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**THIRTY-NINTH DAY'S PROCEEDINGS
SENATE CHAMBER
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION**

Little Rock, Arkansas

February 15, 2007

The Senate was called to order at 11:00 o'clock a.m. by the President.

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

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

Leave granted for Senator Argue and Senator Broadway.

The Senate was led in prayer by Senator Baker.

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

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

On motion of Senator J. Jeffress, **Senate Bill No. 112** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 112

Amend **Senate Bill No. 112** as originally introduced:

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

"SECTION 1. Arkansas Code § 24-4-749 is amended to read as follows:
 24-4-749. Purchase of out-of-state governmental service.

(a) A member who has performed service other than military service as an employee of a state or local governmental entity in the United States other than in the State of Arkansas or the federal government may receive credited service for the out-of-state governmental employment if:

(1) The member has at least:

(A) ~~five~~ Five (5) years of credited service at the time of application; or

(B) One (1) year of actual service with the Arkansas Public Employees' Retirement System, at least seven (7) years of actual service credit with a retirement system outside of the State of Arkansas, and is at least sixty-two (62) years of age;

(2) The number of years of out-of-state governmental employment applied for does not exceed five (5) years;

(3) At the time of application the member furnishes evidence of the out-of-state service that is acceptable to the Arkansas Public Employees' Retirement System; and

(4) The member pays to the member's deposit fund an amount equal to the actuarial present value of the credited service applied for under this section based upon assumptions recommended by the actuary.

(b) A member may not receive the credited service provided for in this section if the service is also used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state, or local government entity except a benefit under the federal Social Security Act.

(c) The service credit provided for in this section is subject to any applicable limits under the Internal Revenue Code."

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 112 was ordered engrossed.

On motion of Senator Womack, **Senate Bill No. 235** was withdrawn from the Committee on JUDICIARY, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 235

Amend **Senate Bill No. 235** as engrossed, S2/13/07:

Page 50, line 22, delete "by"

AND

Page 50, delete line 23 in its entirety and substitute "countywide."

AND

Page 50, line 24, delete "citywide" and substitute "countywide"

AND

Page 50, line 25, delete "only"

(SIGNED) SENATOR WOMACK

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 235 was ordered engrossed.

On motion of Senator Bisbee, **Senate Bill No. 298** was withdrawn from the Committee on CITY, COUNTY & LOCAL AFFAIRS, and placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 298

Amend **Senate Bill No. 298** as originally introduced:

Page 2, delete line lines 13 and 14 and substitute the following:
"collected a utility hookup fee or access fee that fits the definition of development impact fee as defined in § 14-56-103(a)(3) shall refund any portion of the fee or fees that were"

(SIGNED) SENATOR BISBEE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 298 was ordered engrossed.

On motion of Senator Faris, **Senate Bill No. 90** was withdrawn from the Committee on JOINT RETIREMENT AND SOCIAL SECURITY, and placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 90

Amend **Senate Bill No. 90** as engrossed, S1/30/07:

Delete SECTION 12 of the bill

AND

Add an additional section to the bill to read as follows:

"SECTION 12. Arkansas Code 24-8-807(a), concerning the membership of the Arkansas District Judge Retirement System, is amended to read as follows:

(a)(1) If elected or appointed to office, all district judges shall participate in the Arkansas District Judge Retirement System beginning January 1, 2005.

(2) Effective July 1, 2007, the Arkansas District Judge Retirement System is abolished.";

AND

Add an additional section to the bill to read as follows:

"SECTION 15. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this bill affects the structure of the Arkansas District Judge Retirement System and the Arkansas Public Employees' Retirement System and the ideal time to make revisions to the retirement systems is at the beginning of the state's fiscal year. Therefore, an emergency is declared to exist and this act being necessary for the preservation of public peace, health, and safety shall become effective on July 1, 2007."

(SIGNED) SENATOR FARIS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 90 was ordered engrossed.

On motion of Senator J. Jeffress, **Senate Bill No. 196** was withdrawn from the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS, and placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to SENATE BILL NO. 196

Amend **Senate Bill No. 196** as engrossed, S2/6/07:

Page 1, delete lines 25 through 36 and substitute:

"SECTION 1. Arkansas Code § 27-16-604(a)(1), concerning issuance of a driver's license, is amended to read as follows:

(1) As a noncommercial driver who is under eighteen (18) years of age, except that the office may issue an intermediate license as provided to any person who is at least sixteen (16) years of age and a learner's permit license to any person who is at least ~~fourteen (14)~~ fifteen (15) years of age. This age restriction does not apply to a person who is at least sixteen (16) years of age and:

SECTION 2. Arkansas Code § 27-16-802(a)(1), concerning instruction permits, is amended to read as follows:

(a)(1) Any person who is at least ~~fourteen (14)~~ fifteen (15) years of age may apply to the Office of Motor Vehicle for an instruction permit."

AND

Page 2, delete lines 1 through 17 and substitute:

"SECTION 3. Arkansas Code § 27-16-804(f), regarding licenses, learner's"

AND

Page 3, delete line 1 and substitute:

"SECTION 4. Arkansas Code § 27-16-804(g), regarding intermediate"

AND

Page 3, delete lines 18 through 25 and substitute:

"(5) A driver with an intermediate driver's license shall not"

AND

Page 3, delete lines 34 through 36 and substitute:

"(B) The minor passenger or passengers are any of the following:

(i) Siblings of the driver;
(ii) Step-siblings of the driver; or
(iii) Adopted or foster children who reside in the same household as the driver.

SECTION 5. Arkansas Code § 27-16-804(h), regarding restricted"

AND

Page 4, delete lines 1 through 8 entirely

AND

Page 4, delete line 15 and substitute:

"SECTION 6. Arkansas Code § 27-16-701(d), regarding the application for"

AND

Page 5, delete lines 28 through 36

AND

Page 6, delete line 1 and substitute:

"(7) An acknowledgment signed by the applicant for a learner's"

AND

Page 6, delete line 5 and substitute:

"(8) An acknowledgment signed by the applicant for an"

AND

Page 6, delete lines 15 through 23 and substitute:

"(B) The minor passenger or passengers are any of the following:

(i) Siblings of the applicant;
(ii) Step-siblings of the applicant; or
(iii) Adopted or foster children who reside in the same household as the applicant.

SECTION 7. Arkansas Code § 27-23-111(b)(2), concerning commercial driver licenses, is amended to read as follows:

(2) Other Classifications.

Class D. Any vehicle which is not a commercial vehicle, as defined by this chapter. No Class D license shall be issued to persons under the age of ~~fourteen (14)~~ fifteen (15) years; provided, however, that no such licensee under the age of sixteen (16) years shall operate a vehicle unless accompanied in the front passenger seat of the vehicle by a licensed driver with at least one (1) year of driving experience.

No Class D license shall be valid to carry passengers for hire without a "P" endorsement. No "P" endorsement shall be issued to any person under the age of eighteen (18) years.

Notwithstanding the provisions of this or any other section of this chapter, any person who on the effective date of this chapter, has a valid operator's, chauffeur's, or for-hire chauffeur's license shall be entitled to drive the vehicles authorized thereby until the date of expiration of such license, but not thereafter; provided, however, that any person driving a commercial motor vehicle as defined by this chapter on or after April 1, 1992, must first obtain a commercial driver license as required by this section.

Class M. That license valid for the operation of any motorcycle which displaces more than two hundred fifty cubic centimeters (250 cc). No such license shall be issued to any person under the age of sixteen (16) years.

Class MD. That license valid for the operation of any motor driven cycle which displaces two hundred fifty cubic centimeters (250 cc) or less. No such license shall be issued to any person under the age of fourteen (14) years. A Class MD license shall automatically expire upon the licensee's sixteenth (16th) birthday."

(SIGNED) SENATOR J. JEFFRESS

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 196 was ordered engrossed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE BILL NO. 90, BY SENATOR FARIS,
SENATE BILL NO. 112, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Faris, **Senate Bill No. 90** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

On motion of Senator J. Jeffress, **Senate Bill No. 112** was ordered re-referred to the Committee on JOINT RETIREMENT AND SOCIAL SECURITY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE BILL NO. 196, BY SENATOR J. JEFFRESS,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator J. Jeffress, **Senate Bill No. 196** was ordered re-referred to the Committee on TRANSPORTATION, TECHNOLOGY AND LEGISLATIVE AFFAIRS.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE BILL NO. 235, BY SENATOR WOMACK, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Womack, **Senate Bill No. 235** was ordered re-referred to the Committee on JUDICIARY.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE BILL NO. 298, BY SENATOR BISBEE, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

On motion of Senator Bisbee, **Senate Bill No. 298** was ordered re-referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 14, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 14, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 27 -- Act 105
Senate Bill 30 -- Act 106

Sincerely,

(SIGNED) MIKE BEEBE
Governor

STATE OF ARKANSAS
OFFICE OF THE GOVERNOR
STATE CAPITOL
LITTLE ROCK, ARKANSAS

MIKE BEEBE
Governor

February 15, 2007

TO THE PRESIDENT OF THE SENATE

Dear Mr. President:

This is to inform your Honorable Body that on February 15, 2007, I approved the following measures from the Regular Session of the Eighty-sixth General Assembly:

Senate Bill 185 -- Act 110

Sincerely,

(SIGNED) MIKE BEEBE
Governor

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

HOUSE BILL NO. 1321, BY REPRESENTATIVE HARDY,
HOUSE BILL NO. 1322, BY REPRESENTATIVE HARDY,
HOUSE BILL NO. 1416, BY REPRESENTATIVE MALOCH,
HOUSE BILL NO. 1432, BY REPRESENTATIVE MALOCH,

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

Respectfully submitted,

(SIGNED) SENATOR PAUL MILLER
CHAIRMAN

SENATE CONCURRENT RESOLUTION NO. 8
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: SENATORS CRITCHER, WILKINSON & ALTES
BY: REPRESENTATIVES BREEDLOVE, PENNARTZ, WALTERS, MEDLEY &
GLIDEWELL

SENATE CONCURRENT RESOLUTION CONGRATULATING THE
WILKINSON FAMILY AND THE FARMERS BANK BOARD OF DIRECTORS,
OFFICERS, AND STAFF ON ITS CENTENNIAL.

Senate Concurrent Resolution No. 8 was read the first time, rules suspended, read the second time and placed on the Calendar.

On motion of Senator Brown, **Senate Memorial Resolution No. 2** was called up for third reading and final disposition.

**SENATE MEMORIAL RESOLUTION NO. 2
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR BROWN**

SENATE MEMORIAL RESOLUTION IN RESPECTFUL MEMORY OF MR. WILLIE LEE HINTON AND IN RECOGNITION OF HIS MANY CONTRIBUTIONS TO THE STATE OF ARKANSAS AND HIS LOCAL COMMUNITY.

Senate Memorial Resolution No. 2 was read the third time and adopted.

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator J. Jeffress, **House Concurrent Resolution No. 1006** was called up for third reading and final disposition.

HOUSE CONCURRENT RESOLUTION NO. 1006

As Engrossed: H2/6/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVE LOVELL

BY: SENATORS J. JEFFRESS, SALMON, J. TAYLOR & WILKINS

HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO CHANGE THE REPORTING DATES AND TO ADD ADDITIONAL DATES TO ITS AGRICULTURAL STATISTICS BOARD CALENDAR CONCERNING THE REPORTING OF RICE PRICES AND RICE STOCKS TO THE USDA NATIONAL AGRICULTURAL STATISTICS SERVICE.

House Concurrent Resolution No. 1006 was read the third time and concurred in by the Senate.

(SIGNED) ANN CORNWELL, SECRETARY

House Concurrent Resolution No. 1006 was ordered immediately returned to the House as concurred in.

On motion of Senator Miller, [Senate Bill No. 11](#) was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
[Amendment No. 1 to SENATE BILL NO. 11](#)

Amend [Senate Bill No. 11](#) as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 2 is amended to add an additional section to read as follows:

6-15-213. Course considered as taught under certain circumstances.

(a) If a course required to be taught by a school district under the State Board of Education's standards for accreditation has an enrollment of one (1) or more students and all students enrolled in the course leave the school district after the course has commenced but before the completion of the course in each given school year or school semester the course is to be taught and no other students that are eligible to take the course enroll to attend the school district campus where the course is required to be taught, the course shall be considered as taught by the school district in compliance with the standards for accreditation under the following conditions:

(1) The school district superintendent certifies in writing that no student eligible to take the required course enrolled to attend the school district campus where the course was required to be taught after the initial student or students left the school district;

(2) The school district provides written proof, as required by the Department of Education, that the school district had the course scheduled to be taught on the school district's master course schedule during the entire time the course was required to be taught;

(3) The school district provides written proof, as required by the department, that the school district had a properly certified teacher employed and able to teach the required course during the entire time the course was required to be taught and the course was listed on the school district's master course schedule;

(4) The department, upon review of proper records of the district and information certified by the school district superintendent, confirms that the school district satisfied the requirements of subsection (a)(1)-(3) of this section and verifies that the information submitted pursuant to subsection (a)(1)-(3) is correct; and

(5)(A) At the end of the school semester in which the course was required to be taught, the school district petitions the state board, in writing, for a waiver of the standards for accreditation requirement that the particular course be taught for that school semester.

(B)(i) The superintendent and the school board president of the school district seeking the waiver shall appear before the state board to present their request for a waiver.

(ii) Representatives of the department shall appear before the state board to confirm and verify the information required to be filed with the department under this section.

(b)(1) Upon satisfaction of the requirements of subsection (a) of this section, the state board shall waive the requirement that the course be taught on a semester basis.

(2) The board shall waive the requirement for only the semester in which the student or students left the school district."

(SIGNED) SENATOR PAUL MILLER

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 11 was ordered engrossed.

On motion of Senator Steele, Senate Bill No. 191 was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to SENATE BILL NO. 191

Amend Senate Bill No. 191 as engrossed, S2/7/07:

Page 1, line 20, delete "DEPARTMENT" and substitute "DIVISION"

AND

Delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Creation of the Department of Health.

(a) There is created the Department of Health, that is to be established if the Governor orders the separation of the Division of Health of the Department of Health and Human Services from the Department of Health and Human Services.

(b) If the Governor establishes the Department of Health under subsection (a) of this section, the Arkansas Code Revision Commission shall replace all references in the Arkansas Code to the:

(1) "Division of Health of the Department of Health and Human Services" or "Division of Health" with "Department of Health"; and

(2) "Department of Health and Human Services" with "Department of Human Services".

(c) Sections 2 through 12 of this act become effective only if the Governor establishes the Department of Health under subsection (a) of this section.

SECTION 2. Transfer of the Division of Health of the Department of Health and Human Services out of the Department of Health and Human Services.

(a) Effective sixty (60) days after the Governor establishes the Department of Health under this act, and as provided in the orders of the Governor, the following may be transferred to the Department of Health:

(1) Authority, powers, duties, and functions as established by law for the Division of Health of the Department of Health and Human Services, including purchasing, budgeting, fiscal, accounting, human resources, payroll, legal, information systems, maintenance, program support, administrative support, and other management functions;

(2) Records, personnel, property, unexpended balances of appropriations, allocations, or other funds of the Division of Health of the Department of Health and Human Services;

(3) Rulemaking, regulation, and licensing, promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications as established by law for the Division of Health of the Department of Health and Human Services, except as otherwise specified in this act.

(b) Powers, duties, and functions, including without limitation, rulemaking, regulation, and licensing, promulgation of rules, rates, regulations, and standards, budgetary responsibilities, and the rendering of findings, orders, and adjudications as established by law for the Breast Cancer Control Program or other transferred entities within the Division of Health of the Department of Health and Human Services shall be retained as they existed on June 30, 2005.

(c) The Governor may appoint a Surgeon General in accordance with § 20-7-103.

SECTION 3. Transfer of the State Board of Health to the Department of Health.

(a) Effective sixty (60) days after the Department of Health is established, the State Board of Health shall be transferred to the Department of Health.

(b) The State Board of Health shall receive administrative support from the Department of Health and shall retain the same powers, authorities, duties, and functions prescribed by law as it had before the transfer and shall have all rule-making authority prescribed by law to the Division of Health of the Department of Health and Human Services before the transfer, except as provided for in this act, including, without limitation:

(1) Rule making, licensing, and registration;

(2) The promulgation of rules, rates, and standards;

(3) Examining, investigating, inspecting, and reviewing; and

(4) The rendering of findings, orders, and adjudications.

SECTION 4. Arkansas Code §§ 20-7-102 and 20-7-103 are amended to read as follows:

20-7-102. Members — Appointment.

(a) The State Board of Health shall consist of ~~twenty-three (23)~~ the following members, to be appointed by the Governor as follows:

(1)(A) Seven (7) members of the board shall be licensed medical doctors of good professional standing, to be appointed by the Governor as follows:

(i) One (1) member shall be appointed from each of the four (4) congressional districts of this state as established by § 7-2-101 et seq.; and

(ii) Three (3) members shall be appointed from the state at large from a list of not fewer than three (3) names presented for each position by the Arkansas Medical Society.

(B) Notwithstanding the provisions of subdivision (a)(1)(A) of this section, at least one (1) of the positions allocated for licensed medical doctors shall be an osteopathic physician appointed from a list of not fewer than three (3) names presented to the Governor by the Arkansas Osteopathic Medical Association from the state at large;

(2) One (1) member shall be a regularly licensed, registered, and practicing dentist who has at least seven (7) years' experience in the practice of his or her profession in this state. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas State Dental Association;

(3) One (1) member shall be a registered professional engineer who has at least seven (7) years' experience in the practice of his or her profession in this state. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Society of Professional Engineers;

(4) One (1) member shall be a regularly licensed professional nurse who has been a resident of the state for at least seven (7) years preceding the appointment and who has at least a bachelor's degree and five (5) years' nursing experience in the state. This member shall be appointed from a list of not more than three (3) names presented by the Arkansas State Nurses Association;

(5) One (1) member shall be a regularly licensed pharmacist who has been actively engaged in the practice of pharmacy for at least seven (7) years preceding his or her appointment. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Pharmacists Association;

(6) One (1) member shall be a regularly licensed veterinarian who has been actively engaged in the practice of veterinary medicine for at least seven (7) years preceding his or her appointment. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Veterinary Medical Association;

(7) One (1) member shall be a registered sanitarian who has at least seven (7) years' experience in the practice of his or her profession preceding his or her appointment. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas State Board of Sanitarians;

(8) One (1) member shall be a hospital administrator who has at least seven (7) years' experience in the practice of his or her profession in Arkansas. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Hospital Association;

(9) One (1) member shall be a regularly licensed, registered, and practicing optometrist who has at least seven (7) years' experience in the practice of his or her profession in this state. This member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Optometric Association;

(10) One (1) member shall be a regularly licensed and practicing chiropractor. This member shall be appointed from a list of not fewer than three (3) names submitted by the Arkansas Chiropractic Association or the Arkansas Chiropractic Society;

(11) One (1) member shall be a restaurant operator who has owned or operated a restaurant for a minimum of five (5) years. This member shall be appointed by the Governor from a list of three (3) names submitted by the Arkansas Hospitality Association;

(12) One (1) member shall be a consumer representative who has an interest in public health. This member shall be appointed by the Governor from the state at large;

(13) One (1) member shall be more than sixty (60) years old and represent the elderly. This person shall not be actively engaged in or retired from any occupation, profession, or industry to be regulated by the board. The member shall be appointed by the Governor from the state at large and be subject to confirmation by the Senate;

(14) One (1) member shall be a licensed doctor of podiatric medicine of good professional standing who has at least seven (7) years' experience in the practice of the profession in this state. The member shall be appointed from a list of not fewer than three (3) names presented by the Arkansas Podiatric Medical Association;

(15) One (1) member shall be a member of the Arkansas Public Health Association. The member shall be appointed by the Governor from a list of three (3) names submitted by the Arkansas Public Health Association;

(16) One (1) member shall be a licensed medical doctor of good professional standing who shall be appointed from a rural county that contains a medically underserved population in the state; and

(17) ~~One (1) member shall be the Director of the Department of Health and Human Services or his or her designee~~ One (1) member shall be the Director of the Department of Health or the Director of the Division of Health of the Arkansas Department of Health and Human Services.

(b) Each of the members of the board so appointed shall take the oath prescribed by the Arkansas Constitution for state officers and shall be commissioned by the Governor in the same manner as other state officials.

20-7-103. Members — Officers.

(a) The members of the State Board of Health shall elect one (1) of the members as president. However, the Director of the Department of Health or the Director of the Division of Health of the Department of Health and Human Services ~~or his or her designee on the board~~ shall not serve as the President of the State Board of Health.

(b)(1) With approval of the board the Governor shall may appoint a ~~Chief Health Officer~~ Surgeon General for the State of Arkansas who shall not be a current sitting member of the board and who shall:

(A) Be a graduate of a legally constituted and reputable medical college;

(B) Be of good standing; ~~and~~

(C) Have all the powers of the members of the board; ~~and~~

(D) Serve as a cabinet level advisor to the Governor.

(2) ~~The Chief Health Officer~~ Surgeon General ~~shall also be known as the Secretary of the State Board of Health and shall perform such duties as may be required of him or her by the board or by this subchapter~~ Governor or the board, or both, including, but not limited to:

~~(A) Serving as the public representative for the board~~ Reviewing, assessing, and developing health policy options, including insurance coverage, health risk management, disease prevention, and health promotion strategies across state agencies;

~~(B) Serving as the board's representative on various other state and private boards and commissions as required by the board or in provisions of the Arkansas Code~~ Providing policy options for the Governor and senior state agency officials;

~~(C) Representing the board by providing health information and assisting the division in providing risk factor assessments in regard to improving quality of health issues at public events; and~~ Raising awareness of healthcare and public health areas of priority for advancement of the state population's health;

~~(D) Assisting the board and the division in~~ Reviewing legislative analyses and proposed legislation and creating position statements for the Governor and senior state agency officials;

(E) Advising the Governor, senior state agency officials, and governing boards and commissions on policy issues and program accomplishments; and

(F) Providing medical review oversight and guidance to health and human services clinical programs upon request.

- ~~(i) The creation of various health-oriented outreach campaigns utilizing print, radio, and television public service announcements, advertisements, posters, and other materials;~~
- ~~(ii) Targeting population segments at risk for various health issues;~~
- ~~(iii) Providing reliable information on various health issues to policy makers;~~
- ~~(iv) Distributing information through county health departments, schools, area agencies on aging, employer wellness programs, physicians, hospitals and health maintenance organizations, women's groups, nonprofit organizations, and community-based organizations;~~
- ~~(v) Raising, by any other strategy, public awareness about health issues that are consistent with the provisions of this subchapter;~~
- ~~(vi) Identifying and obtaining educational materials for the professional health care providers that translate the latest scientific and medical information on various health issues into clinical applications;~~
- ~~(vii) Raising awareness among professional health care providers as to the importance of prevention, early detection, treatment, and rehabilitation practices, techniques, and reporting measures related to various health issues; and~~
- ~~(viii) Developing and conducting workshops and seminars for in-depth professional development in the field of the care and management related to various health issues.~~

SECTION 5. Arkansas Code § 20-7-105(a), concerning the proceedings of the State Board of Health, is amended to read as follows:

(a)(1) The State Board of Health shall meet at least one (1) time every three (3) months and,

~~(2) upon~~ Upon the call of the President of the State Board of Health, ~~the Director of the Department of Health and Human Services~~, or a majority of the members of the board, the board shall meet at such other times as may be necessary in the interest of public health.

SECTION 6. Arkansas Code § 20-7-106 is amended to read as follows:
20-7-106. Office.

The office of the State Board of Health shall be located in Little Rock, and the board shall be furnished with all necessary equipment and supplies, including laboratory supplies, books, stationery, blanks, furniture, etc., as are provided other officers of the state and as are necessary for carrying on the work of the board, and the office is to be provided in a suitable building to be designated by the ~~Governor~~ Director of the Department of Health or the Director of the Division of Health of the Department of Health and Human Services.

SECTION 7. Arkansas Code § 25-9-101 is amended to read as follows:
25-9-101. Creation — Director — Organization — Personnel.

(a)(1)(A) There is created the ~~Division of Health of the Department of Health and Human Services~~ Department of Health, that is to be established if the Governor orders the separation of the Division of Health of the Department of Health and Human Services from the Department of Health and Human Services.

(B) Unless stated otherwise, all references in this chapter to "Director" shall mean the Director of the Department of Health if established, and otherwise the Director of the Division of Health of the Department of Health and Human Services.

~~(2)(A) The executive head of the Division of Health of the Department of Health and Human Services shall be the Director of the Division of Health of the Department of Health and Human Services. Governor shall appoint the Director of the Department of Health if established, and otherwise the Director of the Division of Health of the Department of Health and Human Services.~~

~~(B) The Director shall:~~

~~(i) Serve as the executive head of the Department of Health or the Division of Health of the Department of Health and Human Services;~~

~~(ii) Serve at the pleasure of the Governor;~~

~~(iii) Act as the Secretary of the Board of Health; and~~

~~(iv) Serve as the State Health Officer, with appropriate authority to ensure public health and safety, including leadership on health issues related to emergency preparedness and disaster management.~~

~~(b) The Division of Health of the Department of Health and Human Services shall consist of the divisions which existed as of July 1, 1971, within the State Board of Health, created by § 20-7-101 et seq., and any other divisions or units which may be created by law and placed under the Division of Health of the Department of Health and Human Services.~~

~~(c)(b)(1)(A) The Director of the Division of Health of the Department of Health and Human Services director, with the advice and consent of the Director of the Department of Health and Human Services, Governor, shall appoint the heads of the respective units of the Division of Health of the Department of Health and Human Services or the Department of Health.~~

~~(B) All other personnel of the Division of Health of the Department of Health and Human Services shall be employed by and shall serve at the pleasure of the Director of the Department of Health and Human Services.~~

~~(2) However, nothing in this section shall be so construed as to reduce any right which that an employee of the Division of Health of the Department of Health and Human Services or the Department of Health shall have has under any civil service or merit system.~~

~~(d)(c)(1) Each unit of the Division of Health of the Department of Health and Human Services Department of Health shall be under the direction, control, and supervision of the Director of the Department of Health and Human Services director.~~

~~(2) The Director of the Division of Health of the Department of Health and Human Services, with the consent of the Director of the Department of Health and Human Services, director may delegate his or her functions, powers, and duties to various units of the Division of Health of the Department of Health and Human Services Department of Health as he or she shall deem desirable and necessary for the effective and efficient operation of the Division of Health of the Department of Health and Human Services Department of Health.~~

~~(e)(d)(1) The Division of Health of the Department of Health and Human Services or the Department of Health shall maintain an Office of Oral Health.~~

~~(2) The Director of the Office of Oral Health shall be an experienced public health dentist licensed to practice under the Arkansas Dental Practice Act, § 17-82-101 et seq.~~

~~(3) The Director of the Office of Oral Health shall:~~

~~(A) Plan, direct, and coordinate all dental public health programs with other local, state, and national health programs;~~

~~(B) Serve as the department's chief advisor on matters involving oral health; and~~

~~(C) Plan, implement, and evaluate all oral health programs within the department.~~

SECTION 8. Arkansas Code § 25-10-101 is amended to read as follows:
25-10-101. Creation — Appointment of director.

(a) There is created a ~~Department of Health and Human Services~~
Department of Human Services.

(b)(1) The executive head of the department shall be the Director of the
~~Department of Health and Human Services~~ Department of Human Services.

(2) The director shall be appointed by the Governor with the consent
of the Senate and shall serve at the pleasure of the Governor.

SECTION 9. Arkansas Code § 25-10-102 is amended to read as follows:
25-10-102. Organization generally.

(a) All references in this chapter to "Department" mean the Department of Health and Human Services or, if the Department of Health is established, to the Department of Human Services. All references in this chapter to "Director" shall mean the Director of the Department of Health.

(b) ~~The Department of Health and Human Services~~ department shall consist of and be operated under an integrated service system consisting of the following ~~twelve (12)~~ divisions with ~~responsibility~~ responsibilities and programs assigned to them as determined by the Director of the ~~Department of Health and Human Services~~:

- (1) A Division of Aging and Adult Services;
- (2) A Division of Medical Services;
- (3) A Division of Behavioral Health, which shall include community mental health centers, state hospitals, and the Bureau of Alcohol and Drug Abuse Prevention;
- (4) A Division of Developmental Disabilities Services, which shall include both community programs and human development centers;
- (5) A Division of County Operations;
- (6) A Division of Administrative Services;
- (7) A Division of Youth Services, which shall include serious offender and community-based programs and the youth service centers;
- (8) A Division of Volunteerism;
- (9) A Division of State Services for the Blind;
- (10) A Division of Children and Family Services;
- (11) A Division of Child Care and Early Childhood Education; and
- (12) A Division of Health, subject to the establishment of a Department of Health.

~~(b)(1)(A)~~(c)(1)(A) Each division of the ~~Department of Health and Human Services~~ department shall be under the direction, control, and supervision of the director.

(B) From time to time, the director may transfer or assign existing duties or new programs or duties of the department to offices, sections, or units as he or she deems necessary for the efficient and necessary operation of the department.

(C) Prior to implementation of any reorganization, the director shall obtain the advice of the House Interim Committee on State Agencies and Governmental Affairs and the Senate Interim Committee on State Agencies and Governmental Affairs.

(2)(A) However, the state institutions and the operation of state institutional programs under the jurisdiction of the Board of Developmental Disabilities Services and the ~~Department of Health and Human Services~~ State Institutional System Board, as provided by law, shall be under the control of their respective boards.

(B) The boards shall perform their respective functions and duties under the general guidelines and standards promulgated by the director.

(3) The Division of State Services for the Blind and the Board of the Division of State Services for the Blind shall continue to function within the ~~Department of Health and Human Services~~ department with the powers prescribed in § 25-10-201 et seq.

SECTION 10. Arkansas Code §§ 25-10-401 and 25-10-402 are amended to read as follows:

25-10-401. Creation.

The state institutions ~~of the Department of Health and Human Services~~, known as the State Hospital for the Mentally Ill at Little Rock, the long-term care facility at Benton, the George W. Jackson Mental Health Center at Jonesboro, the youth services centers located at Alexander and North Little Rock, and all other facilities owned and operated by the ~~Department of Health and Human Services~~ department for youth services or mental health treatment are consolidated to form the ~~Department of Health and Human Services~~ State Institutional System.

25-10-402. Purpose — Guidelines.

(a) The ~~Department of Health and Human Services~~ State Institutional System Board is established to manage the ~~Department of Health and Human Services~~ State Institutional System, as provided and intended by Arkansas Constitution, Amendment 33.

(b) The board shall perform its functions and duties in accordance with the general guidelines, policies, and regulations of the ~~Department of Health and Human Services~~ governing divisions, offices, sections, or units within the department with respect to budgets, personnel and personnel policies, records, purchasing, bookkeeping, and other administrative procedures prescribed by the Director of the ~~Department of Health and Human Services.~~"

(SIGNED) SENATOR STEELE

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 191 was ordered engrossed.

On motion of Senator Pritchard, **Senate Bill No. 294** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 294

Amend **Senate Bill No. 294** as originally introduced:

Page 1, delete lines 10 through 12 and substitute the following:
 "AN ACT TO EXEMPT NURSING FACILITIES THAT PROVIDE NURSING CARE EXCLUSIVELY UNDER LIFE-CARE FACILITY CONTRACTS FROM THE STATE'S QUALITY ASSURANCE FEE; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 15 and 16 and substitute the following:
 AN ACT TO EXEMPT NURSING FACILITIES THAT PROVIDE NURSING CARE EXCLUSIVELY UNDER LIFE-CARE FACILITY CONTRACTS FROM THE STATE'S QUALITY ASSURANCE FEE.

AND

Page 1, delete everything after the ENACTING clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 16 is amended to add an additional section to read as follows:

20-10-1606. Waiver for nursing facilities that provide nursing care exclusively under life-care facility contracts.

(a) The Department of Health and Human Services shall apply for a waiver of the uniform health care related tax under 42 C.F.R. § 433.68, as in effect on January 1, 2007, to exempt each nursing facility that provides nursing care exclusively under contract with life-care facilities licensed under § 23-93-201 et seq. from the quality assurance fee and to allow adjustment of the quality assurance fee paid by state-operated nursing facilities.

(b) Upon receiving the waiver, the department shall discontinue collecting the quality assurance fee from any nursing facility that provides nursing care exclusively under life-care facility contracts and adjust the quality assurance fee paid by state-operated nursing facilities pursuant to the waiver."

(SIGNED) SENATOR BILL PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 294 was ordered engrossed.

On motion of Senator Madison, Senate Bill No. 203 was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to SENATE BILL NO. 203

Amend Senate Bill No. 203 as originally introduced:

Add Senator Baker as a cosponsor of the bill.

(SIGNED) SENATOR SUE MADISON

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 203 was ordered engrossed.

On motion of Senator Thompson, **House Bill No. 1230** was placed back on second reading for purpose of Amendment No. 2.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 2 to HOUSE BILL NO. 1230

Amend **House Bill No. 1230** as originally introduced:

Page 3, line 30, add the words "or the Governor" immediately following the word "Board"

(SIGNED) SENATOR R. THOMPSON

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

(SIGNED) ANN CORNWELL, SECRETARY

On motion of Senator Pritchard, **House Bill No. 1230** was placed back on second reading for purpose of Amendment No. 3.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 3 to HOUSE BILL NO. 1230

Amend **House Bill No. 1230** as originally introduced:

Add Representative Pennartz as a cosponsor of the bill

AND

Add Senators B. Pritchard, R. Thompson, and Trusty as cosponsors of the bill

AND

Page 1, line 36, delete "(B)(i)" and substitute "(B)(i)"

AND

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

~~"(ii) The notification to the victim or the victim's next of kin shall not be required if the conviction occurred more than ten (10) years prior to the filing of the notice under subdivision (a)(1)(A) of this section."~~

(SIGNED) SENATOR BILL PRITCHARD

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1230 was ordered engrossed.

On motion of Senator Salmon, **House Bill No. 1293** was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
Amendment No. 1 to HOUSE BILL NO. 1293

Amend **House Bill No. 1293** as originally introduced:

Add Senator Salmon as a cosponsor of the bill

(SIGNED) SENATOR SALMON

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1293 was ordered engrossed.

On motion of Senator Glover, [House Bill No. 1357](#) was placed back on second reading for purpose of Amendment No. 1.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
[Amendment No. 1 to HOUSE BILL NO. 1357](#)

Amend [House Bill No. 1357](#) as originally introduced:

Add Representative Adcock as a cosponsor to this bill

(SIGNED) SENATOR GLOVER

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

(SIGNED) ANN CORNWELL, SECRETARY

[House Bill No. 1357](#) was ordered engrossed.

On motion of Senator Thompson, [House Bill No. 1360](#) was ordered re-referred to the Committee on REVENUE & TAXATION.

The President declared the morning hour to have expired.

On motion of Senator Faris, **Senate Bill No. 268** was called up for third reading and final disposition.

SENATE BILL NO. 268
As Engrossed: S2/12/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS FARIS, WILKINSON, LAVERTY, GLOVER & B. PRITCHARD
BY: REPRESENTATIVES D. CREEKMORE AND STEWART

A Bill for an Act to be Entitled: AN ACT CONCERNING RECIPROCITY PROCEDURES ADMINISTERED BY THE ARKANSAS STATE POLICE FOR CONCEALED HANDGUN PERMITS; AND FOR OTHER PURPOSES.

Senate Bill No. 268 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue, Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 268 was ordered immediately transmitted to the House as passed.

On motion of Senator Hill, **Senate Bill No. 280** was called up for third reading and final disposition.

**SENATE BILL NO. 280
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT TO CHANGE THE EFFECTIVE DATE OF UNCODIFIED § 88 OF ACT 1273 OF 2003, AS AMENDED BY ACT 2008 OF 2005; AND FOR OTHER PURPOSES.

Senate Bill No. 280 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 280**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 280 was ordered immediately transmitted to the House.

On motion of Senator Hill, **Senate Bill No. 281** was called up for third reading and final disposition.

**SENATE BILL NO. 281
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL
BY: REPRESENTATIVE MALOCH**

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY WITH THE STREAMLINED SALES AND USE TAX AGREEMENT; TO ALLOW A REFUND REQUEST WHEN THE BAD DEBT DEDUCTION EXCEEDS THE SALES TAX DUE; TO REPEAL THE SALES TAX SOURCING RULES FOR FLORISTS; TO PROVIDE RELIEF FOR SELLERS THAT FOLLOW THE REQUIREMENTS OF THE DIRECTOR IN COLLECTING SALES AND USE TAX; AND FOR OTHER PURPOSES.

Senate Bill No. 281 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 281 was ordered immediately transmitted to the House as passed.

On motion of Senator Hill, **Senate Bill No. 282** was called up for third reading and final disposition.

SENATE BILL NO. 282
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HILL
BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY WITH THE STREAMLINED SALES AND USE TAX AGREEMENT; TO REMOVE THE SPECIAL EXCISE TAXES FROM THE GROSS RECEIPTS SECTION OF THE CODE AND TO PLACE THE SPECIAL EXCISE TAXES IN A SEPARATE SECTION OF THE CODE; AND FOR OTHER PURPOSES.

Senate Bill No. 282 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33
 Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 282 was ordered immediately transmitted to the House as passed.

On motion of Senator Hill, Senate Bill No. 279 was called up for third reading and final disposition.

SENATE BILL NO. 279
As Engrossed: S2/14/07
 EIGHTY-SIXTH GENERAL ASSEMBLY
 REGULAR SESSION
 BY: SENATOR HILL
 BY: REPRESENTATIVE MALOCH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE CONSISTENCY WITH THE STREAMLINED SALES AND USE TAX AGREEMENT; TO PROVIDE A REBATE FOR LOCAL TAX PAID ON SINGLE TRANSACTIONS; AND FOR OTHER PURPOSES.

Senate Bill No. 279 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 279 was ordered immediately transmitted to the House as passed.

On motion of Senator G. Jeffress, **Senate Bill No. 217** was called up for third reading and final disposition.

SENATE BILL NO. 217
As Engross: S2/13/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO AMEND § 6-18-207 TO LOWER THE AGE OF ENROLLMENT IN KINDERGARTEN IN PUBLIC SCHOOL; AND FOR OTHER PURPOSES.

Senate Bill No. 217 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 217 was ordered immediately transmitted to the House.

On motion of Senator Altes, **Senate Bill No. 20** was called up for third reading and final disposition.

SENATE BILL NO. 20
As Engrossed: S1/16/07 S2/1/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SONTOR ALTES
BY: REPRESENTATIVES MEDLEY, WALTERS & WELLS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH A PRESCRIPTION DRUG MONITORING PROGRAM; AND FOR OTHER PURPOSES.

Senate Bill No. 20 was pulled down at this time by Senator Altes.

On motion of Senator Smith, **Senate Bill No. 273** was called up for third reading and final disposition.

SENATE BILL NO. 273
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH

A Bill for an Act to be Entitled: AN ACT TO PROVIDE THAT NO TAX IS DUE ON ADMISSIONS OR ACCESS TO A PLACE OF AMUSEMENT, ENTERTAINMENT, RECREATION, OR ATHLETIC EVENT FOR WHICH NO CONSIDERATION IS PAID; TO REPEAL OBSOLETE LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 273 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 273**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33
Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 273 was ordered immediately transmitted to the House.

On motion of Senator Smith, Senate Bill No. 272 was called up for third reading and final disposition.

SENATE BILL NO. 272
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR T. SMITH
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 5-64-101(14) TO INCLUDE ALL CONTROLLED SUBSTANCES IN THE DEFINITION OF CERTAIN DRUG PARAPHERNALIA OBJECTS; AND FOR OTHER PURPOSES.

Senate Bill No. 272 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 272 was ordered immediately transmitted to the House.

On motion of Senator Horn, Senate Bill No. 263 was called up for third reading and final disposition.

SENATE BILL NO. 263
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 21-4-211(6) TO ALLOW THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE ASSISTANCE TO DIVISION OF HEALTH EMPLOYEES SEEKING A MASTER'S, DrPH, OR PhD DEGREE IN PUBLIC HEALTH; AND FOR OTHER PURPOSES.

Senate Bill No. 263 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue, Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 263 was ordered immediately transmitted to the House.

On motion of Senator Horn, Senate Bill No. 285 was called up for third reading and final disposition.

SENATE BILL NO. 285
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATORS HORN, BOOKOUT, BROWN, BRYLES, CRITHCER, CRUMBLY,
MALONE, STEELE & WILKINS
BY: REPRESENTATIVES PACE, ADCOCK, ALLEN, T. BAKER, BERRY,
BLOUNT, E. BROWN, BURRIS, CHESTERFIELD, D. CREEKMORE, DAVIS, S.
DOBBINS, EDWARDS, GASKILL, HARDY, HAWKINS, KEY, KIDD, W. LEWELLEN,
LOVELL, LOWERY, MEDLEY, RAGLAND, REEP, ROGERS & WAGNER

A Bill for an Act to be Entitled: AN ACT TO AMEND ARKANSAS CODE § 20-10-1406 TO ESTABLISH STAFF POSTING AND RECORD-KEEPING REQUIREMENTS FOR NURSING HOMES THAT ARE CONSISTENT WITH FEDERAL LAW; AND FOR OTHER PURPOSES.

Senate Bill No. 285 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Baker, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, B. Pritchard, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total27

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Altes, Argue, Bisbee, Broadway, Hill, Miller, Salmon, J. Taylor.

Total8

VOTING PRESENT:

Total0

Total number of votes cast27

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 285 was ordered immediately transmitted to the House.

On motion of Senator Thompson, **Senate Bill No. 5** was called up for third reading and final disposition.

SENATE BILL NO. 5
As Engrossed: S1/16/07 S1/17/07 S1/24/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR R. THOMPSON
BY: REPRESENTATIVES HARDWICK AND KEY

A Bill for an Act to be Entitled: AN ACT TO ALLOW TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES AS ADOPTED IN SECTION 408(d)(8) OF THE FEDERAL INTERNAL REVENUE CODE.

Senate Bill No. 5 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **Senate Bill No. 5**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the adoption of the Emergency Clause24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

Senate Bill No. 5 was ordered immediately transmitted to the House.

On motion of Senator Baker, **House Bill No. 1284** was ordered re-referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

On motion of Senator Laverty, **House Bill No. 1030** was called up for third reading and final disposition.

HOUSE BILL NO. 1030

As Engrossed: S2/13/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES SULLIVAN, MEDLEY, NORTON, ET AL

BY: SENATORS LAVERTY, FARIS, GLOVER, TRUSTY, HILL, CAPPS & MILLER

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE MAXIMUM PROPERTY TAX RELIEF CREDIT FOR A HOMESTEAD; AND FOR OTHER PURPOSES.

House Bill No. 1030 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33
Necessary to the passage of the bill27

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1030 was ordered immediately returned to the House as passed as amended.

On motion of Senator Wilkins, House Bill No. 1282 was called up for third reading and final disposition.

HOUSE BILL NO. 1282
As Engrossed: H1/24/07 H1/29/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES GEORGE, WELLS, ABERNATHY, ADCOCK, T. BAKER, BLOUNT, T. BRADFORD, J. BROWN, COOPER, CORNWELL, D. CREEKMORE, DAVENPORT, DUNN, GASKILL, HOYT, HYDE, KEY, KING, W. LEWELLEN, OVERBEY, PIERCE, S. PRATER, REEP, J. ROEBUCK, SHELBY, STEWART, SULLIVAN, SUMPTER, WAGNER, WALTERS, WEBB, WILLS, WOOD & MEDLEY

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THAT CIVIL IMMUNITY IS EXTENDED TO DENTISTS AND OTHER HEALTH CARE PROFESSIONALS WHO RENDER VOULUNTARY HEALTH CARE SERVICES AT FREE OR LOW-COST HEALTH CARE CLINICS; AND FOR OTHER PURPOSES.

House Bill No. 1282 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

There being an emergency clause attached to **House Bill No. 1282**, the President ordered the Secretary to call the roll upon the adoption of the emergency clause.

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33
Necessary to the passage of the bill24

So the Emergency Clause was adopted.

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1282 was ordered immediately returned to the House as passed.

On motion of Senator Baker, House Bill No. 1224 was called up for third reading and final disposition.

HOUSE BILL NO. 1224

As Engrossed: H2/1/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES EDWARDS, CORNWELL, GARNER, GEORGE, GLIDEWELL, HAWKINS, HOYT, KENNEY, KIDD, M. MARTIN, PIERCE, PYLE, REYNOLDS, ROSENBAUM, WALTERS, WELLS, SULLIVAN & R. GREEN

BY: SENATORS BAKER AND WHITAKER

A Bill for an Act to be Entitled: AN ACT TO PROVIDE AFFIRMATIVE DEFENSES TO LIQUEFIED PETROLEUM GAS PROVIDERS IN ACTIONS FOR CIVIL LIABILITY; AND FOR OTHER PURPOSES.

House Bill No. 1224 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast.....33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1224 was ordered immediately returned to the House as passed.

On motion of Senator Whitaker, House Bill No. 1024 was called up for third reading and final disposition.

HOUSE BILL NO. 1024

As Engrossed: H1/19/07 S1/31/07 S2/14/07

EIGHTY-SIXTH GENERAL ASSEMBLY

REGULAR SESSION

BY: REPRESENTATIVES R. GREEN, WOODS, BURRIS, M. MARTIN,
 CORNWELL, DAVENPORT, GARNER, HARDWICK, KIDD, MEDLEY, NORTON,
 RAGLAND & WALTERS

BY: SENATOR WHITAKER

A Bill for an Act to be Entitled: AN ACT TO PROHIBIT STATE AGENCIES FROM CONTRACTING WITH BUSINESSES THAT EMPLOY ILLEGAL IMMIGRANTS; AND FOR OTHER PURPOSES.

House Bill No. 1024 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Malone, B. Pritchard, T. Smith, Steele, R. Thompson, Trusty, Whitaker, Wilkinson, Womack.

Total25

NEGATIVE: Bryles, Luker, Madison.

Total3

ABSENT OR NOT VOTING: Argue, Broadway, Hill, Miller, Salmon, J. Taylor, Wilkins.

Total7

VOTING PRESENT:

Total0

Total number of votes cast28

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1024 was ordered immediately returned to the House as passed as amended.

On motion of Senator Malone, **House Bill No. 1323** was called up for third reading and final disposition.

**HOUSE BILL NO. 1323
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE D. JOHNSON**

A Bill for an Act to be Entitled: AN ACT TO ALLOW THE ARKANSAS STATE MEDICAL BOARD, THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS, OR THE ARKANSAS STATE BOARD OF OPTOMETRY TO DISCIPLINE LICENSEES OF THE RESPECTIVE BOARD IF THE LICENSEE HAS BEEN FOUND IN VIOLATION OF A STATUTE OR REGULATION GOVERNING THE RESPECTIVE PROFESSION IN ANOTHER STATE; AND FOR OTHER PURPOSES.

House Bill No. 1323 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Brown, Bryles, Capps, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, R. Thompson, Trusty, Womack.

Total23

NEGATIVE: Altes.

Total1

ABSENT OR NOT VOTING: Altes, Baker, Bisbee, Bookout, Broadway, Critcher, B. Johnson, J. Taylor, Whitaker, Wilkins, Wilkinson.

Total11

VOTING PRESENT:

Total0

Total number of votes cast.....24

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1323 was ordered immediately returned to the House as passed.

On motion of Senator Salmon, **House Bill No. 1305** was called up for third reading and final disposition.

**HOUSE BILL NO. 1305
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE WEBB**

A Bill for an Act to be Entitled: AN ACT TO INCLUDE THE DEFINITION OF "IMPAIRED PERSON" IN THE ADULT MALTREATMENT CUSTODY ACT WITHIN THE DEFINITION OF "INCAPACITATED PERSON" IN THE ARKANSAS GUARDIANSHIP LAW; AND FOR OTHER PURPOSES.

House Bill No. 1305 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Lavery, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total33

NEGATIVE:

Total0

ABSENT OR NOT VOTING: Argue, Broadway.

Total2

VOTING PRESENT:

Total0

Total number of votes cast33

Necessary to the passage of the bill18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1305 was ordered immediately returned to the House as passed.

On motion of Senator Critcher, **House Bill No. 1402** was called up for third reading and final disposition.

HOUSE BILL NO. 1402
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES WYATT, D. EVANS, COOK, L. EVANS, EVERETT,
ROGERS, CHEATHAM, HALL, LOVELL & WELLS

A Bill for an Act to be Entitled: AN ACT TO EXEMPT A PUBLIC SCHOOL DISTRICT, CORRECTIONAL FACILITY, JUVENILE DETENTION FACILITY, ADULT DETENTION FACILITY, OR MENTAL HEALTH FACILITY FROM THE SHIELDED OUTDOOR LIGHTING ACT; AND FOR OTHER PURPOSES.

House Bill No. 1402 was placed on third reading and final disposition, the question being: Shall the Bill pass?

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

AFFIRMATIVE: Altes, Baker, Bisbee, Bookout, Brown, Bryles, Capps, Critcher, Crumbly, Faris, Glover, Hendren, Hill, Horn, G. Jeffress, J. Jeffress, B. Johnson, Laverty, Luker, Madison, Malone, Miller, B. Pritchard, Salmon, T. Smith, Steele, J. Taylor, R. Thompson, Trusty, Whitaker, Wilkins, Wilkinson, Womack.

Total	33
NEGATIVE:	
Total	0
ABSENT OR NOT VOTING: Argue, Broadway.	
Total	2
VOTING PRESENT:	
Total	0
Total number of votes cast.....	33
Necessary to the passage of the bill	18

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

(SIGNED) ANN CORNWELL, SECRETARY

House Bill No. 1402 was ordered immediately returned to the House as passed.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE BILL NO. 11, BY SENATOR MILLER, et al,
SENATE BILL NO. 191, BY SENATOR STEELE, et al,
SENATE BILL NO. 203, BY SENATOR MADISON,
SENATE BILL NO. 294, BY SENATOR PRITCHARD, et al,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

HOUSE BILL NO. 1230, BY REPRESENTATIVE PATTERSON, et al,
HOUSE BILL NO. 1293, BY REPRESENTATIVE PICKETT,
HOUSE BILL NO. 1357, BY REPRESENTATIVE OVERBEY,

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

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

Senate Bill No. 108 was returned from the House as passed and ordered enrolled.

Senate Bill No. 143 was returned from the House as passed and ordered enrolled.

Senate Bill No. 182 was returned from the House as passed and ordered enrolled.

Senate Bill No. 189 was returned from the House as passed and ordered enrolled.

Senate Bill No. 211 was returned from the House as passed and ordered enrolled.

Senate Bill No. 212 was returned from the House as passed and ordered enrolled.

Senate Bill No. 215 was returned from the House as passed and ordered enrolled.

ARKANSAS SENATE
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

February 15, 2007

Mr. President:

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

SENATE CONCURRENT RESOLUTION NO. 4,
BY SENATOR FARIS, HORN, et al,
SENATE BILL NO. 2, BY J. TAYLOR, MILLER, et al,
SENATE BILL NO. 50, BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 67, BY JOINT BUDGET COMMITTEE
SENATE BILL NO. 70, BY JOINT BUDGET COMMITTEE

beg leave to report that we have carefully compared the enrolled copies with the original and we find the same correctly enrolled and have at 3:00 p.m. delivered them to the Governor for his approval.

Respectfully submitted,

(SIGNED) HENRY "HANK" WILKINS, IV
CHAIRMAN

GOVERNOR'S BILL RECEIPTS

SENATE CONCURRENT RESOLUTION NO. 4
SENATE BILL NO. 2
SENATE BILL NO. 50
SENATE BILL NO. 67
SENATE BILL NO. 70

RECEIVED the above papers from the Secretary of the Senate this 15th day of February, 2005 at 3:00 p.m.

(SIGNED) MIKE BEEBE
Governor

(SIGNED) J. Marc Harrison
Secretary

SENATE BILL NO. 306
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: SENATOR STEELE

A Bill for an Act to be Entitled: AN ACT TO MAKE AN APPROPRIATION FOR THE DEPARTMENT OF HEALTH & HUMAN SERVICES - DIVISION OF HEALTH FOR VISION SCREENING PROGRAM OPERATING EXPENSES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR OTHER PURPOSES.

Senate Bill No. 306 was read the first time, rules suspended, read the second time and referred to the Committee on JOINT BUDGET.

HOUSE BILL NO. 1229
As Engrossed: H2/5/07 H2/12/07 H2/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES PACE, MALOCH, DICKINSON, L. EVANS, GASKILL, HALL, HAWKINS, JEFFREY, MAXWELL, MEDLEY, PIERCE, ROSENBAUM, SAMPLE, WALTERS, WELLS & WYATT
BY: SENATORS STEELE, J. JEFFRESS & G. JEFFRESS

A Bill for an Act to be Entitled: AN ACT TO ESTABLISH THE ARKANSAS ORTHOTICS, PROSTHETICS, AND PEDORTHICS PRACTICE ACT OF 2007; AND FOR OTHER PURPOSES.

House Bill No. 1229 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1289
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE BURRIS

A Bill for an Act to be Entitled: AN ACT TO DESIGNATE THE FIRST MONDAY IN MAY OF EACH YEAR "HEMOPHILIA AWARENESS DAY"; AND FOR OTHER PURPOSES.

House Bill No. 1289 was read the first time, rules suspended, read the second time and referred to the Committee on PUBLIC HEALTH, WELFARE & LABOR.

HOUSE BILL NO. 1359
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES EVERETT, OVERBEY, ADCOCK, COOPER,
GLIDEWELL, REYNOLDS & SAMPLE

A Bill for an Act to be Entitled: AN ACT TO ADJUST THE LIMITATION ON COUNTY BIDDING REQUIREMENTS FOR STATE AID PROJECTS; AND FOR OTHER PURPOSES.

House Bill No. 1359 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1370
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES S. PRATER AND WAGNER

A Bill for an Act to be Entitled: AN ACT CONCERNING SELF-SERVICE DISPLAYS OF CIGARETTE PRODUCTS; AND FOR OTHER PURPOSES.

House Bill No. 1370 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1397
As Engrossed: H2/14/07
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES HOYT, *BREEDLOVE, BOND, E. BROWN, BURKES,*
CORNWELL, D. EVANS, GREENBERG, HARRELSON, D. JOHNSON,
LAMOUREUX, PATTERSON, POWERS & REYNOLDS

A Bill for an Act to be Entitled: AN ACT TO EXTEND THE OBLIGATION TO PAY CHILD SUPPORT UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

House Bill No. 1397 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1400
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES WILLS, ABERNATHY, ADCOCK, ET AL,
BY: SENATORS BAKER, BISBEE, BOOKOUT, BROADWAY, BRYLES,
CRITCHER, CRUMBLY, GLOVER, HENDREN, B. JOHNSON, LAVERTY, R.
THOMPSON & WILKINSON

A Bill for an Act to be Entitled: AN ACT TO CREATE ADDITIONAL CIRCUIT JUDGESHIPS IN THE SECOND JUDICIAL DISTRICT, THE NINETEENTH JUDICIAL DISTRICT-WEST, THE TWENTIETH JUDICIAL DISTRICT, THE TWENTY-SECOND JUDICIAL DISTRICT, AND THE TWENTY-THIRD JUDICIAL DISTRICT; TO PROVIDE FOR THE APPOINTMENT AND ELECTION OF THE CIRCUIT JUDGES; AND FOR OTHER PURPOSES.

House Bill No. 1400 was read the first time, rules suspended, read the second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1407
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE REEP

A Bill for an Act to be Entitled: AN ACT TO INCREASE THE PURCHASE AMOUNT REQUIRED TO TRIGGER CERTAIN PURCHASING PROCEDURES BY A COUNTY; AND FOR OTHER PURPOSES.

House Bill No. 1407 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1413
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION

BY: REPRESENTATIVES HOYT, L. COWLING, DUNN, L. EVANS. EVERETT,
GEORGE, HALL, HAWKINS, HOUSE, HYDE, KIDD, LOWERY, PATTERSON,
PENNARTZ, PIERCE, REYNOLDS, SHELBY & WYATT

A Bill for an Act to be Entitled: AN ACT TO CLARIFY THE STATUTE
CONCERNING REGULATION OF UNSANITARY CONDITIONS BY COUNTIES;
AND FOR OTHER PURPOSES.

House Bill No. 1413 was read the first time, rules suspended, read the
second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1414
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVE ALLEN

A Bill for an Act to be Entitled: AN ACT CONCERNING ALCOHOL
EDUCATION PROGRAMS FOR PERSONS CONVICTED OF DRIVING WHILE
INTOXICATED; AND FOR OTHER PURPOSES.

House Bill No. 1414 was read the first time, rules suspended, read the
second time and referred to the Committee on JUDICIARY.

HOUSE BILL NO. 1420
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MAXWELL, ANDERSON, SULLIVAN, ET AL,
BY: SENATOR HORN

A Bill for an Act to be Entitled: AN ACT TO REDUCE THE SALES AND USE TAX RATE ON NATURAL GAS AND ELECTRICITY USED OR CONSUMED IN MANUFACTURING IN THIS STATE; AND FOR OTHER PURPOSES.

House Bill No. 1420 was read the first time, rules suspended, read the second time and referred to the Committee on REVENUE & TAXATION.

HOUSE BILL NO. 1447
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES OVERBEY, T. BAKER, BLOUNT, CORNWELL, HOUSE,
HOYT, KIDD, PATTERSON, PYLE & REEP

A Bill for an Act to be Entitled: AN ACT TO AMEND THE FILING PERIOD FOR INDEPENDENT CANDIDATES FOR MUNICIPAL OFFICE TO MAKE THE FILING PERIOD CONSISTENT WITH ARKANSAS CODE § 7-7-103; AND FOR OTHER PURPOSES.

House Bill No. 1447 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

HOUSE BILL NO. 1450
EIGHTY-SIXTH GENERAL ASSEMBLY
REGULAR SESSION
BY: REPRESENTATIVES MEDLEY AND GLIDEWELL
BY: SENATOR ALTES

A Bill for an Act to be Entitled: AN ACT TO MODIFY ANNEXATION LAW CONCERNING ISLANDS IN SITUATIONS IN WHICH PROPERTY LIES ON A STATE BOUNDARY LINE; AND FOR OTHER PURPOSES.

House Bill No. 1450 was read the first time, rules suspended, read the second time and referred to the Committee on CITY, COUNTY & LOCAL AFFAIRS.

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SENATE BILLS TRANSMITTED TO THE HOUSE
AS PASSED

- SENATE BILL NO. 5
- SENATE BILL NO. 217
- SENATE BILL NO. 263
- SENATE BILL NO. 268
- SENATE BILL NO. 272
- SENATE BILL NO. 273
- SENATE BILL NO. 279
- SENATE BILL NO. 280
- SENATE BILL NO. 281
- SENATE BILL NO. 282
- SENATE BILL NO. 285

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED

HOUSE BILL NO. 1224
HOUSE BILL NO. 1282
HOUSE BILL NO. 1305
HOUSE BILL NO. 1323
HOUSE BILL NO. 1402

HOUSE BILLS RETURNED TO THE HOUSE
AS PASSED AS AMENDED

HOUSE BILL NO. 1024 AS AMENDED NO. 2
HOUSE BILL NO. 1030 AS AMENDED NO. 1

HOUSE CONCURRENT RESOLUTION RETURNED
TO THE HOUSE AS CONCURRED IN

HOUSE CONCURRENT RESOLUTION NO. 1006

SENATE BILLS RETURNED FROM THE HOUSE
AS PASSED

SENATE BILL NO. 108
SENATE BILL NO. 143
SENATE BILL NO. 182
SENATE BILL NO. 189
SENATE BILL NO. 211
SENATE BILL NO. 212
SENATE BILL NO. 215

HOUSE BILLS TRANSMITTED TO THE SENATE
AS PASSED

HOUSE BILL NO. 1229

HOUSE BILL NO. 1289

HOUSE BILL NO. 1359

HOUSE BILL NO. 1370

HOUSE BILL NO. 1397

HOUSE BILL NO. 1400

HOUSE BILL NO. 1407

HOUSE BILL NO. 1413

HOUSE BILL NO. 1414

HOUSE BILL NO. 1420

HOUSE BILL NO. 1447

HOUSE BILL NO. 1450

On motion of Senator Whitaker, the Senate adjourned until 1:30 p.m., Monday, February 19, 2007.

PRESIDENT OF THE SENATE

SECRETARY OF THE SENATE

