes unauthorized benefit changes, including system entries that result in un-reimbursed expenses to the State Employees Benefits Trust Fund or Public School Employees Insurance Trust Fund, of the State and Public School Employees Insurance Fund, the division shall have the right to:

(A) Require the agency to pay the total amount of the insured's premium; and

(B) Impose a penalty of fifty dollars (\$50.00) per insured.

(2) Penalties will be assessed and invoiced based on the actual number of violations. Invoices will be processed at the beginning of the month following discovery of the infraction.

(3) Penalties shall be payable to the Employee Benefits Division and must be received by the last calendar day of the month following invoicing.

~~(2)(A)(4)~~ The Chief Fiscal Officer of the State may cause the amount sought to be transferred from:

~~(i)(A)~~ Funds the agency or school district has on deposit with the Treasurer of State; or

~~(ii)(B)~~ Any funds the agency or school district is due from the state.

~~(B)(5)~~ If a transfer is made, a transfer penalty of twenty dollars (\$20.00) per transfer ~~may~~ shall be assessed each agency or school district fund and included in the transfer.

~~(g)(c)~~ The division may correct any error regarding an ~~insured benefit insured's benefits~~ according to existing documentation without authorization or prior notification to the agency or school district.

SECTION 14. Arkansas Code § 21-5-417 is amended to read as follows:

21-5-417. State contribution for employee receiving workers' compensation.

Notwithstanding any other provisions of the law, a state agency ~~may~~ shall remit the employer's contribution to ~~a health insurance program~~ the Employee Benefits Division for state employees when the employee is in a leave without pay status, ~~provided that the employee is in a leave without pay status~~ because of a work-related injury and is receiving benefits from workers' compensation.

SECTION 15. Arkansas Code § 21-5-504 is amended as follows:

21-5-504. Authority of State or political subdivision.

(a) The state or any county, city, town, or other political subdivision may agree, by contract, with any employee to defer, in whole or in part, any portion of that employee's future compensation to a deferred compensation program.

(b)(1) The administrator of the deferred compensation program may:

(A) Contract for, purchase, or otherwise procure annuity contracts for the deferred compensation program; and

(B) Through a trust or custodian, contract for, purchase, or otherwise procure fixed or variable life insurance contracts, mutual funds, pooled investment funds, or such other investment vehicles that comply with State and federal laws and which permit the deferral of compensation for income tax and retirement savings purposes.

(2) If an annuity or life insurance contract is purchased, then it must be purchased from an insurance company licensed to contract business in this state, and any insurance agent selling such contracts must be licensed by this state.

SECTION 16. Arkansas Code § 21-5-507 is amended as follows:

21-5-507. Payments by administrator.

(a) Notwithstanding any other provision of law to the contrary, the Executive Director of the Employee Benefits Division of the Department of Finance and Administration or the appropriate officer of the county, city, town, or other political subdivision designated to administer the deferred compensation program is authorized:

(1) To make payments of premiums for the purchase of annuity contracts under the deferred compensation program; and

(2) To make ~~payments~~ deferrals to a trustee or custodian holding fixed or variable life insurance contracts, annuity contracts, mutual funds, pooled investment funds, or other investment vehicles under the deferred compensation program.

(b) The payments and deferrals shall not be construed to be a prohibited use of the general assets of the state, county, city, town, or other political subdivision.

SECTION 17. Arkansas Code § 21-5-508 is amended to read as follows:

21-5-508. Taxation of deferred income.

Any sum deferred under the deferred compensation program shall not be subject to income taxation until distribution is actually made to the employee or beneficiary.

SECTION 18. Arkansas Code § 6-17-1117 is amended to read as follows:
6-17-1117. Health insurance.

(a) Beginning on October 1, 2004, local school districts shall pay the health insurance contribution rate of one hundred thirty-one dollars (\$131) per month for each eligible employee electing to participate in the public school employees' health insurance program.

(b)(1) The Department of Education shall pay the Employee Benefits Division of the Department of Finance and Administration sixty-one dollars (\$61.00) per month for each eligible employee of a public school district electing to participate in the public school employees' health insurance program administered by the State and Public School Life and Health Insurance Board.

(2) The funds provided to the division under this subsection shall be administered by the board for the benefit of the employee participants of the public school employees' health insurance program.

(3)(A)(i) In the event that appropriation or funding is not provided, the department shall not be responsible for the increased payments for the public school employee health insurance program as established by this section.

(ii)(B) If funding and appropriation are provided but are inadequate for the total number of employees electing to participate in the public school employees' health insurance program, the department shall pay a proportional share on behalf of each participant.

~~(B) Notwithstanding the special language provision in the department's appropriation act granting transfer authority or any other law to the contrary, appropriation and funding provided for the purposes of this section shall not be transferred by the department for any other purpose.~~

(c)(1) A school district shall:

(A) Provide the same employer-provided health insurance benefits for all full-time school district employees; and

(B) Pay the same employer contribution rate for each eligible employee electing to participate in the public school employees' health insurance program.

(2) If a school district entered into a contract with a superintendent, teacher, or other personnel prior to April 11, 2006, and the contract provides for a higher employer contribution rate than is paid for a majority of the certified personnel in the district, then the district may continue to pay the higher contribution rate as provided under the existing contract but not under extensions, addendums, or new contracts created after April 11, 2006, without increasing all other employees to the same rate."

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative D. Evans, **HOUSE BILL NO. 1339** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1339

Amend **HOUSE BILL NO. 1339** as originally introduced:

Delete the title and substitute the following:

"AN ACT TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER; TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER AND TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948."

AND

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 11-9-508(a), concerning medical treatment for injured workers, is amended to read as follows:

(a)(1) The employer shall promptly provide for an injured employee such medical, surgical, hospital, chiropractic, optometric, podiatric, and nursing services and medicine, crutches, ambulatory devices, artificial limbs, eyeglasses, contact lenses, hearing aids, and other apparatus as may be reasonably necessary in connection with the injury received by the employee.

(2) If the employer sends the injured employee to obtain medical treatment under subdivision (a)(1) of this section and the medical care provider confirms authorization for treatment, the employer shall remain liable for the reasonably necessary medical treatment provided to the employee until the employer notifies the medical care provider, in writing, that the employer is controverting the future medical treatment or the compensability of the injured employee's claim."

/s/ David Evans

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Allen, **HOUSE BILL NO. 2676** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2676

Amend **HOUSE BILL NO. 2676** as originally introduced:

Page 1, deletes lines 19 and 20 and substitute the following:

"SECTION 1. Arkansas Code § 13-3-201 is amended to read as follows:
13-3-201. Purpose.

The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas is created and established at the seat of government of this state for the purpose of:

(1) Advising the Arkansas History Commission with respect to gathering, developing, and keeping the history of a segment of Arkansas society whose history has been overlooked and forgotten and has been simply neglected because of a lack of concern;

(2) Collecting materials bearing on the history of black Arkansans from the earliest times;

(3) Encouraging historical work and research in the background of black Arkansans to help the young citizens of the state to appreciate their heritage; and

(4) Performing work in relation to the history of black Arkansans.

SECTION 2. Arkansas Code § 13-3-202 is amended to read as follows:

13-3-202. Members.

(a) The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas shall consist of seven (7) members who shall be residents and electors of this state. The members shall be appointed by the Governor, by and with the advice and consent of the Senate.

(b) The term of office of each member of the ~~committee~~ commission shall commence on January 15 following the expiration date of his predecessor's term and shall end on January 14 of the seventh year following the year in which the term commenced.

(c) The membership of the ~~committee~~ commission shall be made up of persons who are citizens of the state at large and who have demonstrated an interest in the collection, recordation, preservation, and development of the history of black Arkansans.

(d) Any vacancies arising in the membership of the ~~committee~~ commission for any reason other than expiration of the regular terms for which the members were appointed shall be filled by appointment by the Governor, and to be thereafter effective until the expiration of the regular terms, subject, however, to the confirmation of the Senate when it is next in session.

(e) The ~~committee~~ commission shall select from its membership a chair and a vicechair.

(f) Members of the ~~committee~~ commission may receive expense reimbursement and stipends in accordance with § 25-16-901 et seq.

SECTION 3. Arkansas Code § 13-3-203 is amended to read as follows:

13-3-203. Meetings - Rules and bylaws - Secretary.

(a) The ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas shall meet at such times and places as in each instance may suit the ~~committee's~~ commission's convenience and its purposes, and all meetings shall be open to the public.

(b)(1) The ~~committee~~ commission shall adopt and may modify rules and bylaws for the conduct of its business, subject to the approval of the Arkansas History Commission.

(2) The ~~committee~~ commission shall keep a record of its transactions, findings, and determinations, which record shall be public.

(c) The rules shall provide for regular meetings and for special meetings at the call of the chair or, in his or her absence or incapacity, the vicechair, or upon written request of at least four (4) members.

(d) The State Historian shall be ex officio secretary of the ~~committee~~ commission, but shall have no vote on matters coming before it.

(e) A quorum of the ~~committee~~ commission shall consist of not less than four (4) members present at any regular or special meeting. The affirmative vote of that number shall be necessary for the disposition of any business.

SECTION 4. Arkansas Code § 13-3-204(a), concerning the committee's duties, is amended to read as follows:

(a) It shall be the function, power, and duty of the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas to assist the Arkansas History Commission to:

SECTION 5. Arkansas Code § 13-3-205 is amended to read as follows:

13-3-205. State Historian's duties - Location of ~~committee~~ commission.

(a)(1) The State Historian shall assist the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas in the performance of its duties and shall be the custodian of all property and reference and source materials of the ~~committee~~ commission.

(2) The State Historian shall be charged with the duty of administering this subchapter.

(b) The offices of the ~~committee~~ commission and the archives of its records shall be located with those of the Arkansas History Commission.

SECTION 5. Arkansas Code § 13-3-205 is amended to read as follows:

13-3-205. State Historian's duties - Location of committee.

(a)(1) The State Historian shall assist the ~~Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas in the performance of its duties and shall be the custodian of all property and reference and source materials of the committee.

(2) The State Historian shall be charged with the duty of administering this subchapter.

(b) The offices of the ~~committee~~ commission and the archives of its records shall be located with those of the Arkansas History Commission.

SECTION 6. Arkansas Code § 13-3-206(a), concerning cooperation in developing Arkansas history courses, is amended to read as follows:

(a) ~~The Arkansas Black History Advisory Committee~~ Black History Commission of Arkansas and the ~~Director of General Education~~ the Commissioner of Education or his or her designee shall cooperate with each other to develop the materials for a program of historical contributions by the black race in Arkansas for inclusion in the curriculum segment of the Arkansas history required to be instructed in § 6-16-124."

/s/ Fred Allen

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2313** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2313

Amend **HOUSE BILL NO. 2313** as originally introduced:

Page 4, line 16, delete "Arkansas Development Finance Authority" and substitute "Treasurer of State"

AND

Page 4, delete lines 31 and 32 and substitute the following:

"(1) One (1) member to be the Treasurer of State or his or her designee;"

AND

Page 5, delete lines 18 and 19 and substitute the following:

"(1) Review the annual reports presented by the Treasurer of State at least annually;"

AND

Page 5, line 28, delete "and" and substitute "or"

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Shelby, **HOUSE BILL NO. 2786** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2786

Amend **HOUSE BILL NO. 2786** as originally introduced:

Page 1, delete lines 29 and 30 and substitute the following:

"completed a knowledge and skills course in operating an automated external defibrillator and in cardiopulmonary resuscitation ~~as required under § 17-95-604 [repealed]~~ is assigned to be"

AND

Page 1, line 33, delete "and"

AND

Page 1, delete line 36 and substitute the following:

"the health spa member's health and safety; and

(5) In plain view:

(A) A sign indicating the location of the automated external defibrillator; and

(B) A sign providing instruction in the use of the automated external defibrillator and in cardiopulmonary resuscitation."

/s/ Gene Shelby

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Adcock, **HOUSE BILL NO. 1630** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1630

Amend **HOUSE BILL NO. 1630** as engrossed,

H3/9/07 (version: 03-09-2007 11:07):

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 16-7-203 is amended to read as follows:

16-7-203. Duty and authority of state and local officers and agencies and governments.

(a) It is the duty of all the elements of government expressed or implied by § 16-7-201(3), and they are hereby authorized, to use dispute resolution processes in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public or between any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government.

(b) The elements of government expressed or implied by § 16-7-201 are authorized to use arbitration, private judging, med-arb, fact finding, mini-trials, and summary jury trials in resolving any and all disputes, cases, or controversies in which they may be directly or indirectly involved, whether between themselves and members of the public, or their employees or bona fide employee organizations, or corporations, or nonprofit organizations, or any other state or local officer, agency, government, or entity of this state or of any other state or any element or entity of the federal government, as long as the parties have agreed to participate. This subsection (b) is permissive and not mandatory."

/s/ Pam Adcock

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 2739** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2739

Amend **HOUSE BILL NO. 2739** as originally introduced:

Page 1, delete lines 21 through 27 and substitute the following:

"SECTION 1. DO NOT CODIFY. This act shall be known and may be cited as the "Arkansas Legislative Task Force on Autism".

SECTION 2. DO NOT CODIFY. Arkansas Legislative Task Force on Autism — Creation."

AND

Page 2, delete lines 1 through 7 and substitute the following:

"(4) The Director of the Division of Disability Services of the Department of Health and Human Services;

(5) The Behavior Intervention Coordinator of the Department of Education;

(6) One (1) member to represent Arkansas Blue Cross and Blue Shield;

(7) One (1) member who is a pediatric physician who regularly works with autistic patients appointed by the Dennis Developmental Center of the Department of Pediatrics of the University of Arkansas for Medical Sciences."

AND

Page 2, line 8, delete "(7)" and substitute "(8)"

AND

Page 2, delete line 9 and substitute the following:

"University of Arkansas for Medical Sciences;

(9) One (1) member to represent Partners for Inclusive Communities of the University Centers of Excellence in Developmental Disabilities of the University of Arkansas for Medical Sciences;"

AND

Page 2, line 10, delete "(8)" and substitute "(10)"

AND

Page 2, delete lines 12 through 15 and substitute the following:

"(11) One (1) member who is an attorney who regularly works with"

AND

Page 2, line 18, delete "(11)" and substitute "(12)"

AND

Page 2, line 20, delete "(12)" and substitute "(13)"

AND

Page 3, delete line 5 and substitute the following:

"SECTION 3. DO NOT CODIFY. Arkansas Legislative Task Force on Autism — Duties."

AND

Page 3, delete line 22 and substitute the following:

"changes.

SECTION 4. DO NOT CODIFY. The Arkansas Legislative Task Force on Autism shall be abolished effective October 1, 2008."

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2698** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2698

Amend **HOUSE BILL NO. 2698** as originally introduced:

Page 2, delete lines 13 through 36, and substitute the following:

"(1) "Disclosure" means written communication to the Arkansas Department of Environmental Quality by a person or an entity subject to the compliance requirements of state environmental laws or regulations that conveys information concerning a potential environmental violation;

(2) "Environmental audit" means the same as defined in § 8-1302(3);

(3) "Environmental management system" means a voluntarily adopted documented system of procedures or practices through which a person or an entity monitors its environmental performance, including preventing, detecting, and correcting violations, that is not otherwise required by established environmental laws or regulations; and

(4) "Penalty" means a monetary assessment for an environmental violation authorized by any law administered by the department except any penalty assessed under § 15-57-201 et seq., The Arkansas Open Cut Land Reclamation Act, § 15-57-301 et seq., the Arkansas Quarry Operation, Reclamation and Safe Closure Act, § 15-57-401 et seq., and the Arkansas Surface Coal Mining and Reclamation Act of 1975, § 15-58-101 et seq., and any regulations promulgated thereunder.

8-1-404. Incentives for self-disclosure.

(a) Except in the case of habitual noncompliance or as provided otherwise in this subchapter, the Arkansas Department of Environmental Quality shall mitigate a penalty in an administrative enforcement action or a civil enforcement action against a person or an entity for an alleged violation that is either discovered by the person or entity through an environmental audit or under the person or entity's environmental management system if the person or entity voluntarily and timely:

(1) Disclosed the violation to the department within twenty-one (21) calendar days of discovery of the violation;

(2) Upon discovery of the violation takes immediate and reasonable action to correct the violation; and

(3) Within ninety (90) calendar days from the date of discovery of the violation, submits documentation acceptable to the department showing correction of the violation and measures taken to prevent future noncompliance.

(b) Penalty mitigation under this section shall not be allowed if:

(1) The violation creates an imminent and substantial endangerment to human health or the environment;

(2) The violation creates harm to human health or the environment;

(3) The same type or similar type of violation has occurred within the last three (3) years;

(4) The violation was discovered after the department learns of it or is likely to learn of it imminently;

(5) The violation was deliberate or intentional;

(6) The violation is not corrected within ninety (90) calendar days from the date of discovery, unless a longer period of time is requested and granted by the department within ninety (90) calendar days from the date of discovery;

(7) The violation is prohibited by a judicial order or an administrative order;

(8) The violation is required to be reported by state law, regulation, or permit condition;

(9) The violation does not indicate a lack or reasonable question of the basic good faith attempt to understand and comply with applicable state environmental laws or regulations through environmental management systems appropriate to the size and nature of the activities of the regulated community;

(10) The regulated entity has not realized and will not realize a demonstrable and significant economic or competitive advantage as a result of noncompliance; and

(11) The regulated entity fails to cooperate with the department as the department performs its duties and provides such information as the department reasonably requests to confirm the entity's compliance with these conditions.

(c) Notwithstanding the failure of a regulated entity to meet all of the conditions in subsection (b) of this section, the department will consider the nature and extent of such actions of the regulated entity in mitigation of any administrative penalty or a civil penalty otherwise appropriate. If the regulated entity meets all conditions in subsection (b) of this section except item ten (10) relating to significant economic or competitive advantage, the department may seek an administrative penalty or a civil penalty only to the extent of the economic or competitive advantage gained.

(d) In the event of any conflict, the elimination or mitigation of penalties under subsections (a) and (c) of this section is subject to agreements between the department and the United States Environmental Protection Agency relating to regulatory program delegation or authorization from the United States Environmental Protection Agency to the department."

AND

Page 3, delete lines 1 through 21

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative L. Smith, **HOUSE BILL NO. 2534** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2534

Amend **HOUSE BILL NO. 2534** as originally introduced:

Page 1, delete lines 26 through 30 and substitute the following:

"domestic abuse contained in an order of a court of competent jurisdiction;"

AND

Page 2, delete lines 4 through 7

AND

Page 2, line 8, delete "(5)" and substitute "(4)"

AND

Page 3, delete lines 27 through 30

AND

Page 3, line 31, delete "(7)" and substitute "(5)"

AND

Page 3, line 34, delete "(8)" and substitute "(6)"

AND

Page 4, delete line 8 and substitute the following:

"(1) With respect to the victim of domestic abuse, a landlord shall not terminate or fail to renew a"

AND

Page 4, delete lines 20 through 23 and substitute the following:

"offender's residential tenancy agreement, if a domestic abuse offender is under a court order to stay away from a co-tenant residing in the domestic abuser's offender's residence or the co-tenant's residence:

(1) The domestic abuse offender under the court order"

AND

Page 5, delete lines 9 and 10 and substitute the following:

"(d) A landlord is immune from civil liability if the landlord in good faith:

(1) Changes the locks under subdivision (b)(2) of this section; or
(2) Acts in accordance with a court order under subsection (c) of this
section."

/s/ Lindsley Smith

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative D. Johnson, **HOUSE BILL NO. 1324** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 3 TO HOUSE BILL NO. 1324

Amend **HOUSE BILL NO. 1324** as engrossed,
H3/16/07 (version: 03-16-2007 11:12):

Page 19, delete lines 32 through 36 and substitute the following:

"6-81-721. Non-interference with pending litigation.

Nothing in this subchapter is intended to affect pending litigation existing as of the effective date of this act."

AND

Page 20, line 22, delete "(b)(1)(A)(i)" and substitute "(b)(1)(A)"

AND

Page 20, delete lines 30 through 33.

/s/ David Johnson

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Burris, **HOUSE BILL NO. 2542** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2542

Amend **HOUSE BILL NO. 2542** as originally introduced:

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 15, Chapter 11, Subchapter 2 is amended to add an additional section to read as follows:

15-11-211. At-will campsites.

(a) As used in this section, "at-will campsite" means a campsite that is available on a first-come first serve basis with no advance reservation required.

(b) The State Parks, Recreation, and Travel Commission shall promulgate rules to ensure that at least twenty percent (20%) of all campsites at state parks and recreational facilities are at-will campsites."

/s/ Mike Burris

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Saunders, **HOUSE BILL NO. 2704** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2704

Amend **HOUSE BILL NO. 2704** as originally introduced:

Page 1, delete lines 31 through 33 and substitute the following:

"(B) Has a minimum of three (3) years of successful experience as a full-time classroom teacher in a public school, a charter school, an accredited private school, an entity with an education component approved by the Department of Education, or a nonprofit community provider licensed by the Division of Developmental Disabilities Services of the Department of Health and Human Services that offers developmental day treatment clinic services with a preschool program;"

AND

Page 2, delete lines 13 through 15 and substitute the following:

“(3) Education service cooperatives, charter schools, accredited private schools, entities with an education component approved by the Department of Education, and nonprofit community providers licensed by the Division of Developmental Disabilities Services of the Department of Health and Human Services that offer developmental day treatment clinic services with preschool programs are encouraged to establish teacher mentoring programs in accordance with this section.

(d)(1) An education service cooperative, a charter school, an accredited private school, an entity with an education component approved by the Department of Education, or a nonprofit community provider licensed by the division of Developmental Disabilities Services of the Department of Health and Human Services that offers developmental day treatment clinic services with a preschool program that wishes to establish a teacher mentoring program shall submit a mentoring plan to the Department of Education for approval.

(2) A mentoring plan shall:

(A) Identify the person who will serve as the teacher mentoring program director;

(B) Provide that new teachers will be assigned to a mentor teacher within fifteen (15) business days of the hire date of the new teacher;

(C) Provide for registration of all mentor teachers and new teachers with the Department of Education;

(D)(i) Identify categories of appropriate professional development activities and expenditures for mentor teachers and new teachers.

(ii) Appropriate professional development activities shall be designed to adequately prepare the new teacher for successful completion of the state-mandated performance assessment;

(E) Comply with all rules promulgated by the state board with regard to the assignment, support, and monitoring of mentor teachers and new teachers;

(E) Provide that mentor teachers and new teachers will be released to attend any mandatory statewide orientation or informational meetings held by the Department of Education;

(F) Provide that new teachers will be released to participate in the state-mandated performance assessment;

(G) Provide for notification of the Department of Education within fifteen (15) business days of any personnel changes that might impact the teacher mentoring program; and

(H) Provide for the submission of an annual report detailing teacher mentoring program activities and expenditures no later than June 30 of each year.

(e)(1) A teacher mentoring program director shall be qualified under subsection (b) of this section to serve as a mentor.

(2) A teacher mentoring program director shall:

(A) Serve as the teacher mentoring program's liaison to the Department of Education;

(B) Coordinate mentoring assignments;

(C) Provide oversight of teacher mentoring program activities and expenditures; and

(D) Be responsible for submission of all reports and other communications to the Department of Education."

/s/ Rick Saunders

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative J. Roebuck, **HOUSE BILL NO. 2792** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 2792

Amend **HOUSE BILL NO. 2792** as engrossed,

H3/16/07 (version: 03-16-2007 10:30):

Add Representative Blount as a co-sponsor of the bill

AND

Page 7, line 22, delete "seventeen (17)" and substitute "fifteen (15)"

AND

Page 7, line 23, delete "Commissioner of Education" and substitute "Commissioner of Education, or his or her designee."

AND

Page 11, delete lines 16 and 19 and substitute the following:

"(D) The Professional Licensure Standards Board may:

(i) Establish procedures for receiving, considering, and investigating complaints referred by the Department of Education, a public school district, or a public school superintendent regarding the unethical behavior of licensed school personnel;

(ii) Make recommendations for enforcement; and

(iii) Establish an ethics subcommittee of the Professional Licensure Standards Board with equal representation of public school teachers and administrators as well as one member from any other category of representation on the Professional Licensure Standards Board."

/s/ Johnnie Roebuck

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

/s/ Ms. Jo Renshaw

Chief Clerk

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

AMENDMENT NO. 2 TO HOUSE BILL NO. 2540

Amend **HOUSE BILL NO. 2540** as engrossed,

H3/12/07 (version: 03-12-2007 10:07):

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 18 is amended to add an additional chapter to read as follows:

SUBCHAPTER 1 — SHORT TITLE, CONSTRUCTION, APPLICATION, AND SUBJECT MATTER OF CHAPTER

18-17-101. Short title.

This chapter shall be known and may be cited as the "Arkansas Residential Landlord - Tenant Act of 2007".

18-17-102. Purposes; Rules of construction.

(a) This chapter shall be liberally construed and applied to promote its underlying purposes and policies.

(b) Underlying purposes and policies of this chapter are:

(1) To simplify, clarify, modernize, and revise the law governing rental of dwelling units and the rights and obligations of landlords and tenants; and

(2) To encourage landlords and tenants to maintain and improve the quality of housing.

18-17-103. Administration of remedies; enforcement.

(a) The remedies provided by this chapter shall be administered that an aggrieved party may recover appropriate damages.

(b) Any right or obligation declared by this chapter is enforceable by action unless the provision declaring it specifies a different and limited effect.

18-17-104. Settlement of disputed claim or right.

A claim or right arising under this chapter or on a rental agreement, if disputed in good faith, may be settled by agreement.

SUBCHAPTER 2 — SCOPE AND JURISDICTION

18-17-201. Territorial application.

This chapter applies to, regulates, and determines rights, obligations, and remedies under a rental agreement, wherever made, for a dwelling unit located within this State.

18-17-202. Exclusions from application of chapter.

The following arrangements are not governed by this chapter:

(1) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious, or similar service;

(2) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his or her interest;

(3) Occupancy by a member or a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(4) Transient occupancy in a hotel, motel, or other accommodations subject to any sales tax on lodging;

(5) Occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;

(6) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;

(7) Occupancy under a rental agreement covering the premises used by the occupant primarily for agricultural purposes; and

(8) Residence, whether temporary or not, at a public or private charitable or emergency protective shelter.

18-17-203. Jurisdiction and service of process.

The district court or appropriate court of this State shall exercise jurisdiction over any landlord with respect to any conduct in this State governed by this chapter or with respect to any claim arising from a transaction subject to this chapter.

SUBCHAPTER 3 — GENERAL DEFINITIONS AND PRINCIPLES INTERPRETATION

NOTICE

18-17-301. General definitions.

As used in this chapter:

(1) "Action" means a recoupment, counterclaim, suit in equity, and any other proceeding in which rights are determined, including without limitation an action for possession;

(2) "Building and housing codes" means any law, ordinance, or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy, use, or appearance of any premise, or dwelling unit;

(3)(A) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two (2) or more persons who maintain a common household and includes landlord-owned mobile homes.

(B) Property that is leased for the exclusive purpose of being renovated by the lessee is not considered a dwelling unit within the meaning of this chapter;

(4) "Good faith" means honesty in fact in the conduct of the transaction concerned;

(5) "Landlord" means the owner, lessor, or sublessor of the premises, and it also means a manager of the premises who fails to disclose as required by this subchapter;

(6) "Organization" means a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, and any other legal or commercial entity;

(7)(A) "Owner" means one or more persons, jointly or severally, in whom is vested all or part of:

(i) The legal title to property; or

(ii) All or part of the beneficial ownership and a right to present use and enjoyment of the premises.

(B) "Owner" includes, but is not limited to, a mortgagee in possession;

(8) "Person" means an individual or organization;

(9) "Premises" means a dwelling unit and the structure of which it is a part and facilities and appurtenances therein and grounds, areas, and facilities held out for the use of tenants generally or whose use is promised to the tenant;

(10) "Rent" means the consideration payable for use of the premises including late charges whether payable in lump sum or periodic payments, excluding security deposits or other charges;

(11) "Rental agreement" means all agreements, written or oral, and valid rules adopted under this subchapter embodying the terms and conditions concerning the use and occupancy of a dwelling unit and premises;

(12) "Roomer" means a person occupying a dwelling unit that does not include a toilet and either a bathtub or a shower and a refrigerator, stove, and kitchen sink, all provided by the landlord, and where one or more of these facilities are used in common by occupants in the structure;

(13) "Security deposit" means a monetary deposit from the tenant to the landlord to secure the full and faithful performance of the terms and conditions of the lease agreement as provided in this subchapter;

(14)(A) "Single family residence" means a structure maintained and used as a single dwelling unit.

(B) Notwithstanding that a dwelling unit shares one (1) or more walls with another dwelling unit, it is a single family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit;

(15) "Tenant" means a person entitled under a rental agreement to occupy a dwelling unit to the exclusion of others; and

(16) "Willful" means an attempt to intentionally avoid obligations under the rental agreement or the provisions of this chapter.

18-17-302. Obligation of good faith.

Every duty under this chapter and every act which shall be performed as a condition precedent to the exercise of a right or remedy under this chapter imposes an obligation of good faith in its performances or enforcement.

18-17-303. Notice.

(a)(1) A person has notice of a fact if:

(A) The person has actual knowledge of it;

(B) The person has received a notice or notification of it; or

(C) From all the facts and circumstances known to him or her at the time in question he or she has reason to know that it exists.

(2) A person "knows" or "has knowledge" of a fact if he or she has actual knowledge of it.

(b)(1) A person "notifies" or "gives" a notice or notification to another person by taking steps reasonably calculated to inform the other in ordinary course whether or not the other actually comes to know of it.

(2) A person receives a notice or notification when:

(A) It comes to his or her attention; or

(B) In the case of the landlord, it is delivered at the place of business of the landlord through which the rental agreement was made or at any place held out by the landlord as the place for receipt of the communication; or

(C)(i) In the case of the tenant, it is delivered in hand to the tenant or mailed by registered or certified mail to the tenant at the place held out by him or her as the place for receipt of the communication, or in the absence of the designation, to the tenant's last known place of residence.

(ii) Proof of mailing pursuant to this subsection constitutes notice without proof of receipt.

(c) "Notice", knowledge, or a notice or notification received by an organization is effective for a particular transaction from the time it is brought to the attention of the individual conducting that transaction, and in any event from the time it would have been brought to the individual's attention if the organization had exercised reasonable diligence.

(d) The time within which an act is to be done shall be computed by reference to the Arkansas Rules of Civil Procedure.

SUBCHAPTER 4 — GENERAL PROVISIONS

18-17-401. Terms and conditions of rental agreement.

(a) A landlord and a tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including, but not limited to, rent, term of the agreement, and other provisions governing the rights and obligations of the parties.

(b)(1) Rent is payable without demand or notice at the time and place agreed upon by the parties.

(2) Unless the tenant is otherwise notified in writing, rent is payable at the dwelling unit and periodic rent is payable at the beginning of any term of one (1) month or less and otherwise in equal monthly installments at the beginning of each month.

(c) Unless the rental agreement fixes a definite term, the tenancy is week to week in case of a roomer who pays weekly rent and in all other cases month to month.

SUBCHAPTER 5 — LANDLORD OBLIGATIONS

18-17-501. Security deposits — Prepaid rent.

(a)(1) Upon termination of the tenancy property or money held by the landlord as security must be returned less amounts withheld by the landlord for accrued rent and damages which the landlord has suffered by reason of the tenant's noncompliance with this subchapter.

(2) The tenant shall provide the landlord in writing with a forwarding address or new address to which the written notice and amount due from the landlord may be sent.

(3) If the tenant fails to provide the landlord with the forwarding or new address, the tenant is not entitled to damages under this subsection provided the landlord:

(A) Had no notice of the tenant's whereabouts; and

(B) Mailed the written notice and amount due, if any, to the tenant's last known address.

(b) This section does not preclude the landlord or tenant from recovering other damages to which he or she may be entitled under this chapter or otherwise.

(c) Subject to the provisions of this subchapter, the holder of the landlord's interest in the premises at the time of the termination of the tenancy is bound by this section.

SUBCHAPTER 6 — TENANT OBLIGATIONS

18-17-601. Tenant to maintain dwelling unit.

A tenant shall:

(1) Comply with all obligations primarily imposed upon tenants by applicable provisions of building and housing codes materially affecting health and safety;

(2) Keep the dwelling unit and that part of the premises that he or she uses reasonably safe and reasonably clean;

(3) Dispose from his or her dwelling unit all ashes, garbage, rubbish, and other waste in a reasonably clean and safe manner;

(4) Keep all plumbing fixtures in the dwelling unit or used by the tenant reasonably clean;

(5) Use in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air-conditioning, and other facilities and appliances including elevators in the premises;

(6) Not deliberately or negligently destroy, deface, damage, impair, or remove any part of the premises or knowingly permit any person to do so who is on the premises with the tenant's permission or who is allowed access to the premises by the tenant;

(7) Conduct himself or herself and require other persons on the premises with the tenant's permission or who are allowed access to the premises by the tenant to conduct themselves in a manner that will not disturb other tenant's peaceful enjoyment of the premises; and

(8) Comply with the lease and rules which are enforceable pursuant to this subchapter.

18-17-602. Access.

(a) A tenant shall not unreasonably withhold consent to the landlord to enter into the dwelling unit in order to inspect the premises, make necessary or agreed repairs, decorations, alterations, or improvements, supply necessary or agreed services, investigate possible rule or lease violations, investigate possible criminal activity, or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workmen, or contractors.

(b) A tenant shall not change locks on the dwelling unit without the permission of the landlord.

18-17-604. Tenant to use and occupy.

Unless otherwise agreed, a tenant shall occupy his or her dwelling unit only as a dwelling unit and shall not conduct or permit any illegal activities thereon.

SUBCHAPTER 7 — LANDLORD REMEDIES

18-17-701 Noncompliance with rental agreement — Failure to pay rent — Removal of evicted tenant's personal property.

(a) Except as provided in this chapter, if there is a noncompliance by the tenant with the rental agreement the landlord may deliver a written notice to the tenant specifying the acts and omissions constituting the breach and that the rental agreement will terminate upon a date not less than fourteen (14) days after receipt of the notice, if the breach is not remedied in fourteen (14) days. The rental agreement terminates as provided in the notice except that if the breach is remediable by repairs or otherwise and the tenant adequately remedies the breach before the date specified in the notice.

(b) If rent is unpaid when due and the tenant fails to pay rent within five (5) days from the date due, the landlord may terminate the rental agreement.

(c)(1) Except as provided in this chapter, the landlord may recover actual damages and obtain injunctive relief, judgments, or evictions in circuit court or district court without posting bond for any noncompliance by the tenant with the rental agreement.

(2) If the tenant's noncompliance is willful other than nonpayment of rent, the landlord may recover reasonable attorney's fees, provided the landlord is represented by an attorney.

(3) If the tenant's nonpayment of rent is not in good faith, the landlord is entitled to reasonable attorney's fees, provided the landlord is represented by an attorney.

18-17-702. Noncompliance affecting health and safety.

(a) If there is noncompliance by the tenant with § 18-17-601 materially affecting health and safety that may be remedied by repair, replacement of a damaged item, or cleaning, and the tenant fails to comply as promptly as conditions require in case of emergency or within fourteen (14) days after written notice by the landlord specifying the breach and requesting that the tenant remedy it within that period of time, the landlord may enter the dwelling unit and cause the work to be done in a workmanlike manner and the tenant shall reimburse the landlord for the cost and, in addition, the landlord shall have the remedies available under this chapter.

(b) If there is noncompliance by the tenant with this subchapter materially affecting health and safety other than as stated in subsection (a), and the tenant fails to comply as promptly as conditions require in case of emergency, or within fourteen (14) days after written notice by the landlord if it is not an emergency, specifying the breach and requesting that the tenant remedy within that period of time, the landlord may terminate the rental agreement.

18-17-703. Remedy after termination.

If the rental agreement is terminated, the landlord has a right to possession and for rent and a separate claim for actual damages for breach of the rental agreement and reasonable attorney's fees.

18-17-704. Periodic tenancy — Holdover remedies.

(a) The landlord or the tenant may terminate a week-to-week tenancy by a written notice given to the other at least seven (7) days before the termination date specified in the notice.

(b) The landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other at least thirty (30) days before the termination date specified in the notice.

(c)(1) If the tenant remains in possession without the landlord's consent after expiration of the term of the rental agreement or its termination, the landlord may bring an action for possession.

(2) If the holdover is not in good faith, the landlord may recover reasonable attorney's fees.

(3) If the tenant's holdover is a willful violation of the provisions of this chapter or the rental agreement, the landlord may also recover an amount not more than three (3) months periodic rent or twice the actual damages sustained by him or her, whichever is greater and reasonable attorney's fees.

(4) If the landlord consents to the tenant's continued occupancy, § 18-17-401(d) applies.

18-17-705. Landlord and tenant remedies for abuse of access.

(a) If the tenant refuses to allow lawful access, the landlord may obtain injunctive relief in district court without posting bond to compel access, or terminate the rental agreement.

(b) In either case the landlord may recover actual damages and reasonable attorney's fees.

18-17-706. Payment of rent into court.

In any action where the landlord sues for possession and the tenant raises defenses or counterclaims pursuant to this chapter or the rental agreement:

(1)(A) The tenant shall pay the landlord all rent which becomes due after the issuance of a written rule requiring the tenant to vacate or show cause as rent becomes due and the landlord shall provide the tenant with a written receipt for each payment except when the tenant pays by check.

(B) Rent must not be abated for a condition caused by the deliberate or negligent act or omission of the tenant, a member of his or her family, or other person on the premises with his or her permission or who is allowed access to the premises by the tenant.

(2) The tenant shall pay the landlord all rent allegedly owed before the issuance of the rule, provided that in lieu of the payment the tenant may be allowed to submit to the court a receipt and cancelled check, or both, indicating that payment has been made to the landlord.

(3)(A) Should the tenant not appear and show cause within ten (10) days, the court shall issue a warrant of ejectment pursuant to this subchapter.

(B)(i) Should the tenant appear in response to the rule and allege that rent due under subsections (1) or (2) has been paid, the court shall determine the issue.

(ii) If the tenant has failed to comply with subsections (1) or (2), the court shall issue a warrant of ejectment and the landlord shall be placed in full possession of the premises by the sheriff, deputy, or constable.

(4) If the amount of rent due is determined at final adjudication to be less than alleged by the landlord, judgment shall be entered for the tenant if he or she has complied fully with the provisions of this section.

18-17-707. Undertaking on appeal and order staying execution.

(a) Upon appeal to the circuit court, the case shall be heard in a manner consistent with other appeals from the circuit court as soon as is feasible after the appeal is docketed.

(b)(1) It is sufficient to stay execution of a judgment for ejectment that the tenant sign an undertaking that he or she will pay to the landlord the amount of rent, determined by the court in accordance with § 18-17-808, as it becomes due periodically after the judgment was entered.

(2) Any clerk or circuit judge shall order a stay of execution upon the undertaking.

(c) The undertaking by the tenant and the order staying execution may be substantially in the following form:

State of Arkansas County of _____

Landlord

vs.

Tenant

Bond to Stay

Execution on Appeal to Circuit Court

Now comes the tenant in the above entitled action and respectfully shows the court that a writ of eviction was issued against the tenant and for the landlord on the _____ day of _____, 20____, by the circuit court. Tenant has appealed the judgment.

Pursuant to the findings of the circuit court, the tenant is obligated to pay rent in the amount of \$ _____ per _____, due on the _____ day of each _____.

Tenant undertakes to pay the periodic rent hereinafter due according to the findings of the court and moves the circuit court to stay execution on the writ of eviction until this matter is heard on appeal and decided by the circuit court.

This the _____ day of _____, 20____

Tenant

Upon execution of the bond, execution on the judgment of eviction is stayed until the action is heard on appeal and decided by the circuit court. If tenant fails to make any rental payment within five (5) days of the due date, upon application of the landlord, the stay of execution shall dissolve, the appeal by the tenant to the circuit court on issues dealing with possession must be dismissed and the sheriff may dispossess the tenant.

This the _____ day of _____, 20____

Judge

(d) If the tenant fails to make a payment within five (5) days of the due date according to the undertaking and order staying execution, the clerk, upon application of the landlord, shall issue a writ of eviction to be executed pursuant to § 18-17-904.

(e)(1)(A) Upon appeal to the Supreme Court or to the court of appeals, it is sufficient to stay execution of a writ of eviction that the tenant sign an undertaking that he or she will pay to the landlord the amount of rent, determined by order of the judge of the circuit court, as it becomes due periodically after judgment was entered.

(B) The judge of the court having jurisdiction shall order stay of execution upon the undertaking.

(2) The tenant's failure to comply with the terms of the undertaking entitles the landlord to execution of the judgment for possession in accordance with the provisions of subsection (e) of this section.

SUBCHAPTER 8 — MISCELLANEOUS

18-17-801. Severability.

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

18-17-802. Prior transactions.

Transactions entered into before the effective date of this chapter, and not extended or renewed on or after that date, and the rights, duties, and interests flowing from them remain valid and may be terminated, completed, consummated, or enforced as required or permitted by any statute or other law amended or repealed by this chapter as though the repeal or amendment had not occurred.

SUBCHAPTER 9 — EVICTION PROCEEDINGS

18-17-901. Grounds for eviction of tenant.

(a) A landlord or his or her agent may begin eviction proceedings against a tenant when:

(1) The tenant fails or refuses to pay the rent when due or when demanded;

(2) The term of tenancy or occupancy has ended, or

(3) The terms or conditions of the lease have been violated.

(b) For residential rental agreements, nonpayment of rent within five days of the date due constitutes legal notice to the tenant that the landlord has the right to begin eviction proceedings under this chapter.

18-17-902. Eviction proceeding.

(a)(1) Upon the occurrence of the grounds for eviction of a tenant under this subchapter, a landlord or his or her agent may file with a court having jurisdiction an affidavit of eviction which specifies the grounds for the eviction.

(2) The fee for filing an affidavit of eviction shall be twenty-five dollars (\$25.00).

(b) Upon the filing by the landlord or his or her agent or attorney of an affidavit of eviction, the court shall issue an order requiring the tenant to vacate the occupied premises or to show cause why he or she should not be evicted before the court within ten (10) days after service of a copy of the order upon the tenant.

18-17-903. Service of rule — Posting and mailing requirements.

(a) The copy of the order under § 18-17-902 may be served in the manner as is provided by law for the service of the summons in actions pending in the circuit court of this State.

(b)(1) When no person is found in possession of the premises, the copy of the notice may be served by leaving it affixed to the most conspicuous part of the premises; and

(2)(A) When service as provided in subdivision (b)(1) has been attempted unsuccessfully, a copy of the order may be served by affixing it to the most conspicuous part of the premises and mailing a copy of the notice.

(B) On the first unsuccessful attempt to serve the order, a copy of the notice shall be affixed to the most conspicuous part of the premises.

18-17-904. Tenant ejected on failure to show cause.

If the tenant fails to appear and show cause within the ten (10) days, the court shall issue an writ of eviction and the tenant shall be evicted by the sheriff of the county.

18-17-905. Trial of issue.

If the tenant appears and contests eviction, the court shall hear and determine the case as any other civil case.

18-17-906. Designation of parties in eviction.

In any trial before the circuit in an eviction case the landlord may be designated as plaintiff and the tenant as defendant.

18-17-907. Effect of verdict for plaintiff.

If the verdict is for the plaintiff the court shall within three (3) days issue a writ of eviction and the tenant shall be evicted by the sheriff of the county.

18-17-908. Effect of verdict for defendant.

If the verdict is for the defendant then the tenant shall remain in possession until:

(1) The termination of his or her tenancy by agreement or operation of law;

(2) Failure or neglect to pay rent; or

(3) Eviction in another proceeding under this chapter or by the judgment of a court of competent jurisdiction.

18-17-909. Appeal.

Either party may appeal in an eviction case and the appeal shall be heard and determined as other appeals in civil cases.

18-17-910. Bond required to stay eviction on appeal.

(a) An appeal in an eviction case will not stay eviction unless at the time of appealing the tenant shall give an appeal bond as in other civil cases for an amount to be fixed by the court and conditioned for the payment of all costs and damages which the landlord may sustain.

(b) If the tenant fails to file the bond within five (5) days after service of the notice of appeal the appeal shall be dismissed.

18-17-911. Accrual of rent after institution of proceedings.

(a) After the commencement of eviction proceedings by the issuance of a rule to vacate or to show cause as provided, the rental for the use and occupancy of the premises involved shall continue to accrue so long as the tenant remains in possession of the premises, at the rate as prevailed immediately before the issuance of the rule, and the tenant shall be liable for the payment of the rental, the collection of which may be enforced by distress as provided with respect to other rents.

(b) The acceptance by the landlord of any rent, whether it shall have accrued at the time of issuing the rule or shall subsequently accrue, shall not operate as a waiver of the landlord's right to insist upon eviction, nor as a renewal or extension of the tenancy, but the rights of the parties as they existed at the time of the issuance of the rule shall control.

18-17-912. Commercial leases.

(a) In any action involving a commercial lease where the landlord sues for possession and the tenant raises defenses or counterclaims pursuant to this chapter or the lease agreement:

(1) The tenant shall pay the landlord all rent which becomes due after the issuance of a written rule requiring the tenant to vacate or show cause as rent becomes due and the landlord shall provide the tenant with a written receipt for each payment except when the tenant pays by check; and

(2)(A) The tenant shall pay the landlord all rent allegedly owed before the issuance of the rule.

(B) However, in lieu of the payment the tenant may be allowed to submit to the court a receipt and cancelled check, or both, indicating that payment has been made to the landlord.

(b)(1) If a jury trial is requested and upon motion of either party or upon his or her own motion, the circuit judge may order that the commercial lease eviction case be heard at the next term of court following the tenant's appearance.

(2) If the amount of rent is in controversy, the court shall preliminarily determine the amount of rent to be paid to the landlord.

(3)(A) If the tenant appears in response to the rule and alleges that rent due as provided by § 18-17-911 and this section has been paid, the court shall determine the issue.

(B) If the tenant has failed to comply with § 18-17-911 and this section, the court shall issue a writ of eviction and the landlord must be placed in full possession of the premises by the sheriff, deputy, or constable.

(4) If the amount of rent due is determined at final adjudication to be less than alleged by the landlord, judgment shall be entered for the tenant if the court determines that the tenant has complied fully with the provisions of § 18-17-911, this section, and the lease agreement.

(5) If the court orders that the tenant pay all rent due and accruing as of and during the pendency of the action as provided by this subchapter, the writ may require the payments to be made:

(A) Directly to the commercial landlord or to the clerk of court, to be held until final disposition of the case; or

(B)(i) Through the circuit judge's office.

(ii) If payments are to be made through the circuit judge's office, a fee of three percent (3%) of the rental payment shall be added to the amount paid through the office and the fee of three percent (3%) shall be retained in the circuit judge's office to defray the costs of collection.

(c) If the tenant fails to make a payment as provided in § 18-17-911 and this section, the tenant's failure to comply entitles the landlord to execution of the judgment for possession and, upon application of the landlord, the circuit judge shall issue a writ of eviction and the landlord shall be placed in full possession of the premises by the sheriff, deputy, or constable.

18-17-913. Execution of writ of eviction.

(a) In executing a writ of eviction, the sheriff shall proceed to the premises, present to the occupants a copy of the writ and give the occupants twenty-four (24) hours to vacate voluntarily.

(b) If the occupants refuse to vacate within twenty-four (24) hours or the premises appear unoccupied, the sheriff shall announce his or her identity and purpose.

(c) If necessary, the sheriff may then enter the premises by force, using the least destructive means possible, in order to effectuate the eviction.

(d) If the premises appear to be occupied and the occupant does not respond, the sheriff shall leave a copy of the writ taped or stapled at each corner and attached at the top of either the front or back door or in the most conspicuous place.

(e) Twenty-four (24) hours following the posting of the writ, if the occupants have not vacated the premises voluntarily, the sheriff may then enter the premises by force, using the least destructive means possible, in order to effectuate the eviction.

SECTION 2. Arkansas Code § 18-16-102 is repealed.

~~18-16-102. Lessee unlawfully collecting from subtenant -- Penalty.~~

~~(a)(1) It shall not be lawful for anyone who has leased any lands from one (1) or more persons and sublet any portion thereof to others to take or collect any rent from the subtenant before final settlement with the landlord without first having obtained from the landlord or his or her agent and delivered to the subtenant a written direction stating the amount of rent authorized to be collected from the subtenant.~~

~~(2) If, afterward, the principal tenant shall fail to pay to the landlord his or her rent due, the amount paid by the subtenant upon the written direction shall be deducted from the pro rata amount of rent for which the land cultivated by the subtenant would otherwise be liable to the landlord under existing laws.~~

~~(b)(1) Every principal tenant or his or her agent who without first having paid or settled with the landlord or produced and delivered the written directions as stated in subsection (a) of this section, shall collect or attempt to collect any rent from any subtenant shall be deemed guilty of a misdemeanor.~~

~~(2) Upon conviction, he or she shall be punished by fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500) or by imprisonment not exceeding six (6) months, or by both fine and imprisonment.~~

SECTION 3. Arkansas Code § 18-16-103 is repealed.

~~18-16-103. Rent collection by personal representative of life tenant.~~

~~The executor or administrator of any tenant for life who shall have demised any lands or tenements so held and shall die on or before the day when any rent on the demise shall become payable may recover:~~

~~(1) If the tenant for life dies on the day the rent becomes due, the whole rent; or~~

~~(2) If he or she dies before the day on which the rent becomes due, the proportion of the rent as shall have accrued before his or her death.~~

SECTION 4. Arkansas Code § 18-16-105 is repealed.

~~18-16-105. Termination of oral lease of farmlands.~~

~~The owner of farmlands which are leased under an oral agreement may elect not to renew the oral rental or lease agreement for the following calendar year by giving written notice by certified registered mail to the renter or lessee, on or before June 30, that the lease or rental agreement will not be renewed for the following calendar year.~~

SECTION 5. Arkansas Code § 18-16-106 is repealed.

~~18-16-106. Holding over after termination of term.~~

~~(a) If any tenant for life or years, or if any other person who may have come into possession of any lands and tenements under, or by, collusion with the tenant, shall willfully hold over after the termination of the term and thirty (30) days' previous notice in writing given, requiring the possession thereof by the person entitled thereto, the person so holding over shall pay to the person so kept out of possession double the yearly rent of the lands or tenements so detained for all the time he or she shall keep the person entitled thereto out of possession.~~

~~(b) There shall be no relief in equity against any recovery had at law under subsection (a) of this section.~~

SECTION 6. Arkansas Code § 18-16-107 is repealed.

~~18-16-107. Failure to quit after notice of intention.~~

~~(a) If any tenant shall give notice in writing of his or her intention to quit the premises held by him or her at a time specified in the notice and shall not deliver up the possession thereof at such time, the tenant, his or her executor or administrator, shall henceforth pay to the landlord, his or her heirs or assigns, double the rent reserved during all the time the tenant shall so continue in possession of the premises.~~

~~(b) The double rent may be recovered by a civil action in any court having jurisdiction thereof.~~

SECTION 7. Arkansas Code § 18-16-111 is repealed.

~~18-16-111. Manufactured homes and mobile homes on leased land.~~

~~(a) As used in this section:~~

~~(1) "Lessee" means the person or persons leasing the property, site, or lot where a manufactured home or mobile home is located;~~

~~(2) "Lessor" means the owner or manager of the property, site, or lot where a manufactured home or mobile home is located; and~~

~~(3) "Unoccupied" means that a manufactured home or mobile home has ceased to be a customary place of habitation or abode and no person is living or residing in it.~~

~~(b)(1) When a manufactured home or mobile home on a leased site is unoccupied and the lease or rental payment for the leased site where the mobile home or manufactured home is located is sixty (60) days or more past due, the lessor shall notify the lessee and the lienholder, if the lienholder is not the lessee or occupant of the manufactured home or mobile home, that the manufactured home or mobile home is unoccupied and that the lease or rental payment is past due.~~

~~(2) The notice shall be in writing and delivered by certified mail and shall include the following information if known or readily available to the lessor:~~

~~(A) The lessor's name and mailing address;~~

~~(B) The lessee's name and last known mailing address;~~

~~(C) The lienholder's name and mailing address;~~

~~(D) The street address or physical location of the manufactured home or mobile home;~~

~~(E) The monthly lease payment amount;~~

~~(F) The serial number of the manufactured home or mobile home; and~~

~~(G) A description of the manufactured home or mobile home, including the make, model, year, dimensions, and any identification numbers or marks.~~

~~(3) In the notice required in subdivision (b)(1) of this section, the lessor shall notify the lienholder that unless the manufactured home or mobile home is removed from the leased site within thirty (30) days from the date the lienholder receives the notice, the manufactured home or mobile home shall be subject to a lien in favor of the lessor for the payment of all lease or rental payments accruing from the date the lienholder received the notice.~~

~~(c)(1) Unless the lienholder is prevented by law from removing the manufactured home or mobile home, the lienholder has thirty (30) days to remove the manufactured home or mobile home before the lienholder shall be held responsible for lease or rental payments accruing from the date the lienholder received the notice.~~

~~(2) If the lienholder fails to remove the manufactured home or mobile home within thirty (30) days, the manufactured home or mobile home shall be subject to a lien in favor of the lessor for the payment of all lease or rental payments beginning on the date that the notice is received by the lienholder in an amount equal to the monthly lease or rental payments contained in the notice.~~

~~(d) Nothing in this section shall obligate the lienholder for any lease or rental payments owed while the lessee occupied the manufactured home or mobile home or any other lease or rental payments due prior to the notification of the lienholder, as required by subsection (b) of this section.~~

~~(e) Nothing in this section shall prevent the lessor from holding the lessee responsible for any unpaid lease or rental payments.~~

SECTION 8. Arkansas Code § 18-16-201 is repealed.

~~18-16-201. Ejectment for nonpayment of rent.~~

~~(a) Whenever a half-year's rent or more is in arrears from a tenant, the landlord, if he or she has a subsisting right by law to reenter for the nonpayment of the rent, may bring an action of ejectment to recover the possession of the demised premises.~~

~~(b) If a summons in the action cannot be served in the ordinary mode provided by law, it may be served by affixing a copy thereof on a conspicuous part of the demised premises, where it may be conveniently read.~~

~~(c) The service of the summons in such an action of ejectment shall be deemed and stand instead of a demand of the rent in arrears and of a reentry on the demised premises.~~

~~(d) If on the trial of the action it is proved or upon judgment by default it appears to the court by affidavit that the plaintiff had a right to commence the action according to the provisions of this section, then he or she shall have judgment to recover the possession of the demised premises and costs of suit.~~

~~(e) If the defendant, before judgment is given in the action, either tenders to the landlord or brings into court where the suit is pending all the rent then in arrears and all costs, all further proceedings in the action shall cease.~~

~~(f) If the rent and costs remain unpaid for six (6) months after execution upon such a judgment in ejectment is executed and no complaint for relief in equity is filed within that time, then the lessee and his or her assigns, and all other persons deriving title under the lease from the lessee, shall be barred from all relief in law or equity, except for error in the record or proceedings, and the landlords shall henceforth hold the demised premises discharged from the lease.~~

~~(g) A mortgagee of the lease not in possession of the demised premises who, within six (6) months after execution of any judgment in ejectment is executed, shall pay all rent in arrears, pay all costs and charges incurred by the landlord, and perform all the agreements which ought to be performed by the first lessee shall not be affected by the recovery in ejectment.~~

SECTION 9. Arkansas Code § 18-16-202 is repealed.

~~18-16-202. Duty of tenant to notify landlord.~~

~~Every tenant on whom a summons in ejectment to recover the tenements by him or her held shall be served shall forthwith give notice thereof to the person, or the agent of the person, of whom the tenant holds.~~

SECTION 10. Arkansas Code § 18-16-203 is repealed.

~~18-16-203. Actions for use and occupation.~~

~~(a) A landlord may recover in a civil action a reasonable satisfaction for the use and occupation of any lands and tenements held by any person under an agreement not made by deed.~~

~~(b) If a parol demise or other agreement not by deed, by which a certain rent is reserved, appears in evidence on the trial of the action, the plaintiff shall not on that account be barred from a recovery but may make use thereof as evidence of the amount of damages to be recovered.~~

~~(c) When lands or tenements are held and occupied by any person without any special agreement for rent, the owner of the lands or tenements, or his or her executor or administrator, may sue for and recover a fair and reasonable compensation for the use and occupation by a civil action in any court having jurisdiction thereof.~~

SECTION 11. Arkansas Code § 18-16-204 is repealed.

~~18-16-204. Remedy when lease for life.~~

~~Any person having any rent due upon any lease for life may have the same remedy by action for the recovery thereof as if the lease was for years.~~

SECTION 12. Arkansas Code § 18-16-205 is repealed.

~~18-16-205. Recovery of rent in arrears due decedent.~~

~~(a) Every person entitled to any rent dependent upon the life of any other may notwithstanding the death of the other person have the same remedy by action for the recovery of all arrears of the rent that may be due and unpaid at the death of the person as he or she might have if the person were still living.~~

~~(b) Every person having in right of his wife any freehold estate in any rents may, if the rent is due and unpaid at the time of his wife's death, have the same remedy by action for the recovery of the arrears as he might have if the wife were still living.~~

~~(c) The executor or administrator of any person to whom any rent shall have been due and unpaid at the time of the death of the person may have the same remedy, by action against the tenant, or his or her executor or administrator, for the recovery thereof that the testator or intestate might have had.~~

SECTION 13. Arkansas Code Title 18, Chapter 16, Subchapter 5 is repealed.

~~18-16-501. Common nuisance - Criminal offense.~~

~~Any tenant who uses or allows another person to use the tenant's leased premises as a common nuisance as defined by § 5-74-109(b) or § 16-105-402 or for a criminal offense as identified in § 18-16-502 may be evicted by the prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner pursuant to the provisions of this subchapter.~~

~~18-16-502. Gambling - Prostitution - Alcohol.~~

~~For purposes of this subchapter, any tenant who engages in or allows another person to engage in gambling, as defined by § 5-66-107, in prostitution, as defined by § 5-70-102, or in the unlawful sale of alcohol, as defined by § 3-3-205, on the tenant's leased premises shall be subject to the eviction procedures established by this subchapter.~~

~~18-16-503. Complaint.~~

~~The prosecuting attorney of the county, the city attorney of the city, the premises owner, or an agent for the premises owner may file a complaint in the office of the clerk of the circuit court for the eviction of any tenant who has used or has allowed another person to use the tenant's leased premises for use as a common nuisance, as defined by § 5-74-109(b) or § 16-105-402, or for a criminal offense, as identified in § 18-16-502.~~

~~18-16-504. Form of complaint.~~

~~The complaint shall state the name of the tenant or tenants to be evicted, the location of the leased premises, and the basis for which eviction is authorized under this subchapter.~~

~~18-16-505. Summons - Notice.~~

~~Upon the filing of a complaint under this subchapter, the clerk of the court shall issue a summons upon the complaint. The summons shall be in customary form directed to the sheriff of the county in which the cause of action is filed, with direction for service thereof on the named defendants. In addition, the court shall issue and direct the sheriff to serve upon the named defendants a notice in the following form:~~

~~"NOTICE OF INTENTION TO EVICT FOR CRIMINAL ACTIVITY~~

~~You are hereby notified that the attached complaint in the above-styled cause claims that you have engaged in or have allowed the property described in the above-mentioned complaint to be used for criminal activity and that the plaintiff is entitled to have you evicted pursuant to state law. If, within five (5) days, excluding Sundays and legal holidays, after the date of service of this notice, you have not filed in the office of the circuit clerk of this county a written objection to the claims made against you by the plaintiff in his or her complaint for eviction, then a writ of ejectment shall forthwith issue from this office directed to the sheriff of this county or to the police chief of the city and ordering him or her to remove you from possession of the property described in the complaint. If you should file a written objection to the complaint of the plaintiff and the allegations for immediate possession of the property described in the complaint within five (5) days, excluding Sundays and legal holidays, after the date of service of this notice, a hearing will be scheduled by the circuit court of this county after you have timely answered to determine whether or not the writ of ejectment should issue as sought by the plaintiff.~~

~~.....~~
Circuit Clerk of County"

~~18-16-506. Written objection.~~

~~(a) If, within five (5) days, excluding Sundays and legal holidays, following service of this summons, complaint, and notice seeking a writ of ejectment against the defendants named therein, the defendant or defendants have not filed a written objection to the claim for a writ of ejectment made by the plaintiff in his or her complaint, the clerk of the circuit court shall immediately issue a writ of ejectment directed to the sheriff of the county or the police chief of the city commanding him or her to cause the defendant or defendants to vacate the property described in the complaint without delay, which the sheriff or police chief shall thereupon execute in the manner described in § 18-16-507.~~

~~(b)(1) If a written objection to the claim of the plaintiff for a writ of ejectment shall be filed by the defendant or defendants within five (5) days after the date of service of the notice, summons, and complaint as provided for in this section, the plaintiff shall obtain a date for the hearing of the plaintiff's demand for a writ of ejectment of the property described in the complaint after the defendants have timely answered the complaint.~~

~~(2)(A) If such a hearing is required, at the hearing the plaintiff shall present evidence sufficient to make a prima facie case of the criminal activity that has been facilitated at the property described in the complaint.~~

~~(B) The defendant or defendants shall be entitled to present evidence in rebuttal thereof.~~

~~(3) If the court decides upon all the evidence that the plaintiff is entitled to a writ of ejectment under state law, then the court shall order the clerk forthwith to issue a writ of ejectment to the sheriff or the police chief of the city to evict the defendant or defendants, as provided for in § 18-16-507.~~

~~18-16-507. Writ of ejectment.~~

~~(a) Upon receipt of a writ of ejectment from the clerk of the circuit court, the sheriff or police chief shall immediately proceed to execute the writ in the specific manner described in this section and, if necessary, ultimately by ejecting from the property described in the writ the defendant or defendants and any other person or persons who shall have unlawfully received or entered into the possession of the property after the issuance of the writ, and thereupon notify the plaintiff that the property has been vacated by the defendant or defendants.~~

~~(b)(1) Upon receipt of the writ, the sheriff or police chief shall notify the defendant of the issuance of the writ by delivering a copy thereof to the defendant or to any person authorized to receive summons in civil cases and in like manner.~~

~~(2) If, within eight (8) hours after receipt of the writ of possession, the sheriff or police chief shall not find any such person at his or her normal place of residence, he or she may serve the writ of possession by placing a copy conspicuously upon the front door or other structure of the property described in the complaint, which shall have like effect as if delivered in person pursuant to the terms hereof.~~

~~(c)(1)(A) If, at the expiration of twenty-four (24) hours after the service of the writ of ejectment in the manner indicated, the defendants or any or either of them shall be and remain in possession of the property, the sheriff or police chief shall notify the plaintiff or his attorney of that fact and shall be provided with all labor and assistance required by him or her in removing the possessions and belongings of the defendants from the affected property to a place of storage in a public warehouse or in some other reasonable safe place of storage under the control of the plaintiff until the defendant or defendants may recover the property within seven (7) business days.~~

~~(B) Before recovering the property, the defendant or defendants shall pay for the reasonable cost of storage.~~

~~(2) If the defendant or defendants shall never recover the property as provided in subdivision (c)(1) of this section, then the court shall order the possessions and belongings of the defendant sold by the plaintiff in a commercially reasonable manner with the proceeds of the sale applied first to the cost of storage, second to any monetary judgment in favor of the plaintiff, and third, to the defendant any excess.~~

~~(d) In executing the writ of ejectment, the sheriff or police chief shall have the right forcibly to remove all locks or other barriers erected to prevent entry upon the premises in any manner which he or she deems appropriate or convenient and, if necessary, physically to restrain the defendants from interfering with the removal of the defendants' property and possessions from the property described in the writ of ejectment.~~

~~(e) If the plaintiff is the city attorney or prosecuting attorney, no bond shall be required. If the plaintiff is the landlord, no bond shall be required, unless ordered to do so by the court, as a condition to the execution of a writ granted prior to the date that an answer is to be filed by the defendant or defendants.~~

~~(f) The sheriff or police chief shall return the writ at or before the return date of the writ and shall state in his or her return the manner in which he or she executed the writ and whether or not the defendant or defendants have been ejected from the property described and, if not, the reason for his or her failure to do so.~~

~~18-16-508. Costs and attorney's fees -- Damages.~~

~~(a)(1) A court granting relief under this subchapter may order, in addition to any other costs provided by law, the payment by the defendant or defendants to the plaintiff reasonable attorney's fees and the costs of the action. In such cases, multiple defendants are jointly and severally liable for any payment so ordered.~~

~~(2) Any costs of attorney's fees collected from the defendants shall be remitted to the plaintiff. If the plaintiff is the city attorney, the costs shall be remitted to the general fund of the city. If the plaintiff is the prosecuting attorney, the costs shall be remitted to the general fund of the county.~~

~~(b) A proceeding brought under this subchapter for eviction of the defendant or defendants of the premises does not preclude the owner or landlord from recovering monetary damages for rent, repairs, or any other incidental damages up to the date of eviction from the tenants or occupants of such premises in a civil action."~~

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1114** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1114

Amend **HOUSE BILL NO. 1114** as originally introduced:

Page 2, delete lines 3, 4 and 5 in their entirety and substitute the following:

"(1)	9854	DIRECTOR OF PHARMACY	1	\$128,249	\$130,814
(2)	7170	ASSISTANT PHARMACY DIRECTOR	1	\$113,333	\$115,600
(3)	9853	PHARMACIST II	3	\$107,234	\$109,378"

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1551** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1551

Amend **HOUSE BILL NO. 1551** as engrossed,

H3/9/07 (version: 03-09-2007 10:59):

Page 2, delete lines 5 through 31 and insert therefor:

" ARKANSAS BIOSCIENCES INSTITUTE

TWELVE MONTH EDUCATIONAL AND GENERAL

ADMINISTRATIVE POSITIONS

(1) Exec Director, Biosciences Institute	1	\$153,323	\$156,389
(2) Director, Research & Tech Transfer	1	\$143,738	\$146,613
(3) Asst Director, Biosciences Institute	1	\$80,900	\$82,518
(4) Project/Program Administrator	6		
Project/Program Director		\$80,365	\$81,972
Project/Program Manager		\$72,829	\$74,286
Project/Program Specialist		\$62,836	\$64,093
(5) Research Assistant	6	\$52,133	\$53,176

TWELVE MONTH EDUCATIONAL AND GENERAL

CLASSIFIED POSITIONS

(6) Accounting Supervisor I	1	GRADE 20
(7) Plant Maintenance Coordinator	1	GRADE 20
(8) Accountant	2	GRADE 18
(9) Administrative Assistant II	1	GRADE 17
(10) Skilled Trades Worker	2	GRADE 17
(11) Accounting Tech II	1	GRADE 15
(12) Laboratory Coordinator	1	GRADE 15
(13) Administrative Secretary	3	GRADE 14
(14) Greenhouse Technician	1	GRADE 14
(15) Custodial Worker II	2	GRADE 04

TWELVE MONTH EDUCATIONAL AND GENERAL

ACADEMIC POSITIONS

(16) Faculty	14		
Research Professor		\$140,799	\$143,615
Research Associate Professor		\$133,037	\$135,698
Research Assistant Professor		\$125,612	\$128,124
Research Instructor		\$86,428	\$88,157

(17) Research Associate	6	\$87,080	\$88,822
(18) Research Graduate Assistant	<u>6</u>	\$33,970	\$34,649
MAX. NO. OF EMPLOYEES	56";		

Page 3, line 1 replace "twenty (20)" with "fifty (50)";

Page 3, line 15 replace "1,000 1,000" with "51,000 51,000";

Page 3, line 23 replace "\$ 2,898,281 \$ 2,940,525" with "\$ 2,948,281 \$ 2,990,525".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Wells, **HOUSE BILL NO. 1801** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1801

Amend **HOUSE BILL NO. 1801** as originally introduced:

Add Senators Lavery and Womack as cosponsors of the bill

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 12 is amended to add an additional chapter to read as follows:

12-17-101. Definitions.

As used in this chapter:

(1) "Drug crime" means a misdemeanor or felony criminal offense prosecuted in district court or circuit court that violates:

(A) Any provision of the Uniform Controlled Substances Act, § 5-64-401 et seq., or any solicitation, attempt, or conspiracy to violate the Uniform Controlled Substances Act;

(B) Any criminal violation of state law, or any solicitation, attempt, or conspiracy to violate state law, committed for the purpose of unlawfully acquiring, obtaining, manufacturing, purchasing, procuring, possessing, distributing, delivering, shipping, or transporting controlled substances, prescription drugs, drug paraphernalia, or precursor chemicals or components used to manufacture controlled substances;

(C) Any criminal violation of state or federal law, or any solicitation, attempt, or conspiracy to violate state or federal law involving the use or possession of any fraudulent, falsified, forged, or altered identification card or document evidencing the identity of an individual, issued or purportedly issued by any state, federal, or foreign government, for the purpose of unlawfully acquiring, obtaining, manufacturing, purchasing, procuring, possessing, distributing, delivering, shipping or transporting controlled substances, prescription drugs, drug paraphernalia, precursor chemicals or components used to manufacture controlled substances;

(D) Any criminal violation of state or federal law, or any solicitation, attempt, or conspiracy to violate state or federal law, for the purpose of committing any act which constitutes money laundering, as defined by § 5-42-204, of proceeds and profits related to violations of the Uniform Controlled Substances Act, § 5-64-401 et seq.; or

(E) Any criminal violation of state or federal law or any solicitation, attempt, or conspiracy thereof, involving any firearm, deadly weapon, or explosive device used, or possessed with intent to use:

(i) To enforce or facilitate any criminal act defined under the Uniform Controlled Substances Act, § 5-64-401 et seq.; or

(ii) To commit a criminal offense defined by Arkansas law which intimidates, threatens, injures, maims, or kills any law enforcement officer, prosecutor, judicial officer, or any other court official, witness, informant, or juror, involved in the investigation or prosecution of any violation of the Uniform Controlled Substances Act, § 5-64-401 et seq.;

(2) "Investigate" means any law enforcement activities directed toward drug crimes, including without limitation prevention, eradication, investigation, and interdiction;

(3) "Law enforcement agency" means:

(A) Any sheriff's office of any county in this state;

(B) Any municipal police department of an organized city or town within this state; and

(C) The Department of the Arkansas State Police:

(4) "Multi-jurisdictional drug crime task force" means an association consisting of a minimum of two (2) law enforcement agencies and one (1) prosecuting attorney acting by agreement to jointly investigate and prosecute drug crimes in a defined geographic area or judicial district; and

(5) "Prosecuting attorney" means the elected prosecuting attorney for any judicial district, including without limitation appointed deputies and investigators.

12-17-102. State Drug Crime Enforcement and Prosecution Grant Fund established.

(a) There is hereby established and created on the books of the Chief Fiscal Officer of the State, Treasurer of State, and Auditor of State a special revenue fund to be known as the State Drug Crime Enforcement and Prosecution Grant Fund for the purpose of funding state grant awards for multi-jurisdictional drug crime task forces to investigate and prosecute drug crimes within the State of Arkansas.

(b) The fund shall consist of:

(1) Revenues generated under § 12-17-106; and

(2) Any moneys authorized by the General Assembly.

12-17-103. Grant application and administration process.

(a) The Department of Finance and Administration shall develop and promulgate grant applications under this chapter and upon the recommendations of the Arkansas Alcohol and Drug Abuse Coordinating Council.

(b) The department shall administer all grant awards and expenditures under this chapter by the multi-jurisdictional drug crime task forces under applicable state and federal law.

12-17-104. Determination of grant awards.

The Arkansas Alcohol and Drug Abuse Coordinating Council shall:

(1) Develop and promulgate by rule criteria for the grant applications and awards process under this chapter;

(2) Review all grant applications under this chapter;

(3) Determine which applicant or applicants should receive grant awards under this chapter; and

(4) Retain oversight of all grant expenditures under this chapter.

12-17-105. Matching funds.

(a) Any multi-jurisdictional drug crime task force receiving a grant award under this chapter shall contribute local matching funds in an amount not less than twenty percent (20%) of the total grant award.

(b) The source of local matching funds shall be from county or municipal general revenue appropriations or authorized drug control fund disbursements of any participating multi-jurisdictional drug crime task force member agency.

(c) The Department of Finance and Administration shall restrict distribution of any grant award to a drug crime task force if it is determined that local matching funds are not appropriated or available.

12-17-106. Drug crime special assessment.

(a) There is hereby established a drug crime special assessment to be levied by the district court or circuit courts of this State in the sum of one hundred twenty-five dollars (\$125) against any person who is convicted of, or enters a plea of guilty or nolo contendere to, any felony or misdemeanor offense the court determines to be a drug crime.

(b) The special assessment shall be collected by the entity or office designated to collect fines and costs within the jurisdiction.

(c) All special assessments collected shall be paid to the treasurer of the applicable city or county and transmitted to the Department of Finance and Administration for deposit into the State Drug Crime Enforcement and Prosecution Grant Fund.

12-17-107. Specific use of grant awards.

(a) Grant awards under this chapter shall be used specifically for:

- (1) Salaries;
- (2) Personal services matching;
- (3) Overtime;
- (4) Maintenance and general operations;
- (5) Evidentiary purchases of controlled substances or information;
- (6) Informant and witness compensation;
- (7) Rent;
- (8) Utilities;
- (9) Telecommunications;
- (10) Fuel;
- (11) Vehicle maintenance and repair;
- (12) In-state training; and
- (13) Travel expenses.

(b) Each grant award shall specifically provide for accounting and fiscal officer services.

(c) No grant awards shall be used for capital outlay or equipment purchases that exceed a cost of one thousand five hundred dollars (\$1,500) per item.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

General Assembly of the State of Arkansas that law enforcement officials throughout the state require increased resources to combat drug crimes; that this act provides needed financial relief and will escalate efforts throughout the state to prevent the use and spread of drugs; and that this act should become effective as soon as possible to effectuate its intent. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety shall become effective on:

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

/s/ John Paul Wells

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

/s/ Ms. Jo Renshaw
Chief Clerk

Upon motion of Representative Thyer, **HOUSE BILL NO. 1833** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 2 TO HOUSE BILL NO. 1833

Amend **HOUSE BILL NO. 1833** as engrossed,

H3/1/07 (version: 03-01-2007 10:20):

Page 2, line 2 delete "\$3,000,000" and substitute "\$5,000,000";

AND

Page 2, line 8 following "Development" insert "and such grants shall be equally distributed to Senior Citizens Centers".

/s/ Chris Thyer

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

/s/ Ms. Jo Renshaw
Chief Clerk

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

AMENDMENT NO. 3 TO HOUSE BILL NO. 1845

Amend **HOUSE BILL NO. 1845** as engrossed,

H3/14/07 (version: 03-14-2007 10:08):

Page 1, line 26, delete "Arkansas Alternative Fuels Development Fund" and substitute "Department of Agriculture Fund Account"

And

Page 2, line 3, delete "twenty two million dollars (\$22,000,000)" and substitute "eleven million dollars (\$11,000,000)"

And

Page 2, insert an additional SECTION immediately following SECTION 2 to read as follows:

" SECTION 3. APPROPRIATION. ALTERNATIVE FUELS DEVELOPMENT GRANTS. There is hereby appropriated, to the Arkansas Agriculture Department, to be payable from the Alternative Fuels Development Fund, for Alternative Fuels Development Program Grants and Aid for the biennial period ending June 30, 2009, the sum of\$11,000,000."

And

Appropriately renumber the subsequent SECTIONS of the bill.

/s/ Benny C. Petrus

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Moore, **HOUSE BILL NO. 1957** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 1957

Amend **HOUSE BILL NO. 1957** as originally introduced:

By adding Senators Wilkins and Glover as Co-sponsors to the bill.

/s/ Robert Moore

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

/s/ Ms. Jo Renshaw

Chief Clerk

Upon motion of Representative Cash, **HOUSE BILL NO. 2005** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO HOUSE BILL NO. 2005

Amend **HOUSE BILL NO. 2005** as originally introduced:

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

AND

By adding a new section immediately after Section 1 to read as follows:

“SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. GRANTS. The grants authorized in Section 1 of this act shall

be equally distributed to domestic violence shelters as determined by the Arkansas Child Abuse/Rape/Domestic Violence Commission. The Arkansas Child Abuse/Rape/Domestic Violence Commission may adopt rules and regulations to carry out the intent of the General Assembly regarding the grant appropriations authorized in Section 1 of this Act.

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

AND

Renumber the sections of the bill accordingly.

/s/ Joan Cash

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

/s/ Ms. Jo Renshaw
Chief Clerk

The House gave Representative Hyde unanimous leave to withdraw **HOUSE BILL NO. 1418**. Recommended Committee study by Revenue and Taxation - House.

The House gave Representative Overbey unanimous leave to withdraw **HOUSE BILL NO. 2725**. Recommended Committee study by City, County and Local Affairs Committee - House.

The House gave Representative L. Smith unanimous leave to withdraw **HOUSE BILL NO. 1530**.

ENGROSSED BILL REPORTS

BENNY C. PETRUS, CHAIRMAN

March 19, 2007

The following bill(s) reported correctly engrossed:

HOUSE BILL NO. 1114	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1324	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 1339 - TITLE -	BY REPRESENTATIVE D. EVANS
HOUSE BILL NO. 1517	BY REPRESENTATIVE COOK, ET AL
HOUSE BILL NO. 1551	BY JOINT BUDGET COMMITTEE
HOUSE BILL NO. 1630	BY REPRESENTATIVE ADCOCK, ET AL
HOUSE BILL NO. 1640	BY REPRESENTATIVE SCHULTE
HOUSE BILL NO. 1650	BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 1801 - TITLE -	BY REPRESENTATIVE WELLS, ET AL
HOUSE BILL NO. 1833	BY REPRESENTATIVE THYER, ET AL
HOUSE BILL NO. 1845	BY REPRESENTATIVE PETRUS
HOUSE BILL NO. 1957 - TITLE -	BY REPRESENTATIVE MOORE, ET AL
HOUSE BILL NO. 2005 - TITLE -	BY REPRESENTATIVE CASH, ET AL
HOUSE BILL NO. 2268 - TITLE -	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2301 - TITLE -	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2313	BY REPRESENTATIVE SAUNDERS, ET AL
HOUSE BILL NO. 2329	BY REPRESENTATIVE LOWERY
HOUSE BILL NO. 2342	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2407	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2494	BY REPRESENTATIVE COOPER
HOUSE BILL NO. 2534	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2540	BY REPRESENTATIVE WILLS
HOUSE BILL NO. 2542	BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2638 - TITLE -	BY REPRESENTATIVE HARRIS
HOUSE BILL NO. 2656	BY REPRESENTATIVE WALTERS, ET AL
HOUSE BILL NO. 2676	BY REPRESENTATIVE ALLEN
HOUSE BILL NO. 2682 - TITLE -	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 2691	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2698	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2703	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2704	BY REPRESENTATIVE SAUNDERS
HOUSE BILL NO. 2739	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2759	BY REPRESENTATIVE D. JOHNSON

ENGROSSED BILL REPORTS, CONTINUED

HOUSE BILL NO. 2786 BY REPRESENTATIVE SHELBY
HOUSE BILL NO. 2792 - TITLE - BY REPRESENTATIVE J. ROEBUCK, ET AL
SENATE BILL NO. 840 - TITLE - BY SENATOR GLOVER, ET AL

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1339

BY: REPRESENTATIVE D. EVANS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO PROVIDE PAYMENT OF MEDICAL TREATMENT FOR WORK-RELATED INJURIES UNLESS CONTROVERTED BY THE EMPLOYER; TO AMEND A PORTION OF THE ARKANSAS CODE WHICH RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1801

BY: REPRESENTATIVES WELLS, L. EVANS, ROGERS, LOVELL, LAMOUREUX, GEORGE, PATTERSON, GASKILL, BURRIS, OVERBEY, KEY, WOODS, PIERCE
BY: *SENATORS LAVERTY, WOMACK*

A BILL FOR AN ACT TO BE ENTITLED *AN ACT CREATING THE STATE DRUG CRIME ENFORCEMENT AND PROSECUTION GRANT FUND FOR THE PURPOSE OF CREATING AND FUNDING MULTI-JURISDICTIONAL DRUG CRIME TASK FORCES; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 1957

BY: REPRESENTATIVES MOORE, E. BROWN, CHEATHAM, FLOWERS,
MAXWELL, REEP

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

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS AT PINE BLUFF FOR AQUACULTURE FISHERIES LAB UPGRADES AND EXPENSES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2005

BY: REPRESENTATIVES CASH, *PETRUS, ABERNATHY, ADCOCK, ALLEN, ANDERSON, T. BAKER, BERRY, BLOUNT, BOND, T. BRADFORD, BREEDLOVE, E. BROWN, J. BROWN, BURKES, BURRIS, CHEATHAM, CHESTERFIELD, COOK, COOPER, CORNWELL, L. COWLING, D. CREEKMORE, DAVENPORT, DAVIS, DICKINSON, S. DOBBINS, DUNN, EDWARDS, L. EVANS, D. EVANS, EVERETT, FLOWERS, GARNER, GASKILL, GEORGE, GLIDEWELL, R. GREEN, GREENBERG, HALL, HARDWICK, HARDY, HARRELSON, HARRIS, HAWKINS, HOUSE, HOYT, D. HUTCHINSON, HYDE, JEFFREY, J. JOHNSON, D. JOHNSON, KENNEY, KEY, KIDD, KING, LAMOUREUX, W. LEWELLEN, LOVELL, LOWERY, MALOCH, M. MARTIN, MAXWELL, MEDLEY, MOORE, NORTON, OVERBEY, PACE, PATE, PATTERSON, PENNARTZ, PICKETT, PIERCE, POWERS, S. PRATER, PYLE, RAGLAND, RAINEY, REEP, REYNOLDS, J. ROEBUCK, ROGERS, ROSENBAUM, SAMPLE, SAUNDERS, SCHULTE, SHELBY, L. SMITH, STEWART, SULLIVAN, SUMPTER, THYER, WAGNER, WALTERS, WEBB, WELLS, WILLS, WOOD, WOODS, WYATT*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO MAKE AN APPROPRIATION TO THE UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES - ARKANSAS CHILD ABUSE/RAPE/DOMESTIC VIOLENCE COMMISSION FOR STATEWIDE GRANTS TO DOMESTIC VIOLENCE SHELTERS; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2268

BY: REPRESENTATIVE COOK

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE BUREAU OF LEGISLATIVE RESEARCH WITH DIRECT ACCESS TO CERTAIN ELECTRONIC DATABASES; AND FOR OTHER PURPOSES.

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2301

BY: REPRESENTATIVE GREENBERG

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE TO CLARIFY POSSESSION OF HANDGUNS AND CONCEALED HANDGUNS BY LAW ENFORCEMENT OFFICERS; *AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2638

BY: REPRESENTATIVE HARRIS

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO EXEMPT CERTAIN APPLICANTS FROM DISCLOSURE REQUIREMENTS; TO AUTHORIZE THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A PERMIT-BY-RULE UNDER THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2682

BY: REPRESENTATIVES HOYT, HAWKINS, BREEDLOVE

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2008; AND FOR OTHER PURPOSES.*

HOUSE BILL ENGROSSED AS TITLE AMENDED
HOUSE BILL NO. 2792

BY: REPRESENTATIVES J. ROEBUCK, COOK, BLOUNT

A BILL FOR AN ACT TO BE ENTITLED *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO PRESCRIBE UNIFORM COLLEGE LEVEL PREPARATORY AND GRADE POINT AVERAGE REQUIREMENTS FOR ALL PERSONS APPLYING FOR INITIAL TEACHER LICENSURE OR RELICENSURE AFTER JULY 1, 2007; TO REPEAL THE PROFESSIONAL EDUCATION, DEVELOPMENT, LICENSURE, AND ASSESSMENT BOARD; TO CREATE THE PROFESSIONAL LICENSURE STANDARDS BOARD; AND FOR OTHER PURPOSES.*

SENATE BILL ENGROSSED AS TITLE AMENDED
SENATE BILL NO. 840

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

BY: REPRESENTATIVES ROSENBAUM, WILLS, GLIDEWELL, L. EVANS, WYATT, DAVENPORT, DAVIS, KIDD, ALLEN, HOYT, REYNOLDS, SHELBY, HOUSE, J. ROEBUCK, PIERCE, KING, HYDE, D. HUTCHINSON, L. COWLING, STEWART, GREENBERG, GEORGE

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AUTHORIZE THE ARKANSAS STATE HIGHWAY COMMISSION TO ISSUE FEDERAL HIGHWAY GRANT ANTICIPATION AND TAX REVENUE BONDS FOR THE PURPOSES OF CONSTRUCTING AND RENOVATING ROADS AND HIGHWAYS; PROVIDING FOR A STATEWIDE ELECTION ON THE QUESTION OF ISSUING BONDS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Upon motion of Representative Wills, **SENATE BILL NO. 840** was placed back on second reading for the purpose of amendment.

AMENDMENT NO. 1 TO SENATE BILL NO. 840

Amend **SENATE BILL NO. 840** as engrossed,

S3/8/07 (version: 03-08-2007 09:36):

Add Representatives Rosenbaum, Wills, Glidewell, L. Evans, Wyatt, Davenport, Davis, Kidd, Allen, Hoyt, Reynolds, Shelby, House, J. Roebuck, Pierce, King, Hyde, D. Hutchinson, L. Cowling, Stewart, Greenburg, George as cosponsors.

/s/ Robbie Wills

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

/s/ Ms. Jo Renshaw

Chief Clerk

HOUSE CONCURRENT RESOLUTION NO. 1036

BY: REPRESENTATIVE BLOUNT

CONGRATULATING THE FORREST CITY MUSTANGS ON WINNING THE 6A EAST CONFERENCE BASKETBALL CHAMPIONSHIP.

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

HOUSE RESOLUTION NO. 1024

BY: REPRESENTATIVE SHELBY

PROCLAIMING ORAL AND HEAD AND NECK CANCER AWARENESS
DAY.

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

Morning Hour Expired.

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

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1731

Amend HOUSE BILL NO. 1731 as originally introduced:

Add Senator Faris as a cosponsor of the bill

/s/ Steve Farris

The Amendment was read and the vote was as follows.

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

Total89

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Burris, Chesterfield, L. Evans, Hall, Kenney, King, Pace, Pate, Wood, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....89

Total number voting in the affirmative89

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative D. Creekmore moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1564

Amend HOUSE BILL NO. 1564 as originally introduced:

Page 4, line 10, delete "§ 5-16-101; and" and substitute "§ 5-16-101, if a felony level offense; and"

AND

Page 4, line 11, delete "§ 5-16-102;" and substitute "§ 5-16-102, if a felony level offense;"

AND

Page 13, delete line 9, and substitute the following:

"(L) Vehicle make, model, color, and license tag number that the sex offender owns, operates, or to which he or she has access;"

AND

Page 14, delete line 34, and substitute the following:

"(L) Vehicle make, model, color, and license tag number that the sexually violent predator owns, operates, or to which he or she has access;"

AND

Page 20, delete line 15, and substitute the following:

"classified as a level 2 offender by the Sex Offender Screening and"

/s/ Mary Anne Salmon

The Amendment was read and the vote was as follows:

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Lamoureux, Pate, Walters, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative95

Necessary to concur in the amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

Representative W. Lewellen moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 1 TO HOUSE BILL NO. 1439

Amend HOUSE BILL NO. 1439 as engrossed,

H2/15/07 (version: 02-15-2007 08:56):

Page 1, line 21, delete "sixteen (16)" and substitute "twenty-four (24)"

AND

Page 2, line 9, delete lines 9 through 11 and substitute the following:

"Health and Human Services or his or her designee;

(12) The Director of the Department of Veterans' Affairs or his or her designee;

(13) One (1) member shall be appointed by the Arkansas Chapter of the National Association for Housing and Redevelopment Officials;

(14) One (1) member shall be appointed by the Arkansas Home Builders Association; and

(15) One (1) member shall be appointed from each of the six (6) Continuum of Care organizations serving the homeless in Arkansas.

(c) The task force membership shall consist of at least one (1) representative from each of the four (4) congressional districts in Arkansas."

AND

Page 2, line 12, delete "(c)" and substitute "(d)"

AND

Page 2, line 14, delete "(d)" and substitute "(e)"

AND

Page 2, delete line 16 and substitute the following:

"(f)(1) The members of the taskforce shall select a chair.

(2) The chair shall not be an elected state official or the head of a state agency."

AND

Page 2, line 17, delete "(f)" and substitute "(g)"

AND

Page 2, line 19, delete "(g)" and substitute "(h)"

AND

Page 2, line 21, delete "(h)" and substitute "(i)"

AND

Page 2, line 23, delete "i" and substitute "j"

/s/ Paul Miller

The Amendment was read and the vote was as follows:

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Gaskill, Glidewell, Pate, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

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

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw

Chief Clerk

Representative W. Lewellen moved that the House concur in the following Senate Amendment.

ARKANSAS SENATE

AMENDMENT NO. 2 TO HOUSE BILL NO. 1439

Amend **HOUSE BILL NO. 1439** as engrossed,

S3/5/07 (version: 03-05-2007 14:51):

Delete everything following the enacting clause and substitute the following:

“SECTION 1. NOT TO BE CODIFIED. (a) There is created the Taskforce for the Study of the Homeless.

(b) The taskforce shall be composed of sixteen (16) members as follows:

(1)(A) Three (3) members shall be appointed by the Governor.

(B) One (1) of the members appointed by the Governor shall be a member of the faith community;

(2) Two (2) members shall be appointed by the President Pro Tempore of the Senate;

(3) Two (2) members shall be appointed by the Speaker of the House of Representatives;

(4) One (1) member shall be appointed by the Chair of the Senate Interim Committee on Public Health, Welfare, and Labor;

(5) One (1) member shall be appointed by the Chair of the House Interim Committee on Public Health, Welfare, and Labor;

(6) One (1) member shall be appointed by the Chair of the Senate Interim Committee on City, County, and Local Affairs;

(7) One (1) member shall be appointed by the Chair of the House Interim Committee on City, County, and Local Affairs;

(8) The Director of the Department of Health and Human Services or his or her designee;

(9) The Director of the Division of Aging and Adult Services of the Department of Health and Human Services or his or her designee;

(10) The Director of the Division of Behavioral Health of the Department of Health and Human Services or his or her designee;

(11) The Director of the Division of Health of the Department of Health and Human Services or his or her designee; and

(12) The Director of the Department of Veterans' Affairs or his or her designee.

(c) The terms of the members of the taskforce shall expire on December 31, 2008.

(d) If a vacancy occurs on the taskforce, a successor shall be appointed in the same manner as provided in the initial appointment.

(e) A chair shall be selected by the members of the taskforce.

(f) The chair shall call the first meeting, which shall be held no later than sixty (60) days after the effective date of this act.

(g) The taskforce shall meet no less than quarterly at dates to be determined by the chair.

(h) The members of the taskforce shall serve without compensation and shall not receive per diem, mileage, or stipends.

(i) The taskforce shall receive staff support from the Bureau of Legislative Research.

SECTION 2. NOT TO BE CODIFIED. (a) The taskforce shall:

(1) Collect data to determine the approximate number of homeless persons within the state;

(2) Collect information to ascertain the reasons for becoming homeless;

(3) Assess the needs of the homeless within the state;

(4) Survey the current resources for services for the homeless;

(5) Evaluate the current and future needs for these services;

(6) Determine the programs and services needed to find jobs and homes for the homeless, to provide health care and mental health care to the homeless, to provide rehabilitation services to the homeless who suffer from substance abuse, and to provide the education needed to reduce the number of homeless persons; and

(7) Pursue both public and private funding to further the intent of this act.

(b)(1) The findings and recommendations of the taskforce shall be submitted to the Legislative Council, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

(2) The taskforce shall make its final report along with any recommendations for proposed legislation to the Legislative Council no later than October 1, 2008."

/s/ Steve Faris

The Amendment was read and the vote was as follows:

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, T. Baker, Burkes, Lamoureux, Maxwell, Pate, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

Necessary to concur in the Amendment51

So the Amendment was concurred in.

/s/ Ms. Jo Renshaw
Chief Clerk

HOUSE BILL NO. 1703

BY: REPRESENTATIVE DAVENPORT

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

AFFIRMATIVE: Blount, T. Bradford, E. Brown, J. Brown, Burris, Cheatham, Cook, Cooper, Cornwell, Davenport, Davis, Dunn, Edwards, D. Evans, Everett, George, Hall, Hardwick, Hardy, House, Hyde, J. Johnson, W. Lewellen, Lovell, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Reep, Reynolds, J. Roebuck, Rogers, Saunders, Shelby, L. Smith, Wagner, Webb, Wells, Wood, Wyatt.

Total45

NEGATIVE: Abernathy, Allen, Anderson, Berry, Bond, Breedlove, Burkes, Cash, Chesterfield, D. Creekmore, Dickinson, S. Dobbins, L. Evans, Flowers, Garner, Gaskill, Glidewell, R. Green, Greenberg, Harrelson, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, Kenney, Key, Kidd, King, Lamoureux, Lowery, Maloch, M. Martin, Maxwell, Medley, Norton, Pace, Pyle, Ragland, Rainey, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Sumpter, Thyer, Walters, Wills, Woods.

Total51

ABSENT OR NOT VOTING: Adcock, T. Baker, L. Cowling, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative45

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

So the Bill failed.

HOUSE BILL NO. 2357

BY: REPRESENTATIVE STEWART

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: George, Hall, Lowery, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....95

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

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

Representative Rogers moved for immediate consideration of **HOUSE BILL NO. 1730**. Motion carried.

HOUSE BILL NO. 1730

BY: REPRESENTATIVE ABERNATHY

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

AFFIRMATIVE: Abernathy, Allen, Anderson, E. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, Davenport, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Gaskill, George, Glidewell, Hall, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Powers, Ragland, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Shelby, Stewart, Sullivan, Thyer, Walters, Wells, Wood, Woods, Wyatt, Mr. Speaker.

Total57

NEGATIVE: Adcock, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Cheatham, Chesterfield, D. Creekmore, Edwards, Garner, R. Green, Greenberg, Hardwick, Hardy, Harrelson, House, Hyde, D. Johnson, J. Johnson, W. Lewellen, Medley, Patterson, Pennartz, Pickett, S. Prater, Pyle, Rainey, Reep, J. Roebuck, L. Smith, Sumpter, Wagner, Webb, Wills.

Total36

ABSENT OR NOT VOTING: T. Baker, Davis, Flowers, Lowery, Pate, Pierce, Schulte.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative57

Necessary to the passage of the bill51

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

Upon motion of Representative Abernathy the Clincher motion prevailed.

There being an Emergency Clause attached to **HOUSE BILL NO. 1730**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Gaskill, George, Glidewell, Hall, Harrelson, Harris, Hawkins, Hoyt, D. Hutchinson, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pace, Patterson, Powers, Pyle, Ragland, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Stewart, Sullivan, Thyer, Walters, Wells, Wills, Wood, Woods, Wyatt, Mr. Speaker.

Total67

NEGATIVE: Blount, Cheatham, Chesterfield, Edwards, Flowers, Garner, R. Green, Greenberg, Hardwick, Hardy, House, Hyde, D. Johnson, J. Johnson, W. Lewellen, Medley, Pennartz, Pickett, Pierce, S. Prater, Rainey, Reep, J. Roebuck, Shelby, L. Smith, Wagner, Webb.

Total27

ABSENT OR NOT VOTING: Berry, Bond, D. Creekmore, Lowery, Pate, Sumpter.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative67

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

So the Emergency Clause was adopted.

Upon motion of Representative Abernathy the Clincher motion prevailed.

HOUSE BILL NO. 2340

BY: REPRESENTATIVE LAMOUREUX

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

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

Total88

NEGATIVE: Cornwell, L. Cowling, D. Creekmore, Davenport, Pyle, Thyer.

Total6

ABSENT OR NOT VOTING: D. Evans, Hardwick, Pate, Pickett, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative88

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

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

HOUSE BILL NO. 2441

BY: REPRESENTATIVE MALOCH

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

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

Total95

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Key, Pace, Pickett, Sumpter, Mr. Speaker.

Total5

VOTING PRESENT:

Total0

Total number of votes cast95

Total number voting in the affirmative.....95

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

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

HOUSE BILL NO. 2249

BY: REPRESENTATIVE S. PRATER

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

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, J. Brown, Burris, Cash, Cheatham, Cook, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Garner, Gaskill, George, Glidewell, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, W. Lewellen, Lovell, Lowery, Maloch, Maxwell, Moore, Overbey, Pate, Patterson, Pierce, Powers, S. Prater, Pyle, Ragland, Rainey, Reep, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total81

NEGATIVE: E. Brown, Flowers, R. Green, D. Hutchinson, Kenney.

Total5

ABSENT OR NOT VOTING: Anderson, Burkes, Cooper, Lamoureux, M. Martin, Medley, Norton, Pace, Pennartz, Pickett, Sumpter, Woods, Mr. Speaker.

Total13

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast87

Total number voting in the affirmative81

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

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

HOUSE BILL NO. 2612

BY: REPRESENTATIVE GREENBERG

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

AFFIRMATIVE: Abernathy, Adcock, Allen, Anderson, T. Baker, Blount, Bond, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cook, Cooper, Cornwell, L. Cowling, D. Creekmore, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Garner, Gaskill, George, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harrelson, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pierce, Powers, S. Prater, Pyle, Ragland, Reep, Reynolds, Rogers, Rosenbaum, Sample, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total81

NEGATIVE: Flowers, Hardy, Rainey.

Total3

ABSENT OR NOT VOTING: Berry, T. Bradford, Cheatham, Chesterfield, Davenport, Davis, Everett, Jeffrey, Kenney, Maxwell, Norton, Pace, Pickett, J. Roebuck, Sumpter, Mr. Speaker.

Total16

VOTING PRESENT:

Total0

Total number of votes cast84

Total number voting in the affirmative.....81

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

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

HOUSE BILL NO. 2586

BY: REPRESENTATIVE PACE

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Greenberg, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative96

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2586**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Greenberg, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2487

BY: REPRESENTATIVE BOND

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cheatham, Kenney, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

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

HOUSE BILL NO. 2665

BY: REPRESENTATIVE GARNER

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

AFFIRMATIVE: Abernathy, Allen, Anderson, T. Baker, Berry, Blount, Burkes, Chesterfield, Cooper, Cornwell, L. Cowling, D. Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, D. Evans, Garner, Gaskill, Glidewell, R. Green, Greenberg, Hall, Hardwick, Harris, Hawkins, House, Hoyt, D. Hutchinson, Hyde, Jeffrey, Kenney, Key, Kidd, King, Lamoureux, Lowery, M. Martin, Maxwell, Medley, Moore, Norton, Overbey, Pace, Patterson, Pennartz, S. Prater, Pyle, Ragland, Reynolds, J. Roebuck, Rogers, Rosenbaum, Sample, Schulte, Stewart, Sullivan, Sumpter, Thyer, Walters, Wells, Wills, Wood, Woods, Wyatt.

Total66

NEGATIVE: Bond, Breedlove, J. Brown, Burris, Cheatham, Cook, Edwards, Everett, Flowers, Hardy, Harrelson, D. Johnson, J. Johnson, W. Lewellen, Lovell, Maloch, Pate, Pickett, Pierce, Powers, Rainey, Reep, Saunders, Shelby, L. Smith, Wagner, Webb.

Total27

ABSENT OR NOT VOTING: Adcock, T. Bradford, E. Brown, Cash, L. Evans, George, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative.....66

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

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

Upon motion of Representative Garner the Clincher motion prevailed.

HOUSE BILL NO. 2442

BY: REPRESENTATIVE MALOCH

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

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

Total86

NEGATIVE: Burkes, Gaskill, Greenberg, Woods.

Total4

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Hardy, Hawkins, Medley, Overbey, Ragland, Sumpter, Mr. Speaker.

Total10

VOTING PRESENT:

Total0

Total number of votes cast90

Total number voting in the affirmative86

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

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

HOUSE BILL NO. 2334

BY: REPRESENTATIVE L. SMITH

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

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

Total83

NEGATIVE: Gaskill, Ragland.

Total2

ABSENT OR NOT VOTING: Davis, D. Evans, Flowers, George, Hardwick, Hardy, Harris, Hyde, Kenney, Norton, Pace, Rosenbaum, Sumpter, Wells, Mr. Speaker.

Total15

VOTING PRESENT:

Total0

Total number of votes cast85

Total number voting in the affirmative.....83

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

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

HOUSE BILL NO. 2632

BY: REPRESENTATIVE WALTERS

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

AFFIRMATIVE: Adcock, Allen, T. Baker, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Chesterfield, Cook, Cooper, Cornwell, D. Creekmore, Davenport, Dickinson, S. Dobbins, Dunn, Edwards, D. Evans, Everett, Gaskill, George, R. Green, Hall, Hardwick, Harrelson, Harris, House, Hoyt, D. Hutchinson, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, King, Lamoureux, W. Lewellen, Lovell, Maloch, M. Martin, Maxwell, Moore, Norton, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Pyle, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Saunders, Schulte, Shelby, L. Smith, Thyer, Wagner, Walters, Webb, Wills, Wood, Woods, Wyatt.

Total75

NEGATIVE: L. Evans, Garner, Hawkins, Hyde, Lowery, Ragland, Sample, Sullivan.

Total8

ABSENT OR NOT VOTING: Abernathy, Anderson, Burkes, L. Cowling, Davis, Flowers, Glidewell, Greenberg, Hardy, Kenney, Medley, Pace, Reynolds, Stewart, Sumpter, Wells, Mr. Speaker.

Total17

VOTING PRESENT:

Total0

Total number of votes cast83

Total number voting in the affirmative75

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

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

HOUSE BILL NO. 2626

BY: REPRESENTATIVE SAMPLE

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Davis, Flowers, Pace, Pate, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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

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

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

HOUSE BILL NO. 2658

BY: REPRESENTATIVE D. JOHNSON

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

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

Total91

NEGATIVE: T. Baker, Gaskill, Pate.

Total3

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Pace, Sumpster, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast.....94

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2658**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total91

NEGATIVE: T. Baker, Gaskill, Pate.

Total3

ABSENT OR NOT VOTING: E. Brown, Davis, Flowers, Pace, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2793

BY: REPRESENTATIVE E. BROWN

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

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

Total92

NEGATIVE: Cheatham.

Total1

ABSENT OR NOT VOTING: Davis, Flowers, Hardwick, M. Martin, Pace, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative92

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

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

HOUSE BILL NO. 2645

BY: REPRESENTATIVE ADCOCK

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

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

Total90

NEGATIVE:

Total0

ABSENT OR NOT VOTING: T. Baker, Berry, Davis, Flowers, Hardwick, J. Johnson, Sullivan, Sumpter, Mr. Speaker.

Total9

VOTING PRESENT: Hyde.

Total1

Total number of votes cast91

Total number voting in the affirmative.....90

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

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

HOUSE BILL NO. 2364

BY: REPRESENTATIVE GREENBERG

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

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

Total89

NEGATIVE: Cooper, Kenney, M. Martin.

Total3

ABSENT OR NOT VOTING: Berry, Davis, Everett, Flowers, Medley, Pace, Sumpter, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative89

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

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

HOUSE BILL NO. 2426

BY: REPRESENTATIVE COOK

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Berry, Burkes, Davis, Flowers, Lamoureux, Sumpster, Woods, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative.....92

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

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

HOUSE BILL NO. 2684

BY: REPRESENTATIVE T. BRADFORD

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

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

Total82

NEGATIVE: Bond, Davenport, Edwards, D. Johnson, Pate, Schulte, L. Smith.

Total7

ABSENT OR NOT VOTING: Anderson, T. Baker, Cheatham, D. Creekmore, Davis, Flowers, D. Hutchinson, Jeffrey, Sumpter, Wagner, Mr. Speaker.

Total11

VOTING PRESENT:

Total0

Total number of votes cast89

Total number voting in the affirmative82

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

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

HOUSE BILL NO. 2271

BY: REPRESENTATIVE KING

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

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

Total	96
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Davis, Flowers, Sumpter, Mr. Speaker.	
Total	4
VOTING PRESENT:	
Total	0
Total number of votes cast	96
Total number voting in the affirmative.....	96
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 2553

BY: REPRESENTATIVE D. JOHNSON

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Cook, Davis, Flowers, D. Hutchinson, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

Total number voting in the affirmative94

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

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

HOUSE BILL NO. 2266

BY: REPRESENTATIVE KEY

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

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

Total94

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Flowers, D. Johnson, Lovell, Pyle, Sumpter, Mr. Speaker.

Total6

VOTING PRESENT:

Total0

Total number of votes cast94

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

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

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

HOUSE BILL NO. 1471

BY: REPRESENTATIVE MOORE

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

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

Total93

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Bond, Flowers, Kenney, M. Martin, Rosenbaum, Sumpter, Mr. Speaker.

Total7

VOTING PRESENT:

Total0

Total number of votes cast93

Total number voting in the affirmative93

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

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

HOUSE BILL NO. 1753

BY: REPRESENTATIVE HOUSE

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

AFFIRMATIVE: Abernathy, Allen, Berry, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burris, Cash, Cheatham, Cooper, Cornwell, L. Cowling, Davenport, S. Dobbins, Dunn, Edwards, D. Evans, L. Evans, Everett, Flowers, Garner, George, R. Green, Greenberg, Hall, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, Medley, Moore, Overbey, Pate, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Rainey, Reep, J. Roebuck, Sample, Saunders, Shelby, L. Smith, Stewart, Sullivan, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Wyatt.

Total70

NEGATIVE: Burkes, Cook, D. Creekmore, Jeffrey, Kenney, M. Martin, Norton, Pace, Pyle, Ragland, Reynolds, Woods.

Total12

ABSENT OR NOT VOTING: Adcock, Anderson, T. Baker, Davis, Dickinson, Gaskill, Glidewell, Hardwick, Harris, D. Hutchinson, King, Maxwell, Rogers, Rosenbaum, Schulte, Sumpter, Mr. Speaker.

Total17

VOTING PRESENT: Chesterfield.

Total1

Total number of votes cast83

Total number voting in the affirmative.....70

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

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

Upon motion of Representative House the Clincher motion prevailed.

HOUSE BILL NO. 2347

BY: REPRESENTATIVE DICKINSON

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

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

Total98

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Schulte, Mr. Speaker.

Total2

VOTING PRESENT:

Total0

Total number of votes cast98

Total number voting in the affirmative98

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

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

HOUSE BILL NO. 2811

BY: REPRESENTATIVE HARRELSON

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

AFFIRMATIVE: Abernathy, Adcock, Allen, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J. Brown, Burkes, Burris, Cash, Cheatham, Cook, Cooper, Cornwell, Davis, S. Dobbins, Dunn, D. Evans, L. Evans, Everett, Flowers, Garner, Gaskill, George, Greenberg, Hall, Hardwick, Hardy, Harrelson, Hawkins, House, Hoyt, Hyde, Jeffrey, D. Johnson, J. Johnson, Key, Kidd, Lamoureux, W. Lewellen, Lovell, Lowery, Maloch, M. Martin, Moore, Overbey, Pace, Patterson, Pennartz, Pickett, Powers, Ragland, Reep, Reynolds, J. Roebuck, Sample, Saunders, Shelby, L. Smith, Stewart, Sumpter, Thyer, Wagner, Walters, Webb, Wells, Wills, Wood, Woods, Wyatt.

Total73

NEGATIVE: Anderson, Berry, Chesterfield, D. Creekmore, Davenport, Edwards, Glidewell, R. Green, D. Hutchinson, Kenney, King, Maxwell, Medley, Pierce, Pyle, Sullivan.

Total16

ABSENT OR NOT VOTING: L. Cowling, Dickinson, Harris, Norton, Pate, S. Prater, Rogers, Rosenbaum, Schulte, Mr. Speaker.

Total10

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....90

Total number voting in the affirmative73

Necessary to the passage of the bill51

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

HOUSE BILL NO. 2693

BY: REPRESENTATIVE BOND

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

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

Total92

NEGATIVE:

Total0

ABSENT OR NOT VOTING: J. Brown, Dickinson, Gaskill, Harrelson, Pate, S. Prater, Wood, Mr. Speaker.

Total8

VOTING PRESENT:

Total0

Total number of votes cast92

Total number voting in the affirmative92

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

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

HOUSE BILL NO. 2548

BY: REPRESENTATIVE ROSENBAUM

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

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

Total	94
NEGATIVE: R. Green, Pennartz, Wagner.	
Total	3
ABSENT OR NOT VOTING: Flowers, Mr. Speaker.	
Total	2
VOTING PRESENT: Rainey.	
Total	1
Total number of votes cast	98
Total number voting in the affirmative.....	94
Necessary to the passage of the bill.....	51

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

HOUSE BILL NO. 2543

BY: REPRESENTATIVE WOOD

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

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

Total95

NEGATIVE: T. Baker.

Total1

ABSENT OR NOT VOTING: Adcock, Davenport, Kidd, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast.....96

Total number voting in the affirmative95

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2543**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total95

NEGATIVE: T. Baker.

Total1

ABSENT OR NOT VOTING: Adcock, Davenport, Kidd, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative95

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

So the Emergency Clause was adopted.

HOUSE BILL NO. 2392

BY: REPRESENTATIVE D. JOHNSON

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

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

Total96

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Adcock, Kenney, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

Total number voting in the affirmative96

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

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

HOUSE BILL NO. 2812

BY: REPRESENTATIVE SULLIVAN

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

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

Total94

NEGATIVE: Burkes, Woods.

Total2

ABSENT OR NOT VOTING: Hardwick, Sample, Sumpter, Mr. Speaker.

Total4

VOTING PRESENT:

Total0

Total number of votes cast96

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

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

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

HOUSE BILL NO. 2434

BY: REPRESENTATIVE MALOCH

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

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

Total	97
NEGATIVE: Cook, Gaskill.	
Total	2
ABSENT OR NOT VOTING:	
Total	0
VOTING PRESENT: Greenberg.	
Total	1
Total number of votes cast	100
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. 2390

BY: REPRESENTATIVE HOYT

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

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

Total91

NEGATIVE: Burkes, Greenberg, Woods.

Total3

ABSENT OR NOT VOTING: Anderson, Glidewell, D. Hutchinson, Pickett, Mr. Speaker.

Total5

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....95

Total number voting in the affirmative91

Necessary to the passage of the bill51

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

There being an Emergency Clause attached to **HOUSE BILL NO. 2390**, the Speaker ordered the clerk to call the roll upon the adoption of the Emergency Clause. The vote was as follows:

EMERGENCY CLAUSE

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

Total91

NEGATIVE: Burkes, Greenberg, Woods.

Total3

ABSENT OR NOT VOTING: Anderson, Glidewell, D. Hutchinson, Pickett, Mr. Speaker.

Total5

VOTING PRESENT: Rainey.

Total1

Total number of votes cast.....95

Total number voting in the affirmative91

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

So the Emergency Clause was adopted.

HOUSE BILLS ORDERED TRANSMITTED TO THE SENATE AS PASSED

HOUSE BILL NO. 1471	BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1730	BY REPRESENTATIVE ABERNATHY
HOUSE BILL NO. 1753	BY REPRESENTATIVE HOUSE
HOUSE BILL NO. 2249	BY REPRESENTATIVE S. PRATER
HOUSE BILL NO. 2266	BY REPRESENTATIVE KEY
HOUSE BILL NO. 2271	BY REPRESENTATIVE KING
HOUSE BILL NO. 2334	BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 2340	BY REPRESENTATIVE LAMOUREUX
HOUSE BILL NO. 2347	BY REPRESENTATIVE DICKINSON
HOUSE BILL NO. 2357	BY REPRESENTATIVE STEWART
HOUSE BILL NO. 2364	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2390	BY REPRESENTATIVE HOYT
HOUSE BILL NO. 2392	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2426	BY REPRESENTATIVE COOK
HOUSE BILL NO. 2434	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2441	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2442	BY REPRESENTATIVE MALOCH
HOUSE BILL NO. 2487	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2543	BY REPRESENTATIVE WOOD
HOUSE BILL NO. 2548	BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 2553	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2586	BY REPRESENTATIVE PACE
HOUSE BILL NO. 2612	BY REPRESENTATIVE GREENBERG
HOUSE BILL NO. 2626	BY REPRESENTATIVE SAMPLE
HOUSE BILL NO. 2632	BY REPRESENTATIVE WALTERS
HOUSE BILL NO. 2645	BY REPRESENTATIVE ADCOCK
HOUSE BILL NO. 2658	BY REPRESENTATIVE D. JOHNSON
HOUSE BILL NO. 2665	BY REPRESENTATIVE GARNER
HOUSE BILL NO. 2684	BY REPRESENTATIVE T. BRADFORD
HOUSE BILL NO. 2693	BY REPRESENTATIVE BOND
HOUSE BILL NO. 2793	BY REPRESENTATIVE E. BROWN
HOUSE BILL NO. 2811	BY REPRESENTATIVE HARRELSON
HOUSE BILL NO. 2812	BY REPRESENTATIVE SULLIVAN

HOUSE CONCURRENT RESOLUTIONS ADOPTED AND
ORDERED TRANSMITTED TO THE SENATE

HOUSE CONCURRENT
RESOLUTION NO. 1036 BY REPRESENTATIVE BLOUNT

ARKANSAS SENATE
HOUSE BILLS RETURNED FROM THE SENATE AS PASSED

HOUSE BILL NO. 1367 BY REPRESENTATIVE DUNN
HOUSE BILL NO. 1446 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 1456 BY REPRESENTATIVE HOYT
HOUSE BILL NO. 1485 BY REPRESENTATIVE KEY
AS AMENDED #1
HOUSE BILL NO. 1581 BY REPRESENTATIVE MOORE
HOUSE BILL NO. 1586 BY REPRESENTATIVE KING
HOUSE BILL NO. 1657 BY REPRESENTATIVE ROSENBAUM
HOUSE BILL NO. 1671 BY REPRESENTATIVE L. SMITH
HOUSE BILL NO. 1759 BY REPRESENTATIVE WYATT
HOUSE BILL NO. 1782 BY REPRESENTATIVE KING
HOUSE BILL NO. 2221 BY REPRESENTATIVE CORNWELL
HOUSE BILL NO. 2245 BY REPRESENTATIVE FLOWERS
HOUSE BILL NO. 2283 BY REPRESENTATIVE REYNOLDS
HOUSE BILL NO. 2333 BY REPRESENTATIVE ALLEN
AS AMENDED #1
HOUSE BILL NO. 2398 BY REPRESENTATIVE BURRIS
HOUSE BILL NO. 2583 BY REPRESENTATIVE SAMPLE
AS AMENDED #1
HOUSE BILL NO. 2585 BY REPRESENTATIVE HARDWICK

ARKANSAS SENATE
SENATE BILLS RECEIVED FROM SENATE

SENATE BILL NO. 18 BY SENATOR PRITCHARD
 SENATE BILL NO. 182 BY SENATOR ALTES
 SENATE BILL NO. 369 BY SENATOR MADISON
 SENATE BILL NO. 370 BY SENATOR MADISON
 SENATE BILL NO. 781 BY SENATOR WILKINS
 SENATE BILL NO. 789 BY SENATOR G. JEFFRESS
 SENATE BILL NO. 812 BY SENATOR HORN
 SENATE BILL NO. 823 BY SENATOR BROADWAY
 SENATE BILL NO. 827 BY SENATOR HILL
 SENATE BILL NO. 872 BY SENATOR MILLER
 SENATE BILL NO. 924 BY SENATOR CAPPS
 SENATE BILL NO. 944 BY SENATOR WOMACK
 SENATE BILL NO. 996 BY SENATOR STEELE

ARKANSAS SENATE
SENATE CONCURRENT RESOLUTIONS ADOPTED AND
TRANSMITTED TO THE HOUSE

SENATE CONCURRENT
 RESOLUTION NO. 22 BY SENATOR WILKINS
 SENATE CONCURRENT
 RESOLUTION NO. 26 BY SENATOR BROADWAY

ENROLLED AND DELIVERY TO GOVERNOR REPORTS

Little Rock, Arkansas

March 19, 2007

MR. SPEAKER:

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

HOUSE BILL NO. 1439 BY REPRESENTATIVE W. LEWELLEN

HOUSE BILL NO. 1564 BY REPRESENTATIVE D. CREEKMORE, ET AL

HOUSE BILL NO. 1731 BY REPRESENTATIVE ABERNATHY

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 4:30 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

/s/ Benny C. Petrus, Chairman

RECEIPT FROM THE GOVERNOR

RECEIVED FROM THE HOUSE:

HOUSE BILL NO. 1439 BY REPRESENTATIVE W. LEWELLEN

HOUSE BILL NO. 1564 BY REPRESENTATIVE D. CREEKMORE, ET AL

HOUSE BILL NO. 1731 BY REPRESENTATIVE ABERNATHY

/s/ Mike Beebe - Governor

TIME: 4:30 p.m.

By: Sarah Agee

STATE OF ARKANSAS

MIKE BEEBE
GOVERNOR

March 19, 2007

TO THE SPEAKER OF THE HOUSE

Dear Mr. Speaker:

This is to inform you that on March 19, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

HOUSE CONCURRENT RESOLUTION NO. 1010
HOUSE CONCURRENT RESOLUTION NO. 1011
HOUSE CONCURRENT RESOLUTION NO. 1013
HOUSE CONCURRENT RESOLUTION NO. 1016
HOUSE CONCURRENT RESOLUTION NO. 1019
HOUSE CONCURRENT RESOLUTION NO. 1020
HOUSE CONCURRENT RESOLUTION NO. 1023
HOUSE CONCURRENT RESOLUTION NO. 1024
HOUSE CONCURRENT RESOLUTION NO. 1025
HOUSE CONCURRENT RESOLUTION NO. 1026
HOUSE CONCURRENT RESOLUTION NO. 1027
HOUSE CONCURRENT RESOLUTION NO. 1028

HOUSE BILL NO. 1039 - ACT 317
HOUSE BILL NO. 1104 - ACT 319
HOUSE BILL NO. 1144 - ACT 321
HOUSE BILL NO. 1166 - ACT 323
HOUSE BILL NO. 1169 - ACT 325
HOUSE BILL NO. 1171 - ACT 327
HOUSE BILL NO. 1193 - ACT 329
HOUSE BILL NO. 1322 - ACT 331
HOUSE BILL NO. 1329 - ACT 333
HOUSE BILL NO. 1390 - ACT 335

HOUSE BILL NO. 1061 - ACT 318
HOUSE BILL NO. 1124 - ACT 320
HOUSE BILL NO. 1152 - ACT 322
HOUSE BILL NO. 1167 - ACT 324
HOUSE BILL NO. 1170 - ACT 326
HOUSE BILL NO. 1192 - ACT 328
HOUSE BILL NO. 1321 - ACT 330
HOUSE BILL NO. 1326 - ACT 332
HOUSE BILL NO. 1348 - ACT 334
HOUSE BILL NO. 1391 - ACT 336

HOUSE BILL NO. 1397 - ACT 337
HOUSE BILL NO. 1410 - ACT 339
HOUSE BILL NO. 1487 - ACT 341
HOUSE BILL NO. 1525 - ACT 343
HOUSE BILL NO. 1567 - ACT 345
HOUSE BILL NO. 1576 - ACT 347
HOUSE BILL NO. 1580 - ACT 349
HOUSE BILL NO. 1594 - ACT 351
HOUSE BILL NO. 1598 - ACT 353
HOUSE BILL NO. 1601 - ACT 355
HOUSE BILL NO. 1603 - ACT 357
HOUSE BILL NO. 1606 - ACT 359
HOUSE BILL NO. 1622 - ACT 361
HOUSE BILL NO. 1692 - ACT 363
HOUSE BILL NO. 1717 - ACT 365
HOUSE BILL NO. 1773 - ACT 367
HOUSE BILL NO. 2220 - ACT 369
HOUSE BILL NO. 2238 - ACT 371
HOUSE BILL NO. 2243 - ACT 373
HOUSE BILL NO. 2273 - ACT 375
HOUSE BILL NO. 1180 - ACT 377
HOUSE BILL NO. 1909 - ACT 379
HOUSE BILL NO. 2237 - ACT 381
HOUSE BILL NO. 1408 - ACT 338
HOUSE BILL NO. 1453 - ACT 340
HOUSE BILL NO. 1493 - ACT 342
HOUSE BILL NO. 1563 - ACT 344
HOUSE BILL NO. 1569 - ACT 346
HOUSE BILL NO. 1578 - ACT 348
HOUSE BILL NO. 1593 - ACT 350
HOUSE BILL NO. 1596 - ACT 352
HOUSE BILL NO. 1600 - ACT 354
HOUSE BILL NO. 1602 - ACT 356
HOUSE BILL NO. 1605 - ACT 358
HOUSE BILL NO. 1607 - ACT 360
HOUSE BILL NO. 1670 - ACT 362
HOUSE BILL NO. 1716 - ACT 364
HOUSE BILL NO. 1718 - ACT 366
HOUSE BILL NO. 1810 - ACT 368
HOUSE BILL NO. 2227 - ACT 370
HOUSE BILL NO. 2239 - ACT 372
HOUSE BILL NO. 2264 - ACT 374
HOUSE BILL NO. 2274 - ACT 376
HOUSE BILL NO. 1715 - ACT 378
HOUSE BILL NO. 2218 - ACT 380
HOUSE BILL NO. 2240 - ACT 382
HOUSE BILL NO. 2276 - ACT 383
HOUSE BILL NO. 1536 - ACT 387

Sincerely,

/s/ Mike Beebe

STATE OF ARKANSAS

HOUSE OF REPRESENTATIVES

March 19, 2007

To Whom It May Concern:

I am writing this letter in regards to my vote on **HOUSE BILL NO. 2434**. It was my intention to vote YES on this Bill and it is my recollection that I pressed the appropriate button.

Sincerely,

/s/ David Cook
State Representative

DC: nah

HOUSE RESOLUTION NO. 1030

BY: REPRESENTATIVES DUNN, PETRUS

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND RULE (36)(m) OF THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO FILE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

HOUSE CONCURRENT RESOLUTION NO. 1041

BY: REPRESENTATIVES DUNN, PETRUS

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND JOINT RULE (16)(A) OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

SENATE BILL NO. 18

BY: SENATORS B. PRITCHARD, LAVERTY, ALTES, MADISON, T. SMITH, R. THOMPSON, TRUSTY, WHITAKER, WILKINSON

BY: REPRESENTATIVES KEY, BERRY, BURKES CORNWELL, EDWARDS, GASKILL, GLIDEWELL, R. GREEN, HARDWICK, HARRIS, MEDLEY, NORTON, PATTERSON, RAGLAND, ROSENBAUM, L. SMITH, WELLS, WOODS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO EXPAND DRUG COURT PROGRAMS; TO CREATE A DIVISION OF DRUG COURT PROGRAMS WITHIN THE ADMINISTRATIVE OFFICE OF THE COURTS; TO CREATE THE DRUG COURT ADVISORY COMMITTEE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 182

BY: SENATOR ALTES

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO REQUIRE MATERIAL HARMFUL TO MINORS TO BE KEPT BEHIND BLINDER RACKS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 369

BY: SENATOR MADISON

BY: SENATOR WEBB

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE CHILD MALTREATMENT ACT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGING, CHILDREN AND YOUTH, LEGISLATIVE AND MILITARY AFFAIRS.

SENATE BILL NO. 370

BY: SENATOR MADISON**BY: REPRESENTATIVE WEBB**

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PROVISIONS OF THE JUVENILE CODE INCLUDING THE RIGHT OF A FOSTER CHILD TO CONTINUITY OF EDUCATIONAL SERVICES, DEFINITIONS IN THE JUVENILE CODE, AND PROCEDURAL ISSUES RELATED TO JURISDICTION, VENUE, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO DEPENDENCY-NEGLECT PROCEEDINGS REGARDING CONFIDENTIALITY, DISPOSITIONS, TERMINATION OF PARENTAL RIGHTS, EMERGENCY ORDERS, AND HEARINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO JUVENILE DELINQUENCY PROCEEDINGS; TO AMEND PROVISIONS IN THE JUVENILE CODE RELATED TO FAMILIES IN NEED OF SERVICES; TO CLARIFY THE PAYMENT PROCEDURE FOR ATTORNEYS WHO REPRESENT INDIGENT PARENTS OR GUARDIANS IN DEPENDENCY-NEGLECT CASES; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 781

BY: SENATOR WILKINS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE CONSISTENCY IN THE STATUTORY LANGUAGE REGARDING PRIOR ALCOHOL-RELATED OFFENSES TO CONSIDER WHEN SUSPENDING OR REVOKING DRIVING PRIVILEGES; TO TREAT CONVICTIONS FOR ALCOHOL-RELATED OFFENSES IN OTHER STATES THAT ARE REPORTED UNDER THE RECIPROCAL SYSTEM AS IF THE OFFENSE HAD HAPPENED IN ARKANSAS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and was referred to the Committee on RULES.

SENATE BILL NO. 789

BY: SENATOR G. JEFFRESS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND THE SPECIAL LICENSE PLATE ACT OF 2005 TO DISTINGUISH PROFESSIONAL FIREFIGHTERS WITH A DISTINCTIVE SPECIAL LICENSE PLATE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 812

BY: SENATOR HORN

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND § 14-233-108 TO INCREASE THE PER DIEM ALLOWANCE FOR A DIRECTOR OF THE BOARD OF A SANITATION AUTHORITY; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 823

BY: SENATOR BROADWAY

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CHANGE THE MAILING PROCEDURES FOR CERTAIN NOTICES FROM SUBURBAN IMPROVEMENT DISTRICTS; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 827

BY: SENATOR HILL

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO AMEND PORTIONS OF THE REGIONAL WATER DISTRIBUTION DISTRICT ACT, ACT 114 OF 1957, § 14-116-101 ET SEQ.; TO PROVIDE ECONOMIC DEVELOPMENT; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on AGRICULTURE, FORESTRY AND ECONOMIC DEVELOPMENT.

SENATE BILL NO. 872

BY: SENATOR MILLER**BY: REPRESENTATIVE COOPER**

A BILL FOR AN ACT TO BE ENTITLED AN ACT CONCERNING THE ADMINISTRATION OF AN ALDERMAN'S OATH OF OFFICE BY A MAYOR; AND FOR OTHER PURPOSES.

Was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY AND LOCAL AFFAIRS.

SENATE BILL NO. 924

BY: SENATOR CAPPS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION AND OPERATION OF THE CONNECT ARKANSAS NONPROFIT ORGANIZATION TO PROMOTE BROADBAND EDUCATION AND DEPLOYMENT IN ARKANSAS; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 944

BY: SENATORS WOMACK, CRITCHER, CRUMBLY, HORM , WILKINS, ALTES
BY: REPRESENTATIVES GREEN, KEY, LAMOUREUX, RAGLAND, COOPER,
DAVIS

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO PROVIDE FOR THE QUALIFICATIONS AND REIMBURSEMENT OF PROVIDERS OF MENTAL HEALTH CARE ASSISTANCE TO INDIGENT PERSONS; TO ESTABLISH CRITERIA FOR THE ADMISSION OF INDIGENT PERSONS TO MENTAL HEALTH CARE PROGRAMS; TO ENSURE NONDISCRIMINATION AND CHOICE; AND FOR OTHER PURPOSES.

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

SENATE BILL NO. 996

BY: SENATOR STEELE

BY: *REPRESENTATIVE S. PRATER*

A BILL FOR AN ACT TO BE ENTITLED AN ACT TO CREATE THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES OVERSIGHT BOARD; TO AMEND THE LAW REGARDING PUBLIC ASSISTANCE; AND FOR OTHER PURPOSES.

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

SENATE CONCURRENT RESOLUTION NO. 22

BY: SENATOR WILKINS

BY: REPRESENTATIVE PACE

A BILL FOR AN ACT TO BE ENTITLED TO URGE CONGRESS AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO ADD CRITICAL PRIVACY AND CIVIL LIBERTY SAFEGUARDS TO THE REAL ID ACT OF 2005 AND TO FULLY FUND OR SUSPEND IMPLEMENTATION OF THE REAL ID ACT.

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

SENATE CONCURRENT RESOLUTION NO. 26

BY: REPRESENTATIVE BROADWAY

BY: REPRESENTATIVES DUNN, PETRUS

A BILL FOR AN ACT TO BE ENTITLED TO SUSPEND JOINT RULE (16)(A) OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ALLOW REPRESENTATIVE CHRIS THYER TO INTRODUCE A BILL CONCERNING SCHOOL ACADEMIC FACILITIES BONDS.

Was read the first time, rules suspended, read the second time and was placed on the Calendar.

Upon motion of Representative David Evans, the House adjourned at 4:17 p.m. until 1:30 p.m., Tuesday, March 20, 2007.

ATTEST:

Benny C. Petrus
Speaker of the House of Representatives

Jo Renshaw
Chief Clerk

